

CHILD PROTECTION POLICY

Slovene Philanthropy (SP) is committed to respecting and promoting children's rights, acting in their best interests, keeping them safe and protecting them from all forms of abuse and harm.

This Policy is developed to ensure the highest standards of professional behaviour and personal practice to ensure no harm occurs in any situation to children during their involvement in any SP activities and programmes.

SP Child Protection Policy is grounded on:

- UN Child Rights Convention (Art. 19);
- General Comment No. 13 (2011) of the UN Committee on the Rights of the Child – the right of the child to freedom from all forms of violence;
- Constitution of the Republic of Slovenia (Art. 56);
- The Code of Ethical Principles in Social Protection (Social Chamber of Slovenia);
- Domestic Violence Prevention Act;
- Keeping Children Safe Coalition Child Safeguarding Standards;
- L'Albero della Vita Child Protection Policy.

SP Child Protection Policy applies to:

- All SP staff: manager (executive director) and employees;
- Associates: All those acting on behalf of SP, such as volunteers and interns, consultants, trainers and external contractors who provide services for SP;
- Partner organisations' staff working in the programmes involving children.

DEFINITIONS UNDER THE CHILD PROTECTION POLICY

Children

In line with the UNCRC, for the purposes of the present Policy, a child means every human being below the age of eighteen years. (UNCRC Article 1).

Abuse

In line with WHO definitions, child abuse or maltreatment constitutes all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

Physical abuse is defined as those acts that cause actual physical harm or have the potential for harm.

Emotional abuse is persistent emotional ill-treatment of a child such as to cause severe and persistent effects on the child's emotional development.

Sexual abuse is defined as those acts where a perpetrator uses a child for sexual gratification. It involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening.

Neglect refers to the persistent failure to meet the child's basic physical and/ or psychological needs, likely to result in the serious impairment of the child's physical or cognitive development.

Violence is defined as physical, psychological (psychosocial), and sexual violence to children through abuse, neglect or exploitation, as acts of commission or omission in direct or indirect forms, that endanger or harm the child's dignity, physical, psychological, or social status, or development.

Trafficking in persons (Human trafficking) means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. The consent of a victim of trafficking in persons to the intended exploitation set forth in previous sentence is irrelevant where any of the means set in previous sentence have been used. The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered human trafficking even if this does not involve any of the means set forth in first sentence.¹

¹ Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Official Gazette of the Republic of Slovenia, no. 48/2004).

PRINCIPLES

All children have equal rights to protection from harm and abuse.

Organisations have a duty of care to children with whom they work, are in contact with, or who are affected by their work and operations.

Everybody has a responsibility to support the protection of children.

The right of children to have their best interests be a primary consideration in all matters involving or affecting them must be respected, especially when they are victims of violence, as well as in all measures of prevention.

Children's rights to be heard and to have their views given due weight must be respected systematically in all decision making processes, and their empowerment and participation should be central to child caregiving and protection strategies and programmes.

OBJECTIVES

To make all SP staff, associates and partner organizations' staff aware about all aspects of child protection and all the procedure about the prevention, disclosure, reporting and responding to abuses.

To ensure that all SP staff, associates and partner organizations' staff are well supported in meeting their roles and responsibilities in protecting children.

To ensure that all children involved in actions and programmes directly implemented or supported by SP are kept safe from all forms of abuse and harm and that any concerns we have about children's safety within the communities in which we work, are reported to the appropriate authorities.

IMPLEMENTATION

SP staff, associates and partner organizations' staff are bound to the respect of SP Child Protection Policy and commit themselves to:

Awareness and information sharing

- Promote the open and free discussion about all issues related to child protection, promoting child wellbeing and keeping children safe from abuse and harm.
 - Provide adequate information to its staff, associates and partner organizations' staff about SP Child Protection Policy, Code of Conduct (Appendix 1) and Complaint Procedure (Appendix 2).
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- Establish clear roles and responsibilities regarding the monitoring of the respect and the enforcement of SP Child Protection Policy.
- Ensure that children and their parents/guardians are informed about SP Complaint Procedure, about their rights to be heard and to grow up free from all forms of abuses and violence.

