



**ZAVOD KROG izobraževanje, razvoj, dobrodelnost/  
Institute Circle**  
Ul. Hermana Potočnika 17  
SI – 1000 Ljubljana, Slovenija  
[www.zavod-krog.si](http://www.zavod-krog.si)



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# Child Protection Policy

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## 1. Introduction

It is the duty of Institute Circle (IC) to protect all children participating in or impacted by its activities. The purpose of this Child Protection Policy (Policy) is to provide a framework for ensuring that children (defined as any human being under the age of 18 years, see on definitions) are protected from all forms of abuse and exploitation in all IC operations, activities and programs. IC promotes the right of all children and that they have the right to be safe and protected, to develop their full potential, attend school and take part in mainstream society.

The IC is committed to protecting children from exploitation and abuse regardless of their nationality, culture, ethnicity, gender, religious or political beliefs, socio-economic status, family or criminal background, physical or mental health or any other factor of discrimination.

The IC is also committed to providing a safe environment for any child with whom it comes in contact, through implementing child-safe practices within its culture, programs and activities, policies and procedure.

This Policy applies to all personnel that are engaged by the IC, including its staff, consultants and volunteers. It also defines, what is expected from IC partners, suppliers and contractors with regard to child protection. This Policy is to be communicated to all relevant stakeholders. It is included as an annex to the global Staff Regulations and as such is part of the employment contract of all Employees. For all other personnel it is also an annex to the Code of Conduct and its relevant provisions are binding for all personnel required to sign the Code of Conduct.

### Scope of application

Everyone working with children has a basic duty of attention toward them. IC as an organization and all those working with IC must recognise the risks to children and assume responsibility for keeping them safe. In order to protect children from abuse and exploitation, IC, its staff and its partners must at all times conduct themselves with the highest levels of professionalism and integrity and always act in the best interests of the child. This policy aims to protect children from intentional and non-intentional harm or abuse. It applies to IC and to all those collaborating with IC, and notably service providers and partners. For people placed under IC's responsibility (people having signed a permanent or fixed-term employment contract with HI, family members accompanying international staff, consultants, interns, voluntary workers or international volunteers and people invited onto IC's premises or programmes), this policy applies to all situations, professional or otherwise, during and outside working hours. It is IC's responsibility to ensure that everyone is informed of the existence and content of this child protection policy.

## 2. Definitions

Child: A child is defined as a person below the age of 18.

Child abuse: is a general term covering all forms of physical and/or emotional ill-treatment, sexual assault, neglect or negligent treatment or 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.

Physical abuse: The actual or likely physical injury to a child or failure to prevent physical injury or suffering to a child.

Emotional abuse: The notion of emotional abuse includes verbal abuse, discrimination and psychological maltreatment. It refers to the actual or likely adverse effects on the emotional and behavioural development of a child caused by persistent or severe emotional ill-treatment or rejection.

Sexual abuse: refers to actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Neglect: refers to any act of omission or failure to provide, whether deliberate or otherwise, that compromises the health, security and development of a child, with due consideration to context, resources and circumstances. It refers to the on-going incapacity to satisfy the basic physical and/or psychological needs of the child resulting in a high risk of serious physical and cognitive disorders.

Child pornography material: material that depicts a person, or is a representation of a person, who is, or appears to be, under 18 years of age and is engaged in, or appears to be engaged in, a sexual pose or sexual activity, or is in the presence of a person who is engaged in a sexual pose or activity, and does that in a way that a reasonable person would regard as being, in all the circumstances, offensive.

Child labour: labour is regulated by such instruments as the International Labour Organization's Minimum Age Convention (N° 138) which sets the following age limits:

- The minimum age for admission to employment shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.
- The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or moral of young persons, shall not be less than 18 years. This age-limit may be reduced to 16 years, on condition that the health, safety and morals of the young person concerned are fully protected and that young persons have received adequate specific instruction or vocational training. In IC's Child Protection policy, child labour refers to the employment and work of children below the age of 15. IC is extremely vigilant with regard to this age limit in order, amongst other things, to preserve children's access to schooling and vocational training. Furthermore, and with due regard to national legislation, IC is careful to employ people over the age of 18 and encourages all those working in collaboration with IC to do likewise.

