

Child Protection Policy

Policy of the organisation Co.P.E. – Cooperazione Paesi Emergenti for Child Protection in carrying out its activities

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TITLE 1 – INTRODUCTION

The organisation Co.P.E. - Cooperazione Paesi emergenti is committed to ensuring the safety of the children involved in its activities in Italy and abroad, recognising its responsibility to protect, realise and promote their well-being. To this end, it is committed to guaranteeing and maintaining the highest legal, ethical and moral standards applicable in this field and described below. as well as to recognising that all the organisation's Managers, Employees, Collaborators and Representatives, as well as those of partner organisations that come into contact with children, have a fundamental duty of care towards them. Co.P.E. organisation condemns all forms of abuse and violence against children that may be perpetrated both within and outside the organisation and is committed to implementing a systemic approach that integrates the welfare of all persons under the age of 18 into its activities.

Art. 1 – Principles

The organisation guarantees the respect of the rights of children and adolescents consistent with its vision and values, the United Nations Convention on the Rights of the Child (1989), General Comment No. 13 (2011) of the UN Committee on the Rights of the Child, the Keeping Children Safe Coalition - Child Protection Standards, the European Convention on Human Rights and Fundamental Freedoms (1950) and the related jurisprudence of the European Court of Human Rights, the Charter of Fundamental Rights of the European Union (2000) and the Constitution of the Italian Republic. In any field concerning, directly or indirectly, childhood or adolescence, the organisation shall base its action on the principle of the best interests of the child, on the prohibition of discrimination and on the right to be heard, based on the following principles

- **no form of violence against children is justifiable**; all violence against children can be prevented;
- a child rights-based approach to care and protection requires a paradigm shift to respect and promote the human dignity and physical and psychological integrity of children as **individuals with rights**, rather than perceiving them primarily as ‘victims’;
- the concept of **dignity** requires that every child be **recognised, respected and protected** as a rights-holder and as a unique and valuable human being with a distinct individual personality, needs, interests and privacy;
- children's rights to be heard and to have their views duly taken into account **must be systematically respected in all decision-making processes**, and their empowerment and participation should be central to care and protection strategies and programmes;
- **the right of children to have their best interests considered as a priority** in all matters concerning or involving them must be respected, especially when they are victims of violence, as well as in all preventive measures.

Article 2 - Definitions

For the purposes of this Policy, the following definitions shall apply:

- a) **person or subject under the age of 18**: any human being under the age of 18;
- b) **adolescent**: any human being between the ages of fourteen and eighteen;
- c) **well-being**: a condition of physical, mental, psychological, emotional and social equilibrium and fulfilment, accompanied by a perception of safety on the part of persons under the age of eighteen years
- d) **consent**: a manifestation of free, specific, informed and unequivocal will;

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- e) **informed consent:** the principle that legitimises the involvement of individuals in scientific research, and is expressly recognised in the Declaration of Helsinki (1964) and subsequent amendments
- f) **personal data:** any information relating to an identified or identifiable natural person, within the meaning of Article 4 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on data protection (hereinafter, GDPR); an identifiable person is one who can be identified, directly or indirectly, by name, an identification number, location information, an online identifier or one or more features of his or her physical, physiological, genetic, mental, economic, cultural or social identity
- g) **discrimination:** any treatment that is intended to exclude a person under the age of majority or to distinguish him or her from others on grounds of gender, colour, ethnic, national or social origin, language, religion, political opinion, sexual orientation, health or any other characteristic or condition of the person under the age of majority, their parents or legal representatives
- h) **legal representative:** the person or persons who, pursuant to Article 320 of the Civil Code, represent the person under the age of majority in all civil acts;
- i) **Violence:** any conduct by adults or other persons under the age of majority which results in potential or actual harm to the health, development or dignity of the person under the age of majority. Such conduct may be intentional or unintentional and includes both acts of omission (e.g. negligence) and acts of commission (e.g. abuse). By way of example, physical abuse, sexual abuse, psychological abuse, neglect or negligent treatment, and exploitation may be considered violence.

Where it is not possible to use inclusive language, the terms in this policy must never be construed to exclude a particular gender or group of under-aged persons.

