



## **EDUCO: A child-safe organization**

Version: July 2014

### **Code of Conduct for Working with Children**

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### **I. INTRODUCTION**

Preventing violence against children is a fundamental part of guaranteeing their rights, development and well-being. For this reason, Fundación Educación y Cooperación (Educo) prioritizes child protection in all areas and aspects of its action.

All of the people in the organization, and especially those who have direct contact with children, play an important role in their protection.

The Code of Conduct for Working with Children, which is compulsory for all individuals associated with the organization, constitutes a key element of Educo's Child Protection Policy (CPP) and will be updated periodically.

This document defines that which is conduct considered desirable for children's well-being and that which is considered unacceptable and could lead to an investigation and possible disciplinary measures.

In the case of conduct which constitutes a crime, in addition to applying the action protocol and internal disciplinary measures, the competent authorities will also be notified.

The Code of Conduct is not only an important tool for protection; it is also a powerful instrument for preventing and minimizing risk. As such, Educo regards this code not only as a tool for protecting children but also as a show of transparency and a means of protecting people associated with the organization, since it clearly states which conduct is expected of them at all times and which conduct will not be tolerated.

The description of desirable and unacceptable conduct provides a framework for behavior which serves to protect staff and other people associated with the institution from unfounded accusations.

Educo expects the people associated with the institution to make a personal commitment to protecting children and to identify with the institution's values, which means that this code should be respected both during and outside working hours.

The protection policy which frames this code contemplates the activities necessary for ensuring that all those the policy applies to know and understand the Code of Conduct.



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### **II. OBJECTIVE**

This code is designed to regulate the conduct of the people associated with Educo who come into contact with children, with the ultimate goal of protecting them and preventing them from harm.

The code cannot be applied without considering the context because context can influence the consequences of certain behavior. As such, it is necessary to consider the guiding principles detailed below (see section IV.). Similarly, we should emphasize that harm is assessed in terms of the consequences for the victim and not the intention of the offender.

The aim of the Code of Conduct is, primarily, to evaluate and avoid the negative consequences of certain conduct for children and, secondarily, to protect the reputation of the organization. By no means does it intend to issue value judgments about people.

### **III. SCOPE AND APPLICATION**

This code applies to all remunerated and non-remunerated members of the Educo workforce hired in or linked with Spain. This includes employees (temporary, permanent or freelance), volunteers, interns, sponsors, partners, partner organizations, donors, consultants, advisors and other collaborators and visitors who act in name and representation of Educo and, ultimately, any person who may come into contact with children. Children should also be familiar with this code and follow its guidelines in the treatment of their peers.

The persons and entities associated with Educo's delegations in the program countries shall be subject to the codes and procedures which have been adapted to the local context in coordination with the Head Office.

All of those to whom the code applies, including partner organizations, will sign a document certifying that they are aware of the Code of Conduct and the consequences of violating this code, and that they agree to respect and comply with its content.

Educo will require collaborating funding parties, consultants, advisors and other collaborators to sign a clause by which they reject all violence against children and agree to guarantee 1) that their companies and subcontractors do not employ children under the country's legal working age, and 2) that employed children of legal working age in the country work in a safe environment and are not subject to exploitative working conditions.



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### **IV. TERMINOLOGY**

**Children:** in accordance with Article 1 of the Convention on the Rights of the Child (CRC), we consider children all persons below the age of 18 years.

**Child Protection Policy (CPP):** framework of principles, standards and guidelines which regulates individual and collective conduct in Educo with respect to children.

**Prevention of violence against children:** all those measures intended to create a culture of non-violence against children. These aim to overcome social and legal norms which tolerate abuse and violence and to provide tools so that society can create a safer environment for children.

#### **Child protection:**

1. Set of philosophies, policies, norms, guidelines and procedures aimed at creating a safe environment for children and protecting them from any type of violence or rights violation (in accordance with that stipulated in Article 19.2 of the CRC).
2. Protection also alludes to all organizations' moral and legal duty to protect children under their care and responsibility both inside and outside of the institution.
3. In addition to these two aspects of protection, there another element which is of paramount importance for Educo: providing children with the knowledge and skills they need to face risk factors and threats and to confront their fears in an appropriate way.

