

Safeguarding Children and Young People Policy and Procedures

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Octavian Rusu, President

RUSU
OCTAVIA
N-RADU

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by RUSU
OCTAVIAN-RADU
Date: 2024.04.25
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This document represents the Child Protection Policy for the **CENTER FOR NOT-FOR-PROFIT LAW (CLNR)** to ensure the CLNR is fulfilling its duty to children and young people. The scope of this document is to set out the organization's Safeguarding Children and Young People Policy and Procedures in conjunction with the Statute and statutory purposes.

The Policy underlines the responsibility of the **CENTER FOR NOT-FOR-PROFIT LAW** to make sure its staff, operations, and programs do not harm children, do not expose children to the risk of harm and abuse, and that any concerns the organization have about children's safety within the communities in which it works are reported to the appropriate authorities. **The "Do no harm" principle used in the humanitarian sector refers to an organization's responsibility to minimize the harm it may be doing inadvertently as a result of its organizational activities and it is applied to the CLNR's activities and interventions.**

It will be followed by all members, staff, volunteers and anyone carrying out any work for **CENTER FOR NOT-FOR-PROFIT LAW**, followed, and promoted by those in the position of leadership/management within the organization. CLNR knows that being a young person makes she/he vulnerable to abuse by adults. The purpose of this policy is to make sure that the actions of any adult in the context of the work carried within CLNR are transparent, safeguard and promote the welfare of all children and young people.

This document is written in accordance with the Convention on Rights of the Child (CRC) (the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse was approved by Law no. 252/2010 in Romania) and the national legislation on child protection - Law no. 272/2004 on the protection and promotion of child rights with subsequent additions and amendments.

Purpose

The Safeguarding Children and Young People Policy and Procedures purpose is to:

- Provide a clear statement about how CLNR will safeguard children from harm.
- Provide CLNR staff and volunteers with guidance and procedures to follow if they suspect a child may be experiencing or at risk of harm.

This policy covers all children and young people, referred to as "child" and "children" in this policy, and defined by CLNR as all individuals under the age of 18. It covers all CLNR areas of work, including online, phone and face to face support, events and training and covers children who are not accessing our services.

This policy applies to all people working on behalf of CLNR; staff, volunteers, partners, contractors, sub-contracted providers, whether they work with children or not. It is essential for our adult-only workforce to be aware that many issues experienced by adults may impact children's safety and wellbeing, such as mental ill health, domestic abuse, alcohol or drug misuse and criminality.

Principles

CENTER FOR NOT-FOR-PROFIT LAW declares to adopt the following principles:

- Children must be always protected from harm.
- Working in partnership with parents and children is essential for the protection of children.
- The rights, wishes and feelings of children, young people and their families will be respected and listened to.
- All children, whatever their age, culture, ability, gender, language, racial origin, religious belief and/or sexual identity should be able to participate in **CLNR's** interventions in a fun and safe environment.
- We will take all reasonable steps to protect children from harm, discrimination and degrading treatment.
- Those people in positions of responsibility within the organisation will work following the interests of children and young people and follow the policy outlined below.
- All employees who work with children will be recruited concerning their suitability for that responsibility and will be provided with guidance and/or training in good practice and child protection procedures.

Commitment

By stating this policy and procedures **CENTER FOR NOT-FOR-PROFIT LAW**:

- Recognizes the right of every individual to stay safe.
- Aims to ensure that the organizations undertake their responsibilities with regard to the protection of children and youth and will respond to concerns appropriately.
- Frames the principles and procedures for the support of the staff, partners, and volunteers in their practices and clarifies **CLNR's** expectations, meaning that the actions of any adult in the context of the work carried out by any organization are transparent and safeguard and promote the welfare of all children and young people. Therefore, this policy is to make sure that procedures to protect children and report any concerns about their welfare to appropriate authorities shall be followed.
- Promotes good practice, providing children and young people with appropriate safety/protection and allows staff and volunteers to make informed and confident responses to specific child and youth protection issues.
- Provides effective management for staff and volunteers through supervision, support, training and quality assurance measures so all staff and volunteers know about, and follow, our policies and procedures confidently and competently.
- Recruits and selects staff and volunteers in line with safer recruitment best practice, ensuring all necessary checks are made.
- Records, stores and uses information professionally and securely, in line with data protection legislation and guidance.
- Builds a safeguarding culture where staff, volunteers and clients treat each other with respect and are comfortable about sharing concerns.

Roles and responsibilities

The child protection policy applies to all staff, all partners, workers, consultants, suppliers and representatives of partner organizations or local authorities and managers (staff members with specific responsibilities for child protection).

