

Child protection policy

Policy application: Aims and Context

The aim of the Policy is to implement and guarantee children's rights to be protected against any form of abuse, exploitation and violence. This policy is in compliance with and complementary to the Openpolis Foundation Child Protection Policy.

As some cultures might have different levels of tolerance, Openpolis Foundation won't accept any form of children abuse or exploitation.

This policy should be followed by:

- Members of the Executive Board, members of staff and volunteers working at Openpolis Foundation, which from now on will be both referred to as the organization;
- Journalists, spokespersons, professionals and anybody else getting in touch with the organization and its projects;
- Associations or groups working in partnership with the Organization in projects involving direct contact with children and teenagers.

The subjects listed above should be compliant with the policy in their professional as well as in their private life.

The organization is committed to the protection of children and teenagers through adopting the following measures:

- Awareness: the organization guarantees that all its members, including members of staff, volunteers and members of the Executive Board, are aware of the reality of child abuses and exploitation, and its consequences.
- Prevention: one of the organization's goals is reducing the risk through encouraging good practices, making a safe environment, and supporting the participation of children and teenagers.
- Reporting: the organization guarantees that all people involved in the organization's projects or other activities are aware of the procedures to apply and report any potential risk of violence against children.

OUR LEGAL REFERENCES:

This policy is based on the principles stated in the articles of the UN Convention on the rights of the Child, regarding child protection and they are the following:

art.9 (parents separation); **art.10** (family reunification); **art.11** (illicit transfer and non-return); **art.16** (privacy protection); **art.19** (protection from all forms of maltreatment, neglect or negligent treatment, and exploitation); **art.20** (protection of children deprived of their family environment); **art.21** (adoption); **art.22** (refugee seekers); **art.23** (disabled children); **art.24** (right to medical assistance and health care); **art.25** (periodic review of treatments); **art.32** (child economic exploitation); **art.34** (child sexual exploitation); **art.35** (sale, traffic and abduction); **art.37** (protection from torture, other cruel, inhuman and degrading treatments, and the arbitrary deprivation of liberty); **art.38** (armed conflict); **art.39** (social reintegration); **art.40** (Juvenile courts and guarantees for children undergoing a trial).

Other articles not directly relating to children's rights protection but still very important in order to get the latter implemented are the following: **art.2** (prohibition of discrimination); **art.3** (the best interest of the child); **art.4** (implementation of rights within the international cooperation framework); **art.5** (the child's development and parental support); **art.6** (right to life); **art.7** (right to a name and a nationality); **art.8** (identity protection); **art.18** (parents' common responsibilities for the upbringing and development of the child); **art.26** (social security and social insurance); **art.27** (right to an adequate standard of living); **art.28-29** (education); **art.31** (right to rest and leisure).

GLOSSARY

Main definitions follow:

Child or teenager: both these terms are referring to people aged 18 or less.

Child maltreatment: A physical maltreatment can be any form of conduct adopted by an adult or peer that actually or potentially causes damage to a child.

Unlike the other forms of maltreatment, physical maltreatment involves:

- The unpredictability of conduct: a child doesn't know what might trigger anger and aggressive reactions so he or she lives in a climate of uncertainty
- Anger attacks: aggressive conduct is caused by anger and the desire to exercise a strong form of control on a child, so that maltreatment is proportional to anger.
- Fear as a form of control on a child's behavior: abusers often believe that a child needs to be afraid in order to learn how to behave, therefore they tend to intimidate him/her to get obedience and respect. Unfortunately, this method is not going to teach a child anything apart from how to avoid the beating.

Sexual abuse: A sexual abuse is the act of making a child the object of sexual attentions, they might be physical or not, perpetrated by adults or peers.

Psychological maltreatment: A psychological maltreatment is a reiterated conduct that damages the affective, cognitive, and relational development of a child damaging his/her own self-perception. It might come under different forms and it normally comes with other forms of abuse. As it is not evident, unlike physical maltreatment, psychological abuse might be difficult to prove and sometimes the authorities' intervention is necessary for it to be proved.

