Children of Prisoners (COPE) Network Child Safeguarding Toolkit

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Definitions (for the purposes of the COPE Network's Child Safeguarding Policy)

Ι.

Child	In line with the UN Convention on the rights of the child, every human being below the age of 18
Child safeguarding policy	A written policy aligned with the Keeping Children Safe standards, widely disseminated and also published online, documenting an overarching commitment to preventing harm to children and specifying the organisational procedures and principles to be observed in all areas of the organisation to support child safeguarding, including confidential reporting mechanisms for child safeguarding concerns
Child safeguarding	Child safeguarding is the responsibility that organisations have to make sure their staff, operations, and programmes do no harm to children, that is that they do not expose children to the risk of harm and abuse, and that any concerns the organisation has about children's safety within the communities in which they work are reported to the appropriate authorities.
Harm	In relation to a child: "Harm" is any detrimental effect on a child's physical, psychological, or emotional well-being. Harm may be caused by abuse or exploitation whether intended or unintended. Harm may also be caused due to inaction or failure to act.
Violence	[] "Violence" is understood to mean "all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse" as listed in article 19, paragraph 1, of the UN Convention on the rights of the child. The term violence has been chosen here to represent all forms of harm to children as listed in article 19, paragraph 1, in conformity with the terminology used in the 2006 United Nations study on violence against children, although the other terms used to describe types of harm (injury, abuse, neglect or negligent treatment, maltreatment and exploitation) carry equal weight. In common parlance the term violence is often understood to mean only physical harm and/or intentional harm. However, the Committee emphasizes most strongly that the choice of the term violence in the present general comment must not be interpreted in any way to minimize the impact of, and need to address, non-physical and/or non-intentional forms of harm (such as, inter alia, neglect and psychological maltreatment). <i>Paragraph 4 of General Comment No 13 (2011) of the UN Committee on</i> <i>the rights of the child on the child's right to freedom from all forms of</i> <i>violence</i> <u>http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.13 en.pdf</u>

Child abuse	From Tusla (Irish child protection agency) Guidance on definitions of child abuse
	and on how to recognise abuse:
	Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time. Abuse and neglect can occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child or a stranger. The abuser may be an adult or another child. In a situation where abuse is alleged to have been carried out by another child, you should consider it a child welfare and protection issue for both children and you should follow child protection procedures for both the victim and the alleged abuser. The important factor in deciding whether the behaviour is abuse or neglect is the impact of that behaviour on the child rather than the intention of the adult/parent/carer. The definitions of neglect and abuse presented in this section are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.
	See also: Guidance on potential indicators of abuse: https://www.childmatters.org.nz/insights/abuse-indicators/
Neglect	From paragraph 20, <u>GC No 13 UN Committee on the rights of the child</u> : Neglect or negligent treatment. Neglect means 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. It includes: (a) Physical neglect: failure to protect a child from harm, including through lack of supervision, or failure to provide the child with basic necessities including adequate food, shelter, clothing and basic medical care; (b) Psychological or emotional neglect: including lack of any emotional support and love, chronic inattention to the child, caregivers being "psychologically unavailable" by overlooking young children's cues and signals, and exposure to intimate partner violence, drug or alcohol abuse; (c) Neglect of children's physical or mental health: withholding essential medical care; (d) Educational neglect: failure to comply with laws requiring caregivers to secure their children's education through attendance at school or otherwise; and (e) Abandonment: a practice which is of great concern and which can disproportionately affect, inter alia, children out of wedlock and children with disabilities in some societies. ¹
	From Tusla (Irish child protection agency) Guidance on definitions of child abuse and on how to recognise abuse: Child neglect is the most frequently reported category of abuse. Ongoing chronic neglect is recognised as being extremely harmful to the development and well-being of the child and may have serious long-term negative consequences. Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child's health, development or welfare is impaired by being deprived of food,
	clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety. Emotional neglect may also lead to the child having attachment

¹ In many countries children are abandoned because parents and caregivers living in poverty do not have the means to support them. According to the definition, neglect is a failure of care when parents have the means to meet their children's needs. The Committee has often urged States parties to "render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities" (art. 18, para. 2 of the Convention).

	difficulties. The extent of the damage to the child's health, development or welfare is influenced by a range of factors. These factors include the extent, if any, of positive influence in the child's life as well as the age of the child and the frequency and consistency of neglect. Neglect is associated with poverty but not necessarily caused by it. It is strongly linked to parental substance misuse, domestic violence, and parental mental illness and disability. A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once.			
	The following are features of child neglect:			
	 Children being left alone without adequate care and supervision Malnourishment, lacking food, unsuitable food or erratic feeding Non-organic failure to thrive, i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation Failure to provide adequate care for the child's medical and developmental needs, including intellectual stimulation Inadequate living conditions – unhygienic conditions, environmental issues, including lack of adequate heating and furniture Lack of adequate clothing Inattention to basic hygiene Lack of protection and exposure to danger, including moral danger, or lack of supervision appropriate to the child's age Persistent failure to attend school Abandonment or desertion 			
Emotional abuse	From paragraph 21, GC No 13 UN Committee on the rights of the child:			
abuse	21. Mental violence. "Mental violence", as referred to in the Convention, is often described as psychological maltreatment, mental abuse, verbal abuse and emotional abuse or neglect and this can include: (a) All forms of persistent harmful interactions with the child, for example, conveying to children that they are worthless, unloved, unwanted, endangered or only of value in meeting another's needs; (b) Scaring, terrorizing and threatening; exploiting and corrupting; spurning and rejecting; isolating, ignoring and favouritism; (c) Denying emotional responsiveness; neglecting mental health, medical and educational needs; (d) Insults, name-calling, humiliation, belittling, ridiculing and hurting a child's feelings; (e) Exposure to domestic violence; (f) Placement in solitary confinement, isolation or humiliating or degrading conditions of detention; and (g) Psychological bullying and hazing ² by adults or other children, including via information and communication technologies (ICTs) such as mobile phones and the Internet (known as "cyberbullying").			
	From <u>Tusla (Irish child protection agency)</u> <u>Guidance on definitions of child abuse</u> <u>and on how to recognise abuse</u> :			
	Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered			

² "Hazing" refers to rituals and other activities involving harassment, violence or humiliation which are used as a way of initiating a person into a group.

emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver. Emotional abuse can also occur when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional abuse is not easy to recognise because the effects are not easily seen. A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or carer. Emotional abuse may be seen in some of the following ways: Rejection Lack of comfort and love Lack of attachment Lack of proper stimulation (e.g. fun and play) Lack of continuity of care (e.g. frequent moves, particularly unplanned) Continuous lack of praise and encouragement Persistent criticism, sarcasm, hostility or blaming of the child Bullying Conditional parenting in which care or affection of a child depends on his or her behaviours or actions Extreme overprotectiveness Inappropriate non-physical punishment (e.g. locking child in bedroom) Ongoing family conflicts and family violence Seriously inappropriate expectations of a child relative to his/her age and stage of development There may be no physical signs of emotional abuse unless it occurs with another type of abuse. A child may show signs of emotional abuse through their actions or emotions in several ways. These include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, risk taking and aggressive behaviour. It should be noted that no one indicator is conclusive evidence of emotional abuse. Emotional abuse is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors.

Physical	From paragraphs 22, 23 and 24, GC No 13 UN Committee on the rights of the
abuse	child: 22. Physical violence. This includes fatal and non-fatal physical violence. The Committee is of the opinion that physical violence includes: (a) All corporal punishment and all other forms of torture, cruel, inhuman or degrading treatment or punishment; and (b) Physical bullying and hazing by adults and by other children. 23. Children with disabilities may be subject to particular forms of physical violence such as: (a) Forced sterilization, particularly girls; (b) Violence in the guise of treatment (for example electroconvulsive treatment (ECT) and electric shocks used as "aversion treatment" to control children's behaviour); and (c) Deliberate infliction of disabilities on children for the purpose of exploiting them for begging in the streets or elsewhere. 24. Corporal punishment. In general comment No. 8 (para. 11), the Committee defined "corporal" or "physical" punishment as any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light. Most involves hitting ("smacking", "slapping", "spanking") children, with the hand or with an implement - a whip, stick, belt, shoe, wooden spoon, etc. But it can also involve, for example, kicking, shaking or throwing children to stay in uncomfortable positions, burning, scalding, or forced ingestion. In the view of the Committee, corporal punishment is invariably degrading. Other specific forms of corporal punishment are listed in the report of the independent expert for the United Nations study on violence against children (A/61/299, paras. 56, 60 and 62).
	From <u>Tusla (Irish child protection agency)</u> Guidance on definitions of child abuse and on how to recognise abuse: Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and/or development is, may be, or has been damaged as a result of suspected physical abuse. Physical abuse can include the following: physical punishment, beating, slapping, hitting or kicking, pushing, shaking or throwing, pinching, biting, choking or hair-pulling, use of excessive force in handling, deliberate poisoning, suffocation fabricated/induced illness, female genital mutilation
Sexual abuse	From paragraph 25, GC No 13 UN Committee on the rights of the child:
	Sexual abuse and exploitation. Sexual abuse and exploitation includes: (a) The inducement or coercion of a child to engage in any unlawful or psychologically harmful sexual activity ³ ; (b) The use of children in commercial sexual exploitation; and (c) The use of children in audio or visual images of child sexual abuse; (d) Child prostitution, sexual slavery, sexual exploitation in travel and tourism, trafficking (within and between countries) and sale of children for sexual purposes and forced marriage. Many children experience sexual victimization which is not accompanied by physical force or restraint but which is nonetheless psychologically intrusive, exploitive and traumatic.