**Violence against children:** any form of physical, psychological and/or sexual harm inflicted upon a child by a person charged with their care or tutelage, who has authority over them and whom they should be able to trust, regardless of the intention, seriousness, social acceptance and/or frequency of the suffering caused.

### **V. GUIDING PRINCIPLES**

The conduct of the people associated with the organization and the interpretation and application of the Code of Conduct should be governed by the **institutional values** of social commitment, equity and respect, as well as by the **principles of the Child Protection Policy (CPP)** described in the third section.

Educo has made public its moral and legal commitment to children. All people associated with the organization are expected to uphold a commitment to children's well-being and exhibit behavior which is consistent with this pledge. Likewise, they should be aware that they are



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responsible for Educo's public image, and that this could be compromised or destroyed by the inappropriate conduct of even a single individual.

Educo bears civil responsibility for the offenses and crimes committed by the members of its employees, representatives and managers in the rendering of their services or the fulfillment of their obligations.

The principles underlying this Code of Conduct are:

1. Any type of violence against children constitutes a violation of their rights.
2. This Code of Conduct is based on the principles set forth in the Convention on the Rights of the Child (1989), resolution S-27/2 *A world fit for children* (2002) and General comment No. 13 (2011) of the Committee on the Rights of the Child regarding the right of the child to freedom from all forms of violence, by which the States agree to give absolute priority to children's protection and participation.
3. Protecting children is an obligation of the State and the responsibility of all community and family members.
4. All children and young people, without distinction of any kind, have the right to be protected from all forms of violence.
5. In case of conflict of interests, the best interest of the child should always prevail.
6. Children are subjects of rights; as such, they should be able to fulfill these and defend these when these are hindered or violated.
7. Preventing violence against is the best way of eliminating it.
8. Each child has his or her own particularities, needs and expectations which should be taken into consideration in all actions.
9. Educo respects the customs and ideologies of the diverse groups living in those areas where we work, and always takes into account the legal, cultural and historical context.



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### **VI. DESIREABLE AND UNACCEPTABLE CONDUCT**

#### **WITH RESPECT TO THE PROPER TREATMENT OF CHILDREN AND THE PREVENTION OF VIOLENCE**

##### **The parties to whom this code applies**

##### **Shall**

- treat all children with respect without showing any preference or deference in detriment to others;
- give all children equal attention, since ignoring or not considering them constitutes a form of mistreatment;
- take into account each child's particular circumstances, idiosyncrasies and personality;
- avoid behavior or language which could negatively influence children or set a bad example. In the same way, abstain from drinking alcoholic beverages and consuming any narcotic substances in the workplace or surrounding areas, or during working hours.
- avoid behavior which is disrespectful to the environment and which could set a bad example for children;
- avoid being alone with children for a prolonged period of time except when strictly justified for work reasons;
- avoid touching children or making gestures which may be misinterpreted by them or third parties;
- avoid doing things which children can do for themselves, such as getting dressed, toileting, etc.;
- be vigilant in order to detect possible mistreatment or abuse of children ;
- ensure that children respect each other;
- in those cases in which mistreatment or abuse is detected, try to mitigate children's feelings of shame and guilt while inviting other children to foster an atmosphere which is favorable to the victim's reinsertion and helps create a sense of belonging;



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- report any founded suspicions or any act of abuse against children which comes to light.