All must sign our policy and respect the conditions.

All staff (including permanent staff, contractors, partners, volunteers) is bound to the principles and guidance laid out in this policy and linked policies. Specifically, staff, within the context of each defined role/job position, is expected:

- to use the required procedures,
- to promote good practice and to contribute to discussions about safeguarding,
- to ensure that the voice of the beneficiaries, children, youth or adults, to the protection of which the current Policy is concerned is listened and is taken into account.
- to respect the professional boundaries and professional code of conduct referred to in this document.

CLNR has a designated person to act as a liaison with outside organizations.

The Management Committee is responsible for:

- making sure that staff are fully aware of the safeguarding policy
- allowing staff to attend training and letting them access guidance to help them identify abuse and the risk of abuse, and deal with it in the ways set out in this policy
- making sure staff know about, and follow, reporting systems
- planning performance objectives that support safeguarding policy for staff working in safeguarding roles

The Designated Officer for safeguarding responsibilities are:

- Keeping up to date with relevant safeguarding practice and legislation and updating the board of these.
- Taking overall accountability for safeguarding practice within CLNR.
- Ensuring the Management Committee and Board are consulted and updated to changes of policy and safeguarding concerns.
- Escalating any concerns with external organisations regarding safeguarding.
- Acting as a source of advice on child protection matters for the staff;
- Monitors the implementation of Safeguarding Children and Young People Policy and Procedures;
- Ensuring that the child protection policy and procedures are followed by all staff and that appropriate information is available at the time of referral and that the referral is confirmed in writing under confidential cover;

Project Managers are responsible for:

- Deciding whether to raise a safeguarding concern with the local authority.
- Making sure everyone in the organisation is aware of their safeguarding responsibilities and knows how to respond to concerns.
- Deciding when to share information with other agencies or raise a concern with local authority and, if consent is not given, whether to override and on what basis.
- Providing appropriate direction and coaching to staff to ensure a best practice approach to child safeguarding is integrated into operational practice.
- Ensuring training undertaken and experiences of responding to child safeguarding incidents are discussed in supervision so staff and volunteers' understanding of safeguarding is clearly established and further support identified, if required.
- Ensuring lessons learnt from safeguarding issues are discussed with relevant teams and changes in practice, procedure and policy embedded, where appropriate.
- Ensuring staff and volunteers receive briefings on updates and changes to local authority procedures.

All staff and volunteers are responsible for:

- Keeping children safe from harm.
- Ensuring they are aware of this policy and how to access it.
- Promoting the safety and welfare of children involved at all times.
- Immediately alerting a senior staff member regarding any challenges finding or understanding this policy.
- Knowing what to do if they suspect potential or actual harm, abuse or neglect of a child.
- Undertaking any mandatory safeguarding training as required by CLNR.
- Familiarising themselves with any local authority child safeguarding policies, procedures and training, which may be available and relevant to their role.
- Taking immediate actions, wherever possible, to ensure children are safe from harm, abuse or neglect.

[Safe recruitment procedures and requirements for vetting staff](#)

CENTER FOR NOT-FOR-PROFIT LAW ensures safe recruitment through the following processes:

- Recruitment adverts or application details shall state that the 'recruitment is done in line with safe recruitment practices.
- Clear definition of jobs and role descriptions with clear reference to safeguarding responsibilities, and clear specifications of roles concerning child and youth protection.
- Short listing through a formal application process, that shall be based on criteria set in accordance with the job/role's specifications, required qualifications and principles of Safeguarding Policy.
- Interviews are conducted according to equal opportunity principles and interview questions are based on the relevant job description and person specification. All interviews shall include a

discussion on child safeguarding, the candidate's understanding of this and the organisation's commitment.

- References from previous employees or others who have knowledge of the candidate's experience and suitability to work with children will be requested.
- All staff will be given a copy of this Child Protection Policy and will be asked to sign a declaration certifying that they have read the policy, agree to abide by its contents and that there is no reason why they would be considered unsuitable for working with children/young people.
- Where short-term contracts for staff are awarded for particular pieces of work, a clear job description is developed outlining the responsibilities of the job and the reporting procedure;
- **CLNR** must ensure compliance with the National and international legal framework concerning vetting of personnel and other persons who undertake relevant work or activities with children or vulnerable persons.
- **CLNR** must also be aware of the need for prudent practice from a child protection perspective.
- Vetting should not, however, take the place of normal recruitment procedures, such as seeking and following up on references and ensuring that any unexplained gaps in employment records/curriculum vitae are satisfactorily accounted for. Whether a person is being considered for employment or other roles in the project activities, comprehensive procedures for checking of the person's suitability to work with children or vulnerable persons are an essential element of child protection practice.

