

FONPC POLICY

on the guarantee of safety and protection against sexual harassment, exploitation and abuse and the abuse of a person, especially children (PHSEA&CA)

1 | Introduction

FONPC is the main specialized interlocutor of the state in order to elaborate and redefine public policies to ensure the well-being of children from the perspective of children's rights, using and developing in a coherent and comprehensive framework the experience and expertise of its members.

2| Legislation underlying the internal safety policy

This policy is based on international and national law.

The main legal framework is the United Nations Convention on the Rights of the Child (1989), the Protocols to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000) and the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in armed conflicts (2000). This policy is also in line with the Minimum Standards for Child Protection in Humanitarian Action (2014). This policy also takes into account FONPC's experience in establishing functional mechanisms and conditions for child protection.

The internal adult protection policy adopted by FONPC takes into account preventive and protective measures according to the European Council Directive of 12 June 1989 on the implementation of measures to promote the improvement of the safety and health of workers at work.

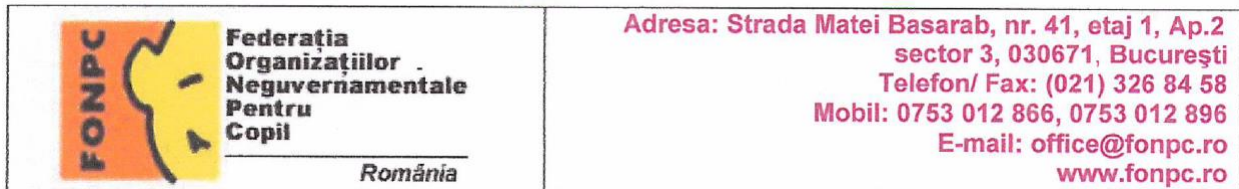
3| The FONPC statement of the internal policy regarding the safety guarantee and PSHEA-CA

We believe that every child has the right to live a life of safety, peace, development and participation in their own community, family, school where they can freely exercise their rights according to the UN Convention on the Rights of the Child.

FONPC declares zero tolerance towards any form of violence against children but also against the people with whom it works and collaborates!

We believe that any organization that works with and for children should have a child protection policy statement that sets out its commitment to protecting children from harm in any form.

Guaranteeing the safety of a person implies that the employer has the duty to protect the safety of his employees in every aspect related to the professional activity. This means that all risks to which employees may be exposed are assessed, preventive and protective measures are taken. Thus guaranteeing the safety of FONPC staff, volunteers, collaborators is a responsibility that the organization assumes in all



its actions and activities, evaluates the risks to which they could be exposed, takes preventive and protective measures according to the European Council Directive of June 12 1989 concerning the implementation of measures to promote the improvement of the safety and health of workers at work.

Guaranteeing the safety of children (Child Safeguarding) consists of a framework of measures and conditions through which we limit the risk to which children can be exposed during actions, in collaboration with organizations and in activities involving adult staff from organizations. Guaranteeing the safety of children is everyone's responsibility and must be taken into account in all interactions with minors, at the project or activity level implemented by FONPC. Guaranteeing the safety of children refers to a series of principles and active measures that will be taken to limit the direct or indirect collateral risks that could affect children in the interaction with the FONPC staff, in the actions/activities organized by the FONPC or by the organizations/institutions and staff with which the federation collaborates.

Sexual abuse and sexual exploitation

FONPC believes that none child should be subjected to sexual exploitation and sexual abuse, causing physical, emotional or mental harm. So any activity in this sense must stop immediately, it must be reported to the management of FONPC, the Board of Directors of FONPC, the state authorities and immediate measures must be taken.

