CENTRE FOR EUROPEAN CONSTITUTIONAL LAW
THEMISTOKLES AND DIMITRIS TSATSOS FOUNDATION

Child Safeguarding Policy

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Contents

Child Safeguarding Policy 2

I. Introduction 2

1.1. Purpose of the policy 2

1.2. Engagement of the CECL with children 2

1.3. Definitions 3

II. Principles that guide CECL activities 4

III. Measures to safeguard the welfare of children 5

3.1. Preventive actions - mainstreaming child safety into CECL activities 5

3.2. Ensuring child safety in the implementation of CECL activities 8

3.3. Reporting procedure and complaint mechanism 9

IV. Monitoring of the implementation of the child policy 11

V. Review of the policy 11

Child Safeguarding Policy

I. Introduction

1.1. Purpose of the policy

The policy sets out the general principles that guide CECL´s activities and the preventive and responsive activities that the CECL undertakes to promote and safeguard the well-being and safety of all children with whom it comes in contact, directly or indirectly, in the framework of its programmes and operations.

The present document describes policies and relevant procedures that regulate the organizations' operations, so that no harm is caused to children, regardless of gender, race, country of origin or religious belief.

1.2. Engagement of the CECL with children

The **Themistocles and Dimitris Tsatsos Foundation – Centre for European Constitutional Law (CECL)** is a non-profit research organization with the aim to promote the development of democratic institutions, fundamental rights and the welfare state; to deepen European integration; and to strengthen international cooperation under the principle of respect to the cultural identity of each state. The specific objectives of the Foundation are to provide institutional know-how and capacity-building to public bodies in Greece, developing countries and member-states of the European Union, to undertake theoretical and applied research in the fields of Greek, European and comparative public law and public policies; and to promote public awareness on developments in the European area. To this date, the Foundation participating in numerous European and National Projects has undertaken research, consulting and institution-building projects and maintains an active network of collaborating institutions and highly qualified experts.

More specifically, the activities of the CECL include

- Scientific research in specific thematic fields
- Training and participation in research networks
- Organisation of international conferences and meetings
- Scientific publications
- Institution and capacity building projects
- Consulting

Moreover, a Training Department operates within the structure of CECL, the objective of which is to transfer specialized know-how and new skills to legal practitioners, entrepreneurs and business managers.

The CECL implements extensive research and capacity building activities on fundamental rights issues, including the protection of children's rights. In particularly,

focus is merely placed on combating discrimination and racism towards vulnerable children (migrant children, children with disabilities, unaccompanied children, Roma children and children that live on the limit of poverty) and promoting their social inclusion through targeted activities.

In particular, in order to achieve the above-mentioned objectives, children might be involved in a set of activities as research subjects focusing on protection measurements, legal framework and national policies on children's wellbeing. These activities include:

- Fieldwork research which consists of qualitative interviews, focus groups discussions and participatory observations.
- Capacity building and empowerment workshops.

The policy outlines the ways in which the CECL safeguards the well-being and safety of all children with whom it comes in direct or indirect contact in the framework of its programming and operations. The present document describes policies and relevant procedures that regulate the organizations' operations, so that no harm is caused to children, regardless of gender, race, country of origin or religious belief.

1.3. Definitions

Child: Anyone under 18 years of age[1]

Child Safeguarding: the responsibility to ensure that staff, operations and programmes do no harm to children, do not expose children to the risk of harm and abuse and that any concerns about children's safety are reported to the competent authorities.[2] This includes both preventative actions to minimize the chances of harm occurring, as well as responsive actions to ensure that incidents which may happen are appropriately handled and reported. The "do no harm principle" refers to organizations' responsibility to minimize the harm they might be doing inadvertently as a result of their organizational activities.[3]

Child abuse includes actions or omissions which directly or indirectly harm children or damages their prospect of a safe and healthy development into adulthood

Sexual abuse is the involvement of a child in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of,

[1] In accordance with national law and in alignment with United Nations Convention on the Rights of the Child definition of a child.
[2] Keeping Children Safe Coalition 3 – www.keepingchildrensafe.org.uk
[3] Ibid

sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Adult males do not solely perpetrate sexual abuse. Women can also commit acts of sexual abuse, as can other children.

