

# **Child Protection Policy of the Foundation for Freedom**

## **Preamble**

The basic assumption of the Child Protection Policy (hereinafter referred to as ‘CPP’) is to guarantee that all children have the right to respect, dignity and protection against all forms of physical and mental violence, discrimination, abuse, exploitation and neglect.

At the Foundation for Freedom, we believe that adequate protection of children is possible thanks to the commitment of all our employees and collaborators. In our work, we are guided by the broadly understood well-being of children and concern for them. Protecting children and their rights is everyone's responsibility, and the provisions of the Child Protection Policy set out in this document apply to everyone working and cooperating with our Foundation.

## **Basic concepts**

**Child** – any person who has not completed 18 years of age (UNCRC, 1989) regardless of the age of maturity recognized by the country of origin

**Foundation** – Foundation for Freedom

**Board** – Board of the Foundation for Freedom

**Employee / collaborator** – any person employed by the Foundation under an employment contract, civil law contract, any cooperation or volunteering contract, members of the Board, interns and all persons acting on behalf of the Foundation

**Child abuse** – any action or omission causing a child to suffer physical or mental harm, consisting of: in the physical sphere – experience of pain and / or damage to health and life; in the mental sphere – humiliation, discrimination, unequal treatment, ridiculing, excessive criticism, shaming, isolation, etc.

## **Rules of the relationship between an Employee / collaborator and a child**

1. Each Employee / collaborator is obliged in relations with children that:
  - a. any physical contact with the child respected their individuality, freedom and dignity and only to the extent necessary for: effective assistance, e.g. in the field of physiotherapy; the form of classes, e.g. physical contact related to workshop activities; ensuring safety or performing necessary hygiene and care activities; the physical contact referred to above should take place with the consent of the child and the parent or legal guardian,
  - b. verbal communication with the child took into account developmental needs, language barriers, cultural differences, intellectual capabilities and was carried out with respect for the child's abilities and deficits,

- c. all children regardless of their origin, skin color, gender, language, social and legal status, religion, etc. are treated with equal and full respect for dignity.
2. The following behaviors of the Foundation's employees / collaborators towards children are unacceptable:
  - a. any behavior that may have any signs of harming children,
  - b. giving the child medicines, alcohol, cigarettes or any psychoactive substances,
  - c. establishing sexual relationships, sexual abuse, sexually provocative behavior,
  - d. participating in and / or accepting illegal activities in which a child is involved,
  - e. consenting to the behavior of other people towards the child that causes harm to a child or leads to harm,
  - f. hosting a child in one's home (except in exceptional and justified situations and with the consent of the parents or legal guardian, if it is possible to obtain such consent, and after obtaining the consent of the project coordinator / Board member),
  - g. accompanying the child on a trip in the absence of the parent / legal guardian (does not apply to trips related to organised activities and exceptional situations, and with the consent of the parent / legal guardian, if possible).

### **Rules for the protection of personal data and the child's image**

1. Each Employee / collaborator is obliged to keep the child's personal data confidential and to protect it against unauthorized access.
2. The child's personal data are protected in accordance with the provisions of law in force in Poland, in particular in accordance with the Act of 10/05/2019 on the protection of personal data and the Regulation of the European Parliament and of the EU Council 2016/679 of 27/04/2016, the so-called GDPR.
3. Every child has the full right to privacy and protection of personal rights. Recording the child's image and making it public is possible only after the parent or legal guardian gives written consent and the child gives oral consent, provided that his / her psychophysical development allows it and after informing the child and their parents / legal guardians about where the image will be placed and for what purpose it will be used.
4. The image of a child must always be presented with respect for dignity. The child must not be depicted partially clothed or in provocative poses.
5. An Employee / collaborator, while children are under their care, cannot allow third parties to record the image of children without the consent of parents or legal guardians.

