

## **CHILD PROTECTION POLICY**

VOLKSHILFE ÖSTERREICH  
VOLKSHILFE SOLIDARITÄT  
VOLKSHILFE FORSCHUNG<sup>1</sup>

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<sup>1</sup> The present policy applies to the registered associations "Volkshilfe Österreich", "Volkshilfe Solidarität" and "Volkshilfe Forschung". These are summarised below under the term "Volkshilfe Federal Offices (VH BGST)".

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## Table of contents

<b>1</b>	Child Protection Policy of Volkshilfe .....	2
1.1	Child Protection Policy of Volkshilfe .....	2
1.2	Scope.....	3
<b>2</b>	Objectives and principles .....	4
2.1	Objectives of the Child Protection Policy .....	4
2.2	UN Convention on the Rights of the Child.....	4
<b>3</b>	Prevention .....	8
3.1	Direct contact with minors.....	8
3.2	Data Protection.....	8
3.3	Media reports and campaigns .....	9
3.4	Communication with donors.....	10
3.5	Procurement of advertising materials, foodstuff and work materials .....	10
<b>4</b>	Suspected risk to child welfare .....	11
4.1	Types of risk to child welfare .....	11
4.2	Steps in case of suspected risk to child welfare.....	12
4.3	Task of the Child Protection Officer .....	13
4.4	Intervention in acute cases.....	14
<b>5</b>	Partner organisations.....	15

## 1 Introduction

Since it was founded in 1947, Volkshilfe has been active in combating poverty and social marginalisation. Together with those affected, we create living environments and conditions that make it possible to gain the strength to face challenging situations.

Volkshilfe works nationally and internationally to support people affected by poverty, including many children and young people. In addition, Volkshilfe implements varied activities with its nine provincial organisations in order to improve children's opportunities in life. Offers include, for example, social and educational assistance for families, projects relating to labour market policies for young people who might be at risk of exclusion and young people suffering from impairments, as well as targeted offers to promote learning.

In order to actively combat child poverty, Volkshilfe prioritises child poverty in Austria both in its practical work (delivery of social services to clients) and in its policy, advocacy and research work.

For VH BGST, as an interdisciplinary institution with the power to influence many areas affecting children either on a primary or secondary basis, it is important to draw up policies for the treatment of children which all employees must abide by.

The main objective is to develop a basic awareness and basis for action among all employees regarding the treatment of children in the context of work. Equal treatment and equal opportunities at the Volkshilfe Federal Offices and their public impact must be ensured for all children, regardless of their social status, gender, race<sup>6</sup>, ethnic affiliations, world view and political convictions, their religion or their access to education.

### 1.1 Volkshilfe Child Protection Policy

The present Child Protection Policy is intended to enshrine among all employees of the Volkshilfe Federal Offices ("VH BGST") the non-violent treatment of children based on the rights of the child. For this policy, children are defined as persons aged 18 or younger.

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<sup>6</sup> Race refers to racial discrimination based on socially constructed categories of difference.

This policy is based on the UN Convention on the Rights of the Child<sup>7</sup>, the definition of child welfare is based on the Austrian Civil Code (ABGB)<sup>8</sup>, the Austrian laws on child and youth services as well as the child protection standards of the Keeping Children Safe Coalition<sup>9</sup>.

The Child Protection Policy of the Volkshilfe Federal Offices verifiably familiarises all employees with the rights of the child according to the UN Convention on the Rights of the Child as well as internal policies. It is presented to all employees of BGST upon entering the organisation and acknowledgement, agreement and implementation are assured through signing. The contents of the policy are mandatory for all employees, volunteers, casual workers and freelancers. Compliance with the policy is checked based on samples and in case of suspicion – the process follows the modalities listed below. Violations of this policy are handled as outlined below. If allegations are made against employees of the Volkshilfe Federal Offices, additional measures in the context of the association's statutes also apply.

The Child Protection Policy is published on the website of VH BGST.

## 1.2 Scope

The present Child Protection Policy applies to the registered associations „Volkshilfe Österreich“, „Volkshilfe Solidarität“ and „Volkshilfe Forschung“. These are summarised below under the term „Volkshilfe Federal Offices (BGST)“.

