

# Policy for the protection and promotion of children's rights

Policy adopted with Resolution No. 03/2020 dated March 12, 2020 of the Human Resources and Compliance Manager and later updated with Resolution n. 01/2021 dated February 25, 2021.

## Article 1

### BACKGROUND

Fondazione Bruno Kessler, a scientific excellence and economic and social impact-oriented research and innovation organization, intends to be a safe place for children.

At Fondazione Bruno Kessler, we think that:

- the protection and development of children are the pillars of the international human rights system;
- children's well-being and aspirations are always paramount;
- regardless of age, condition, status, sex, ethnic or cultural group, religion, sexual orientation or gender identity, all children have the right to equal protection from any type of threat.

The staff of the Foundation as well as those who, in any capacity, collaborate with it must be fully aware of the risks of child abuse and must always adopt the highest standards of conduct as set forth in this Policy.

Workers have to commit to these standards both in the workplace and in their private lives.

## Article 2

### FONDAZIONE BRUNO KESSLER'S CORE CHILD PROTECTION PRINCIPLES AND VALUES

This Policy deals with the protection and promotion of children's rights within the scope of the activities carried out at Fondazione Bruno Kessler as defined by the United Nations Convention on the Rights of the Child. For the purposes of this Policy, the Convention will be adopted in all its parts, since it provides a comprehensive framework for the protection and the development of all children.

In this perspective, all children involved in Fondazione Bruno Kessler activities, projects and programmes have the right (i) to have their health, safety and well-being, and their best interests considered as top priority; (ii) to have their development promoted and safeguarded so that they can achieve their full potential; (iii) to be valued, respected and understood within the context of their own culture; (iv) to be listened to and to have their views given careful consideration, and (v) to be encouraged and helped to participate in decisions which affect them, including in child protection decisions.

## Article 3

### MAIN DEFINITIONS

Child: any human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier (see definitions of the United Nations Convention on the Rights of the Child).

Child Abuse: any act that physically or mentally harms a child, which directly or indirectly causes damage or precludes the prospects of a healthy and safe development towards adulthood. Among the main categories of abuse, the World Health Organization includes physical abuse, emotional abuse, neglect and negligent conduct, sexual exploitation.

Neglect and negligent treatment: inadequate attention to the child's material and emotional needs, by parents or those who have the task of taking care of them. This includes the inability to protect the child from potential hazards and to guarantee and protect their primary needs such as medical care, education and adequate emotional development, to the point of exposing them to physical and emotional prejudice.

Exploitation: use of the child for the benefit, gratification or profit of third parties. These activities expose the child to unfair, cruel and dangerous treatment and involve impairment to his/her emotional, social, moral and physical or mental health development.

Injury: consequence of the exploitation, violence, abuse and neglect of the child that is detrimental to his/her mental, physical, emotional and behavioral development, his/her health, social and family relationships, his/her right to education and his/her aspirations.

## **Article 4**

### **POLICY PURPOSE AND AUDIENCE**

The basic goal of this Policy is to ensure and promote the protection and dignity of children in all areas, considering current regulation and principles at any level.

In particular, with this Policy, Fondazione Bruno Kessler undertakes to protect children who are recipients of the services it provides or who are otherwise involved in its research and training activities.

This Policy adds to, and expands, the horizon of the provisions of the Code of Conduct of Fondazione Bruno Kessler. Consequently, this Policy applies to all individuals who - as identified in the Code of Conduct - operate in any capacity in favor or on behalf of it.

Specifically, it applies to all adults carrying out their activity within Fondazione Bruno Kessler such as:

- members of the statutory bodies;
- all staff of Fondazione Bruno Kessler, including staff assigned to or seconded to it by other institutions;
- all in-house consultants, external consultants and affiliates and trainees as listed in the policies of Fondazione Bruno Kessler;
- all staff of companies supplying goods, services and works that work with Fondazione Bruno Kessler;
- partners of local, national, European and international projects in which, in any capacity, Fondazione Bruno Kessler is involved;
- volunteers.

## **Article 5**

### **OBLIGATIONS OF AUDIENCE**

All adults carrying out their activity in any capacity at Fondazione Bruno Kessler, shall commit to:

- a. promote and prioritize the safety and well-being of children;
- b. in the context of the activities carried out, monitor and prevent situations of violence or abuse on children (child to child, adult to child);
- c. organize their activities in such a way as to minimize any risks for children;
- d. communicate to children what type of involvement they have to expect and instruct them to report any concerns;
- e. make children aware of their rights and help them develop an active role in their own and their peer's protection;
- f. drive all those who have contacts with children to act in the interest of their development and protection;
- g. activate, and implement, secure channels to report breaches to this Policy;
- h. ensure that the data of children are protected and processed in accordance with the provisions of the privacy regulation.

## **Article 6**

### **SPECIFIC OBLIGATIONS FOR RESEARCH AND TRAINING ACTIVITIES**

Due to the specific nature and purpose of Fondazione Bruno Kessler, special obligations are set out below for all staff directly or indirectly involved in research and training activities.

The protection of children shall inspire all phases of research and training: planning, selection of staff who will be in contact with children, research and training activities, publication and dissemination of results, assessment.

- a. Children can be involved in research and training activities only after informed consent from their parents or legal guardians has been obtained. All parties concerned - children, parents or legal guardians, must be

provided clear and transparent information about the research and training activities. The above information shall not underestimate or conceal possible risks and shall point out the expected benefits.

- b. Children shall not be involved in any type of activity that could harm their dignity or unsettle their psychophysical balance regardless of any consent given by parents or legal guardians.
- c. The child's right to withdraw from the research activities whenever and for whatever reason he or she wishes shall always be granted. In these circumstances, it is appropriate to examine the reasons for the withdrawal and to consider changes for future approach.

