



# **Draft Child Safeguarding Policy and Procedures of the Children's House of Slovenia**

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## 1. Introduction

The Children's House Slovenia is based on the Barnahus model which is a coordinated child-friendly, interagency and multidisciplinary state response towards child sexual abuse and other forms of violence against children. It offers a one-stop-shop approach in one child-friendly premise, which hosts an interagency team of relevant authorities and agencies such as police, social services, child protection, physical and mental health services, prosecutor and, in some countries, a judge. The core purpose of the Children's House is to avoid repeated interviews with the child by many agencies in different locations by ensuring collaboration between relevant judicial, social and medical actors in one child-friendly premise. Children are at the centre of the proceedings and their wellbeing and best interests are our primary concern.

This Child Safeguarding Policy aims to regulate how the Children's House shall prevent harm to children and take steps to respond when safeguarding concerns arise in accordance with the relevant Slovenian laws<sup>1</sup> and international standards<sup>2</sup>. We are aware of the risk of harm to children invited to Children's House and are fully committed to ensure that our actions do not harm children and that none of the staff or any other stakeholders involved in our work harm children. We take appropriate measures to prevent, address and report potential safeguarding incidents throughout the whole multidisciplinary collaboration and interventions of the comprehensive treatment of children as well as in other activity or project we implement. The "Do No Harm" principle is embedded in all the Children's House core principles, as well as organizational and practical standards. All actions related to safeguarding are taken in the best interests of the individual child and children as a group.

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<sup>1</sup> Legal framework is based on:

- The Constitution of the Republic of Slovenia
- Criminal Code (KZ-1), especially Chapter Nineteen on Criminal offences against sexual integrity and Chapter Twenty-One on Criminal offences against marriage, family and youth
- Criminal Procedure Act (ZKP-N)
- Child Protection In Criminal Proceedings And Comprehensive Treatment Of Children In The Children's House Act (ZZOKPOHO)
- Domestic Violence Prevention Act (ZPND) on the responsibility of authorities and organisations to act in a case of a suspected child abuse
- Social Assistance Act (ZSV)
- Family Code (DZ)

<sup>2</sup> Particularly, UN Convention on the Rights of the Child (UNCRC), EU Acquis Communautaire and international law, notably The ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention).

The Children's House considers it essential that its staff and all people and institutions that work or collaborate with the Children's House are aware of and committed to child protection and assume the best interest of the child as a priority in all their actions. Being familiar with Child Safeguarding Policy and implementing it in practice are moral and professional obligations of all staff members, volunteers and other professionals involved in the Children's House. Without prejudice to the Ethical Codes and Safeguarding Policies of the different professionals involved in the activities of the Children's House, the successful implementation of this Child Safeguarding Policy is based on the individual and shared responsibility of everyone.

The Child Safeguarding Policy was developed by the Children's House in cooperation with experts and approved by the Council of the Children's House on ... The Policy is regularly reviewed and updated; the date of the next review is: ...

## **2. Child safeguarding commitment**

The Children's House is a safe place for children who fall victim of sexual abuse or other crimes as well as those of who witnessed such crimes. This applies to children against whom pre-trial or criminal proceedings are conducted if they are provided with comprehensive treatment at the Children's House. While considering the vulnerability of these children, the Children's House is committed to keep children safe from harm and promote their well-being and development, irrespective of their age, colour, sex, gender, culture, language, religion, political or other opinion, national, ethnic, or social origin, property, disability, birth, sexual orientation, gender identity, or any other status. Nevertheless, the types of risks may vary according to the child, therefore the risks need to be assessed and addressed individually.

This Policy sets out our shared values and principles, describes how the Children's House is committed to prevent harm to children and defines the child safeguarding roles and responsibilities and the steps that need to be taken if an incident should occur. All the staff, organisations and participants aiding in the comprehensive treatment of children conducted by, or on behalf of the Children's House, have an obligation and responsibility of the child safeguarding. All safeguarding actions will be taken in the best interests of children and with the "Do No Harm" approach, to protect and to contribute to their ongoing safety. The dignity, the rights and the privacy of the child are always respected in all Children's House operations and activities. Principle of best interests of the child is a primary consideration in all actions and decisions concerning the child. We take seriously all reports of concern regarding the safety

and protection of a child and appropriate steps will be taken to protect the child and to act against the alleged perpetrator.

### **3. Scope**

This Policy applies to all procedures, programmes and activities taken place in the Children's House and outside of the premises if any professional covered by this Policy is interacting with children in their official position or implementing an activity on behalf of the Children's house, including all phases of the comprehensive treatment procedure and other activities such as training, education, awareness-raising, and child participation.

