



Child Protection Policy

Prepared by: Monika Korowajczyk-Sujkowska

Revised by: Agata Czempińska, Yuliia Tkachuk, and Agata Szerszeńska-Dubek

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Introduction and policy statement

Our vision is rooted in the commitment to strive for a world where people are ready to take action and have the means and knowledge to lead dignified lives. **The mission** of Polish Humanitarian Action is to aid those facing the impacts of armed conflict, the climate crisis, and natural disasters while maintaining professionalism, sustainability, and transparency. In its activities, PAH is guided by the principles of humanitarianism, impartiality, neutrality, and independence. We are building an organization that embraces global perspectives and multiculturalism: human-centered and oriented toward solving specific problems.

The document below has been developed to outline Polish Humanitarian Action's commitment to protecting children from harm, as well as a recognition of the principle that everybody has a responsibility to support the protection of children. As a humanitarian organization working with vulnerable communities and individuals, we recognize that it is our duty to develop and implement specific procedures and policies that would ensure that our staff, operations, and programs do not expose children to the risk of harm and abuse, as well as outline actions to be taken whenever there are any concerns that arise regarding children's safety within the communities in which we work. We strongly believe that all children have equal rights to protection from harm, therefore we shall take the necessary steps to make sure that the best interest of children we work for, work with, or who are affected by our work is taken into consideration. Compliance with the procedures and guidelines outlined below is mandatory for all PAH staff, volunteers, implementing partners, contractors and any other person, who might be acting in PAH's interests.

PAH's commitment

PAH's commitment to Child Protection will be guided by the following:

- **Zero tolerance for violence or any other kind of abuse against children:** PAH does not tolerate any form of harm towards children. PAH will not knowingly engage with anyone who poses a direct risk to children.
- **Awareness:** we will ensure that all PAH staff and partners as well as stakeholders involved in projects are aware of the problem of violence against children, as well as how to recognize situations of concern.
- **Prevention:** we will ensure, through proper risk assessment, awareness raising, safe programming and safeguarding, that PAH staff, associates and implementing partners prevent risk to children wherever possible.
- **Responding:** we will ensure that appropriate steps are taken wherever necessary to support and protect children where concerns of experiencing violence arise.
- **Reporting:** we will ensure that PAH staff, associates and implementing partners are clear on what steps to take and what institutions shall be notified and involved whenever concerns regarding the safety of children arise.

Definitions

Child - any person under the age of eighteen, irrespective of the age of maturity in the country where the child is, or their home country.

Child Protection - prevention of and response to abuse, neglect, exploitation and violence experienced by children.

Physical abuse - actual or potential physical harm perpetrated by another person, adult or child.

Sexual abuse - forcing or enticing a child to take part in sexual activities that he or she does not fully understand and has little choice in consenting to.

Child sexual exploitation - a form of sexual abuse that involves children being engaged in any sexual activity in exchange for money, gifts, food, accommodation, affection, status, or anything else that they or their family needs.

Neglect and negligent treatment - a persistent failure to meet a child's basic physical and/or psychological needs, which is likely to result in serious impairment of a child's healthy physical, spiritual, moral and mental development.

Emotional abuse - persistent emotional maltreatment that impacts on a child's emotional development.

Commercial exploitation - exploiting a child in work or other activities for the benefit of others and to the detriment of the child's physical or mental health, education, moral or social-emotional development.

PAH staff - any person employed by PAH on an employment contract, civil contract and volunteer agreement including vol, full-time or part-time.

PAH volunteer - a person providing voluntary assistance within the framework of PAH, operating under a volunteer agreement.

PAH contractor - an individual or entity that has entered into an agreement or contract with PAH to provide specific services or perform work in accordance with the terms outlined in the contract.

Implementing partner - entity that implements PAH projects/programs.

Child's legal guardian - parent/parents with full parental rights or a legal guardian with the right to represent the child.

Guardian's consent - formal approval or permission given by a Child's legal guardian for activities, decisions, image sharing, or participation involving a Child. In the case of parents, it means the consent of one of them. In the absence of agreement between the parents of the child, the matter is decided by the court.

