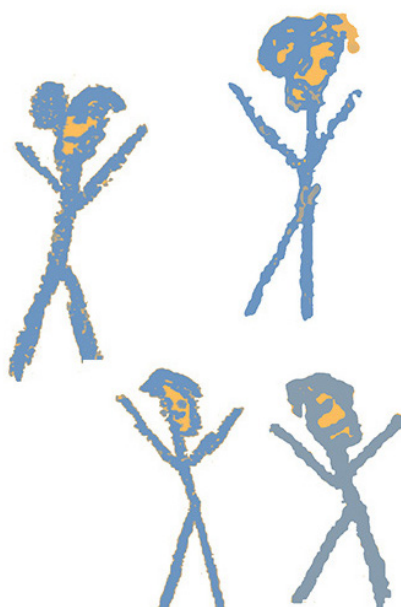


Children of Prisoners Europe Child Protection Policy





Children of Prisoners Europe (COPE) is a pan-European network of non-profit organisations working on behalf of children separated from an imprisoned parent. The network encourages innovative perspectives and practices to ensure that children with an imprisoned parent fully enjoy their rights under the United Nations Convention on the Rights of the Child and the Charter of Fundamental Rights of the European Union, and that action is taken to enable their well-being and development.

Children of Prisoners Europe is a non-profit organisation registered in France under French Association law 1901.

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Children of Prisoners Europe
Child Protection Policy

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Children of Prisoners Europe Child Protection Policy

1. Context

An estimated 2.1 million children are separated from an imprisoned parent across Council of Europe countries on a given day¹.

Children with an imprisoned parent can frequently face social, economic and emotional difficulties such as stigma, bullying, financial hardship, feelings of abandonment and shame and are often at a higher risk of violence and abuse.

Children of Prisoners Europe (COPE) is a European network of organisations and individuals working to encourage innovative perspectives and practice to ensure that the rights of these children are fully respected, that their needs are taken into account and that meaningful action is taken to secure their protection, well-being and healthy development.

COPE is a diverse membership-based network made up of NGOs, researchers, academics, prison governors, social workers, ombudspersons, legal experts and other likeminded stakeholders. The three cornerstones of our work underpin our core activities: **advocacy** (working with and on behalf of children with imprisoned parents to ensure that their best interests are at the heart of policymaking), **capacity-building** (co-developing tools and multi-sectoral support schemes for children) and **network development** (enhancing the network's richness and diversity while fundraising for sustainability).

This child protection policy lays out COPE's commitment to protect all children from harm.

We would like to acknowledge the comprehensive child protection policies from the following organisations, from which we drew inspiration for this updated version: Eurochild, National Society for the Prevention of Cruelty to Children (NSPCC), Save the Children, UNICEF and Barnardos Ireland. This policy has also been checked against the Keeping Children Safe Coalition's "Standards for Child Protection"² to ensure it is in line with the standards agreed upon by the international organisations in the coalition.

¹ Estimate based on figures from a 1999 study by the national French institute for statistics involving children with imprisoned fathers in France, using a parenting rate of 1.3 children per imprisoned father.

² Keeping Children Safe Coalition. Standards for Child Protection: Tool 1. Available online: <https://www.keepingchildrensafe.org.uk/sites/default/files/KCSTool1-English.pdf>

2. Relevant guidance

COPE is committed to complying with all relevant legislation concerning child protection.

COPE's child protection policy is based on the rights enshrined in the United Nations Convention on the Rights of the Child, the EU Charter of Fundamental Rights and the European Convention on Human Rights. COPE includes the prevention of child abuse at the heart of its policies, discussions and development plans and practices. The issue is inextricably linked to our overall aims and mission.

