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Organizațiilor  
Neguvernamentale  
Pentru  
Copii**

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## **The FONPC Child Safeguarding Policy Code**

*“Every child is recognised, respected and protected as a rights holder, with non-negotiable rights to protection. Every child is treated with dignity and as a unique and valuable human being with an individual personality, distinct needs, interests and privacy, with due regard to the child's right to participation. There are measures to empower children to protect themselves and their peers and to claim their rights. Child-sensitive and accessible complaint and reporting mechanisms, including helplines and hotlines, are integrated in the system”<sup>1</sup>.*

All FONPC's members will have frequent contact with children in the course of their professional activities. Founded in 1997, FONPC exists along with and for its members, 87 NGOs, for the benefit of children and community, guided by statutory principles and provisions and promoting the following values: member's identity and autonomy, effective communication and action, democratic decisions, solidarity, openness, trust, mutual respect, fairness, consistency and continuity, partnership, transparency, participation and involvement. FONPC acknowledges that it has a responsibility to promote the best practice and the highest standards of conduct among its members and staff, in relation to the safety of children and adolescents. It also recognizes that good safeguarding and child protection policies and procedures are also beneficial to FONPC's members, as they can help protect them from misunderstandings or erroneous allegations.

### **Initiators**

The FONPC's Child Safeguarding Policy Code is initiated by the Non-Governmental Organizations for Children - FONPC's team. It has been drawn up with participation of 87 NGOs members of the Federation. The document gathers together specific proposals, to enhance the Federation's capacity, in order to ensure that through all of the FONPC's programs and activities, it will strive to prevent abuse and promote the safety, protection, well-being and development of children.

### **Purpose of the FONPC's Child Safeguarding Policy Code**

This FONPC's Child Safeguarding Policy Code is developed to provide the highest standards of professional behavior and personal practices in order to ensure that no harm will ever occur to children and adolescents during their participation in the FONPC's activities and projects. The Code promotes the vital role of children as active participants in society, assures that everyone has a responsibility to ke sure that children and young people are cared for and protected and

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<sup>1</sup> 9<sup>th</sup> European Forum on the Rights of the Child – Coordination and Cooperation in integrated child protection systems – Reflection Paper – Principle 1 [http://ec.europa.eu/justice/fundamental-rights/files/2015\\_forum\\_roc\\_background\\_en.pdf](http://ec.europa.eu/justice/fundamental-rights/files/2015_forum_roc_background_en.pdf)

that they plead for children's rights as it's laid down in the United Nations Convention on the Rights of the Child (UNCRC)

The Convention of the Rights of the Child calls on all governments to take children seriously and to promote children's rights as a distinct priority. One key dimension of this agenda is the imperative to safeguard the right of the child to freedom from violence.

The following **principles** underpin FONPC's approach to safeguarding and child protection:

- All professionals working for and with FONPC and FONPC's members must respect and support the rights of all children and adolescents to be free from exploitation, abuse, violence and neglect, both physically and emotionally, as spelt out in international instruments and standards, in order to protect children and adolescents;
- The welfare of the child is paramount;
- Within or outside the field of work, people associated with FONPC have a duty to demonstrate respect and confidentiality for all children and adolescents;
- All children, regardless of age, disability, sex, racial heritage, religious beliefs, sexual orientation or identity, have the right to equal protection from all types of harm or abuse;
- Working in partnership with children, their parents, carers and other agencies/institutions is essential in promoting children's welfare;
- A child is defined by law as a person up to the age of 18 years. Therefore the term 'child' is used throughout this policy and procedure and includes young people.

#### **The objectives of the FONPC's Code:**

The FONPC's Child Safeguarding Policy Code will ensure that the staff and FONPC's members are informed about this document and that this document will be adopted by the General Assemble of the Federation. This policy document puts forward the commitment of FONPC to protect children and adolescents through its programs and activities and to prevent abuse and promote the safety, protection, well-being and development of children. In the field of children's rights, FONPC and its members share the same objectives: to promote the implementation of relevant international standards, notably the UN Convention on the Rights of the Child and to protect children's rights. They also share the same concern: the need to take urgent measures to address the problem of violence against children in an integrated manner. These shared objectives and concerns, combined with the complementarity of joint expertise and actions, constitute a fruitful basis for further creation and generation of opportunities for cooperation.