Child's personal data - refers to any information related to a Child that can directly or indirectly identify them, such as their name, address, or other details in accordance with data protection regulations.

Conduct in contact with children

Any PAH employee, contractor, volunteer or other person affiliated with PAH and acting as a representative of the organization is obliged to follow the below rules whenever they come into contact with a child while fulfilling their duties:

- All PAH employees and projects designed and implemented within the organization that directly or indirectly concern children shall be informed and guided by the Convention on the Rights of the Child;
- Every child shall be treated and addressed with patience, respect and dignity, regardless of their age, gender, race, ethnicity, or ability;
- Any decisions regarding the child shall be made while assessing the child's best interest, and strive to provide the possibility for the child to develop to the maximum possible extent, as well as shall seek informed consent/assent of the child;
- All communication directed towards children shall be made suitable to their age, development stage, cultural background, ability and the context in which it takes place;
- Within the implemented activities children shall be provided with information on how and who they can address whenever they feel uncomfortable, have feedback to provide or a disclosure to make;
- The child's right to privacy shall be respected. Whenever there's an obligation to break confidentiality in order to protect the child, said obligation shall be explained to the child as soon as possible;
- Unnecessary risks shall be avoided by regular assessment of the general child safety and protection risks, including equipment and spaces used for the child-centered activities;
- Employees and other PAH representatives shall ensure that wherever there are any activities conducted with children, they are within reach of other employees or representatives. Whenever it is impossible to avoid staying alone with the child, other employees as well as the child's guardians shall be informed about where, why and for how long this situation takes place.
- Whenever there is a need to assist the child with anything of personal nature, e.g. when helping a child with disability, or child not yet able to complete some personal tasks themselves, these should only be carried out with a full understanding of parents/guardians and of the children involved. There is a need to be responsive to a child's reactions and if a child is fully dependent,

talk with them about what is going to be done, make sure the child consents to such actions, and give them choices where possible.

The following behaviors are unacceptable:

- Any behavior that intentionally and unintentionally humiliates, embarrasses, shames, belittles or degrades children;
- Any behavior that could constitute mental, physical or sexual abuse or exploitation;
- Maintaining any private contact with the child outside of the scope of the duties of the employee or PAH representative;
- Any physical touch that is inappropriate or culturally insensitive, any form of sexual activity or acts, including paying for sexual services or acts or child marriage;
- Any language or behavior that is sexually provocative, or culturally insensitive towards children;
- Any engagement of children in any form of activity that is demeaning, offensive, sexually provocative, abusive or culturally inappropriate or insensitive
- Any actions that could constitute discriminating against, showing differential treatment, or favoring particular children to the exclusion of others;
- Physically assaulting or punishing children;
- Doing things of a personal nature for a child that they are able to do for themselves and the situation does not require staff engagement;
- Accessing child pornography or any inappropriate pictures of children through any medium;
- Inviting unaccompanied children without their parent's or guardian's knowledge and consent into solitary places, unless they are at immediate risk of injury or in physical danger;
- children for domestic or other labour which is inappropriate given their age or developmental stage and which interferes with their time available for education and recreational activities, or which puts them at risk of injury.

Child Protection Focal Point

Compliance Manager shall be appointed as a global child protection focal point. Each Country Office will be responsible for identifying among its staff at least one Child Protection Focal Point, a person designated to receive complaints and reports about alleged acts of child harm involving PAH's personnel or associates, or other humanitarian aid workers, in the field. The child Protection focal points must commit to the TORs for the role (Annex no 3) and the following minimum requirements:

- Basic knowledge and understanding of protection, and specifically child protection, fundamental concepts and guiding principles;
- Medium to senior level national staff;
- Fluent in English;
- Demonstrated sensitivity to cultural diversity and gender issues;
- Demonstrated experience of working directly with affected/local communities;
- Proven integrity, objectivity, and professional competence;
- Proven communication skills;
- Have enough time to dedicate to the role.

Upon appointment, the in-country Child Protection Focal Point shall undergo specific training on child protection.

