

# Safeguarding Policy for Children, Young People and Vulnerable Adults

Nadácia Otvorenej spoločnosti, Bratislava

Open Society Foundation

NOS – OSF



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# Contents

1. Background .....	4
1.1 OSF’s core protection principles and values.....	5
1.2 Definitions.....	6
1.3 What is child abuse and exploitation and maltreatment of vulnerable adults? .....	7
2. The need for a Safeguarding Policy.....	9
3. The scope of a Safeguarding Policy for Children, Young people and vulnerable Adults .....	10
3.1 Awareness.....	10
3.2 OSF’s Safeguarding Policy with respect to external partners.....	10
3.3 Risk Assessments and Safe Programme Design.....	11
4. OSF’s Safeguarding Policy for Children, young people and vulnerable adults .....	12
4.1 Staff and Personnel.....	12
4.2 Training and Education .....	12
4.3 Behaviour protocols.....	13
4.4 Management .....	13
5. Code of Conduct.....	15
6. Implementation .....	17
6.1 Implementation strategy: Reporting Procedures .....	17
6.2 Implementation strategy: The internal safeguarding procedure .....	18
6.3 Infographic: Reporting procedure .....	19
7. Communication and Media Guidelines.....	20
7.1 Principles.....	20
7.2 Informed Consent .....	21
7.3 Interviewing Children, Young people and Vulnerable Adults.....	21
7.4 Visits by Photographers, Films Crews, Journalists and Others .....	22
8. Responsibility: monitoring and evaluating the Policy.....	23
Annexes.....	24
Annex 1: Legal Framework .....	24
Annex 2: Binding Declaration of Consent to the Open Society Foundation's Safeguarding Policy for Children, Young people and Vulnerable Adults.....	25
Annex 3: Recognising Signs of Abuse .....	27
Annex 4: Safeguarding Report Form .....	29

Annex 5: Consent Forms.....	32
Annex 6: Key contacts information .....	35

# 1. Background

Nadácia Otvorenej spoločnosti Bratislava/ Open Society Foundation (further in text only as OSF) was established in 1992 as a grant making organization conducting its own programmes and activities.

In 1990s, it focused mainly on Roma-oriented topics (community development, access to education, scholarships, access to healthcare and housing) and educational reform and advocacy (especially Free Access to Information Act, multicultural education, harm reduction education etc.).

OSF aims to support liberal democracy, personal freedom and dignity of all individuals in Slovakia. We are a member of the Active Citizens Fund Slovakia consortium (a grant operator for the EEA grants) awarding grants to Slovak NGOs in efforts to create better conditions for good governance, to protect human rights and to provide civic education. The Foundation is specifically responsible for topics “Strengthened civil society advocacy and watchdog role” and “Increased support for human rights and civic education”.

The Foundation started implementing its own programme for elementary schools – **Open Schools Programme** in 2017. The programme aims to support the democratic environment in schools and citizenship education through peer education and the work of student school councils.

Another programme **Aflatoun – programme for social and financial education** since 2015. Most of activities are conducted in marginalized Roma communities; we work closely with 15 institutions providing early childhood education in either formal or informal setting.

Child abuse is a global phenomenon. It occurs in all countries and in all societies. It involves the physical, sexual, emotional abuse and neglect of children and young people. It is almost always preventable. Children and young people can be potentially subjected to exploitation, abuse, violence and neglect in families, communities, institutions, organisations, private places, public places, by various circumstances, by variety of people, including delegates, support staff, volunteers etc. Similarly, vulnerable adults may be at risk of harm and improper treatment. In order to address and protect children, young people and vulnerable adults from potential abuse and exploitation during their involvement with Open Society Foundation this Safeguarding Policy has been developed.

It is worth noting, that in this context, we define Policy as a set of management directions, code of conduct, norms and internal rules of an organization striving for a common goal, the protection of children. The creation of this policy has been strongly influenced by the Policy of Nadácia pre deti Slovenska (NDS) and developed together with their expert Peter Lenčo. The policy is also based on Child protection policy designed by Eurochild and Keeping Children Safe Coalition.<sup>1</sup>

**With this Safeguarding Policy, we publicly commit ourselves to protecting children, young people and vulnerable adults from any form of maltreatment. We take it as our responsibility to ensure that our employees, activities and programmes do not cause any harm to children, young people and vulnerable adults, do not promote their ill treatment or discrimination. The policy is available online at [www.osf.sk](http://www.osf.sk) in English and Slovak language as well as at the OSF’s premises.**

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<sup>1</sup> <https://www.nds.sk/vsetky-clanky/pohlad-odbornika/politika-ochrany-deti-a-mladych-ludi-nadacie-pre-deti-slovenska/>

## 1.1 OSF's core protection principles and values

This Safeguarding Policy deals with the protection of children, young people and vulnerable adults. In this regard we follow the UN Convention on the Rights of the Child. The UN CRC should be taken holistically, providing a comprehensive framework for the protection, provision and participation of all children. All children, young people and vulnerable adults involved in the activities, programmes implemented or supported by OSF, have the right:

- to have their health, safety and well-being, and their best interests considered as top priority
- to have their development promoted and safeguarded so that they can achieve their full potential
- to be valued, respected and understood within the context of their own culture, religion and ethnicity
- to be listened to and to have their views given careful consideration
- to be encouraged and helped to participate in decisions which affect them.

### **Non-negotiable duty**

OSF believes that NGOs working for children's rights have an absolute duty to protect children and young people from abuse, mistreatment and exploitation from within organisations intended for their benefit. The same principles apply to vulnerable adults. This duty is imperative and non-negotiable. Without adequate standards and mechanisms for protection in place, an organisation is not only failing in its primary duty of care but may also be negligently or recklessly fostering an environment of abuse.

### **Open environment**

OSF believes that without proper and explicit procedures in place, NGOs are extremely vulnerable to false allegations of child abuse and/or harm of vulnerable adults. Furthermore, organisations with weak communication structures run the risk of being infiltrated by persons, such as pedophiles, who seek to abuse children without being brought into the open. Similarly, the rights of vulnerable adults may be violated.

OSF therefore strives to:

- Create an environment where issues of child protection and protection of vulnerable adults are discussed openly and are understood between all involved parties, including children, young people, vulnerable adults and adults;
- Promote open lines of communication both internally and externally (with its partners) to improve awareness and implementation of protection policies and practices;
- Create a framework to deal openly, consistently and fairly with allegations concerning both direct and indirect abuse.

