

## Draft-Child Protection Policy

### 1. Introduction

European Policy Institute (EPI) is committed to creating a safe and secure environment for all individuals, especially children, who come into contact with our organisation. This Child Protection Policy (the Policy) outlines our commitment to safeguarding children from all forms of abuse, ensuring their well-being, and promoting their rights in accordance with the United Nations Convention on the Rights of the Child, the Constitution of the republic of North Macedonia, the national legal framework on child protection of the Republic of North Macedonia and Child Safeguarding Standards. In accordance with that, and knowing that children represent an especially vulnerable group, EPI has developed the following Policy.

### 2. Policy Statement

European Policy Institute, hereinafter EPI, is founded as a non-profit, independent think-tank operating on the basis of the Law on Associations (UID: 6682561). EPI's team works with a shared vision for a Europeanized society that cultivates a democratic and inclusive dialogue. EPI is committed to safeguarding all children, irrespective of ability, ethnicity, faith, gender, sexuality and culture and, where appropriate, promote their well-being and development. The Policy recognises that types of risk may vary according to the child and the means of addressing risks may also vary. Preventing harm to children is a commitment all EPI staff and associates make whilst at work and outside of work. Staff and associates need to understand that they represent, or are identified with, the organisation at all times.

All forms of violence, abuse or neglect of children, which threaten or damage the physical, psychological and moral integrity of the child's personality, represent a violation of one of the basic rights of the child, namely the right to life, survival and development. Children can be exposed to exploitation, abuse, violence and neglect in families, local communities, institutions, organizations, in private places, in public, in different circumstances by different persons. The Policy has been developed to ensure the highest standards of professional behavior in order to provide children with adequate protection during their involvement in the activities, projects and programs of EPI.

This policy applies to anyone working for and under any form of contract or agreement with EPI, including prospective, current (including directors, managers and interns) and former employees, contractors, volunteers, consultants, business partners, service providers. If local legislation, regulations or laws provides higher level of protection than what is included in this policy, the local legislation will take precedence.

The Policy is based on the following principles:

- All children have equal rights to protection from harm no matter their race, gender, age, nationality, ethnicity, religion, material status, level of disability, birth or other status of children, their parents or guardians
- Everybody has a responsibility to support the protection of children.
- Organisations have a duty of care to children with whom they work, are in contact with, or who are affected by their work and operations.
- If organisations work with partners, they have a responsibility to help partners meet the minimum requirements on protection.
- All actions on child safeguarding are taken in the best interests of the child, which are paramount.

The goal of this Policy is to ensure the level of protection of children as foreseen by the United Nations Convention on the Rights of the Child and other relevant international, regional and domestic regulations that regulate this issue. Accordingly, all children who are involved in EPIs activities and projects have the right to:

- health, safety and well-being, and best interests shall be of primary importance;
- all rights guaranteed by international and domestic regulations;
- harmonious development so that they can realize their full potential;
- to be valued, respected and understood in the context of their own culture, religion and ethnicity;
- be heard and their views will be taken into account;
- be encouraged on a daily basis to participate in making decisions that concern them.

In addition, the purpose of the policy is to:

- ensure the safety and well-being of children with whom EPI makes contact in any way,
- points out the necessity of active action by the employees and volunteers in EPI in cases where there is a suspicion that the safety, i.e. the well-being of children, has been violated,
- indicates the necessity of the presence of at least one person from EPI with the task of taking care of the children throughout the duration of the seminar/workshop/activities in which the children participate, in order to enable adequate care of the children and ensure a safe environment for the children and active action in cases where there is a suspicion that the safety of children is at risk.

In order to achieve the stated goal, EPI defines with this Policy:

- the manner in which EPI employees, members, volunteers and all others who work with children are introduced to the Policy and procedures,
- conditions for hiring persons who have contact with children,
- code of conduct for all persons who have contact with children as part of the activities carried out by EPI,
- the way in which healthy lifestyles are promoted within EPI,
- the necessity of applying a risk assessment when planning the EPI's activities that involve contact with children,
- rules for the use of children's personal data, such as photos and videos with their image,
- procedures for action in the event of suspicion that the safety and well-being of children have been violated,
- procedures for monitoring the implementation of the Policy.

