

Programme Participants and Child Safeguarding Policy

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Last version produced by	Anna Volfová
Approved (Document Decision Maker)	CCR's General Secretary Jakub Líčka
Signature	
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1 Policy statement

Caritas Czech Republic (CCR) recognises that abuse of power has led, and continues to lead, to many forms of exploitation and abuse. In the environment in which CCR works, people can experience disempowerment due to a variety of factors. Such risks are heightened, in particular, during humanitarian crises.

CCR is committed to make every effort to ensure children and vulnerable adults are safe and protected in its international programme work and in the Czech Republic. CCR's aim is to ensure that it operates best practice in terms of safeguarding policies and recognises the legal guidelines governing protection in each jurisdiction in which it works.

1.1 Policy statement

This position statement applies to all those involved with Caritas Czech Republic, including paid staff, volunteers, board members, trustees, consultants, other contractors, and visitors to our programmes, both overseas and in Czech Republic.

This policy does not apply directly to CCR's partners, except exclusive partners. It is, however, a minimum requirement of funding that partner organisations share a commitment to implement safeguarding standards and develop their own policies and procedures to prevent and respond to risks of exploitation and abuse of children and vulnerable adults in all their activities, including projects in receipt of funding from CCR.

1.2 Guiding documents

Our approach to safeguarding work is guided by a number of key international principles and standards as set out in the following: the Universal Declaration of Human Rights (UDHR), the UN Convention on the Rights of the Child (UNCRC, 1989), the UN Convention for the Elimination of all forms of Discrimination against Women (CEDAW, 1979) and in the national laws of the countries in which CCR works. We also aim to uphold the commitments made under the "*Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and non-UN personnel*" and the UN Secretary-General's Bulletin on *Special measures for protection from sexual exploitation and sexual abuse* (PSEA) (ST/SGB/2003/13)¹. These commitments prioritise key actions, including practical measures to prevent sexual exploitation and abuse (SEA) and to ensure an effective response when such acts occur.

1.3 Legal compliance

CCR complies with all relevant Safeguarding Legislation in the Czech Republic.

Each country has its own specific legislative requirement relating to safeguarding, such as criminal law, recruitment vetting processes, data protection and reporting protocols. If circumstances arise where this policy contravenes or contradicts local legislation, local legislation must be followed with guidance from the CCR senior management.

1.4 Definitions & Terminology

¹<http://www.un.org/Docs/journal/asp/ws.asp?m=ST/SGB/2003/13>

For the purpose of this policy:

Safeguarding pertains to the prevention of harm to children and vulnerable adults. It is the responsibility that CCR has to make sure our representatives and activities promote the welfare of children and vulnerable adults.

A child is anyone under the age of 18. This is irrespective of local country definitions, including legal definitions, of when a child reaches adulthood. It is well recognised that children because of their evolving capacities and dependency on adults are particularly vulnerable. History has shown that children have been subjected to significant abuse because of this vulnerability.

A vulnerable adult is an individual aged 18 years or over who is at greater risk of significant harm due to factors such as gender, age, mental or physical health, or as result of poverty, inequality or experience of displacement or crisis.

Abuse: any action or inaction that causes harm to another person.

Child Abuse is considered under the following headings:

- **Physical abuse** is actual or likely physical injury to a child such as hitting, kicking or shaking, throwing, burning, scalding, or otherwise causing physical harm to a child.
- **Emotional abuse** is normally to be found in the relationship between a parent/carer and a child rather than in a specific event or pattern of events. It occurs when a child's developmental need for affection, approval, consistency and security are not met.
- **Neglect** can be defined in terms of an omission, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, and the failure to access appropriate medical care or treatment.²
- **Sexual abuse** occurs when an individual uses a child for his or her gratification or sexual arousal, or for that of others. Examples of child sexual abuse include, sexual intercourse with a child, intentional touching or molesting of a child, exposure of the sexual organs or any sexual act for the purpose of sexual arousal or gratification in the presence of a child. **Sexual activity** that occurs between an individual and a child/youth under the age of 18 is not acceptable in any circumstance, regardless of whether he/she may consent or if the individual is unaware of the child's/youth's age. This is irrespective of the age of consent in the residing country.