³ Sexual abuse comprises any sexual activities imposed by an adult on a child, against which the child is entitled to protection by criminal law. Sexual activities are also considered as abuse when committed against a child by another child, if the child offender is significantly older than the child victim or uses power, threat or other means of pressure. Sexual activities between children are not considered as sexual abuse if the children are older than the age limit defined by the State party for consensual sexual activities.

	From Tucle (Irich shild protection accept) (Juidance on definitions of shild shuse
	From Tusla (Irish child protection agency) Guidance on definitions of child abuse and on how to recognise abuse: Sexual abuse occurs when a child is used by another person for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts (masturbation, fondling, oral or penetrative sex) or exposing the child to sexual activity directly or through pornography. Child sexual abuse may cover a wide spectrum of abusive activities. It rarely involves just a single incident and in some instances occurs over a number of years. Child sexual abuse most commonly happens within the family, including older siblings and extended family members. Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings/friends, from the suspicions of an adult, and/or by physical symptoms. Examples of child sexual abuse include the following: any sexual act intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification, masturbation in the presence of a child or the involvement of a child in an act of masturbation, sexual intercourse with a child, whether oral, vaginal or anal, sexual exploitation of a child, which includes: » Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means] » , inviting, coercing or inducing a child to participate in, or to observe, any sexual, indecent or obscene act », showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse, exposing a child to inappropriate or abusive material through information and communication technology, consensual sexual activity involving an adult and a child.
	It should be remembered that sexual activity involving a child may be sexual abuse even if the child concerned does not themselves recognise it as abusive.
Direct contact	Being in the physical presence of a child or children in the context of the organisation's work, whether contact is occasional or regular, short or long term. Examples from the COPE Network include, <i>inter alia</i> : accompanying children to and from visits with a parent in prison; facilitating youth focus groups; involving children as part of young advisors groups; one to one support sessions with children; organising summer camps for children who have a parent in prison.
Indirect contact	Having access to information on children in the context of the organisation's work. Examples from the COPE Network operations include: advocating on behalf of children, or having access to information on children in the context of the organisation's work, such as children's names, locations (addresses of individuals or projects), photographs and case studies, or provide funding for other organisations that work 'directly' with children. As a child rights organisation, the COPE Network also advocates for the development and implementation of robust child safeguarding policies more broadly, e.g., in working to enhance child safeguarding by prison services, by the police during arrests, etc.

II. Guidance on indicators of abuse (covering child and adult behaviours)

Note: This list is not exhaustive and provided for guidance only. Some children may not show any signs and still be victims of abuse. You may need to add more guidance to reflect **the context you work in. Signs may vary depending on the child's age, experi**ence, gender, etc. (retrieved from: <u>https://www.childmatters.org.nz/insights/abuse-indicators/</u>)

Indicators of emotional abuse

There may be physical indicators that a child is being emotionally abused. Some examples of this are:

- Bed-wetting or bed soiling that has no medical cause
- Frequent psychosomatic complaints (e.g. headaches, nausea, abdominal pains)
- Prolonged vomiting or diarrhoea
- Has not attained significant developmental milestones
- Dressed differently from other children in the family
- Has deprived physical living conditions compared with other children in the family

There may also be behavioural indicators that child or young person is being emotionally abused. Some examples of this are:

- Suffers from severe developmental gaps
- Severe symptoms of depression, anxiety, withdrawal or aggression
- Severe symptoms of self-destructive behaviour self-harming, suicide attempts, engaging in drug or alcohol abuse
- Overly compliant; too well-mannered; too neat and clean
- Displays attention seeking behaviours or displays extreme inhibition in play
- When at play, behaviour may model or copy negative behaviour and language used at home

There may be **indicators in adult behaviour** that could indicate emotional abuse. Some examples of this are:

- Constantly calls the child or young person names, labels the child or publicly humiliates the child
- Continually threatens the child or young person with physical harm or forces the child to witness physical harm inflicted on a loved one
- Has unrealistic expectations of the child or young person
- Involves the child or young person in "adult issues", such as separation or access issues
- Keeps the child or young person at home in a role of subservient or surrogate parent

Indicators of neglect

There may be physical indicators that a child or young person is being neglected. Some examples of this are:

- Inappropriate dress for the weather
- Extremely dirty or unbathed

- Inadequately supervised or left alone for unacceptable periods of time
- Malnourished
- May have severe nappy rash or other persistent skin disorders or rashes resulting from improper care or lack of hygiene

There may also be behavioural indicators that child or young person is being neglected. Some examples of this are:

- Demonstrates severe lack of attachment to other adults
- Poor school attendance or school performance
- Poor social skills
- May steal food
- Is very demanding of affection or attention
- Has no understanding of basic hygiene

There may be **indicators in adult behaviour** that could indicate neglect. Some examples of this are:

- Fails to provide for the child or young person's basic needs, such as housing, nutrition, medical and psychological care
- Fails to enrol a child or young person in school or permits absenteeism
- Leaves the child home alone
- Is overwhelmed with own problems and puts own needs ahead of the child or young person's needs

Indicators of physical abuse

There may be physical indicators that a child or young person is being physically abused. Some examples of this are:

- Unexplained bruises, welts, cuts, abrasions
- Unexplained burns
- Unexplained fractures or disclosures

There may also be behavioural indicators that child or young person is being physically abused. Some examples of this are:

- Is wary of adults or of a particular individual
- Is violent to animals or other children or young people
- Is dressed inappropriately to hide bruises or other injuries
- May be extremely aggressive or extremely withdrawn
- Cannot recall how the injuries occurred or gives inconsistent explanations

There may be **indicators in adult behaviour** that could indicate physical abuse. Some examples of this are:

- May be vague about the details of the cause of injury and the account of the injury may change from time to time
- May blame the accident on a sibling, friend, relative or the injured child or young person
- Shakes an infant
- Threats or attempts to injure a child or young person

- Is aggressive towards a child in front of others
- May delay in seeking medical attention for a child or young person

Indicators of sexual abuse

There may be physical indicators that a child or young person is being sexually abused. Some examples of this are:

- Torn, stained or bloody underclothing
- Bruises, lacerations, redness, swelling or bleeding in genital, vaginal or anal area
- Blood in urine or faeces
- Sexually transmitted disease
- Unusual or excessive itching or pain in the genital or anal area

There may also be behavioural indicators that a child or young person is being sexually abused. Some examples of this are:

- Age-inappropriate sexual play with toys, self, others
- Bizarre, sophisticated or unusual sexual knowledge
- Comments such as "I've got a secret", or "I don't like uncle"
- Fire lighting by boys
- Fear of certain places e.g. bedroom or bathroom

Some examples of this in older children or young people are:

- Eating disorders
- Promiscuity or prostitution
- Uses younger children in sexual acts
- Tries to make self as unattractive as possible

There may be **indicators in adult behaviour** that could indicate sexual abuse. Some examples of this are:

- May be unusually over-protective of a child or young person
- Is jealous of a child or young person's relationships with peers or other adults or is controlling of the child or young person
- May favour the victim over other children
- Demonstrates physical contact or affection to a child or young person which appears sexual in nature or has sexual overtones

III. If a child discloses abuse to you: some do's and don'ts

Drawn from: <u>http://guides.womenwin.org/gbv/readiness-and-response/response-referral-and-reporting/disclosure-dos-and-donts</u>

The do's and don'ts are also available in other languages: $\underline{FR} - \underline{ES} - \underline{PT}$

If a child discloses child abuse to you, it is critical to be prepared to handle the situation in the appropriate manner and then report it to the appropriate authorities.

The guiding principle in responding to any concerns around child protection is that the safety and welfare of the child should always take precedence. No child should be put at more risk by any action you undertake. You should do all you can to remove the child from immediate danger and ensure she or he is comfortable. You should respect the two-adult rule and you should do all you can to minimise delays.

As much as 80% of child abuse cases may include a digital component. The person receiving a disclosure should note any disclosures in this regard, which may be essential to capture compelling evidence during any investigation.

Here's some feedback from children who disclosed abuse to keep in mind:

- "My teacher noticed that I was often quiet, came late and that I would flinch when someone touched me. She did not give up, and in the end I told. She clearly explained that what I had experienced was not okay. I noticed she cared. She responded when I told."
- "It is not safe to report when we do not know what happens next. We need to know what is happening, how it is happening and how many cases are going through. This must be explained with words children understand. Then it will be safe, and when it is safe we will speak the truth."
- "I was interrupted when I tried to tell. They did not need to hear anything from me, that's how it felt. Before they talked to me, they had read what had happened."
- "Cry with us, not after we have left. If I am I met without emotion, I may never tell again. It feels like what I told was not bad enough."
- "Children need to know if something is to be told further, so that the child and adults can figure out together how to do it. It has to happen in a way that is good for the child."
- "I would have answered if someone had asked me direct questions."
- "I would rather carry what hurt inside me than what I said could be told further without me knowing where. I had never received some information on what could really happen if I told."
- "Talk to me for a moment before I am sent on, otherwise I dare not trust adults anymore. It takes a lot to tell about violence. Wait with sending me on."
- "If we tell an adult, then that person is selected. Then that person should not jump and contact child welfare, police or other adults. Then the person has the competence to talk to us, because we know very well which competence works and which does not. We do not need what adults think is cutting-edge expertise."