Special focus on communications and support

CENTER FOR NOT-FOR-PROFIT LAW develops effective induction, communications and support mechanisms concerning all the staff (permanent staff, partners, etc) towards the implementation of Safeguarding Children and Young People Policy and Procedures.

Induction includes:

- Discussion about the Safeguarding Children and Young People Policy and Procedures and confirmation of reading and understanding it. A relevant statement shall be ensured, referring to the fact that the concerned person has been made fully aware of, and understands the contents of it. Within the latter discussion, the other relevant policies shall be included.
- Clear information and guidance of all staff (including partners) to ensure familiarity with reporting processes, and the hierarchical roles (e.g. senior managers etc. and who acts in their absence).
- Initial training on safe working practices, on child and youth protection with a special focus on those belonging in vulnerable groups (such as unaccompanied minors and children in care).

Effective child protection depends on the skills, knowledge and values of personnel working with children and families, as well as cooperation between agencies (interagency) and within agencies (intra-agency). Relevant training and education is an important means of achieving this. The management must ensure that all personnel have the necessary familiarity with these procedures to enable them to fulfil their responsibilities therein. It is envisaged that this will be achieved by developing a culture of awareness and

knowledge of these procedures amongst all personnel and, where appropriate, ensuring that available training is undertaken.

Procedures

Code of Conduct for People working with children

This guidance document describes the standards of conduct and practices that all **CENTER FOR NOT-FOR-PROFIT LAW** staff should follow when working with children through its activities.

The guidance applies equally to all contexts where the project will be implemented and it has been informed by the views of children. This document is designed to complement other advice or codes of conduct produced by employers or national bodies, not to replace or take priority over them. Whilst this document covers a wide range of situations, it is recognised that it cannot cover every eventuality, however, the principles contained within it must apply in every circumstance.

Following this code will help to protect children from abuse and inappropriate behaviour from adults. It will also help staff and volunteers to maintain the standard of behaviour expected of them and will reduce the possibility of unfounded allegations of abuse being made against them.

When working with children and young people for **CLNR's** interventions all staff and volunteers are acting in a position of trust. Staff and volunteers must be aware that they may be seen as role models by children and young people, and must act appropriately at all times. All of these adults have special responsibilities to the children and young people they work with; they should:

- Be professional and maintain high standards of personal behaviour at all times.
- Respect the children's and young adults' right to be heard and to participate in the procedures and decisions that concern them, inform, encourage and empower them towards the claiming and realization of their rights.
- Respect the principles of trust, confidentiality, and personal data protection. In conjunction with these principles, a safe information-sharing process among the competent involved professionals/stakeholders shall be followed. It is noted that any information, data, photos concerning the beneficiary's personality and story shall be published only if it is strictly necessary for achieving project results, under his/her explicitly given permission, and if he/she is not exposed to any danger or risk of stigmatization. Special care shall be taken concerning the children's cases.
- Recognise the trust placed in adults by children and young people and recognise the power held over children by adults. Treat this trust of power with the highest responsibility.
- Try to always work in an open and accountable manner. Be willing to accept questions or criticism regarding good practice.
- Maintain a professional relationship with children. Any form of sexual relationship or activity with a child is unacceptable and is likely to lead to disciplinary or legal action.
- Not be under the influence of drink, drugs or illegal substances when working with children or young people.

- Use appropriate and respectful forms of discipline and communication. Physical aggression, intimidation, verbal abuse and persistent shouting are not acceptable. Any form of assault (e.g. hitting, kicking, pinching, slapping) should be regarded as a serious incident.
- Use appropriate language, do not swear and never make sexual or suggestive comments to a child. If a child makes such comments be ready to enforce these boundaries in your response.
- Do not appear to favour one child or show interest in one child more than another.
- Do not discriminate against a child because of their age, gender, disability, culture, language, racial origin or sexual identity.
- Use physical contact with children or young people only where necessary. If contact is necessary (e.g. for coaching or first aid) explain to the child what the contact is for and change your approach if he/she appears uncomfortable.
- Design and use training methods and programmes which are appropriate to the children or young people.
- Be aware of situations that can be misunderstood or manipulated by other adults (e.g. if an adult is alone with a child in a room or a car, he or she may be vulnerable to allegations of misconduct).
- Always be vigilant and aware of how actions can be misinterpreted by children. Adults should be aware of the impact of their action and should sensitively address any misunderstanding.

