



IRC Poland Country Program: Child Protection Response Procedure



CP Organizational Procedure

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Policy Owner:	This policy is complementary to: Child Safeguarding Policy, Global Reporting Guidelines	
Approved by:	Country Director	Dariusz Ziętek

Stakeholders:

Country Director	Policy Approval
Senior Management Team	Monitor Implementation
Child Protection	Technical Backstopping
Safeguarding	Link to Child Safeguarding
Human Resources	Safe Recruitment
Program Coordinators	Implement

Introduction

IRC works to help people whose lives and livelihoods have been shattered by conflict and disaster –including the climate crisis – to survive, recover, and gain control over their future. Harm perpetrated by IRC Persons or those associated with us hurts people, undermines our mission and programming, erodes trust in the communities where we work, and can have serious safety, security, and reputational risk to us as an organization.

This policy puts forth IRC's approach to preventing and addressing harm committed against children, including through:

- highlighting the key principles that guide our decision-making and actions;
- outlining our commitments to keep children safe;
- detailing specialized considerations related to children, plus in the digital context;
- communicating response procedure measures that need to be applied by all staff members in case of being aware of any kinds of harm against children;
- communicating the safe staff – children, and children – children relations applicable in the contexts of our programming;
- connecting to relevant guidance related to local applicable legislation and identified support measures;
- outlining the procedures of staff training and capacity support related to the application of procedure;

- setting the timeframe for updating and reviewing the procedure.

The procedure is implemented in response to the obligations introduced by the Republic of Poland's national legislation. Specifically, it aligns with the Act on Preventing Threat of Sexual Crime and Protection of Minors (2016), and all other relevant Polish law regulations, including, on children rights.

The procedure is also anchored in international standards on protection of children rights, among them the Convention on the Rights of the Child, the Universal Declaration of Human Rights, and IRC's internal ethical policies, among them, the IRC Way Code of Conduct, the Child Safeguarding Policy, and other interconnected policies.

As a part of our mission within the Poland Country Program, IRC delivers the following activities involving the participation of child clients:

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- Psychosocial support activities for children aged 2 to 17.
 - Early Childhood Development activities for babies and toddlers.
 - Individual assistance in the form of Child Protection case management.
 - Polish language classes in Community Center
 - Child – friendly spaces in LLH facilities
 - Child Protection Monitoring
 - Outreach and ad hoc activities (events etc).
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Purpose of the document

*As IRC we recognize no reaction is not an option – our commitment to always appropriately react to incidents of harm against children we become aware of – **no matter whether the perpetrator is affiliated or not with the IRC**. This procedure is complementary and consistent with [IRC's organizational policies](#), and local [Safeguarding SOP](#).*

Definitions

Child:

For the purpose of this policy, a child is any person below the age of eighteen years, regardless of local age of majority and consent and regardless of customary law or traditions.

Child Protection:

Child Protection encompasses all prevention and response efforts made when tackling violence against children, as well as children's abuse, neglect or exploitation.

Neglect: Disregarding, ignoring or invalidating a dependent's basic needs such as food, shelter, medical care, emotional needs, or failing to prevent exposure to danger.

Abuse: Any act in which the perpetrator's might is used to the detriment of others. This includes but is not limited to physical, emotional, psychological, economic or sexual violence, ill-treatment or neglect, resulting in actual or potential harm to the person's health, survival, development or dignity

that happens in a context of power, trust, vulnerability, pressure or coercion. Abuse can be an intentional act or an act of omission and can take any of the following forms:

Economic abuse: Patterns of coercive or controlling behavior to control a person's money and finances. For example, sabotaging a person's income or access to money, restricting how to use money and possessions, exploiting a person's economic situation by stealing property.

Emotional or psychological abuse: Humiliating, controlling, and degrading treatment, for example: shouting, controlling or manipulative behavior, intimidating or threatening behavior, starting rumors, belittling, shaming, isolation, neglect, exclusion, gaslighting as well as racist, homophobic, or sexist statements.

Physical abuse: Use of physical force to cause actual or likely physical injury or suffering, for example, grabbing, hitting, kicking, biting, shaking, pushing, burning.

