

Approved by  
General Meeting  
of Charity Foundation "Aspern" members  
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## **RULES OF ORGANIZATION FOR CHILD PROTECTION**

### **Introduction**

This document is based on the UN Convention on the Rights of the Child, the Constitution of Ukraine, the Family Code of Ukraine, and the Law of Ukraine "On the Prevention of Domestic Violence".

The rules of the organization for the protection of children - this is a written regulation to help protecting the children of our organization. This document is the basis for the development of a structure for alerting, responding, ethics of the behavior of employees and volunteers working with a child, activity on prevention and education, raising a child's motivation to openly talk about violence.

With this document, we reaffirm our commitment to protect the rights of children and youth.

This document is a directive document, binding on all employees and volunteers of the organization who are involved in the process of working with children and defines the rules of conduct and requirements for employees and volunteers.

The Foundation Aspern provides social protection for children, youth and people in need of support, including families.

The purpose of the Foundation Aspern is to protect children from all types of violence; prevention of violence; studying the facts and consequences of various types of violence and ways to overcome them.

The key goal of the organization is to take care of children - orphans, children deprived of parental care, children in single-parent and large families - the most vulnerable category of the population.

The beneficiaries of our organization are children and youth who are in difficult life circumstances or are in the risk category from 0 to 23 years old, as this is the most vulnerable category, which is in the zone of greatest risk.

The policy was developed in 2016 and revised in 2019.

### **Commitments of an organization to protect children's rights**

- Recognition of the dignity and rights of the child, respect and care, concern for their observance.
- Make every effort to create a safe environment for children and young people, to protect them from any kind of violence.
- Work with children and young people as part of these rules. Child protection is included as a constant topic in all programs of the organization.

- The organization promotes the observance by parents, relatives and other legal representatives of the rights and obligations to ensure the well-being of children and youth.

### **1.1. Principles of the organization for the protection of children**

In its activities to protect children, the organization is guided by the following basic principles:

1. All children have equal rights, including the right to protection from neglect, exploitation and violence.
2. Each employee, volunteer, guest and representative of the partner organization with whom we work is personally responsible for protecting children from all forms of violence.
3. In all our actions, child safety always prevails.
4. We listen, take into account and analyze the opinions of children, take them seriously, which helps to prevent and protect the child from violence.
5. We attract children to discuss issues of their protection and provide them with the opportunity to build trusting relationships with us.
6. We support the rights of employees and volunteers to participate in training and professional development on the application of child protection rules.

### **1.2 Keys**

In the framework of the policy of protecting the rights of children, we are guided by our rules with the following concepts that are defined by the legislation of Ukraine.

**A child** is a person before reaching adulthood. “A child is considered to be a minor under the age of fourteen to eighteen years old,” “a child under fourteen years old is considered to be an infant” (Family Code of Ukraine);

**Abuse** in relation to the child - physical, moral, psychological, economic, sexual, spiritual, Internet - violence and neglect.

**Victim of violence** - a child who has suffered physical, sexual, psychological, Internet - or economic violence from an adult or other child.

**Prevention of violence** - a system of special social events aimed at eliminating the causes and conditions contributing to the commission of violence against a child; measures to end violence against a child that is being prepared or has already begun; implementation of measures to prosecute the perpetrators of violence.

**Physical violence** is an action or inaction directed at a child by parents or persons replacing them, educators or other persons with the aim of causing physical injuries, various bodily injuries that harm the child’s health, disrupt his development and pose a risk to life.

These actions can be in the form of beatings, torture, blows, slaps, bites, burning hot objects (e.g. burning cigarettes), actions using liquids or various objects as instruments of torture, threats of weapons, threats to harm relatives or friends.

Physical abuse also includes involving a child in the use of drugs, alcohol, the provision of toxic substances or drugs that cause intoxication (for example, sleeping pills, are not prescribed by a doctor), as well as attempts to strangle or drown a child.

The inaction that causes violence should include the provision of necessary assistance, including medical assistance, untimely elimination of negative factors and conditions that pose a threat to the health and life of the child (for example, a window without glass in the room, the ceiling in the room in critical condition). The absence of the provision of necessary food, etc. should also be attributed to physical violence.