The objectives of the Code also include:

- To ensure that all FONPC's staff and members are clear about how to identify and respond to safeguarding concerns about children, especially those that are of a child protection nature.
- To ensure that all FONPC's staff and members have a clear understanding of the principles and practices involved in safeguarding and protection of children.
- To ensure that all FONPC's staff and members understand the importance of prevention in responding proactively and efficiently to all concerns.
- To provide information for children and adolescents attending to FONPC's events and activities on the responsibilities of the Federation, and approach taken by FONPC in regards to the protection of children.

- To ensure that this Child Safeguarding Policy Code will be referred to or included in recruitment, training and policy materials, where appropriate, and also that this Policy Code will be openly and widely made available for members and staff and actively promoted within the organisation.

In this context, a culture of mutual respect between children and FONPC' members and staff will be encouraged, with adults shaping good practices.

## **Our Code of practices**

All professionals working for or with FONPC, including FONPC's partners and members, children, young people and adults, as well as support staff, are asked to abide by the Code of Conduct.

Anyone with access to children will be evaluated as to whether they involve 'regulated activity' or not, and vetted accordingly for such roles. Everyone working on behalf of FONPC accepts that the welfare of children who come into contact with FONPC in connection with its tasks and functions is paramount, and that they will report any concerns about a child or somebody else's behavior using the procedures that will be drafted by the FONPC's staff and board at the end of November and adopted by the General Assembly in 2017.

FONPC expects this responsibility to be at the forefront of the minds of all its workforce, in order to ensure that these positions of trust are never abused.

Adults, children and adolescents must:

- Recognise and accept that they have a responsibility to protect any children within their sphere of work and care;
- Protect children against violence, violence in schools including bullying, sexual violence, grooming, traffic and sexual exploitation;
- Be aware about the meaning of child abuse and exploitation, signs of abuse and must immediately report any suspicious observations to the Child Protection Direction or other institutions responsible for child protection at a National and European level.
- Know the reporting process and the national and local child protection network;
- Secure the right to privacy for citizens, including children, in the new media environment;
- Share best practice about security and protection of children who are in families, schools, institutions and internet;
- Develop activities for raising awareness of parents, concerning the protection of children and young people who are in families, schools, institutions and internet environment.

**Taking action:** The child protection procedure, details the specific steps that need to be taken to ensure the safe participation of children/young people in FONPC's projects and activities. In the event of an emergency, which leads to a conflict between local protocols and the child protection procedure, the child protection procedure will take priority.

The abuse and violence against children and adolescents occurs at a global level and in all situations.

There are four key steps that are essential to be remembered and this procedure explains them. They are referred to as the 4 Rs:

1. Recognising abuse or neglect
2. Responding to the concerns
3. Referring concerns
4. Recording any actions taken and its outcomes.

Relevant services shall be approached in the aftermath of an incident in order to develop appropriate support for children/young people and others directly affected by or involved in the incident. Depending on the circumstances, this may involve:

- counselling and / or referrals for more in-depth counselling, if required
- support for those who responded to the incident
- a meeting to review the incident in order to gain experience
- medical referrals

**In return, FONPC will endeavour to safeguard children by:**

1. adopting a Child Safeguarding Policy Code for all FONPC's members and staff;
2. adopting a procedure for reporting safeguarding concerns;
3. reporting concerns to the relevant authorities.

FONPC will select the Designated Safeguarding Person (DSP) within FONPC, who will take action following any expression of concern in the lines of responsibility towards the child's protection, when these responsibilities will be clear. The DSP will be able to make appropriate referrals to statutory child protection authorities and agencies at the national and local level, but also at the European level.

By the end of November 2016, FONPC's staff and board will draft a guideline entitled "How to report your concerns", which will address the reporting procedures for FONPC's staff and members. Awareness and alertness procedures and disclosing child abuse or harm procedures will be developed in this guideline for FONPC's staff and members.

The Children's Act 1989 states that the 'welfare of the child is paramount'. This means that the considerations of confidentiality which might apply to other situations should not be allowed to override the right of children to be protected from harm. However, every effort should be made, in order to ensure that the confidentiality is maintained for all of those concerned, when an allegation has been made and is under investigation.

FONPC's staff and board is committed to keeping the FONPC Child Safeguarding Policy Code under constant review.

FONPC expects that its entire workforce will be aware of this Code of Practice and adhere to its principles of good practice in their approach to all children.

All FONPC members, including children, young people and adults, as well as support staff, are asked to abide by the following rules that will be included in the final FONPC Child Safeguarding Policy Code.