With regard to the personal scope, everyone involved in the services, activities and projects of the Children' House need to know how to keep children safe and have appropriate learning opportunities to develop and maintain the necessary attitudes, skills and knowledge to keep children safe. This particularly covers:

- All staff members directly employed by the Children's House, including the Children's House Coordinator, therapeutic staff, receptionist/team assistant and technical staff,
- other professionals involved in the Children's House comprehensive treatment including the judge conducting the proceedings and the necessary court staff, the authorised prosecutor, police, the defence counsel, the authorized representative of a minor victim, a professional worker from a social work center, medical staff, and any other persons whose presence is permitted by the court for the performance of the activities of the Children's House,
- professionals involved in other activities of the Children's House, both staff members and external experts or consultants,
- volunteers involved in any activity or programme of the Children's House.

In order to ensure transparency and accountability, this Policy clearly establishes a pathway to inform of the incidents that have or may have occurred and the measures to report and address them. In addition to the comprehensive treatment procedure, other activities such as training, education, awareness-raising of the staff or any other stakeholder and child participation activities are covered. Furthermore, the Policy includes a Code of Conduct, Child Safeguarding Procedure Flowchart, Declaration on Personal Commitment to child safeguarding, Incident reporting form, Incident record form, Risk assessment template for activities, relevant contact

details of the Child Safeguarding Focal Point and the Child Safeguarding Committee and the list of emergency contacts in case immediate action is needed.

#### **4. Definitions**

For the purpose of this Policy and the procedures included in it, the following working definitions are used:

**Child.** Anyone under the age of 18 years old as stipulated by the UN Convention on the Rights of the Child, the Lanzarote Convention and the Child Protection In Criminal Proceedings And Comprehensive Treatment Of Children In The Children's House Act (ZZOKPOHO).

**Child victim.** Any child subject to sexual abuse, sexual exploitation or other specific criminal offence referred by the ZZOKPOHO.

**Child witness.** Any child who witnessed the commission of sexual abuse, sexual exploitation or other specific criminal offence referred by the ZZOKPOHO.

**Child offender.** Any child older than 14 years of age against whom pre-trial or criminal proceedings are conducted.

**Family member.** A member of the child's domestic community defined as a family in accordance with the act governing family relations.

**Staff.** Anyone employed by the Children's House on a full time or part-time basis.

**Cooperating agencies:** professionals involved in the comprehensive treatment procedure but not employed by the Children's House including the judge conducting the proceedings and the necessary court staff, the authorised prosecutor, police, the defence counsel, the authorized representative of a minor victim, a professional worker from a social work center, medical staff, and any other persons whose presence is permitted by the court for the performance of the activities of the Children's House.

**Volunteers.** Anyone involved in an activity, programme or project of the Children's House on voluntary basis.

**Whistle-blower.** A person, who could be an employee, a volunteer, partner organization or other person/organisation involved in the Children's House activities, who shares a concern related with the breach of the Child Safeguarding Policy and Code of Conduct.

**Child participation.** The right to be heard and the right to participate in decision-making processes both on individual and collective levels.

**Harm:** Violating the child's right to life, survival, development, health, protection from violence or privacy. It includes but not limited to:

**1. Abuse/violence.**<sup>3</sup> Any form of physical, emotional/psychological and sexual violence to children or abuse, neglect or exploitation, that endanger or harm the child's dignity, physical, psychological, or social status, or development.

**a) Physical abuse:** when the child is physically harmed or at risk of such injury. Abuse results from action or inaction by a parent or other individual responsible for the child, or by other person the child trusts, or who holds power over the child.

**b) Emotional abuse:** 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 can also involve age or developmentally inappropriate expectations being imposed on a child or 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.

**c) Sexual abuse:** engaging children in sexual activity they are not able to fully comprehend, give informed consent to and / or for which they are developmentally immature and unable to legally consent to. Children under the age of fifteen are unable to consent to any sexual activity under any circumstances.<sup>4</sup> Sexual activities may involve physical contact with or without penetration and non-physical contact, such as involving children in looking at, or the production of, pornographic materials or watching sexual activities, or encouraging children to behave in sexually inappropriate ways (Article 22 of the Lanzarote Convention). Such contact or interaction might occur as an activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, or where the abuse is made of coercion, force or threats, or of a particularly vulnerable situations of the child such as mental or physical disability or situation of dependence, in line with Article 18 (1.b) of the Lanzarote Convention.

**d) Neglect:** 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.

**e) Exploitation:** the economic, sexual or other exploitation of a child through activities that the child engages in for the benefit of a third party. These activities include exploitative child

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<sup>3</sup> The wordings used to describe the different forms of abuse and violence against children is following the "[Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#)" (Luxembourg Guidelines) adopted by the Interagency Working Group on Sexual Exploitation of Children and endorsed by the Lanzarote Committee.