If a child or young person informs you that she/he is concerned about someone's behaviour towards them or makes a direct allegation you can follow the points below.

General points⁴

- Accept what the child says
- Keep calm
- Don't panic
- Don't seek help while the child is talking to you
- Take what they say seriously, even if it involves someone you feel sure would not harm them. We know from experience that we must listen to what we are told even if it is difficult to believe
- Be honest
- Look at the child directly
- Do not appear shocked
- Let them know that you need to tell someone else
- Assure them that they are not to blame for the abuse
- Never ask leading questions
- Try not to repeat the same questions to the child
- Never push for information
- Do not fill in words, finish their sentences, or make assumptions
- Be aware that the child may have been threatened
- Take proper steps to ensure the physical safety and psychological well-being of the child. This may include referring them for medical treatment or to a psychologist
- Make certain you distinguish between what the child has actually said and the conclusions you may have made. Accuracy is paramount in this stage of the procedure
- Do not permit personal doubt to prevent you from reporting the disclosure
- Let the child know what you are going to do next and that you will let them know what happens

Things to say or do

- Repeat the last few words in a questioning manner
- 'I believe you'
- 'I am going to try to help you'
- 'I will help you'
- 'I am glad that you told me'
- 'You are not to blame'
- 'You did the right thing by telling me'
- Say I cannot keep this a secret, but I won't tell anyone except for those who must know to help (doctors, police)
- Report to the authorities
- Bring the survivor to get external medical and legal help immediately

Things not to say or do

- 'You should have told someone before'
- 'I can't believe it! I'm shocked!'
- `Oh that explains a lot'
- 'No not...he's a friend of mine'
- 'I won't tell anyone else'
- 'Why? How? When? Where? Who?'
- Doubt the child's disclosure
- Make promises you cannot keep
- Confront the offender

⁴ National Sexual Violence Resource Centre, retrieved from <u>http://www.nsvrc.org/elearning/21385</u> e-learning portal also available in <u>ES</u>

• Wash or fix the survivor if they have been abused (as long as their safety is not jeopardized). The survivor's condition is evidence for prosecution.

At the end of the disclosure

- Reassure the child that it was right to tell you but do not promise confidentiality
- Let them know what you are going to do next
- <u>Immediately</u> seek help, in the first place from the designated child safeguarding officer
- Write down accurately what the young person has told you. Records should be detailed and precise. Sign and date your notes. Keep all notes in a secure place for an indefinite period. These are essential in helping your organisation/ Social Services/ the Police decide what is best for the child, and as evidence if necessary
- Use the reporting form is a sensible way of making sure that you gather all the relevant and important information
- Seek help for yourself if you feel you need support

IV. Guidance on responding to a concern and sanctions

Reporting a concern

It is crucial that when a concern over child safeguarding appears or an incident occurs that swift action is taken by reporting according to (COPE Network member) policy and procedures. All persons working at or with (COPE Network member) receive all the necessary information and training as to who the Child Safeguarding Focal Point is. If there is a concern, it must always be treated as a matter of urgency and immediately brought to the attention of the Focal Point.

All persons falling under the scope of the policy understand that when a child safeguarding concern arises it is essential to act immediately as the protection of children is always the most important consideration. These persons may be alerted to a potential safeguarding concern when a number of behaviours arise, either on the part of a child or an adult. Guidance on indicators of abuse is provided in <u>Guidance on indicators of abuse (covering child and adult behaviours)</u>.⁵

Whistle-blowers

Keeping children safe from harm is the paramount consideration for the COPE Network. Anyone representing or identified with (COPE Network member) is required to report any child safeguarding concerns they have. It is important to note that any person falling under the scope of the policy who reports a concern will not suffer any reprisal or disciplinary action if the report is made in good faith under the legitimate concern over the welfare of a child. While keeping children safe will always be the paramount concern, (COPE Network member) will follow KCS guidance⁶ to respond to unsubstantiated, unfounded and/or malicious allegations.⁷

Responding to concerns

If a child discloses child abuse to any person falling under the scope of the policy, it is critical they are able to handle the situation in the appropriate manner (as set out in the guidance on handling disclosure) and then report it according to the <u>reporting flowchart</u>.

If a child discloses child abuse to you, it is critical to be prepared to handle the situation in the appropriate manner and then report it to the appropriate authorities. The guiding principle in responding to any concerns around child protection is that the safety and welfare of the child should always take precedence. No child should be put at more risk by any action you undertake.

⁵ See COPE Network Safeguarding Toolkit, on the COPE website.

⁶ https://codeofgoodpractice.com/wp-content/uploads/2019/03/KCS-Management-of-Child-Safeguarding-Allegations.pdf ⁷ **Unsubstantiated** (Inconclusive): An unsubstantiated allegation means that there is insufficient identifiable evidence to prove or disprove the allegation on the balance of probabilities. The term, therefore, does not imply guilt or innocence. **Unfounded** (Unproven): The term 'unfounded' means that there is no evidence or proper basis that supports the allegation being made, or there is evidence to prove that the allegation is untrue. There is the possibility that the allegation may be malicious (see below), but it might also indicate that the person making the allegation had misinterpreted the incident or was mistaken about what he/she saw or was not aware of all the circumstances. **Malicious**: The term 'malicious' implies that an allegation. For an allegation to be classified as malicious, it will be necessary to have evidence to prove the intention to cause harm. Care should be taken in dealing with such allegations as some facts may not be wholly untrue. Some parts of an allegation may have been fabricated or exaggerated but elements may be based on truth.

You should do all you can to remove the child from immediate danger and ensure she or he is comfortable. You should respect the two-adult rule and you should do all you can to minimise delays. See Appendix IV⁸_for guidance on handling disclosure.

Acting on a concern

All persons falling under the scope of the policy must <u>immediately</u> report any safeguarding concerns to the Child Safeguarding Focal Point or the designated next most appropriate person who will implement the procedure and decide on the appropriate course of action. An exception lies if the concern directly relates to the Child Safeguarding Focal Point in which case the designated next most appropriate person should be notified instead.

A written record of all complaints or concerns raised must be completed in accordance with Appendix IV⁹ and filed by the Child Safeguarding Focal Point. Once a complaint or report is made and the Child Safeguarding Focal Point is notified the principle of confidentiality around the procedure must apply in order **to protect the child's privacy and dignity. Information about the complaint should** only be disclosed on a need-to-know basis (in principle only with the child Safeguarding Focal Point and/or the management/director level). All Incident reporting forms must be kept in a safe place in accordance with confidentiality rules.

If a (COPE Network member) representative has a concern that a child is in immediate danger, they should, as a matter of urgency, call (the police) or (the child protection actors (specify) as set out in the reporting flowchart, and then inform the Child Safeguarding Focal Point.

(COPE Network member) (either the Focal Point or the management/director) must immediately notify the COPE Board of any cases reported to the relevant national, regional or local authorities, where a COPE Network representative or visitor to their premises/events/activities is suspected of causing harm to a child.

After a complaint is made, the Focal Point may need to consult or directly alert the local authorities (specify who).

⁸ See COPE Safeguarding Toolkit, on the COPE website.

⁹ See COPE Child Safeguarding Toolkit, on the COPE website.

If a concern is not reported to the authorities or the child protection services, by the Focal Point, the following steps must be taken:

- The reasons for not reporting are logged within the template for reporting a concern);
- If any other actions are taken as a result of the concern, these must be logged;
- The person who raised the concern should be given a clear written explanation of the reasons why the concern is not being reported further;
- The person should also be advised that if they remain concerned about the situation, they are free to make a report to the (*specify exactly who (child protection authorities*))

Sanctions

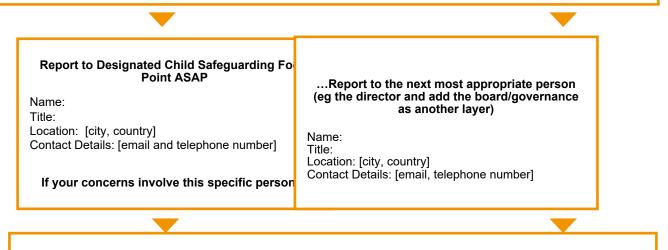
Breaches of this policy will be investigated in accordance with the code of conduct and contractual agreements, and/or a referral may be made to statutory authorities for criminal investigation under the law of xxxxxx country, where (the COPE Network Member) is based.

Breaches of this policy may incur sanctions including disciplinary action leading to possible dismissal, termination of all relations including contractual and partnership agreements, and where relevant, appropriate legal or other such actions.