Physical abuse is the non-accidental use of physical force that deliberately or inadvertently causes a risk of/or actual injury to a child. This may include hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing non-accidental physical harm to a child. Physical harm can also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness or temporary, permanent injury or disability of a child.

Emotional abuse involves doing harm to a child's emotional, intellectual, mental or psychological development. This may occur as an isolated event or on an ongoing basis. Emotional abuse includes but is not limited to any humiliating or degrading treatment (e.g. bad name calling, threats, yelling/screaming/cursing, teasing, constant criticism, belittling, persistent shaming etc.), failure to meet a child's emotional needs, and rejecting, ignoring, terrorizing, isolating or confining a child.

Child exploitation is an umbrella term used to describe the abuse of children who are forced, tricked, coerced or trafficked into exploitative activities. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity; (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator.

II. Principles that guide CECL activities

The CECL Child Safeguarding Policy is based upon the following principles:

- All children have equal rights to protection and to have their wellbeing and participation promoted.
- Any activity that results or may result in any kind of harm and/or abuse of children is strictly prohibited.
- All actions regarding child safeguarding must be taken in the best interest of children. This includes an understanding that in all our programmes and activities we must ensure that we respect children's rights and do not cause harm.
- The policy is mandatory for all those who work for or on behalf of CECL, including staff and partners.
- Although training, advice and support will be provided, everyone should actively participate so that they can carry out their responsibilities towards safeguarding children.

- We work within the framework of international and national laws and policies regarding safeguarding.
- All reports of concern regarding the safety and protection of a child will be taken seriously. Where necessary, appropriate steps will be taken to protect the child and to take action against the alleged perpetrator.
- Child Safeguarding must be integrated in all aspects of organizational work, including recruitment, management and behaviour of staff.

III. Measures to safeguard the welfare of children

3.1. Preventive actions - mainstreaming child safety into CECL activities

Child safeguarding runs across the whole organisation and the concept of thinking about safeguarding - and reducing risk – has been embedded in everything that we do, from recruiting a staff member, to selecting a partner, through to running an activity and designing and implementing a programme or other institutional activity.

3.1.1 Child safety in research and capacity building activities

This section considers the actions that need to be taken to ensure that safeguarding is included in research activities

1. Child participation includes the involvement of children in the whole research process and conduction research specifically on and with children.
2. Children should participate in research activities as active social agents rather than 'objects of research' and consequently their abilities and autonomy needs to be respected.
3. The acknowledgement of the potential of children's contribution and of their needs is at the heart of a child-centred research approach, where children are central to all elements of the research process.
4. Large heterogeneity of childhood needs to be taken into account that includes the awareness that the notion and understanding of the degree of children's competence, independence and autonomy differ across cultures and are also likely to influence the research approach.
5. Clear and unambiguous agreement of the child to participate after receiving child-friendly information about the research and ensuring that he/she has fully understood everything
6. Information about the research to members of the organizations, potential participants (children and parents) on its purpose and benefits, as well as on participants rights (there is the option of a self-report survey to measure parental understanding)
7. Information to institutions/organizations who shall enable access to children or even participate (e.g. schools, leisure centres)

3.1.2. Child safety and human Resources

This section sets out the specific obligations and responsibilities for all adults working with/for CECL, including Board members, senior management, staff members, external experts or consultants and interns, regardless of their contractual relationship with the organization (full or part time, paid or unpaid).

1. The Safeguarding Policy applies to all those working with or on behalf of CECL. By agreeing to work with/for the organisation, it is implied that the terms and conditions of the Safeguarding Policy have been accepted as a condition of involvement.
2. All new employees must be properly informed about their obligation to comply with the present Child Safeguarding Policy.
3. All staff members will be given the opportunity to be regularly updated or reminded of child safeguarding policies and procedures, either formally, through relevant trainings and capacity building activities, or informally through team meetings and discussions with supervisors.
4. Staff members must avoid age-inappropriate language with children, as well as any inappropriate body contact. Professional boundaries should always be respected.

3.1.3. Recruitment procedure

Pre-selection procedure

- ⇨ Job posts are based on a detailed analysis of tasks and the level of contact with children (if relevant),
- ⇨ Job descriptions clearly detail the organization's values and commitment to its Child Protection policy,
- ⇨ References are asked for all candidates which are kept in HR files and then destroyed in accordance with the applicable data protection rules.
- ⇨ All applications are checked to ensure that they are fully and properly completed,
- ⇨ All applications are considered with regard to any history of gaps or repeated job changes without clear reasoning,
- ⇨ A short list of candidates is prepared.

