



CHILD SAFEGUARDING POLICY & CODE OF CONDUCT

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Introduction

The End FGM European Network (End FGM EU) is initiating in 2017 activities in direct contact with children and young people with the long-term perspective of establishing an End FGM EU Youth Group actively involved in the Network's work to end FGM in Europe.

The End FGM European Network and its member organisations acknowledge considerations on the vulnerability and safeguarding of children and are, therefore, committed to ensuring that all necessary steps and actions are taken at all levels within the Network, to safeguard the wellbeing, health and dignity of children participating to projects, activities and programs of the organisation.

This Child Safeguarding Policy (CSP) outlines End FGM EU's and its Members' commitment to protect children from harm and the responsibilities and procedures for all the actors linked to the Network who will have a direct contact with children in the context of the actions implemented by the Network and its Members.

The policy was developed taking into account international and European child protection policies:

- Universal Declaration of Human Rights
- The European Convention on Human Rights (ECHR)
- EU Charter of Fundamental Rights
- Article 3(3) of the Treaty of the European Union
- UN Convention on the Rights of the Child
- EC Communication: EU Agenda for the Rights of the Child.

Definitions

Child - The End FGM European Network adopts the definition of the UN Convention on the Rights of the Child whereby "a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier"¹.

Child abuse and neglect - sometimes also referred to as child maltreatment, is defined as all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust, or power. Within the broad definition of child maltreatment, five subtypes are distinguished – these are physical abuse; sexual abuse; neglect and negligent treatment; emotional abuse and exploitation².

Best interest of the child - is one of the four overarching principles of the UN Convention on the Rights of the Child, which derives from Article 3, according to which "in all actions concerning children, whether

¹ Article 1, <http://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf>

² http://www.who.int/topics/child_abuse/en/

undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration". Assessing the best interests of a child means to evaluate and balance "all the elements necessary to make a decision in a specific situation for a specific individual child or group of children".

Child safeguarding - Child safeguarding is the responsibility that organisations working or in contact with/impacting on children have to make sure their staff and collaborators (e.g. consultants, associates, service providers) operations, and programmes do no harm to children. That entails that they have in place institutional/internal policies and procedures intended to not expose children to the risk of harm and abuse, and to report to the appropriate entities any concerns about children's safety within the communities in which they work.

Child Protection – Child protection is part of safeguarding and refers to activities undertaken to protect children who are being or are at risk of being abused

Purpose of the Child Safeguarding Policy (CSP)

The Secretariat of the End FGM European Network, as well as its Members, by defining the CSP, pursue the following objectives:

To safeguard children by minimising risks of harm to children throughout all types of implementing activities of the Network and its collaborators and partners.

To protect all actors contributing to actions implemented by End FGM EU by setting clear guidelines about how they are expected to behave with children and how to act in case of concerns regarding the safety of a child.

To protect the reputation and credibility of End FGM EU and its Members by clarifying their commitment, practices and standards to keeping children safe.

Guiding principles

The following guiding principles inform the spirit and implementation of the CSP.

Child at the Centre

According to the UNCRC, the child's right to have its best interests as a primary consideration needs to be respected and recognised by everyone. In other words, the child must be at the centre of everyone's care and concern. The well-being, safety and security of children are paramount, and are a pre-requisite for their progression and development. Children must be valued, listened to and respected as rights-holders.

Child Leadership and Participation

Child leadership and participation are a must when it comes to sustainably and effectively respond to children needs with regard to FGM, since children are directly affected by FGM and should be part of the solution. Children can play an effective role in activities aimed at preventing and responding to FGM

at a variety of levels. Child leadership and participation in the design, policy and practice of FGM interventions will help ensure that these are relevant, responsive and effective.

Empowerment

A prerequisite for children to fully participate and lead is that they are empowered. Two key elements of empowerment for participation are support for the development of skills and provision of a safe and enabling environment conducive to participation. Empowerment relates also to supporting children to be able to protect themselves to the extent possible thanks to knowledge of their rights and of support networks.