Sexual abuse: Any form of attempted or actual sexual activity that is either unwanted or in a context of significant power imbalance. This includes, for example:

- Unwanted touches of a sexualized nature, including but not limited to a person's private parts; penetration of a person's body parts with penis, finger, other body parts or objects; imposition of oral sexual acts
- Touching oneself in sexual way in front of another person
- Publishing someone's images of a sexualized nature.
- Exposing children to pornography or sexualized language or behavior.

Assent: While "informed consent" is the voluntary agreement of an individual who has the legal capacity to give consent to service delivery, "informed assent" is the expressed willingness to participate for those not holding such legal capacity. For example, we seek the informed assent of younger children who are by definition too young to give informed consent, but who are old enough to understand and agree to participate in services. Informed assent does not remove the need for receiving informed consent from a caregiver or other trusted non-offending adult. It is worth noting that informed assent is not necessary when in front of a case of mandatory reporting.

Bullying: Malicious, negative behavior that is intended to intimidate, insult, offend, frighten, or humiliate another person or a group of people and is perpetrated by peers. Bullying is often a pattern of behavior or repeated incidents, but a single instance may also be bullying if it is particularly severe. (Source: [Respect at Work Policy](#))

Child labor: Any of the behaviors outlined under labor exploitation involving children, or in addition any work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development.

Consent: Consent is the voluntary agreement of an individual who has the legal capacity to give consent to participate in an activity on their behalf or on that of any individual dependent on them, in the case of de jure or de facto caregivers. Consent is reversible at any time and requires access to and understanding of all relevant information, for instance on risks and potential negative consequences of the aforementioned activity.

Discrimination: Any hostile treatment of a person based on their actual or perceived membership in, or affiliation with, any protected group, including: age; ethnicity; race; skin color; national origin or ancestry; tribe; creed; alienage or citizenship status; refugee status, religion or religious belief; marital or civil status; physical or mental disability or medical history; genetic information or characteristics; gender; gender identity; gender expression, or gender reassignment status; sexual

orientation; family, partnership or marital status (with the exception of child marriage); sex, including pregnancy, childbirth, breastfeeding, or related medical conditions; physical appearance; linguistic identity; sexual orientation; work status (working hours, type of contract); domestic violence victim status; military or demobilized children status; or sexual and reproductive health decisions. Discrimination based on any protected class is prohibited in any IRC location. Discrimination can vary from microaggressions up to harassment and abuse. Racism, sexism, ableism, homophobia and fatphobia are forms of discrimination. Examples of discrimination are racial slurs, stigmatizing people for their health status or being of diverse sexual orientation and gender identity, or blocking a person from receiving (part of) a service or participate in an activity they are entitled to on the basis of their identity. (Source: Respect at Work Policy)

Exploitation: Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for different purposes, including, but not limited to, profiting monetarily, socially or politically from the exploitation of another. A behavior would be considered exploitation if a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, access to a service, or participation in an activity, or b) such conduct has the purpose or effect of unreasonably interfering with an individual's wellbeing, safety, dignity, or work performance, or otherwise creating an intimidating, hostile, or offensive environment. Examples of exploitation include:

Forced labor: All work or service which is exacted from any person under the threat of a penalty and for which the person has not offered themselves voluntarily. This includes domestic servitude, slavery, forced conscription and recruitment, forced criminality, or forced participation in the production of pornography.

Organ removal: Removal of cells, tissues and organs from the bodies of deceased persons for the purpose of transplantation without the person's prior consent or through the use of coercion and violence.

Sexual exploitation: Any actual or attempted abuse of someone's position of vulnerability (such as a person's dependence for survival, food rations, school, books, transport or other services), differential power or trust, for sexual gratification, including but not limited to offering money or other social, economic or political advantages. Sexual exploitation includes the act of paying people for sexual services, regardless of local legislation and circumstances.

Trafficking in persons: The recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Grooming: The process of befriending a child, young person or adult on- or offline, thereby obtaining their trust to proceed to exploit or abuse them.

Inappropriate relationship: A relationship between an IRC or associated staff member and a child outside of the scope of work.

Safe recruitment

Safe recruitment procedures for IRC are based on IRC's [global organizational child safeguarding policy](#) and related documents, the [Polish Labor Code](#), the [Act on Counteracting the Threat of Sexual Crimes and Protection of Minors](#), [GDPR](#), and other relevant legislation.