### **Shall never**

- exercise any kind of physical violence against children or threaten to do so;
- inflict any kind of psychological abuse or engage behavior which is intended to demean or degrade children such as insulting, shouting, humiliating, ridiculing in front of others, intimidating, threatening, frightening or scaring with gestures or movements, pursuing, bribing or any other type of situation or action which may cause moral damage;
- behave in a way or use language which is offensive or discriminatory on the basis of race (ethnic group), nationality, culture, age, sex, disability, religion, sexual preference, political beliefs, opinion, language or any other factor which could be subject to discrimination;
- make any insinuation of a sexual nature or subject children to any type of real or simulated sexual abuse. This includes sexually abusing or raping children, forcing children to touch you, exposing children to pornographic acts, images or literature, making inappropriate insinuations, etc.;
- sleep with a child, in no case and under no circumstances;
- marry a child, in no case and under no circumstances, or maintain sexual relations with beneficiaries;
- allow any other child or adult, regardless of the relationship that exists between them, to carry out any of the previously described acts. Should such behavior occur, the persons to whom this code applies shall be obliged to report it according to the protocol described below.
- meet with beneficiaries outside working hours;
- share personal contact details with children. Appropriate communication channels are provided by Educo by which beneficiaries can contact with the organization's staff and associates.
- under no circumstances stay in a hotel which is directly or indirectly involved in the commercial sexual exploitation of children.



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### **WITH RESPECT TO THE PROPER TREATMENT AND PARTICIPATION OF CHILDREN**

#### **The parties to whom this code applies**

##### **Shall**

- promote the rights and appreciation of children as subjects of a full set of rights;
- talk openly with children about their rights and the dangers that could pose a threat to them. To do this, they should foster a climate of trust which encourages children to talk to adults about their worries and fears and reveal possible violations, when they have suffered or are suffering from them;
- consult children, when possible, on decisions which concern them and promote their active participation in community life ;
- make the community and families aware, in various ways, of the need to respect the rights of children and report violations of these rights;

### **WITH RESPECT TO THE RELATIONSHIP BETWEEN SPONSORS AND THE BENEFICIARIES**

Educo permits sponsors and children beneficiaries to communicate exclusively through written letters, which are subject to previous revision by Educo specialist staff in the destination country or Head Office.

Sending money, presents or any other objects to the children beneficiaries is strictly prohibited, as collaborators are informed upon registration.

Sponsors can visit their sponsored child. However, before travelling, they receive information about rights protection and the Child Protection Policy, and must sign a statement by which they commit to fulfilling the Code of Conduct. They should scrupulously respect the visiting procedure established by Educo, which is responsible for organizing and monitoring the visit. Sponsors who travel to visit the projects should sign a statement by which they agree to respect the Code of Conduct.



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### **WITH RESPECT TO SECURITY MEASURES**

#### **The organization**

##### **Shall**

- Maintain proper hygiene in the places where the projects are carried out.
- Maintain those places not in use closed.
- Prevent children from accessing places which are poorly maintained or where they can come to harm.
- Guarantee that a minimum number of staff members have knowledge of basic first aid.