Some examples of psychological maltreatment are:

- diminishing , humiliating, constantly criticizing a child;
- making fun of a child in order to diminish his/her personality, appearance, or abilities;
- making a child feel inadequate and not loved;
- bullying a child;
- exposing a child to other people's abuse, for example parents', siblings', or even pets'.

Neglect and negligence: Neglect or negligence is the attitude of a parent or a legal tutor who is paying inadequate attention to his/her own child's material and emotional needs, although no economic obstacles are preventing him/her from not doing so. This is the case when a parent or a legal tutor is not capable of protecting his/her own child from potential risks, and he/she is unable to guarantee and provide basic cares such as healthcare, education, or an adequate emotional growth, and as a result the child is exposed to physical or emotional injuries.

Exploitation: Child exploitation consists of using him/her to the advantage or for the profit of third parties. These sort of activities expose a child to an unfair, cruel and dangerous treatment and endanger his/her emotional, social, and moral development, along with his/her physical and psychological health.

There are two types of exploitation:

- Child sexual exploitation consists of any activity carried out by someone in a position of power who takes advantage of the child's trust and vulnerability to get sexual pleasure, and to make an economic, social or political profit out of it. In this case, a child becomes a sexual and commercial object and is exploited in both senses. Some examples are child prostitution, child trafficking for sexual abuse and exploitation, child pornography, and sexual slavery.
- Child economic exploitation is about employing children for dangerous jobs that might endanger their physical and psychological health and jeopardize their right to receive an education and medical care, and to enjoy a family.

Economic exploitation occurs when someone makes profits from producing, distributing and consuming goods and services that have an economic impact on a social unit, which might be the State, a local community or a family.

Some examples are: child labor exploitation, child military recruitment, child slavery, the use of children for criminal actions, including drug dealing, and their employment for dangerous jobs.

Damage: A damage represents all the consequences coming from exploitation, violence, maltreatment, and neglect, that affects a child's physical, psychological, behavioral and emotional development, their health, their social relations, their rights to get an education and cultivate ambitions.

CHILD PROTECTION PROCEDURES

All the staff and volunteers working for the organization, when joining it, should receive some training on, and declare to fully understand and implement this Policy and the related Code of Conduct for child protection, by signing them both.

In case of violation of the Code, a disciplinary action might be undertaken, along with the restriction of some duties or the termination of any type of contract between the organization and the subjects violating the Code.

All the organizations and the groups cooperating with the organization and dealing directly with children need to state, in their contracts or agreements, that the Policy should be implemented and they also need to know what to do to report an instance of child abuse.

RULES FOR THE STAFF WHO OPERATE DIRECTLY WITH MINORS

Members of staff operating directly with children will need specific training on issues relating to maltreatment and abuse, risks and prevention, and last but not least, on how to establish boundaries in their relationship with children and teenagers.

Furthermore, each member will be required to provide a certificate of criminal records before signing a contract and, in case of a continued cooperation, the above certificate will be renewed on a yearly basis.

HOW TO PREVENT RISKS

- Members of staff and volunteers should be recruited with the aim of implementing the organization's commitment to child protection. Recruiters should be considering the motivation of candidates to work with children and other ethical values like honesty, non-discrimination, reliability and loyalty. Criminal records disclosure and references should be required.
- The organization demands its partners to share mission, values and common strategies.
- The communication carried out by the organization should be respectful of children's dignity. Pictures and stories should be published without violating the best interests of a child and after receiving permission by parents or a legal tutor. Pictures should feature appropriately dressed and postured children, fully respecting their dignity. The titles of projects should be addressing objectives and results rather than liabilities and problems. Partners and groups cooperating with the organization should agree upon this set of rules.

- Training: the organization will provide the members of staff with periodical training on children's rights, trying to encourage a productive debate around the topics treated during training. The training provided will involve some essential topics, such as:
 - Children's basic rights;
 - The definition of maltreatment and exploitation and how to recognize them when actually happening;
 - What to do to address violations of the policy.
- Members of staff should comply with this policy and the organization's Code of Conduct, treating a child accordingly. Furthermore, journalists, spokesperson or any other person involved with the organization's projects should comply with this set of rules.
- Policy content should be shared with and explained to minors in order to let them understand.

what maltreatment is and what they can do to defend themselves, as awareness is the first step toward protecting themselves and their peers effectively.