### **Implementation and accountability**

This Safeguarding Policy is developed to ensure the highest standards of professional behaviour and personal practice to ensure no harm occurs in any situation to children, young people and vulnerable adults during their involvement in OSF activities, projects and programmes. It therefore includes measures regarding recruitment procedures, review of management structures, creation of space for children, young people and vulnerable adults to speak out, staff training, and development of transparent protocols. The Safeguarding Policy is supported by clear guidelines on how it needs to be implemented by

organisations participating and supporting children, young people and vulnerable adults in OSF activities, projects and programmes.

Special procedures and checklists are part of the Safeguarding Policy, including reporting procedures and actions following behaviour, which is not in compliance with the child protection standards. These principles underpin all of the following standards set out in this document.

## 1.2 Definitions

### Child

A child is defined as anyone under the age of 18, in line with the UN Convention on the Rights of the Child (1989).

### Child Protection

Child protection is a broad term to describe philosophies, standards, guidelines and procedures to protect children from both intentional and unintentional harm. In the current context, it applies to OSFs duty to make sure that its staff, operations and programmes do no harm children, that is that they do not expose children to the risk of harm and abuse, and that any concerns the organisation has about children's safety within the activities and programmes in which they work, are reported to the appropriate authorities.

### Vulnerable adults

Vulnerable Adults are people who are 18 years of age or older who are unable to provide for their own needs and protect themselves against abuse or serious exploitation due to impairment of mental, physical and emotional function. It is someone who:

- is diagnosed to be mentally and/or physically ill,
- has mental health needs such as dementia or down syndrome,
- is unable to report abuse and make a decision for him/herself,
- is old and frail due to physical disability.

### Direct contact

Being in the physical presence of a child/children, young people and vulnerable adults in the context of OSF's work, whether contact is occasional or regular, short or long-term. This could involve various activities of formal, non-formal and informal education, leisure time activities etc. as well as attending meetings and conferences at which children, young people and vulnerable adults are present or working with child and youth volunteers.

### Indirect contact

Defined as:

- a) Having access to information on children, young people and vulnerable adults in the context of OSF's work, such as their names, locations (addresses of individuals or projects), photographs and case studies.

- b) Providing funding for organisations that work 'directly' with children, young people and vulnerable adults. Although indirectly, this nonetheless has an impact on them, and therefore confers upon the donor organisation responsibility of child protection issues.

## Policy

A statement of intent that demonstrates a commitment to safeguard children from harm and makes clear to all what is required in relation to the protection of children, young people and vulnerable adults. It helps to create a safe and positive environment for children, young people and vulnerable adults and to show that the organisation is taking its duty and responsibility of care seriously.

## 1.3 What is child abuse and exploitation and maltreatment of vulnerable adults?

According to the World Health Organisation, "child abuse" or "maltreatment" constitutes 'all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or 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'.

Our understanding of child abuse and exploitation includes, but it is not limited to:

**Physical abuse** may involve hitting, shaking, throwing, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or a carer feigns the symptoms of, or deliberately causes ill health to a child who they are looking after. This is commonly described using terms such as 'fictitious illness by proxy' or 'Munchausen's syndrome by proxy'.

**Emotional abuse** is defined as the persistent emotional ill-treatment of a child such as to cause severe and persistent effects on the child's emotional development. It may involve conveying to children that they are worthless and unloved, inadequate, or valued only so far as they meet the needs of another person. It may involve age or developmentally inappropriate expectations being imposed in children. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone.

**Sexual abuse** involves forcing or enticing a child to take part in sexual activities, whether the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g., rape) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic materials or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Sexual abuse of children can also be defined as contacts or interactions between a child and an older or more knowledgeable child or adult (a stranger, sibling or person in a position of authority, such as a parent or caretaker) when the child is being used as an object of gratification for an older child's or adult's sexual needs. These contacts or interactions are carried out against the child using force, trickery, bribes, threats or pressure. Sexual abuse can be physical, verbal or emotional.

Commercial sexual exploitation of children comprises sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as sexual object and as a commercial object.

The commercial sexual exploitation of children constitutes a form of coercion and violence against children and amounts to forced labour and a contemporary form of slavery.

**Child pornography** means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes. This can include photographs, negatives, slides, magazines, books, drawings, movies, videotapes and computer disks or files. Generally speaking, there are two categories of pornography: soft-core which is not sexually explicit but involves naked and seductive images of children and hard core which relates to images of children engaged in sexual activity and use of children in the production of pornography is sexual exploitation.

**Neglect** is defined as the persistent failure to meet the child's basic physical and/ or psychological needs, likely to result in the serious impairment of the child's physical or cognitive development.

**Bullying** may be defined as deliberately hurtful behaviour, usually repeated over a period, where it is difficult for those bullied to defend themselves. It can take many forms, but the three main types are physical (e.g. hitting, kicking, theft), verbal (e.g. racist or homophobic remarks, threats, name calling) and emotional (e.g. isolating an individual from the activities and social acceptance of their peer group).

**Commercial exploitation** means exploiting a child in work or other activities for the benefit of others and to the detriment of the child's physical or mental health, education, moral or social-emotional development. It includes, but is not limited to, child labour.

A child who is being abused may experience more than one type of cruelty. Discrimination, harassment, and bullying are also abusive and can harm a child, physically and emotionally.

**Maltreatment of vulnerable adults** has, in many cases, similar characteristics. These include:

- Physical – being hit, slapped, pushed or restrained that results in burns, cuts, black eyes and internal injuries.
- Verbal – being humiliated, isolated, controlled and harassed is a kind of abuse that affects the emotional health of a vulnerable adult.
- Sexual – sexual abuse includes indecent exposure, sexual harassment and rape.
- Financial – stealing money from a vulnerable adult or using their money inappropriately.
- Self Abuse – not providing them with enough food and the right medicines, not helping them wash and change their clothes.



## 2. The need for a Safeguarding Policy

All organisations and professionals working or in contact with children, young people and vulnerable adults are obliged to ensure their operations are safe to clients they work with and therefore need to have a Safeguarding Policy.

OSF needs a Safeguarding Policy for Children, Young People and Vulnerable Adults because:

**Organisation staff are protected:** All children have a right to freedom from all forms of violence, abuse and exploitation, based on the UNCRC. Similarly, the vulnerable adults must be protected against any harm and violation of their rights. It is therefore the responsibility of OSF to ensure that all its activities, policies, projects and programmes are safe for children, young people and vulnerable adults. This means that staff do not represent a risk to children, young people and vulnerable adults and that programmes, policies and practices can be designed and developed in ways that promote the protection of all participating.