All job offers posted by the IRC include standardized content related to the do-no-harm principle, as well as relevant policies including the global child safeguarding policy and the present document. All recruitment interviews for positions that involve contact with children are required to include dedicated questions assessing the child safeguarding commitment of potential candidates. Prior to signing any contract with the IRC, all successful candidates must provide IRC with an extract from:

- The National Criminal Register within the scope of offenses defined in Chapters XIX and XXV of the Polish Penal Code, in Articles 189a, and in the Act of 29 July 2005 on Counteracting Drug Addiction.

- Candidates holding other citizenship than Polish, or the ones who within the past 20 years lived abroad for a period longer than 3 months are obligated to provide equivalent to said criminal background checks. In cases where obtaining such extracts is virtually impossible in their countries of citizenship/residence, such candidates are obligated to provide a written self-declaration stating that no criminal background/court order exists, as stipulated by the Art. 21 clause 7 of the Act on Counteracting the Threat of Sexual Crime and Protection of Minors of the Republic of Poland or they are unable to provide the criminal check without presenting themselves in the country.

Additionally, IRC performs the criminal background check in the Sex Offenders Registry with Limited Access.

During the recruitment process (HR interview), the candidate is informed about the obligation of presenting the above criminal checks.

Supplementary to the requirements provided by the law, all job contracts include ethical clauses referring to the IRC Global Safeguarding Policy and the present document, which they are obliged to sign and acknowledge.

New hires for all positions are required to provide reference checks with their previous employers. The reference check form includes questions related to potential incidents of ethical misconduct.

During the onboarding sessions, HR and Safeguarding team inform newly hired staff about the importance and legal requirements of pre-employment criminal checks.

Behavioral standards

Best interests of the child: The best interest of the child is the one which, after careful consideration of all elements -including rights- playing a role in their life, is deemed the most favorable and least harmful. The IRC is committed to upholding the rights of the child. Thus, whenever a child is affected by misconduct, the best interest of the child will be a primary consideration. For so doing, and in line with the UN Convention on the Rights of the Child, the best interest assessment or best interest determination tool is used. "[T]he 'best-interests assessment' consists in evaluating and balancing all the elements necessary to make a decision in a specific situation for a specific individual child or

group of children.” In cases of safeguarding harm to young people aged 15 years and above, particular consideration will be given to the young person’s assent to the actions taken to respond to the incident, especially when it comes to preventing further risk or stigmatization.

1. Staff – children behavioral standards:

Child and youth safeguarding: Children are at particularly heightened risk of being affected by safeguarding harm. Violence, abuse, and exploitation of children and youth is often facilitated by the physical, psychological, or organizational power differential between IRC staff and children/youth. The physical and mental health effects of this harm can be life-long.

IRC’s safeguarding commitments require special consideration for children including:

- Building safeguarding prevention messaging into all IRC programs and outreach efforts that reach children and their caregivers.
- Designing and communicating about reporting mechanisms in a child-friendly way, considering different literacy levels and developmental stages.
- Providing support services to child survivors and their caregivers/families and adapting each of these based on age and developmental stage.
- Assessing risk for referrals to third party institutions, and where in the best interest of the child supporting a child survivor and their caregivers to seek legal remedy.
- In terms of using digital spaces, ensuring the following safeguarding commitments:
 - Considering risks for initiatives using social media or digital platforms, or where IRC is providing equipment or internet; additional care is required where these activities or programs involve people with vulnerabilities, including children.
 - Ensuring staff training and specific strategies for working with children and youth on digital literacy and safety in programs that increase or rely on their access to technology.
 - Prohibiting IRC Persons from disclosing private or confidential/personal information about clients online. (Source: [IRC Media and Social Media Policy](#)).
 - Expecting individuals to be respectful and to meet the spirit and intent of The IRC Way in their conduct online as well as offline. (Source: [IRC Media and Social Media Policy](#)).
 - Requiring informed consent from all photo subjects to use their photography on social media. (Source: [IRC Media and Social Media Policy](#)).
- Upholding the following principles when interacting with child clients:
 - Equitable treatment, non – discrimination, non – favouritism of all child clients;
 - Respectful and dignified treatment applying intersectional lenses;
 - Maintaining professional boundaries, not contacting children outside of scope of responsibilities;
 - Hearing, acknowledging and acting upon appropriately upon receiving feedback and any potential concerns;
 - Using appropriate language, along with children needs, stage of development etc.
 - Contributing to creating the culture of transparency, openness and accountability in relation to all child protection issues.
- **Child survivor of violence:**
 - Ensuring safety.
 - Covering basic needs.
 - Psychological First Aid (PFA).
 - Taking care of health, if needed.