WHEN THIS POLICY CAN BE APPLIED

The organization should protect children's rights on the Internet and Social Media. Members of staff making movies or taking pictures to be used as material in the organization's communication should:

- Ask for somebody's permission before taking pictures of them or filming them. If this person is a minor, a parent's or a tutor's permission will be needed. Members of staff should explain how pictures and movies will be used.
- Comply with local legislation on personal images reproduction and local customs, before recording, filming and taking pictures.
- Make sure that people are portrayed with dignity and respect. When minors are involved, images and movies should not contain sexual references or any form of exploitation of children suffering, or anything that might be considered offensive.
- Not reveal any personal detail other than name, age and country of origin, asking the person in question to authorize any further data disclosure. This is also valid for documents sent by email.

Children's data will be treated according to D. Lgs. 196/03 and only with the previous consent of a parent or a legal tutor.

As Openpolis Foundation, all members of staff dealing with minors are expected to abide by the following rules:

- Don't discriminate against children's race, sex, language, religion, opinion, nationality, social class, disability, and any other feature.
- Don't use inappropriate, abusive, sexually allusive, humiliating language and behavior.
- Don't involve children in any form of sexual activity.
- Where possible, make sure at least two adults are working with a child.

- Don't sleep next to a child unless it is necessary and with the permission of a supervisor.
- Don't visit a child in his/her own house or invite an unaccompanied child to come to your house, unless he/she is at immediate risk of injury or harm.
- Comply with the national and local legislation on working with children, including child labor.
- Don't give children physical punishments.
- Report any suspicion, accusation or proof of child abuse or any other violation.
- Don't try to contact or being in touch with a minor you are working with as a member of the organization, outside of this context.
- Don't hold, kiss, cuddle or touch children in an inappropriate way.
- Don't do things that children should do by themselves, such as using the toilet, showering, getting dressed, etc.
- Don't have inappropriate physical contacts.
- Act professionally as a member of the organization when working with children, and look after them.
- Don't abuse your position.
- Report any sexualized behavior.
- Report any violent or inappropriate behavior.
- Don't leave children unsupervised.
- If a child needs to be accompanied or looked after make sure you have been authorized to do that.

WHAT TO DO IF YOU SUSPECT ABUSE

Reporting and investigating

In order to guarantee the protection of minors, it is essential to provide a simple and transparent procedure to report potential abuses. As such, any organization that works with minors should designate an individual to take responsibility for managing investigations into potential abuses of children or adolescents. The procedure should be clear, easily accessible, and should guarantee the rights of the minor. Confidentiality should also be guaranteed: the identities of the person who made the report, the subject of the report, and the accused abuser should not be made public, except where the case appears before a judge and requires witness testimony.

Who can make a report? The minor, a parent or relative, a member of staff, a volunteer, a member of the Executive Board, or a partner of the organization.

What can be reported? Any suspicion of harmful behaviour or concern over the safety of a minor. Any violation of this policy itself should also be reported.

The following are examples of behaviour that should be reported. This list is not intended to be exhaustive.

- A child reports abuse, or brings to light evidence which raises suspicions that he/she may be suffering abuse or exploitation.
- A member of staff of the organization or of its partners, or a volunteer, is aware of or suspects that a minor is being abused/exploited, or is in danger of being abused/exploited.
- A family member or member of the community reports to the organization, its partners, or a volunteer that a minor has been abused/exploited, or is in danger of being abused/exploited.
- A member of staff of the organization or of its partners, or a volunteer, is in contravention of the Code of Conduct.
- A member of staff of the organization or of its partners, or a volunteer, abuses a minor that he/she comes into contact with as a result of their activities for the organization.
- A member of staff of the organization or of its partners, or a volunteer, abuses a minor outside of their working context, such as a member of their own family, a minor who they come into contact with, or by engaging the services of an underage prostitute.
- A minor who the organization or its partners are in contact with abuses another minor.

How should reports be made? Via email or written document, telephone, face-to-face, letter, or via any other valid means, such that minors themselves are able to submit reports.

Who should reports be made to? To the appointed official in the country in which the organization operates.