



ASSOCIAÇÃO PARA O PLANEAMENTO DA FAMÍLIA

Child and Youth Protection Policy (CYPP)

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Introduction

APF as an associate of the International Federation of Family Planning – IPPF, follows the guidelines of the Federation’s Children and Youth Protection Policy as reference.

The purpose of this document is to provide a set of guiding principles and standards of conduct for promoting a safe environment for children and youth.

The United Nations Convention on the Rights of the Child upholds special rights and protection for all persons under the age of eighteen. The term “children” is used to refer to children under eighteen in this document.

The IPPF defines young people as the age group of ten to twenty-four years old.

Thus, this policy integrates both age groups, therefore covering zero to twenty-four years old. This policy for the protection of children and young people is equally applicable to any adult in a vulnerable situation.

APF recognizes the vulnerability and the need to protect children and youth and that it is important to ensure that the necessary measures are taken at various levels, to safeguard the well-being, health and dignity of the children and young people who participate in the associations’ projects, activities and programs.

In this sense, this policy outlines both the commitment of APF, the people who integrate it and the people who collaborate with it, to protect children and young people from harm, as well as the responsibilities and common procedures for those who have direct contact with children and young people in the context of the actions implemented.

This protection policy applies to all persons related to APF, either directly or indirectly, such as employees; volunteers; consultants; partners and others.

APF will only collaborate with other organizations that come into contact with children and young people if they agree with their standards and principles, which is achieved through the signing of partnership protocols with a specific clause.

Objective of the Child and Youth Protection Policy

This policy is intended to serve as practical guide to protect children and young people from abuse in the activities developed by APF.

It describes a series of general risk management principles and standards of conduct that will be implemented, and which aim to reduce child and youth risk and danger.

It is intended:

Protect children and young people from mistreatment and abuse, in all types of actions developed by APF;

Protect all people who contribute to the actions developed by APF, establishing a commitment with explicit guidelines on the expected behavior with children and how to act in case of concern for their safety;

Protect the reputation and credibility of APF, the people who integrate it and who collaborate with it by clarifying the commitment, practices and rights that guarantee the safety and well-being of children and young people.

Guiding principles

- APF believes that the creation of a safe environment for all children requires the cooperation of all;
- APF does not tolerate any type of physical or emotional abuse in relation to any child and is committed to ensuring that all collaborating staff (whether or not they are paid) is aware and supported for the development and application of this policy;
- APF considers that all adult persons who gets in contact with children have the responsibility to ensure that their rights are respected;
- APF recognizes that, as right holders, children and youth have the right to access sexual and reproductive health information and services and do so, in a safe and protected manner;
- APF recognizes that the denial of the rights of children and youth, including sexual ones, namely the right to participation and expression, is partly responsible for the situations of vulnerability.

Contact with children and youth

It is important to define what is meant by contact with children and young people:

Direct contact with vulnerable children, youth and adults

The adults who collaborate with APF may be in the physical presence of a child, young person or vulnerable person in several contexts of the organizations' work, whether the contact is occasional or regular, whether in the short, medium or long term;

- This contact may involve clinical services/ care, training, information and education (including peer education) inside and outside schools or in community settings;
- Direct contact may also involve visits to projects/ locations and participation in conferences at local, regional, national or international levels;

Indirect contact with vulnerable children, youth and adults

- Indirect contact includes adults who have access to information about children, youth and vulnerable adults in the context of the organizations' work, such as names, locations (addresses of individuals or projects), photographs and case studies and who refer to that information without express permission and/ or informed consent from legal representatives;
- Provide support/ training/ financing/ contracting to organizations that work "directly" with vulnerable children, youth and adults. Although indirectly, therefore gives the association responsibility for protection issues, on children, young people and vulnerable people.

Protection and Risk Management

Standards of conduct

All people who have contact with children and young people, within the scope of the actions developed by APF, must follow the guidelines of the Standards of Conduct.

In this sense, behaviors as defined in the following paragraphs will not be admitted.

Inappropriate power

Conducts that reveal lack of respect or lack of establishment of adequate limits:

- Criticize, depreciate or tease directly to a children or young person, in a punctual or continuous manner;
- Make excessive or unreasonable demands;
- Be hostile, verbally abuse or adopt behavior of rejection or blame;
- Act coercively or threateningly;
- Use discriminatory language based on each persons' particular characteristics, such as ethnicity, religion, sexual orientation, gender, culture and others;
- Apply any physical or psychological punishment, including social isolation.

Inappropriate familiarity

Conducts that reveal treatment with inappropriate familiarity:

- Giving gifts to a child and/ or youth (when this is not the practice with others);
- Express special favors;
- Allow them to break the rules;
- Home visits without specific technical objectives or without an adult caregiver present;
- Invite children and/ or young people to visit their own home;
- Establish contacts of a personal nature (give private phone numbers, exchange telephone contacts, send/ receive text messages, e-mails or others);
- Establish personal communication using sites or social networking.

