

POLICY OF
PROTECTION IN THE
CHILDHOOD OF
SURT FOUNDATION

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1. WHAT IS SURT Foundation?

The Surt Foundation is a non-profit organization founded in 1993 in Catalonia with the mission of promoting the empowerment of women and equal rights, as well as the social inclusion of people in vulnerable situations. As a socially committed organization, it works to eliminate gender barriers that affect women's social, cultural and economic opportunities. With a feminist perspective, Surt promotes social transformation and defends values such as justice, solidarity and equal opportunities.

2. PRESENTATION

TITLE	Fundació SURT Child Protection Policy
Approval date	June 8, 2024
Date of approval of the first version	June 8, 2024
Approval body	SURT Foundation Management Team
Validity	Annually, in the month of June

<p>Objectives</p>	<ul style="list-style-type: none">- Analyze the current state of development at the level of protocols and procedures regarding action in situations of discomfort for children and adolescents.- Create and renew protocols and procedures regarding the protection of children and adolescents.- Have mechanisms, with specific actions, to prevent situations of lack of protection for children and adolescents.- Inform and train professionals, volunteers, and board members to ensure that they know the Foundation's vision and actions regarding protection.- Guarantee the figure/figures responsible for managing, acting and monitoring the actions.- Create the system of indicators for evaluating the actions that are implemented.
<p>Components working group</p>	<p>from the SURT Foundation Management Team.</p>

People delegates	Sheila Acántara Mingoya Isaura Roura
Scope	People workers, volunteers, from practices, associates, members of the Board of Directors, suppliers and service providers of Fundació SURT
Documents related	Equality plan, harassment protocol
Communication	A link will be made to the website.

3. DEFINITIONS

Below are the definitions of the most relevant concepts related to our Child Protection Policy, so that all agents involved in this policy can have common content regarding terminologies.

Girls, boys, girls (non-binary children), adolescents (NNNA): It means any human being under the age of 18, and in our case and due to the population with which we work, our protection policy also includes the age of up to 21 years.

VIOLENCE

"We understand violence towards children as the action, omission or negligent, non-accidental treatment that deprives the child or adolescent of their rights and well-being, that threatens or interferes with the orderly physical, psychological or social development and whose perpetrators can be people, institutions or society itself."

We also share the definition of L'World Health Organization (WHO) which defines child abuse as the abuse and neglect of children under the age of 18, and includes all types of physical or psychological abuse, sexual abuse, neglect, neglect and commercial or other exploitation that causes or is likely to cause harm to the health, development or dignity of the child, or endangers their survival in the context of a relationship of responsibility, trust or power. Exposure to violence within the intimate partner is also included in the forms of child abuse.

DEFINITIONS TYPES OF VIOLENCE

PHYSICAL ABUSE: It is any non-accidental action by any person towards NNNA that causes physical harm (visible or not) or illness.

PSYCHOLOGICAL ABUSE: It is that repeated situation in which the adults responsible for the child, through actions or deprivations, provoke negative feelings towards their own self-esteem and limit their appropriate emotional development (continuous contempt, verbal rejection, insult, intimidation, discrimination, etc.).

NEGLIGENCE It occurs when the basic needs of NNNA are not attended to, temporarily or permanently, by any of the members of the group where they live: there is no care for their food, their warm clothing, their medical monitoring or treatment. They have no schedules or rhythms, they spend hours without protective or educational attention, they are exposed to situations that endanger their physical integrity. Neglect also includes

truancy, which consists of total or frequent lack of attendance at school.

SEXUAL ABUSE: It is that situation in which a minor is used to satisfy the sexual desires of an adult, either by witnessing or participating in sexual activities that violate the legal codes of society and that he/she does not understand or for which he/she is not prepared according to his/her development and to which, therefore, he/she cannot give consent (incest, rape, touching, verbal seduction, masturbation in the presence of a minor, viewing pornography, use of minors for the production of child sexual exploitation material, demand for sexualized photographs of an adult towards a minor, etc.). In Spain, the legal age of consent is 16 years.

ADULT TOXIC CONSUMPTION: Substance use, whether habitual or occasional, and/or alcohol abuse, by the referring adult.

GENDER VIOLENCE

Gender-based violence is violence that manifests discrimination, inequality and power relations between men and women, which is exercised over them by those who are or have been their spouses, or are related to them by similar emotional relationships, even if they are not living together. NNNA children and daughters of women are considered victims of this violence, whether they have suffered it directly or indirectly.