**Psychological (emotional) violence** is a constant or periodic verbal abuse and neglect of a child, humiliation of his human dignity, accusation of what he is not guilty of, demonstration of dislike, hostility to the child, threats from parents or their substitutes, teachers, educators, relatives or friends.

This type of violence also includes constant lying, deceiving the child (as a result of which she loses confidence in the adult), putting forward demands on the child that do not correspond to his age abilities.

To some extent, hypnosis can also be attributed to psychological violence.

**Sexual abuse** - the use of a child (boy or girl) by an adult or other child to satisfy sexual needs or to benefit.

Sexual violence includes sexual intercourse (coitus), oral and anal sex, mutual masturbation, and other bodily contact with the genitals.

Sexual violence also includes involving the child in prostitution, porn business, baring genitals and buttocks in front of a child, peeping at her (him) when she (he) is unaware of this: while undressing, performing personal hygiene activities.

This type of violence includes not only various forms of sexual intercourse, but also too much affection, a demonstration of pornography.

**Economic violence** is the deliberate deprivation of a child's housing, food, clothing and other property, as well as a violation of his legitimate interests.

Economic violence includes the establishment of an irregular working day, non-payment of wages, exploitation of the child's labor, complete deprivation or limitation of the child's means, control of income and "strict dosing" of financial costs, imposing on the child an economically limited way of living without significant need, control over the child through money, refusal or delay in the payment of alimony.

**Spiritual violence** is the humiliation of a way of thinking, beliefs that are valued to a person, as well as discrimination on the basis of religion, national, racial and class affiliation or origin.

**Neglect** is a form of abuse in which parents or their substitutes do not ensure the child's right to education, personal health, restrict the child's freedom of action and movement, treat him like a slave or servant, and make it impossible to communicate with friends, for no reason do not communicate with the child to fully neglect in communication, prohibit leaving the house, control the child's access to other people (grandparents, peers, brothers / sisters, father / mother).

**Online violence** is a source of the spread of violence among children through free access to the Internet, chat rooms and social networks in which children can freely communicate with dangerous people, as well as receive videos or stories containing elements of violence, cruelty or pornography.

Online violence also includes molestation or "courtship" on the net (grooming). This implies that the adult gains the child's confidence in order to use it for his sexual satisfaction in future.

Also, Internet violence includes mockery, insults, intimidation, that is, psychological terror aimed at causing fear in another peer and thereby subordinating him (bullying) and etc.

### **1.3. Scope of application**

These rules apply to all staff, volunteers, and partners of the organization.

The staff is -

- members of the Management Board;
- staff
- involved outside specialists, interns and consultants;
- volunteers, trainees.

Partners are -

- local communities;
- state and non-state structures;
- representatives of business structures;
- media representatives;
- parents / guardians, guests and visitors.

## **2. Prevention of violence.**

### **2.1. Risk assessment procedure**

While preparing and developing projects, programs and services, the organization carries out a risk assessment in terms of protecting children from violence.

All activities that are carried out in organization aimed at reducing risks for children and adults, become a victim or author of a situation of violence, as well as strengthening the factors that contribute to their protection in such situations, the danger of violence or neglect of children.

Each project coordinator or responsible for the event is required to conduct a risk assessment and inform the responsible person of the organization for the protection of children's rights.

If a high risk is identified, the project or activity that was planned is postponed or canceled. If there is medium risk, we are working to reduce it.

### **2.2. The procedure for hiring, inspections of personnel and other persons involved in working with children**

In order to prevent violence against the child, we have created an environment that shares the values of our organization. We are focused on the right approach when selecting and training employees.

Our organization ensures that we apply the highest standards in our recruitment and inspection policies.

When announcing a competition for a vacant position in our organization, we note that our organization has child protection rules and high obligations to comply with these rules. During the interview with the candidate for the position, we ask to provide 2 letters of recommendation and contacts of persons who can attest to these recommendations. The recruitment procedure is based on the rules for ensuring the safety and protection of children in the organization.

When hiring an employee for work in the organization, previous experience with children is taken into account. This applies to those who will be in direct contact with children. During the interview the issues of protecting children's rights, understanding by the candidate of these concepts and obligations of the organization are discussed.