Article 3 - Scope of application

This *policy* applies to members of the organisation (in any capacity), as well as to its partners, identified as follows

- managers, employees, coordinated and continuous collaborators, professionals
- staff and representatives of partner organisations in Italy and abroad;
- sponsors and donors;
- local staff employed in projects in developing countries;

Art. 4 - Aims

The purpose of this *policy* is to ensure the due care and protection of children and adolescents in the performance of the organisation's activities and to safeguard the dignity and wellbeing of minors.

In particular, the objectives of this policy are:

- a) to define the standards for the protection of minors involved in the organisation's activities;
- b) to promote the definition of procedures within the organisation's activities aimed at preventing or minimising any risk situations to which under-age persons directly or indirectly involved in the activities might be exposed;
- c) promote awareness of the protection of persons under age.

TITLE II - GENERAL PROVISIONS

Article 5 - Participation and listening

The organisation undertakes to guarantee to persons under the age of 18, capable of discernment and taking into account their age and degree of maturity, the right to freely express their opinions on participation in activities and on any matter of interest to them, and to take them into due consideration. To this end, persons under age shall be given the opportunity to be heard in any proceedings concerning them, in accordance with the relevant legal provisions. If activities are carried out in collaboration with and/or at third parties, the methodological approach of the projects should be shared in advance in order to take into account coordination requirements, in any case aimed at the well-being of the minor participant.

Article 6 - Informed consent for participation in activities

For the participation of persons under the age of 18 in the organisation's activities, the explicit, free and informed consent of their legal representative must be obtained, in accordance with Italian and national laws, with regard to foreign countries in which the organisation carries out its activities. In any case, the person under the age of 18 must be guaranteed the right to freely revoke their consent to participate in activities at any time, including through their legal representative.

Article 7 - Risk identification and minimisation

The organisation undertakes to guarantee to persons of minor age directly or indirectly involved in its activities specific protection against exposure to situations that may pose a risk to their well-being. When carrying out an activity or project directly or indirectly involving children, a preliminary assessment of possible risks to their well-being shall be carried out, followed by constant monitoring during the course of the activity. In any case, if deemed appropriate and taking into account the circumstances and the needs of the person under the age of 18, those with scientific responsibility for the activity may involve or seek the advice of a child psychologist. The collection of personal data should always be limited to what is strictly necessary.

Article 8 - Protection of personal data

The organisation is committed to protecting the personal data, including the use of images, of under-age persons and ensures that it is processed in accordance with current legislation, in particular the GDPR and the principle of minimisation enshrined therein (Art. 5 GDPR).

The organisation, in this regard, is also inspired by the provision of the Garante per la protezione dei dati personali containing the prescriptions regarding the processing of special categories of data, pursuant to Article 21, paragraph 1 of Legislative Decree No. 101 of 10 August 2018, and the Deontological Rules for processing for statistical or scientific research purposes published by the Garante per la protezione dei dati personali pursuant to Article 20, paragraph 4 of Legislative Decree No. 101 of 10 August 2018.

In any case, for the purposes of processing the data of the person of minor age, if identified as a suitable legal basis, the consent of the person exercising legal representation will be required, in accordance with Article 6(1)(a) and Article 9(2)(a) of the GDPR. In any case, except for the cases referred to in Article 14 of the GDPR, consent for the purposes of processing the personal data of a person under the age of 18 must be preceded by the specific information on the processing of personal data referred to in Article 13 of the GDPR.

Article 9 - Use of images

The exhibition and publication, in whatever manner and form, of the personal image of the person under age shall take place in compliance with article 10 of the civil code and articles 96 and 97 of the law on copyright and with national legislation, as far as persons under age involved in projects abroad are concerned. Where

possible, the consent of the person exercising legal representation of the person under the age of majority will still be required. In this case, if an adolescent person is involved, his/her consent will also be obtained in addition to that of the person exercising legal representation, unless he/she is obviously incapable of discernment. In case of conflict, the consent of the teenage person shall prevail.

Article 10 - Information and training

The organisation undertakes to disseminate this policy to its staff, to the professionals with whom it works and to the project partners, favouring specific training on the basis of any needs that may arise.

