

Child Safeguarding and Protection Policy (CSPP)

Last update: February 2019

What for? Purpose of a CHILD SAFEGUARDING AND PROTECTION POLICY (CSPP)

The overall goal of this policy is to promote, protect and fulfill children's rights to protection from abuse, neglect, exploitation and violence. The policy outlines practical steps to increase CIAI capacity to manage and reduce risks of child abuse associated with delivering aid activities. While it is not possible to eliminate risk entirely, much can be done to reduce opportunities for child abuse.

Furthermore CIAI aims at preventing and protect 'children and vulnerable adults' from any harm abuse, neglect and exploitation perpetrated by CIAI staff, partners, consultants, volunteers, Contractors/sub-contractors and any projects visitors. Refer to the CIAI Safeguarding Policy.

CIAI is implementing a policy because it has a Duty of Care to ensure children are protected from harm. Duty of Care is a concept that refers to the responsibilities of organizations to provide children with an adequate level of protection against harm.

CIAI aims to be a CHILD SAFE FRIENDLY ORGANIZATION, meaning that respects, protects and values children, welcomes their ideas and listens to them. CIAI believes that valuing children, an organization is much more likely to protect them. CIAI takes a preventive and participatory approach in protecting children from harm.

CIAI is in line with the Italian Legislative Decree no. 231/01 "Criminal liability of legal entities" in Italy, which regulates the liability of institutions for administrative offenses dependent on crime (<http://www.camera.it/parlam/leggi/deleghe/01231dl.htm>)

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Whom to apply to? Scope and guiding principles

CIAI will ensure a child safe environment through an active and participatory process in which all stakeholders are involved in making child protection policies and procedures.

This policy is mandatory for:

- All Staff, Volunteers and Board Members. CIAI provides guidance to all CIAI staff, volunteers and board members on what harm and abuse is, on potential risks, preventive strategies and the expected behaviors and appropriate boundaries when working with children and young people. It aims to reduce the risk of harm occurring to children and young people and assists in creating a respectful and friendly environment. The policy also serves to protect the rights and welfare of CIAI staff, volunteers and board members by providing clear guidance in their interactions with children and young people. It is expected that all CIAI personnel abide to the Policy, and especially by the Code of Conduct.
- Partners. CIAI believes that each organization has a responsibility to minimize the risk of potential harm to the children. Partners are required to meet and respect the terms of the child protection policy and to give an active support and cooperation. In case the partner hasn't a CPP meeting the minimum standard, the CIAI Child Safeguarding and Protection Policy (CSPP) and Code of Conduct (CoC) must be shared and signed by the partner's Representative.
- Contractors/sub-contractors and consultants: Key principles are applicable for suppliers in direct contact with CIAI beneficiaries. CIAI CSPP and CoC (chapter "Application") must be shared and signed by the consultants, contractors/sub-contractors.

In case a partner, an associate, a Contractor/sub-contractor or a consultant does not comply with the principles of this Policy, CIAI reserves the right to withdraw funding and/or terminate any existing agreement or contract.

Severe or repeated violations of the Policies can require strict disciplinary measures, such the dissolution of the employee's contract. Further measure may be taken, such as reporting to Police/Court or proper Authorities and start a criminal trial, in case of specific and very severe

violations, taking into consideration both the Italian Law and the specific Country Law. Please also refer to the CIAI CoC and Safeguarding Policy.

This Policy is shared with:

- Children. Children participate in the process of creating and auditing the Policy. To create an active and reactive culture of safety it is required that: 1. children must be listened to; 2. every child has the right to have his opinions taken into account; 3. children learn about child abuse and protective behaviors; 4. children learn about their rights and protective strategies in order to assume an active role in the protection and safeguard of themselves and other children. The Policy will be shared with all children targeted by CIAI in an understandable way for them.
- Families and caregivers. The real strength of a child safe organization resides in the capacity and willingness of the people in the organization – including the children and their families and caregivers - to bring their Child Safeguarding and Protection Policy to life through a clear understanding of children’s rights. Families will be involved in the audit, and the policy will be shared in an understandable way for them.
- Donors, government officials and all relevant stakeholders. CIAI communicates its commitment to child safety to public and all stakeholders.