Applicable international and national law applies but is not limited to:

1. United Nations (2016). Transforming our world: The 2030 agenda for sustainable development.
2. United Nations. (1948). Universal Declaration of Human Rights.
3. European Court of Human Rights Council of Europe (1950). European Convention on Human Rights (ECHR).
4. United Nations (2002). Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
5. Council of Europe. (1987). European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

6. UNICEF (1989). Convention on the Rights of the Child.
7. Council of Europe. (2010). Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice.
8. Council of Europe. (2007/2010). Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (“the Lanzarote Convention”).
9. Council of Europe. (2011). Convention on preventing and combating violence against women and domestic violence.
10. ILO. (1999). Convention No. 182 on the Worst forms of child labour.
11. Constitution of the Republic of North Macedonia, 2018
12. Law on Justice for Children, Official Gazette of the Republic of Macedonia No. 148 of 29.10.2013
13. Child Protection Law, Official Gazette of the Republic of Macedonia no. 23/13, 12/14, 44/14, 10/15, 25/15, 150/15, 192/15, 27/16, 163/17.
14. Criminal Code, Official Gazette of the Republic of North Macedonia no. 37/1996, 80/1999, 4/2002, 43/2003, 19/2004, 81/2005, 60/2006, 73/2006, 7/2008, 139/2008, 114/2009, 51/2011, 135/2011, 185/2011, 142/2012, 166/2012, 55/2013, 82/2013, 14/2014, 27/2014, 28/2014, 41/2014, 115/2014, 132/2014, 160/2014, 199/2014, 196/2015, 226/2015, 97/2017, 248/2018
15. Law on Family, Official Gazette of the Republic of Macedonia no. 80/1992, 9/1996, 38/2004, 33/2006, 84/2008, 67/10, 156/10, 39/12, 44/12, 38 / 14, 115 / 14, 104/15 and 150/15
16. Law on Basic Education, Official Gazette of Republic of North Macedonia no. 161 of 5/8/2019
17. Law on secondary education, Official Gazette of the Republic of North Macedonia no. 44/1995, 24/1996, 34/1996, 35/1997, 82/1999, 29/2002, 40/2003, 42/2003, 67/2004, 55/2005, 113/2005, 35/2006, 30/2007, 49/2007, 81/2008, 92/2008, 33/2010, 116/2010, 156/2010, 18/2011, 42/2011, 51/2011, 6/2012, 100/2012, 24/2013, 41/2014, 116/2014, 135/2014, 10/2015, 98/2015, 145/2015, 30/2016, 127/2016, 67/2017, 64/108 and 64/2018.
18. Law on Health Care, Official Gazette of the Republic of Macedonia no. 43/2012, 145/2012, 87/2013, 164/2013, 39/2014, 43/2014, 132/2014, 188/2014, 10/2015, 61 / 2015, 154/2015, 192/2015, 17/2016 and 37/2016.
19. Law on Health Insurance, Official Gazette of the Republic of Macedonia no. 25/00, 34/00, 96/00, 50/01, 11/02, 31/03, 84/05, 37/06, 18/07, 36/07, 82/08, 98/08, 6/09, 67/09, 50/10, 156/10, 53/11, 26/12, 16/13, 91/13, 187/13, 43/14, 44/14, 97/14, 112/14, 113/14, 188/14, 20/15, 61/15, 98/15, 129/15, 150/15, 154/15, 192/15, 217/15, 27/16, 37/16, 120/16 and 142/16
20. Law on health records, Official Gazette of the Republic of Macedonia no. 20/2009, 53/2011.
21. Law on prevention, prevention and protection from domestic violence, Official Gazette of the Republic of Macedonia no. 138/2014, 33/15, 150/15
22. Law on Labor Relations, Official Gazette of the Republic of Republic of Macedonia no. 80/93-2007
23. Law on Prevention and Protection from Discrimination, Official Gazette of RSM no. 101/19
24. Law on mediation, Official Gazette of the Republic of North Macedonia No. 294/2022
25. Agency for youth and sports. (2016). National strategy for youth for the period 2016-2025.
26. Ministry of Education and Science. (2018). Comprehensive Education Strategy and Action Plan (2018-2025)
27. Ministry of Labor and Social Policy. (2013). National strategy for reducing poverty and social exclusion (revised 2010-2020).