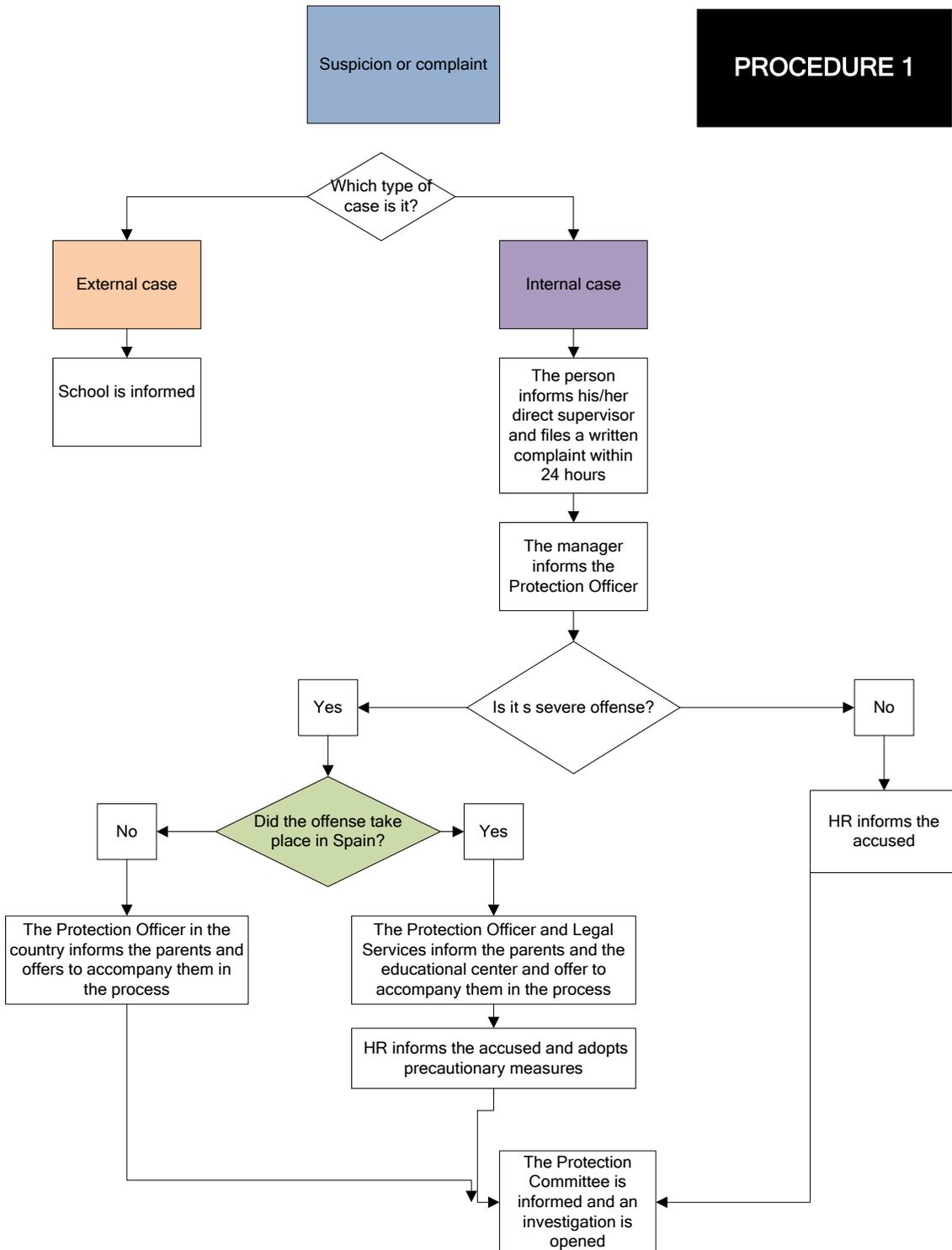
#### **VII. PROTOCOL FOR CASES OF INADEQUATE CONDUCT**

Educo has created procedures for responding to suspected or reported cases of violence against children. The protocol described here is applicable to all remunerated and non-remunerated staff hired in Spain, as well as sponsors and volunteers whose activities place them in contact with children in Spain or in the field.

