

CHILD PROTECTION POLICY

*POLICY GUIDELINES, PRINCIPLES AND PROCEDURES ON CHILD SAFEGUARDING AND
PROTECTION IN NAMELESS ART ASSOCIATION*

ASOCIATIA NAMELESS ART (ANA)

Baicoi, Romania

The document counts with six different sections which address

1. definitions used in the policy and ANA's work
2. values and principles, which should be respected and promoted by all staff members
3. screening and hiring practices at ANA
4. principles of conduct & procedures of staff in contact/working with children
5. reporting procedures in case of any child abuse concerns staff members may have or suspect
6. cooperation with external other organisations, networks and agencies. ANA's Child Protection Policy is produced by the Child Protection Officer and approved by the Board of Directors. The document is evaluated against EU standards and practical experience and updated at least once a year.

INTRODUCTION

The present paper is annexed to the Asociatia Nameless Art Code of Conduct. The document represents ANA's policy, principles and procedures regulating child safeguarding and protection measures taken by staff members of ANA within the undertaking of their professional roles. ANA affirms its belief in the rights of all children, including the right to be protected from all forms of violence, abuse, neglect and exploitation and to develop to their full potential, be healthy and happy, as set out in the 1989 UN Convention on the Rights of the Child (UNCRC) and in the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention, 2007). Children with whom ANA staff, volunteers, interns, external collaborators and associates come in contact will be assured the rights expressed in the UNCRC. Through its work, ANA aligns with the EU Strategy for the rights of the child and promotes action to support children's participation in political and democratic life, their economic and social inclusion, their right to health and to education, providing equal opportunities to all children, to prevent violence against children and to protect them from violence, to promote a justice system that responds to the needs of children, to promote a safe digital experience for all children, and to support children globally. ANA takes the prevention of child abuse very seriously. ANA understands that child abuse and inappropriate contact with children is a pervasive problem throughout the world that must be managed proactively. Therefore, the writing of this policy shows the commitment to taking proactive steps to safeguard and protect children in ANA's programmes, facilities and networks. ANA is committed to making decisions and taking actions that are guided by the principle of the "best interest of the child".

1. DEFINITIONS

For the purposes of the present policy, the following definitions apply:

- **Best Interest of the Child (BIC)**

It is a threefold concept: a right, a principle and a rule of procedure based on an assessment of all elements of a child's or children's interests in a specific situation both in the public and private sphere which must be determined on a case-by-case basis taking into consideration their personal context, situation and need. Accordingly, the concept of the child's best interests is flexible and adaptable. The concept of the child's best interests is aimed at ensuring both the full and effective enjoyment of all the rights recognized in the 1989 UN Convention on the Rights of the Child (UNCRC) and the holistic development of the child. The full application of the concept of the child's best interests requires the development of a rights-based approach, engaging all actors, to secure the holistic physical, psychological, moral and spiritual integrity of the child and promote his or her human dignity.

Child

Every human being below the age of eighteen years old.

Child Protection

The prevention and response to violence, exploitation and abuse of children in all contexts.

- **Child participation**

Child participation means that children, any person under the age of 18 years, individually or in groups, have the right, the means, the space, the opportunity and, where necessary the support to freely express their views, to be heard and to contribute to decision making on matters affecting them, their views being given due weight in accordance with their age and maturity. In order to be able to participate meaningfully and genuinely, children and young people should be provided with all relevant information and offered adequate support for self-advocacy appropriate to their age and circumstances.

- **Child safeguarding**

Child safeguarding is specifically focused on preventative actions to ensure that all children are protected from deliberate or unintentional acts that lead to the risk of or actual harm.

- **Staff members**

Refers to paid staff, volunteers, interns and external collaborators.

ANA takes all measures to protect the child from all forms of child maltreatment and inappropriate behaviours. Child maltreatment is the abuse and neglect that occurs to children under 18 years of age. It includes all types of physical and/or emotional ill-treatment, sexual abuse, neglect, negligence and commercial or other exploitation, which results 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 7 both in the presence or through information technology.