A candidate for any position (employee or volunteer) must report whether he was previously in court or under investigation.

Volunteers, student interns, consultants, interns, and involved professionals go through the same verification process.

### **2.3. Staff Information and Training**

Informing and training staff, volunteers, experts, consultants, trainees, interns regarding the Rules of the Organization for the Protection of Children is organized with the aim of acquiring skills, competence and experience and is an integral part of the child protection policy.

In Charity Foundation Aspern there is a responsible person who organizes the mandatory familiarization with the Rules. During the first week, personnel must undergo proper training, study the Rules, ethics of personnel conduct and sign, confirming their understanding and agreement with them (Appendix 1).

Through training and exchange of experience, our employees are able to:

- distinguish between types of violence and their manifestations;
- create a trusting and confidential atmosphere for determining positions and expressing opinions on various aspects of violence;
- promote the development of qualities in children that will help them turn to the organization's staff for help if they face any form of violence;
- help children identify and use internal and external resources to overcome difficult life situations, especially those in which violence occurs;
- help children personally apply to government bodies on their own or through the organization's staff.

The Foundation Aspern continues the ongoing exchange of experience between employees.

### **2.4. Raising awareness among parents**

Parents, family, and close environment are crucial in protecting children's rights.

CF Aspern informs, educates parents and legal representatives of the child on:

- rights and obligations of parents to protect children from violence;
- forms, types of violence, identification of neglect and humiliating treatment;
- parenting, non-violent communication as an alternative to child abuse;
- development of parental potential and positive paternity;
- actions when committing violence.

### **2.5. Informing and educating children**

According to the norms of Family Law, a child, in case of violation of his rights and interests, can independently apply for protection to the guardianship

authority, other state authorities, local authorities and public organizations, and if a child reaches the age of 14 years, directly to the court.

Children should be aware of their rights and obligations, be protected from all forms of violence, neglect, exploitation.

For children (if necessary) taking into account age and psycho-emotional state, the staff is trained and intended to talk about:

- forms and types of violence;
- behavior which is acceptable and which is not, and how to act if violence occurs;
- communication skills, conflict resolution;
- managing emotions, establishing relationships;
- protection of one's rights;
- be motivated relating to the safety of their lives.

The organization provides children with the opportunity to anonymously express their opinions on suspicion of violence. The responsible person monitors (if necessary) and gives children feedback (if necessary).

## **2.6. Personal data management**

The preservation of personal data is a significant element of effective child protection practices. The organization precisely determines the need to document any suspicion regarding one or more children, the status of this information and the conditions under which it should be transferred to other bodies.

In case the employee has information about potential violence or observes its symptoms, he should document the case as accurately and quickly as possible, clarifying the context of the situation and details regarding the date, time and place of the incident, as well as information about the measures taken.

Alleged cases of violence, neglect, exploitation, traffic of a child are recorded by the institution in the "Violence Reporting Register", which records letters of petition indicating the sender, date and time of registration, date and time of departure, the specialist who accepted the message and who sent it. Information about the case is also filled out, and how each specific case was resolved.

These documents are stored in a confidential folder which is available only to the President of the Fund, 2 vice presidents, the project coordinator and the person responsible for protecting the children's rights. In order to protect the child, all information for each child should be stored as part of the monitoring process.

If the child is transferred to another institution, a copy of these documents will be made and it will be sent to the new institution. This copy will be marked as confidential and will be addressed to the head of the new institution (if necessary).

Based on a written request from the authorized bodies, the Foundation provides personal data (child profile, certificate of achievement, etc.). However, the Foundation may refuse to issue personal data on the basis of the Personal Data Protection Act if it considers that the request is not justified.

## **2.7. Rules for photo video shooting during public events with children**

Words and thoughts of children and young people are important for employees of CF Aspern and are used to better understand their problems. For this reason, employees talk with children and sometimes take photo and video shooting to better document the situation. Children / young people are presented in a positive light, without mentioning what causes them awkwardness, shame, unpleasant memories and experiences. In the case of delicate situations and situations of a negative nature, which may affect the health and well-being of children (violence, accident, crime, abuse, etc.), the identity of the children is kept confidential (personal data are not communicated, for example, name and place of residence, the face covered, the voice changed).