The in-country Child Protection Focal Points shall perform their tasks with the support and under the supervision of the Compliance Manager and respective Country Director.

Reporting on child safeguarding concerns

Reporting suspected or actual child abuse is mandatory for all staff, volunteers, consultants and sub- contractors.

Anyone can report abuse, incident or concern regarding what s/he experienced or witnessed via on- line form: <https://www.pah.org.pl/en/complaints/> , by email complaints@pah.org.pl , by phone or directly to the designated focal point, PAH Management Board or Compliance Manager. Any form of complaint and/or information is suitable.

Initiation of an investigation

The Board of the Polish Humanitarian Action after collecting the necessary information and evidence by the Compliance Manager, decides to start an internal investigation. The investigation on sexual abuse should be given priority: steps to stop the violence should be taken immediately, and the investigation, if possible, should be completed within three months. Relevant guidelines can be found in the “Internal investigation procedure”.

Employees who are found to contravene PAH’s clearly stated expectations of their sexual conduct will be subject to disciplinary action that may result in immediate dismissal. In the case the abuse is found, contracts with volunteers, contractors and other consultants and agents will be terminated immediately. If you suspect a criminal offense, the case should be reported to competent national authorities.

If, as a result of the investigation, the allegations prove to be false, the person will be cleared of any suspicion. If a member of staff from PAH is found to have made an allegation that they knew was false, they will be subject to disciplinary action, including the possibility of terminating employment.

Safe recruitment of personnel working with children

PAH will not knowingly employ or engage in its programmes, and especially in those including regular and direct engagement with children, persons that could pose a risk to children. In order to fulfill this, PAH observes following safe recruitment measures.

- PAH will assess the role subjected to recruitment for the type and frequency of potential contact with children or access to child sensitive data.
- Applicants will be advised of their responsibilities towards children. And for roles that are likely to have contact with children, applicants will be assessed on their awareness of child safeguarding and safe practices.

- Candidates applying for positions that will include regular direct and/or unsupervised work with children will be – before being appointed by PAH – checked as follows:
 - One written reference checks with former employers / professional referees. Applicant's referees shall be specifically asked to provide a view on the candidate's suitability to be working/in contact with children.
 - Candidates sign PSEA statements declaring they are not convicted of any sexual crime with adults and children.

Particular country offices may introduce stricter rules of candidates screening, especially if it is required by local legislation.

For staff and contractors that will not generally have any contact with children (such as HQ based management and support staff), these measures need not be carried out. Should these individuals need to have contact with children as part of their work, they will be subject to the above checks before they can do so. Alternatively, they shall be accompanied at all times during any such infrequent contact by personnel who have been appropriately cleared to work with children and adults at risk

Analyzing risks to children in PAH programs

Prior to commencement of activities involving children, PAH will analyze potential risks to children that can arise as part of the implementation of PAH programs. These activities can include training attended by children, working in hospitals or schools, data collections including discussions with children etc.

In case risks to children were identified, the project team shall prepare an action plan that will address those risks with the aim to reduce them as much as possible. In case risks cannot be reduced to the required level and the project activities would cause harm to children, then the project team shall bring this issue to the country programme management that should decide whether further measures can be taken in order to address the risk(s). Activities that would harm children must not be carried out.

Implementing Partners

PAH shall promote and require the child protection standard outlined in this document with its Implementing Partners. PAH shall ensure adequate child protection assessments as part of due diligence processes when considering new and existing partnerships. PAH will choose the implementing partners based on their commitment to social justice and equality, their organizational values, and how they safeguard their staff and program participants. Especially those the most vulnerable like children.