28. Ministry of Labor and Social Policy. (2010). National program for the development of social protection 2011-2020.
29. Ministry of Labor and Social Policy. (2019). Strategic plan of the Ministry of Labor and Social Policy 2019-2021.
30. Ministry of Internal Affairs. (2017). National Action Plan to Combat Human Trafficking and Illegal Migration (2017-2020).
31. Ministry of Labor and Social Policy. (2017). National strategy for deinstitutionalization 2018-2027.

For the purposes of this policy, the following definitions apply as per Child Safeguarding Standards:

**Child:** A person under the age of 18 years , as well as persons with disabilities in physical and mental development up to the age of 26

**Physical abuse:** actual or potential physical harm perpetrated by another person. it may involve hitting, shaking, poisoning, drowning and burning. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child.

**Sexual abuse:** forcing or enticing a child to take part in sexual activities that he or she does not fully understand and has little choice in consenting to. This may include, but is not limited to, rape, oral sex, penetration, or non-penetrative acts such as masturbation, kissing, rubbing and touching. It may also include involving children in looking at, or producing sexual images, watching sexual activities and encouraging children to behave in sexually inappropriate ways.

**Child sexual exploitation:** a form of sexual abuse that involves children being engaged in any sexual activity in exchange for money, gifts, food, accommodation, affection, status, or anything else that they or their family needs. It usually involves a child being manipulated or coerced, which may involve befriending children, gaining their trust, and subjecting them to drugs and alcohol. The abusive relationship between victim and perpetrator involves an imbalance of power where the victim's options are limited. It is a form of abuse that can be misunderstood by children and adults as consensual. Child sexual exploitation manifests in different ways. It can involve an older perpetrator exercising financial, emotional or physical control over a young person. It can involve peers manipulating or forcing victims into sexual activity, sometimes within gangs and in gang-affected neighborhoods. It may also involve opportunistic or organised networks of perpetrators who profit financially from trafficking young victims between different locations to engage in sexual activity with multiple men.

**Neglect and negligent treatment:** allowing for context, resources and circumstances, neglect and negligent treatment refers to a persistent failure to meet a child's basic physical and/or psychological needs, which is likely to result in serious impairment of a child's healthy physical, spiritual, moral and mental development. It includes the failure to properly supervise and protect children from harm and provide for nutrition, shelter and safe living/working conditions. It may also involve maternal neglect during pregnancy as a result of drug or alcohol misuse and the neglect and ill treatment of a disabled child.

**Emotional abuse:** persistent emotional maltreatment that impacts on a child's emotional development. Emotionally abusive acts include restriction of movement, degrading, humiliating, bullying (including

cyber bullying), and threatening, scaring, discriminating, ridiculing or other non-physical forms of hostile or rejecting treatment.

**Commercial exploitation:** 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.

EPI will act in the following ways in order to protect children:

- comply with international and state regulations and enable efficient investigation in cooperation with the competent state authorities in case of suspicion that a child's rights have been violated,
- will raise the awareness of all those who have a relationship with EPI, from employees, through volunteers to contractors, consultants, business partners, service providers and the participants of the activities organized by EPI, about the values and principles of the protection of children who come into contact with EPI, all with the aim of preventing violations of the protection and safety of children,
- will provide support to children who report violations of their rights or abuse, guiding itself with the principle of the best interest of the child,
- will undertake all necessary preventive measures and will always require parental consent for children's participation in the EPI's activities, as well as the use of their personal data, photos and videos, all for the purpose of ensuring the protection and safety of children.