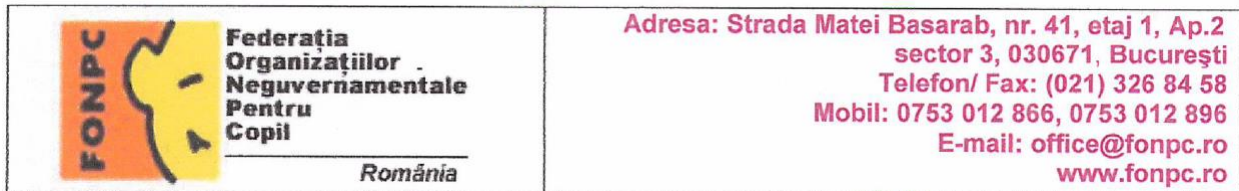
Violence and sexual abuse in the digital environment

We need to ensure that digital media does not perpetuate negative gender, violence, sexualization of girls or women, and unrealistic expectations of the image of women. The extremely harmful impact of pornography, especially violent pornography, and the ease with which children can access it on various devices must be recognized as a problem.

FONPC considers that the use of the Internet to facilitate sexual abuse and exploitation of children are acts of violence committed against children. Child sexual abuse and exploitation is no less of a crime if it occurs online. Content creators, websites must ensure that minors/children are protected from accessing harmful material on the Internet.

Violence against children in crisis/war situations

FONPC believes that the state and civil society must also assume responsibilities towards children in crisis situations (war, etc.), without discrimination. Children who apply for asylum or refugee status have an equal right to protection against violence, abuse, exploitation and neglect based on compliance with the UN Convention on the Rights of the Child and the 1951 Refugee Convention. Children are holders of individual rights, having the right to all the assistance and protection granted to the refugee, including protection against violence of any kind.



4| Who does it apply to?

The internal policy of the federation will apply to all employees and persons with whom FONPC has concluded employment contracts, copyright assignment contracts, members of the Board of Directors, volunteers, member organizations, as well as partner organizations with which it collaborates.

By partners we mean: all partner organizations - institutions, NGOs, corporations, donors/financiers with whom FONPC works in order to carry out its activities, other international organizations as well as media representatives.

5| Definitions

Child: A child is any person who has not reached the age of 18 and has not acquired full legal capacity, according to the law.

Safeguarding the child: the responsibility of organizations to ensure that they do not harm children. This means doing everything in their power to prevent exploitation and abuse and, if abuse does occur, reacting appropriately. All actions to ensure the safety of the child must be taken in the best interest of the child.

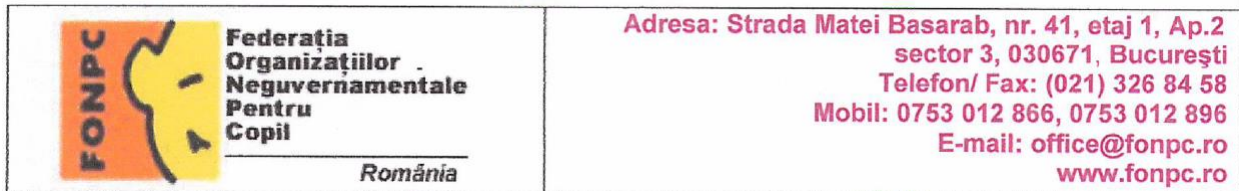
Violence against children takes many forms. It can be physical, emotional or sexual. It happens in any setting – in a child's home, in the community, at school and online. In some parts of the world, violent discipline is socially accepted and common. And for many children the violence comes from people they trust – their parents or caregivers, teachers, peers or neighbors.

Gender-based violence is the type of violence directed against a person based on their gender or sex. Gender-based violence includes: domestic violence, rape, sexual abuse and sexual harassment, bullying at school and the workplace, human trafficking and forced prostitution.

Child abuse means any voluntary action by a person who is in a relationship of responsibility, trust or authority towards him, by which life, physical, mental, spiritual, moral or social development, bodily integrity, are endangered. physical or mental health of the child, and is classified as physical, emotional, psychological, sexual and economic abuse (Law no. 272/2004, Section 3, art. 94)

Sexual abuse is defined as forcing or threatening physical contact of a sexual nature, either by force or under conditions of inequality or coercion of a person by another person to engage in unwanted sexual relations. This includes monetary, social or political profit from the sexual exploitation of another person. When it is directed at a child it is called child sexual abuse.