Evaluation and selections procedure

- ⇨ Selection of potential partners/staff members/external experts/consultants etc. is based on an interview procedure in which among others candidates' ability to work with children is assessed through focused questions,
- ⇨ All candidates must be made aware of and understand the principles of the organization's values and policy,
- ⇨ All candidates are obliged to bring with them to interview their identity.

During the interview, the interviewer explores any gaps and changes in employment history, as well as any discrepancies arising from information supplied by the candidate. After the selection is completed, the candidate is asked to send copies of documents confirming any necessary or relevant educational and professional qualifications and once all pre-employment checks are completed, an offer is sent to the candidate which includes the detailed Child Safeguarding Policy.

Induction and training

After the recruitment procedure is completed, the new staff is obliged to attend a 1-day induction workshop on CECL's policies, practices and procedures including the Child Safeguarding policy.

Furthermore, apart from the induction workshop which is obligatory for joining the CECL's staff, extra trainings are provided to all staff on a yearly basis. This can include an updating on the institutional framework and international and local laws related to sexual exploitation (including child exploitation), abuse GBV etc.as well as on information on how to report any incident of abuse or exploitation.

3.1.4. Child safety and projects

CECL programmes and projects, along with their respective activities must take into consideration any potential risk of harm towards children at all stages, from initial programme/project design to implementation and evaluation phase.

1. Safeguarding must be considered at every stage, from project/programme design and must be reviewed regularly as part of the monitoring of the project's implementation. In this framework risk assessment checks are conducted during the design phase of a project/programme, the implementation phase as well the closure phase in order to identify areas that are of high risk of child exploitation or abuse.
2. Child safeguarding policies should be taken into consideration for partners identification purposes. When reaching out to partners, particularly for proposal development and potential future collaboration in projects that entail direct contact with children, the project manager in charge needs to assess whether the partner in question is in alignment with CECL Child Safeguarding Policy and overall philosophy as regards child protection. Once the checks are completed, potential partners are asked to declare their commitment to the CECL's Child Safeguarding Policy.
3. All designed and implemented activities should be age-appropriate and safe for children. Respective checks are also conducted.
4. Parental Consent Form (or that of a legally appointed guardian) must be obtained in written and in a language understood by the guardian, prior to conducting activities that require children's participation.
5. Any service provision and/or activity that provides internet access should not expose children to risk of harm and abuse, such as online grooming or

exposure to pornography. Access to age-inappropriate content should be denied and protective filters should be placed in advance. Relevant IT equipment to which children have access must be placed in a public area, where it can be supervised by adults.

6. Child protection policies and procedures will be subject to regular monitoring and evaluation to ensure proper actions are taken, to properly document any issues or concern and to channel lessons learned back into programming, either for better future design or for re-calibration of existing activities.

3.1.5. Child safety and dissemination & Communications activities

This section considers the actions that need to be taken to ensure that safeguarding is included in dissemination and communication activities and material.

1. All staff members and external experts must ensure that the safety of children will not be in any way compromised by disseminating or publishing images, videos and/or content of them.
2. Children's right to privacy should be respected at all times. No image, video or any other type of content should be disseminated or published unless the parent, legal guardian or the person responsible for the child provides explicit permission to do so. The objective and use of content must be explained to the guardian in advance, in a language that he/she can understand. Children have the right to refuse taking part, even if the responsible adult consents.
3. All dissemination and communication material and content must respect children's dignity.
4. Media or communication material should not include information that could be used in order to identify children depicted or their location. Such information includes children's full name, their address or any either easily identifiable sign that could be used to locate them.

3.2. Ensuring child safety in the implementation of CECL activities

3.2.1. Ethical research

Research on and with children has to respect the following ethical issues:

- Protection of the best interest of the child, both in the research process and in the dissemination of its results.
- Informed consent to ensure that participants in research are aware of any potential implications of their involvement (by the same token to protect researchers from liability.
- Equity and non-discrimination. Selection of children should reinforce equality and non discrimination and provide the possibility to all children despite their

language abilities, social behaviour and skills to participate in the activities so as to combat exclusion and unequal treatment.