COPE fully adheres to the United Nations Convention on the Rights of the Child (UNCRC) principle that all children have the right to be protected from harm (UNCRC, Art. 4, 19, 20³):

Article 4 (Protection of rights): *Governments have a responsibility to take all available measures to make sure children's rights are respected, protected and fulfilled. When countries ratify the Convention, they agree to review their laws relating to children. This involves assessing their social services, legal, health and educational systems, as well as levels of funding for these services. Governments are then obliged to take all necessary steps to ensure that the minimum standards set by the Convention in these areas are being met. They must help families protect children's rights and create an environment where they can grow and reach their potential. In some instances, this may involve changing existing laws or creating new ones. Such legislative changes are not imposed, but come about through the same process by which any law is created or reformed within a country. Article 41 of the Convention points out that when a country already has higher legal standards than those seen in the Convention, the higher standards always prevail.*

Article 19 (Protection from all forms of violence): *Children have the right to be protected from being hurt and mistreated, physically or mentally. Governments should ensure that children are properly cared for and protect them from violence, abuse and neglect by their parents, or anyone else who looks after them. [...].*

Article 20 (Children deprived of family environment): *Children who cannot be looked after by their own family have a right to special care*

³ Other protection rights include articles 11, 21, 22 and 32. Only those relevant to the scope of COPE's work are listed here.

*and must be looked after properly, by people who respect their ethnic group, religion, culture and language.*⁴

3. Purpose of this policy

This policy sets out to:

- protect and prevent harm and abuse to all children and young people who come into contact with the COPE network;
- allow children and young people to participate freely and safely in COPE-led activities;
- provide COPE staff, Board members, volunteers and network partners with the values and code of conduct that guide our child protection approach, and to ensure they respect and adhere to them.

4. COPE network values

The COPE network and its members are committed to the prevention of abuse, to the protection and well-being of children, young people, their families and staff members. We are dedicated to acting in the best interests both of the children we represent and of those who are directly impacted by our work and the initiatives we promote. We aim to protect and prevent abuse and harm of children at every level of the organisation, both in relation to individuals as well as at institutional levels by ensuring that all those involved with the network adhere to a common set of values.

Commitment to children

COPE's overarching goal is to provide high-quality, effective work for the well-being, protection and healthy development of children affected by the imprisonment of a parent.

Respect

COPE promotes respect for each individual and for equity in diversity, placing great value on cross-cultural learning and inclusiveness, exchanging ideas and knowledge about and from children of imprisoned parents. COPE believes that children are best placed to bear witness to the issues surrounding the imprisonment of a parent and that children's opinions should be listened to, respected and taken into consideration when developing projects and policies that may impact them. Children should be encouraged to participate, should be made to feel welcome, respected and listened to and that projects involving them should have appropriate safeguards in place to ensure protection from harm and abuse of any kind.

⁴ UNICEF. Protection rights: keeping safe from harm. Available online: https://www.unicef.org/crc/files/Protection_list.pdf

Openness

COPE is open to innovation, to embracing change and to exploring new pathways towards bettering the lives of children of imprisoned parents, promoting the understanding that they are ordinary children with unusual life experiences. This openness extends also to creating a safe and open environment where issues of child abuse or harm are prevented. Should child abuse or harm occur, recognised and transparent communication procedures must ensure that remedial action is immediately taken.

Child participation

Listening to and involving children is essential and central to the mission and vision of the COPE network. Allowing meaningful participation of children fosters effective and sustainable protection of children. Participation promotes the agency of the child: children who are invited to participate meaningfully in work that is carried out on their behalf become subjects as opposed to objects of change. COPE adheres to the Council of Europe's nine basic requirements for effective and ethical participation of children⁵: that participation is **transparent and informative; voluntary; respectful; relevant; child-friendly; inclusive; supported by training for adults; safe and sensitive to risk;** and **accountable**.

Accountability

COPE and its members hold themselves accountable to children affected by parental imprisonment, to each other, and to funders. Every decision is made with the best interests of the child at its core.

Child justice focus

COPE is committed to serving children's best interests and promoting their rights. Our mission is to safeguard the social, political and judicial inclusion of children with an imprisoned parent, so that their rights, needs and best interests are taken into account in every decision that affects them.

Cooperation

COPE works with intra- and extra-network partners to enhance our impact on the lives of children with imprisoned parents through dialogue, participation and consensus-building. The holistic protection of children is only achievable when interdisciplinary organisations and bodies work together to effect change via cross-sectoral collaboration.

