# CHILD PROTECTION POLICY

# &

# CODE OF CONDUCT



ALBANIAN INSTITUTE OF PUBLIC AFFAIRS

Scientia Potestas Est

INSTITUTI SHQIPTAR PËR ÇËSHTJET PUBLIKE

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# Authors:

**Amb. Gilbert GALANXHI**

**Msc. Ervjola OSMANAJ**

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# ABBREVIATIONS

**AIPA** - Albanian Institute of Public Affairs

**CPP** - Child Protection Policy

**CC -** Code of Conduct

**CR** - Child Rights

**SARPC** - State Agency for the Rights and Protection of the Child

**CPO** - Child Protection Officer

**CPU** - Child Protection Unit

**UNCRC** - United Nations Convention on the Rights of the Child

**DHD** - Declaration of Helsinki Document

**PCFHRF** - Paris Charter for Fundamental Human Rights and Freedoms

**HR** - Human Rights

**RCY** - Rights of Children and Youth

**RGW** - Rights of Girls and Women

**RPD** - Rights of Persons with Disabilities

**JJCC** - Juvenile Justice Criminal Code

# 1. BACKGROUND

Child abuse and exploitation are worldwide phenomena, which can happen at any time, in any country and society. There are four conditions which are usually being considered under child abuse phenomena and these conditions includes *physical abuse*, *neglect*, *emotional maltreatment* and *sexual abuse*. Meanwhile, the consequences of child abuse and the exposure to various negative experiences during their childhood, both immediate and long-term, have a serious impact on physical, emotional well-being, development and health status of the children.

Nowadays, children and adolescents can be potentially exposed and subjected to violence, neglect, exploitation and abuse in their families, communities, institutions, organisations, public and private places, by various circumstances and variety of people, including staff, support staff and personnel associated with these entities. In this regard, the Child Protection Policy and the Code of Conduct is one of the most important documents to be developed within the organization and within a public and/or private institute. This document serves as a guideline in order to protect, from any potential risk of abuse and exploitation, the children and adolescents involved in the activities of the institution. Furthermore, this document can serve as a good tool in order to protect the staff involved in the activities/projects/programmes where children and young people are part of it.

# 2. INTRODUCTION

The Albanian Institute of Public Affairs - AIPA is a non-profit institution established in March 2011, under the umbrella of Barleti University. During its work AIPA has been committed to influence the process of democratization of Albanian society by improving the policy-making process in the country at local and central level, as well as by increasing the capacities and strengthening public participation in all social activities of public interest. AIPA promotes democratic values and principles, education and civic awareness, the implementation of the Declaration of Helsinki Document (DHD) and the Paris Charter for Fundamental Human Rights and Freedoms (PCFHRF), the United Nations Convention on the Rights of the Child (UNCRC), as well as other national and international standards, taking into account the regional cooperation and European integration, also through the activation of diaspora and economic diplomacy. Furthermore, AIPA Institute throughout its work promotes the respect for human rights (HR), the rights of children and youth (RCY), the rights of girls and women (RGW), and the rights of persons with disabilities as well (RPD).

# 3. DEFINITIONS

- **Child/Children**

According to the UN Convention on the Rights of the Child, a child is defined as ***every person under the age of 18 years***. This means that all people under the age of 18 years are entitled to the protection guaranteed by the Albanian Constitution and the provisions of the Children's Act.

- **Young person**

According to the Law 75/2019 "Youth Law in Albania", in the Republic of Albania ***every person aged between 18-29 years old*** is considered young person/youth.

- **Child Protection**

The concept of child and youth protection is being used to describe the standards, guidelines, and procedures for the protection of children and youth involved in several activities and projects. In this case, the concept of Child Protection means that AIPA Institute will ensure that every children and young people will be protected from any harm caused intentionally or/and unintentionally. Furthermore, AIPA Institute will ensure that the staff, the volunteers, during the project implementation will not expose children or young people to the risks of harm and abuse.