Appropriated logistics

Situations that require special care, due to their specificity:

- The transportation of a child and/ or young person in a private car should not happen unless there is a specific permission from the person/ institution caring or in an emergency situation;
- The transport of children must be carried out in safety conditions in accordance with the law in force (appropriate chairs, elevations, seat belts, etc.);
- The exposure of the image of the child and / or young person can only take place within a properly framed context and with the authorization of the guardians / legal representatives of the child and / or young person.

Appropriated conduct

- Individual moments with children/ young person must always take place in an appropriate context, that is, with the knowledge and consent of the person/ institution caring, with knowledge of at least one more element of APF, promoting a safe environment, protecting privacy and confidentiality;
- Situations of physical contact, these may take place in case of:
 - . Protection from imminent danger to oneself or others;
 - . Assessment of illness or injury;
 - . Requirement of the activity itself;
 - . Need for comfort and emotional support.

Other considerations

The behavior management practices of children or young people must promote their self-discipline, well-being and safety. In this way, the practices adopted cannot undergo any form of physical and/ or emotional punishment, contain hostile, discriminatory, humiliating and intimidating discourse.

Any and all interactions with children and/ or young people must be cautious and with special attention when related to personal aspects of their lives.

Any kind of practices that involve the exposure of a child and/ or young person to material that contains concepts or themes that are inappropriate for their age group and biopsychosocial development are not accepted.

All persons who have contact with children and young people in the context of the actions developed by APF must not, under any circumstances, establish contacts and relationships of an intimate and/ or sexual nature with them.

Thus, any inappropriate behavior or contact gesture, decontextualized exposure, verbalization and/ or other communication of a sexual nature is considered sexual misconduct.

All people who have contact with children and young people in the scope of the actions developed by APF are responsible for their actions and are responsible for the way they exercise them, bearing in mind that there are interventions that must be documented to safeguard everyone.

Such circumstances can result in criminal charges and consensual for the act by the parties or the caregivers is irrelevant.

Access to hygiene

Access to water and hygiene are considered by the United Nations to be fundamental rights. Failure to this access can lead to situations of profound embarrassment and inhibition that can configure forms of psychological abuse, and can also lead to exposure to the group that is difficult to repair.

It is extremely important to have an attitude of openness and respect when dealing with issues related to the body, always building a calm and organizing communication on these topics.

The adult must guarantee access to necessary consumables (such as toilet paper, sanitary pads, wipes, etc.) that can guarantee protection from possible constraints due to difficult access to hygiene conditions.

Action in case of suspicion

Internal procedures

It is the responsibility of anyone to report any abuse or mistreatment of any child or young person.

Working with children or young people in a trusting relationship that allows them to tell about a situation of some kind of mistreatment or abuse, is of enormous importance. This construction must contain the notion that “secrets” should not be kept.

Procedure in case of suspected abuse:

- 1- Listen without interruption and do not question the truth of what is said;
- 2- Be understanding but do not express an opinion;
- 3- Explain the steps to be taken, avoiding making false promises such as “don’t tell anyone”;
- 4- Share immediately with Regional Coordinator (RC) and/ or Executive Director (ED);
- 5- Take notes using the exact words that were conveyed;
- 6- Pass these notes to/ from RC and/ or ED signing and dating them;
- 7- Ensure that the child or youth feels safe in the course of future activities.

Children and young people should be advised to keep any threatening messages or compromising images and to report this immediately to an adult reference person (for example: mother; father; teacher; guardian or collaborator). Any of these procedures must also respect the right to privacy and the guarantee that action will be taken with the informed consent of legal representatives.

External procedures

- The sanctioning measure for non-compliance with the Policy, will be evaluated by a Monitoring Committee composed of three persons, of different genders, independent and exempt, to be defined by the Regional or National Board and who will proceed to the hearing of the parties and prepare the report with

recommendations to National Board on the verified occurrence;

- The Monitoring Committee will ensure that a complaint will be filed with the competent authorities according to the seriousness of the situation;
- This Commission will monitor the case directly or indirectly, jointly with the family of the child or young person, ensuring that the process is conducted in such a way as to guarantee the protection of the child or young person and promoting appropriate conditions for its development;
- The National Board will decide on the sanctioning measure to be applied to the person / persons targeted on the suspicion, according to the APF Human Resources Policy document.