It is prohibited to:

- Use of abusive language or response to inappropriate behaviour / language and the use of punishment or chastisement, or any abusive behavior.
- Behave disrespectfully (for example using disrespectful vocabulary or bad manners toward anybody etc.) and work under the influence of drugs or alcohol. It is reminded that they must behave with modesty and dignity and serve as role- models of behavior for children and youth.
- Never watch, publish, produce, or share pornography showing children, and/or show pornographic material to children, during and outside work.

Especially concerning children, it must be ensured that:

- Never a staff member or volunteer is left alone with a child for any reason.
- Never fondle, hold, hug, kiss or touch children improperly, taking into account what the child believes is improper, based on their cultural, ethnical, religious background and their gender.
- Never collaborate with any private actor who acts in any way against the best interest of the child.
- Never have any form of sexual relations with anyone under 18 years old, never touch children or use language or make suggestions in an inappropriate manner, never provoke, harass or degrade the child or show disrespect for cultural practices. Never behave in a way that has a negative impact on the child's confidence and self-worth.
- Never exploit a child for labour (ex. through domestic work).

- Never show children's faces in presentations or publications and never publish a story or image that may endanger the child, their family or community or stigmatize the child.
- Never give or encourage other people to give money directly to children, especially those being in vulnerable situations.
- Never use any information or image of the children without the written permission of the children's parents/guardians and take into account the children's will and opinion, without forcing them to any kind of public expose. Any information or photo concerning the children's story shall in no way expose them to any danger or to any risk of stigmatization.

CENTER FOR NOT-FOR-PROFIT LAW does not allow paid or unpaid staff to give gifts/money to or receive gifts/money from beneficiaries. However, gifts may be provided by the organization as part of a planned activity.

If the professional boundaries and/or policies are breached this could result in disciplinary procedures or enactment of the allegation management procedures.

A written declaration shall be provided confirming the reading, understanding and agreement with the current document and the mandatory code of conduct, and declaring the commitment to work following it. It will also include the agreement that any failure to uphold it may result in the termination of their engagement with the **CLNR** or further disciplinary or judicial proceedings as mentioned above.

ACTION PLAN IN CASE OF NECESSITY

If CLNR discovers or suspects a child or young person is suffering harm it will act as follows.

Immediate Action to Ensure Safety

Immediate action must be necessary at any stage in involvement with children and families.

If a child is in immediate danger, the police has to be contacted as they alone have the power to remove a child immediately if protection is necessary, via Police Protection Order.

Recognition of Abuse or Neglect

Abuse or neglect of a child is caused by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or an institutional or community setting: by those known to them or more rarely by a stranger.

A concern has to be raised if any of the following circumstances have or are happening to a child: Physical Abuse; Emotional Abuse; Sexual Abuse; Neglect.

Individuals within the organisation need to be alert to the potential abuse of children both within their families and from other sources including abuse by members of that organisation.

The organisation has to know how to recognise and act upon indicators of abuse or potential abuse involving children. There is an expected responsibility for all members of the organisation to respond to any suspected or actual abuse of a child in accordance with these procedures. It is good practice to be as open and honest as possible with parents/carers about any concerns. The Child Protection Department of the Public Social Assistance Service at the local level or General Direction of Social Assistance and Child Protection at the county level will be announced in the case of a recognition of child abuse.

What to do if children talk to you about abuse or neglect

It is recognised that a child may seek you out to share information about abuse or neglect or talk spontaneously individually or in groups when you are present. In these situations, you must:

- Listen carefully to the child. DO NOT directly question the child.
- Give the child time and attention.
- Allow the child to give a spontaneous account; do not stop a child who is freely recalling significant events.
- Make an accurate record of the information you have been given taking care to record the timing, setting and people present, the child's presentation as well as what was said. Do not throw this away as it may later be needed as evidence.
- Use the child's own words where possible.
- Explain that you cannot promise not to speak to others about the information they have shared.
- Reassure the child that: you are glad they have told you; they have not done anything wrong; what you are going to do next.
- Explain that you will need to get help to keep the child safe.
- Do NOT ask the child to repeat his or her account of events to anyone.

Consulting about your concern

The purpose of a consultation is to discuss your concerns about a child and decide what action is necessary. If you are concerned about a child, you must share your concerns. You have to talk to a representative of the **CLNR**. If he/she is implicated in the concerns, you have to discuss your concerns directly with Social Services.