V. Reporting flowchart template

Concern arises or complaint made about suspected, witnessed, reported or potential abuse of a child /children arises through:

- member or members of staff
- visitors to the project / COPE Network member premises
- ▶ another child/children in the project / involved with COPE Network



Action will be taken by the designated child safeguarding focal point or [title] to ensure the child's safety is the primary consideration and s/he will then proceed to investigate the matter, guided by the Child Safeguarding Policy and Procedures.

(See Policy Section [X.X] Reporting and responding to Child Protection concerns)

The designated child safeguarding focal point should make sure the referral system is immediately activated, where the concern needs to be reported to local/national authorities, in order for the matter to be promptly investigated by the relevant authorities and for the child to receive all the support s/he needs. The internal safeguarding procedures must be applied and any necessary follow up on action taken by authorities assured.



VI. Template for a COPE Network member organisation report on a child safeguarding concern

If you are concerned or know that a child's safety might be in danger, please complete this form to the best of your knowledge. Child safeguarding concerns must be reported directly to the designated child safeguarding focal point immediately. You may wish to complete this form before contacting the designated child safeguarding focal point or you may wish to complete the report after contacting the designated child safeguarding focal point, according to the best interests of the child. This report is to be used as a tool to develop the most unbiased information-based report possible. For confidentiality reasons, the report should be written and signed solely by you. It should be delivered exclusively to the designated child safeguarding focal point or to the next most appropriate person. The Child Safeguarding and Well-being Report will be held in a safe and secure place and treated in the strictest confidence. A log of incidents/reports will be maintained by the organisation, including when a decision is taken to not refer to the local or national child protection authorities.

Case number

202____- 0_____ (To be filled out by the designated child safeguarding focal point)

About you

Your name:

Your job title:

Workplace:

Your relationship to the child:

Contact details:

About the child

Child's name:

Child's gender / gender identity:

Child's age:

Child's parents / guardians:

About your concern

What is the concern?

How do you know about the alleged abuse?

Did the child disclose the alleged abuse to you? YES/NO:

Date of the alleged incident:

Location of the alleged incident:

Name of alleged perpetrator:

Alleged perpetrator's job title/relationship with the child:

Nature of the allegation:

Note if there were any references to a digital or online component which may be important for any subsequent investigation:

Your personal observations (visible injuries, child's emotional state, etc.) [N.B. Make a clear distinction between what is fact and what is opinion or hearsay] Exactly what the child or other source said to you [about the incident] and how you responded? (Be clear on when you are reporting what a child or other source actually said, or whether something is your interpretation.)

Action(s) Taken:

Where is the child/where does the child stay/live:

Who is responsible for her or him? Name:

Role:

Contact Details:

Is this safe? Why? If not, alternative arrangements need to be organised.

Were there any other children/people involved in the alleged incident?

Who else knows about the incident?

What would the child like to happen next?

Any other information not previously covered:

I declare that the information provided by me on the above form is true and correct to the best of my knowledge and belief.

Signature

Date

Received by the designated child safeguarding focal point /Appropriate Person

Signature

Date

If a concern is not reported to the authorities or the child protection services, by the Focal Point, the following steps must be taken:

- The reasons for not reporting are logged within the template for reporting a concern;
- If any other actions are taken as a result of the concern, these must be logged;
- The person who raised the concern should be given a clear written explanation of the reasons why the concern is not being reported further;
- The person should also be advised that if they remain concerned about the situation, they are free to make a report to the (specify exactly who(child protection authorities))

Follow-up to report as per guidance in replicated above:

Dated: Signed: Role:

VII. Tips on writing a child safeguarding policy

- 1. Start with reflecting on and mapping the interactions your organisation has with children. This covers direct interactions (including online), or indirect, for example resulting from your advocacy work or guidelines and policy documents/statements/position papers you write. This is a very important exercise in which you should involve all the staff, with their different perspectives. Who are the children you interact with? Think about gender, age groups, societal factors causing vulnerability, where the interactions take place and frequency. Are there any online components? Who in your organisation has contact with them? Visitors? What children does your advocacy potentially impact on? Is children's safety properly embedded in your advocacy work? This key reflection and mapping of interactions with children will help you to maintain due focus on the children concerned and build the rest of the policy, including risk management. Think about the interactions you currently have, but also think ahead to cover the next two years, the lifespan of your policy.
- 2. Do take inspiration from other organisations' child safeguarding policies, especially if you are finding it hard to know where to start. Read a few from different organisations. Don't fall into the trap of doing a copy/paste. You will always need to adapt them to your own organisation/staff/context/activities/the children you work with or have an impact on. As a child rights organisation, you are expected to be exemplary in child safeguarding.
- 3. Stakeholder involvement is crucial to identify child rights and child safeguarding champions and ensure ownership. Child safeguarding is the responsibility of all of us. Discuss the policy (draft or update with all your staff and your board or other governance structures. Discuss child safeguarding with children you work with and the communities you work in. By discussing child safeguarding with children's rights, strengthen your policy and its implementation and help build a strong safeguarding culture.
- 4. Be clear. The clearer your policy is, the most useful it will be if a concern or actual incident arises. People will know what to do even in a crisis and you can apply your policy <u>consistently</u>.
- 5. Describe steps and processes and who does what, and when they do it. Can you answer the question "who does this"? for every action you describe? Can you answer the question "when is this done?" for every step/action? Choose the active voice over the passive voice. ("<u>1 write</u> this document", rather than "this document is written".)
 - X Children are informed on child safeguarding.
 - ✓ at the beginning of every activity with children, the ((define who: project manager/child safeguarding focal point) reminds children of their <u>right</u> to be free from violence, and what our organisation does

to prevent harm to children, of their right to withdraw participation consent, of who to go to if they have a concern, allows time for discussion/questions and ensures any follow-up needed.

- X Child safeguarding risks are assessed for new projects
- ✓ When designing a new project, the project manager is responsible for assessing child safeguarding risks and mitigating actions in consultation with the child safeguarding focal point and other staff. The project manager is responsible for updating the risk assessment at the start of the project and during implementation. Withing two weeks of the end of the project, the project manager initiates a child safeguarding review, including an assessment of whether the risk assessment was fit for purpose, and noting any learning for future projects. The project manager invites the child safeguarding focal point to the review, as well as any other relevant staff.

X Staff are trained on child safeguarding.

- ✓ The child safeguarding focal point is responsible for organising all staff training. During induction, all new staff are trained as follows ((describe)). On an annual basis all staff participate in a half-day refresher workshop on child safeguarding, where together we review the code of conduct and policy and any questions that come up, and share new resources and tools (eg useful videos, articles, etc.). The focal point has completed the following extra training/participated in freely available online training (describe)
- 6. Designate a child safeguarding focal point and other child safeguarding responsibilities. Delineate responsibilities (eg those of management, the focal point, other staff). Remember that child safeguarding is the <u>responsibility of all of us and the focal point cannot do</u> <u>everything</u>. The appointment of a child safeguarding focal point does not mean that child safeguarding is magically done. You need to spell out what <u>others' responsibilities are.</u>
- 7. Pay due regard to risk assessment and risk mitigation. A risk assessment does not belong in a drawer gathering dust. Considering potential risks and deciding how to avoid risks becoming realities is time well spent. Risk assessments should be dynamic. Risk management is an integral part of project management where, risks are reviewed, updated and addressed at every single management meeting. Why would you not do the same when children's safety is involved?

Risk management needs to happen at different levels:

✓ organisational level (inherent to your structure, governance, location, staff, activities in general) (eg linked to how child safeguarding is built into your strategy, how leadership acts on child safeguarding, physical infrastructure, etc.)

- ✓ programme, project and activity level (ie specific to individual programmes or activities) (eg if you are running a workshop with children over several days, involving travel, different ages, groups of children, the types of violations to be discussed, risks specific to children's agency, such as for child human rights defenders), online and offline risks, and
- external or environmental risks as and when needed, eg a global pandemic, a climate emergency, a more hostile government policy towards people convicted of a crime, changes locally to police or school management that are less child sensitive and carry risks for children you work with.

To help you do this at organisational level, see the risk assessment chart at page 11 in this document for a good overview of potential risks linked to the organisation: <u>https://www.keepingchildrensafe.global/wp-content/uploads/2020/02/KCS-Developing-Child-Safeguarding-200218.pdf</u>.

At programme, project and activity level, build risk management into design and implementation. Before any activity with children, do a specific risk assessment, also taking account of the specific group of children or individual children (age, gender, situations of vulnerability, external risks (eg related to hostility against people in prison). Are there online aspects and risks? Who is responsible for risk assessment? Who is responsible for risk mitigation? How is the focal point involved? When an activity/project/programme ends, how is child safeguarding reviewed? Who checks if the risk management was fit for purpose? Set a deadline, eg two weeks after project end, so that it is still fresh in **people's minds. Is th**ere learning to record and share for new activities/projects/programmes?