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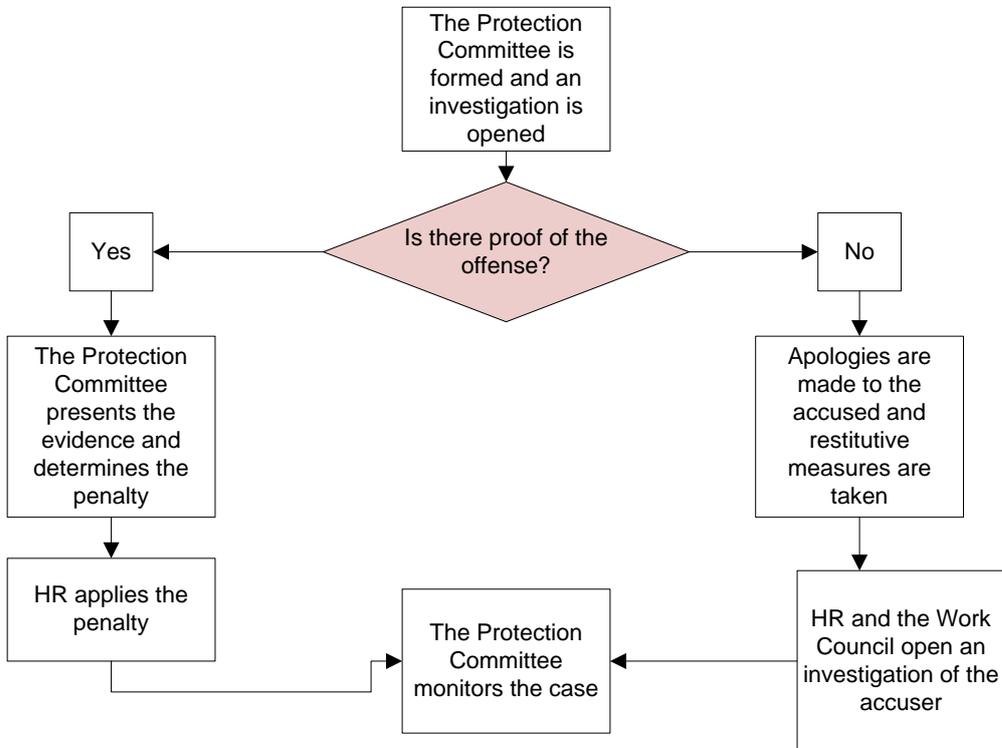
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# PROCEDURE 1



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The Code of Conduct considers that all remunerated and non-remunerated Educo staff is obliged to report any well-founded suspicion or any abusive act against children to their immediate supervisor without delay. A **written complaint** should be filed with the direct manager or interlocutor in a **maximum timeframe of 24 hours**; this person will, in turn, immediately inform the Protection Officer.

If the investigation corroborates that an act of violence has occurred and this act constitutes a crime, the Protection Officer will contact the child's parents to give them the opportunity to participate in filing the complaint. Psychological counseling will also be offered to the child. Educo will report the employee to the competent authorities.

The Protection Officer will inform the suspect of the complaint and of the procedure detailed here.

In the case that the suspected conduct constitutes a severe offense, the suspect will be suspended from work as a precautionary measure until the investigation has been concluded. In the case of freelance or temporary workers, the contractual relationship will be suspended until the investigation has come to a close.

Sponsors: any inappropriate conduct with children during a field visit will lead to immediate suspension of the sponsor's membership in the organization, at least during the investigation



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period. If the conduct is considered by law to be a crime, Educo will report the case to the competent authorities in Spain.

Volunteers: any inappropriate conduct with children will lead to immediate suspension of the volunteer's collaboration with the organization, at least during the investigation period. If the conduct is considered by law to be a crime, Educo will report the case to the competent authorities in Spain.

In a maximum timeframe of **48 hours** from the moment notification of the report has been made, the Protection Officer will call a meeting of the Protection Committee, which is made up of the Protection Officer, an HR officer and the Head of the Child Rights Approach.

If any of the committee members are involved in the case, an alternate member will be designated.

The Protection Committee will open an internal investigation to gather evidence related to the case. The investigation should be initiated as quickly as possible.

The accused has the right to be heard and to be informed at all times during the investigation, which will not last more than **15 natural days** from the time the written complaint was filed.

The Protection Committee will assess the evidence and recommend that the case be closed or that the corresponding penalty be applied. The Protection Committee will communicate the result of its inquiry and any recommended penalty to Human Resources and to the Work Council.