Understanding children.

Understanding children, and understanding child abuse and harm, is the foundation of a child safe environment.

Child abuse refers to any non-accidental behavior by parents, caregivers, other adults or other children that is outside the norms of conduct and entails a substantial risk of causing harm to the child’s health, development or dignity. Such behaviors may be intentional or unintentional and can include acts of omission (i.e., neglect) and commission (i.e., abuse). Within this broad definition, five subtypes can be distinguished – physical abuse; sexual abuse; emotional abuse, neglect and negligent treatment; and exploitation. Violence is the generic term that covers all these forms of harm.

Although there is a broad consensus regarding the different subtypes of maltreatment, disagreement exists about exactly how to define these subtypes.

CIAI uses the definitions accepted by most of the International Agencies, by the United Nations and by others organizations which work for children protection.

Abuse

A deliberate act of ill treatment that can harm or is likely to cause harm to a child's safety, well-being, dignity and development.

Abuse includes all forms of physical, sexual, psychological or emotional ill treatment. A common characteristic of all types of child abuse is the abuse of power and authority and the breaking of trust.

Physical abuse: physical abuse is any action that causes physical harm or possible physical harm to a child. It can occur from adult to child, and also from child to child. In physical abuse, unlike physical forms of discipline, the following elements are present:

- Unpredictability. The child never knows what is going to set the abuser off. There are no clear boundaries or rules. The child is constantly walking on eggshells, never sure what behavior will trigger a physical assault.
- Lashing out in anger. Physically abuser act out of anger and desire to assert control, not with the motivation to lovingly teach the child. More intense is the anger, more intense is the abuse.
- Using fear to control behavior. The abusers may believe that their children need to fear them in order to behave, so they use physical abuse to “keep their child in line.” However, what children are really learning is how to avoid being hit, not how to behave or grow as individuals.

Sexual abuse: sexual abuse is described as interactions, with or without physical contact, between an adult, peer or another young person, where the child is being used as an object of sexual gratification for the abuser.

Examples of sexual abuse are: fondling of the child’s genitals; masturbation; oral sex; vaginal or anal penetration; exposure of the child to pornography, etc. Abuse can occur through force, threats, bribes, trickery or pressure.

Emotional abuse: emotional abuse is the persistent ill treatment that is likely to cause harm to the child’s development and his self-perception. It is often present when other forms of abuse are taking place. Whilst emotional abuse often leaves no physical evidence, it may be difficult to demonstrate and it may require the authorities to intervene.

Examples of emotional child abuse include:

- *Constant belittling, shaming, and humiliating a child.*
- *Calling names and ridiculing in order to belittle his personality, physical appearance and abilities.*
- *Making him feel inadequate and unloved.*
- *Frequent yelling, threatening, or bullying.*
- *Exposing the child to violence or the abuse of others, whether it be the abuse of a parent, a sibling, or even a pet.*

Neglect

Neglect is the failure of parents or caregivers to meet a child’s physical and emotional needs when they have the means, the knowledge, and the access to services to do so; or failure to protect her or him from exposure to danger. The failure to provide for the development in the areas of health, education, emotional development, nutrition, shelter or safe living conditions can amount to neglect. Neglect occurs when caregivers deny children their basic needs such as medical supervision, education and emotional growth often to the point where children are exposed to physical and psychological harms.

Exploitation

Child exploitation refers to the use of children for someone else’s advantage, gratification or profit often resulting in unjust, cruel and harmful treatment of the child. These activities are to the detriment of the child’s physical or mental health, education, moral or social emotional development. There are two main forms of child exploitation that are recognized:

Sexual exploitation: the abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the exploitation of another as well as personal sexual gratification. The child is treated as a sexual object and as a commercial object.

Examples: Child prostitution, trafficking of children for sexual abuse and exploitation, child pornography, sexual slavery.