Integrity and transparency

COPE and its member organisations remain committed to truth, honesty, responsibility, reliability and professionalism in all aspects of their work.

⁵ Council of Europe Children's Rights Division and Youth Department (2016). Child participation assessment tool: Indicators for measuring progress in promoting the right of children and young people under the age of 18 to participate in matters of concern to them. Available online: <https://rm.coe.int/16806482d9>

Monitoring and reporting mechanisms are being developed in order to promote transparency in working methods and internal and external communication channels.

Independence

COPE is independent from any religious or political party affiliation.

5. Definitions

a. Child

A “child” refers to anyone under the age of 18.

b. Staff

“Staff” applies to anyone directly employed by or who volunteers for COPE, including COPE Board members and interns, as well as staff or volunteers of COPE member organisations whilst they are working with children and young people on a COPE-led project.

c. Violence, harm and abuse

This policy refers to all forms of violence, harm and abuse, from bullying, discrimination and stigmatisation to exploitation, harassment and sexual abuse. COPE recognises that forms may be multiple and diverse.

COPE recognises that violence, harm and abuse are often inflicted by an adult known to the child. In the context of COPE’s work and objectives, this may include organisational staff, family members, caregivers, school staff, law enforcement authorities, and state or non-state actors. COPE believes that the abuse of trust by an adult whose role is to protect can and must be anticipated via strong child protection reporting mechanisms and thus prevented.

Children with an imprisoned parent may be subjected to various forms of violence, ranging from physical (intentional or unintentional violence subjected by law enforcement officers during a parent's arrest) to psychological (such as bullying; witnessing a parent's violent arrest; violence related to the abrupt separation from a parent; the violence of visiting a parent detained in an austere prison environment).

d. Those who come into contact with the child

This policy applies to staff of the network headquarters, as well as to staff of COPE’s member organisations who come into contact with children and young people on COPE-led projects.

COPE recognises that children may be abused by a range of adults who come into contact with them, while also recognising that bullying and harassment may be carried out by peers (under 18). This policy sets out to

protect children from all forms of violence and abuse, including the prevention of bullying. COPE further recognises that particular attention must be paid to projects that bring together children (under 18) and young adults (18-25). First and foremost, however, this policy aims to protect children from the violence, harm and abuse carried out by responsible adults who have a duty to protect.

e. Types of contact

i. direct

COPE does not tolerate any form of violence, harm or abuse towards children when COPE staff or member organisations and individuals are carrying out work in direct contact with children on its behalf. Direct contact means any physical and or virtual contact between adults and children, such as workshops, conferences, meetings in person and/or online (e.g., via Skype or other telecommunication means).

ii. indirect

Indirect contact with children includes:

- via communications and campaigns carried out by COPE: e.g., promotion of child-friendly and appropriate material (online or offline) that is aimed at the wider public;
- via working with intra- and extra-network organisations that involve children in COPE-led projects or whose work impacts children in any way. "Working with" may mean partnering with, promoting or funding an intra- or extra-network organisation.
- the use of personal information related to children involved in the network (e.g., full names, age, contact details and photographs or videos).

6. Scope of the policy

This policy is shared with all COPE staff, Board members, network member organisations and individuals, who are required to adhere to its values. It also extends to any temporary organisations or individuals who work with COPE on an occasional basis.

All COPE members are asked to adhere to and follow COPE's child protection policy. They are also required to provide an English or French version of their own child protection policy, which must at least cover the same extent as COPE's policy. If an organisation does not yet have its own child protection policy in place, they must show that this is in development.

In the event of a member organisation breaching COPE's child protection policy, the network may decide to cease working with an organisation and to suspend or terminate their membership.

This policy applies to staff working on behalf of COPE in any country or context. It serves a set of minimum standards to be upheld. Where local regulations, laws or customs have a stricter set of customs and/or policies, these should be respected (for example, with regard to behaviour and dress). In any context, regardless of national laws, a child is considered to be anyone under the age of 18.