- 8. When your drafting work is almost complete look at how child safeguarding is reflected in and aligned with other documents and parts of the organisation (eg in your local strategy documents, in other areas. You may also have a policy to prevent sexual exploitation and abuse and want to ensure alignment. You may need to adapt vacancy notices, job descriptions, employment contracts (checking employment law also) to reflect child safeguarding requirements. The more you can systematise child safeguarding by adapting templates and setting up routine processes, the better you can implement child safeguarding consistently and robustly.
- 9. Have you budgeted for child safeguarding training or other costs? Adapted governance processes (child safeguarding as a regular management and governance agenda item), embedded child safeguarding programme and project design and implementation? You may be required by donors to have a child safeguarding policy. It is entirely legitimate to clearly reflect and include child safeguarding costs in your budget (eg appropriate staff coverage to respect the two-adult rule, communicating with children and communities on child safeguarding, training costs and

staff time for training) in your projects and activities, as from drafting your project concept or proposal documents.

- 10. In terms of stakeholder involvement in policy development and review, COPE recommends that you involve staff in writing the policy (eg at least via round table discussions for the overview of interactions and risk identification/mitigation, in drafting, testing and getting feedback on the reporting template and other practical tools). Staff members will have useful, different perspectives and it is also an opportunity to discuss challenges and strengths and to foster shared understanding. It is also highly recommended to involve the children you work with and the communities you work in, in developing your policy. The policy is, after all, to prevent harm to children. You are a child rights organisation and are **naturally expected to respect, protect and fulfil the child's right to be heard, among others. So why wouldn't you involve them and the communities (you might hold workshops with child protection actors in your community, leaders, families, other organisations, schools) you work with in defining it and, at the same time, raising awareness on child safeguarding?**
- 11. You should describe which stakeholders were involved in discussions to elaborate your policy.
- 12. Leadership engagement in the process makes a huge difference it is essential, especially to ensure child safeguarding is embedded across the organisation. Your leaders should be champions for child safeguarding. Your board should have a child safeguarding focal point and child safeguarding should be an agenda item at governance and management meetings. Have all board members and staff members signed your code of conduct?
- 13. Ensure child safeguarding is dynamic: hold regular (eg every quarter) team meetings to discuss child safeguarding, including challenges or concerns.
- 14. The COPE Network recommends a policy review every two years, at least. You can of course review before the two years are up if you have identified gaps. The child safeguarding focal point should keep a log of newly emerging needs or areas that are unclear during implementation to feed into the review.

VIII. Recommended table of contents (annotated) for a COPE Network member child safeguarding policy

Introduction

Mission of (organisation name)

Briefly describe what your organisation does and the context in which it works, adding relevant links to other documents or where your mission is set out.

Objectives of this document

(eg adapt as needed:) The aim of this document is to set out (COPE Network member organisation name) policy and principles, and to enumerate clear **responsibilities for organisation representatives, to ensure that the organisation's** staff, operations and programmes do no harm to children, that is that they do not expose children to the risk of harm and abuse, and that any concerns the **organisation has about children's safety within the communities in which they work** are reported to the appropriate authorities. This document complements the child safeguarding policy of the COPE Network.

Child safeguarding commitment

Here you could simply repeat and link to the COPE Network child safeguarding commitment which provide the necessary commitment to the standards expected.

Scope of this document

Start by setting out who the policy applies to (list the roles and relationships to your organisation to leave no room for doubt). Be clear that this policy covers everyone in their work life and in their private life: everyone is expected to behave appropriately towards all children, you could not accept to retain staff who do not abide by the policy in their private life. Everyone is expected to know what to do if a concern arises.

If you work with partners for some activities/projects/programmes, you need to ensure full child safeguarding coverage (as described above) and robust accountability mechanisms. In principle, each partner should have their own child safeguarding policy, for accountability reasons, and there should be a discussion on how child safeguarding will be managed throughout the partnership, resulting in a written child safeguarding partnership letter or agreement.

Brief overview of organisation's interactions with children

(specific to your organisation) Reflect on how and when your organisation interacts with children, directly and indirectly, also on any advocacy you do for or with children. Think about the children you work with or have an impact on (age, location, gender, circumstances, specifics). Do children have to travel from one location to another? Who from your organisation is involved? Where do interactions take place? Are there any physical infrastructure concerns (eg access to the building, etc.?) Are their online aspects? Describe this in your short overview, thinking also of any planned programmes, projects, activities and partnerships over the next two years (the lifespan of your policy). If your work **relates strictly to child rights advocacy (without any "direct" contact with children,** you still have an impact on children and need to have a child safeguarding policy so that your advocacy helps to keep children safe. Think about how your work impacts on children. This part of the policy is very important. It will help you to identify potential risks and steps needed to mitigate risks.

2023 review of child safeguarding policy (where applicable) (describe or list main updates since last policy adoption)

Problem definition

State the organisation's understanding of safeguarding children, the problem of child abuse and overall risks of your organisation, including definitions ((if you have put these in an appendix, refer/hyperlink to that). It is particularly important to adapt this section to your particular local context (eg if child safeguarding is mandatory for your organisation under national law or if child safeguarding is a relatively new concept/entirely voluntary. Think about the local laws and policies and strengths and weaknesses of any state agents or actors in the child protection system. You might also note the national child population and give some context at local or national level on the problem of child abuse and overall risks of your organisation.

(COPE Network member actions : Part 1: Prevention Risk assessment, management and mitigation

Risk management needs to happen at different levels:

- ✓ organisational level (inherent to your structure, governance, location, staff, activities in general) (eg linked to how child safeguarding is built into your strategy, how leadership acts on child safeguarding, physical infrastructure, etc.)
- ✓ programme, project and activity level (ie specific to individual programmes or activities) (eg if you are running a workshop with children over several days, involving travel, different ages, groups of children, the topics and types of violations to be discussed, risks specific to children's agency, such as for child human rights defenders), and

 external or environmental risks as and when needed, eg a global pandemic, a more hostile government policy towards people in prison, changes locally to police or school management that are less child sensitive and carry risks for children you work with.

To help you do this at organisational level, see the risk assessment chart at page 11 in this document for a good overview of potential risks linked to the organisation: <u>https://www.keepingchildrensafe.global/wp-</u> content/uploads/2020/02/KCS-Developing-Child-Safeguarding-200218.pdf.

At programme, project and activity level, build it into design and implementation. Before any activity with children, do a specific risk assessment, also taking account of the specific group of children or individual children (age, gender, situations of vulnerability, external risks (eg for child human rights defenders). Are there online aspects and risks? Who is responsible for risk assessment? Who is responsible for mitigation? risk How is the focal point involved? When an activity/project/programme ends, how is child safeguarding reviewed? Who checks if the risk management was fit for purpose? Set a deadline, eg two weeks after project end, so that it is still fresh in people's minds. Is there learning to record and share for new activities/projects/programmes?

You could describe some of the risks at organisational level:

Areas of risk	Risk identified	Risk significance	Procedure in place to manage risk identified
Management			
Staff			
Contact with children			
Events/Activit ies			
ICTs			

Safer recruitment

Describe the measures you have taken (see appendix for guidance). Describe all the measures and procedures in place to ensure safe recruitment, in particular for any post involving contact with children. Analyse the child safeguarding aspects when designing job descriptions and staff contracts. Add clauses on child safeguarding to all your templates. Reflect and address child safeguarding when publishing vacancy notices, during interview (including questions on child protection and safeguarding), in consistent and thorough checks with referees, in criminal record checks and other background checks, in induction training, awareness-raising and training on child safeguarding policy, in keeping records in all personnel files to demonstrate that all staff have signed a read receipt for the policy, in considering the use of probationary periods of employment to ensure suitability once in post.

Code of Conduct

See the COPE Network Code of Conduct, which is the minimum. You may adopt higher standards for the code of conduct in your organisation, but not lower. Every COPE Network member organisation representative must return a signed copy of your code of conduct to be kept on file by your organisation.

Education/training

There are two aspects to consider. Education and training for your organisation representatives, and then education and training for children and families/communities.

Child safeguarding training may not be available in your region or your language. See what work arounds you can find to adopt a training programme that works for you, implement it consistently and describe it. You may find resources in the Toolkit to ensure a minimum of training (eg by ensuring that every staff member has followed a free online course, or participated in staff workshops). For anyone coming into the organisation, make it mandatory that they have training (eg a briefing by the child safeguarding focal point, a reading of the policy, some online videos that they have to watch, a follow up debriefing with the child safeguarding focal point. What about refresher training? We recommend at least annual refresher training, which could be in the form of a half-day workshop tackling case studies written for training purposes.

How are children in contact with your organisation and their families made aware of the child's right to freedom from all forms of violence and of your child safeguarding policy and procedures? See appendix guidance on drafting a childfriendly child safeguarding policy. Apart from a child-friendly document, think about other means (consistently and routinely informing children at the start of projects or activities/complaint boxes/posters).

Safe programme design

What consideration has there been for children involved in programmes? How have the needs of different children been considered? Who delivers these services? Are there any risks for children in participating in the programme? Is the participation of children welcomed by families and/or the community? What preventative measures need to be put in place to safeguard children if activities or events are to take place in unfamiliar places and outside family care?

Communication guidelines to keep children safe DATA PROTECTION

The COPE Network member should specify the data protection rules to which it is subject (eg the General Data Protection Regulation for National Sections within the European Union). The COPE Network member is bound by national and regional laws, and also adheres to the principles of the CRC. COPE Network member commits to promoting a positive and non-discriminatory image of children at all times.