Prevention

- Guarantee high professional standards to be applied during the selection of staff, associates and partner organizations.
- Provide adequate training to staff and associates on child protection.
- Ensure that all projects and programmes will be designed and implemented to minimise the risk of harm to the children we come into contact with or impact upon directly or indirectly by our actions.
- Foreseen specific supervision mechanisms for SP staff, associates and partner organizations directly working with children as a space for open and free discussion about Child protection concerns coming from any SP directly implemented or supported Action.
- Promote a safe, free and open environment where children are encouraged to discuss their concerns and rights and to express their point of view.

Reporting

- Provide to all SP staff, associates and partner organizations' staff clear procedures for reporting any child abuse and child protection concerns.
- Ensure child-friendly reporting mechanisms, so that children can report in confidence and safety about experienced maltreatment, abuse and violence.
- Guarantee that any child abuse/child protection concern is treated and investigated keeping the highest degree of confidence.

Responding

- Investigate any concern about the conduct of SP staff, associates and partner organizations' staff according to SP Child Protection Policy; investigation may result in disciplinary proceedings, reporting to the concerned authorities and in the immediate termination of contract or partnership agreement.
- Foresee all needed measures for ensuring child protection and security in case of proven child abuse and neglect and report to the concerned authorities.
- Periodically review the Policy, according to the feedback and experience.

APPENDIX 1: CHILD PROTECTION CODE OF CONDUCT

This Code of Conduct includes guidance on ethical and proper standards of behaviour and defines acceptable and unacceptable behaviour of adults towards children. SP considers all forms of abuse and harm towards children to be unacceptable. Any form of unacceptable behaviour which breaches this Code of Conduct must be reported.

Do:

- Treat all children with respect and equally.
- Encourage and respect children's voices and views.
- Plan activities in such a way to minimise the risk of harm.
- Develop special measures/supervision to protect younger and especially vulnerable children from peer and adult abuse.
- Use non-violent and positive behaviour methods when supervising children.
- Inform children and their parents of their right to report any worrying situations and how they can raise a concern.
- Ensure that information concerning children and families remains confidential.
- Make sure that another adult is present or try to be visible when being in contact with a child.
- Obtain written consent from the child and parent/guardian when photographing, filming or requesting personal information for activities. This includes explaining to children and their parent/guardian how the photographs, films/videos or information will be used.
- Ensure photographs, films/videos present children in a dignified and respectful manner and that the identities and sensitive information about children are not disclosed.
- Immediately report concerns or allegations of child abuse and of behaviour which goes against the principles of the Child Protection Policy and Code of Conduct to the mentor or directly superior and to the Child Protection Focal Person. The Child Protection Focal Person immediately informs executive director and participates in the procedure.

Do not:

- Discriminate against, treat children unequally or unfairly or in favour of particular children to the exclusion of others.
- Act in any way that may be abusive or place others at risk of abuse.
- Discriminate, shame, humiliate, belittle, or degrade a child, or otherwise emotionally abuse a child (e.g. use inappropriate language – whether of an offensive, discriminatory, demeaning, abusive or sexual nature – when speaking with or whilst in the presence of a child; tell a story/show pictures that will mentally or emotionally abuse a child).
- Hit or otherwise physically assault children.
- Behave in an inappropriate or sexually provocative manner or engage in any form of sexual activity with children.
- Access or create sexually abusive images of children.
- Touch a child in an inappropriate, unnecessary or culturally insensitive way.
- Condone or participate in, behaviour with children which is illegal, unsafe or abusive.

- Hire children for labour which is inappropriate for their age or development, interferes with their education or play, or places them at risk of injury.
- Use computers, mobile phones, video or digital cameras or any other technology for the purpose of exploiting or harassing children.
- Be alone with a child in any circumstances that might be questioned by others.
- Never have a child stay overnight in the adult's room or sleep in the same bed (unless prior consent is provided by both the child and his/her parent/guardian).
- Perform activities for children that they can do themselves, including dressing, bathing and grooming.
- Suggest inappropriate behaviour or relations of any kind or encourage any crushes by a child.
- Take photographs, film or request personal information if not required for SP's activities.
- Publish an information, story, photograph or video/film without the prior authorisation of the mentor and manager.
- Publish an information, story or photograph which may endanger children or their family.
- Post unofficial pictures or information about children on personal websites or social networks.
- Invite a child to home without the prior consent by his/her parent/guardian and the authorisation of the mentor or directly superior.
- Work with or transport a child alone without the prior consent by his/her parent/guardian and the authorisation of the mentor or directly superior, unless absolutely necessary for the safety of the child.
- Be under the influence of drugs or alcohol while working with children.
- Ignore or fail to report any concern, suspected violation or violation of the Child Protection Policy and the Code of Conduct to the mentor or directly superior and to the Child Protection Focal Person.