Sexual Harassment: A range of unacceptable and unwanted behaviors and practices of a sexual nature that may include, but are not limited to: suggestions or solicitations of a sexual nature, requests for sexual favors, and sexual, verbal or physical behaviors or gestures that are or would could be legitimately perceived as offensive or humiliating.



Physical abuse: When someone intentionally hurts or harms another person. It also includes simulating the symptoms of an illness or causing the person concerned to become ill.

Emotional abuse: This includes constant emotional abuse with an impact on the emotional development of the child/adult. Emotionally abusive actions include restricting movement, belittling, humiliating, bullying (including cyber bullying) and threatening, intimidating, discriminating, ridiculing or other non-physical forms of hostile treatment or rejection

Discrimination: Any unfair treatment or arbitrary distinction based on race, sex, religion, nationality, ethnic origin, sexual orientation, disability, age, language, social origin or other status, such as gender identity. Discrimination can be an isolated event that affects a person or a group of people in a similar situation.

Bullying (psychological violence): Vulgar, abusive or threatening behavior or abuse of power with the aim of making a person feel humiliated or embarrassed

6| Prevention

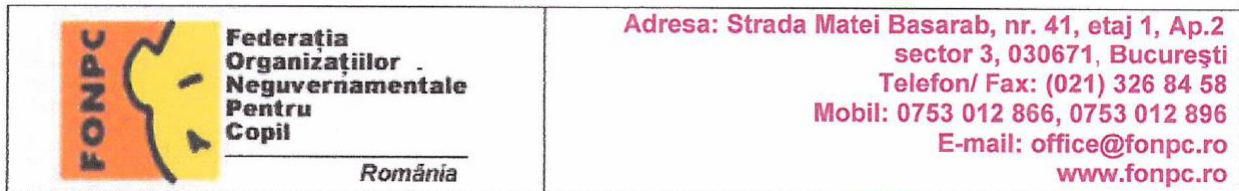
The protection and defense of children's rights is both an organizational and a personal responsibility of each of the federation's employees/volunteers/collaborators.

FONPC believes that the best way to minimize the risks associated with violence against children is active prevention. When FONPC implements projects, coordinates programs, makes visits to the projects it implements, when it concludes collaborations with other organizations or institutions, its primary concern is the well-being of each child.

To ensure that children's rights are respected at all times, FONPC will take the following measures and actions:

6.1 Risk reduction

- The policy integrates the feedback of the members of the Board of Directors of FONPC
- FONPC takes into account its policy and principles in the preparation of all its programs, projects and activities involving children
- **Recruitment of employees** - FONPC staff members are hired following a selection, with clear requirements regarding qualification, professional experience, skills and personal profile, depending on the job description; the employee selection process involves questions about the candidate's emotional intelligence, attitude towards communities and reaction to injustice; in the selection process, the manager responsible for the selected role verifies it if necessary by asking for oral or written recommendations from people who have worked directly with it



- **The safeguarding officer** or the direct superior of each employee monitors the evolution, takes measures and alerts the responsible persons in case of situations regarding the violation of the rights of the child
- **Recruitment of volunteers** - they are accepted following a selection, with clear requirements regarding motivation, experience and job description. The project coordinator is responsible for informing them about the Safety Assurance Policy and PSHEA-Ca and signing all necessary documents. The Safeguarding Policy with the obligations and responsibilities of the volunteers will be attached to the volunteering contract.
- **Corporate partners, other NGO partners, individuals, donors and supporters** do not usually work directly with children during collaboration with FONPC, unless this is established within their objects. If the stakeholders mentioned above will have contact with children during their collaboration (eg visits to a school/classroom, participation in events where minors also take part, etc.) the federation ensures that they are all familiar with this policy.

6.2 | Child protection training

All employees, volunteers and partners will be informed of the federation's child protection policy. They will receive a link or email to the online version of the policy or an email with the attached document and will need to send a confirmation email that they have received, read and understand this policy.

The Safeguarding Officer will create a resource base to help identify existing or potential abuse which will include details of legislation, training guides in the field and contacts of relevant institutions and will communicate new information regularly or whenever necessary .