**Children, young people and vulnerable adults are protected:** Some children, young people and adults are vulnerable to abuse, exploitation, and ill-treatment at the hands of carers, project workers, and those with access to their personal information. Many children growing up in vulnerable circumstances have already experienced ruptured relationships of trust or abuse of an adult-child relationship in the form of physical, psychological or sexual abuse. Similarly, many vulnerable adults in regard to their life circumstances experience maltreatment and violation of their rights.

**The organisation and its reputation is protected:** Organisations working with vulnerable children, young people and adults have been, are and will continue to be vulnerable to abuse until the issues are brought into the open. Organisations without protection policies, guidelines and systems are more vulnerable to false or malicious accusations of abuse. Without a proper Safeguarding Policy and protection standards in place, allegations of abuse, whether founded or unfounded, can destroy an organisation's reputation. This will have serious implications for fundraising as well as damaging the reputation of the NGO sector working with children, young people and vulnerable adults.

## 3. The scope of a Safeguarding Policy for Children, Young people and vulnerable Adults

OSF's Safeguarding Policy for Children, Young people and Vulnerable Adults applies to:

- All staff, Board members, interns and volunteers;
- All those acting on behalf of OSF, such consultants or trainers;
- All those adults accompanying children, young people and vulnerable adults to events and activities organised by OSF;
- All those who participate in OSF events and meetings involving children, young people and vulnerable adults including journalists, sponsors, donors, policy makers, etc.

All the individuals cited above will be expected to read OSF's Safeguarding Policy and sign a commitment to adhere to its principles and procedures.

### 3.1 Awareness

For effective implementation of the Safeguarding Policy, it needs to be understood accurately by all those that the policy applies to. OSF will ensure that all its staff, interns, volunteers, consultants, etc. are informed about this policy and act in accordance with all its provisions and do no harm children, young people and vulnerable adults who may come into the contact within or outside their work.

The Safeguarding Policy will be sent to all responsible adults after they have joined OSF. OSF will ensure that a copy of the Policy will be send to all organisations that will organize meetings on behalf of OSF or will travel with children, young people and vulnerable adults to events organized by OSF. These organisations will be asked to brief their staff working and traveling with above mentioned clients/participants to OSF events about this Policy, as well as to inform parents, carers and children, young people and vulnerable adults on their right to be protected and the reporting mechanisms available.

### 3.2 OSF's Safeguarding Policy with respect to external partners

OSF's Safeguarding Policy should apply to all grant beneficiaries, organisations and external partners when they cooperate with children, young people and vulnerable adults or when these participate in their projects.

If the organization does not have elaborated child and vulnerable adults protection policy, they will be asked to sign up to OSF's protection policy and demonstrate their commitment to develop their own protection policies and procedures, which reflect the local context and legal framework.

An organisation is obliged to report incidents of breach of its own Safeguarding Policy or of this Safeguarding Policy to OSF depending on its severity:

- a) Safeguarding Policy violation of less serious nature shall be reported to OSF as part of interim reports

- b) Serious or gross Safeguarding Policy violation or serious danger to a child or a vulnerable person has to be reported immediately to a Child, young people and vulnerable adults protection focal person (CAVAPFP, see more in chapter 4.4) through a structured report (annex 4). Compliance with these principles is a part of an agreement between OSF and a grant beneficiary.

In the event of persistent poor or one extreme practice or abuse within an organisation, OSF may decide to terminate cooperation with this organisation.

### **3.3 Risk Assessments and Safe Programme Design**

OSF is committed to designing and delivering programmes that are safe for children, young people and vulnerable adults. Risk assessments are therefore conducted when designing our projects and activities and safety strategies developed accordingly. Risk mitigation strategies will be developed, which minimize the risks to children, young people and vulnerable adults and will be incorporated into the design, delivery and evaluation of programmes, operations and activities which involve or have impact upon children, young people and vulnerable adults.

## 4. OSF's Safeguarding Policy for Children, young people and vulnerable adults

This Policy is developed to ensure the highest standards of professional behavior and personal practice to ensure no harm occurs in any situation to children, young people and vulnerable adults during their involvement in any activities or projects.

### 4.1 Staff and Personnel

As a condition for working with OSF, all staff; Board members; interns and volunteers and all those acting on behalf of OSF, such as consultants or trainers are required to undergo the following:

- a) Both acceptance and commitment to our Policy and Code of conduct for working with children, young people and vulnerable adults by signing a commitment to adhere to the Safeguarding Policy principles and procedures. The recruitment and appointment process will include:
  - Staff, volunteers, interns and consultants are recruited to clear job or role descriptions that include a statement on the position or role's responsibilities to meet the requirements of OSF's Safeguarding Policy.
  - All recruitment interviews should include a discussion on safeguarding and protection of children, young people and vulnerable adults, the candidate's understanding of this and OSF's commitment.
  - Adherence to OSF's Safeguarding Policy is a part of OSF employment contracts and service agreements.
- b) Signing a personal declaration stating any criminal convictions, including spent convictions. As part of the employment contract with OSF, an extract/excerpt from the criminal record must also be submitted.

### 4.2 Training and Education

Education and training are essential to implement the Safeguarding Policy. This includes:

- a) At the beginning of the induction period (within 3 weeks of taking up the position) of staff/volunteers/ interns they will receive an introduction to OSF's Safeguarding Policy and procedures from the Child, young people and vulnerable adults protection focal person. This will include training on behaviour guidelines for those in direct contact with children, young people and vulnerable adults and guidance on the acceptable and unacceptable sharing of information on clients. Training will also allow staff to be able to identify sources of support for children, young people and vulnerable adults and their families.
- b) Child, young people and vulnerable adults safeguarding training will be given to all staff, volunteers and interns, appropriate to their roles and responsibilities.

### 4.3 Behaviour protocols

Any staff, employee, volunteer, intern, management board member, consultant or adviser who has direct contact with children, young people and vulnerable adults in his/her work will be fully informed of OSF's Code of conduct.