Participation by children in light work: This refers to children's participation in economic activity that does not negatively affect their health and development or interfere with their education. No economic activity is allowed for children under 12 (International Labour Organization, Convention 138).

Criminal exploitation: children being forced to participate in illegal activities such as forced begging, shoplifting and pickpocketing, cannabis cultivation, drug dealing. A child who is being abused may often experience more than one type of cruelty.

Commercial sexual exploitation of children: comprises sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as sexual object and as a commercial object. It constitutes a form of coercion and violence against children, and amounts to forced labour and a contemporary form of slavery.

Commercial exploitation: means 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. It includes, but is not limited to, child labour.

Child protection: an activity or initiative for the purpose of preventing or responding to a specific incident of child abuse

### 3. Policy statement: Prevention of violence against children and child exploitation and abuse

#### 3.1 General principles IC commits to a set of principles that derive from the United Nations Convention on the Rights of the Child (UNCRC) and its optional protocols:

- All children have equal rights to protection from abuse and exploitation;
- Everyone has a responsibility to protect and support children and to always act in the best interests of the child;
- Organisations have a duty to protect the children they encounter when implementing their activities. They must take all necessary steps to provide the children with the care and support they need and contribute towards a protective environment.
- Children are actors in their own protection and development, which does not exempt parents and educators from their responsibilities. IC is committed to the protection and promotion of children's rights and reaffirms its policy of zero tolerance of any form of child abuse.

The prevention of child exploitation and abuse by the IC will be achieved through the following:

- a) Internal communication of this Policy to all personnel;
- b) Training of personnel: All personnel should be given the opportunity to discuss the implications of this Policy for them with their manager, as part of their induction / orientation or as part of further personal development;
  - The IC provides training on child protection for its personnel, in order to ensure that the latter are fully aware of their responsibilities to protect children and how to report concerns or allegations about child exploitation and abuse;
  - This training, which can be done through the Learning Platform or other means as appropriate, will be mandatory for all personnel who will be in contact with children in the course of their duties;
  - Depending upon the functions of the personnel concerned, this training may be focused on awareness raising or may be more in depth;
- c) Concerning the recruitment of all personnel whose functions will require them to work with, or have access to, children:

- All endeavours will be made to conduct a criminal background check;
- When obtaining this background check is not feasible, due to the context or the short duration of the contract:
  - o The personnel concerned should sign a statutory declaration stating that they have never been convicted of, are not currently suspected of, or are not being prosecuted for any offence involving any type of harm to a child or children, and declare that there is no element which could affect their suitability to work with children;
  - o Careful consideration must take place about the appropriateness of the person working with the IC;
- Qualifications and reference checks of former employers should be sought and interview plans for recruitment should incorporate behavioural-based interview questions.

### 3.2 Awareness

IC undertakes to raise the awareness of all those with whom it is in collaboration and to ensure their understanding of the principles and provisions of this policy, as well as of the whistleblowing and monitoring procedures in place. Awareness-raising will notably include:

- Information for the above-mentioned persons on: – The United Nations Convention on the Rights of the Child (1989) and its optional protocols which constitute the frame of reference of our child protection policy.
- Specific awareness-raising of the following: – Children with disabilities have the same rights as other children and must be treated with dignity, respect, sensitivity and equity. – Gender-related vulnerabilities with regard to child protection. – Community-based programmes helping to ensure that children with disabilities have access to education, are not victims of forced labour and are given a voice.