Specifically, ANA defines it but is not limited to the following:

- Physical child abuse

Physical abuse is an injury deliberately inflicted upon a child by any person, including adults. Physical abuse includes fractured or broken bones, burns, severe and/or frequent bruises, and any other intentionally inflicted physical harm.

- Child emotional abuse

Emotional abuse happens when a child is repeatedly made to feel worthless, unloved, alone or scared. For instance: continually ignoring or rejecting a child, physically or socially isolating a child, forcing a child to do things by scaring them, constantly criticizing, humiliating or blaming a child, constantly swearing, yelling or screaming at a child, bullying, teasing, insulting or belittling a child, having unrealistic expectations or unreasonable demands of a child, not allowing a child to explore, express themselves, learn or make friends, treating a child badly because of things they can't change.

Child Sexual Abuse

Is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violates the laws or social taboos of society. Child sexual abuse is evidenced by this activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person.

Child pornography

Any material that visually depicts a child engaged in real or simulated sexually explicit conduct or any depiction of a child's sexual organs for primarily sexual purposes.

- (Child) Grooming

Grooming is when someone builds an emotional connection with a child to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking. Children and young people can be groomed online or face-to-face, by a stranger or by someone they know - for example a family member, friend or professional, family member, friend or professional.

- Bullying

Bullying is unwanted, aggressive behaviour among school-aged children that involves a real or perceived power imbalance. The behaviour is repeated, or has the potential to be repeated, over time.

- Neglect or negligent treatment

The failure to meet children's physical and psychological needs, protect them from danger or obtain medical, birth registration or other services when those responsible for children's care have the means, knowledge and access to services to do so.

- Child Exploitation

Child exploitation includes child domestic work, child soldiers, the recruitment and involvement of children in armed conflict, sexual exploitation and pornography, the use of children for criminal activities including the sale and distribution of narcotics and the involvement of children in harmful or hazardous work.

- Online Sexual Violence

The use of computer systems to cause, facilitate, or threaten violence against individuals (including children), that results in (or is likely to result in) physical, sexual, psychological or economic harm or suffering and may include the exploitation of the individual's circumstance, characteristics or vulnerabilities.

2. PRINCIPLES AND VALUES

ANA is committed to the following values and principles, which should be respected and promoted by all its staff members:

- ✓ ANA values and treats every person without discrimination of any kind, irrespective of the age, colour, sex, language, religion, political or other opinions, national, ethnic or social origin, language, gender identity or sexual orientation, property, disability, birth or other status.
- ✓ ANA has a zero-tolerance policy towards any kind of inappropriate behaviour, violence or abuse including towards children.
- ✓ ANA recognises the right of every child to be protected from harm and abuse stemming from inappropriate behaviours as defined in Section 1 of the present policy. The Organisation takes all necessary action to prevent any harm from being done against children and to report abuse against children on the above.
- ✓ The best interest of the child always comes first in the undertaking of our Organisation's activities.
- ✓ ANA promotes the right of children to be heard, participate and share their views in matters which affect them, and supports this approach in its activities.
- ✓ ANA conducts all its activities, from project design, risk management to implementation ensuring the safeguarding of children plays a central role and according to child-centred and trauma-informed approaches.
- ✓ ANA wishes to provide all necessary guidance to its staff members who work in close contact with children.

3. SCREENING AND HIRING PRACTICES

ANA establishes and sustains proper hiring and selection practices, including completed applications, reference checks, criminal background checks, social security checks and documented personnel files, and includes specific reference to Child Protection in its Code of Conduct.

3.1. Applications

- All prospective staff members will complete an application form to work or volunteer or intern that includes questions regarding past work history, volunteer experience, and education.
- All application forms will include a statement that ANA has a zero-tolerance standard for any inappropriate behaviour, violence or abuse including towards children by staff members.
- All staff members who may be involved in working with children and young people, or who are deemed likely to come in contact with children in the fulfilment of their duties, will be requested to provide a certificate of their national criminal record, according to national legislation (Decreto Del Presidente Della Repubblica 14 novembre 2002, n. 313 – specifically art. 25 bis).