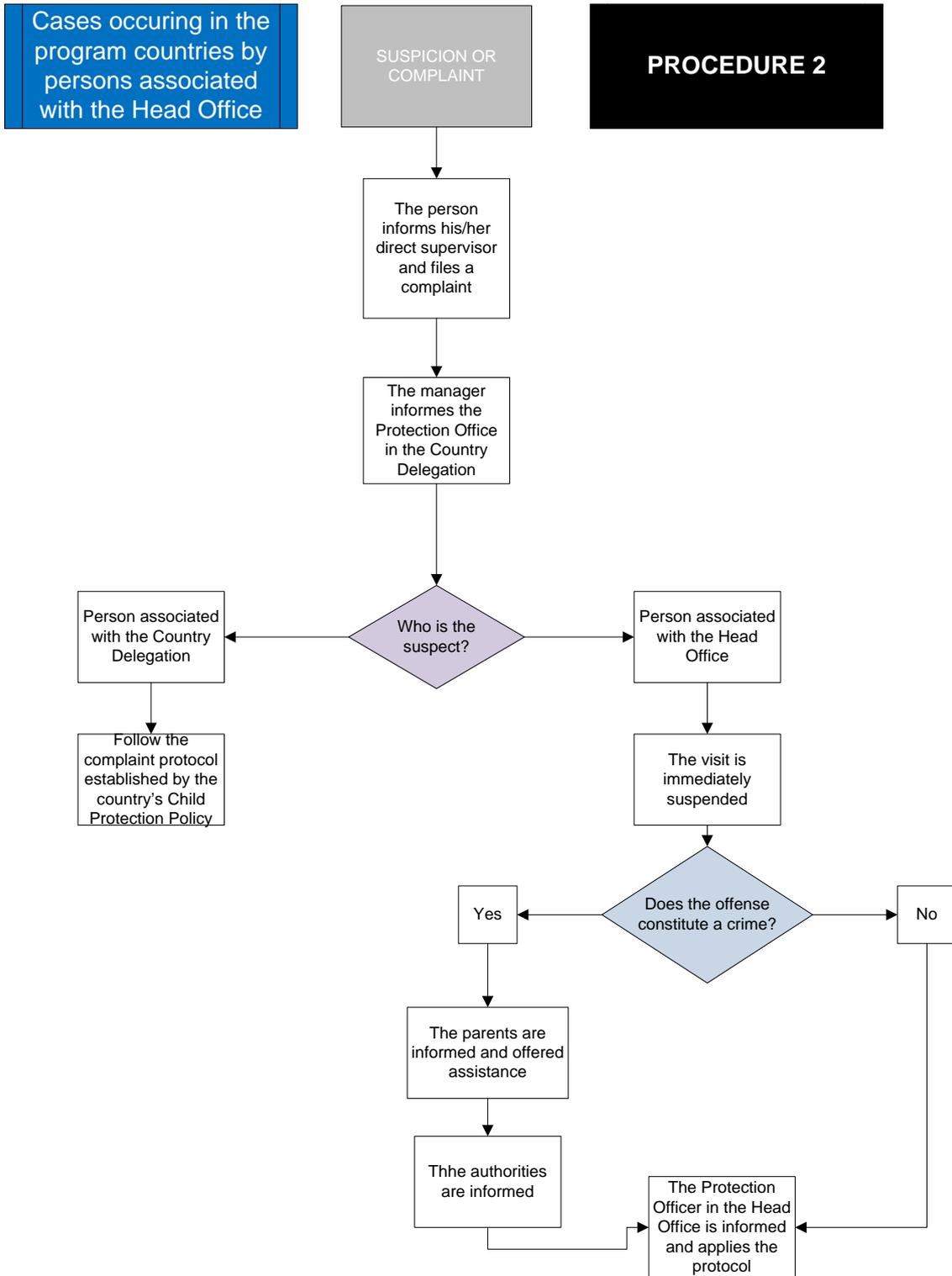
If the suspect is proven innocent and the case is closed, the Protection Committee and the accuser will apologize to the accused, who will also be readmitted to the organization. If a cautionary measure such as salary suspension has been applied, the relevant accrued amount will be reimbursed. Human Resources will open an investigation to determine if the accuser acted in bad faith.

All people who have knowledge about the case and the accuser should exercise the utmost discretion and uphold full confidentiality. Likewise, during the investigation any incriminating comment which could reveal or stigmatize the employee under investigation should be avoided. Respect and the presumption of innocence will prevail at all times.