7. Staff

7.1 Child protection reference person

A child protection reference person is designated in each member organisation of the COPE network, as well as at the COPE staff headquarters. If a child or adult suspects, witnesses or is a victim of abuse or harm, they must be aware of whom they should contact. Organisations must ensure that both children and adults know who this person is and how to contact them.

Staff must make the child protection reference person at their organisation aware of all new projects and activities, and must fill out a comprehensive risk assessment which is to be approved by the child protection reference person.

7.2 Recruitment and training

Appropriate safeguarding checks are made on all who apply to work with COPE, prior to employment. Potential staff members must provide clear police criminal record disclosure certificates. All potential staff members must also provide two suitable references to support their application, as well as proof of identity, address and any relevant experience.

Upon employment, all staff members are required to sign this child protection policy to declare that they have read, understood and agreed to its principles.

All staff members and external partners who come into contact with children directly or indirectly on COPE's behalf are trained in child protection and safeguarding and in how to deal with issues should they arise. Further training throughout a staff member's career is available, particularly should a staff member move from an indirect role to a direct role.

In addition to resources provided by other international organisations, the Keeping Children Safe Coalition has a series of valuable, accessible resources to train and support staff in protecting children from harm.

7.3 Behaviour guidelines

Staff members are required to follow a stringent code of conduct when working with children on COPE-led projects.

When working with children, COPE staff ensure that the children know to whom they may report if they have a child protection concern or question. COPE operates a strict non-violence policy. This includes all forms of physical, verbal, emotional and sexual harassment, violence and bullying.

COPE operates a strict confidentiality policy when working with children. No adult may share a story that is not their own. An adult may not be alone with a child at any time; nor may an adult leave a child alone at any time. Responsible adults must respect boundaries between the staff and children, and must take care not to become too involved in a child's story or situation. Any suspected issues of child abuse, harm or violence in any form are to be reported to the child protection reference person.

COPE requires its staff members to dress and behave appropriately at all times. National rules apply as to age requirements for the consumption of alcohol and cigarettes.

All COPE-led projects require that participants work together in an atmosphere of trust and respect. This includes both participating adults and children. COPE operates a zero tolerance policy with respect to discriminatory behaviour, particularly in relation to gender, disability, background, religion, sexual orientation, political views and/or the status of a child's parents and other family members.

All participants in any COPE-led project are required to respect each other's opinions, even if they differ from one's own. Adults as well as other children must allow child participants to express themselves freely in a non-judgmental atmosphere. If issues related to discipline occur, the responsible adult will deal with the issue in a non-violent, positive manner, such as by taking the perpetrator aside and speaking to him/her privately.

COPE notes that participation is not always verbal. For shyer children, for example, silent listening may be a form of participation. No adult or other child should force a child to speak, share or comment under any circumstances. In its work, COPE emphasises the importance of listening to the silences of children and young people.

7.4 Reporting mechanisms and channels

Prior to the beginning of a project, relevant contacts are established with the relevant national/local child protection agencies in case of a child safeguarding issue. Contact information for internal and external channels

(e.g., police, child protection services and helplines) are displayed and accessible to children.

Should the child protection reference person or any other member of staff be alerted to a safeguarding issue, the following procedures should be followed:

- a. The adult must ensure that the child is not in immediate danger;
- b. The adult must make sure that the child understands that responsible adults will be made aware of the situation and that appropriate action will be taken;
- c. The adult (or child) suspected of causing harm or abuse is immediately suspended from activities involving the child and any other children pending enquiry;
- d. The adult (or child) is received by the child protection reference person as the first stage of enquiry (preferably the same day);
- e. The child protection reference person fills out a child protection report form (see annex 4);
- f. The incident is reported to senior staff via the child protection report form;
- g. The child's legal guardian is contacted;
- h. Action is taken ranging from temporary or permanent suspension from activities to legal action against the adult;
- i. The child protection report form and any other sensitive information are safely stored in such a way as to prevent further harm.