Economic exploitation of a child: the use of the child in dangerous working activities for the benefit of others that are likely to cause harm to his psychophysical development and to his rights to health, to education and to a family. Economic exploitation implies the idea of a certain gain or profit through the production, distribution and consumption of goods and services. This material interest has an impact on the economy of a certain unit that could be the State, the community or the family.

In annex 11, “CIAI position on Child Labour”.

Examples: Child labour, the recruitment and involvement of children in armed conflict, child bondage, the use of children from criminal activities including the sale and distribution of narcotics, the involvement of children in any harmful or hazardous work.

Harm is the result of the exploitation, violence, abuse and neglect of children and can take many forms, including impacts on children's physical, emotional and behavioral development, their general health, their family and social relationships, their self-esteem, their educational attainment and their aspirations.

Children’s Rights to Protection from Abuse, Neglect, Exploitation and Violence

Key child protection articles in the UN Convention on the Rights of the Child are Articles 9 (family separation), 10 (family reunification across borders), 11 (illicit transfer of children), 16 (right to privacy, honour and reputation), 19 (protection from violence, injury, abuse, neglect, maltreatment or exploitation), 20 (alternative care), 21 (adoption), 22 (refugee children), 23 (disabled children), 24 (harmful practices), 25 (periodic review of alternative care), 32 (economic exploitation), 34 (sexual abuse and exploitation), 35 (abduction, sale or trafficking of children), 36 (other forms of exploitation), 37 (juvenile justice and protection from torture or other cruel, inhuman or degrading treatment or punishment), 38 (protection in armed conflict), 39 (recovery and reintegration) and 40 (children in conflict with the law). Articles that are not protection rights but represent important approaches to securing children's protection rights include Articles 5 (support for the parent, extended family and community); 7 (birth registration and protection of identity), 18 (parental responsibility), 26 (social security), 27 (adequate standard of living and social protection), 28 & 29 (education), and 31 (play and leisure). In addition, Articles 2 (non-discrimination), 3 (the best interests of the child), 4 (accountability), 6 (survival and development) and 12 (children’s right to be heard) are all essential complements to the above articles.

Understanding our responsibility

All countries in which CIAI operates, have ratified many of the of the international instruments for the protection of children including the Convention on the Rights of the Child. Even though the UN Convention and the other international instruments have a deep influence on State regulations, the majority of the countries in which CIAI operates have problems in applying them. CIAI is very concerned about the high prevalence of grave violations of Children’s rights such as sexual and emotional abuse, physical punishment, exploitation and the lack of alternative measures for children care in most of the countries in which he intervenes.

In each Country, CIAI staff and its partners are aware of the legal and real status of the rights protected and promoted. CIAI staff is required to periodically review both the legal and real status of these rights as well as the main bodies in charge of rights protection.

In annex 1, “Legal analysis at Country level. 2013-2014” (Note; Legal analysis must to be updated yearly.)

CIAI will meet our commitment to protect children through the following means:

- 1) **Awareness:** CIAI will ensure that all staff, volunteers and Board Members are aware of the problem of child abuse and risks to children.
- 2) **Prevention:** CIAI will ensure that through awareness, good practices, safe environment and children participation risk will be minimized.
- 3) **Reporting.** CIAI will ensure that all people involved in CIAI projects are aware of what steps should be taken where concerns arise regarding the safety of children.
- 4) **Responding.** CIAI will ensure that action is taken to support and protect children where concerns arise.

Evaluating the risks

Whilst it is never possible to eliminate all risk, the purpose of this CSPP is to create awareness of the specific risks to children's safety and wellbeing in order to ensure that the opportunities for vulnerable children to be abused or exploited are minimized.

In recognizing these risks, CIAI proactively assesses and manages them in programs to reduce the threat of harm. This assessment is made in a very participatory approach that considers all risks typology related to our areas of intervention (education, health, participation and child protection) and major abuses found in each Country. This is achieved by examining each project and its potential impact on children. Risk management is an ongoing part of every activity, and CIAI conducts child protection risk assessments on every new and emerging program, project or activity. Each potential risk must be identified. The child protection risk assessment considers the likelihood and impact of harm or abuse occurring to a child or young person involved in the program. Strategies are developed to minimize and manage the risk. In child protection, impact indicators measure the extent to which child protection deficiencies or violations identified at the beginning of the project have been reduced.