### 4.4 Management

A Child, young people and vulnerable adults protection focal person (CAVAPFP) will be appointed who will be responsible for:

- Promoting awareness and implementation of the Safeguarding Policy throughout the organisation.
- Monitoring implementation of the Policy and reporting on developments at Team meetings and to the Board.
- The development of child, young people and vulnerable adults protection training resources
- Maintaining knowledge of best practices and statutory requirements.
- Acting as a source of support and information for staff on safeguarding issues.
- Receiving reports of Safeguarding Policy violation
- Taking appropriate action to protect the child/children, young people and vulnerable adults from further harm and during and following an incident or allegation
- Providing specific kind of support and assistance that is needed by the children, young persons and vulnerable adults affected by the incident and informing the child's family (or a guardian) about the incident and assistance provided

The name and contact details of the CAVAPFP will clearly be displayed in the OSF office and new staff will be made aware of the role.

The Executive director will be responsible for :

- Investigating allegations of violations of the Safeguarding Policy by members of the OSF's internal staff, submitting the results to the Nominated Board member and implementing a decision taken by the Nominated Board member
- Deciding whether to terminate cooperation with an organisation that violates the Safeguarding Policy based on procedures and provisions outlined in the Safeguarding Policy
- Reporting incidents of criminal nature to police

The Nominated Board member will be responsible for deciding about an action to be taken regarding allegations of violations of the Safeguarding Policy by members of OSF's internal staff .

The Management Board will have the overall responsibility to oversee and ensure the Policy's implementation.

The disclosure of personal information about children, young people and vulnerable adults including legal cases, will be limited to those employees, interns, volunteers, who need to know.

Specific procedures and checklists are part of the Safeguarding Policy are referred to in chapters 6 and 7, which are dealing with the implementation strategy for the Safeguarding Policy, including reporting

procedures and monitoring and evaluation processes. Safeguarding will be included within the development of projects by OSF.

## 5. Code of Conduct

OSF is committed to protecting children, young people and vulnerable adults from abuse and exploitation. It will take all necessary actions to prevent and/or respond to children, young people and vulnerable adults in such situations. OSF will respond to all reports of actual or alleged abuse based on its Safeguarding Policy, irrespective of the nature of the referral, who the allegations are about or who the referrer is or where she/he is from.

This Code of Conduct includes guidance on ethical and proper standards of behavior of adults towards children, young people and vulnerable adults and of children, young people and vulnerable adults towards other children, young people and vulnerable adults. It has been developed with the best interests of the child, young people and vulnerable adults as the primary consideration and should be interpreted in a spirit of transparency and common sense.

OSF aims for everyone, children, young people, vulnerable adults and adults, to participate in a safe way in OSF's work and activities.

### **DO:**

- Be aware what constitutes child, young people and vulnerable adults abuse and exploitation (included in the Safeguarding Policy) and understand its provisions.
- Know signs of abuse and report any suspicious observations immediately to the Child, young people and vulnerable adults protection focal person.
- Ensure that you know who the Child, young people and vulnerable adults protection focal person at OSF is.
- Respect lines of authority and reporting procedures.
- Respect the basic rights of others by facing fairly, honestly, and tactfully, and by treating people with dignity and respect.
- Treat all children, young people and vulnerable adults equally: be inclusive and involve all children, young people and vulnerable adults without discrimination.
- Work actively to ensure the highest levels of respect towards each other.
- Maintain high standards of personal and professional conduct both personally and in others.
- Protect the health, safety and well-being of yourself and others.
- Be aware of high-risk peer situations (e.g. unsupervised mixing of older and younger children and possibilities of discrimination against minors).
- Be aware of potential for peer abuse (e.g. bullying of children).
- Be concerned about the way in which your language, actions, and relationships with children, young people and vulnerable adults could be perceived.
- Develop special measures/supervision to protect younger and especially vulnerable children from peer and adult abuse.
- Provide an enabling environment for children's personal, physical, social, emotional, moral and intellectual development.
- Encourage and respect children's voices and views.
- Limit access to and/or not expose children to any inappropriate electronic material.
- At all times respect the confidentiality of children's, young people's and vulnerable adults' personal information.

- Obtain written consent from the child, young person and vulnerable adult and parent/carer when photographing, filming or requesting personal information for activities (see section 7).

#### **DON'T:**

- Engage in any form of sexual activity with children, young people and vulnerable adults.
- Avoid any action or behaviour that could be construed as poor practice or potentially abusive. For example, never behave in an inappropriate or sexually provocative manner.
- Never have a child, young people and vulnerable adults stay overnight in the adult's room or sleep in the same bed (unless prior consent is provided by both the child and his/her parent/ guardian).
- Do not perform activities for children, young people and vulnerable adults that they can do themselves, including dressing, bathing and grooming.
- Do not discriminate, shame, humiliate, belittle, or degrade children, young people and vulnerable adults. This includes anything that may be considered emotional abuse (e.g. use language that will mentally or emotionally abuse a child, young person and vulnerable adult or tell a story/show pictures that will mentally or emotionally abuse them).
- Do not hit or otherwise physically assault participants.
- Do not act in any way that may be abusive or place others at risk of abuse.
- Do not condone violations of this code by others – staff, interns, consultants, etc. Do not be alone with a child, young person and vulnerable adult in any circumstances that might be questioned by others.
- Do not allow children, young people and vulnerable adults to engage in sexually provocative games with each other.
- Do not kiss, hug, fondle, rub, or touch a child, young person and vulnerable adult in an inappropriate or culturally insensitive way (e.g. do not initiate physical contact, such as holding hands, unless initiated by the child).
- Do not suggest inappropriate behaviour or relations of any kind or encourage any crushes by a child, young person and vulnerable adult.
- Do not take photos, film or request personal information if not required for OSF's activities.
- Do not use inappropriately contact details (including social media accounts) from children, young people and vulnerable adults out of OSF's programmes.

Report any suspicious observations or alleged abuse as well as any circumstances or situations, which may be subject to misinterpretation to the Child, young people and vulnerable adults protection focal person. Sections 6.1 and 6.2 describe the consequences for breaching the code of conduct or the Safeguarding Policy.



## 6. Implementation

### 6.1 Implementation strategy: Reporting Procedures

All staff, volunteers and interns should be alert to signs that may suggest a child is in need of help (see Annex 3).

Deciding whether to report can be a very difficult responsibility. The reporting procedure is made widely available to ensure that everyone is clear what steps to take regarding the safety of children, young people and vulnerable adults and other witnesses.