The Child Protection Policy also applies to partner organisations, for details, see Chapter 5.

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<sup>7</sup> UN Convention on the Rights of the Child, UNICEF Austria.  
<https://unicef.at/fileadmin/media/Kinderrechte/crcger.pdf> [17.05.2021]

<sup>8</sup> §138 General Austrian Civil Code, child welfare.

<sup>9</sup> Child Protection Standards of the Keeping Children Safe  
<https://www.keepingchildrensafe.global/blog/2019/02/15/implementing-child-safeguarding-standards/>  
[17/05/2021]

## 2 Objectives and principles

### 2.1 Objectives of the Child Protection Policy

The objective of the Child Protection Policy is to ensure compliance with the laws to protect children at VH BGST and to make a contribution towards protecting children against abuse, abuse and all other types of violence, in a physical and psychological sense. The concept is intended to strengthen awareness of this topic in all employees and cooperation partners and develop among all employees a basic awareness and basis for action regarding the treatment of children in day-to-day work. The policy is to enable trust through quality audits and transparency.

### 2.2 UN Convention on the Rights of the Child

The United Nations Convention on the Rights of the Child safeguards the protection and realisation of the rights of the child for all children; the defined aspects are intended to ensure a good life for children. The Child Protection Policy of VH BGST is based on the 54 Articles of the UN Convention on the Rights of the Child, which are summarised in ten basic principles.



1. The right to **protection against discrimination** based on religion, origin, disability and gender
2. The right to a **family, parental guidance** and a **safe home**
3. The right to **privacy** and a **non-violent upbringing**, in the sense of equal treatment and peace

<sup>10</sup> Convention on the Rights of the Child, UNICEF Austria. <https://unicef.at/kinderrechte-oesterreich/kinderrechte/> [17/05/2021]

4. The right to **education and training** and to **leisure, play** and **recreation**
5. The right to **healthy nutrition, healthcare** and **accommodation**
6. The right to **support**, so that children with **disabilities** can also live an **independent life** in society
7. The right to **immediate help during disasters and in emergencies** as well as **protection against neglect and exploitation**
8. The right to **information**, to communicate in the **mother tongue**, to **gather** and to express **culture and religion**
9. The right that **the best interests of the child** must **come first in all decisions**.
10. The right to be **heard** and for their **opinion** to be **respected**.<sup>11</sup>

Based on the UN Convention on the Rights of the Child, child protection at VH BGST comprises preventative as well as reactive measures against exploitation, neglect and emotional and physical abuse. In this spirit, with its Child Protection Policy, VH BGST undertakes to create a protective environment for children and young people and to actively respond to deviations from the rights of the child.

The following articles recorded in the UN Convention on the Rights of the Child are particularly important for VH BGST:

**Art. 2:** All children have the same rights; discrimination of any kind is prohibited.

**Art. 3:** The best interests of the child must come first in all measures.

**Art. 12:** In all measures that affect children and young people, children are to be given the opportunity to form their personal opinion and the views of the child must be taken into account.

**Art. 16:** The privacy of the child must be protected in all measures. In addition, in terms of data protection, policies have been developed to anonymise collected data and process them meaningfully, taking into account the best interests of the child.

**Art. 19:** The present Child Protection Policy applies to protection from violence, abuse or neglect.

**Art. 26:** The measures set by VH BGST aim, amongst other things, to increase social security for children.

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<sup>11</sup> Convention on the Rights of the Child, UNICEF Austria. <https://unicef.at/kinderrechte-oesterreich/kinderrechte/> [17/05/2021]

Generally speaking, it is the task of the organisation to stand up for the rights of the child and child welfare in society and to publicise any identified needs and suggested solutions. Publicity and campaigning make it possible to take action against child poverty and its wide-ranging consequences.

Below we refer to special approaches and situations at VH BGST which must be implemented in accordance with child protection law.



## 3 Prevention

### 3.1 Direct contact with minors

Daily work at BGST does not involve direct work with children every day, although it is not unusual for children to visit the offices with their parents or guardians. Several projects of the Volkshilfe Federal Office focus on children and their equal opportunities, which is why it is important for all employees of VH BGST to be trained how to interact with children.