### 3.3 Safeguarding

During the implementation of IC's activities, evaluations of the risks covered by this policy will be conducted as required. A risk mitigation strategy including safeguarding measures has been developed and integrated into the implementation of activities involving or having an impact on children so that the risk for children is minimised and the commitment to "Do No Harm" is respected. IC undertakes to include these safeguarding measures in its communication with its partners. IC ensures that its partners incorporate the notion of « Do No Harm » in their interventions.

## 4. Implementation and procedures

### 4.1 Recruitment, selection and induction

Before starting work with IC, each candidate shall undertake a secured recruitment process and submit to background checks. Anyone having signed a permanent or fixed-term employment contract with IC, accompanying family members, consultants, as well as interns, international volunteers and voluntary workers engaged by IC shall be informed of this child protection policy. IC's Code of Conduct also contains a clause concerning respect for children's right to be protected from abuse. The employment contract contains a clause stipulating that the employee undertakes to comply with this child protection policy.

Child protection policy applies to all staff, volunteers and collaborators and short-term or part-time experts, who are linked to the organisation in their quality of employees and who are bound by volunteer, civil or service contracts with IC.

All volunteers are obliged to read and sign the Code of Conduct and the Child Protection Policy. In first six weeks of their assignment, volunteers undertake an intensive programme learning about internal roles, responsibilities and restrictions, children's needs, recognising signs of abuse and learning reporting mechanisms. If volunteer fails to behave according to the Code of Conduct and the current policy, IC reserves the right to terminate their volunteer contract at any point of time.

#### 4.2 Report of breaches

All personnel who have reasons to believe that a child may be exploited or abused, or that the safety or well-being of a child may be at risk, as a result of an action or abstention of an IC personnel, have the obligation to report (Annex 2) it as soon as possible to the relevant authority in the IC. Police authorities should be contacted as well, if circumstances and the possible seriousness of the acts require this. All reports and concerns raised by both personnel and individuals in the community will be properly considered, documented, and treated seriously, with care, discretion and in a timely manner. The IC will take all necessary steps against any form of retaliation suffered by personnel or other persons reporting possible breaches of this Policy. Reports of child abuse and exploitation or violence against children committed by individuals who are not IC personnel and that are not committed in the context of IC activities should be reported to the police authorities: personnel doing so should be aware of the potential consequences of doing so, including for the safety of children, and should discuss with their manager as appropriate.

#### 4.3 Confidentiality

In all matters relating to this policy, the obligation of confidentiality must be respected. Therefore no information provided by children and/or other individuals about any form of child abuse shall be made public without the prior consent of the child /his or her parents / his or her legal guardian and/or the person reporting this abuse. The children (and their families) must be kept fully informed at all times of the process underway for handling the incident and of its outcome. Concerns, allegations or disclosures shall be reported in writing. Reports shall be as precise as possible, giving an exact account of what happened, how it happened etc. and including the sequence of events and all subsequent actions taken. All reports shall be kept under lock and key and access to them shall be restricted to Director. Any transfer of information (either verbal or electronic) shall be done in such a way as to guarantee confidentiality. Should the allegation concern staff from another organisation,

the Director shall decide how to approach the issue with the organisation concerned before reporting it to a third party, and with due regard to local legislation.

#### 4.4 Procedure with partners

IC shall not enter into a partnership agreement with organisations whose staff or members are liable to commit acts of abuse against children. Any proven allegations of such practices shall result in the termination of the partnership agreement unless the partner commits to and effectively ensures a radical change in behaviour. When selecting partners for our projects we check if there was any misconduct in their past activities, if they have a sound reputation, an ethical code for their employees or a child protection policy of their own, if this is the case. Moreover, all partnership agreements and service contracts include ethical aspects and obligations regarding children's safeguarding. If the scope of the partnership or the contracted services involves direct contact with children, the Child Protection Policy and the Code of Conduct have to be assumed and signed before commencing the activities. Should allegations of an incident or violation of children's rights take place during the partnership or contracted service implementation, IC reserves the right to conduct an investigation and terminate collaboration with partner immediately.