## Risk Assessment

EPI is dedicated to designing and providing programmes which are safe for children, including during the process of writing project proposals and creating activities. EPI shall carry out risk assessments before any work is undertaken. EPI acknowledges that all child related work carries certain elements of risk. Risk assessment shall determine whether it is a low or high-risk activity and ensure proper risk controls are in place.

Health and safety issues need to be discussed and agreed with the children both in the planning and delivery of programmes/activities. Ultimate responsibility for children and young people's health and safety lies with the staff person in charge of the programme/activity. If a programme/activity is organised and delivered in partnership with another organisation, all partners should agree with the Policy.

When children are taking part in EPI's activities, there should be adequate supervision ensured at all times. Supervision will vary depending on the needs of the group, age group of participants, gender breakdown and the overall nature of the activities involved. There should be at least one supervisor per 10 children and if the group is mixed gender groups it will be preferable to have supervisor of each gender.

It is necessary to have basic information on the children and young people you are working with. This includes name, address, contact details and medical information. If possible, staff member with a First Aid qualification will be present at the activity. Activity leaders should be aware of any medical needs children have and medication a child is currently taking. This should also include information concerning allergies and reaction to foods.

Items that may cause injury during any activity should be removed. All activities should be facilitated in a non-threatening environment and account should be taken of physical and emotional abilities. Consideration must also be given to young people who have particular medical needs.

EPI has a range of partners, including donors, local NGOs, government, contractors, and suppliers. All partners need to agree to a commitment to keep children safe that is appropriate to that partnership. EPI shall make sure that all partners are clear about the nature of the partnership relationships that they enter into and there is a sound assessment of the partner's contact with, and impact on children during the partnership and what this means for child safeguarding agreements.

EPI will make sure that an agreement is reached with all partners on how they will support one another to achieve compliance and competence around child safeguarding, including the provision or exchange of resources and that all partners agree with the Policy. All partners shall be equally responsible securing a safe and secure environment for children and for reporting concerns about child abuser among one another. If a concern has arisen about child abuse, termination of agreement shall depend on the partner's mishandling of the concern. If a partner fails to take action or agreement will be terminated. If an allegation turns out to be true, the agreement shall be terminated if a partner fails to take actions against the perpetrator.

### **Recruitment**

During recruitment process, EPI shall outline its commitment to child safeguarding in the job advertisement and agreement with the Policy and Code of Conduct shall be one of the pre-conditions for applying. All interviews with candidates shall include a discussion on child's safeguarding and candidate's understanding of EPI's commitment.

All project partners and contracted persons shall sign document confirming that they agree with the Policy prior to the start of their activities with EPI.

EPI shall ensure that all children participating in EPI's activities and programmes, as well as their parents, are aware of the Policy.

### **Code of Conduct**

The code of conduct outlines EPI's expectations regarding behaviour towards children. This code of conduct has been designed by taking into consideration the best interests of children. EPI has the aim that both adults and children take part in a safe and secure manner in EPI's work and activities. The following behaviour is expected from all EPI employees, volunteers, contractors, consultants, business partners and service providers:

- All children must be treated with dignity and respect at all times;
- All children must be treated equally and without discrimination;
- Safe environment must be ensured for all children;
- If it is necessary to make physical contact with a child, such as a hug, the prior approval of the child is required;
- Be aware of what constitutes child abuse and exploitation;
- Be aware of the signs of abuse and report any suspected ones immediately;

- Maintain high standards of personal and professional conduct;
- Protect health, safety and well-being of yourself and others;
- Be aware of opportunities and dangers of peer abuse;
- Be concerned about how the language, actions and relationships with children might be perceived;
- Be careful when expressing views and thoughts;
- Work on special measures that you will apply to protect children from peer and adult abuse;
- Provide a suitable environment for the personal, physical, social, emotional, moral and intellectual development of children;
- Encourage and respect the child's voice and views;
- Restrict/disable children's access to any inappropriate electronic material;
- Respect the confidentiality of children's personal data at all times in line with the Personal Data Protection Law;
- Request the written consent of the child and parent/legal guardian during photography, recording or requesting personal data for the purposes of EPI's activities;
- Ensure that at least one EPI representative is present at meetings, projects and other activities with children;
- Ensure that all buildings are fully accessible for children with disabilities, if they participate in the EPI's activities;
- Before the event, get accurate information about the specific equipment used by the disabled child in order to ensure its accessibility to all buildings and spaces for organising EPI activities;
- In cases where children are accompanied by parents and/or guardians or other adults, do not allow these adults to be under 21 years of age, except in exceptional circumstances and if an agreement is reached with EPI representatives;
- When children as participants are invited to stay overnight in the case of multi-day seminars, the mode of sharing rooms is agreed in advance and with the consent of parents/guardians and children;