- **Child harassment and maltreatment**

The concept of child harassment or child maltreatment consists in all forms of physical and/or emotional ill-treatment, sexual abuse, and neglect, 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.

- **Child abuse**

Child abuse is being considered any behaviour that harms a child (in this case anyone under 18 years old). Child abuse it can take many forms, including as follows:

- ***Physical abuse*** **-** it includes shaking, hitting with hands or objects, slapping, punching, burning, drowning, suffocating, or any other form that can cause physical harm to a child.
- ***Emotional abuse*** **-** it includes the persistent emotional ill-treatment of the child in order to make the children to feel like they are worthless or/and unloved, inadequate, or valued.
- ***Sexual abuse*** **-** it includes the forced involvement of a child into a sexual activity, even when the child is aware of what is happening.
- ***Child Pornography*** **-** it includes the engagement of the child in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes. Photographs, images, magazines, books, drawings, movies, videotapes and computer disks or files that contain inappropriate content for children can be included as child pornography.

- ***Bullying -*** it includes hurtful behaviours which are being repeated over a period, and it can take many forms such as physical, verbal and emotional.
- ***Child exploitation for profit reason -*** it includes any activity or work where the child is being used for the benefit of others, including the child labour.
- ***Neglect -*** it includes negligent treatment or maltreatment of a child, including the failure to provide adequate food, clothing, shelter, medical treatment, or supervision. Neglect also includes Physical, Medical, Educational and Emotional.
- ***Child trafficking -*** it includes the recruitment, harboring, transportation, provision, or obtaining of a child for labor or services through the use of force, fraud, or coercion.
- **Direct/indirect contact with the child and the adolescent -** direct contact with the child means being in the physical presence of a child/children and/or adolescent whether the contact is occasional or regular, short or long. This includes meetings, conferences, workshop-s where the children or adolescents are present. Meanwhile the indirect contact with the child means having sensitive and/or accessing sensitive data and information about the children/adolescents.

# 4. ALBANIA'S LEGAL FRAMEWORK

Albania is among the countries that has made a huge progress when it comes to the protection of children rights. During the recent years, Albania has establish not only a structured national legal framework but also has established the proper child protection system by building the institutions for the protection of the children in national and local level, such as the State Agency for the Rights and Protection of the Child (SARPC), the Child Protection Units (CPU) as well as the Child Protection Officers (CPO).

Furthermore, the Albanian Parliament has approved a number of laws and articles which guarantee the rights of the children and the mechanisms for their protection and rehabilitation, as follows:

***Article 54 of the Albanian Constitution*** includes the right of every child and young people to be protected from all forms of violence, abuse, and neglect.

The core legislative and policy framework around child protection was significantly reinforced in 2017, with the adoption of the ***new Law on the Rights and Protection of the Child.***

***The Juvenile Criminal Code (JCC)*** which is approved in 2017, establishes a criminal justice framework for children, in compliance with the UN Convention on the Rights of the Child (UNCRC) and other international standards.

Furthermore, ***the Law on Social Services in the Republic of Albania*** defines the rules on the provision and delivery of social care services by paying attention in particular to children in emergency situations.

# 5. CHILD PROTECTION POLICY

The Child Protection Policy and Code of Conduct defines the responsibility that the organization working with children and adolescents (youth) have to take in order to make sure that their staff, volunteers, and projects/programmes as well do no harm to children and young people, they do not expose children to the risk of harm and abuse. Furthermore, this document obliges the organization to report to the appropriate authorities any concerns that the organization might have regarding the children's and adolescents (youth) safety, within the communities in which they work.

In this regard, the organisations and the professionals working or being in direct/indirect contact with children and adolescents (youth) are obliged to ensure a safe environment and to make sure that the staff and volunteers involved, have read and understand the Child Protection Policy and the Code of Conduct. Therefore, this document is absolutely important to be as an integral part of the work with children and adolescent during the project and activity implementation.