## **Code of conduct in the event of child abuse**

1. In the event of receiving information about child abuse or reasonable suspicion of child abuse by any person (Employee / collaborator, parents, legal guardians, actual guardians, other children, third parties) or violation of CPP rules by Employee / collaborator, each Employee / collaborator is strictly obliged to immediately notify the direct superior i.e. the coordinator of a given project, as well as a Board member, and in the event of a direct threat to the health and life of the child, first of all to immediately notify the Police or the Prosecutor's Office, and then the direct superior and a Board member.
2. An Employee / collaborator who notified the direct superior and the Board member in the situation referred to in the first part of the sentence of point 1 above, in consultation with these persons (and, if the superior and / or a Board member considers such a necessity, with participation of other persons, in particular employees / collaborators of the Foundation who have contact with a given child, a psychologist, another Board member, a lawyer) agree on the method of further action with the child's well-being and safety in mind. In particular, they agree on actions that will result in notifying the child's parents / legal guardians, persons managing the center where an Employee / collaborator conducts activities with a given child, public institutions / offices dealing with foreigners and the protection of children rights, including the Police and the Prosecutor's Office, Office for Foreigners, Ombudsman for Children, etc. The activities referred to in the previous sentence should be documented in writing, e.g. a note. After taking the agreed actions, the Employee / collaborator who still has contact with a given child monitors the threat to the child's safety, in a manner agreed with the superior and a Board member, and whether the person / entity that received information about child abuse / suspected abuse takes action to ensure that the child is safe, and reports the observation results to their direct superior and a Board member. Should it be found that the child's well-being and safety are still at risk, the actions referred to in this point should be repeated, taking into account the effectiveness of the previous actions and should be carried out until the child's safety is ensured.
3. Each case of violation of the CPP rules by an Employee / collaborator is subject to explanation by a Board member and direct superior, i.e. the project coordinator. If the violation concerns the project coordinator, the explanation is conducted by a Board member with another designated employee / collaborator, and in the event of a violation of the CPP rules by a Board member, the explanation is conducted by another Board member with another employee / collaborator designated by that Board member, or by two persons i.e. employees / collaborators designated by another Board member.
4. When explaining a case of CPP violation, the Foundation is guided by the best interests of the child and a zero-tolerance policy towards child abuse. Persons explaining a case of violation strive to fully and reliably determine the facts and, for this purpose, obtain information from persons affected by the violation and direct and indirect witnesses of the violation. In justified cases, a person suspected of violating CPP should be removed from working with children until the violation is clarified. Each reported case of CPP violation is documented by the person conducting the investigation and stored in the Foundation's archives for a period of 5 years, ensuring the protection of personal data as sensitive data.
5. In the event of confirmation of a violation of the CPP by an Employee / collaborator, which is not a prohibited act in accordance with the provisions of law in force in Poland,

the Board, depending on the degree of violation and the circumstances surrounding the violation, may: issue a warning, apply to the employee a penalty provided for in the Labour Code, decide to terminate the contract between a given person and the Foundation.

6. In the event of confirmation of a violation of the CPP or a justified suspicion of a violation of the CPP by an Employee / collaborator, which is also a prohibited act in accordance with the provisions of law in force in Poland, the Board shall notify the Police or the Prosecutor's Office and the parents or legal guardians of the child.
7. Any action within the Foundation aimed at ensuring the welfare and safety of the child should be undertaken immediately.

### **Requirements for the Foundation's Employees / collaborators regarding the prevention of child abuse**

1. The Foundation ensures that the Foundation's employees / collaborators have appropriate qualifications and skills to work with children and that they share the values that guide the Foundation's activities, including the values regarding children's rights to protection against harm.
2. Each candidate for an Employee / collaborator who may have contact with children sends his CV and, if possible, references along with consent to checking them.
3. Each candidate for an employee / collaborator submits a written declaration of no previous criminal record.
4. Each candidate for an Employee / collaborator who may have contact with children is subject to verification in the Register of Sexual Offenders (hereinafter referred to as the 'Register') with limited access, which is performed by a Board member or another designated person. The verification is documented by a printout from the Register, which is kept in the personal file. The Foundation does not cooperate with persons that appear in the Register.
5. The Foundation obtains a certificate from the National Criminal Register regarding persons who are employees / collaborators working directly with children, when it is required by applicable law. The Foundation does not cooperate with persons who, according to the certificate from the National Criminal Register, have a criminal record.

### **CPP implementation**

The Child Protection Coordinator at the Foundation for Freedom is Magdalena Zaborowska-Gumieniak, who is responsible for implementing and supervising the Child Protection Policy. She speaks Polish, Russian and English, and you can contact her via email: [magda@fundacjadlawolnosc.org](mailto:magda@fundacjadlawolnosc.org) or by phone at +48 534 101 012 regarding any aspect of the Child Protection Policy. Places in Poland where you can get help in the event of domestic violence:

- [www.niebieskalinia.pl](http://www.niebieskalinia.pl), ph. +48 22 668 70 00, [pogotowie@niebieskalinia.pl](mailto:pogotowie@niebieskalinia.pl)
- Foundation 'Dajemy Dzieciom Siłę', hotline for children and teenagers 116 111, [www.116111.pl](http://www.116111.pl)

# Foundation for Freedom

## Child protection policy - reaction scheme

You find out about a child being harmed/you suspect that it's being harmed

No direct life and/or health threat

You notify your direct superior and a member of the board (email, note)

The member of the board and the coordinator determine the composition of a team which will define further actions

Direct life and/or health threat

You notify the police or prosecution

You notify your direct superior and a member of the board (email, note)

The team defines further actions (note), ex.:

- notifying the persons of authority in **the centre**
- notifying **public institutions**, ex. police and prosecution
- notifying governmental offices, ex. Office for Foreigners, the Ombudsman, the Children's Ombudsman,
- the procedures of **monitoring the safety** of the child and **the actions** taken by notified persons

You monitor the safety of the child and the actions taken by notified persons

You provide your supervisor and a member of the board with the conclusions from your observations (note, email)

Conclusions are negative - the health and life of the child remain threatened

The team defines further actions again, taking the negative conclusions into account. The actions are repeated and adjusted to the situation until the child is provided with safety.

Conclusions are positive

Congratulations - you helped the harmed child!  
Still, **you remain alerted** - the threat could come back.

REACT AS FAST AS POSSIBLE

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