TITLE III - GOOD PRACTICES

Article 11 - Conduct of Activities

- a. the application of international ethical standards in the various disciplinary contexts;
- b. the involvement of minors in activities that take due account of their rights, interests, dignity, freedom, needs and psychophysical wellbeing, appropriately balancing direct and indirect benefits and burdens, also in relation to age, skills and any disability condition
- c. the abstention from the exercise of power, psychological pressure or significant conditioning, in particular in the conduct of interviews or psychological tests, in the administration of questionnaires, in games and didactic and educational activities that may make minors feel inadequate or emotionally uncomfortable
- d. the identification of specific ways of listening that require: respect for the different adaptation times of minors and the need for an environment suited to the ability to establish a relationship of trust before the start of the activities, sensitivity and discretion for the emotional or affective contents that may be expressed by the minor, abstention from manipulation or undue incentives
- e. the utmost respect for the private sphere, also in view of the emotional significance and specific condition of minors towards any difficulties in emotional and family relations
- f. that the collection of the personal data of persons under the age of 18 be limited to what is necessary for the performance of the activities and aimed solely at such purposes, and that the direct collection of information take place where possible in the presence of adults having a connection or proximity (parents, teachers or others)
- g. except in duly justified cases, the storage of personal data of the minor in pseudonymised form (pursuant to Article 4(5) of the GDPR) and, as soon as possible, their anonymisation
- h. in the event of detection of forms of prejudice or discrimination against participants under the age of 18, assess the precautionary suspension of activities and the consequent overall methodological review of the intervention
- i. assess the provision of risk analysis and management procedures, also by means of appropriate indicators
- j. taking into consideration the minor's opinion, insofar as age and his/her degree of maturity and discernment permit, his/her best interest being paramount in all cases
- k. in the course of activities, the protection of persons under age from possible prejudice, discrimination, instrumentalisation or exploitation, corruptive logic also through unjustified incentives
- l. the adequate preparation and/or training of the personnel involved in the activities, so as to ensure that the persons under the age of 18 are appropriately related and welcomed.

Art. 12 - The association's commitment

The staff, employees and representatives, as well as the staff, employees and representatives of all partner

organisations, are bound by this Child Protection Policy. All country representatives must ensure that local procedures are implemented in each location in line with this Child Protection Policy. Local procedures must be developed in accordance with local laws. It must also be ensured that this policy and local procedures are available in local languages. With respect to this Child Protection Policy, the organisation and all partner organisations undertake to:

1. Raise awareness

- Promote open discussion on all issues related to child protection and the protection of children from abuse and violence;
- Provide adequate information to their staff, co-workers and representatives about this Child Protection Policy;
- Adopt written guidelines to indicate appropriate and inappropriate behaviour of adults towards children and children towards each other;
- Establish clear roles and responsibilities for monitoring compliance with and enforcement of this Child Protection Policy;
- Ensure that children are informed of their rights to be heard and to grow up free from all forms of physical and psychological violence;

2. Prevent

- Ensure the application of high professional standards when selecting staff, co-workers and partner organisations;
- Provide adequate training for staff, co-workers and representatives on child protection and include child protection as a regular topic in all training programmes;
- Provide specific supervision mechanisms for staff, collaborators and representatives working directly with children, as a space for open and free discussion on child protection concerns arising from any Action implemented or supported directly by the organisation;
- Promote a safe, free and open environment where children are encouraged to discuss their concerns and rights and express their views;
- Put in place a partnership system with families and communities that is appropriate to support the Child Protection Policy (CPP);
- Never expose children to harm or put them at risk of harm. This is both when carrying out activities directly with children and when taking pictures/photos or collecting children's stories;

3. Reporting

- Provide all staff, co-workers and representatives with clear procedures for reporting any child abuse and child protection concerns;
- Ensure child-friendly reporting mechanisms so that children can confidently and confidentially report any child abuse, maltreatment or violence they experience;
- Ensure that any reports of child abuse or child protection concerns are handled and investigated while maintaining the highest level of confidentiality;

- Ensure that the complainant, potential perpetrator and victim are all safe and receive the necessary psychosocial support;
4. React
- Investigate any concerns regarding the conduct of Co.P.E. staff, co-workers and representatives, as well as staff, co-workers and representatives of partner organisations, in accordance with applicable local office procedures and the Child Protection Policy; the investigation may result in disciplinary action for Co.P.E. staff, co-workers and representatives and immediate termination of the Partnership Agreement in the case of partner organisations, their staff, co-workers and representatives
 - Take all necessary measures to ensure the protection and safety of minors in the event of ascertained abuse and neglect and report to the competent Authorities;
 - Review the Policy periodically, based on feedback and accumulated experience.

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