Contact information
Child Protection Focal Person Marina Uzelac: 00 386 1 430 12 88; marina.uzelac@filantropija.org

APPENDIX 2: COMPLAINT PROCEDURE

SP is committed to ensuring the safety and welfare of all children with whom we work and has put in place a complaint procedure to cover any situations which may arise, when service users (including children and their parents/guardians) are not satisfied with the way they were treated by SP staff.

Complaint procedure:

In case, service beneficiaries are not happy with a programme or want to express their dissatisfaction with it, they can make a complaint, verbally or in writing a programme manager. They have two-stage complaint procedure available. They are also familiarised with the fact that programme implementers are obliged to respect the principles of the The Code of Ethical Principles in Social Protection and about the possibility to object as defined in the Article 94, of the Social Security Act. Possibilities and the ways of making a complaint are presented to service users by programme professional staff. The procedures are properly displayed in the premises where programmes and activities take place and available on the website of the Slovene Philanthropy too.

1. In the first stage, a beneficiary or his/her legal representative has a possibility to make a written complaint to the head of the Slovene Philanthropy i.e. to the executive director. The executive director is to make a written response proposing a solution or providing an explanation. If the beneficiary is not happy with the provided explanation or the proposed solution, in the second stage of the complaint procedure, he or she has the possibility, readdress his/her complaint and appeal to the Slovenian Philanthropy Managing Board, who pass it on to the Court of Honour to decide on the solution. The Court of Honour decides under the procedure laid down in Article 18 of the Statute of the Slovene Philanthropy.
2. If the beneficiary or his legal representative's complaint fails, or he or she is still not satisfied with the service or with the work and procedures by programme implementers, based on Article 105 of the Social Security Act, he or she can make a request or initiate an extraordinary inspection. The request shall be submitted to the following address: Labour Inspectorate of the Republic of Slovenia – Inspection for Social Affairs, Verovškova 64a, 1000 Ljubljana.
3. In case of dissatisfaction with the offered services, service beneficiary or their legal representatives have also possibility to share comments, opinions and suggestions also with the Social Chamber of Slovenia, Ukmarjeva ulica 2, 1000 Ljubljana and inquiry about possible programme implementers noncompliance with the Ethical Codex principles of Social Security.
4. Whenever a complaint by a service beneficiary or his legal representative is decided upon by an administrative decision, the beneficiary or his/her legal representative can make a complaint or objection in accordance with the remedies that are stated therein. Same procedures can be applied in the case the competent authority of the application does not make its decision within the legally defined deadline.

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There is an ethics commission available to beneficiaries who take part in the programme as volunteers. The ethics commission is an independent body, composed of representatives of various volunteer organizations; its work is autonomous and it is not a part of the association. Complaints and requests for commission's opinions and views can be addressed to the ethics commission directly; all beneficiaries are informed of this possibility.

APPENDIX 3: DECLARATION OF COMMITMENT

All SP staff, associates, such as board members, volunteers and interns, consultants, trainers, external contractors who provide services for SP and partner organisations' staff will be expected to read SP Child Protection Policy, Code of Conduct and Complaint Procedure and sign a commitment to adhere to its principles and procedures.

Declaration of Commitment to SP Child Protection Policy

I, _____, have received, read and understood the SP Child Protection Policy, Code of Conduct and Complaint Procedure. I agree with the principles, standards and guidelines contained therein and agree to work in accordance with them.

I understand that any failure to uphold the Child Protection Policy and the Code of Conduct may result in disciplinary proceedings, reporting to the concerned authorities and in the immediate termination of contract or partnership agreement.

I declare that no security measure of compulsory psychiatric treatment or compulsory treatment of addiction or prohibition to perform profession, work or duties related to the work with children was ordered to me. There were no criminal proceedings against me and/or I was not convicted of an offense against life and body, sexual integrity or for unlawfully obtaining material benefits, nor do I know of any reason why anyone would consider me unsuitable to work with children.

(Name)
(Job title/role at SP)
(Signature)
(Date)