<sup>4</sup> Age of consent referred by the Article 18 (1.a) of the Lanzarote Convention is set by Article 173.(1) of the Slovenian Criminal Code to fifteen years.

labour,<sup>5</sup> sexual exploitation of children in prostitution (Article 19 of the Lanzarote Convention), offences related to child sexual abuse material (Article 20-21 of the Lanzarote Convention) and any other activity that may be dangerous, interfere with the child's education or be harmful to the child's health or physical, mental, psychological, moral or social development.

**2. Torture, inhuman or degrading treatment or punishment.** In line with Article 3 of the European Convention on Human Rights, it includes acts of violence against children to extract a confession, to extrajudicially punish children for unlawful or unwanted behaviours as well as corporal punishment.

**3. Bullying and cyberbullying.** Deliberately hurtful behaviour of an individual or a group, that is repeated over a period of time involving it involves an imbalance of power that leaves the victim unable to defend him or herself. 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). Cyberbullying is a form of bullying that involves the use of information and communication technologies to deliberately harass, abuse, insult, threaten or intimidate someone.

**4. Discrimination.** When a child or group of children is treated less favourably than another is, has been or would be treated in a comparable situation on any grounds.

**5. Privacy infringements.** Accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data of the child that is transmitted, stored or otherwise processed at or by the Children's House.

**Child Safeguarding.** The responsibility that organisations have to make sure their staff, operations, and programmes do no harm to 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 communities in which they work, are reported to the appropriate authorities.

**Child Safeguarding Concern.** Feeling or worry that a child or adult may be at risk of harm, or may have been harmed, by the organisation's staff, associates, programmes or operations. A concern is not yet confirmed or fact-checked.

**Child Safeguarding Incident.** An allegation that a child is being abused or likely to be abused, is made, even if this allegation is unsubstantiated.

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<sup>5</sup> In accordance with Article 7 of the European Social Charter (Revised) of the Council of Europe.

## 5. Potential risks and risk assessments

Children's House is committed to designing and delivering programmes that are safe for children. Safeguarding is considered at every stage of the comprehensive treatment procedure and at every phase of any other activity, programme or project of the Children's House with regular evaluation. The staff, volunteers and other professionals involved in the activities of the Children's House are supported with training and guidance as well as given the opportunity to discuss safeguarding issues in order to ensure the implementation of the Child Safeguarding Policy. Where Children's House deems it necessary for the protection of the best interests of a child, trainings on safeguarding children will also be provided to visitors and other stakeholders. Nevertheless, it is important to note that responsibility to seek further clarification if not clear about the expectations for the behavior according to this Policy, is a personal one.

We identified the following potential risks within the context of the comprehensive treatment procedure of the Children's House:<sup>6</sup>

- The suspected or accused person has access to the Children's House, follows the interview of the child from the Children's House and therefore his or her presence expose the child or any non-offending family member to physical or emotional harm.
- The staff and the volunteers have close contact and regular interaction with children, and they develop a relationship based on trust with them.<sup>7</sup>
- The staff or the volunteers violate the privacy of the child by sharing information about their story with unauthorised persons, public or the media or fail to use their images in line with the consent given by the child or his or her parents.
- Vetting of staff (both permanent and temporary) and volunteers is not conducted in a thorough manner, checking of references and criminal records is neglected.
- The staff and the volunteers miss the induction or the regular training on child safeguarding, and they are not up to date about the Code of Conduct of the Children's House and the Child Safeguarding Procedures.
- Children are not aware of their right to be protected from harm, they cannot recognize if they are exposed to risks, or they have been harmed or they do not know whom to contact to share a child safeguarding incident.

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<sup>6</sup> This is an initial risk assesment, once the staff of the Children's House is selected, they can review and update the list. This can happen at any later stage as well when the Policy is reviwed.

<sup>7</sup> According to [the study Perceptions of Child Sexual Abuse in Slovenia](#) (carried out by IPSOS in June-September 2020) nearly half of the cases (49%) the perpetrators were close/known to the victim.

Regarding any other activity, programme or project to be implemented at the Children's House, as part of the planning, child safeguarding risk assessment must be undertaken to identify potential risks, set strategies to prevent, mitigate and address risks and manage the impacts of concerns when they occur (see the Risk Assessment Template for Activities in the Annex). Safeguarding must be reviewed regularly throughout these activities and at the end to have the necessary adjustments done for the specific activity and collect lessons learnt for future ones.

## **6. Recruitment of staff and volunteers**

The selection and recruitment of staff and volunteers reflect the commitment of the Children's House to keeping children safe. We will ensure that all appropriate procedures are in place to eliminate anyone who is not qualified to work with children from the consideration. Vetting procedures are based on a detailed description of each profession in keeping with Public Employees Act (ZJU) and specific rules for the different professionals according to Child protection in criminal proceedings and comprehensive treatment of children in the children's house Act (ZZOKPOHO).<sup>8</sup>

All recruitment interviews will include a discussion on child safeguarding and protection. A vetting process is required for every employee selected in a recruitment process prior to starting the work jointly with the references checks. Records of the vetting and reference checks for each employee are kept in the Human Resources personnel file. Vetting procedures for volunteers are based on a detailed description of each volunteer task and the level of contact with children.