After the approval of the protection policy, the person in charge will organize a training session with the current employees and provide them with all the necessary supporting documents.

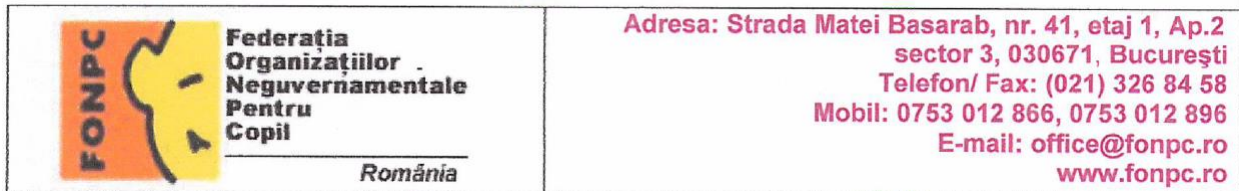
New employees/volunteers/collaborators will be familiarized with the child protection policy when starting work within the federation in the first month of work.

All employees will be notified annually of any revisions or updates to the policy. In case of concerns, superiors will inform the Safeguarding Officer and carry out further investigations.

6.3 | Code of conduct

Employees, volunteers and participants in FONPC actions are united by the mission of ensuring the well-being of every child in Romania from the perspective of children's rights.

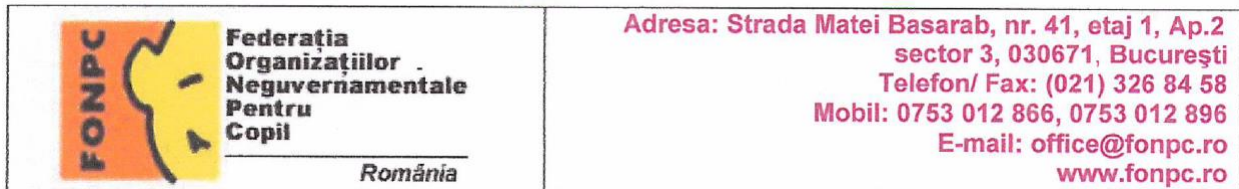
Through the current policy, FONPC undertakes with responsibility and perseverance to take preventive measures against all forms of violence against children, this being an objective assumed by the federation in all the projects and activities it carries out.



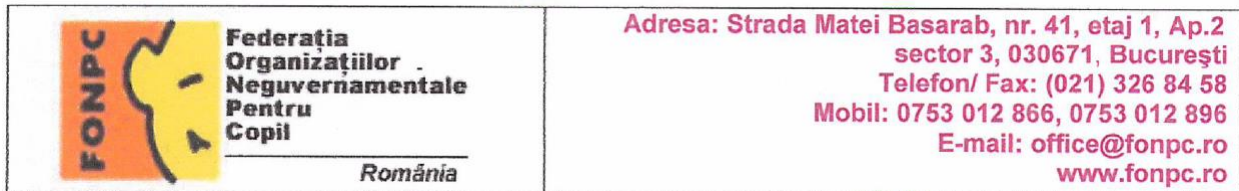
FONPC employees/collaborators/volunteers will always follow a set of basic principles and rules (a code of conduct) in their work:

- They will put the best interests of the children above all other considerations
- They will work respecting the rights of children and/or adults at risk.
- They will respect Romanian legislation and the UN Convention on the Rights of the Child
- They will treat children with respect, without discrimination, without harassment regardless of race, color, sex, disability, language, religion or other ethnic or social origins
- They will protect all children from harm, regardless of their gender, culture, ethnicity, age, religion, sexual orientation or ability
- Will respect cultural and religious differences when interacting with children or adults at risk and their families, and will treat them with sensitivity
- They will behave and use appropriate language in the presence of children and will interact with children only throughout the implementation of the projects/programmes
- They will always maintain appropriate limits whenever they come into direct or indirect contact with children or adults at risk, including in the online and digital environment; They will not initiate physical contact with a child or adult at risk (including but not limited to: hugging, holding, grabbing the arm, etc.)
- Permission will be sought before interacting with a child or group of children from the adult supervising the location (such as a teacher, carer etc) or from the parents/guardians of the participants.
- Will provide comprehensive explanations of the nature of interactions with children to relevant authorities, parents or guardians so that they are fully aware of the nature of the project/programme in which the children are involved
- They will ensure that minors/children will always be in a safe and protective environment during the ongoing projects/programs