Exploitation: any actual or attempted abuse of position of vulnerability, differential power or trust to profit monetarily, socially or politically. Includes sexual exploitation.

Sexual exploitation of a child including forcing or encouraging a child to solicit for, or to engage in, prostitution. It includes the storage or dissemination of pornography.

Grooming occurs when someone builds and emotional connection with a child or vulnerable adult to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking. Many children and vulnerable adults may not understand that they have been groomed or that what has happened to them is abuse.

² Neglect as defined above is prevalent in many countries where CCR works due to severe poverty and/or a lack of appropriate social structures and not by intentional abuse by an individual. Applying this definition must take this into consideration and be contextualised to specific situations.

Whistleblowing: A disclosure by a person about serious malpractice carried out by CCR or our representatives, for example concerns or complaints about criminal acts, abuse or exploitation.

2. Prevention of Abuse and Exploitation

In order to ensure that this policy is implemented and that steps are taken to safeguard children and vulnerable adults, a number of procedures are in place to encourage a culture of safety and to prevent any harm in the course of carrying out CCR's work.

2.1 Safe Recruitment

CCR ensures that appropriate steps are taken during recruitment and selection of employees and representatives, to ensure that issues relating to safeguarding are considered.

- **Criminal Record/Declaration:** A procedure through which the national police authorities are required, with the individual's permission, to disclose any information held on police file regarding criminal convictions. In the Czech Republic only serration positions require Criminal Record. For others CCR uses a Declaration Form attached. For more information see Conditions of Employment. This process has to be completed before contracts are signed.
- **Contract:** The Safeguarding Policy, Code of Conduct, Policy Declaration Form are attached to all contracts and sent to all new employees or representatives before commencing work with CCR. Prior to signing contracts, employees or third parties are ask to sign Acknowledgement of Receipt of Code of Ethics and Code of Conduct (see Annex 1-3)

2.2 Awareness and Training

It is essential that all employees and those engaged in activities are aware of the safeguarding standards and their obligations to implement them.

The following initiatives are either in place or being developed to ensure that employees are equipped with the necessary knowledge and skills to implement the Safeguarding Policy:

- CCR's induction programme for all new employees covers the Code of Ethics and Code of Conduct
- All employees and representatives receive information on the relevance and impact of the Safeguarding Policy and accompanying guidance documents on their work; they have to pass a test on Safeguarding before the end of probationary period.
- Safeguarding Focal Persons and those involved in responding to accusations or incidents of child abuse will receive specialised training on their roles and responsibilities;
- Information and communication strategies for programme implementation are being developed to provide all the necessary information for programme participants about who CCR and how to raise a complaint.
- Policies are be available in English and Czech or in other respective language.
- All relevant documentation for the Safeguarding Policy and forms will be accessible on CCR shared disc.

2.3 Risk Assessment and Safe Programming

Safeguarding considerations such as exploitation and abuse should be included in all risk assessments and programme cycle management stages to ensure that all activities are conducted in a safe and dignified manner.

2.4 Special Considerations for Recording Images

Consent should be sought from the programme participants for the use of their story and images; where appropriate, this consent should be written.

Any complaints or concerns about inappropriate or intrusive images should be reported and recorded.

- In countries where children wear few items of clothing be particularly careful about the images chosen
- The recorded images should focus on an activity and, where possible, feature groups of children rather than individuals.
- Make sure that photographers and filmmakers are not allowed to spend time with or have access to children without supervision.

2.5 Partner Selection and Support

CCR takes appropriate steps when selecting and working with partners to ensure that there is a shared commitment to implement minimum safeguarding standards and that the organisation takes appropriate measures to uphold these standards. One of the requirements for partnership funding is that the partner organisation have in place, or is committed to producing within a specified period of time, a Safeguarding Policy and to conduct a background check of its employees.