- Physical removal from the place where the incident happened.
- Referral to IRC escalation focal point when possible and relevant.
- Communication with parents or legal guardians.
- Conduction of a risk assessment when relevant.
 - Step to be followed by CP-trained professional only.
- Mandatory reporting when relevant(see page 10)

Involvement of IRC staff and/or caregivers during the delivery of IRC activities:

- **One staff member**
 - Case management consultations or other related activities (*CP programming only*)
 - Toilet assistance when the child is not independent and there is no caregiver around (*both CP and non-CP programming*)
 - Supervision of child-friendly spaces available during parents's participation in other activities (*non-CP programming only*).
- **Two or more staff members**
 - Structured PSS activities (*CP programming only*).
 - Ad hoc events (*both CP and non-CP programming*).
- **Parents or legal guardians**
 - PSS activities with infants and toddlers (recommended) (*CP programming only*).
 - Accompaniment to/from the centre (when below the age of X and no consent for independent movement provided) (*CP programming only*).

2. Children – children:

- **Child survivor of violence:**
 - Ensuring safety.
 - Covering basic needs.
 - Psychological First Aid (PFA).
 - Taking care of health, if needed.
 - Physical removal from the place where the incident happened.
 - Referral to IRC escalation focal point when possible and relevant.
 - Communication with parents or legal guardians.
 - Conduction of a risk assessment when relevant.
 - Step to be followed by CP-trained professional only.
 - Mandatory reporting when relevant.
 - See page 9.
- **Child (alleged) perpetrator of violence:**
 - Physical removal from the place where the incident happened.
 - Referral to IRC escalation focal point when possible and relevant (assumption that a child perpetrating violence is likely to have experienced or witnessed violence themselves).
 - Conduction of a risk assessment when relevant.
 - Mandatory reporting when relevant.
 - See page 9.