Child Safeguarding Standards

1. Standards

Standard on Policy: The End FGM European Network Child Safeguarding Policy is meant to be adopted and applied by the Secretariat, by End FGM European Network members and by all their collaborators and it is promoted and distributed widely.

Note: End FGM EU will initiate a process whereby its members will develop their CSP in application of the present policy

- The policy applies to all staff, volunteers and collaborators of the End FGM EU Secretariat and the Members;
- The policy is publicised in an appropriate manner to stakeholders that are considered suitable by the End FGM EU Secretariat and the Members;
- The policy is made available to children participating in the actions of End FGM EU and its Members in a format and language that is child and age appropriate.

Standard on People: The End FGM European Network and its Members define clear responsibilities and expectations on all actors directly involved in the implementation of their actions and support them to understand and act in line with these.

- The Network' and Members' Directors/Coordinators have the responsibility for overseeing the implementation of the policy;
- All the staff, volunteers and collaborators in direct contact with children will be made aware of the policy and of the code of conduct and will receive support or training as needed;
- Should the Network and the Members engage new staff, consultants or other profiles who will be in direct contact with the children, appropriate checks will be done, respect of the policy will be included in contracts and guidelines on a Response Protocol for Victims of FGM will be provided;
- As rights holders with non-negotiable rights to protection, children are made aware of their right to be safe from abuse and provided with support and advice on keeping themselves safe including information about where to seek for help.

Standard on Procedures: The End FGM European Network and its Members create a child safe project environment by implementing consistently the safeguarding measures defined in the present policy.

- Staff, volunteers and collaborators in direct contact with children will be trained on an appropriate process for reporting and responding to child protection incidents and concerns.

Standard on Accountability: The End FGM European Network and its Members monitor and review the safeguarding measures and use lessons learned to make necessary adjustments.

- The monitoring of compliance with the CSP and code of conduct is integrated into the internal organisational/programme monitoring process;
- Learning from practical case experience will be shared within the Network;
- The policy and code of conduct will be revised if needed based on concrete evidence.

2. Designated roles and responsibilities for child safeguarding

The Director oversees informing the Secretariat and new staff members of End FGM European Network's child safeguarding policy.

The Programmes Officer, directly in contact with young people, is in charge of supporting the Director in the implementation of the child safeguarding policy and ensuring that all staff are informed and aware of the policy.

Staff involved in working directly with children must present an extract of their criminal record before contact with the children.

End FGM EU places clear responsibilities and expectations on its staff and associates and supports them to understand and implement the child safeguarding policy.

- The focal point working directly with FGM-affected communities and children is identified by the staff.
- The focal point has clearly defined role and responsibilities toward the children and End FGM EU's CSP.
- Position papers on engaging FGM-affected communities and [young people](#) are available for End FGM EU's Secretariat and its members.

End FGM EU's Secretariat all received the Child Safeguarding Policy and can refer to it at any moment. Rules, code of conduct and ways to keep children safe, were explained to the Secretariat.

On the topic of FGM, they received appropriate learning opportunities to develop and maintain the necessary attitudes, skills, and knowledge to keep children safe.

Child Safeguarding Measures - Code of Conduct for Interacting with Children

Note: We use the term “End FGM EU representatives” to indicate staff, volunteer, associates, consultants and other profiles who will interact with children in the context of End FGM EU and/or Members’ programmes.

Appropriate Boundaries

It is expected that End FGM EU representatives will be caring adults who take an interest in the children and who set appropriate boundaries within their interaction with children.

End FGM EU representatives must always treat children with respect. There is no place for sarcasm, derogatory remarks, offensive comments or any other inappropriate conduct that may result in emotional distress or psychological harm to a child.