They will put the interests and welfare of the children they come into contact with before any other considerations – such as media/communication needs. If photos or videos will be taken, FONPC employees/collaborators/volunteers will seek permission from parents/guardians after explaining the purpose of the action. Any description of these children, in words or images, must protect their identity, preserve their dignity. They will not publish photos, videos or stories with and about children that could expose them to danger or that present them in a vulnerable, humiliating or degrading position. All photographs taken will illustrate honest representations of context and facts and children will be photographed in a dignified manner. Furthermore, they will protect all photos and materials that may include children's identity information (in some cases even by blurring the face of the child or vulnerable person)



- It is mandatory to obtain informed consent from the child and/or informed consent of the caregiver before conducting any interview, photo shoot, filming or other content collection activity.
 - They will ensure that all data relating to children or adults at risk that they obtain in their role with the federation is managed in the highest possible security and confidentiality, including its collection, retention and dissemination, as appropriate. All personal data and categories of sensitive/special data will be stored in accordance with the provisions of data protection legislation
 - Will never share personal contact information with children and their families, unless exceptional circumstances require this (for example, when abuse is suspected and action needs to be taken)
 - Will not allow a child or adult at risk to participate in abusive activities (including but not limited to: bullying, neglect, denial of medication, food or shelter, disregard for medical, physical or emotional needs).
 - They will not emotionally or psychologically abuse a child or adult at risk by acting or behaving in a way that puts them in an embarrassing or degrading situation (including but not limited to: threatening to harm them, humiliating him, blaming him, controlling him, isolating him, or intimidating him, etc.).
 - They will not give children gifts or cash. If for some reason it is appropriate to give gifts or money, then these should always be given to an adult responsible for the project the child is a part of. (This is both for security reasons and not to be interpreted as an act of favoritism).
 - They will be alert to potential indicators of child abuse, neglect, exploitation or violence and recognize when a child may need help and protection (children with disabilities, unaccompanied children, etc.)
 - They will ensure that they use up-to-date procedures that are appropriate for the protection and welfare of the children they come into contact with
 - All adults have the responsibility to report situations that seem worrying to the activity coordinator/competent authorities, who can take measures to protect the child
 - They will report and respond appropriately to all child protection concerns, suspicions and observations. They will ensure that they respect the confidentiality of all parties – especially the child and the alleged perpetrator from the time the suspicion is raised until the action is concluded. Information will be managed confidentially and communicated to the safeguarding officer/activity coordinator without the consent of those concerned only if the duty to protect children from harm outweighs the individual right to privacy/private life.
- 6.3 If, during the performance of an activity or participation in a FONPC event, an adult will be concerned about the situation of a child, proceed as follows:
- When a **child is in urgent need** of medical assistance or police intervention, **stop everything and call 112 immediately.**



- If the problem is less urgent, it will be reported to the person who is responsible for the safety of the children at the event, so that they can decide on the measures that are required in that situation.

7| Measures

If the **Code of Conduct** will be violated or if the existing protection policy will not be respected by employees, volunteers, collaborators, external partners and other actors, this aspect may lead to the application of measures such as suspension or termination of any type of commitment. The measures can start with a warning and end with the termination of the contract in force (work/sponsorship/volunteering/collaboration, etc.). Depending on the seriousness of the situation, the responsible authorities can also be notified (e.g. the police in the case of rape, etc.)

This decision will however be discussed and agreed in a committee. The disposition of any measure will be carried out by a disciplinary committee consisting of the executive director of the organization, a member of the Board of Directors, the coordinator of the department of which he is a part or his direct superior, the person in charge of the child protection policy, the person in charge of the GDPR policy in the organization as the case may be.