During direct contact with children and young people, respectful treatment on an equal footing comes first. This requires an absence of violence in both verbal and physical treatment, safeguarding the physical, mental and sexual integrity of the child as well as awareness of the child's privacy on the part of all employees. The views and concerns of children must always be taken seriously, and if several children are visiting together, attention and respect should be distributed equally. These premises must already be considered when designing projects.

In addition to age-appropriate language, special attention must be paid to the needs of children and parents, especially when interacting with children with special needs or where language barriers exist.

If violations of the rights of the child are suspected, the internal reporting procedure must be applied, as defined in chapter 4 of this policy.

### 3.2 Data protection

The requirements of the General Data Protection Regulation (GDPR)<sup>12</sup> regarding personal data must be observed at all times. Sensitive data such as the date of birth, evidence of diseases, social security number and similar are deleted after the respective periods set out in the GDPR. The specific provisions of the GDPR in the context of the Volkshilfe Federal Offices can also be found in the internal document "Information about the GDPR".

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<sup>12</sup> <https://eur-lex.europa.eu/legal-content/DE/TXT/HTML/?uri=CELEX:02016R0679-20160504&from=EN> (accessed on 04/08/2021)

## 3.3 Media reports and campaigns

Communication in the shape of media reports, campaigns, online and social media contributions and communication with sponsors are important elements for making a contribution to realising the rights of the child and equal opportunities for all children and for pointing out systemic defects in provision, health services, inclusion, etc. However, public relations materials that contain illustrations of children also harbour the risk of violating the rights of the child. As a result, any creation and distribution of media contents must protect the dignity of the children shown as well as their identity. Additional protection measures must be applied when working with children who are especially at risk. In this context, the employees of VH BGST stipulate the following aspects for the media representatives:

- Pseudonyms must be used for children, except where mention of the name is in the interest of the affected child and this is done with the consent of both the child and the legal guardian.
- The clothing worn must ensure that the child's privacy is protected. The privacy of all persons involved in projects and their circumstances must be respected at all times.
- All media contents must be based on the values of equality and respect and must safeguard the dignity of the persons shown.
- Children are presented as individuals with potential and facets in an empowered way and stereotypical roles and the role of victim are reduced or avoided.
- Before compiling media contents, the affected children and their legal guardians must be informed of the purpose and intended use of the contents and their display in a comprehensible way.
- The consent of the affected children and their legal guardians must always be obtained when compiling media contents. For general reports, this can be done verbally by the reporter themselves or in advance by the employees within the scope of the projects. Reports that portray an individual child require more detailed explanations of the purpose and intended use of the media contents as well as a written or verbal declaration of consent from the child and their legal guardians.
- A description of the child's living situation must always present the context of their economical, social and cultural environment.
- In the context of public relations, images must always be chosen such that the dignity of those affected is taken into account. Reporting must

meet the highest standards of the rights of the child agreed in the Convention on the Rights of the Child.

- Images stored at VH BGST may be used in accordance with the principles described above and the internal policies of Volkshilfe. Publication must always take into account the principles of child protection.

Generally speaking, the child's best interests must take priority over public relations. The presentation must be varied and diverse, and children affected by poverty must not be reduced to stereotypes or victims.

## 3.4 Communication with sponsors

Supporting organisations, foundations and private sponsors are informed of the results of certain projects and the use of the donations. In this context, the principles described above also apply and pseudonyms are used. Details which could be used to identify families will never be passed on. Results are presented as examples by describing specific cases; but the direct use of donations for specific families cannot be traced.

## 3.5 Procurement of advertising materials, foodstuff and work materials

VH BGST prioritises products for which it can be transparently demonstrated that no child labour is used in the production process.

When procuring foodstuff or advertising and work materials, these should have the quality seal indicating fair production.

## 4 Suspected risk to child welfare

Since 1989, Austria has unequivocally prohibited violence in education and hence physical and mental violence against children.

### 4.1 Types of risk to child welfare

The Child Protection Policy of VH BGST is orientated towards the following types of abuse<sup>13</sup>:

- **Emotional abuse**

Emotional abuse means the ongoing emotional mistreatment of a child that can lead to severe long-term consequences for emotional development. This includes causing and amplifying feelings of worthlessness, fear or not being loved. Excessively high, inappropriate expectations of a child also count as emotional abuse.