#### Unacceptable behaviour:

- Ridiculing or rejecting a young person;
- Leaving children unattended;
- Permitting abusive peer activities e.g. bullying, ridiculing in any form;
- Engaging in sexually provocative games with children in any form;
- Engaging in sexual activity with children in any form;
- Allowing or engaging in inappropriate touching of any form;
- Hitting or other physical assault;
- Allowing children to use inappropriate language unchallenged;
- Any action or behaviour that could be construed as malicious or potentially violent (for example, behaving in an inappropriate or sexually provocative manner);
- Discriminating, shaming, humiliating, or degrading children. This includes anything that could be considered emotional abuse such as using language or telling stories/showing photos that will mentally or emotionally abuse a child;
- Approving violations of this code by other persons;
- Making sexually suggestive comments about or to a child (unacceptable in any case);
- Letting allegations a child makes go unchallenged or unrecorded;

- Doing things of a personal nature for a child that they can do themselves;
- Allowing unknown adults' access to children, especially if collecting them from group sessions, residential etc.;
- Putting children at risk;
- Photographing, recording or taking personal data of children if this is not necessary for the realisation of the EPI activities and is not consented in advance by children and their parents/legal guardians;
- Using inappropriate data (including accounts on social media) about children with whom contact is made during EPI activities.

In situations where a child with whom direct contact is made behaves aggressively, it is important to:

- Not to respond with aggression,
- always stay calm,
- if possible, move the aggressive person out of the conflict situation,
- use non-threatening body language and speak in a calm voice, without shouting or raising your voice,
- avoid physical contact,
- if possible, and if appropriate, move the victim of aggression out of the conflict situation.

### **Work environment and education**

EPI promotes healthy lifestyles, i.e. supports an environment without psychoactive substances, including smoking, alcohol and various types of drugs, which applies both to activities inside the office and to activities outside the office. Any use of psychoactive substances at work is strictly prohibited. Accordingly, staff and volunteers, as well as all persons who come into contact with children, have an obligation to promote healthy lifestyles in their work with children.

All EPI employees, volunteers, contractors, consultants, business partners, service providers have an obligation to become familiar with the Policy. EPI shall conduct Child Protection on annual basis as a one-day training programme intended for all staff and volunteers. The training shall be prepared and delivered by a designated person.

All children which would like to take part in EPI's activities must have a written consent form a parent/legal guardian. The child and a parent/legal guardian shall become familiar with the Policy.

### **Communication**

EPI is committed to sharing information about our activities, Child Protection Policy, with staff, volunteers, consultants, children, parents/legal guardians and any other persons associated with EPI.

Children alongside parents and legal guardians receive information at the start of programmes/activities through an information pack regarding an outline of the programme, expectations, the names of those responsible for running the programme and venue, duration and times of contact and which contains a brief overview of the Policy.



Children and parents/legal guardians shall be informed of the Policy, the EPI'S legal obligation pertaining to confidentiality and the positive behaviours they should expect from staff, volunteers or any other person associated with EPI.

Written consent is sought for parents/legal guardians all activities involving children. Children also sign consent forms. A record of these is kept in project files. All confidential records are stored on encrypted Dropbox servers as well as on encrypted hard drives on organizational computers. In keeping with Data Protection principles these are only shared when necessary with relevant funders for monitoring purposes and with the Policy/Social Services if needed.