Should the child protection reference person or any other member of staff suspect a safeguarding issue, without an allegation having been made, the following procedures should be followed:

- a. The adult ensures that the child is not in immediate danger;
- b. The adult reports any suspicious activity to the organisation's child protection reference person;
- c. If appropriate, the child protection reference person and/or the adult speaks to the child without voicing his/her specific concerns;
- d. Should the child protection reference person have reason to believe the suspicion that abuse or harm has taken place, they must refer to the procedures listed above.

8. Equality statement

COPE works to ensure the protection and well-being of all children, regardless of age, disability, gender, racial heritage, religious belief or sexual orientation. COPE is committed to anti-discrimination practice and acknowledges the additional barriers that may be faced by children from minority ethnic groups and disabled children.

9. Projects directly involving children

9.1 Consent

For projects directly involving children, COPE undertakes to obtain the consent of any participating children via COPE's participation consent form (see annex 1). Children must fully understand what they are consenting to and what any consequences may be.

9.2 Consulting children and documenting their opinions and ideas

In projects that include working with children to consult and document their ideas and opinions, COPE ensures that any individual or group interviews or workshops are carried out within the framework of the COPE network values based on respect, transparency, integrity, meaningful participation and accountability.

Children are reminded that they should participate only if they feel comfortable doing so. Under no circumstances are children forced or pressured to participate and/or share particular aspects of their experience.

In group projects such as workshops, any activity is preceded by an explanation of mutually agreed rules based on COPE's values of respect, trust and integrity. A no-violence policy is strictly adhered to.

9.3 Photographs and videos

In projects that include direct work with children (e.g., workshops and group activities), COPE staff may wish to document the activity via photographs and videos. An image consent form (see annex 2) must be filled out before the beginning of the project. If the participant is under 18, this form must be filled out by their legal guardian.

Other participants must also understand if a child does not wish to be photographed and must respect this. The responsible adult or adults must ensure that this wish is respected.

9.4 Projects involving children and their imprisoned parents

Few COPE-led projects involve both children and their parents in prison. For those that do, this policy also applies. Projects may be postponed, suspended or terminated at any point if the children involved are deemed to be at risk of abuse or harm.

We recognise the family's key role in caring for and protecting the child and believe that the child-parent bond should thus be supported and maintained

where appropriate. We acknowledge, however, that there are particular situations where contact between a child and his or her parent is not in the child's best interests and take appropriate safeguarding steps to protect a child in this scenario. The child's safety, protection, emotional and physical well-being and best interests have priority at all times.

10. Indirect communications and campaigns

Children must also be protected from harm in indirect communications and campaigns carried out by COPE (e.g., online or media campaigns). This policy extends to all publicity materials and online content created by COPE. We recognise that whether or not these materials are directly aimed at children, they may be viewed, read or otherwise consulted by children and must therefore adhere to quality safeguarding standards.

We recognise that online materials are readily accessible to children worldwide and that their content may contain triggers that are shocking and harmful to children. We make every effort to be sensitive towards children in their production of our publicity materials and reports. As with any aspect of our work, the best interests of the child are at the centre of all extra-network materials. This includes documents, photographs and videos.

COPE takes particular care not to generalise when advocating on behalf of children affected by the imprisonment of a parent. Using sensitive terms such as "these children *may* face..." or "children with imprisoned parents *frequently*..." are intended to acknowledge that there is a vast spectrum of experiences related to the imprisonment of a parent and that no two situations are the same.

11. Monitoring and review

The COPE child protection policy is reviewed every three years by the COPE Board. Particular attention is given to changes in the organisation's activities, objectives and staff roles. Where feasible, children will be consulted in the future updating of this policy. In the event that no COPE Board member works directly with children, the Board must consult at least two representatives from the COPE network who do work directly with children.

COPE's Board will use tools such as the Keeping Children Safe Coalition's "self-audit tool"⁶ to ensure that sufficient child protection standards are being met by any changes or updates to this policy.

⁶ Keeping Children Safe Coalition. Standards for Child Protection: Tool 1. Available online: <https://www.keepingchildrensafe.org.uk/sites/default/files/KCSTool1-English.pdf>

Commitment to the child protection policy

I, _____, have read, understood and agree with the principles outlined in this child protection policy. I agree to implement all relevant aspects of the policy while working for or on behalf of Children of Prisoners Europe (COPE).