- Respect of children and their views. Methods and processes that best facilitate children to express their views must be preferred.
- Sense of 'ownership'. Children must be told how the results of the research will be used and be involved in a way that they understand that they are contributing to something important.
- Methodological limitations. It is unethical to carry out data collection if the design will not achieve the research objectives. Methodological limitations must be considered carefully, including the potential effects of power relations between children and adults.
- Need for trained researchers: Specialists should provide and monitor training to guarantee full respect of ethical issues, especially the best interest of the child.
- Data analysis: Participatory methods especially with young children involve different techniques (drawings, notes from observations and/or games, videos, pictures) which have to be analysed using specific instruments and competences.
- When children with particular vulnerabilities, e. g. children separated from their parents, in detention, etc. can be involved in research only if it 'worthy', and ethical, namely if the research design (including analysis) is feasible and research objectives can be achieved in the best interest of the children themselves.

3.2.2. Data protection

The information that is collected during the above mentioned activities will only be used for research purposes. All interview data is stored in a code-protected file accessible only to persons (administrators, researchers) responsible for project management, research and quality control of findings / procedures. Pseudo-anonymization techniques are used to save the files. Contact details will only be used for managing the research procedures, they will be stored separately they will not be transmitted to any other organisation and will be destroyed after data collection and quality control has been completed.

The Data Protection Officer (DPO) of the CECL is Ms. Zoi-Anna Kasapi. Any concerns may be raised in written at the email address dpo@cecl.gr.

3.3. Reporting procedure and complaint mechanism

This section applies when a concern is reported that the child safeguarding policy is not being implemented or a child protection incident is reported (i.e. where a child may be or is at risk of abuse and actions may be necessary to ensure that the child is protected).

- Concerns and reports may be received from a number of sources – including staff, partners, children and families/community members. All concerns and reports must be taken seriously. If any of them have concerns that a staff member or other associate partner has been or is at risk of being abused, exploited or harmed in any way, they must report it.
- All potential, actual or suspected concerns must be reported within 24 hours. In cases of imminent danger for the safety of the child, the report must be submitted immediately
- When concerns are raised or reports made, importance must be placed on CONFIDENTIALITY, both of the referrer and also the child(ren)/adults involved. Information must be shared strictly on a need to know basis as necessary to ensure the child is kept safe and appropriate assistance is given.
- Concerns may be raised in written at the email address centre@cecl.gr to the attention of Maria Mousmouti, Executive Director.

Reporting procedures as provisioned by the Greek legal framework will be followed. More specifically, any case of child abuse will be reported to the competent authority, namely to the Hellenic Police (ypa.daa@hellenicpolice.gr). CECL is not a child protection agency or organization and does not have the power to conduct any investigations of child abuse. For this reason, the CECL is obliged to follow the instructions provided by the Hellenic Police. More specifically, once a concern is raised, the CECL:

- CECL refers all cases to dedicated and appropriate professionals and organisations (Hellenic police and Prosecutor's Office-Juvenile Division),
- CECL ensures that all case management decisions are based on safety of the child and his/her best interest,
- We keep calm and choose a private and safe place to discuss with the child,
- We believe what the child tells us and we do not investigate the child.
- We only ask open-ended questions and do not guide the child (e.g., we ask "what happened next?" we do not ask "what else did he do to you?)
- We do not express any judgment about the perpetrator and his actions.
- We do not ask question that begins with the word "why?" or phrases like "why ...", etc.
- We explain to children that there are many other children that had the same experience with them and that there are people who can help,
- We explain to the child that we should turn to the competent authorities for help and thank him for the trust he has shown in talking to us.
- We report any incident of child abuse immediately. We have an obligation to do so and no excuse to hide it.

IV. Monitoring of the implementation of the child policy

All CECL staff and everyone working with or on behalf of CECL has a responsibility to ensure that children are safeguarded from any kind of harm or abuse and remain at all times accountable, towards CECL's beneficiaries and children in particular.

All concerns should be reported in accordance with procedures outlined in this document.

V. Review of the policy

The present policy is reviewed on a three-year basis as well as whenever a change in the national, European or international institutional framework is made in order to remain relevant to context and reflect any significant change that may take place in relation to CECL's strategic priorities or project/programme management cycle.

This Child Protection Policy has been reviewed and approved by:

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Xenofon Contiades

President of the Board of Directors