As a part of EPI's activities, children might be interviewed, recorded, filmed or photographed. This is of paramount importance knowing that children might be targeted by abusers who saw children's photos or videos. Before taking any photos, videos or seeking personal data about the child's life that will then be used in EPI's materials, the informed consent of the child and the parent/legal guardian, must always be sought. The children and parents/legal guardians are told how EPI can use the information or photo/video and that they are not obliged to agree to give consent. Consent is always required from the child's parents/guardians.

In relation to interviews/photography/video recordings, informed consent includes explaining what is involved in the interview/photo/video and explaining the child's right to withdraw consent at any time. It is desirable that someone else who the child knows well is present during the interview. Whenever possible, the child should be given the choice to decide who will support him during the interview. If notes are taken during the interview or the interview is recorded in another way, the child must be aware of it and must give permission.

Special attention should be paid to the organisation of visits by external photographers, film crews, journalists or other visitors as part of EPI's projects and activities. All journalists, photographers and film crews must be fully familiar with the Policy before meeting children who will be interviewed, photographed or filmed. Photographers, journalists and film crews shall be accompanied by a EPI representative who is in charge of taking care of the children, when conducting interviews, filming or taking photographs. Children, parents/ legal guardians must be informed about how the material will be used and consent to recording. In order to protect children's rights to privacy and ensure their protection, EPI must be informed how the photographer or videographer intends to use the photos, recordings or interviews. EPI reserves the right to prohibit photographing/recording of children if it believes that external persons would not act in accordance with the Policy.

### **Management responsibilities**

EPI shall appoint a person to be a contact point for child protection and responsible for:

- Promotion of the Policy and raising awareness;
- Supervision of the Policy implementation;
- Act as support and provide information to all employees, contractors, volunteers, consultants, business partners and service providers on the Policy;
- Inform children about their rights and adults about their responsibilities towards child protection.

### **Procedures of responding to concerns**

EPI and its staff accept moral and legal responsibility in dealing promptly and effectively to concerns and disclosures regarding children and allegations against a staff member, volunteer or any other person associated with CEP.

- A **concern** relates to the possibility of a child suffering harm.
- **Disclosure** involves a child telling a staff member or volunteer of abuse or harm taking place.
- An **allegation** a staff member, volunteer or any other person associated with CEP can involve concerns about their behaviour towards children.

Persons in charge of caring for the activity, or children, or any other EPI staff or representative, are obliged to report suspected abuse or violation of another child's right to the designated person in EPI. In the event that these persons fail to report the existence of such a suspicion, such failure should be interpreted as an act of concealment, and legal proceedings may be initiated against these persons before the competent authorities. Persons in charge of caring for the activity, or children, or any other EPI staff or representative, suspect or are informed about the child abuse they should not investigate further, but rather report such behaviour. When a child discloses abuse, it is imperative that a child is provided support, but also to inform the child that they must forward the information to the competent state authorities.

The concern/disclosure/allegation should be immediately reported to a designated person – **Vaska Ristovska**, phone **+38978343208**. If she is unavailable to **Simonida Kacarska** (Director), **+38978238755**. If deemed necessary, the concern/disclosure/allegation should be reported by the designated person to the police and/or Centre for Social Work.

In the event that there is a suspicion that an employee, volunteer or person associated with EPI in any other form has endangered the safety of the child, he/she will be immediately suspended from the work until the investigation of the case is completed. Any suspected case of abuse, as well as exploitation, must be reported to the competent state authorities - the police and/or the Center for Social Work. If the investigation determines that the allegations of abuse are true, the person who committed the misconduct will be permanently dismissed from EPI.

In all matters related to this Policy, the obligation of confidentiality must be respected. Therefore, no information disclosed by children and/or other individuals about any form of child abuse will be published without the prior consent of the child and their parent/legal guardian and/or the person who reported such abuse. Children (and their families) must be fully informed at all times about the course of the procedure and its outcome.

### **Review and Implementation**

The Policy will be reviewed annually to ensure its relevance and effectiveness. Implementation of this policy will be regularly monitored to ensure compliance and continuous improvement. In addition, the Managing Board can at any time ask about reports, investigations and the state of the Policy and can at any time order an internal audit.