GENDER VIOLENCE AMONG MINORS: relationship of power or dominance and control where there may be abuse or aggression on a physical or psychological level or others, exercised by a minor against his partner who is also a minor or against another minor, and which results in physical, sexual or psychological harm or suffering.

DOMESTIC VIOLENCE: Violence carried out between people who live together in the same home and who do not meet the criteria to define them as gender violence, physical/psychological abuse or child-parent aggression. These are all those violent acts, from the use of physical force, harassment, bullying, intimidation that occur within a home, from one family member to another: Violence between same-sex couples, violence by a member of the extended family who lives together in the home, violence from the mother against the father, mutual violence between the two members of the couple.

DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION/GENDER: Situation in which the minor is treated in an unfavourable manner due to their sexual orientation, gender identity or expression (for example, through direct discriminatory actions such as: rejecting, marginalizing ignore). Any behavior based on sexual orientation, gender identity or expression

of the minor that has the purpose or has the effect of violating their dignity or physical or psychological integrity or of creating a hostile, degrading, humiliating, aggressive or annoying environment for them.

LABOR EXPLOITATION: Situation in which a child/adolescent of non-working age is used for work where any type of economic gain and/or in kind (drugs) is obtained. It can range from hard physical work to passive or active use for begging.

SEXUAL EXPLOITATION: It occurs when the child/adolescent is forced or induced into prostitution and/or pornography activities.

DEFINITION PROTECTION

According to Article 19 1. of the Convention on the Rights of the Child, Protection of Children and Young People is all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury, abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual, physical or mental abuse, while in the care of their parents, legal guardians or any other person who has the care of them.

These protective measures, if necessary, must include effective procedures for the establishment of social programs, in order to provide the necessary support to the child and those who have his or her guardianship, and also for other ways to prevent, detect, report, refer, investigate, treat and follow up on cases of abuse, in addition to judicial proceedings, if necessary.

Taking into account that in our daily work in contact with children and adolescents, conflict situations can arise at different levels, and situations of risk or child abuse can occur, we want to guarantee that:

- All children and adolescents we work with can develop to a level of physical and emotional well-being.
- That they can have safe and friendly spaces, where their development is encouraged.
- That the Professionals, volunteers, and all the team involved in the Foundation work under the prism of good practices towards childhood and adolescence.

DEFINITION OF GOOD TREATMENT

They are practices of care, protection, training and guidance that promote the development, well-being and healthy and harmonious growth, both physical and mental, spiritual, ethical, cultural and social, of children and adolescents.

These practices are adapted to the age, development, characteristics and circumstances of each child, respecting their human rights at all times.

PROFESSIONAL DEFINITIONS DIRECT CARE

For Fundació SURT it is important to have shared definitions about the specific functions of direct care professionals, and specifically what their position should be regarding child protection.

Below we present the definitions of the most significant jobs within Fundació SURT.

- **SOCIAL EDUCATOR RESIDENTIAL CARE** The main function of the educator is to accompany users of residential protection resources in their process of autonomy and psycho-emotional recovery, understanding accompaniment as providing tools, technical instruments and functional and emotional resources, so that the people receiving care achieve their goals (women, young people, adolescents and children).

As an entity involved in child protection, it is important that this figure ensures the emotional well-being of the children in care, the detection and intervention in possible risk situations and the forceful response to any type of violence against children, whether it is exercised by any adult, including the professionals of the entity itself and promoting good treatment practices towards children.

- **EDUCATIONAL AND PEDAGOGICAL CARE TECHNICIAN** Their main function is to guide and accompany the learning process of children and young people, at the Foundation and in residential resources, as well as to guide and involve families or legal guardians in the educational and improvement process.

As an entity involved in child protection, it is important that this figure ensures the emotional well-being of children attended to within the framework of the service, for the detection and intervention in possible risk situations and for the forceful response to any type of violence against children, whether it is exercised by anyone.

adult, including the professionals of the entity itself and promoting good treatment practices towards children.

- **THERAPEUTIC CARE PSYCHOLOGIST** It ensures that women, young people and families receiving residential resources, and also at an outpatient level in the entity itself, are accompanied in the process of psycho-emotional recovery, focusing action on the interest of the person, with the utmost respect for their dignity and personal evolution.

Its function is to help solve individual behavioral problems, through the analysis of family interactions. One of its functions is to assist in improving communication between family members. Its intervention is especially relevant for managing stressful life events.