8| Reporting and investigation

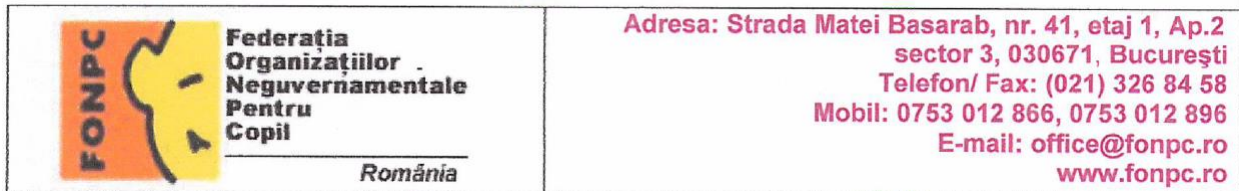
8.1 Internal reporting

Internal reporting is addressed to employees, volunteers, people who have concluded any type of collaboration contract with FONPC <https://legeaz.net/noul-cod-penal/art-226>. They are used depending on the degree of risk, evidence and the version of the witness. Depending on the case, disciplinary sanctions or termination of the contract may be applied.

8.2 External reporting refers to the responsibility of all persons working in or with FONPC (employees, program participants, volunteers, visitors, persons representing member/partner/collaborator organizations) to analyze and report doubts, a suspicion, concerns or evidence of possible or clear cases of children at risk. They will report or communicate based on information or direct observation. The purpose of the report will be to protect children with whom FONPC employees, volunteers and collaborators have a direct/indirect relationship.

8.3 Reporting will be done by e-mail, online (via the reporting form) but also orally to the immediate superior and the safeguarding officer within FONPC. The safeguarding officer will take actions to inform the parties involved and form an internal committee to manage the case. The internal commission will be made up of people directly and indirectly involved in the reported case, as described in point 7. Measures.

8.4 Investigation - an investigation will be conducted with the interviewing of the relevant parties (managers, parents, witnesses, colleagues, etc.) in order to gather all the details related to the resolution of the case. The investigation will be coordinated by the safeguarding officer and/or the manager of the organization. A report will also be drawn up at the end of the process.



If the allegation is related to potential abuse, neglect or maltreatment of a child, the safeguarding officer will notify the General Directorate of Social Assistance and Child Protection Services before taking action or informing the suspected person to ensure that the internal investigation does not compromise the evidence.

The relevant authorities should be contacted as soon as possible to give the child the opportunity to receive professional help and the child should be informed about his case.

9) Information security

In relation to the information collected, you will ensure that:

- The information received will be kept safe and will be communicated only to those who have the obligation to know it;
- information will be recorded as quickly as possible
- everything that will be recorded will be signed and dated

10 | Monitoring and updating/reviewing

10.1. The person responsible for guaranteeing safety and PSHEA (responsible for safeguarding) will be appointed by the decision of the Executive Director, and his responsibilities will be mentioned in the job description. In fulfilling the responsibilities related to the protection and safety of children and vulnerable groups including employees, he will receive support from the Executive Director of FONPC.

10.2. For the purpose of monitoring the safeguarding policy, the person in charge will consider that:

1. The entire team, volunteers and collaborators have signed all documents, after being familiar with the Safeguarding Policy, at the beginning of the contract with the federation or at the time of the review of the policy;
2. There is an accessible response mechanism, clearly specified and that contact details of the safeguarding officer have been provided;
3. There is a readily accessible resource base to help implement the steps outlined in the policy;
4. employees or collaborators to be informed and supported when it is necessary to review their activities or specific documents to protect children's rights and prevent any type of abuse.
5. The policy will be reviewed and revised annually or whenever necessary
6. The revised Safeguarding Policy will be approved by the Board of Directors of FONPC

Notifications of this type are monitored at the email address: safeguarding@fonpc.ro. Safeguarding officer – Butincu Cătălina.

This policy will be made known to all interested persons by publishing it on the official website of FONPC, www.fonpc.ro.