## 5.1. The importance of CPP and CC

The Child Protection Policy and Code of Conduct is very important for an organization and public and private institution as well, because it helps to:

***Build child-safe projects/programmes and environment*** by making all the projects and programmes designed to minimize the risk of harm to the children and youth who are involved in the activities of the organization.

***Reduce the risk of harm by staff, volunteers and associates*** by make it clear through the Child Protection Policy the codes of conduct, recruitment procedures, training and internal communications that child abuse by staff, volunteers and associates will not be tolerated.

***Run safe events and activities for children*** aiming at providing children and youth with fun and/or educational experience.

***Ensure good practice when using media*** in order to minimize the risk of inappropriate use of information, stories and visual images (photographs, video or social media) of children and youth. In this regard, images of children must not show them in states of undress or in inappropriate poses, details attached to images and included in stories must not allow the child to be traced to his or her home or community, identifying information such as buildings, street signs or landmarks should not be included in an image and make sure you have been given permission by children and their parents/careers to take their image and use their information.

## 5.2. The standards of Child Protection Policy

### *STANDARD ONE: POLICY*

Every organization should have a clear policy based on which will function and operate. In this regard, the organization that, part of their activities/programmes/project, has the children and young people have to develop a policy that describes how is committed to prevent and respond appropriately to harm to children and young people during the work with them. This standard is one of the basic standards that every organization should apply.

### *STANDARD TWO: STAFF/VOLUNTEERS*

One of the most important components of the organizations and institutions are the people. In this regard, the organization should define very clearly the responsible person/s, within the staff who will work with children and young people, including the Child Protection Officer as one of the most important components of the case management chain.

### *STANDARD THREE: PROCEDURES*

For the organizations working with children and young people, is very important to create a child-safe environment by ensuring the maximum safety is possible for children and young people. In this regard, the implementation of the child protection policy, code of conduct and the safeguarding procedures will make possible to protect not only the children and young people but the organization and its staff as well.

### *STANDARD FOUR: ACCOUNTABILITY*

Every organization working with children and youth should monitor and review its Child Protection Policy and safeguarding measures, at least, every two years, in order to improve the procedures, to learn from the challenges as well as to provide a qualitative service and a safe environment for the children and young people involved in the activities of the organization.

# 6. THE SCOPE OF CPP

The Child Protection Policy and Code of Conduct of the Albanian Institute of Public Affairs is one of the most important safeguarding documents and in this regard it applies to all staff currently working within AIPA, including the Executive Director, the Manager, the Coordinator, the project experts, etc. This document applies also to the steering board members, the interns and volunteers engaged with AIPA and the consultants or trainers engaged in the activities of AIPA as well.

## 6.1. The staff and volunteers

The staff (internal and external) and the volunteers as well, when they start working or/and getting

engaged with the Albanian Institute of Public Affairs - AIPA have the obligation to read, accept and to be committed to our Child Protection Policy and Code of Conduct. Our CPP and CC is a mechanism, condition and a principle, in order to work or get engage in activities and projects where children and young people are involved.

In this regard the staff and volunteers will be required to fill the statement where they will express their commitment and readiness to implement the safeguard procedure while they will be working or getting engaged with AIPA.

Furthermore, they will be required to sign a personal declaration stating any criminal conviction, including the past convictions, if they are applicable, as well as they will be required to provide the Director of AIPA with the Criminal Record document, taken by the Ministry of Justice.

Meanwhile a Child Protection Officer (CPO) will be appointed in the organization and this person will be responsible for the promotion of the Child Protection Policy and Code of Conduct. The CPO will also be responsible for the implementation of the CPP in the organization as well as will be responsible to report to the Executive Director all witnessed, suspected, or alleged violations of AIPA's Child Protection Policy. Furthermore, this person will monitor the implementation of the CPP and will held the training sessions with the staff about the CPP and CC.

At AIPA is very important to have a friendly and collaborative environment and in this regard the managerial staff of AIPA will take serious measures toward any behavior of the staff and the volunteers that will violate the ethical code of the organization.