You could refer to the COPE principles on how children and their families are portrayed.

Research involving children

All research conducted by COPE Network member directly or indirectly affecting children will adhere to the principles of the CRC and this Child Safeguarding Policy and Principles. You could refer to the COPE Principles on research.

Enrolment of children in projects/activities/events

The enrolment of children in projects and/or activities requires particular skills and certain basic principles should be followed to ensure their dignity and respect for their rights.

✓ Informed Consent: Enrolment in the projects or activities of COPE Network member is entirely voluntary and informed consent is always obtained before any interviews, photos, videos, requests of personal information or engagement of a child in any activity. Informed consent means that children are told how COPE Network member may use their views, information or image/film and that they are under no obligation to agree to their use. Consent must be obtained by completing and signing an appropriate Informed Consent Form. It must contain comprehensive, child-friendly and -sensitive language and procedures and be adapted to the age and capacity of the different children/different groups of children concerned. Depending on national legislation, informed consent may also be required from the child's parent/carer or guardian or, where this is not possible, from the organisation fostering the child, who must countersign the form.

Informed consent for photographs and images

- The use of photographs and images of children in publications is subject to the informed written consent of the child and their parents/legal guardian. Informed consent implies that the child and parent/guardian understand the circumstances under which the image will be used and all the possible consequences of its publication, distribution, or circulation. All pictures and/or videos of children and individuals that have interacted with COPE Network member can only be published if consent has been given. In order for consent to be given, the child and their parent/guardian must sign and date the official COPE Network member Media Release form of which a copy, electronic or otherwise, must be filed.
- ✓ The consent of use of image is limited to a time period of [two years] starting from the date that the consent was expressly given, after that period expires the images of the child in question will be archived and no longer used in any form of internal/external or online/offline communications. This means that you need a process to manage these deadlines.
- ✓ Personnel must never share with unauthorised persons any information that could identify families or children or make them accessible to the public without the consent of the family and, where possible, of the child.
- Provision of support: There should be someone else present during any interview with a child, who the child is familiar with. Wherever possible, the child should be given a choice regarding who supports him/her during the interview.
- Respecting the right to say no: Ensure the child understands her/his rights to withdraw or stop at any time without the need to provide a justification.
- ✓ Gender: Consider the different needs of boys and girls and non-binary children and whether they would be more comfortable speaking with a man or a woman. Gender must be considered when deciding what topics may be discussed.
- Respecting the right to information: If you are going to take notes, or record the interview in another way, you must explain this to the child and obtain their permission to do so, both verbally and in writing.

management responsibilities and ownership

Describe key roles and responsibilities, arrangements in place to monitor compliance with and implementation of the child safeguarding policy. Describe how child safeguarding is reported on to key management forums, describe how external or independent bodies such as board of trustees are used to monitor performance in this area and hold senior executives to account in relation to child safeguarding. Describe how child safeguarding is embedded in organisational development, describe processes and frequency for child safeguarding policy reviews, audits and more formal evaluations. Describe how child safeguarding is reported on to key stakeholders and included in annual reports.

COPE Network member actions: Part 2: reporting/responding to concerns

See Appendix 7. A good, clear policy on which your organisation has educated and trained all representatives and the children and communities you work in will allow for <u>consistent</u> responses. Ensure that all staff are trained, know who the designated child protection officer is, have a toolkit at their disposal. Ensure that all staff know that when a child safeguarding concern is raised, it is essential to act, and that the protection of children is always <u>the</u> most important consideration. Ensure timely, effective, confidential and appropriate responses to child safeguarding issues. Describe the risk register process.

implementation, monitoring and review

Describe implementation measures and review frequency for the policy, eg every two years. Describe how you monitor implementation (annual reviews, regular refresher meetings, sampling of risk registers, etc). Self-assessment, external audit, risk register, internal audit reports, Keeping Children Safe certification.

Guidance on safer recruitment processes

What is safer recruitment?¹⁰

Safer recruitment is a set of practices to help make sure your staff and volunteers are suitable to work with children and young people. It's a vital part of creating a safe and positive environment and making a commitment to keep children safe from harm.

Safer recruitment procedures

The responsibility of COPE Network member staff and partners is to help achieve **the organisation's objectives, respecting the child safeguarding policy. Thus, the** process of recruitment of staff/interns/volunteers/consultants is crucial to ensuring effective safeguarding within the organisation, by hiring qualified and skilled persons capable of fulfilling their position in a manner safe to children.

Having a safer recruitment in place is a vital first step towards keeping the children and young people who have contact with your staff and volunteers safe. It is also important to establish clear written procedures and make sure everyone who is involved with any form of recruitment knows how to follow them.

These will ensure that staff and volunteers are recruited safely and fairly, and that children's safety is being considered at every stage of the process.

Plan the recruitment process

Plan the whole of your recruitment process in advance to make sure you have a consistent approach every time you recruit a new staff member or volunteer. Taking a planned and structured approach will help:

- minimise the risk of appointing someone unsuitable
- ensure you select the right person for the role
- make sure the process is fair
- make sure there are records of the process for future reference.

Following a written procedure also means you're less likely to miss anything out and that each time you recruit you're consistently adhering to legislation and guidance.

The following should be considered and applied consistently when planning recruitment¹¹:

• job descriptions for all positions - make reference to responsibilities for safeguarding and/or the code of conduct in all job descriptions and include

¹⁰ <u>https://learning.nspcc.org.uk/safeguarding-child-protection/safer-recruitment#skip-to-content</u>

¹¹ <u>https://safeguardingsupporthub.org/sites/default/files/2020-11/431%20Safer_Recruitment_Guidelines.pdf</u>

the mission and values of the organisation or link to them. Include a link to the policy in all job descriptions and your job description template.

- Vacancy notices make clear references to child safeguarding in all vacancy notices. Include the link to the policy in the vacancy notice.
- Vacancy notice template suggestion:

All COPE Network member staff and representatives are required to respect the COPE Network member child safeguarding policy in their position and in their private life

- advertisement make clear the organisation's commitment to safeguarding
- shortlisting obtain and scrutinise information in applications/CVs resolve any gaps, discrepancies or anomalies in employment history
- interviews always include one or two questions around child safeguarding, and working with vulnerable people. See sample questions below.
- checks verify the successful applicant's identity, their employment history and qualifications. Offers should not be confirmed until all checks are in place.
- independent professional references always and consistently ask for references and include a question as to whether there are any child safeguarding concerns references should be obtained, and any concerns followed up (at least two employment referees should be submitted, one of which should be the applicant's current or most recent employer). Where references reveal any inconsistencies or doubts about the person's suitability, the issues should be followed up and explored with the referee or the candidate. It is important to keep written records of any telephone conversations and where the issues are significant, more detailed information sought in writing from the referee if possible.
- external checks conducted according to organisational policy this could be a request for a criminal record extract, a police clearance check or equivalent. Some donors require an antiterrorism check
- contracts Link to the child safeguarding policy and ensure that child safeguarding responsibilities are included in all employment contracts and your employment contract template, eg: "Everyone working for COPE Network member is required to respect the child safeguarding policy and code of conduct in their position and in their private life. Breaches of this policy may incur sanctions including disciplinary action leading to possible

dismissal, termination of all relations including contractual and partnership agreements, and where relevant, appropriate legal or other such actions. Breaches of this policy may also result in a referral being made to statutory authorities for criminal investigation under the law of xxxxx country, where COPE Network member is based."

• induction - include a briefing on child safeguarding and the code of conduct for all new recruits

Sample interview questions and answers

- 1. Have you ever been arrested or convicted for an offence against a child?
- 2. What do you think are some of the most important things an NGO working with and for children can do to prevent abuse or neglect?

<u>Sample answer:</u> Two of the most important things I think an NGO can do to prevent abuse or neglect are providing training for all staff so that they are aware of the signs of abuse or neglect and having clear and concise procedures in place to report and respond to any concerns.

I also believe that it is important to create a culture of openness and transparency in the organisation so that children and staff feel comfortable coming forward with any concerns they may have.

3. Why is child safeguarding in NGOs working on children's rights important?

<u>Sample response</u>: Child safeguarding is important because all children have a right to be safe and protected from harm. Unfortunately, there are some people who may try to harm children, either physically or emotionally. It is our job to make sure that children are safe, and that they know what to do if they ever feel unsafe.

Additional sample questions (especially for a candidate to work directly with children):

- What makes an NGO working with and for children a safe and caring place?
- What would you do if you were concerned about a colleague's behaviour towards children?
- What would you do if you were concerned about a child's behaviour?
- Can you spot the signs that a child is suffering from a type of abuse, neglect or harm? What are these signs?

- What do you think are the staff members' responsibilities in protecting children?
- Do you know the procedure for reporting a concern about a child?
- Do you know how to behave before, during and after a disclosure?