Where an employee, expert, volunteer or other stakeholder is engaged in direct work with children, Criminal Records Certificate will be requested as part of the recruitment process. As a reinforcement of our commitment to child protection every employee, volunteer or other stakeholder engaged in direct work with children will present Extract from the register of expunged convictions for sexual offences.<sup>9</sup>

## **7. Code of Conduct**

The Children's House Code of Conduct is part of the Child Safeguarding Policy and contains the criteria on proper and ethical behavior with children by anyone involved in the Children's House activities (staff, volunteer, and other professionals of the cooperating agencies). The

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<sup>8</sup> According to art. 38 of the ZZOKPOHO the procedure of and conditions for eligibility for the assessment of competence shall be determined by the minister responsible for justice.

<sup>9</sup> Evidenca izbrisanih obsodb za kazniva dejanja zoper spolno nedotakljivost.

Children's House firmly believes that the obligation to keep children safe does not end at ensuring that the staff is refrained from causing harm to children but also entails that all precautionary measures are taken by the staff to protect child from harm caused by anyone else. In all instances, this Code of Conduct applies in-person and online.

The following conduct is unacceptable for staff, volunteers and any other professionals of the cooperating agencies:

- Violate the rights of a child and threaten his/her physical, sexual or emotional integrity and safety,
- Use language, make suggestions, or offer advice, which is inappropriate, offensive, or abusive, including to embarrass, humiliate, belittle or demean the child,
- Come into inappropriate physical contact with the child, violating the child's dignity, wishes and right to be heard,
- Develop relationships with children which could in any way be seen as exploitative or abusive and maintain private relationship with the child, outside the framework of services and support of the Children's House,
- Permit or participate in behaviour of children that is illegal, unsafe, or abusive,
- Serve children alcohol, medications or other psychoactive substances;
- Exhibit sexually provoking behaviour or establish sexual relations with children, irrespective of the age of consent;
- Host the child in their own private home, sleep in the same room with children during residential activities, be alone in the room with the child, when providing in-home support
- Discriminate against, directly or indirectly, show differential treatment, or favour particular children to the exclusion of others,
- Neglect the care of personal data and confidentiality,
- Use an image, information or story of a child online including on social media, unless consent has been given by the child,
- Fail to prevent or stop any form of violence or abuse against the child perpetrated by another adult or a child.

The following conduct is expected from staff, volunteers, and any other professionals of the cooperating agencies:

- Provide appropriate information whenever the child request or whenever it is prescribed by professional guidelines, ensure child-friendly language and communicate clearly,

- Regularly assess the capacity of the child to understand, listen to and respect the child's views,
- Encourage children to participate in decision making affecting them,
- Equip children with knowledge to be better able to protect themselves,
- Observe and respect confidentiality of the child and his or her personal information and images,
- Ensure that all activities are smoke, drug and alcohol-free zones,
- Arrange activities and organize the workplace in such a way that the risk of harm is minimized considering the age and development of the child,
- Dress appropriately and respectfully,
  - Report any concern of child abuse to the Child Safeguarding Focal Point.

As part of our Child Safeguarding Policy, it is a requirement that all staff, whether full or part time, permanent or temporary, agree to abide by this Policy and specifically to agree to work in accordance with responsibilities for safeguarding children and expected behaviour of staff set out in the Code of Conduct. This includes signing the Declaration on Personal Commitment to child safeguarding (See Annex). Any form of unacceptable behavior in breach of the Code of Conduct must be reported. In the case of situations which are not covered by the Code of Conduct, the Children's House expects the staff, volunteers and other professionals of the cooperating agencies to apply common sense whilst considering the child's best interests.

## **8. Data protection and communications**

The Children's House follows the principle that children's personal data is not collected unless absolutely necessary and maintaining confidentiality of information is crucial. We ensure that all personal information will be stored and kept confidential in line with the principles of The General Data Protection Regulation (GDPR), Child protection in criminal proceedings and comprehensive treatment of children in the children's house act (ZZOKPOHO) and Personal Data Protection Act (ZVOP-1), unless we have the agreement of the individual and/or their parent or guardian, or where it is necessary to share the information in relation to a safeguarding incident with relevant national authorities.

The Children's House abides the laws regulating data protection and privacy in particular by:

- Obtaining written informed consent from the child and/or parents regarding personal data storage and processing, including the production and use of the visual, audio and audio-visual depiction of the child,
- Securing documentation, both electronic and hard copy,
- Appointing a focal point responsible for data protection,
- Providing training and guidance for the staff and volunteers.