All witnessed, suspected or alleged violations of OSF's Safeguarding Policy will be immediately reported to the Child, young people and vulnerable adults protection focal person (CAVAPFP) – using the safeguarding reporting form (Annex 4). The guiding principle here is that the safety of the child, young person and vulnerable adult is always the most important consideration.

These records will be stored securely with access limited to the CAVAPFP or the Executive director and a report must be made to the nominated Board member.

When a child protection/safeguarding concern is brought to your attention use the ACT-method:

**Act** on your concerns. If in doubt, speak out.

**Child-centered** (similarly, young person/vulnerable adult – centred) The protection of children, young people and vulnerable adults is the most important consideration.

**Time counts.** Ensure timely, effective, confidential and appropriate responses to safeguarding issues.

The next step is deciding whether the concern is internal or external.

**If the concern is internal** – regarding the behaviour of staff, volunteers, interns you must consider whether you need to report to the local/national authorities. If not, the internal safeguarding procedure needs to be applied. If yes, you must report to the designated authorities and follow-up on action taken by the authorities and decide on further response, record case and action taken.

**If the concern is external** – meaning that there is concern regarding abuse outside the organisation, the same procedure as for internal concerns is applied.

The CAVAPFP will act on the concerns or allegations in a confidential manner in accordance with the standardized process developed by Eurochild in the best interests of the child, young person and vulnerable adult irrespective of the nature of the referral, who the allegations are about or who the referrer is or where she/he is from.

The CAVAPFP will take appropriate action to protect the child/children, young people and vulnerable adults in question from further harm and during and following an incident or allegation. An assessment of the specific kind of support and assistance that is needed by the child(ren), young person(s) and vulnerable adult(s) affected by the incident will be immediately offered. This may also involve arranging a medical assessment. The relevant contact details for child protection services, local services department, policy, emergency medical help and help lines will also be readily available and easily accessible (see Annex 6 with key contacts information). The CAVAPFP will be responsible to contact the child's family (or

guardian) and inform them about the incident and assistance provided. A safeguarding report (Annex 4) must be compiled to document details of the incident. The “best interests of the client” must be considered throughout the process.

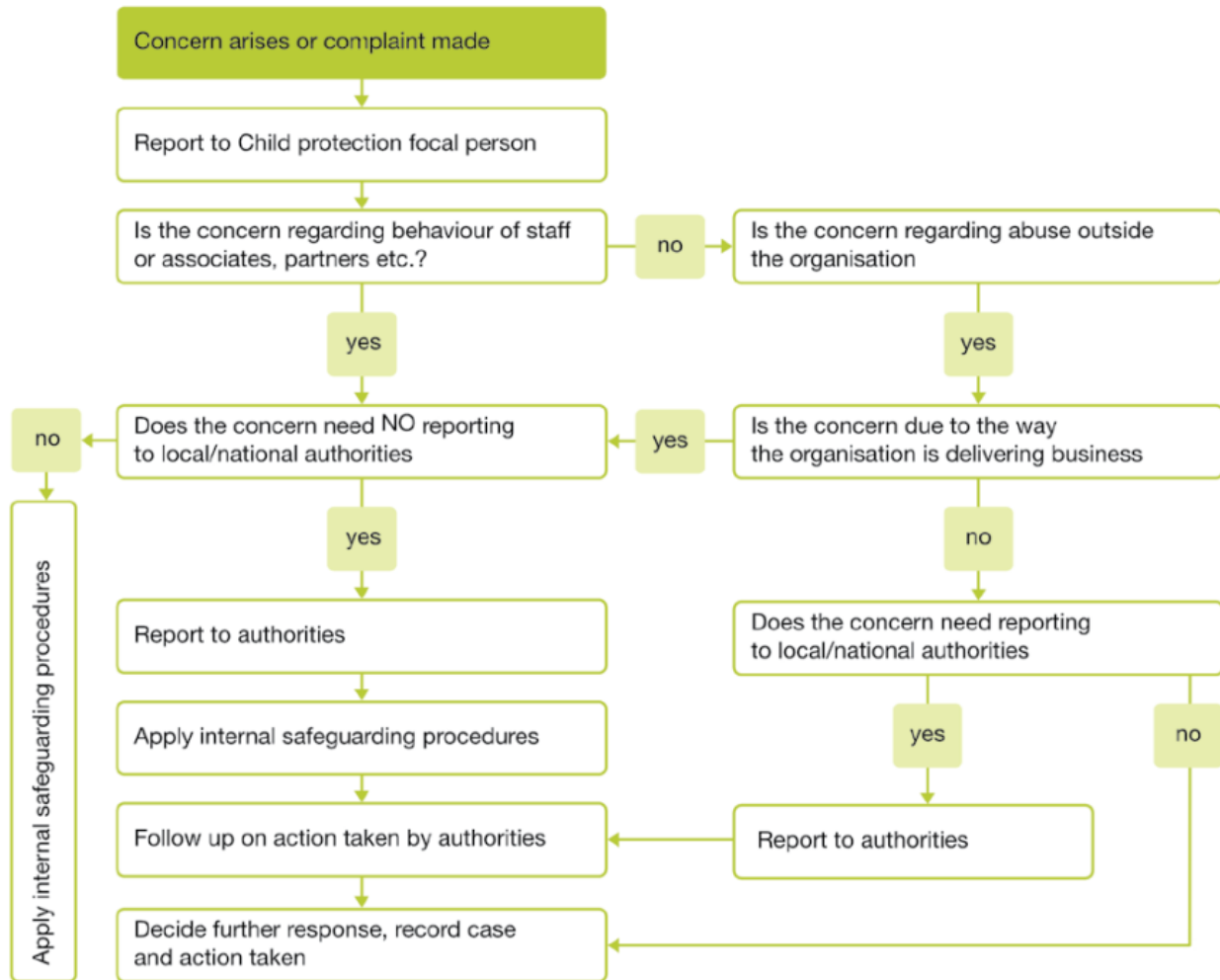
At meetings and activities where children, young people and vulnerable adults are directly involved, they will be informed about OSF’s safeguarding policy, code of conduct, the existence of the Child, young people and vulnerable adults protection focal person and complaints mechanism in a child-friendly and client-friendly manner.

## **6.2 Implementation strategy: The internal safeguarding procedure**

OSF will immediately suspend any employee, volunteer, intern, board member, consultant, adviser who is alleged to have violated the Safeguarding Policy, pending the outcome of the investigation. OSF reserves the right to take any disciplinary action against any of the above who have been proven guilty in an investigation, which may include reporting the incident to the police.