In annex 2, "Methodology to perform a risk assessment"

In annex 3, "risk assessment at country level 2013-2014". (note. Risk assessment need to be done in each new project, and updated within the projects yearly)

How to prevent some risks?

CIAI preventive measures.

- A) *For advertising and recruitment: Measures to be taken into account when recruiting.*
Selecting people as staff and volunteers who respect and reflect CIAI's commitment is essential to ensure children's safety. When recruiting new staff CIAI assesses:
 - Motivation to work on children issues.
 - Attitudes to children's rights and how they can be upheld.
 - An understanding of children's physical and emotional needs.

- Knowledge of the debates generated at the international level on sensitive subjects such as international adoption.
- Values such as honesty, non-discrimination, reliability and fairness.
- Responses from referees.
- Criminal record. All CIAI staff will be required to undergo a criminal record check.

B) For partners agreements and collaboration: measures to be taken in account when selecting and collaborating with partners.

Selecting suitable partners is essential to ensure children's safety.

When selecting partners CIAI assesses:

- An understanding of children's physical and emotional needs in the local context.
 - Sharing common missions, values and strategies.
- An agreement with a partner includes:
- Ongoing discussion related to children protection and respective approaches.
 - Support in developing a child policy if necessary.
 - Involve partner's organization in CIAI child protection policy reviews.

C) For communication.

CIAI's communication for whatever purpose (donor reporting, fundraising, sensitization campaigns, etc.) is implemented respecting children dignity.

Stories and images of children should be based on the child's best interest. CIAI always asks for written permission from children or guardians (children underage) before using their images or stories. All communications must present children in decent and respectful way and not as victims. Language that implies a relationship of power should also be avoided. All CIAI projects titles are positive and focus on objectives and outcomes rather than problems or vulnerabilities.

Children in images should be adequately clothed and posed.

Any outside organization, group or individual requesting the use of CIAI's resources should sign an agreement as to the proper use of such material.

Regarding the relation with donors, before making a partnership agreement with an enterprise, CIAI will evaluate their ethic values.

In annex 4, "Ethical Code: Fundraising from companies - Guidelines".

In annex 10, "Ethical Code for communication".

D) Child rights trainings.

d.1) Trainings to CIAI technical staff and target groups on Child rights-based approach are done in each country on regular basis. The child rights approach is a conceptual framework for the process of human development that is normatively based on international children's rights standards and operationally directed to promoting, protecting and fulfilling children's human rights. Essentially, a child rights-based approach integrates the norms, standards and principles of the international human rights system into the plans, policies and processes of Child Rights Programming. CIAI needs to provide ongoing support, supervision and training. Training on child rights and protection will be done as often as possible. If so, in case staff experience problems or have concerns, they will be more likely to report them to a

supervisor. Trainings will be adapted to CIAI knowledge staff and local context. Trainings will be done with a participatory methodology.

d.2) Trainings to all new CIAI staff. Mandatory training components to all new staff includes:

1. key elements of the CSPP and CoC
2. definitions and signs of child abuse and exploitation
3. how to report a child protection issue

E) CIAI staff Code of Conduct

e.1) CIAI staff will be committed to respect CIAI CoC. Each new staff needs to be introduced to the CoC before or at the moment of the signature of the contract. This Child Safeguarding and Protection Policy and Key Policies are applicable both during working hours and outside working hours.

In annex 5, “Code of conduct”.

CIAI Code of Conduct and Key Policies (Child Safeguarding and Protection Policy, and Safeguarding Policy) are applicable also for all Board members, partners, consultants, volunteers, contractors/sub-contractors and any project visitor.

e.2) *Visitors of CIAI projects:*

To assist CIAI in providing a safe environment and a positive climate, visitors to CIAI centers and projects are asked to be registered and read, sign and comply with the CIAI Code of Conduct.