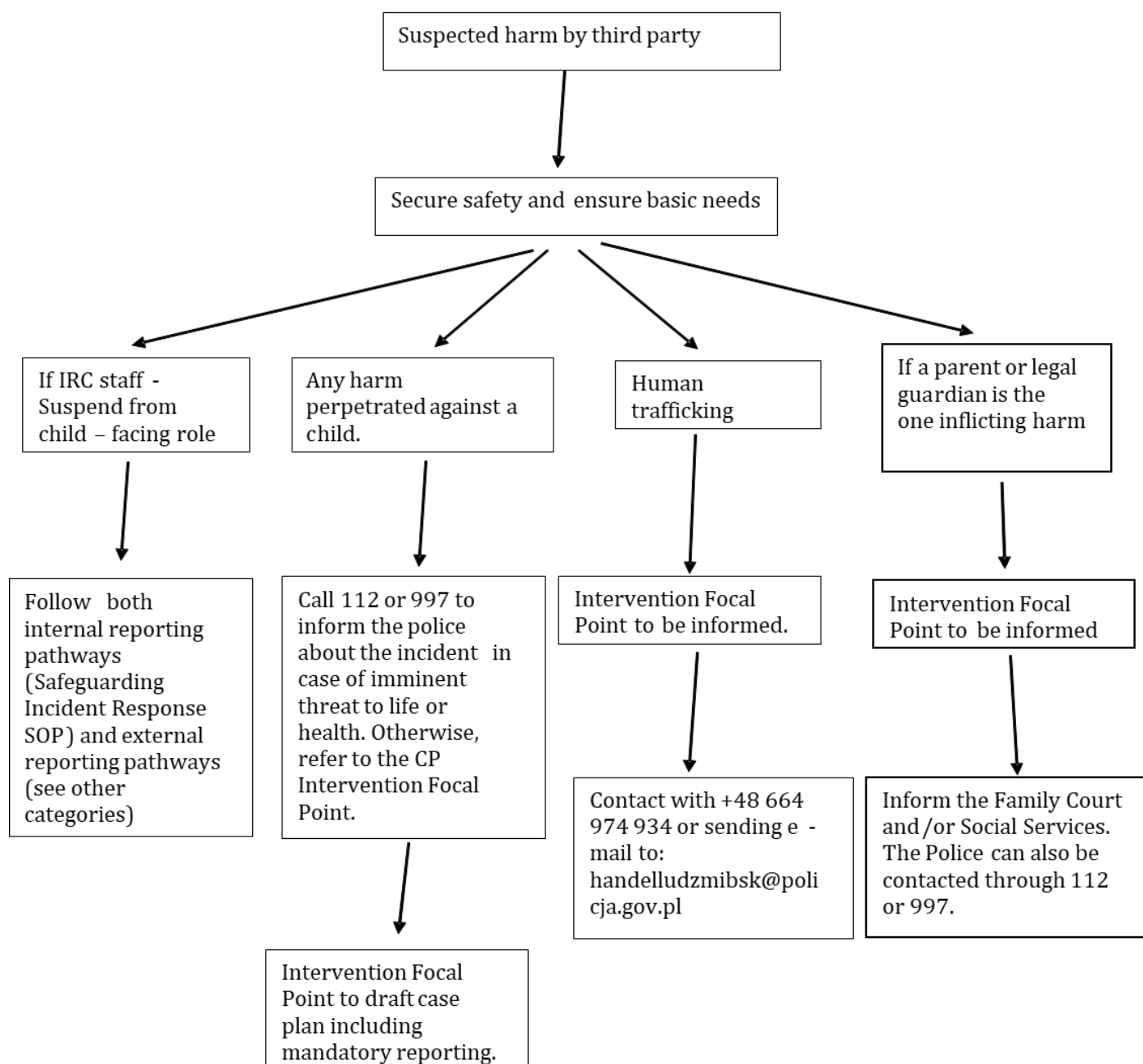
Intervention procedure

The intervention procedure covers response actions referring to cases of:

1. Harm caused by adult third party, IRC associated or not
2. Harm caused by other children
3. Unaccompanied and separated children