2.6 Contractual Agreements

2.6.1 CCR employees and Consultants:

All people who are contracted to work with or for CCR are required to understand and sign a Declaration for this policy and Acknowledgement of Receipt of Code of Ethics and Conduct and to provide a Criminal Records or complete a Self-Declaration Form about previous convictions. Failure to comply with this policy by a CCR employee may lead to corrective action being taken under CCR's Disciplinary Procedures stated in the Conditions of Employment. Failure to comply with this policy by a CCR representative may lead to termination of a contract.

2.6.2 Official Visitors:

Visitors to CCR's programmes e.g., supporters, volunteers, donors or journalists are expected to uphold CCR's child safeguarding standards. All visitors are required to be familiar with those standards in advance.

2.6.3 Partner organisations:

CCR's minimum requirements to meet standards of safeguarding best practice form part of all grant agreements with partners. Decisions on funding a partner organisation and continuing relationships with partners, are dependent on adherence to safeguarding standards as contained in this policy and CCR's Grant Agreements.

3 Roles and Responsibilities

Role	Responsibility
<i>All employees & representatives</i>	<i>To ensure that the Policy is implemented and that safeguarding best practice in terms of prevention and response is incorporated into their work.</i>
<i>All Managers</i>	<i>To ensure that staff are supported and systems and procedures exist to implement and monitor safeguarding standards. Conduct internal investigation if necessary.</i>
<i>Human Resources and any staff involved in recruitment</i>	<i>To ensure that the recruitment of all CCR employees and representatives is in line with the CCR zero-tolerance policy towards Sexual Abuse and Exploitation.</i>
<i>Head of the Mission (HoM)</i>	<i>Ensure that the country office has systems and procedures in place which are in line with the Policy to prevent and respond to issues or complaints as they arise, including those which need to be escalated to the Safeguarding Focal Person.</i>
<i>Desk Officers (DO)</i>	<i>To keep oversight and monitor the implementation of this policy while supporting the development of systems and procedures to meet safeguarding standards.</i>

3.1 Duty to Report

All CCR employees and representatives have a duty to report any suspected incident of exploitation or abuse in line with CCR, mission or exclusive partner Whistleblowing Policy.

CCR is committed to ensuring that adherence to confidentiality, in the management of complaints and allegations of exploitation and abuse, is strictly maintained.

CCR will endeavour to protect all individuals in reporting, provided the allegations are made reasonably and in good faith. Malicious complaints made against an individual, if these are proven, will result in appropriate corrective action under the Disciplinary Procedure up to and including dismissal.

3.2 Partner Organisations

Internationally and across Czech Republic CCR works both in partnership with and through partner organisations. These include national and international NGO's, community based groups and civil society organisations.

CCR takes appropriate steps when selecting and working with partners to ensure that there is a shared commitment to implement minimum safeguarding standards and that the organisation takes appropriate measures to uphold these standards. This is included in contractual agreements such as Contract on Cooperation.

CCR may be unable to enter or continue a partnership if, after appropriate investigation, there are serious doubts about:

- The commitment and ability of the partner to uphold safeguarding standards and practice;
- The partner's capacity or willingness to take appropriate disciplinary measures to address issues of concern.

It is not the responsibility of CCR to develop safeguarding policies or procedures for Partner Organisations. However, CCR will support partners in identifying risk and in ensuring partners develop action plans for improving safeguarding policies and procedures.

CCR has been working on improving overall safeguarding practice for a number of years and we still have some work to do, recognising that it is an ongoing process. We also realise that it can take time for organisations to develop policies and procedures to implement the safeguarding standards.

3.3 Assistance and Referral Protocol

In the event of an SEA incident allegedly perpetrated by a CCR employee, and in order to ensure the victim/survivor receives immediate professional assistance, CCR established a referral system. CCR protocols to be followed are described in the CCR Assistance and Referral SOP.

4 Reference Documentation

Code of Ethics

Code of Conduct

Complaint Handling Mechanism

Whistleblowing Mechanism

Conditions of Employment/Staff regulation

Procurement Manual

Security Manual

Training Policy

Assistance and Referral Protocol

4 List of abbreviations

CCR

Caritas Czech Republic

5 List of appendices

Annex 1: Declaration on Safeguarding Policies

Annex 2: Acknowledgement of Receipt of Codes

Annex 3: Self-declaration Form