Engaging in partnerships PAH shall in particular:

1. conduct proper due diligence on child protection standards introduced by the Implementing Partner. When deciding whether to work with a particular Implementing Partner the results of this check

should be taken into account. If the relevant standards have not been introduced or have not been introduced properly by the Implementing Partner and the project involves the participation of children, it is not possible to start program activities before the introduction of relevant standards by the Implementing Partner. When deciding whether to start cooperation with such a partner, one should take into account whether PAH can adequately support the implementing partner in the introduction of such procedures;

2. incorporate this Policy as an attachment to the agreements with implementing partners;
3. expressly state in the implementing agreement that:
 - the failure of those to take preventive measures against child abuse, to investigate and report allegations in a timely manner, or to take corrective actions when child abuse has occurred, shall constitute grounds for PAH to terminate such agreements;
 - If the Implementing Partner suspects theft, fraud, corruption, sexual exploitation, harassment or abuse, or any other misconduct, ASDF is obliged to inform PAH immediately.

Where possible and necessary PAH shall support its implementing partners in having the skills and capacity to fulfill their responsibilities consistent with this policy.

PAH shall collaborate on child protection within the sector, including with local communities, other organizations, donors, governments, global civil society networks, and local partners, to advance our practices and contribute to wider efforts to prevent and respond to child abuse.

Procedure for intervening in a situation where there is suspicion of harm or possessing information about the harm to a child by another adult, a parent, or another child

1. Staff, volunteer, sub-contractors should possess knowledge and, as a part of their duties, pay attention to risk factors for the harm of Children, they are also obligated to report any suspicious behavior they have witnessed that may be a sign of harm being done to the Children, both by their peers and individuals outside the facility.
2. Observing the Child and analyzing symptoms, it is important to consider contextual assessment: pay attention not only to physical symptoms but also to the Child's behavior and the behavior of the parent/guardian, the Child's situation (age, condition, family situation, living conditions, etc.) previously established diagnoses, and other relevant factors.
3. In the event that an Employee, Volunteer or sub-contractor observes that a child is being harmed or there are grounds to suspect abuse occurring outside the premises, that individual is obligated to prepare an official note and convey the obtained information to the project coordinator or individuals responsible for Child Protection Policy.
4. In case of suspicion of committing a crime or endangerment of a child's well-being, employees, sub-contractors or volunteers immediately undertake legal intervention. The decision to intervene is made by a team consisting of: the employee or volunteer who obtained the information, the coordinator of the respective program. The decision to initiate intervention by sending a notification to the prosecutor's office is approved by the PAH Board. The Board is informed about other interventions. Concurrently, employees and volunteers offer assistance and support to the child and their non-harming guardians.

5. In the event of an immediate threat to the life or health of a child, the employee, volunteer or sub-contractor who obtains such information immediately takes action by making a phone call to report the direct threat or violation of the child's life and health to the appropriate police unit.
6. Handling cases of child harm or suspicion of child harm must not violate the child's dignity, freedom, right to privacy, and must not cause harm to their mental or physical health (feelings of harm, humiliation, threat, shame).

Protection of the child's image and personal data

The personal data of a child is protected under the terms of the Personal Data Protection Act of May 10, 2019, and the Regulation of the European Parliament and of the Council (EU) 2016/679 of April 27, 2016, on the protection of individuals about the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation, "GDPR"). Details of the purposes and means of processing personal data are provided separately, in the context of each separate activity. Every employee is obliged to maintain the secrecy of personal data and ways of securing personal data from unauthorized access.

PAH, recognizing the child's right to privacy and protection of personal rights, ensures the protection of the child's image by not publishing the child's image without the written consent of the child's guardian and the verbal consent of the child. Before recording the child's image, the child and guardian must be informed of where the recorded image will be placed and in what context it will be used.

Additionally PAH implements the following good practices:

- Images of children must not show them undressed or in inappropriate or undignified poses or situations;
- Distinctive buildings, street signs, or landmarks should not be included in an image if they identify where a child lives or attends school or another facility.

Training

PAH is committed to train staff on the Child Protection Policy, how to recognize signs of harm against children, reduce risks and create child safe environments within the Safeguarding Training System in PAH. We will promote child safe practices which keep children safe in the organization and in their own community, and provide information about child protection to the children and communities in which we work. PAH is committed to the capacity building activities with Implementing Partners in case the relevant policy is missing in partners portfolio. PAH is committed to make aware its contractors about Child Protection Policy within PAH, to collect relevant statements and apply relevant actions if child abuse from contractor was reported and confirmed.