- **Physical abuse**

Physical abuse means any physically damaging effect on others, including actions such as beating, face slapping, shaking, throwing, scalding, pushing or suffocating as well as the failure to provide assistance in case of injuries or wilfully causing or feigning diseases. Generally speaking, it must be assumed that any type of physical violence will also have emotional effects and lead to mental impairment.

- **Sexual abuse**

Forcing or seducing a child to take part in sexual activity is sexual abuse – irrespective of conscious perception or consent. This includes penetrative and non-penetrative actions as well as actions without physical contact, such as seduction, watching pornographic material or inappropriately encouraging the child to behave in a sexual way.

- **Neglect**

Neglect means continuously failing to satisfy the child's basic physical and mental needs. This can severely damage physical or cognitive development. Basic needs include nutrition, personal care and residence as well as social networks, education, recreation and others.

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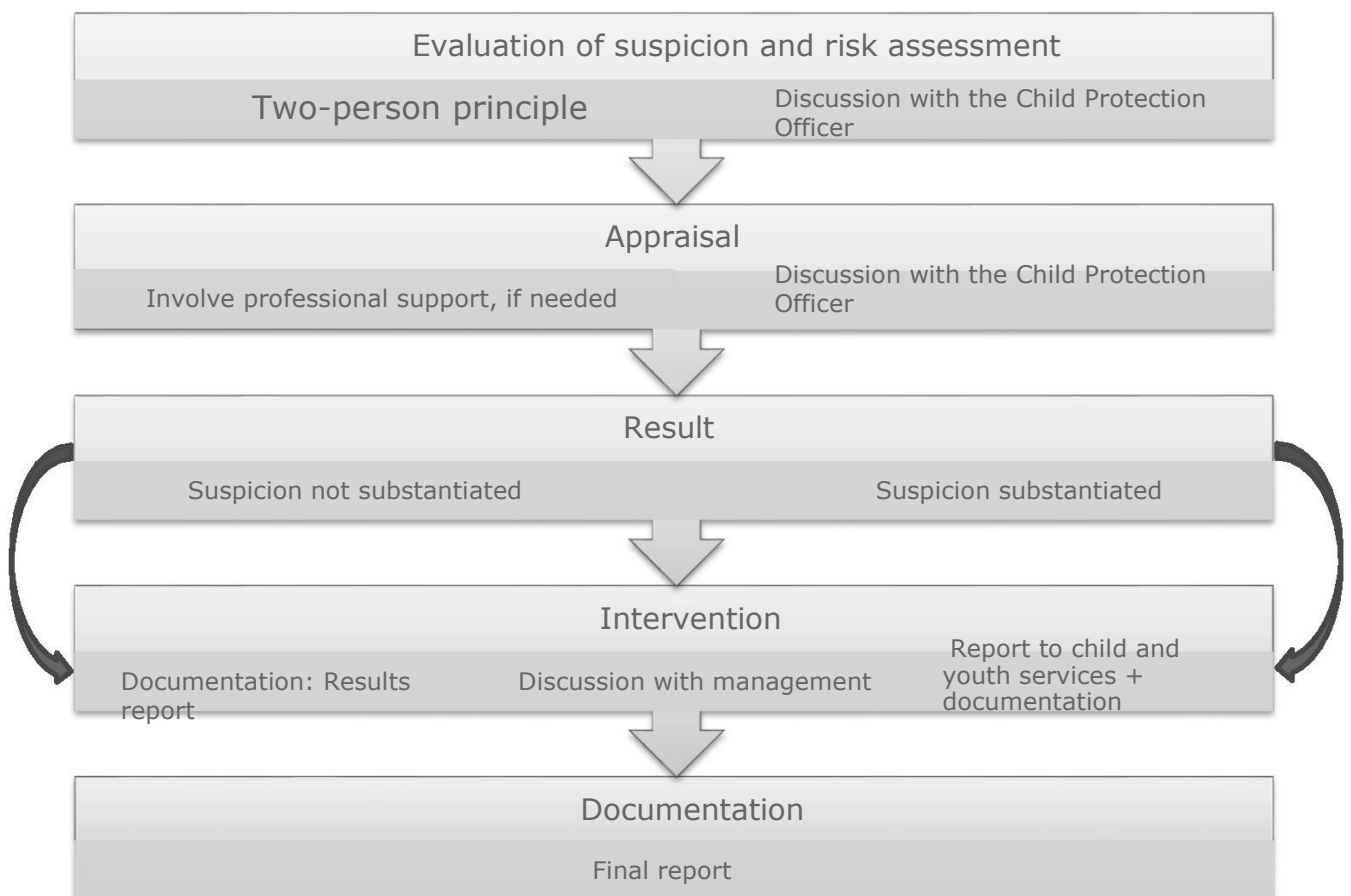
<sup>13</sup> Terre de Hommes, Working definitions.