3.2. Reference checks

ANA reserves the right to apply the following reference check procedures to any candidate applying for a post:

- Contacting references indicated by prospective staff members, including close family members to the applicant.
- Contacting previous employers/agencies to check if the prospective staff member is eligible for rehire, as well as to ask about the ability of the applicant to work with children.

Verbally verifying written references via telephone or other means of contact.

- Researching a candidate online and checking for red flags for working with children (i.e. Google Search, any national sexual predator websites, and social networking sites).

3.3. Interviews

- Prospective staff members should be interviewed by at least two separate staff members. . A ‘Realistic Job Preview’ or ‘Working Interview’ meets this requirement; it is important that the candidate is assessed by more than one staff member.
- All interviews will be documented on an association-approved interview form that ensures the consistency of the questions asked. ANA interview evaluation forms may be used during the interview process.

4. PRINCIPLES OF CONDUCT & PROCEDURES OF STAFF IN CONTACT/WORKING WITH CHILDREN

The following principles apply when coming in contact or working with children conduct-wise:

4.1. Compliance with ANA's Code of Conduct & Child Protection Policy

- Before performing any work duties, staff members will sign and date a copy of the Code of Conduct of the Organisation, to which the Child Protection Policy is annexed. When changes or updates are made once a year, all staff members will be provided with the new version, which must be signed in acknowledgement and acceptance.
- The Code of Conduct will be maintained in the personnel file and is annexed to their employment contract.
- All external collaborators will be provided with the Child Protection Policy and the Code of Conduct and will be requested to sign it if they work or may come in contact with children and young people of less than 18 years of age.

4.2. Data protection mechanisms

The Code of Conduct includes the procedures for data collection and treatment of data about children and young people. Data privacy and protection issues shall comply with relevant EU rules (especially the General Data Protection Regulation (GDPR) (EU) 2016/679. For the correct handling of child-sensitive data, the following rules apply:

- Written Informed Consent: If personal data about minors needs to be collected, written informed consent will be sought from their parents/legal guardians. The data will be collected and used only for the specific purposes for which they are provided. Staff working with children and needing to collect personal data about children or young people shall refer to the Data Protection Policy of ANA and to the General Data Protection Regulation (GDPR) (EU) 2016/679. ANA does not share the personal data provided with any other entity.
- Declaration of Confidentiality: Staff who may come in contact with the personal data of research participants is required to sign a declaration of confidentiality before engaging in research. The declaration of confidentiality is specific to each case/project.
- Disclosure of information: that identifies children who come in contact with our staff members and anyone having a role within ANA, is restricted by the terms of international, European and Romanian regulations and legislation. Written informed consent of the parents/legal guardians shall be specifically sought. In general terms and in accordance with article 3 of the UNCRC, the best interests of the child will be the fundamental principle applied in all cases. This includes disclosing

any type of information (including images) regarding the children we come in contact with, on any media, including printed, online or other.

Specifically, data, including images, of children are only collected if strictly necessary and foreseen as a specific activity of the Organisation or of a project that the Organisation implements. Their use is therefore only limited to the duration of the project, and the specific purpose for which they were provided and collected. Specific permission of the child's parents/legal guardians as well as the approval of the child will be sought by the staff of the Organisation implementing the activity, according to law requirements. Acquired images and data are stored on the local server of ANA and are accessible only by the staff who have the specific credentials and who have subscribed to the Code of Conduct. The data in the local server is protected by a password and cyber-protected against any kind of external access.

- Publications: All publications must comply with the Child Protection Policy, before being publicized or shared.

4.3. Training on Child protection

The rules and expectations will be shared with each new staff member and will be regularly reinforced with existing ones. This will be done in new employee training, children's rights training, and the use of a comprehensive Code of Conduct.