#### 4.5 Data Protection and Privacy

The organisation is committed to protect data privacy information (e.g., collected photos and videos) of children from unintentional dissemination and publication. Furthermore:

- The collection of personal data of children is legally based on the EU General Data Protection Regulation (GDPR) (EU) 2016/679 and the Austrian Data Protection Law (DSG).
- Before collecting personal data of children, the organisation has to ask for permission either from their parents or other people, who are in charge of their parental custody.
- The sharing of private information with other entities will not take place unless they are participants in the project or project partners. If this is the case, they are obligated to declare their confidentiality.
- The content of the declaration of confidentiality depends on the conducted project.

### 5. Standards for acceptable/unacceptable behaviour in relation to children

In addition to the rules mentioned in the Code of Conduct personnel must abide by the following standards concerning IC programs or activities involving children:

- All activities involving children are supervised by personnel, in particular same-sex personnel if this enhances the protection of children. The number and gender-balance of personnel will be determined according to the sex, age and capacity of the children, and should always be sufficient with the necessary skills and qualifications consistent with the scope of work / role expected. Wherever possible, more than one adult should be present when working in the proximity of children;



- No activity or programme is undertaken with children without the express written permission of their parents / guardians, or relevant authorities for street/unaccompanied children;
- Where the IC arranges for visits, no child should be left unsupervised with a visitor to a programme or event;
- In general, personnel are not allowed to work alone with a child somewhere that is secluded or where they cannot be observed. It is acceptable for personnel to work alone with a child where there are visibility panels / windows in doors. Efforts will be made to ensure that the lone personnel is the same sex as the child if this is considered to enhance the protection of the child in a given situation;
- Personnel should not invite unaccompanied children into the personnel's home, unless they are at immediate risk of injury or in physical danger and, in this case, the personnel involved should advise their supervisor of the need for such action;
- Personnel should not sleep close to unsupervised children unless absolutely necessary, in which case the personnel must obtain his/her supervisor's permission, and ensure that another adult is present, if possible the child's parent or guardian. In all cases, the personnel should be the same sex as the child/children;
- Personnel must use any computers, mobile phones, video cameras, cameras or social media appropriately, and never to exploit or harass children or access child exploitation material through any medium;
- Personnel must not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- Personnel must not use physical punishment on any part of the body of the child;
- Personnel must comply with all relevant labour laws in relation to child labour;
- Personnel must not hire children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury;
- Personnel must immediately report concerns or allegations of child exploitation and abuse and Policy non-compliance in accordance with appropriate procedures and laws of the country;
- Personnel must immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during their association with the IFRC that relate to child exploitation and abuse;
- When photographing or filming a child or using children's images for work-related purposes, the personnel must: obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. As part of this, the personnel must explain how the photograph or film will be used; assess and endeavour to comply with local traditions or restrictions for reproducing personal images before photographing or filming a child; ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive; ensure images are honest representations of the context and the facts; ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

## 6. Monitoring / Evaluation

Everyone has a responsibility for ensuring that the Child Protection Policy is implemented as set out in the policy and procedures outline in this document and as may be adapted to suit local conditions.

Policy and practices are monitored permanently. The Director is responsible for information on policy and practice, and for implementation of the policy in all activities related to their areas of organisational responsibility as well as for monitoring all matters relating to abuse within the IC network.

Emina Hadžić

Director

Version: 2

Ljubljana, 1.4.2015

## 7. Annexes

Annex 1:

### **Statement of Commitment to Institute Circle Child Protection Policy**

I, \_\_\_\_\_, have read and understood the standards and guidelines outlined in this Child Protection Policy.

I agree with the principles contained therein and accept the importance of implementing and promoting the child protection policies and practices contained within this document in my quality of employee/ volunteer/collaborator/ partner/ service provider while working or associated with Institute Circle. I understand that any failure to respect this policy may result in the termination of my engagement with Institute Circle, or further disciplinary or judicial proceedings as mentioned above.