## 4.2 Steps in case of suspected risk to child welfare

All employees of the Volkshilfe Federal Offices must report any suspected risk to child welfare (if this is identified during their professional activity) to child and youth services (§37 B-KJHG). Such a report must be made in cooperation with the Child Protection Officer.

Internally, suspected risk to child welfare is handled confidentially in relation to other employees, until other measures are completed and resolved. The Director must be involved in each case without delay.

The procedure for suspected risk to child welfare follows the steps shown in the diagram.



Comments relating to the diagram:

In this context, the two-person principle means that the person who identifies the suspicion must conduct the evaluation of the suspicion and the risk assessment together with the Child Protection Officer.

## 4.3 Task of the Child Protection Officer

The Child Protection Officer is a person familiar with the UN Convention on the Rights of the Child and with the measures to implement child protection at VH BGST. The Child Protection Officer is appointed by the Director and all employees of VH BGST are made aware of this responsibility.

Shown below is a brief summary of the procedure and steps required in the event of suspicion or a report:

- **Suspicion against an employee of VH BGST**

If an **employee of VH BGST** is suspected, a verbal and/or written report must be submitted to the Child Protection Officer. For a written documentation, the form for reporting suspected cases must be used; this is kept in the office as well as digitally at VH BGST. The next steps for pursuing the suspicion are taken in accordance with the flowchart; this is the responsibility of the Child Protection Officer. The President must be informed of each instance of suspicion, and the Board of Directors must be informed of justified suspicions.

- **Suspicion against a partner organisation**

If an **employee of a partner organisation** is suspected, the person responsible for the respective project, the Child Protection Officer and the Director must hold discussions with the partner organisation based on the respective Child Protection Policy and decide what measures to take. Measures may include the suspension of the accused employee. Should the partner organisation fail to implement the measures agreed upon with VH BGST, the partnership with the respective organisation may be suspended by VH BGST until the case is resolved. In case of abuse of children or young people at a partner organisation, the respective Child Protection Policy of the partner organisation shall apply. The procedure at VH BGST will be as outlined above.

- **External suspicion**

If a person from **outside VH BGST** confides to an employee of VH BGST in the context of their professional role and e.g. reports violence or abuse of minors in a setting outside VH BGST, the next steps must be discussed with the Child Protection Officer.

The responsibility of the police or of child and youth services starts when the risk to child welfare is reported to the police or to child and youth services.

## 4.4 Intervention in acute cases

Intervention in acute cases is implemented in line with the 2-person principle together with a colleague or in consultation with the Child Protection Officer. In case of acute risk, a report must be made to the police and to child and youth services. In such cases, the Director must be informed immediately.

## 5 Partner organisations

National and international collaboration is also subject to the principle of the UN Convention on the Rights of the Child and the Child Protection Policy of the Volkshilfe Federal Offices.

Before contracts are concluded with partner organisations, their own child protection policies must be discussed and they must acknowledge the Child Protection Policy of VH BGST. In cooperation with new partner organisations, it must be agreed to what extent their own policies already apply. If there are no such policies, they must be encouraged to compile them. Projects which are specifically aimed at children and young people require a child protection policy to be drawn up for the partner organisations - a schedule for this may need to be agreed in writing.

In the context of monitoring visits or meeting, the topic of child protection and compliance with the agreed standards must be addressed on a regular basis.