Specifically:

- All paid staff, volunteers, external collaborators and interns (at minimum, those working directly with children) will participate in a comprehensive child protection training and in further training throughout their employment period, which includes information on the Rights of the Children, Communicating with Children, Children participation and best interest of the child, Sexual abuse, Prevention, Early Identification, Responding, Documenting, and Reporting. The training programmes are inspired by existing resources and are developed by building on the programmes already developed through our relevant projects.

5. REPORTING PROCEDURES

- All staff members and external collaborators have an obligation to report any child abuse concerns they may have or suspect both from internal staff or in an external context. Staff members will be instructed to report anything they notice regarding a gap between policies and practices. Staff members working with or coming in contact with children will be also instructed, through training, on the internal protocols to apply in case they suspect or have knowledge of a situation of child abuse depending on the type of context.

- Reporting of a suspected breach of the Code of Conduct, and specifically of the Child Protection Policy, follows a standard procedure, which includes a reporting form (annexed to the Code of Conduct and reported here under the Annex section).

- Reports in confidentiality will be treated by the Child Protection Policy Officer at ANA who will evaluate the case depending on the perpetrator and the context taking place and either redirect the case to local support services or report further to Human Resources if deemed necessary. Child Protection Officer at ANA to this address: Iulia Gabriela Badea, assnamelessart@gmail.com.

- Any member of staff found in breach of the Code of Conduct, or of the Child Protection Policy on which the code draws, will be evaluated based on a case-by-case basis. Disciplinary action could be undertaken, including and up to termination of employment/cessation of the professional engagement with ANA and referral to authorities. (depending on the case).

- Should a severe breach be found, the following external referrals should be taken into account for reporting:

→ Local Authorities: Politia Locala

→ Social Services for Minors – DGASPC Prahova

6. COOPERATION WITH EXTERNAL ORGANISATIONS, NETWORKS AND AGENCIES

When coming in contact with external entities such as organizations, networks and/or agencies, ANA will proceed as follows:

- For each new collaboration with external organizations, networks and/or agencies, the selection will take into account the child protection history of the entity.
- ANA reserves the right to conduct a reference check on the Partner's previous history related to child protection and its policies towards children.
- ANA will not tolerate any inappropriate communication towards children.
- A clear statement related to child protection and the zero-tolerance policy of ANA in relation to child abuse and inappropriate behaviour shall be included in the form for entities wishing to become partners of ANA's on ANA website.
- ANA must take serious action towards any partner convicted for child abuse during the implementation of its projects/programs.

Annex - ANA's Child Protection Policy Reporting form for inappropriate behaviors

INFORMATION ON THE REPORTING SUBJECT	
Name and surname	
Position within the organization	<ul style="list-style-type: none"> • Staff • Intern • Volunteer • Collaborator
INFORMATION ON THE ALLEGED INAPPROPRIATE BEHAVIOR REPORTED	
Type of the alleged breach	<ul style="list-style-type: none"> • Physical abuse • Child emotional abuse • Child sexual abuse • Bullying • Neglect or negligent treatment • Child exploitation <ul style="list-style-type: none"> ○ Other types of child maltreatment or inappropriate behaviour <hr/> <hr/>
CONTEXT OF THE ALLEGED BREACH	
Date	
Place	
Circumstance (training, event, etc.)	
DESCRIPTION OF THE ALLEGED INAPPROPRIATE BEHAVIOR	
Brief description	
Have you observed this behavior personally? If not, how did you come to know about it?	
How would you judge the gravity of the behavior you described?	<ul style="list-style-type: none"> • Low • Medium • High • I don't know
To your knowledge, is	

this behavior reiterated?	
Name of the child victim	
INFORMATION ON THE ALLEGED AUTHOR OF THE BREACH	
Name and surname	
Position within the organization	<ul style="list-style-type: none"> • Staff • Intern • Volunteer • Collaborator

Declaration

By submitting this report, the reporting subject declares that:

- He/she is aware that, should the report give rise to legal action on behalf of ANA, it may be used as an official statement;
- He/she is in good faith and that all the information provided above is correct and truthful;
- He/she is aware that purposely providing false accusations against someone is a breach punishable by Romanian law.

The reporting subject

Date