X. How to write a child-friendly document – guidance and process

- Read the Lundy guidance document before you start. <u>https://www.qub.ac.uk/research-</u> <u>centres/CentreforChildrensRights/CCRFilestore/Filetoupload,12692</u> <u>52,en.pdf</u>
- 2. Earmark document sections to be included/excluded and summarise them.
- 3. Draft, applying the guidance (aim for 11-13 years old reading and comprehension).
- 4. <u>https://openai.com/blog/chatgpt</u> can be a good resource when you're drafting definitions in child-friendly language and it gives good examples (eg describe "policy" in child-friendly language) that are relevant for children.
- 5. Add graphics where applicable.
- 6. (If you don't have a group of children you work with), liaise with a local school and ask if teachers can consult a few classes on the draft.
- 7. Review in light of children's comments.
- 8. Publish

Save the Children developed this useful guidance following the EU Laura Lundy one above:

https://resourcecentre.savethechildren.net/pdf/How-to-write-a-childfriendly-document.pdf/ .

Remember to explain the target audience of your document - Who is this document for?

We (xxx) thought everyone should know what we do to keep children safe. We want this to be used by children, parents, staff and other organisations we work with.

Child-friendly term explanations (some agreed by children) Child Every human being below the age of 18 years old.

Child abuse

Anything that harm's a child's health, survival, development or dignity.

Children's rights

Children's rights are promises that governments made so children can have a good life. Children have a special set of rights in the United Nations Convention on the Rights of the Child – the UNCRC.

Complaints and remedies

A complaint is when you ask somebody to stop doing something you don't like. A remedy is when someone responds to a complaint and tries to fix the problem.

Emotional abuse

Emotional abuse is when someone hurts a **child's feelings. This hurts the child on** the inside.

Harm – Abuse – Violence

This includes neglect, physical hurt, emotional hurt, bullying and sexual abuse.

Human rights

These are rights all people have. They make sure that everyone is treated the same and with respect.

Material deprivation

When children are not given enough food, water and other things they need to live a safe and healthy life.

Neglect

Neglect is when a child's basic needs are not met and a parent or carer does not look after them properly.

Non-governmental organisation (NGO)

A non-governmental organisation is a group like a charity that helps children or **others or campaigns for good causes, like defending children's rights or fighting** climate change.

Participation

This is when children are allowed to say what they think about things and adults have to listen.

Physical abuse

This is when **an adult deliberately hurts a child's** body. This may leave marks on their body such as cuts or bruises.

Protection

This means keeping children safe from harm or violence.

Policy

A plan by the government of a country (or the governments of several countries), or an organisation, to do something good or stop something bad happening.

Respect for children's views

Governments and others should speak to children and take their experiences and ideas into account when making decisions.

Safe from harm

Children will be kept safe from violence and children who are harmed will get the help they need.

Sexual abuse

Sexual abuse is when a child's private parts of the body are touched in a way that hurts, frightens or worries them. It could also be someone making a child watch things to do with sex or encouraging them to act in an inappropriate way. Sexual abuse is also when a child is made to do something with the private parts of the body that hurts, frightens or worries them. If an adult using a child in this way is to make money, this is called sexual exploitation.

United Nations (UN)

The United Nations (UN) is made up of 193 countries from across the world. Its role is to help these countries to keep their human rights promises.

United Nations Conventions on the Rights of the Child (UNCRC) This is the world's biggest set of promises about children's rights. These are strong promises made by governments to make sure that children lead a good life.

Violence

Violence includes neglect, physical and mental harm, sexual abuse and exploitation (this means an adult taking advantage and using a child to make money), and bullying.

Child-friendly version of Article 2 UNCRC

All children have all these rights, no matter who they are, where they live, what language they speak, what their religion is, what they think, what they look like, if they are a boy or girl, if they have a disability, if they are rich or poor, and no matter who their parents or families are or what their parents or families believe or do. No child should be treated unfairly for any reason.

Child-friendly version of Article 19 UNCRC

Governments must protect children from violence, abuse and being neglected by anyone who looks after them.

Child-friendly version of Article 34 UNCRC

Nobody should touch me in ways that make me feel uncomfortable, unsafe or sad.

Article 34 of the UNCRC says that children and young people have the right to be protected from sexual abuse.

Child-friendly version of Article 35 UNCRC I should not be abducted, sold or trafficked.

Article 35 of the UNCRC makes it clear that abducting, selling or trafficking children or young people is always wrong.

Sample child friendly versions of child-friendly safeguarding and other documents UNICEF UNCRC child-friendly version https://www.unicef.org/sop/convention-rights-child-child-friendly-version

Children's commissioner Scotland

https://www.cypcs.org.uk/get-help/help-for-children/more-about-your-rights/

UNCRC simplified articles in English https://www.cypcs.org.uk/rights/uncrc/articles/

UNCRC simplified articles in Arabic <u>https://www.cypcs.org.uk/resources/arabic-simple-uncrc/</u>

UNCRC symbols card:

https://cypcs.org.uk/wpcypcs/wp-content/uploads/2020/02/UNCRC-Symbols-Cards.pdf

UN Special representative of the Secretary General on violence against children – child-friendly materials <u>https://violenceagainstchildren.un.org/child-participation-altogether/child-friendly-materials</u>

UN Special representative of the Secretary General on violence against children – child-friendly child safeguarding policy <u>https://violenceagainstchildren.un.org/sites/violenceagainstchildren.un.org/files/</u> <u>safeguarding-english.pdf</u>

The child-friendly version by the UN SRSG VAC includes a reference to child helplines. This good practice of multiplying the avenues available to children should be replicated in all child-friendly versions.

XI.Guidance on child safeguarding training for the COPE Network

Online training (free or fee-based)

The last chapter of this toolkit contains links to child safeguarding training resources, some of which are free. Most of these are in English. If you are aware of other training resources (also in other languages), please pass them on to COPE to be added to the toolkit.

Given the role of the child safeguarding focal point, organisations should ensure that he or she develops and keeps up to date with applicable standards and guidance.

If your organisation has sufficient funding, you could also consider some of the fee-paying courses listed.

Inhouse training

The COPE Network recommends that all COPE Network members develop inhouse, on-the-job training. These could be led/delivered by the child safeguarding focal point in cooperation with other staff.

- a) to be delivered to all newcomers (whether staff or interns), consisting in a briefing session on the child safeguarding policy, and the code of conduct, and a debriefing session after the newcomer has read all the material, before signature of the code of conduct
- b) an annual half day refresher workshop on child safeguarding for all staff and interns, reviewing the policy and the code of conduct, reflecting on the organisation's interactions (planned and unplanned) with children, an opportunity to discuss concerns, challenges, strengths and weaknesses, a review of progress in systematisation of child safeguarding processes, and a discussion on how child safeguarding is communicated to children and to communities in which you work
- c) You could also consider participation in child safeguarding online and in person conferences

XII. Guidance on partnership child safeguarding standards

When working with partners, the COPE Network understands the importance of establishing which organisation is responsible for all aspects of child safeguarding from concept design and planning through to implementation and follow-up and taking action in the case that a concern is raised, or an incident takes place. To this end, when joint activities or projects are intended to be carried out with a partner, a joint agreement of procedure will be signed by all parties involved in order to clarify child safeguarding roles and responsibilities. This agreement does not impede [COPE Network member] or the partner(s) from meeting its/their own reporting obligations and referring any issue to relevant authorities in case of a disagreement on the appropriate course of action.

Child safeguarding partnership agreement template

Project/activity/event title:

Duration of this partnership agreement:

Project/activity/event scope:

(briefly describe the activities and in particular the direct or indirect actions with children, including advocacy)

Partners' roles within the project/activity/event:

(Delineate these as precisely as possible to identify possible safeguarding gaps)

Description of child safeguarding responsibilities among the partners from conception and design through to implementation and follow-up: (Discuss exactly who does what, and when, in terms of child safeguarding, you may wish to share a common risk management table, ensure child safeguarding is a routine agenda item for partnership meetings, you may wish to appoint a focal point common to all partners, and communicate that to all involved, ensure shared understanding of when a concern or incident needs to be reported to the **relevant authorities. How will partners' staff be trained for this partnership** activity? How will child safeguarding be communicated to children/communities? How is child safeguarding reflected in budgets?)

Links to all partners' child safeguarding policies:

Dated and signed by all partners at an appropriately high level:

XIII. Checklist for the evaluation of COPE Network child safeguarding policies

Scoring is as follows: 0 = no evidence, 1 = partially done, 2 = done. The reviewer adds references in the comments box to explain the score.