The investigation completed by the Executive director will be submitted to the Nominated Board member who will come to a decision about action to be taken. Decisions from any investigation will be confirmed in writing to the individual concerned. Acts of a criminal nature will be referred to the police.

### 6.3 Infographic: Reporting procedure



## 7. Communication and Media Guidelines

This chapter of the Safeguarding Policy sets out the principles for OSF employs when communicating externally about our work and the work of our partners. It contains general principles for ensuring children, young people and vulnerable adults are kept safe at all times, as well as specific guidelines which must be followed by OSF staff as well as photographers, film crews and journalists visiting OSF events and activities. Different countries may have specific laws, protocols or cultural norms, which should be understood and adhered to as appropriate. All child, young people and vulnerable adults protection measures in the Safeguarding Policy are equally applicable in media and communication activities by OSF, including the use of social media.

In order to make sure that all children, young people and vulnerable adults are protected in all situations it is important to obtain written consent of the parent/carer or legal guardian of children, young people and vulnerable adults that clearly states if they agree that photos or statements of children, young people and vulnerable adults can be publicly used or not. (Annex 5 includes a specific media consent form).

### 7.1 Principles

The rights and dignity of the child, young person and vulnerable adult must be respected at all times and their best interests maintained as the paramount concern of our communications. OSF will never use discriminatory or degrading language.

This section is providing guidelines on the use of images, films and stories of children, young people and vulnerable adults for media and communication purposes to ensure data protection and to protect children, young people and vulnerable adults themselves. Abusers have sometimes targeted children, young people and vulnerable adults whose pictures they have seen in media and communication material.

In OSF communications about children, young people and vulnerable adults, the following principles will apply:

**Dignity:** The dignity of children, young people and vulnerable adults must be preserved at all times. Languages must not degrade, victimize or shame them. In images, children, young people and vulnerable adults should always be dressed appropriately and should never be depicted in any poses that could be interpreted as sexually provocative.

**Accuracy:** The portrayal of children, young people and vulnerable adults must not be manipulated or sensationalized in any way. Images and stories should provide a balanced depiction of their life and circumstances, balancing negatives with empowering images or showing the progress that children, young people and vulnerable adults are making. Communications should avoid making generalisations, which do not accurately reflect the nature of the situation and pictures should not be taken and used out of context.

**Privacy:** Any information that could be used to identify a child, young people and vulnerable adults or put them at risk will not be used. OSF will ensure that:

- a) Only use first names of clients/participants: be careful not to reveal details about the place where they live, their school and other information that could lead to their place of residence. If needed for child safeguarding, the names of children will be changed.

- b) Information about a clients/participants and photographs of them (including information stored on the computer) will be kept in secure files. Access to these should be limited to those that need to use them during the course of their work.
- c) The recorded images should focus on an activity and, where possible, feature groups of children, young people and vulnerable adults rather than individuals.

**Complaints procedure:** Any complaints or concerns about inappropriate or intrusive images should be reported and recorded like any other child, young people and vulnerable adults protection concern (see chapter 6).

## 7.2 Informed Consent

Informed consent must always be sought before taking any photos, videos, or requesting personal information about lives of children, young people and vulnerable adults that may then be used in materials. Informed consent means that clients/participants are told how OSF may use the information or image/film and that they are under no obligation to agree to its use. They should also be reassured that locations and other identifying information that might to the location of residence of them will be changed. They, or their legal representative, will need to be asked whether they give consent that their first name is shared with the information or image/film.

This consent is only valid with the signed and completed informed consent (Annex 5) signed by the child, young person or vulnerable adult and the parent/legal representative. If this is not possible, the consent shall be signed by the representative of the organization representing the client/participant. It is correct if the organization/institution that works directly with the children, young people and vulnerable adults asks for consent, in which case the child, young person, vulnerable adult or parent/legal representative feels freer in the event of refusal.

The informed consent and other forms will be kept by the OSF in a safe place. In spite of obtaining written consent, it is necessary to verify again, directly during the activity, the consent of children, young people and vulnerable adults to participate in photography/shooting, etc.

## 7.3 Interviewing Children, Young people and Vulnerable Adults

Interviewing children, young people and vulnerable adults requires skills and certain basic principles should be followed to ensure their dignity and their rights are respected.

**Informed consent:** In relation to interviews, informed consent includes explaining what subjects are likely to be covered in the interview and clarifying the right of participants to withdraw their consent at any point. The interviewer should review the participant's understanding of consent at the start of the interview.

**Provision of support:** There should be someone else present during the interview, who the child, young person and vulnerable adult is familiar with. Wherever possible, they should be given a choice regarding who supports him/her during the interview.

**Respecting the right to say NO:** Be clear before you start the interview that the child, young person and vulnerable adult only must talk if they are comfortable doing so, and they can stop and withdraw their consent at any point.

**Gender:** Consider the different needs of boys and girls and whether they would be more comfortable to talk to a man or a woman. Gender must be considered when deciding what topics may be discussed.

**Respecting the right to information:** If you are going to take notes, or record the interview in another way, you must explain this to the child, young person and vulnerable adult and verbally ask their permission to do so.

## 7.4 Visits by Photographers, Films Crews, Journalists and Others

Special care must be taken when organizing visits for external photographers, filming crews, journalists or visitors within the scope of OSF projects, activities and publications:

- a) Journalists, photographers/film crews must be fully briefed about OSF's Safeguarding Policy before they meet children, young people and vulnerable adults who will be interviewed, photographed or filmed. They sign their commitment to adhere to this policy.
- b) Make sure that photographers and filmmakers are not allowed to spend time with or have access to children, young people and vulnerable adults without supervision. They always have to be accompanied by OSF staff.
- c) Children, young people, vulnerable adults, parents and guardians must be informed about how the film, photograph or story will be used and consent for this obtained.
- d) Copies of images, film and story should be sent to the organisation to be passed on to the children, young people and vulnerable adults.
- e) In order to protect the confidentiality and privacy of participants/clients, OSF must be notified as to how the photographer or film maker intends to use the images or stories. OSF reserves the right to refuse use if it is felt that, in doing so we are not acting in accordance with our Safeguarding Policy and our media and communication principles.
- f) If an image or any material is to be used by another organisation, it must be credited to OSF/Photographer's Name © with an appropriate caption.