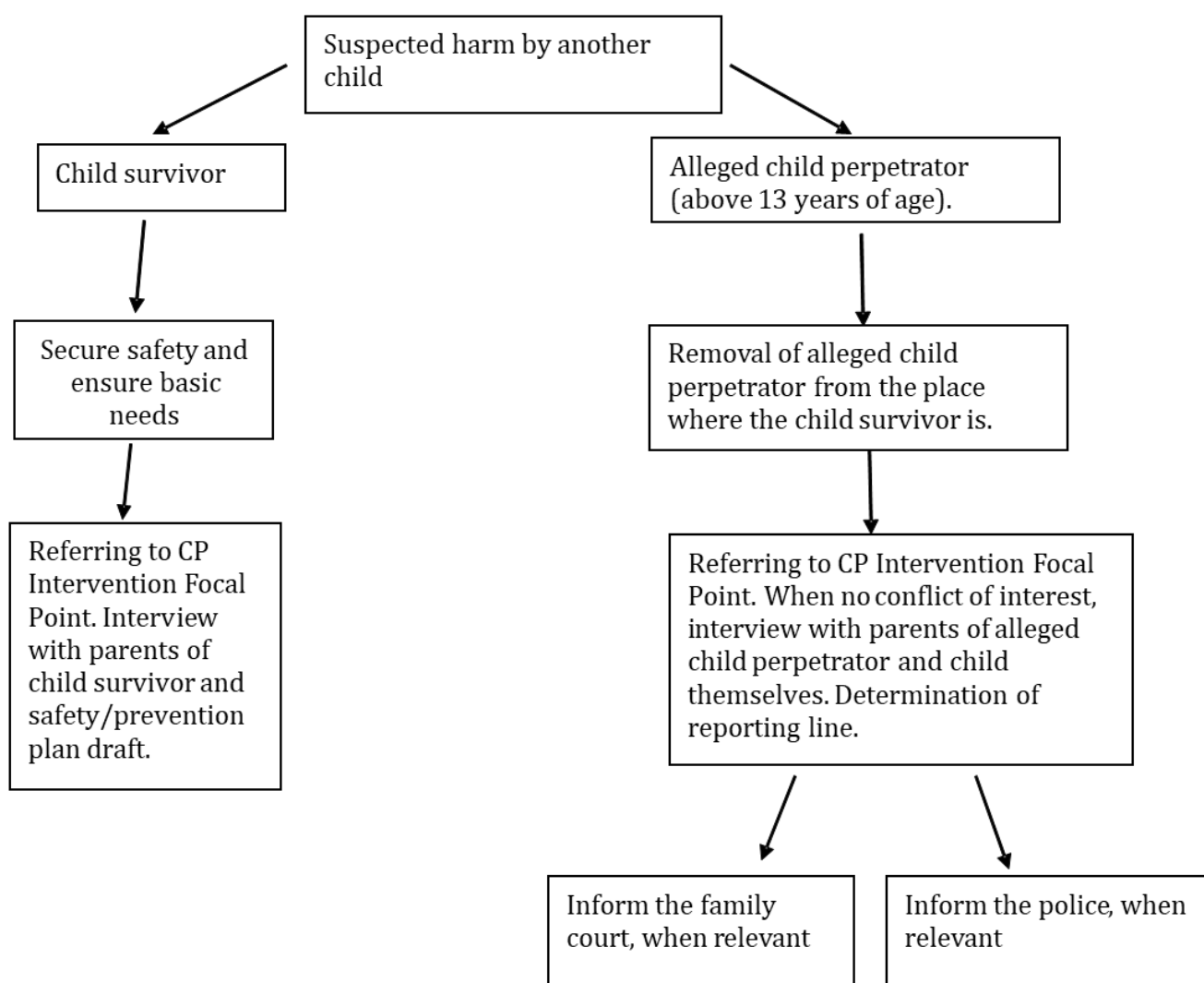
HARM CAUSED BY ADULT THIRD PARTY, BE IT AN IRC ASSOCIATE OR NOT

1. If an IRC employee suspects an abuse by an adult third party:
 - a. with contractual relationship with the IRC, that person should be immediately removed from working with children until the matter is clarified. Furthermore, the internal reporting pathway is to be followed in addition to the below steps, as outlined in the [Poland CP Safeguarding SOP](#).
 - b. without a contractual relationship with the IRC, the pathway below will be followed.
2. If harm is perpetrated against a child by an adult third party, the IRC employee who becomes aware of this should secure safety and ensure basic needs of the child. Then, immediately inform the CP Intervention Focal Point, who ensures provision of survivor – centered support services. This person notifies the police by calling the emergency number 112 or 997 and giving their own data, the child's data, the child's whereabouts and a description of the circumstances of the case. If the responsible person cannot be contacted, the employee makes the report themselves and informs the CP Intervention Focal Point.
3. If an employee suspects that a child is victim of a trafficking, in addition to the procedure indicated in paragraph 2, they can call +48 664 974 934 or send an email to: handelludzmibsk@policja.gov.pl. It is possible to report the case anonymously to the number and email address provided. In cases requiring immediate attention (e.g. when a child is travelling with the offender), police should also be contacted. More information can be found on this [website](#).
4. In the event the person perpetrating violence of any type against a child is their parent or legal guardian, an additional avenue, i.e. contacting the closest Family Court or Social Services, is available. Other than that, paragraph 2 remains applicable.