Everyone has a responsibility to ensure that the children and young people are cared for and protected.

We treat others, as we would like to be treated: we do not use bad language, shouts, discrimination, teasing, bullying or treat others with violence.

- We treat each other with respect.
- At FONPC's events, children and young people share a room with those who are of the similar or same age. Girls and boys are allocated in separate rooms.
- At FONPC's event, the internet is available for all the participants including children and adolescents. Social media is used to promote the events and participants are encouraged to use this as well. Respectful language needs to be the rule for using social media and it should not be used to discriminate or bully other people.
- Alcohol and smoking are not allowed at the FONPC's events especially in the events room or in hotel rooms.
- Value and respect children as individuals is in the heart of actions organized by FONPC.
- FONPC's activities and events will promote good practices, including valuing and respecting children as individuals, and the adults will shape the appropriate way of conduct - which will always exclude bullying, shouting, racism, sectarianism or sexism.

It is important to remember that those who abuse children can be of any age (even other children), gender, ethnic background or social class, and it is important not to allow personal preconceptions about people prevent appropriate actions.

It is important not to deter children from disclosing the abuse through fear of not being believed, as it is important to listen to what they have to say. Guidance on handling a disclosure is set out in the final version of the FONPC Child Safeguarding Policy Code. If this gives reason for concern in regards to the protection of a child, it is important to follow the FONPC's procedure for reporting such concerns.

Welfare of the child must remain the central concern: child abuse can and does occur outside the family setting. Although it is a sensitive and difficult issue, child abuse also occurs within organisations as well as in other places. This could involve anyone who has the opportunity to have contact with children through their work. Evidence indicates that the abuse which takes place within an organisation is rarely a one time event. It is crucial that those involved within FONPC are aware of this possibility and that all allegations (current or historical) are taken seriously and also, appropriate action is taken.

At the FONPC events, projects and activities adults, children and adolescents must:

- Never engage in any form of sexual activity with children.
- Not act in any way that may be abusive or place others at risk of abuse.
- Avoid inappropriate physical contact with children. Physical contact is only appropriate in very limited circumstances.
- Avoid any action or behaviour that could be construed as poor practice or potentially abusive. For example never behave in an inappropriate or sexually provocative manner.
- Never sleep in the same bed with children and/or adolescents. The FONPC team strongly advises that accompanying adults should not sleep in the same room or bed with a child/young person. We understand that in some cases, young people may agree to share a room with their accompanying adult. In such cases, we strongly recommend that, prior to travelling, the supporting organisation obtains written and signed agreement from the child/young person and his/her guardian (parents or care givers).
- It is not a good practice to take children alone in cars on journeys, however short, unless with the prior consent of the child's parent or guardian, and then only in exceptional circumstances.

- Be concerned about the way in which their language, actions, and relationships with children and/or adolescents could be perceived.
- Do not discriminate, shame, humiliate, belittle, or degrade children and/or adolescents. This includes anything that may be considered emotional abuse, and must be similarly maintained and observed between all participants, staff and youth representatives.
- Do not make suggestive or inappropriate remarks to or about a child, even in amusement, as this could be misinterpreted. Inappropriate remarks include innuendo, swearing, and discussing their or your own intimate relationships.
- Do not condone violations of this code by others, both staff and participants.
- Limit access to and/ or not expose children and adolescents to any inappropriate electronic material.
- Other than exceptional circumstances, do not communicate directly with children by email or text messages but only with the prior consent of the child's parent or guardian. If electronic communication is necessary, as a best practice, the best way would be to communicate directly with the parents or guardians.
- At all times, respect the confidentiality of children' and adolescents' personal information. Make no judgement about what you have heard.
- Always report any concerns immediately to the FONPC's Designated Safeguarding Person regarding the conduct of another FONPC member in relation to children or vulnerable adults. It is not a good practice to take children alone in cars on journeys, however short.
- Do not perform activities for children and/or adolescents that they can do themselves.
- Do not engage in behaviour which could be construed as 'grooming' a child (for example giving a child money, presents or favours or talking or behaving in an inappropriate or unprofessional manner towards children).

### **FONPC short description**

FONPC is the main interlocutor of the state, specialized in developing and redefining policies for children welfare from a child's rights perspective, using and developing a coherent and comprehensive experience and expertise from its members.

In order to achieve its objectives, FONPC is working in close partnership with donors, funders, local authorities and national NGOs, international organizations, European institutions, civil society, the community and other stakeholders in promoting children's rights.