As part of some events, the Foundation holds meetings of children with media representatives. Before contact with children is established, journalists are informed about the rules for communicating with them, about the rules of the organization for protecting the children's rights, and about the need to protect the identity of children in the presence of delicate or negative situations. The responsible employee also prepares the children for a meeting with reporters, explaining to them that communication with media is their right, but not their obligation, so at any time they may refuse to give interviews or answer questions. Employees must be present during the communication of journalists with children (interviews, shootings, photo shoots) and, if necessary, can stop the interview.

At the same time, our organization takes the written consent of the parents / other legal representatives to conduct interviews and use video recording / photos of the child. (Appendix 2).

## **3. Management of the situation (actions in case of child abuse or suspected violence)**

When it comes to the abuse by parents, guardians /caregivers, the right of parents to privacy is no longer valid.

In this case, the duty of each employee of the organization is to intervene with the means available to him in order to protect the child from violence.

### **3.1. The organization's actions in cases of suspicion or detection of violence**

Each employee or volunteer who has discovered or suspects violence against organization's children or outside the organization should report this to the child protection officer or the project coordinator in the organization or its manager.

In the case of violence against a child, the organization must conduct a quick internal investigation. Management, in turn, must adequately and timely respond to the situation.

If an employee, a volunteer is suspected, then the head of the organization must remove the suspect from performing official duties during the investigation of the incident until the situation is clarified.

If the fact of violence is not proved, the employee of the organization, the volunteer will continue to perform their duties.

If a direct threat to the life or health of the child is identified within or outside the organization, the person responsible for protecting the rights of children informs the project coordinator, the President of the Foundation, and then the Children and Family Affairs Service.

The decision on the immediate removal of the child from parents is made by the local authorities in accordance with applicable law.

Parents or other legal representatives of the child are informed of the case of violence by the relevant local authority.

The organization created a working group (multidisciplinary team) - the commission for the protection of children's rights. This group includes the president of the CF Aspern, a person responsible for protecting the rights of children, all project coordinators, and a psychologist. This commission considers all cases that are fixed and determines the algorithm for working with each case.

### **3.2. The basic principles of the first intervention / communication with the child**

*First:* Tact in dealing with a child in private, and guarantees of protection.

*Explanation:* First of all, you should tactfully talk with the child in private. Since the offender may be a member of his family, guardian / caregiver, relative, teacher, you should not expect the child to immediately tell about the fact of violence.

Find out from the child if he wants an adult to be with him when talking with a representative of the competent authority (an adult must be with the child while talking with internal affairs authorities).

*Second:* Do not lose psychological contact with children, do not leave a small person alone with "adult" problems and create a safe place.

*Explanation:* The child should constantly be made aware that there is a place where he is always loved, accepted and understood. Allow the child to speak freely, do not press on him for information. Try not to "give out" the child - the offender should not know that the information came from him.

*Third:* Serious attitude to the child and establishing a trusting relationship.

*Explanation:* Calm and support the child with words. Prove to him that he did the right thing by telling you about his problem and say that you understand him, trust and take his problem seriously and will do everything to solve it and you intend to take action.

*Fourth:* Do not make promises that you cannot fulfill.

*Explanation:* Patiently and honestly answer the child's question, show special delicacy, the child should not experience more violence for his statement, because as a result of this he will completely lose confidence. Give promises that can be fulfilled about the real possibility of a way out of the situation.

*Fifth:* Do not try to conduct an investigation yourself.

*Explanation:* It should be planned together with the CF Aspern's commission for the protection of the rights of children, employees of the guardianship authorities, the service for children and family affairs, juvenile prevention.



## **4. Appendices**

### **Appendix 1. Ethics of the staff conduct to protect children from violence**

CF Aspern creates and maintains a caring and safe environment for the child, free from abuse and all exploitation.