Furthermore:

- before entering in any CIAI project, the visitor will provide her/his personal identification data to CIAI staff when required.
- The visitor agrees to follow the directions of CIAI staff who will guide the visit.
- Distribution of any kind of material should not be made without the prior written permission of CIAI staff. In case the distribution is allowed, it will be done according to CIAI indications.
- Any donation should be given only to CIAI authorized personnel. The amount donated will be detailed in writing and signed mode.
- Use of language or behaviors towards children that are, abusive, sexually provocative, demeaning or culturally inappropriate are forbidden.
- Smoke any substance or drink alcohol is forbidden in all CIAI places and spaces.
- Photographing or filming is forbidden, with the only exception of the shows that take place in the School of Art or in Tlaitno Association. In those cases, visitors must ensure that use of the material is strictly personal. Otherwise, there must be a written agreement with CIAI's headquarters in Milan.
- Personal data exchange with any minor participant in CIAI projects is prohibited.
- During the meetings with a child or adolescent it is mandatory the presence of at least two adults (one of them CIAI Staff): meetings one to one between a minor and an adult are prohibited.

In annex 7, “Registration for visitors”.

F) For a child friendly environment

A place is friendly if:

1. children's opinions and needs are included
2. peace and gender equity are upheld and differences of class, caste and religion are not accepted
3. children participate
4. opportunities for children's participation are promoted
5. healthy lifestyles and life skills are promoted
6. place is accessible to all, including those with special needs and disabilities
7. safe and secure, free from violence, abuse, exploitation and trafficking
8. spaces used by children will be decorated with child friendly colors and with children ideas and suggestions
9. children have an active role in the learning process
10. In case of centers where children spend time and develop activities, a code of conduct for children made by children themselves should be put in place.

At the center of all efforts to eliminate violence against children are the children themselves, who must, at all levels, be meaningfully involved in taking up this issue head on. Basic to this involvement is ensuring that children become conscious of their rights and responsibilities.

In Annex 8, "Methodology focus group to get children involved".

How to act when an incident occurred?

Referral and follow up.

A crucial factor in a child policy is establishing a transparent, easy-to-follow procedure for reporting child abuse complaints or concerns. As first step, in each Country at least one Child Protection Officer (CPO) should to be appointed within the organization who is given the responsibility of handling child concerns. The best interest of the child must be the primary consideration of the people when reporting a concern. The procedure must be clear and ensure two key values: - Confidentiality: people who raise concerns will not have their names made public; keeping the concern and the person's identity from the person accused a secret, unless the case ends up in Court and he/she might be called as witnesses. - Fairness: accused person that is part of the CIAI staff, volunteers and Board members will be supported to the best of CIAI's ability. He or she should not be treated as guilty until an investigation has been undergone to determine this.

In annex 9, "Flow Chart".

- Who can make a report?

Child, parent(s), familiar(s), staff, volunteer(s), board member(s), partner(s).

- What can be reported?

Any child safety concerns, any break of the code of conduct, a suspicion of inappropriate behavior.

- How to make the report?

Verbal report, written report, phone call, mail, meeting, a letter in specific post

- To whom to report?

To the Child Protection Officer (CPO)

Final Audit

Every year CIAI will measure and determine Policy effectiveness in a participatory manner.

In annex 12, “Methodology for the Audit”

Supported and related documentation

1. Legal analysis at country level. http://procedure.intranet.ciai.it/wiki/child_protection_policy
 2. Methodology to perform a risk assessment.
 3. Risk assessment at country level. http://procedure.intranet.ciai.it/wiki/child_protection_policy
 4. Ethical code: fundraising from companies – Guidelines.
 5. Code of conduct. http://procedure.intranet.ciai.it/wiki/codice_di_condotta
 6. Registration form for visitors.
 7. Methodology focus group to get children involved.
 8. Flow Chart.
 9. Ethical Code for communication.
 10. CIAI position on Child Labour. http://projects.intranet.ciai.it/media/child_labour_ciai_en.pdf
 11. Methodology for the audit.
 12. STATEMENT OF COMMITMENT .
 13. CIAI statement for vacancies.
 14. ToR for CSPP Officer
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