Furthermore, I/we declare that I/we have no criminal records regarding an offence towards a child (which I/we have not previously declared) and nor do I/we know of any reason why anyone would deem me unsuitable to work with children.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Name)  
(Job title/role)  
(Signature)  
(Date)

Annex 2:

## SAFEGUARDING REPORTING FORM

If you have knowledge that a child might be at risk of harm, please complete this form to the best of your knowledge.

Please note that child protection concerns must be reported (orally or in writing) directly to IC Director (preferably within the same working day) – depending on the urgency, you may wish to complete this form before contacting the Director or you may wish to complete the report afterwards. Also use this form to report an accident or incident. An accident is an unplanned event that results in an injury or could have resulted in an injury or results in damage to equipment or property or harm to the environment. An incident is an unpleasant or unusual event. The report should be written and signed only by you to guarantee confidentiality. It should be sent only to the Director, who will hold it in a safe and secure place and treat it with the strictest confidentiality.

### ABOUT YOU

Your name: \_\_\_\_\_

Your job title: \_\_\_\_\_

Organisation you work for: \_\_\_\_\_

Nature of your contact with the child: \_\_\_\_\_

### Contact details:

Tel: \_\_\_\_\_

E-mail: \_\_\_\_\_

### ABOUT THE CHILD

Child's name: \_\_\_\_\_

Child's gender: \_\_\_\_\_

Child's age: \_\_\_\_\_

Child's address: \_\_\_\_\_

Child's parents/guardians: \_\_\_\_\_

Has any treatment been given to the child?

Treatment given by \_\_\_\_\_

Taken to hospital  YES  NO

If yes, which hospital and how taken \_\_\_\_\_

### ABOUT YOUR CONCERN, DETAILS OF THE INCIDENT

Was the incident:

Observed by you

Suspected

Disclosed by someone else

If the concern was shared by someone else, please state who and their relationship to the child:

\_\_\_\_\_

What happened? Give cause (how and why) if known - If you include personal observations please make a distinction between what is a fact and what is opinion or hearsay (e.g. child's emotional state, visible injuries, etc.): \_\_\_\_\_

Did the child/young person or another source say anything to you [if relevant] and how did you respond to him or her: \_\_\_\_\_

Date of the alleged incident: \_\_\_\_\_

Time of the alleged incident: \_\_\_\_\_

Location of the alleged incident: \_\_\_\_\_

Name of the alleged perpetrator (if applicable): \_\_\_\_\_

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

Are any other children at risk of harm? \_\_\_\_\_

Action taken by you: \_\_\_\_\_

Date:

Signature: :

Annex 3:

**Parental consent form**

Institute Circle proposing different activities involving your child. Before starting this collaboration, we need your consent, and also some important information from you to ensure that your child can participate safely and their welfare can be promoted. All information will be kept confidential and only shared with adults who need to know to make sure that your child is properly cared for. For the purposes of all trip and events a child is defined as anyone who is under 18 years old. Our guiding principle is that in all situations the best interests of the child are of the utmost importance. This means that in all actions and decisions we must consider the needs and rights of the child as the critical issue.

**Activity Consent** *(Please tick as appropriate) :*

- I/we give my/our consent for my/our child (name of child) to travel to and participate in Institute Circle activities.
- I/we authorize Institute Circle to be responsible for my/our child during these activities and authorise them to make decisions
- concerning any emergency medical treatment for my/our child which may be required during this trip.
- I/we affirm that I/we have full authority to give the consent provided for in this document.

**Media Consent** *(Please tick as appropriate) :*

- I/we give my/our consent for my/our child to take part in media activities which may include photographs, films, videotapes audiotapes, or other forms of recording and which may appear in print (such as newspapers) or online.
- I/we DO NOT give my/our consent for my/our child to take part in media activities.
- I/we confirm that I/we have read and understood the Parental Form, and agree to abide by its contents.

Name of the child .....

Date ..... at .....

Name and Signature *(names of parent(s)/carer(s))* .....