#### **Inappropriate behavior**

Unacceptable behavior of the organization's employees and partners (parents, volunteers, interns, consultants, trainers, assistants, experts, partners, donors, media, adults who come into contact with children, service providers, etc.) In relations with children:

- hitting or using other forms of physical violence against a child or inciting one child to use violence against another, pushing, tweaking, pulling hair or ears, etc.
- emotional violence: screaming, humiliation, ridicule, abuse, threats, destruction of personal items, etc.
- obligations or incitement of the child to participate in various acts of a sexual nature (pornographic films or photographs, sexual relations, sexual contacts, etc.).
- sexual violence: physical, verbal or non-verbal behavior, creates an unpleasant, humiliating, insulting atmosphere, degrades the dignity of the child (looks, vulgar remarks, obscene jokes, hints, touching intimate places).
- attracting or encouraging children to engage in any type of illegal activity: labor exploitation, purchase, sale or use of alcohol, tobacco or drugs.
- manifestation of discrimination against some children: the exclusion of some and the promotion of others on the basis of ethnicity, religion, language, learning outcomes, social status of the family, reputation of parents, etc.
- spending time alone with the child (in the classroom, dorm room, an invitation to go home or isolated places, home visits when the child is alone at home, etc.) Despite the fact that the organization recognizes that sometimes it is necessary to interact with the child face to face, staff / volunteers should not spend too much time alone with a child / young person. The doors should be left open and another adult should be informed about this meeting, or it may take place in a public place, where there is sufficient protection for the child (for example, a bench on the territory of the institution, the hall of the institution, etc.)

This list is not exhaustive and does not provide for other possible situations of interaction between an adult and a child and spending a long time alone with a child. The basic principle is that employees of the organization and other adults who come in contact with the child should avoid actions and behaviors that can be violent or harm the physical and emotional development of the child.

#### **Desirable behavior**

It is important that in dealing with children, adults:

- are open, show a friendly attitude.
- listen and take into account their opinion, involve in decision-making.

- build their work on the basis of unconditional respect, dignity and integrity of the personality of children, actively defend their fundamental human rights, which are determined by the Universal Declaration of Human Rights.

- evaluate the behavior and achievements of children in an effort to strengthen their self-esteem and self-confidence, to show opportunities for improvement, and to increase learning motivation.

- maintain confidentiality with respect to information, do not disseminate their personal data (unless required to provide a report, internal or external). In this case, by confidentiality we understand that information should be transmitted in accordance with the criterion of "only authorized persons", as provided for in the reporting procedure. Confidentiality is a topic that should be presented for discussion and a clear understanding to everyone who works with children, in particular in the context of protecting children. In this regard, the purpose of confidentiality is to protect the child. Organization staff should not guarantee confidentiality and should not make promises to keep children's secrets confidential when it comes to protecting the child, because if this problem exists, it should be reported to the coordinator, and, if necessary, to authorized persons.

- intervene to stop any act of violence or discrimination against children observed by them and report this to responsible persons (in accordance with the reporting procedure).

- stimulate and support the independence of children by offering them tasks that they will cope with exactly according to their age abilities.

- organize a space in which you work with children in such a way as to reduce the risk of violence: to ensure the visibility and transparency of events held with children, to leave doors open, invite another adult (teacher, parent) to talk with the child, invite other children etc.

- talk with children about protection against violence, about acceptable and unacceptable behavior, and what they can do in case of a problem.

### **Principles of application in case of physical contact**

It is especially important that in all relations with children the organization's staff maintain a balance between the rights of the child and the necessary intervention.

As a general rule, it is accepted that any physical contact between staff and a child should be in response to the needs of the child, not the adult.

When physical contact can be used to create a comfortable, calm state of a child or to assist him, it is necessary to additionally evaluate a number of factors in order to decide whether such physical contact is permissible:

- it is accepted by a child,
- manifests itself openly, not in secret,
- corresponds to the age and level of development of the child.

Employees of the organization should not carry out anything concerning the child personally if the child can do it himself.

Unsuitable physical contact also implies hard, gross physical games, tickling, fighting, etc.

All children should be treated equally with respect - the phenomenon of "highlighting a favorite" in relation to children is not allowed.

**Annex 2.**

**Written consent of parents / other legal representatives to conduct interviews and use video recording / photography of the child.**

We, the undersigned,

Mother \_\_\_\_\_, other legal representative  
(last name, first name) (if necessary)

Father \_\_\_\_\_, other legal representative  
(last name, first name) (last name, first name)

Child \_\_\_\_\_,  
(last name, first name)

do not object that the words of our child and the photo-video with his image should be used in the materials of CF Aspern: brochures, posters, reports, films, articles for magazines or web pages, etc. (Write clearly "yes" or "no") \_\_\_\_\_.