Without prejudice to the provisions of the Foundation's Privacy Regulations and privacy regulations in general, the development of objectives related to sociological research activities can be admitted due to its particular empirical value and relevance only if any data that may reveal the identity of the child remains strictly confidential.

## **Article 7**

### **SPECIFIC PROTECTION PROVISIONS REGARDING THE PROCESSING OF PERSONAL DATA AND PRIVACY**

General Data Protection Regulation No. 2016/679 states that children deserve specific protection in relation to their personal data, as they may be less aware of the risks, consequences and related safeguarding measures.

In the context of this Policy, this protection provision is to be understood as "additional" with respect to what has already been mentioned above as a specification of the obligations of the audience (Article 5) and of the particular obligations in the research and training activity (Article 6).

We therefore, provide the following specifications:

- a. video-audio-recordings and photographs have to be obtained with due respect of the rights of the children involved, exclusively in contexts that do not compromise their personal dignity and propriety and ensuring their protection when using the collected materials;
- b. video recordings and photographs are reserved for strictly professional use only, after obtaining the consent of the children concerned<sup>1</sup> and of their parents or legal guardians, and shall make sure that children are depicted wearing suitable clothing and posing in appropriate attitudes;
- c. when using information and communication technologies – such as the Internet, websites, social network sites, digital photography, etc. –, Fondazione Bruno Kessler pays the utmost attention not to harm children's dignity, to ensure that children are not exposed to possible risks, and share the minimum amount of personal data needed to deliver its services only after prior agreement of the child, parents or legal guardians;
- d. in particular, video-audio recordings and photographs have to be selected with the best interests of the child in mind and published only after having obtained the consent of the child and of the parent or legal guardian;
- e. even when prior authorization of parents or legal guardians has been obtained, it is a practice of Fondazione Bruno Kessler's not to publish images of children that allow their direct identification by implementing strategies that ensure confidentiality, such as for example by using group photos and photos in which the child is turning his/her back to the camera, or by applying special face processing (face is blurred, out-of-focus, pixelated, hidden by a sticker or emoticon);
- f. bodies, organizations, groups and/or individuals not associated with Fondazione Bruno Kessler who intend to make use of the informative materials must guarantee compliance with internal policies on the correct and appropriate use of such materials and always after prior agreement of the children concerned and of their parents or legal guardians.

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<sup>1</sup> Children's consent implies their informed involvement

## **Article 8**

### **AWARENESS RAISING AND TRAINING**

Fondazione Bruno Kessler widely publicizes this Policy and undertakes to ensure support, supervision and appropriate training to all adult recipients of the Policy as indicated in Article 4 (Policy Purpose and Audience) on the issue of the protection and promotion of children's rights.

## **Article 9**

### **RECRUITMENT AND SELECTION OF NEW EMPLOYEES OR ASSOCIATES**

With regard to activities that may involve children, Fondazione Bruno Kessler, for selection and recruitment procedures, abides by the conditions and purposes set out in the United Nations Convention on the rights of the child; as for project activities involving children, Fondazione Bruno Kessler will obtain criminal records.

After each recruitment, during the onboarding phase, Fondazione Bruno Kessler will provide all necessary information to ensure the worker's understanding and awareness so that they can act in accordance with the provisions of this Policy and the United Nations Convention on the Rights of the Child.

## **Article 10**

### **MISCONDUCT REPORTING**

Anyone who notices or becomes aware of facts or conduct that are not in line with the provisions of this Policy is required to immediately notify at least one of the officers in charge of protecting the integrity of the Fondazione Bruno Kessler: Head of Corruption Prevention and Transparency, Supervisory Body, Head of the Human Resources Service. To facilitate the reporting process, it is possible to use the Form attached herewith (Annex 1).

If the facts or behaviors in question constitute crime, they shall be reported directly to the judicial authority or to the police forces.

Regardless of the above considerations, anyone at Fondazione Bruno Kessler who becomes aware of an imminent risk to the health or life of a child must take immediate action.

## **Article 11**

### **ACCOUNTABILITY, MONITORING AND UPDATE**

Failure to comply with the provisions of this Policy constitutes a violation of Fondazione Bruno Kessler's Disciplinary Code and will result in prosecution for the asset or interest that has been infringed or even put at risk.

Fondazione Bruno Kessler, in the person of the Head of Human Resources and Compliance and of the Child Protection Officer - new figure to be established - must ensure the monitoring and, if necessary, the updating of this Policy by publicly reporting it in annual reports.

MISCONDUCT REPORTING FORM

CONFIDENTIAL

To the kind attention of the Head of Corruption Prevention and Transparency/of the Supervisory Body/of the Head of the Human Resources Service

PERSONAL INFORMATION OF THE REPORTER

First and Last Name:

phone: \_\_\_\_\_ e-mail address: \_\_\_\_\_

DETAILS OF THE SITUATION REPORTED (please separate facts from opinions)

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INFORMATION FOR THE IDENTIFICATION OF THE CHILD OBJECT OF THIS MISCONDUCT REPORT

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WAS EMERGENCY MEDICAL ASSISTANCE REQUESTED FOR THE CHILD?

NO

YES, indicate to whom (service, name of staff, contact details) \_\_\_\_\_

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WAS THE FACT/BEHAVIOR REPORTED TO THE JUDICIAL AUTHORITY OR THE POLICE FORCES?

NO

YES, on \_\_\_\_\_

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DATE OF MISCONDUCT REPORTING \_\_\_\_\_

SIGNATURE OF REPORTER \_\_\_\_\_