The Children’s House is committed to undertake all communications, both online and offline, in a safe and reputable manner and to take a range of precautions when sharing stories of or information about children in external communications. We never release information about any child to the media or use their images in any information or educational materials without their or their parents’ consent. In the use of information and visual images, we aim to maintain respect and dignity in the portrayal of children, families and communities.

## **9. The Child Safeguarding Focal Point and the Child Safeguarding Committee**

The Child Safeguarding Focal Point and the Child Safeguarding Committee are responsible for keeping all children safe who are involved in activities at the Children’s House.

The Child Safeguarding Focal Point ensures the prevention of, and timely, appropriate responses to any situation raising child protection concerns, or of child abuse and incidents that might affect them. In particular, they are assigned to:

- Act as the first point of contact for child safeguarding and any incidents dealt by the Policy,
- Receive reports and information about potential concerns and incidents and take the necessary measures and decisions as defined by the child safeguarding procedure in this Policy, including liaising with the relevant stakeholders,
- Investigate suspicions or incidents of child abuse,
- Act and follow up if a concern of potential, actual or suspected abuse of a child arises,
- Prepare and call, as relevant, for meetings of the Child Safeguarding Committee.

The Child Safeguarding Focal Point has the overall responsibility and management for the promotion, awareness and implementation of the Child Safeguarding Policy and Procedure, particularly to:

- Regularly monitor the implementation of the Child Safeguarding Policy and report on any development to the Coordinator of the Children’s House,

- Develop and coordinate child safeguarding trainings, briefings and resources,
- Serve as a source of support and information on safeguarding issues for staff, volunteers and other professionals of the cooperating agencies,
- Ensure that the Children’s House Child Safeguarding Policy and commitment for child safeguarding is known to children, families and communities with whom they work in the context of Children's House activities, and that the policy is accessible to them,
- Conduct risk assessments for child safeguarding,
- Keeps an accurate record of any incidents and possible risks of incidents in relation to all activities of the Children’s House in which children take part.

The Child Safeguarding Focal Point is appointed by the Coordinator of the Children’s House among the staff members for the period of 3 years. They are expected to be a professional with child rights and child protection/safeguarding knowledge and experience as well as someone with experience working with children, good communication skills and empathy.

A Child Safeguarding Committee is the main decision-making body concerning all child safeguarding issues in the context of Children’s House.<sup>10</sup> The Child Safeguarding Committee is composed of one nominated member of the Council of the Children's House, the Director of the Children's House and one expert who is appointed depending on the concern addressed by the Committee for the period of 3 years. A Child Safeguarding Committee is responsible to consider reports and information brought to it by the Child Safeguarding Focal Point and to discuss, decide and implement appropriate action to respond to child safeguarding incidents. The meeting of the Committee is convened by the Child Safeguarding Focal Point.

## **10. Reporting and Responding Guidelines: Child Safeguarding Procedure**

The Children’s House is committed to take the necessary actions to prevent and respond to all reports of actual or alleged abuses based on the Child Safeguarding Policy, irrespective of the nature of the referral or the person(s) involved. Every report of suspected child abuse is treated seriously and investigated. Decision about child safeguarding incidents should not be made by individual staff members with the exception of suspected crime, imminent danger or threat to the child’s health or life. In this case, the staff of the Children’s House learning of the situation immediately undertakes legal intervention and informs the police. All activities undertaken in

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<sup>10</sup> To consider: The set up, composition and role of the Child Safeguarding Committee shall be determined by the act of establishment of the Children's House.

the course of reporting and responding are documented. The procedure for reporting and responding to child safeguarding concerns and incidents are in line with the Slovenian laws.

Member of the staff, volunteers of the Children's House and other professionals of the cooperating agencies have an obligation to immediately report any potential, actual or suspected abuse or other safeguarding concern to the Child Safeguarding Focal Point. Child safeguarding concern might rise if a professional recognizes indicators of child abuse,<sup>11</sup> witness it, or confided by the child who suffered harm. In case child disclose information about abuse, the staff or volunteer of the Children's House is obliged to inform the Child Safeguarding Focal Point. Any adult who withholds information is in a breach of this Policy and can be subject to disciplinary measures or legal intervention.<sup>12</sup> Furthermore, any individual can report their concern of potential, actual or suspected child abuse or breach of this Policy anonymously through Incident reporting form available on the Children's House website and its premises.