## 6.2. Behaviour protocols

Any staff employed, experts, consultant, volunteers, intern, steering board members, who has direct and/or indirect contact with children and young people will be informed and trained about the Child Protection Policy and Code of Conduct. In this regard, they will be provided with the **Statement of Commitment** to AIPA, the **Declaration of Criminal Conviction**, the **Abuse Report form** and the **Consent Form**. These documents are mandatory to be part of the work with children and young people during the activities where they will be involved.

## 6.3. Informing and capacity building

Informing sessions, training and capacity buildings are essential for AIPA in order to implement the Child Protection Policy and Code of Conduct. In this regard, the process will include the following steps:

- *For the current employees an informing session will be conducted in order to inform them about the Child Protection Policy and Code of Conduct of the organization.*
- *For the new employees the training sessions will be conducted within 3 weeks of taking the position.*

- *For the volunteers and interns the training session will be conducted in the first week of their engagement with AIPA.*

The procedure will include the information and training sessions on the Code of Conduct for those in direct contact with children and young people as well as the guidance about the sensitive data sharing. During the training the staff will also be empowered in order to help children, young people and their family members, in case that they might need help, by identify sources of support for them as well as by getting in contact with these sources.

# 7. CODE OF CONDUCT

The code of conduct is a clear, concise and direct guide regarding the behaviors and practices that are allowed and accepted and regarding those which are not allowed and accepted to be done during the work with children and adolescents in the organization or in a public and/or private institution.

In this regard, all staff, experts, volunteers and intern should agree to the code of conduct when they are employed or/and engaged in the activities/project/programmes of the organization. As it is already mentioned in this document, the acceptance, the understanding and the implementation of the Child Protection Policy is an essential element of an organisation in order to reduce or eliminate the risk of child abuse occurring. Furthermore, at this point it should be made very clear what action the organisation will take if the code of conduct is broken or not followed correctly. Furthermore the staff who work for organisations with a Child Protection Policy and Code of Conduct need to follow that code within and outside the workplace. This means adopting appropriate behaviour themselves and reporting on concerns they have about a child, whether in workplace or outside. This can often present a challenge for the staff but it is very important to understand that the organisation is creating an environment that contributes to keep all children safe.

Below, please see the table of ***Does*** and ***Don't*** while working with children and young people, as follows:

| DO | DONT'S |
|---|---|
| Be aware what is child abuse and exploitation and know their signs. | Abuse or exploit a child or youth or behave in any way that places a child or youth at risk of harm. |
| Be aware of potential risks and take appropriate action in order to minimize and to eliminate the risks. | Work overnight with a child or adolescents as well as sleep in the same room or bed with a child or youth. |
| Create a friendly and safe environment where the concerns and challenges can be easily raised and discussed. | Do things for Children or Youth of a personal nature that they can do for themselves |
| Contribute to create an environment where children and youth are respected and encouraged to discuss their concerns and rights by treating them without discrimination. | Exchange money, gifts, employment, goods or services for sexual favour with a child or youth, including other forms of humiliating, degrading or exploitative behaviour or any other behaviour that could be deemed exploitative of a child or youth. |
| Work with Children and Youth to define the behaviours which ate acceptable and those unacceptable with the staff of the organization. | Offend, insult, humiliate or degrade a child or youth or perpetrate any form of emotional abuse towards them. |
| Report to the organization any concerns involving protection against Abuse of Children and/or Youth (whether by Organizational staff or by Children and/or Youth) and take appropriate actions. | Discriminate or provide favourable treatment to one child or youth. |
| Ensure children and youth are well-informed and participate in the decision-making and the types of intervention agreed upon. | Restrain A Child or Youth to participate in activities or projects, where other children and adolescents are participating. |
| Be aware of potential peer abuse (discrimination, bullying, harassment and violence). | Discipline a child or youth by using any form of physical contact, or emotional or psychological pressure, abuse or intimidation. |
| Obtain the written consent from the child, young person and parent when photographing, filming, or requesting sensitive data for the activities. | Kiss and hug or obligate a child to kiss and hug the staff of the organization. |
| Ensure that there is a minimum of two staff members present in the meetings with children or young people. | Touch a child in different parts of the body. |
| When participants are invited to stay overnight, room sharing arrangements are agreed in advance and with consent form of | Be alone with a child and/or adolescent. |