Primary strategic direction of the federation:

Promotion and enforcement of children's rights by bringing an European priority on the public policy agenda in Romania;

Involvement in public policy development projects by ensuring the inclusion of children's rights in all public policies;

Monitoring children's rights by creating and implementing a national monitoring system;

Strengthening the organizational capacity of the Federation to fulfill its mission by enhancing the capacity, expertise and experience of the Federation to promote and monitor children's rights.

In order to achieve strategic objectives FONPC runs projects, programs, events and actions organized for and with its members.

## **Background information**

Tackling violence against children is a multidisciplinary task. Protecting children from violence is an area where, over the past years significant progress has been achieved.

At the international level, there has been an ever-growing ratification and incremental implementation of treaties on children's protection from violence – including in the context of trafficking, gender violence and the sexual exploitation of children. The Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography is moving steadily closer to the goal of universal ratification – in Europe, virtually, all countries have adhered to this important treaty. The impact of the Conventions adopted by the Council of Europe is increasing, achieving a growing recognition beyond the European borders as well.

Secondly, the legal protection of children from all forms of violence is gaining ground – globally, the number of countries with a legal prohibition has more than doubled since 2006. In Europe, 27 states have a comprehensive legal ban that includes prohibition of all forms of corporal punishment. In several cases, provisions have been included in the Constitution itself, and important legislative measures have also been enacted to address specific forms of violence, including for the protection of children from sexual violence.

However millions of girls and boys continue to be exposed to the cumulative impact of different manifestations of violence, as a result of reactive, ill-coordinated and ill-resourced strategies; fragmented and poorly enforced legislation, and weak investment in family support and in gender and child sensitive approaches. Moreover, data and research on the incidence of violence remain scarce and in fact, rarely used to inform policy making and budgetary decisions.

The urgency of our cause has clearly not diminished and some irrefutable figures illustrate this well. According to a recent WHO Report, every year, across the European region, child maltreatment leads to the premature death of more than 850 children under 15 years; at least 18 million children suffer from sexual abuse, 44 million from physical abuse and 55 million from mental abuse. Shocking as they are, these figures are understood to be underestimations; in fact, it is believed that 90% of child maltreatment may go unnoticed.

Some children are at a particularly high risk. More often than not, they come from disadvantaged populations. Children from deprived neighborhoods are more likely to be admitted to hospitals as a result of assault and adolescents are highly represented amongst homicide rates. Very young children are also hard hit - death rates are particularly high in children under 5 and affect primarily boys, who account for more than 60% of the victims.

There are no statistics on the extent of child sexual abuse in Europe, but it is well known that there is a large discrepancy between the number of reported cases and actual cases. The data we do have show that in Europe most sexual abuse against children is committed in the family, by persons close to the child or in the child's social environment. Protecting children from violence, especially sexual violence, has been a long-standing priority at the Council of Europe.

Trafficking children is a global problem, affecting large numbers of children and especially children that go missing. As you know, human trafficking has no borders, therefore, we have to implement standards and take special measures to reduce children's vulnerability to trafficking and abuse. The Council of Europe Convention on Action against Trafficking in Human Beings, which entered into force on 1 February 2008, aims to prevent trafficking of human beings, protect victims of trafficking, prosecute traffickers, and promote co-ordination of national actions and international co-operation.

Children's exposure to violence is equally common in cases where families have mental health problems or are affected by alcohol or drug addictions, and when parents are young, single and poor.

Around 7.5 million Syrian children, inside and outside the country, are in need of humanitarian aid, and millions have borne witness to unrelenting violence from the brutal conflict that began more than four years ago. 2.6 million children are no longer in school and 2 million are living as refugees in neighbouring countries or on the run in search of safety, helping to fuel a global migrant crisis. Syria is now the world's biggest producer of both internally displaced people and refugees (according UNICEF data). Children affected by the Syrian conflict are at risk of becoming ill, malnourished, abused or exploited. Millions have been forced to quit school.

The rights of children who migrate or are asylum seekers, must be defended. International norms on the rights of the child must be also applied to migrant children, asylum seekers, for the best interest of the child, including their reception and temporary living conditions. In international human rights law, migrants have the same rights as citizens do, except two, the right to vote and be elected, and the right to enter and stay on its territory without notification. All other rights are for "everybody", including all migrants, including irregular migrants.