Some indicative behaviours that may cause psychological harm to a child includes:

- targeted and sustained criticism, belittling or teasing;
- excessive or unreasonable demands;
 - hostility, verbal abuse, rejection or “scape-goating”;
 - any form of harassment of children with disabilities;
 - using language that discriminates based on race, color, sex, sexual orientation, religion or belief, disability, age, national origin, gender and gender reassignment, marriage and civil partnership, pregnancy and maternity, etc.
- using social isolation as punishment.

End FGM EU representatives must always treat children in a consistent manner without inappropriate familiarity or spending ‘special time’ with a child. Some indicative behaviours that may suggest a child is not being treated in a consistent manner could include:

- giving gifts to a child (when this is not the practice with other children);
- showing special favours;
- allowing a child to over-step rules.

End FGM EU representatives must be conscious that their position places extra obligations on them and this requires them to model and encourage behaviours that minimise the risk of harm to children. To prevent the risk of harm to children, End FGM EU representatives should exercise discretion and caution and not engage with children in social activities that are not part of the intended activity/programme.

In situations where there are relationships between End FGM EU representatives and children’s families, the End FGM EU representative should be conscious of the difference between professional and personal relationships and ensure appropriate professional conduct and boundaries are maintained at all times.

Some examples of when End FGM EU representatives are to ensure professional boundaries are maintained include:

- visiting children at their home;
- inviting children to visit their home;
- making telephone calls of a personal nature to children;
- giving children End FGM EU representative's home phone number;
- sending emails, sms (text) of a personal nature to children;
- communication of a personal nature using social networking sites.

End FGM EU representatives must avoid, as far as reasonably possible, situations where they are alone with a child. The nature of the work may require an End FGM EU representative to be alone with a child (e.g. for counselling). If this happens the End FGM EU representative should exercise caution. Some examples when an End FGM EU representative should exercise this caution include:

- Transporting a child in their car. An End FGM EU representative should not drive a child in their car unless they have specific permission or in the event of an emergency. End FGM EU representatives should attempt to obtain parental consent or permission.
- When counselling or interviewing children ensure the setting is appropriate for the activity. For example, in all rooms where children are interviewed, there will be glass windows and/or glass panes in doors. At no time will doors be locked.
- Supervision of chores: ensure at least two children are involved in chores and activities rather than individual children.

For special or extended activities, a minimum of two End FGM EU representatives will supervise children. The gender should be appropriate for the composition of the children groups.

Appropriate Child Behaviour Management

Child behaviour management practices aim to facilitate the development and experience of responsible self-discipline amongst children and to promote the wellbeing and safety of children.

End FGM EU representatives should be aware that the following behaviour management practices are unacceptable:

- any form of corporal punishment;
- using an object to gain a child's attention in a hostile or an inappropriate physical manner;
- holding or restraining a child for any purpose other than a child's actions causing imminent harm to self or others;
- hitting, kicking, pushing, pulling, shoving, grabbing, pinching, poking, shaking or throwing a child
- intimidating, swearing at or using sarcasm to humiliate a child;
- locking a child in a confined space and/or applying painful or noxious conditions;
- refusing biological necessities as a means of punishment;

- criticising a child rather than the child's actions;
- practices which instil fear or using fear or practices which cause a child to feel alienated as a means of controlling a child;
- exposing a child to material that contains adult concepts or themes that are inappropriate to the child's age.

Appropriate Physical contact with children

When physical contact with a child is a necessary part of the activity, End FGM EU representatives must exercise caution to ensure that the contact is appropriate and acceptable for the duty to be performed. End FGM EU representatives are required to develop and exercise prudent judgment and sensitivity regarding appropriate physical interactions with children.

Examples of situations in which physical contact with a child may be appropriate include:

- assessing a child who is injured or ill may necessitate touching. A End FGM EU representative should advise the child of what they intend to do and, where possible, seek the child's consent;
- certain activities may require the physical handling of a child to demonstrate a particular action or skill;
- comforting a distressed child;
- guiding a child in a non-threatening manner;
- gently tapping a child on the shoulder to gain his/her attention after verbal requests were unsuccessful;
- protecting a child from imminent danger to himself/herself or to others.