| | |
|---|---|
| the parents/legal guardians and children and young people themselves. | |
| Ensure that when children or young people with disabilities participate that all buildings are fully accessible for them. | Do not take photos, film, or request sensitive data or personal information if they are not required for AIPA's activities. |

# 8. PRINCIPLES OF CPP

The rights and the dignity of children and adolescents must always be respected and the staff of AIPA will never be allowed to use any discriminatory or degrading language. In this regard the staff of AIPA will apply the following principles during their work with children and young people:

- *All children have equal rights to protection from harm, abuse and risk.*
- *Everybody has a responsibility to support the protection of children and the implementation of the Child Protection Policy and Code of Conduct.*
- *Organisations have a duty of care to children with whom they work, are in contact with, or who are affected by their work and operations.*
- *If organisations work with partners they have a responsibility to help partners meet the minimum requirements on protection regarding their children safety.*
- *All actions on child safeguarding are taken in the best interests of the child, which are paramount.*

# 9. ANNEXES

## *Annex 1. Statement of Commitments to AIPA*

I, _____, have read and understood the Child Protection Policy and Code of Conduct and I agree with the principles contained. Furthermore I accept the importance of implementing and promoting the child and youth protection policies, procedures and practices while I'm working or associated with Albanian Institute of Public Affairs - AIPA.

I also understand that by accepting the Child Protection Policy of AIPA will involve me in the following steps: undergoing a check for criminal convictions; signing a personal declaration stating any criminal convictions, including those considered 'spent'; declaring any previous investigations or allegations made against me with respect to child protection issues; and providing two-character references by the previous employer.

Name/Surname_____

Job title/role_____

Signature_____

Date_____

| | |
|---|---|
| **Referee Name:** | **Referee Name:** |
| **Address:** | **Address:** |
| **Contact Number:** | **Contact Number:** |
| **E-mail:** | **E-mail:** |

## ***Annex 2. Declaration of Criminal Conviction***

Have you ever been convicted of a crime?

**Yes_____**

**No_____**

If yes, please provide details of all criminal convictions, including those considered 'spent', and declare any previous investigations or allegations made against you. These data will be kept confidential, by the Child Protection Officer at AIPA.

After the declaration, the staff of AIPA will assess whether they pose any risk or are not in the same line with the work principles of AIPA, according to the Child Protection Policy and Code of Conduct.

# *Annex 3: Safeguarding and Abuse Report Form*

If you have information that a child might be at risk of harm, please complete the Safeguarding Report Form. Furthermore, please note that this form can be used to report an incident or accident where children and young people are involved. In order to guarantee confidentiality this form should be written and signed only by you and should be sent only to the CPO within the organization.

## 1. Information about you

Your name:_____

Your job title:_____

The organization you work for:_____

Your contact with the child:_____

Phone number:_____

E-mail: _____

## 2. Information about the child and/or adolescent

Name/Surname: _____

Gender: _____

Age: _____

Address: _____

Parents/guardians: _____

Has any service been provided to the child and/or adolescent?

**Yes_____**

**No_____**

If yes, the service is provided by:_____

Has the child and/or the adolescent taken to the hospital?

**Yes_____**

**No_____**

If yes, which hospital, who took it and how taken:_____
_____
_____

## 3. Information about the abuse

Details about the situation happened:

Date of the situation:_____

Time of the situation:_____

Location where the situation happened:_____

Name of the perpetrator (if applicable):_____

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

**Yes_____**

**No_____**

If yes, give further details:_____

Signature:_____

Date:_____

## ***Annex 4. Consent Form both for children and parents***