Requirements of COPE Network Policy	Done (Y/N)	Comments
1. Child safeguarding policy exists and is easily found on COPE Network member organisation website		
a) Covers four standards policy, people, procedures and accountability		
b) Outlines measures to respond when concerns arise		
c) Was developed, implemented and reviewed in consultation with stakeholders (described in the policy)		
d) Clearly recognises every child as a rights holder with non-negotiable rights to protection and seeks to empower children to protect themselves and their peers and to claim their rights		
e) Summarises COPE Network member interactions with children and context		
f) Clearly sets out who is responsible for which action		
2. Embeds child safeguarding risk assessment and risk mitigation in its strategy and carries out appropriate risk assessments and mitigations for all its activities, programmes and operations.		
3. Notifies COPE of its designated child protection focal point by end July 2023 (or update where applicable).		Add date of notification here:
4. Returns the signed and dated code of conduct together with a copy of its child safeguarding policy by end July 2023		Add date here:
 5. Implements mandatory training for all staff on safeguarding and further training for those in safeguarding focal roles, particularly with regard to reporting (see e-learning in toolkit) 6. Raises awareness and communicates the COPE 		
Network approach to safeguarding in the communities they operate in, including child- accessible communications and empowerment (describe, include copies)		
7. Publishes their child safeguarding policy online and sends the URL to COPE by end December 2023		Add URL here:

8. As of January 2024 implements measures to inform children, communities and staff of the policy and on child safeguarding focal point (including but not limited to prominent displays in premises, child-accessible versions of their code of conduct and the main child safeguarding principles, complaints/comments boxes, information sessions at the start of programmes, events, etc. Sends COPE a summary of child-friendly means by end 2024.	Describe:
9. Ensures that, where applicable, clear safeguarding measures are put in place for working with partners (assessment, agreement, support, capacity-building, monitoring and evaluation)	
10. In 2023, and as part of child safeguarding reviews thereafter, may usefully complete the KCS self-assessment process and follows up on results. Sends a copy of latest self-assessment and any other safeguarding audit results to COPE by end 2023.	Specify what was submitted
11. Child safeguarding policy includes practical annexes as per COPE Network Toolkit, adapted to local needs	
TOTAL SCORE (maximum is 34)	
12. As of 2023, a section on child safeguarding should be included in their annual report	URL:
13. Carries out a child safeguarding review every two years and submits a copy to COPE	Specify:
14. As of 2024, notifies COPE of any cases reported to the relevant child protection authorities where a COPE Member representative or a visitor to a COPE Network member premises/event/activity is suspected of causing harm to a child	

XIV.Links to online resources and information

Child safeguarding resources

- 1. Keeping Children Safe Standards: <u>https://www.keepingchildrensafe.global/accountability/</u> (available in AR, EN, ES, FR, PT)
- 2. Pocket guide: safeguarding persons with disabilities and/or mental health conditions in CSO organisations (available in AR, EN, FR, SW) <u>https://safeguardingsupporthub.org/documents/pocket-guide-safeguarding-persons-disabilities-andor-mental-health-conditions-cso-0</u>
- Pocket guide: safeguarding LGBTQI + individuals working in CSOs (EN) (while this guide is focused on staff, it is also useful to reflect on risks for LGBTQI + children) <u>https://safeguardingsupporthub.org/documents/pocket-guide-safeguarding-lgbtqiindividuals-working-civil-society-organisations</u>
- 4. NSPCC: Safeguarding LGBTQ+ children and young people (May 2023) (while the research is UK-specific, this short guide has lots of useful pointers to help ensure child safeguarding is LGBTIQ+ sensitive <u>https://learning.nspcc.org.uk/safeguarding-child-protection/lgbtqchildren-young-people#skip-to-content</u>
- 5. Keeping Children Safe: code of good practice in managing child safeguarding allegations <u>https://codeofgoodpractice.com/wp-content/uploads/2019/03/KCS-Management-of-Child-Safeguarding-Allegations.pdf</u>
- Keeping Children Safe: risk assessment development guidance (see pages 9-12) <u>https://www.keepingchildrensafe.global/wp-content/uploads/2020/02/KCS-Developing-Child-Safeguarding-200218.pdf</u>.
- 7. Keeping Children Safe: Keeping children safe online: a guide for organisations <u>https://www.keepingchildrensafe.global/wp-</u>content/uploads/2022/05/KCS OnlineGuidance 2020.pdf

The relationship between children's participation and protection

8. Children's Human Rights to 'Participation' and 'Protection': Rethinking the relationship using Barnahus as a case example, 26 March 2023 – Mary Mitchell, Laura Lundy, Louise Hill – "...while the significance of participation for protection is now well established, if not always fully accepted or practised, there has been much less attention to the other side of this coin. If children are afraid to speak for fear of physical or emotional harm, then Article 12 cannot be realised (Hill et al., 2021). The question then becomes how to create a space where children are both heard and are safe – participation and protection." "Children cannot be kept safe if they are not heard and cannot be heard where they are not safe."

E-learning training resources (free and fee-based) on child safeguarding and child protection

- 1. National Sexual Violence Resource Centre, retrieved from <u>http://www.nsvrc.org/elearning/21385</u> (in English) e-learning portal also available in <u>ES</u>
- Tusla (Irish child protection agency) free e-learning on child safeguarding (1.5 hours in English, useful outside of Ireland too for general concepts and understanding including on WHEN to refer to authorities (noting that national law needs to be taken into account) <u>https://www.tusla.ie/children-first/children-first-e-learning-programme/</u>
- 3. Keeping Children Safe
 - a. Understanding child safeguarding (foundation course 12 hours over three weeks) <u>https://keepingchildrensafe.global/online-courses/</u>
 - b. Focal point training (20 hours, 2 hours a day for two weeks) <u>https://keepingchildrensafe.global/focal-point-training/</u>
- 4. Focal point training: All focal points could usefully follow this presentation by former Detective Robert Shilling "Assume nothing, verify everything." A presentation by Det. Robert Shilling

https://vimeo.com/keepingchildrensafe/heartofthesystem2023-robertshilling

 Keeping Children Safe, March 2023 Roundtable: Identifying good practices and challenges in national settings https://vimeo.com/keepingchildrensafe/heartofthesystem2023-panel-dressler-garciamoya-obot (interesting to see how child safeguarding is rolled out in different countries and sectors, eg a port)

6. European Barnahus movement webinars with a broad range of experts <u>https://www.childrenatrisk.eu/promise/webinars/</u>

Keeping children safe online

- 1. <u>NSPCC (UK) four-hour introductory e-course "Keeping children safe online" £30 Keeping</u> <u>children safe online (4.0) – NSPCC My Learning</u>
- 2. <u>CEOP one-day e-training on online child sexual abuse (£150 Understanding Online Child Sexual Abuse Course | CEOP Education (thinkuknow.co.uk)</u>
- 3. <u>Marie Collins Foundation training click path to protection Training | What We Do | Marie Collins Foundation</u> The CPP has been adapted to train professionals internationally which has resulted in facilitated training occurring to a range of organisations and agencies from around the world. This course has been independently evaluated and has been referenced in the international journal of child abuse and neglect.
- 4. Better Internet for Kids Key online safety risks https://www.betterinternetforkids.eu/teacher-corner/learning-modules/key-risks
- 5. <u>Safe Sisters Safe Sisters</u> A fellowship program for women (and girl) human rights defenders, journalists or media workers, and activists that train them to be able to understand and respond to the digital security challenges they face in their work and daily life. Through a combination of self-study, tool practice, mentorship, workshops, peer sharing, and small grants, these cohorts of women will join forces to take on the most pressing digital challenges that keep women from being able to live and be online safely.

Read more about violence against children

- WHO 2013 European report on preventing child maltreatment <u>http://www.euro.who.int/ data/assets/pdf file/0019/217018/European-Report-on-Preventing-Child-Maltreatment.pdf</u> – geographical scope is 53 countries: WHO European Region countries: <u>http://www.euro.who.int/en/countries</u>.
- September 2014 report from UNICEF 'Hidden in plain sight: A statistical analysis of violence against children' – prevalence of different forms of violence against children data from 190 countries <u>http://www.unicef.org/publications/index_74865.html</u>.
- 3. 2014 FRA Gender-based violence against women http://fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-mainresults-report
- 4. Council of Europe one in five campaign <u>https://www.coe.int/t/dg3/children/1in5/default_en.asp</u>
- 5. General Comment No 13 (2011) of the UN Committee on the rights of the child on the child's right to freedom from all forms of violence <u>http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.13_en.pdf</u>
- 6. World Report on Violence against Children (Pinheiro, 2006):
- 7. L'étude 46ondiale sur la violence . l'encontre des enfants (Pinheiro, 2006): <u>https://www.refworld.org/cgi-</u>

bin/texis/vtx/rwmain/opendocpdf.pdf?reldoc=y&docid=4ffd39b72

- <u>http://guides.womenwin.org/gbv/readiness-and-response/response-referral-and-reporting/disclosure-dos-and-donts</u> The do's and don'ts are also available in other languages: <u>FR</u> – <u>ES</u> – <u>PT</u>
- 9. <u>NSPCC (UK) Guidance on disclosures by children of abuse: https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/what-to-do-child-reveals-abuse/</u>
- 10. A 14-minute TEDx Talk by an adult survivor of child sexual abuse on how to respond to disclosure Healing From Sexual Abuse Can Start With One Word (Rena Romano | TEDxOcala) <u>https://www.ted.com/talks/rena romano healing from sexual abuse can start</u> with one word?utm source
- 11. TUSLA (Irish child protection agency) guidance on disclosure <u>https://www.tusla.ie/children-first/general-public/how-should-i-deal-with-a-disclosure-of-abuse-from-a-child/</u>
- 12. 15 minute e-learning course on responding to disclosure (EN) (Guiding principles: Listen-Believe-Act; <u>https://campus.nsvrc.org/course/view.php?id=45</u> (full text version: <u>https://campus.nsvrc.org/mod/resource/view.php?id=301</u>)
- 13. Guidance on potential indicators of abuse: <u>https://www.childmatters.org.nz/insights/abuse-indicators/</u>