Name: _____

Job title: _____

Organisation: _____

Signature: _____

Date: _____

Contacts

COPE Child Protection Reference Person
Brianna Smith
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COPE President
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Annex 1. Participation consent form

This form is intended for use by any organisation or individual in a COPE-led project that directly involves children.

A responsible adult must explain the form to participating children and their legal guardians, to explain the objectives, activities and potential consequences of the project.

The relevant sections “Objectives of the project”, “Activities” and “Potential consequences” are to be filled out by staff.

1. Objectives of the project

2. Activities

3. Potential consequences

4. Declaration

If the participant is under 18, this declaration must be signed by their legal guardian.

- I confirm that I am the legal guardian of _____ [*First name, family name*].
- I confirm that I have explained the above project to my child _____ [*First name, family name*], and that he/she has fully understood the project’s objectives, activities and potential consequences.
- I give my full consent for _____ [*First name, family name*], to participate in the project as outlined above.

5. Signature

Date: _____

Signature: _____

Print name: _____

Annex 2. Image consent form

This form is intended for use by any organisation or individual in a COPE-led project that directly involves children.

A responsible adult must explain the form to participating children and their legal guardians, to explain the consequences of consenting to having their photograph taken in the context of this project.

The section "Objectives of the project" is to be filled out by staff.

1. Objectives of the project

Staff may take photos during this project. These photos may be used for internal (logging participation and reporting) and/or external purposes (use on our publicity materials and/or website). If you do not wish for your child to have their photo taken during this activity please tick the appropriate box below.

4. Declaration

If the participant is under 18, this declaration must be signed by their legal guardian.

- I confirm that I am the legal guardian of _____ [*First name, family name*].
- I confirm that I have explained the above project to my child _____ [*First name, family name*], and that he/she has fully understood its consequences.
- I give my full consent for _____ [*First name, family name*] to be photographed in the context of this project and for the photographs to be used for external and/or internal purposes.
- I do not give consent for _____ [*First name, family name*] to be photographed in the context of this project.

5. Signature

Date: _____

Signature: _____

Print name: _____

Annex 3. Complaints form

This form is intended for use by any individual (adult or child) in a COPE-led project that directly involves children.

This form is to be used as a means to lodge a complaint related to child protection.

The form can be anonymous: you do not need to add your name.

Date: _____

Name / nature of the project or activity:

Nature of the complaint:

Name and/or role of the person against which this complaint is made:

Name: _____

Role: _____

Your contact details (optional):

Name: _____ (optional)

Telephone: _____ (optional)

Email address: _____ (optional)

Address: _____ (optional)

Please address complaints to:

*[Insert contact details of the relevant child protection reference person
(COPE or COPE member organisation)]*

Annex 4. Child protection report form

This form is intended for use by any adult member of staff in a COPE-led project that directly involves children, if the member of staff witnesses or suspects and incident relating to child protection. This form is to be given to the child protection reference person of the responsible organisation.

Please fill this form out to the best of your ability.

Your contact details

Name: _____

Job/role: _____

Organisation: _____

Telephone: _____

Email address: _____

Details of the incident

Date: _____

Time: _____

Location (please be as specific as possible):

Child's name: _____

Name of the child's legal guardian: _____

Telephone number of the child's legal guardian:

Details of the incident:

Was a complaint received?

Y/N

If yes, was the complaint anonymous?

Y/N

If the answer is no, please list the contact details:

Name: _____

Telephone: _____

Email address: _____

Address: _____

Details of action taken:

This section is intended for use by the relevant child protection reference person in a COPE-led project that directly involves children. This person must be designated before the project begins and is either COPE's child protection reference person or someone designated within COPE's intra- or extra-network partner.

- I confirm that the incident has been investigated**

Has the relevant managerial staff been notified? Y/N

Details of next steps to be taken:

Signature: _____

Print name: _____

Date: _____