If the supposed inadequate conduct has been committed in the field by a person associated with the Head Office, the procedure to follow is that which is detailed below. In the case that the offense constitutes a crime, the Protection Officer in the country will accompany the child and his/her family as stipulated in the local Child Protection Policy and will inform the local authorities. The internal inquiry into the case will be handled by Spain in maximum collaboration with the country.

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### **DISCIPLINARY PROCEDURES**

While the Code of Conduct for Working with Children is compulsory for all parties to whom this policy applies, the procedures described below refer more specifically to remunerated and non-remunerated staff, visitors and collaborators and, essentially, any person likely to come into contact with the children.

Violations of the Code of Conduct related to communication, images and messages will be addressed separately. The Head of Child Rights and the Protection Coordinator in the Head Office will treat each case separately and their recommendations in this regard are binding. [proteccion1-sp@educoco.org](mailto:proteccion1-sp@educoco.org)

Once the Protection Committee has undertaken the relevant investigation and made its assessment of the reported behavior, it will determine which type of offense it constitutes and which penalty should be applied in accordance with this disciplinary procedure.

#### **1. Periods of prescription**

Minor offenses will expire after 15 days.

Serious offenses will expire after 25 days.

Severe offenses will expire after 60 days.

The prescription period starts from the date on which Educo learns about the offense and ends 6 months after the offense was committed.

#### **2. Types of offense**

##### **2.1 Minor offenses**

A minor offense will lead to a written warning, which the recipient will sign in order to bear witness that they are aware of the conduct they have been cautioned for and that they should avoid it in the future.

It may also lead to workplace and salary suspension for 1 to 10 days.

Minor offenses are accumulative. Two minor offenses or repetition of a minor offense may become a serious offense.



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### **2.2 Serious offenses**

Serious offenses lead to workplace and salary suspension for 10 to 45 days.

Repetition of a serious offense will become a severe offense.

### **2.3 Severe offenses**

Severe offenses lead to workplace and salary suspension for 45 to 60 days.

In those cases in which the Protection Committee deems it appropriate, severe offenses may also result in the dismissal of the accused person or immediate cancellation of the employment relationship, contract or agreement (freelance workers and partner organizations) or collaboration (sponsor or volunteer).

In those cases in which the reported conduct constitutes a crime, in addition to the internal penalties applied by Educo, the case will be deferred to the competent authorities and the family of the affected child. Educo will offer counseling and guidance to the child and/or the family throughout the reporting process but will not, under any circumstances, file or sign the complaint. Likewise, the Protection Officer will counsel the family on the functioning of the state system for the protection of minors.

In those cases in which the child has been a victim of violence perpetrated by other children or persons from outside the organization, the Protection Committee will meet to study the case and decide the appropriate course of action.

The following table, which acts as a guideline and is in no way limiting or restrictive, summarizes that conduct which will be considered an offense and subject to penalty:

<b>TYPES OF OFFENSE</b>	<b>TYPE OF CONDUCT</b>	<b>PENALTY</b>
<b>MINOR OFFENSES</b>	Ignore, isolate or show preference for any child.	Written warning
	Behave in a way which can negatively influence children or set a bad example.	
	Fail to report suspected or known inadequate conduct (as described in the Code of Conduct)	



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	by an Educo employee	Workplace and salary suspension for 1 to 10 days
	Make false accusations or spread false rumors.	
	Fail to exercise due discretion once a complaint has been filed and an investigation is being carried out.	
	Failure to listen to or help children when they come seeking help and/or protection.	
<b>SERIOUS OFFENSES</b>	Stay in accommodation which is in any way involved in the Commercial Sexual Exploitation of Children.	Workplace and salary suspension for 10 to 45 days
	Exhibit offensive or discriminatory behavior or make comments on the basis of race (ethnic group), nationality, culture, age, sex, disability, religion, opinion, language or any other factor which could be the subject of discrimination.	
	Threaten to exercise any kind of physical violence.	
	Make insinuations of a sexual nature.	
	Meet with beneficiaries outside working hours.	
	Report, in an untimely manner, conduct which violates the rights of children.	
<b>SEVERE OFFENSES</b>	Exercise any kind of physical violence.	Workplace and salary suspension for 45 to 60 days
	Mistreat children psychologically or subject them to degrading or humiliating treatment or any other type of action which may cause moral damage.	
	Real or simulated sexual abuse, which	



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	includes: sexually abusing or raping a child, forcing a child to be touched, exposing a child to pornographic acts, images or literature, making inappropriate insinuations, etc.	Immediate interruption of the employment relationship
	Sleep with a child who is a project beneficiary.	
	Marry or have a sentimental relationship with a child who is a project beneficiary.	