The protection of children in the converged online/offline environment is as important as in any other environment. However, it presents particular characteristics and challenges. Generally speaking, there is a clear movement in several countries that goes from policies aiming at safety and protection, to empowerment and ensuring full and active participation for all children in the digital society. Such policies should reshape new responsibilities for the education sector and its major actors, school leadership, teachers and students not only in regards to the place and use of new technology and devices, but also in regards to learning the value that the contemporary technologies bring into the classroom. At the same time, such policies should redefine the concept of "citizenship" and therefore the concept of "democratic citizenship" by introducing new perspectives in light of the globally inter connected worldwide communities in which we find ourselves.

Fighting violence against children (online and offline) and supporting child victims of violence, by ensuring child protection systems which are in line with the Council of Europe Convention for the Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention) together with the EU Directive 2011/92/EU on combating the sexual abuse and sexual exploitation of children and child pornography should be at the heart of any future action. Violence compromises all the rights of the child; but as experience shows, with strong investment in prevention, children can be given a real chance of growing up in safety and developing to their full potential.

## **What is Child Abuse and Exploitation?**

Our understanding of child abuse and exploitation includes, but is not limited to, the following definitions: The first five definitions are from the UK Government's official guidance:

- **Physical abuse**<sup>2</sup> may involve hitting, shaking, throwing, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be

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<sup>2</sup> Source: Child protection fact sheet: The definitions and signs of child abuse. NSPCC, 2009.



caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child who they are looking after. This is commonly described using terms such as 'fictitious illness by proxy' or 'Munchausen's syndrome by proxy'.

- **Emotional abuse**<sup>3</sup> is defined as the persistent emotional ill-treatment of a child such as to cause severe and persistent effects on the child's emotional development. It may involve conveying to children that they are worthless and unloved, inadequate, or valued only so far as they meet the needs of another person. It may involve age or developmentally inappropriate expectations being imposed in children. It may involve causing children to feel frightened or in danger frequently, or exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone.
- **Sexual abuse**<sup>4</sup> involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g., rape) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic materials or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.
- **Neglect**<sup>5</sup> is defined as 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.
- **Bullying**<sup>6</sup> may be defined as deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves. It can take many forms, but the three main types are physical (e.g. hitting, kicking, theft), verbal (e.g. racist or homophobic remarks, threats, name calling) and emotional (e.g. isolating an individual from the activities and social acceptance of their peer group).

**Sexual abuse of children**<sup>7</sup> can also be defined as contacts or interactions between a child and an older or more knowledgeable child or adult (a stranger, sibling or person in a position of authority, such as a parent or caretaker) when the child is being used as an object of gratification for an older child's or adult's sexual needs. These contacts or interactions are carried out against the child using force, trickery, bribes, threats or pressure. Sexual abuse can be physical, verbal or emotional.

**Commercial sexual exploitation of children**<sup>8</sup> comprises sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as sexual object and as a commercial object. The commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labour and a contemporary form of slavery.

**Child pornography**<sup>9</sup> means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

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<sup>3</sup> Source: Child protection fact sheet: The definitions and signs of child abuse. NSPCC, 2009.

<sup>4</sup> Source: Child protection fact sheet: The definitions and signs of child abuse. NSPCC, 2009.

<sup>5</sup> Source: Child protection fact sheet: The definitions and signs of child abuse. NSPCC, 2009.

<sup>6</sup> Source: Child protection fact sheet: The definitions and signs of child abuse. NSPCC, 2009.

<sup>7</sup> Source: Definitions of Child Sexual Exploitation and Related Terms. NGO Group for the Convention on the Rights of the Child, 2000.

<sup>8</sup> Source: Questions and Answers about the Commercial Sexual Exploitation of Children. ECPAT International, 2001.

<sup>9</sup> Source: Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. United Nations, 2000.

This can include photographs, negatives, slides, magazines, books, drawings, movies, videotapes and computer disks or files. Generally speaking there are two categories of pornography: soft-core which is not sexually explicit but involves naked and seductive images of children and hard core which relates to images of children engaged in sexual activity and use of children in the production of pornography is sexual exploitation.<sup>10</sup>

**Violence** was defined by the UN Secretary General's Study on Violence 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.'<sup>11</sup>

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<sup>10</sup> Source: Child Protection Policies and Procedures. ECPAT International Secretariat, 2006.

<sup>11</sup> Source: The UN Secretary General's Study on Violence, 2005.