I am informed about the possibility that, during events organized by the organization, my child may communicate with journalists about his rights. I agree that during these meetings my child will be photographed (clearly write "yes" or "no") \_\_\_\_\_, taken pictures (clearly write "yes" or "no") \_\_\_\_\_, asked (clearly write "yes" or "no") \_\_\_\_\_, and photo / video materials and interview content will be shown on TV, radio, published in newspapers or presented on the Internet.

Contact details

If necessary you can contact us by the following:

cell phone \_\_\_\_\_

home No (write code): \_\_\_\_\_

In case if it is impossible to reach us, you can contact the following person:

Last name, first name: \_\_\_\_\_

Contact phone: \_\_\_\_\_

received a copy of consent

Signatures:

Mother \_\_\_\_\_

Father \_\_\_\_\_

Foster parent (if necessary) \_\_\_\_\_

Date:

**Annex 3.**  
**Sample Report of Violence Suspected**

**Part 1: About yourself**

Last name, first name \_\_\_\_\_

Occupied position: \_\_\_\_\_

Your relationship to the child or young person: \_\_\_\_\_

**Part 2 : About child \ young person**

Name: \_\_\_\_\_

Female/male: \_\_\_\_\_

Age: \_\_\_\_\_

Address: \_\_\_\_\_

Who the child or young person lives with (family, foster parent / trustee, government institution, other) \_\_\_\_\_

**Part 3: Your actions**

Reasons for suspected abuse. Was the violence open or do you only suspect it? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Who was charged by the child /young man about the fact of violence? What exactly did the child / young man tell you? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Nature of suspicions / charges:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Observations made by you (for example, the emotional state of the child, any physical evidence): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Write what the child / young man told you and you told him:

\_\_\_\_\_

\_\_\_\_\_

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Any other information referred to the case:

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Were other children involved or aware of the fact of violence?

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Or did you inform parents, foster parents or other persons representing the legitimate interests of the child / young person? \_\_\_\_\_

Time and date of application:

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A person who is suspected of committing violence against a child / young person (last name, first name, position): \_\_\_\_\_

Your actions:

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**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

#### **Annex 4.**

##### **Recommendations in case of Internet abuse:**

- teach children to behave on the Internet in the same way as in real life;
- ask the child about his virtual friends, ask what's his purpose for using the Internet;
- explain to the child that his virtual friend may not be who he claims to be in real life, so the child must tell you if he is going to meet a friend from the Internet in real life;
- ask the child to tell you about any unpleasant situations associated with her communication on the Internet;

- propose to the child to think before sending personal information about himself and a photo to a virtual friend, because it is unknown where and how they can be used;
- explain that in the virtual world you need to be polite, not to break laws and not to do anything that can offend another person;
- be a friend to a child, take an interest in his hobbies and discuss the problems that arise;
- reinforce Internet security with passwords, codes, and content filtering.

## **Annex 5.**

### **Signs of child abuse, neglect and exploitation.**

Employees should pay attention to such features in the behavior of the child that may indicate abuse or violence against him:

- mental development does not correspond to the age;
- untidy, uncleanliness, the child is not dressed for the weather, not for the season;
- the child looks tired and sick;
- erratic behavior - the transition from a calm state to a sudden anxiety (as a fact of disturbed contact with other children)
- problems with study due to poor concentration of attention;
- attempts to protect himself when a child is removed his clothes;
- refusal of the child from a visual examination, complaints of health, hostility or fear of a possible offender;
- a convulsive reaction to a raised hand or a certain object, a shudder at the unexpected approach of an adult;
- excessive desire for approval, affection of any adult;
- hypertrophied care in relation to everything;
- cases of encopresis or enuresis;
- isolation;
- fear or, conversely, a demonstration of a complete lack of fear, risky, provocative behavior;
- unbalanced behavior;
- aggressiveness, uncontrollable rage, a tendency to destruction and violence; aggression in games with dolls, manifestations of violence against animals, other living beings, etc.