The Child Safeguarding Focal Point has the responsibility to investigate the reported child safeguarding incidents, collect the necessary information, fill out the Incident record form and prepare the report. The investigation is conducted in a way to serve the best interests of the child and guarantee the protection of the privacy and dignity of all the persons involved, especially children. When concern involves a harmful situation, immediate steps should be taken to remove the child from the dangerous environment and ensure his or her safety. The safety and protection of the child is of utmost importance. Immediate assistance should also be provided to the child, including referral to appropriate medical or psychological support. The Child Safeguarding Focal Point is responsible to contact the child's family or caretaker and inform them of the incident – unless there is a conflict of interest - and offer further assistance. Child safeguarding concerns related to potential, actual or suspected abuse of a child by family or community member (external concerns) and by a staff member, volunteer or other professional of the cooperating agencies (internal concerns) are both dealt with the same level of severity and in accordance with the same procedure.

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<sup>11</sup> If needed, common indicators of child abuse can be added to the draft Policy.

<sup>12</sup> Neglect and maltreatment of minors, Article 192 (1) of the Criminal Code: A parent, guardian, foster parent or other person who seriously breaches his or her obligations towards a minor shall be sentenced to imprisonment for up to three years. (2) A parent, guardian, foster parent or other person who forces a minor to perform excessive work or to perform work unsuitable to his or her age or to give up his or her work, or who for self-serving motives solicits a minor to mendicancy or other conduct prejudicial to his or her proper development, or who maltreats or tortures a minor, shall be sentenced to imprisonment for up to five years.

If further action is needed, the Child Safeguarding Focal Point call for the meeting of the Child Safeguarding Committee and submit the Incident record form and report to them in advance. The reasons for not reporting to the Child Safeguarding Committee will be put on the record and person who brought the concern will be informed. The Child Safeguarding Committee carefully considers the report of the child safeguarding incident, if needed, further investigates, and decides about the appropriate response:

- Disciplinary action against the staff member: suspension or immediate termination of contract.
- Legal action against the staff member, volunteer or other professional of the cooperating agencies: acts of a criminal nature will be referred to the competent authorities and may result in a criminal investigation and conviction.
- Referral to other professional bodies: in case the staff member is bound by the Ethical Code of his or her profession, he or she might be held responsible for misconduct in accordance with the procedure of that policy. In case of other professional from the cooperating agencies, he or she is might be subject to an internal procedure of the agency concerned.<sup>13</sup>
- If the suspicion of the child safeguarding incident is found unsubstantial and no further action is deemed necessary, the Committee close the procedure by updating the report

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<sup>13</sup> The Commission for Ethical Issues within the Slovenian Psychologists' Association maintains the code of ethics of psychologists, follows innovations in the field of ethics and transmits them to Slovene context. It also provides training and support to individuals on ethical issues related to the work of psychologists and provides opinions in individual cases related to ethics of behaviour of psychologists in practice.

The Commission of the Republic of Slovenia for Medical Ethics is an advisory body of the Minister of Health, which deals with issues in the field of medical ethics and deontology and gives consents, opinions and explanations on individual issues in this field. It is exclusively responsible for definitions of ethical issues that are important for the unification of ethical practices at the state level.

The Social Chamber of Slovenia is responsible (in line with Social Assistance Act and Rules on settlement of objections to social assistance services provided by private undertakings) for dealing with the user of social services issuing a complaint against a social services provider.

The Department for Internal Investigations and Integrity of the Police performs, amongst others, the following tasks in relevant areas: :

- detecting, preventing and investigating criminal offenses of police officers;
- checking and assessing the ethical conduct and integrity of police officers and the risks to internal police security;
- checking and assessing the circumstances in which a police officer performs work that would hinder him / her from performing police duties;

submitted by the Child Safeguarding Focal Point with the findings of its own investigation.

The Child Safeguarding Committee will inform the individual concerned about the decision in writing as well as the person who reported the child safeguarding incident, including the child himself or herself. The Children's House ensures that no punitive action will be taken against those who report child safeguarding concerns or incidents in good faith. However, anyone who wilfully use false information will be subject to disciplinary measures or legal intervention.

### **11. Prevention and intervention in partnership with children, families and communities**

Children, their families and the communities affected by any activity of the Children's House should be made aware of the child safeguarding commitments of the institution and be informed of the procedure about reporting a child safeguarding concern and responding to such an incident. Child-friendly version of the Child Safeguarding Policy is made available for all children before they start participating in the comprehensive treatment procedure or any other activity, programme or project of the Children's House.<sup>14</sup> The name and contact details of the Child Safeguarding Focal Point are visibly displayed in the premises of the Children's House and on its website therefore all children, families, staff and other stakeholders will be made aware of the role.