## 8. Responsibility: monitoring and evaluating the Policy

The aim of monitoring and evaluating the Safeguarding Policy is to learn from practical case experiences, which will contribute to inform policy reviews and changes to the Safeguarding Policy.

OSF will regularly monitor the implementation of its Safeguarding Policy and procedures. Progress, performance and lessons learned are reported by the Child, young people and vulnerable adults protection focal person to the Board annually. Monitoring and evaluation will be done by checking whether the standards from the Safeguarding Policy are implemented and whether safeguards are working. This will be done by carrying out a survey among OSF staff, interns and volunteers on how the standards from the Safeguarding Policy are being met, how effective they are and what needs to be improved.

Next to the overall monitoring and evaluation of the Safeguarding Policy, reactive monitoring will take place, after incidences have occurred, which will contribute to a learning process for OSF and if necessary changes to the Safeguarding Policy or reporting procedures.

Every three years an internal review of the policy will be carried out and its results will be approved by the Management Board.

Jana Dravecka, Executive Director, Open Society Foundation

In Bratislava, 29 April 2022

## Annexes

### Annex 1: Legal Framework

During the creation of its Safeguarding Policy, OSF has mapped the national legal context. The Slovak Republic approved a number of legal regulations related the protection of children and especially vulnerable persons:

- Convention on the Rights of the Child
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
- The Charter of Fundamental Rights of the European Union
- European Social Charter
- European Convention on the Exercise of Children's Rights
- Convention on the International Protection of Adults
- UN Convention on the Rights of Persons with Disabilities
- Recommendation of the Committee of Ministers of the Council of Europe on the principles of legal protection of adults with limited legal capacity
- Geneva Convention relating to the status of refugees
- Civil Code - Act No. 40/1964 Coll., as amended
- Social and Legal Protection of Children Act No. 305/2005 Coll., as amended
- Criminal Code, Act No. 300/2005 Coll., as amended
- Victims of Crime Act No. 274/2017 Coll., as amended
- Labour Code, Act No. 311/2001 Coll., as amended
- Volunteer Service Act - Act No. 406/2011 Coll., as amended
- Personal Data Protection Act (GDPR) - Act No. 18/2018 Coll., as amended, and
- EU Directive 2016/680 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data

Note: The national legal context was mapped in April 2022. Changes may occur in time.



## Annex 2: Binding Declaration of Consent to the Open Society Foundation's Safeguarding Policy for Children, Young people and Vulnerable Adults

I, \_\_\_\_\_, have read and understood the standards and guidelines outlined in this Safeguarding Policy for Children, Young people and Vulnerable Adults.

I agree with the principles contained therein and accept the importance of implementing and promoting the child, young people and vulnerable adults protection policies, procedures and practices contained within this document while working or associated with OSF.

I further understand that adherence to OSF's Safeguarding Policy will involve the following:

- undergoing a check for criminal convictions related to working with children, young people and vulnerable adults;
- 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, young person and vulnerable adult protection issues;
- providing two character references.

\_\_\_\_\_ (name)

\_\_\_\_\_ (occupation, position)

\_\_\_\_\_ (signature)

\_\_\_\_\_ (date and place)

### Character references

Please provide the name, address and contact details of two people you have known for no less than 2 years, excluding family members:

Referee Name:.....

Address:.....

Contact Number:.....

E-mail:.....

Referee Name:.....

Address:.....

Contact Number:.....

E-mail:.....

### Declaration of Criminal Convictions

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 will be kept confidential by the designated Child, young person and vulnerable adult protection focal person at OSF, who will assess whether they pose any risk or are not in conformity with OSF's Safeguarding Policy.

OSF commits to protect the confidential information provided by you, which will be safely stored by the designated Child, Young person and Vulnerable Adult Protection Focal Person in OSF, which will also consider the extent to which it constitutes a threat to the principles of the Safeguarding policy.

## Annex 3: Recognising Signs of Abuse

Recognising indications of potential abuse is complex and there is no simple checklist, which allows easy recognition. There are potential warning signs that you can be alert to but they should be assessed with care. It should not be automatically assumed that abuse is occurring. Equally, however, it is important not to dismiss your concerns or ignore any signs of abuse – these should be discussed with the CAVAPFP as soon as possible to help decide the most appropriate course of action.

### Possible signs of physical abuse:

- Bruises, burns, sprains, dislocations, bites, cuts
- Improbable excuses given to explain injuries
- Refusal to discuss injuries
- Withdrawal from physical contact
- Arms and legs kept covered in hot weather
- Unwillingness to participate in physical activities that may involve undressing, e.g. sports
- Fear of returning home or of parents being contacted
- Showing wariness or distrust of adults
- Self-destructive tendencies
- Being aggressive towards others
- Being very passive and compliant
- Chronic running away

### Possible signs of neglect:

- Frequent hunger
- Taking scraps of food from bins or plates, or stealing food
- Poor personal hygiene
- Constant tiredness
- Inappropriate clothing, e.g. summer clothes in winter
- Frequent lateness or non-attendance at school
- Untreated medical problems
- Low self-esteem
- Poor social relationships
- Compulsive stealing
- Drug or alcohol abuse

### Possible signs of emotional abuse:

- Physical, cognitive or emotional development is delayed
- Highly anxious
- Showing delayed speech or sudden speech disorder
- Fear of new situations
- Low self-esteem
- Inappropriate emotional responses to situations
- Extreme passivity or aggression
- Drug or alcohol abuse

- Chronic running away
- Compulsive stealing

**Possible signs of sexual abuse:**

- Age inappropriate sexualised behaviour or highly sexualised language
- Bed wetting or soiling
- Anal or genital soreness
- Sleep problems
- Fear of being with adults
- Promiscuity
- Extreme risk taking in young people

**Possible signs of concern regarding adult behaviour:**

- A person in whose presence the behaviour of a child significantly changes such as becoming withdrawn, fearful, distressed or agitated
- Asking a child to lie or keep secrets
- Breaches of the organisation's Code of conduct/Behaviour protocols
- Initiating private contact with a child, in person or by e-mail or phone

## Annex 4: Safeguarding Report Form

If you have knowledge that a child, young person and/or vulnerable adults might be at risk of harm, please complete this form to the best of your knowledge. Please note that child, young person and/or vulnerable adult protection concerns must be reported (orally or in writing) directly to the Child, young person and vulnerable adult protection focal person at OSF preferably within the same working day – depending on the urgency, you may wish to complete this form before contacting the CAVAPFP or you may wish to complete the report afterwards.