HARM CAUSED BY ANOTHER CHILD

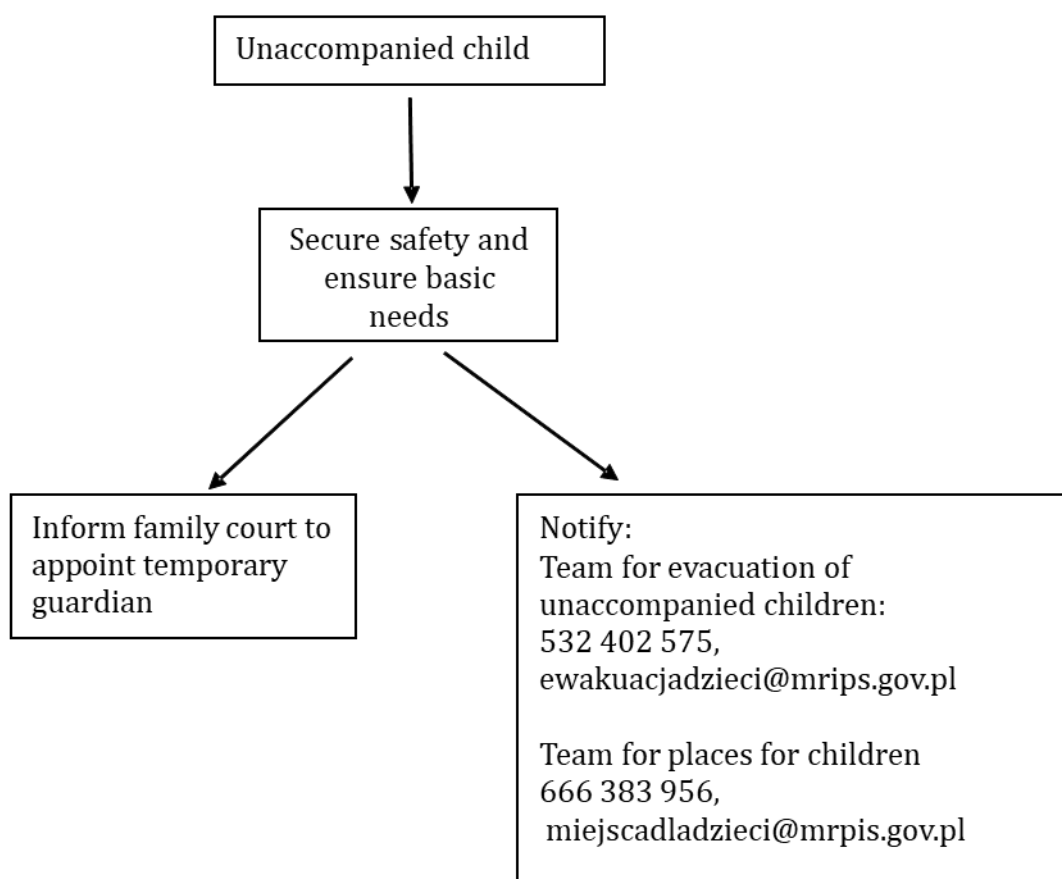
1. In the case of suspected child abuse by another child, a Child Protection Intervention Focal Point will conduct an interview with the parents/guardians of the child suspected of abuse and with that child if their psychological and physical development permits. A child safety plan should be developed with the parents/ guardians of the child being abused, including ways to remove the child from sources of danger.
2. Every reasonable effort should be made to ensure that the child who is suspected of abusing another child is not themselves abused by their parents/guardians, other adults or other children.
3. The IRC employee which learns about a child-on-child abuse, upon guarantying the safety of the survivor, having separated the survivor from the alleged perpetrator, and -when relevant- having communicated with the parents or legal guardians of both parties, will notify the local competent authorities, which, in turn, will interview both.



UNACCOMPANIED AND SEPARATED CHILDREN

1. In the case of suspicion that a child is unaccompanied by an adult on the territory of the Republic of Poland, it is necessary to ensure the child's safety and care for their basic needs (food, clothing), prevent the child from straying and then inform either the locally competent guardianship court or an appropriate social assistance centre/team for evacuation of unaccompanied children about the fact of unaccompanied child's presence. The notification should be in writing if possible. The guardianship court will decide on the appropriate way to safeguard the child's safety. Until the decision is made, the child should be allowed to stay at the centre.

2. If you become aware that a child is in the care of an unrelated adult in the Republic of Poland whose custody is not sanctioned by law -separated-, explain to that adult what a temporary guardianship is and inform the relevant Social Assistance Centre of this fact so that the Social Assistance Centre can apply to a guardianship court to appoint that adult as a temporary guardian.



Trainings and communication

The policy is communicated at the IRC Poland's landing page, and accessible in all office spaces in document form.

The policy is acknowledged by all new hires of IRC by signature upon first day of contractual relationship with the IRC.

The policy is being communicated to all staff during regular trainings delivered by or in coordination with the policy owner at least once for every new IRC's hire.

Conclusion

This policy enters into force after approval by the Country Director

In any case, especially in case of changes in the relevant legislation constituting the basis for the policy, the revision is being conducted immediately by the policy owner – Child Protection Lead for IRC Poland CP.

The changes to policy are being announced with All Staff.

The SMT bears the ultimate responsibility for the implementation of the Policy.

For the data protection issues not specified within the contents of the policy, the rules and regulations of GDPR are applicable.

The policy is reviewed at least on a bi – annual basis, by the policy owner, taking into account especially updates in the referral pathways, roles and responsibilities, contact data, profile of child client facing activities; the next revision in July 2025.

Endorsed by: Dariusz P. Zietek
Country Director

Dariusz Pawel Zietek
box SIGN 42LKLWZP-42V3P2R9

Sep 10, 2024