Physical interventions (including physical restraints, removals or escorts) to contain and/or control the behaviour of children should only be employed as measures of last resort to ensure safety and protection. The use of physical intervention is restricted to occasions when the child, other children, End FGM EU representatives or others are being harmed or are in imminent danger of being harmed. Only such force as is reasonably necessary in the circumstance is permitted.

Some examples of when it may be appropriate to use physical intervention as a last resort include:

- a child attacking an End FGM EU representative;
- a child attacking another child;
- children physically fighting;
- child causing, or at risk of causing, injury to self or others;
- a child misusing dangerous materials, substances or objects where it is likely that this will cause imminent harm.

All End FGM EU representatives using physical interventions are responsible and accountable for the manner in which they exercise that authority and these interventions should be documented.

Appropriate Logistics' Arrangements

Activities of End FGM EU and its Members will occasionally imply local and/or international travel. It is paramount to ensure that arrangements related to travel take care of the safety of children participating:

- Activities will be organised taking into account school-related requirements and calendars;
- A parent/legal guardian will give consent to let children travel on their own, or to be accompanied on airline and met by someone on the other side.
- Travel and pick-ups will be arranged for children under-aged travelling to short-distance intra-national destinations;
- Internal local transport (e.g. from activity venue to hotel) will be supervised by an End FGM EU representative;
- Social activities outside the programme will be organised in group and supervised by an End FGM EU representative.

Preventing Sexual Misconduct

End FGM EU representatives must not, under any circumstances, engage in intimate and/or sexual relationships with a child or engage in any conduct or communication of a sexual nature with a child. The age of the child or the End FGM EU representative involved is irrelevant. It is also irrelevant whether the relationship is heterosexual or homosexual, consensual or non-consensual or condoned by parents or caregivers. Such circumstances may also result in criminal charges.

Sexual misconduct includes:

- obscene language of a sexual nature, suggestive remarks, jokes of a sexual nature or obscene gestures;
- unwarranted and inappropriate touching;
- sexual exhibitionism or undressing in front of children;
- personal correspondence with children in respect of the End FGM EU representative's sexual feelings for the child;
- deliberate exposure of children to sexual behaviour of others, other than in the case of prescribed curriculum materials in which sexual themes are contextual;
- possession, distribution or display of pornography;
- electronic transmission of messages or files which are sexually explicit, offensive or contain inappropriate jokes;
- sending sms (text) messages or communicating using social networking sites material which is sexually explicit, offensive or contains inappropriate jokes.

End FGM EU representatives must be cautious of the content and context of their discussions and interactions with children. End FGM EU representatives must exercise caution when:

- making personal comments about a child;
- asking questions that probe a child's sexuality or personal relationships;
- discussing with children personal details of the End FGM EU representative's or child's lifestyle;
- disclosing their personal contact details to children.

End FGM EU representatives must not:

- discuss with a child matters of a sexual nature relating to themselves or any other person unless a child reports an abuse or risk of abuse;
- supply or serve alcohol, tobacco or illicit drugs to a child;
- supply or administer medication without the express permission of a parent or guardian.

Should any child engage, or attempt to engage, in inappropriate behaviour of a sexual nature with an End FGM EU representative, then immediate steps must be taken to discourage the child and the matter should be immediately reported to the Network' and Members' Directors/Coordinators have the responsibility for overseeing the implementation of the policy and, eventually the child's parents or legal guardian.

Breaches of the Code of Conduct for Interacting with Children

Conduct which is contrary to this Code will be dealt with in accordance with relevant policies and laws and in accordance with principles of fairness and natural justice.

Should any End FGM EU representative have concerns about possible breaches of this Code, they should speak with the Network' and Members' Directors/Coordinators have the responsibility for overseeing the implementation of the policy. Notification of any possible contraventions is essential given the duty of safeguard owed to children. In addition, all End FGM EU representatives are to notify any allegation of child harm of which they become aware.