Also use this form to report an accident or incident. An accident is an unplanned event that results in an injury or could have resulted in an injury or results in damage to equipment or property or harm to the environment. An incident is an unpleasant or unusual event.

The report should be written and signed only by you to guarantee confidentiality. It should be sent only to the CAVAPFP, who will hold it in a safe and secure place and treat it with the strictest confidentiality.

### 1. About you

Your name:.....

Your job title:.....

Organisation you work for:.....

Nature of your contact with the child, young person and/or vulnerable adult:.....

Telephone:.....

E-mail:.....

### 2. About the child, young person, vulnerable adult

Name:.....

Gender:.....

Age: .....

Address: .....

Parents/guardians: .....

Has any treatment been given to the client/participant? .....

Treatment given by: .....

Was the client/participant hospitalized? YES NO

If yes, which hospital: .....

### 3. About your concern, details of the incident

Was the incident:

- Observed by you
- Suspected
- Disclosed by someone else

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

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

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Did the child/young person, vulnerable adult or another source say anything to you [if relevant] and how did you respond to him or her: [Do not lead the client/participant. Record actual details]

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

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

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

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

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

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Are any other children, young people and/or vulnerable adults at risk of harm?

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

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**For completion by the Child, young person and vulnerable adult protection focal person:**

Incident/Accident investigated:      YES      NO

Written investigation report necessary: YES      NO

In order to determine the cause of the incident or accident, it may be appropriate to interview parties who were involved. Witness detail, statements, etc. can be added here:

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

## Annex 5: Consent Forms

### Personal information and information in cases of emergency

Your name and age: \_\_\_\_\_

Your address: \_\_\_\_\_

Your phone number: \_\_\_\_\_

Your mobile number (if available): \_\_\_\_\_

Your email address: \_\_\_\_\_

Are you willingly taking part in \_\_\_\_\_ (e.g. meeting/event/etc)?

YES NO

We want to make sure you feel welcome and comfortable to take part

<p>Do you have any allergies we should know about? YES NO</p>	<p>Details:</p>
<p>Do you have any additional support needs you'd like us to know about (physical or learning disability, mental health issues, low confidence, difficulties with communication, things you find it hard to talk about)? YES NO</p>	<p>Details:</p>
<p>Is there anything extra we can do to make sure that you can come along and participate fully? YES NO</p>	<p>Details:</p>
<p>Are you taking any medication we should know about? YES NO</p>	<p>Details:</p>
<p>Do you have any dietary requirements? YES NO</p>	<p>Details:</p>
<p>If you practice a religion, please tell us if there's anything connected to taking part in the event that we should know about</p>	<p>Details:</p>



**In the event of emergency**

Contact persons in case of EMERGENCY. It is very important you fill in this section fully

Name 1: _____ Relationship to you: _____ Phone number: _____ Mobile: _____	Name 2: _____ Relationship to you: _____ Phone number: _____ Mobile: _____
In the event of emergency, do you agree that you can receive hospital or dental treatment, including an anaesthetic?  YES    NO	Details:
My Consent: _____ Location (where you live): _____	Signature: _____ Today's date: _____
<p>Parent/Legal Guardian Consent</p> <p>This child/young person/vulnerable adult is allowed to participate in _____ (event)</p> <p>is allowed to take part in media activities at _____ (event)</p> <p>has been informed about the _____ (event) goals, the voluntary nature of participation and anonymity in an age-appropriate way</p> <p>has been informed that they can refuse to participate at any time with no consequences</p> <p>is allowed to receive appropriate medical attention from a registered practitioner if at any time my child requires urgent medical attention,</p>	
Full name: _____ Location: _____ Signature: _____	Relationship to child/young person/vulnerable adult: _____ Date: _____

**Media consent form**

**We want to make sure you feel comfortable to take part in media activities**

Open Society Foundation and its Communications Team are actively promoting \_\_\_\_\_ (e.g. activities/events/etc). We publish photos and or statements of participants. In this way we inform the public and decision makers about \_\_\_\_\_ (event)

Is it okay for you to participate in visual documentation during the OSF \_\_\_\_\_ (event)? If you say it is ok, we might share photos, film, audio, writing or art on our website or social media; in our reports or leaflets; at our events; and/or in the promotion work we do to people who help to support children, young people, adults.

Do you agree:

- that the photos, audio and video recordings you appear on, your artwork or expression be used on our website, social media, leaflets, publications or other forms of public presentation of our work and the work of other organizations that help children, young people and adults?  
Please, circle the answer      YES              NO
- that we record your answers and use them in promoting our programs, project and activities?  
Please, circle the answer      YES              NO
- Is it ok if we tell people your first name when we share this content? (you can still take part in \_\_\_\_\_ (event) even if you don't want us to tell people your name)  
Please, circle the answer      YES              NO
- Is it ok for you to talk to the press during \_\_\_\_\_ (event) (including photos, television/video/camera coverage)? All media interviews will be conducted in consultation with and in the presence of your accompanying adult and OSF staff member. You have a right not to respond to any questions that you do not want to answer.  
Please, circle the answer      YES              NO

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

Signature: \_\_\_\_\_

Place: \_\_\_\_\_ Date: \_\_\_\_\_

## Annex 6: Key contacts information

### Nadácia otvorenej spoločnosti Bratislava / Open Society Foundation / NOS-OSF

Baštová 5

811 03 Bratislava

+421 2 5441 4730

+421 2 5441 6913

osf@osf.sk

www.osf.sk

### Child, young people and vulnerable adults protection focal person

Peter Lenčo, peter.lenco@osf.sk, 0907 650 168

### Director

Fedor Blaščák, fedor.blascak@osf.sk, 0905 137 257

### Appointed Board member

Katarína Strýčková, katka.stryckova@gmail.com

**Phone Child help line:** 116 111 (for free, anonymous, nonstop)

**Internet on-line counselling IPčko:** www.ipecko.sk (for free, anonymous, nonstop)

National coordination centre for dealing with violence against children

**Childhood without violence:** www.detstvobeznasilia.gov.sk Website for finding different types of aid by region:

- Institutions for the social protection of children
- Centres for mothers with children
- Crisis centres for children
- Counselling - diagnostics - therapy

**Rescue and fire service, police:** 112

**Rescue service:** 150, 112

**Police:** 158, 112

**Fire Department:** 155, 112

**Mountain rescue service:** 18 300