### **VIII. COMMUNICATION GUIDELINES: RESPECTFUL IMAGES AND MESSAGES**

Protecting children involves more than establishing standards for conduct when working with children. They must be shown respect and have their dignity upheld in all acts of institutional communication.

This means establishing guidelines for handling confidential information regarding children and portraying them in a respectful and dignified way both in audiovisual media and in the use of language. Messages whose intention is to provide information, persuade or raise awareness must do so while portraying children in a dignified, respectful and truthful way.

For this reason, Educo's Code of Conduct for Working with Children defines appropriate and inappropriate conduct regarding the treatment of information. At the same time, children should know exactly which rights apply to the use of their image, with the concept of "informed consent" being paramount.

#### **CONDUCT RELATED TO COMMUNICATION, IMAGES AND MESSAGES**

##### **The people to whom this code applies**

##### **Shall**

- Avoid generalizations, sensationalism and sentimentalism and show a balanced vision of the life and circumstances of each child, insisting on children's capacity to be authors of their own transformation.
- Avoid all content (text and images) which could degrade, victimize, or embarrass children, especially those in which they come across as sexually provocative.

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- When children have been subject to some form of violence, record their testimony from a positive perspective focused on overcoming the trauma.
- Avoid the publication of images and messages which may offend the recipients' sense of decency.
- Avoid the publication of content which could offend the recipients' sense of decency, as well as those which offend or go against the customs of the country in which they were obtained or will be published.
- Explain to children how their image or message will be used and obtain their informed consent; if circumstances allow, the organization will request children's written authorization prior to interviewing, photographing or recording them.
- Request children's authorization to use their image for publicity, fundraising or any other purpose.
- Give children an opportunity to explain their story in their own words
- Avoid publishing information which enables children to be located on the internet, in magazines or other mediums. For example, pseudonyms should be used with a footnote explaining that this has been done for the children's protection.
- Avoid photos which are out of context. Images should make the connection between the person and the work of the organization explicit. Likewise, where possible the source, author and date of the image will always be provided.
- Respect the criteria of racial diversity and gender equality in the selection of images.
- Avoid reinforcing traditional gender roles through messages and audiovisual material.
- Use language which is sensitive to the child rights approach and which does not discriminate or victimize.
- During interviewing or filming, do not coerce children in order to obtain certain testimonies or images. Create an environment in which children feel comfortable and free to express themselves. In cases where children have to narrate emotional episodes, someone from Educo who can help them deal with the situation should be nearby.
- Avoid using images which depict children as consumer objects.



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- Elaborate a child-friendly version of the institutional documents that may be of interest to children.

### **The organization shall**

- Demand that any external person or organization that asks to use Educo's audiovisual material sign a contract regulating the use of this material.
- File and keep in a safe place all authorizations from children and/or their parents or legal guardians. It will also file and safeguard the archive of documents like images, information and testimonies from or featuring children.
- Request written consent from school principals and the parents of the children that carry out school activities aimed at the sponsors. They will be informed that this promotional material is exclusively for the sponsors and that no use will be made of them other than that of the educational monitoring.
- Guarantee that the personal information about child beneficiaries is private and only accessible to the relevant sponsor/s. The organization will inform the sponsors that the information regarding child beneficiaries is for private use only and should be safeguarded from third parties.
- Ensure that the testimonies, activities or material that is sent to the sponsors and made by the child have educational purposes for the children and, at the same time, reflect the child's personality and his or her country's culture.