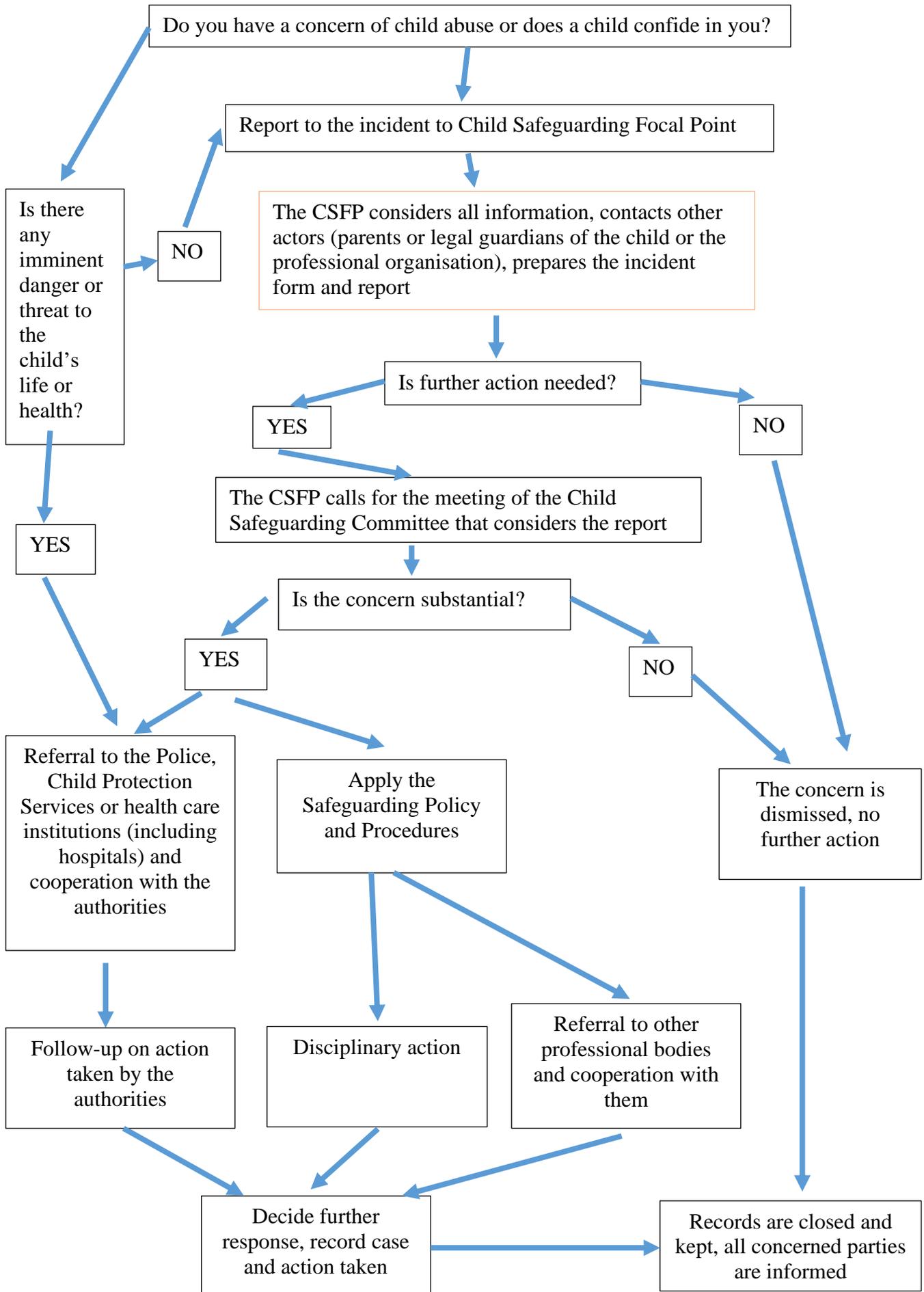
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<sup>14</sup> To be developed in consultation with children and can be attached as an Annex to this Policy.

## **Annex**

- Child Safeguarding Procedure Flowchart
- Declaration on Personal Commitment to child safeguarding
- Incident reporting form
- Incident record form
- Risk assessment template for activities
- Relevant contact details of the Child Safeguarding Focal Point and the Child Safeguarding Committee
- List of emergency contacts in case immediate action is needed
- Child-friendly version of the Policy

# 1. Child Safeguarding Procedure Flowchart



## 2. Declaration on Personal Commitment to child safeguarding

I (full name) \_\_\_\_\_

job title/role at the Children's House of Slovenia

\_\_\_\_\_

of (current address)

\_\_\_\_\_

declare that:

- I have been given a copy of, read and understand the Child Safeguarding Policy and Procedure of the Children's House of Slovenia (hereinafter the Policy),
- I accept the importance of promoting and implementing the child protection policies, procedures, principles and practices (in the areas of awareness, prevention, reporting, responding) contained within the Policy.
- I personally share and agree with:
  - the scope of the Policy,
  - the definitions and principles set out by the Policy,
  - the potential risks identified by the Policy, and
  - Policy's commitment to data protection and privacy.
- I do not have any criminal record nor have undergone disciplinary action relating to any form of child abuse, neglect or violence. I have submitted the proof of impunity in the recruitment procedure.
- I agree to abide by Code of conduct and Reporting and Responding Guidelines: Child Safeguarding Procedure as set out in the Policy,  
therefore I will:
  - provide appropriate information whenever the child request or whenever it is prescribed by professional guidelines, ensure child-friendly language and communicate clearly,
  - regularly assess the capacity of the child to understand, listen to and respect the child's views,
  - encourage children to participate in decision making affecting them,
  - equip children with knowledge to be better able to protect themselves,
  - observe and respect confidentiality of the child and his or her personal information and images,

- ensure that all activities are smoke, drug and alcohol-free zones,
- arrange activities and organize the workplace in such a way that the risk of harm is minimized considering the age and development of the child,
- dress appropriately and respectfully,
- report any concern of child abuse to the Child Safeguarding Focal Point.

Furthermore, I will not:

- violate the rights of a child and threaten his/her physical, sexual or emotional integrity and safety,
- use language, make suggestions, or offer advice, which is inappropriate, offensive, or abusive, including to embarrass, humiliate, belittle or demean the child,
- come into inappropriate physical contact with the child, violating the child's dignity, wishes and right to be heard,
- develop relationships with children which could in any way be seen as exploitative or abusive and maintain private relationship with the child, outside the framework of services and support of the Children's House,
- permit or participate in behaviour of children that is illegal, unsafe, or abusive,
- serve children alcohol, medications or other psychoactive substances,
- exhibit sexually provoking behaviour or establish sexual relations with children, irrespective of the age of consent,
- host the child in their own private home, sleep in the same room with children during residential activities, be alone in the room with the child, when providing in-home support,
- discriminate against, directly or indirectly, show differential treatment, or favour particular children to the exclusion of others,
- neglect care of personal data and confidentiality,
- use an image, information or story of a child online including on social media, unless consent has been given by the child,
- fail to prevent or stop any form of violence or abuse against the child perpetrated by another adult or a child.

I understand that Children's House of Slovenia has the right to take legal action against me if I breach the Policy or any laws of the Republic of Slovenia.

Date

Signature

### 3. Incident reporting form

This reporting form may be filled out by any person who witness any form of child abuse or to whom a child discloses an incident. It will be available online (at the website of the Children's House) whereby the author has the opportunity to be anonymous.

We take seriously all reports of concern regarding the safety and protection of a child and appropriate steps will be taken to protect the child.

<b>General information</b>	
Children's House activity:	
<b>Information about the child</b>	
Name of the child:	
Parents:	
Address:	
Case number (if applicable):	
<b>Information about the referral (not compulsory)</b>	
Name:	
Address:	
Contact:	
Occupation:	
Relationship to the child:	
<b>About the concern and the alleged perpetrator</b>	
Details of concern: what happened, who, where, when (including the child's words if possible)?	

Name, occupation and contact details of the alleged perpetrator:	
Any recent changes in the behaviour of the child?	
Has emergency medical attention been required or any other authority contacted or involved?	
Any other relevant information?	
<b>Date of submission and signature</b>	

#### 4. Incident record form

The incident record form has two sections: the first section is identical to the Incident reporting form and taken from the submission of the referral person unless it is the Child Safeguarding Focal Point is the first one to record the incident or there is a need to update the original submission. The second section is to be filled out by the Child Safeguarding Focal Point upon receiving the Incident reporting form. In all cases, the Child Safeguarding Focal Point prepares a report using both forms to be submitted to the Coordinator of the Children's House (in case the case is closed) or to the Child Safeguarding Committee (in any other case).

<b>Section 1.</b>	
<b>General information</b>	
Children's House activity:	
<b>Information about the child</b>	
Name of the child:	
Parents:	
Address:	
Case number (if applicable):	
<b>Information about the referral (not compulsory)</b>	
Name:	
Address:	
Contact:	
Occupation:	
Relationship to the child:	
<b>About the concern and the alleged perpetrator</b>	

Details of concern: what happened, who, where, when (including the child's words if possible)?	
Name, occupation and contact details of the alleged perpetrator:	
Any recent changes in the behaviour of the child?	
Has emergency medical attention been required or any other authority contacted or involved?	
Any other relevant information?	
<b>Date of submission and signature</b>	
<b>Section 2.</b>	
<b>The referral received by</b>	
Name:	
Position:	
Date:	
Format (Online or paper):	

<b>Actions to be taken</b>	
More information needed?	
Referral to the police?	
Referral to the Child protection?	
Referral to medical treatment?	
Other action required to ensure child not at further risk from alleged perpetrator?	
Convening the meeting of the Child Safeguarding Committee?	
Next steps in accordance with the Child Safeguarding Policy and Procedures?	
<b>Date and signature</b>	