Implementation and compliance

- It is up to the Executive Director (ED) and Regional Coordinators (RC) to ensure that the standards mentioned in this document are in place and implemented in accordance with the Children and Youth Protection Policy of APF;
- All adult persons who collaborate with APF and have contact with children and young people, will have to present their criminal record at the admission stage and annually, preferably in January (as referred to in Law 113/2009), which will remain archived in a specific file at each APF headquarters;
- All employment or service contracts will have a mandatory commitment addendum on the Child and Youth Protection Policy, a copy of which is attached to this document;
- It will be mandatory in the recruitment phase, for collaborating or volunteer, to clarify about Child and Youth Protection Policy in force at APF;
- All people who collaborate with APF should regularly take part in training and/ or raising awareness sessions about the CYPP and the Rights of the Child, including initial training for new integrations or volunteer people;
- In the event that sexual and reproductive health services are provided to children, youth and vulnerable adults, it must be ensured that this document is accessible for consultation at the place where the service is provided;
- APF may call on the youth teams of the IPPF Central Office and Regional Offices for advice on protocols and, in general, support decisions around the CYPP;
- This document must also be translated into English, to consult more people and in particular to share in international partnerships;
- The Children and Youth Protection Policy must be reviewed at least every three years, with reference to the update stated at the bottom of the document and the proposed amendments must be approved by the National Board.

Applicable legislation

This policy was developed taking into account national and international standards for child and youth protection namely:

- Law for the Protection of Children and Youth in Danger, 142/2015, of 8 September;
- Law 113/2009 of 17 September, determines the criminal record requirement “when recruiting for professions, jobs, functions or activities, public or private, even if unpaid”, provided that their exercise involves “regular contact” with minors;
- Universal Declaration of Human Rights;
- European Convention on Human Rights;
- Charter of Fundamental Rights of the European Union;
- Article 3, number 3 of the Treaty on European Union;
- UN convention on the Rights of the Child;
- Communication from the European Commission: EU Agenda for the Rights of the Child.

Definitions

Child or young person – APF adopts the definition of the United Nations Convention on the Rights of the Child, according to which “a child means every human being under the age of eighteen, unless, according to the law applicable to the child, the age of majority is assigned earlier”¹. The IPPF defines the age group of 10 to 24 as young.

Vulnerable adult – A citizen whose citizenship is weakened by deficient physical, mental or social conditions.

Person whose special weakness results, in particular, from their age, health or disability, as well as the fact that the type, degree and duration of victimization has resulted in injuries with serious consequences for their psychological balance or social integration

¹ Article I, <http://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf>

conditions.

Child protection – Child protection is part of the child’s safeguard and refers to activities carried out to prevent or stop abuse or mistreatment of children.

Child abuse – It is defined as all forms of physical and/ or emotional abuse, sexual abuse, neglect or negligent treatment, commercial exploitation or other that results in real or potential harm to the child’s health, survival, their good development or dignity in the context of a relationship of responsibility, trust or power. Within the broad definition of child abuse, five subtypes are distinguished – namely: physical abuse; sexual abuse; negligence and negligent treatment; abuse and emotional exploitation².

Best interest of the child – It is one of the four general principles of the United Nations Convention on the Rights of the Child, which derives from Article 3, according to which “in all actions relating to children, carried out by public or private social protection institutions, courts, administrative authorities or legislative bodies, the child’s best interest must be a primary consideration”. Assessing and balancing “all the elements necessary to make a decision in a specific situation for an individual child or group of children”³.

Safeguarding the child – Safeguarding the child is the responsibility that organizations that work with or are in contact with children have to ensure that their activities, programs and employees do not harm them. This implies that organizations have implemented institutional/ internal policies and procedures designed not to expose children to the risk of harm and abuse, as well as informing appropriate bodies about any concerns about the safety of children in the communities where they work.

² http://www.who.int/topics/child_abuse/en/

³ <https://www.unicef.org/brazil/sowc20anosCDC/cap4.html>

KNOWLEDGE STATEMENT

(Name) _____, TIN _____, as a worker of the “Family Planning Association (APF)”, Private Institution of Social Solidarity, VAT 500 989 575, with headquarters at Rua Eça de Queiroz, n.º 13 , 1º, 1050 - 095 Lisboa, acting as _____, declares, in good faith:

i) have knowledge of the Child and Youth Protection Policy of reference of the International Planning Parenthood Federation - IPPF - entity to which APF is associated;

ii) have knowledge of the mentioned Policy, available at <http://www.apf.pt/quem-somos/politica-de-protecao-de-criancas-e-jovens-child-and-youth-protection-policy> and attached element this declaration ;

iii) be aware that APF, as an associate of the International Planning Parenthood Federation - IPPF, follows the guidelines of that Policy which is intended to provide a set of guiding principles and standards of conduct for the promotion of a safe environment for children and young people;

Furthermore, the worker declares that, in the exercise of there duties, will fully and scrupulously comply with the provisions resulting from the aforementioned Children and Youth Protection Policy.

_____, _____ of _____, _____.

Worker signature