You have to consult externally with your local Public Social Assistance Service in the following circumstances:

- when you remain unsure after internal consultation as to whether child protection concerns exist
- when there is disagreement as to whether child protection concerns exist
- when you are unable to consult promptly or at all with your designated internal contact for child protection
- when the concerns relate to any member of the CLNR.

Making a referral

A referral involves giving the Public Social Assistance Service or the Police information about concerns relating to an individual or family so that inquiries can be undertaken by the appropriate agency followed by any necessary action. In certain cases, the level of concern will lead straight to a referral without external consultation being necessary. Parents/carers have to be informed if a referral is being made except in the circumstances outlined above.

However, the inability to inform parents for any reason should not prevent a referral from being made. It would then become a joint decision with public institutions about how and when the parents have to be approached and by whom.

If your concern is about abuse or risk of abuse from a family member or someone known to the children, you should make a telephone referral to your local Public Social Assistance Service.

Confidentiality

The staff members have to ensure that any records made about a referral, have to be kept confidentially and in a secure place. Information about child protection concerns has to be shared on a “need-to-know” basis. However, the sharing of information is vital to child protection and, therefore, the issue of confidentiality is secondary to a child’s need for protection.

Failure to comply with the policy and procedures will be addressed without delay and may ultimately result in dismissal/exclusion from CLNR.

Steps to be taken by staff member who knows about or suspects child abuse

The following procedure has to be followed in case reasonable grounds exist for the reporting of suspected or actual child abuse.

- A staff member who has a child protection concern will bring the concern to the attention of the CLNR’s Designated officer at the earliest opportunity. Staff will also facilitate direct access to the Designated Person if requested by a primary carer or by a child or young person.
- A staff member who knows or suspects that a child or young person has been or is at risk of being harmed has to convey this concern to the Designated Officer who will report the information to the Public Social Assistance Service.
- If the suspected abuser is another staff member, the matter has to be brought to the attention of the Designated Officer and the Management.
- It is important that all staff are aware that the person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. Under no circumstances have any staff member attempt to deal with the problem of abuse alone.
- The staff member who initially expresses concern will be required to complete a file report, in consultation with the relevant Designated person, outlining the situation, including the date, time

and people involved. The report should be factual; any opinions must be stated as such and supported by factual information.

- A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable, must be communicated to the Public Social Assistance Service by the Designated Officer.
- Staff who report concerns to the Public Social Assistance Service are assured that they will not automatically trigger inappropriate child protection investigations.
- Under no circumstances should a child be left in a situation that exposes him or her to harm or to risk of harm pending intervention.

Steps to be taken by the Designated Officer

When the Designated Officer receives a report about suspected or actual child abuse has to consider whether there are reasonable grounds for reporting it to the Public Social Assistance Service. It will be helpful to discuss the matter with a professional, such as a social worker, who can assist in deciding whether or not to formally report concerns to the Public Social Assistance Service. This may involve:

- Clarifying or getting more information about the matter. Recording and treating the information as confidential;
- Where there is any doubt or uncertainty, consulting informally initially with Public Social Assistance Service to hear its view of the situation;
- Making a formal referral to the Public Social Assistance Service;
- Informing parents about making the referral unless this would endanger the child. A suspicion, that is not supported by any objective indication of abuse or neglect, would not constitute a reasonable suspicion or reasonable grounds for concern. However, these suspicions have to be recorded or noted internally as future suspicions may lead to the decision to make a report and, in those circumstances, earlier suspicions may provide important information.

It is important to note that the ability of the Public Social Assistance Service to assess and investigate suspicions or allegations of child abuse or neglect will depend on the quality and extent of the information reported to them.

Monitoring and accountability

The CLNR's Designated Officer and Management Committee have the additional responsibilities:

- to appropriately put in place this document and make sure that it is accessible to any concerned person,
- to monitor and review the implementation of Safeguarding Children and Young People Policy and Procedures,
- to ensure that all staff have access to appropriate training/information,

- to make sure that sufficient resources are allocated to ensure that the policy can be effectively implemented,
- to receive staff and beneficiaries' concerns about safeguarding and respond to all seriously, swiftly and appropriately,
- to keep up to date with local arrangements, develop and maintain effective links with relevant agencies.

Policy's main monitoring aspects

The main aspects of Safeguarding Children and Young People Policy and Procedures that have to be monitored are related to:

- Safe recruitment process
- Staff training and support
- Compliance of the Safeguarding Children and Young People Policy and Procedures with the current legal framework and norms
- Assessing the reporting process of the safeguarding concerns and follow-up of the relevant cases
- Examining the need for reviewing the current report process based on the aforementioned assessment
- Inclusion of the staff and beneficiaries' views and opinions.