As an entity involved in child protection, it is important that this figure ensures the emotional well-being of children visited or not in a therapeutic space but being aware of their existence, for the detection and intervention in possible risk situations and for the forceful response to any type of violence towards children, whether it is exercised by any adult, including the professionals of the entity itself and promoting good treatment practices towards children.

- **LABOR GUIDANCE TECHNICIAN** Its main function is to facilitate the socio-labor insertion of people, developing their employability. It involves diagnostic actions, information, guidance, motivation, training, advice and support for people in accessing the labor market and maintaining their job.

As an entity involved in child protection, it is important that this figure in the diagnostic process can focus on identifying children in the care of the users being served, for the detection and intervention/referral to other services in possible risk situations and for the forceful response to knowledge of any type of violence towards children, whether it is exercised by any adult, including the professionals of the entity itself and promoting good treatment practices towards children.

- **CHILDHOOD RESPONSE TECHNICIAN** Their main function is to welcome people who access the Infància Respon telephone line by calling, offering guidance and advice on issues of childhood and adolescence and the detection of minors at risk.

As an entity involved in child protection, it is important that this figure ensures the emotional well-being of children, the detection and intervention in possible risk situations and the forceful response to any type of violence against children, whether it is exercised by any adult, including the professionals of the entity itself and promoting good treatment practices towards children.

DEFINITIONS FROM CONCEPTS METHODOLOGICAL I PERSPECTIVES INTERVENTION

SURT Foundation carries out its work from a Human Rights approach and from the perspectives of Intersectional Gender, Transcultural, Harm Reduction, Attention to Diversity and Child Protection, in order to guarantee equal treatment and non-discrimination and generate conditions of equality that contribute to the eradication of violence and to guarantee the appropriation of violated rights of the Rights Holders, as well as guaranteeing the rights of the organization's workers and volunteers, as Responsibility Holders. In order to make these perspectives effective, positive action and discrimination measures have been incorporated such as the protocol FOR THE PREVENTION AND ACTION IN THE FACE OF SEXUAL HARASSMENT, BY REASON OF SEX, GENDER IDENTITY, GENDER EXPRESSION, SEXUAL ORIENTATION, RACEIFICATION, ETHNICITY AND/OR RELIGION, FUNCTIONAL DIVERSITY, AND OTHERS.

At Fundació SURT we believe in methodologies and interventions in direct care with the people we care for, which place the person, family or group at the center of the intervention, giving special importance to empowerment, autonomy and one's own capabilities, and starting from their own rights and with an intersectional perspective. Thus, there are some concepts that are of special relevance when proposing the intervention and at the same time guaranteeing the rights and protection of the children cared for, whether directly or indirectly. It is therefore essential that the entire team of technical professionals can work on this proposal.

- **PEDAGOGY OF AFFECTION:** Emotions are the fertile ground that allows the acts of knowing, thinking, acting and relating to germinate, emphasizing affection as a transcendental emotion for individual, interpersonal and social development. Affectivity has to do with communication, self-esteem, security and other values and skills necessary for the integral growth of children. In this sense, it is essential to comply with the didactic principle that implies the unity between the cognitive, the affective -motivational- and the behavioral.

Welcoming with tenderness and affection means understanding these as pedagogical tools in an educational paradigm that aims to contribute to the transformation of a culture of violence into a culture of tolerance, solidarity and peace. The pedagogy of affection articulates a relationship that, in principle, may seem impossible: empathy and firmness. It is about the educational teams placing themselves in the situation of the person in reception and their reality, but from the sufficient affective authority and adjusted to this reality so as to establish the necessary limits for a positive coexistence, guaranteeing the appropriate development of the girl, boy, adolescent and woman who is accompanied.

The team of professionals must have the ability to tune in to the interests of the person and/or NNNA they are caring for, so that they can become not only quality normative references, but also people capable of listening and with whom to share their experiences, from the joint creation of spaces of sonority that promote the reconstruction of personal history and lay the foundations of the process of repair and re-situation with respect to the damage suffered.

4. DECLARATION

INSTITUTIONAL COMMITMENT TO PROTECTION OF CHILDREN AND ADOLESCENCES **FUNDACIÓ invia**

SURT Foundation develops its projects from a Human Rights perspective, so that all people served: children, young people and adults, can be entitled to them and make them count.

Regarding the field of childhood and adolescence, Fundació SURT assumes the commitment implied by the Convention on the Rights of the Child, approved on November 20, 1989 and ratified by the Spanish State in 1990 and, specifically, what is established, at the regional level, by Law 14/2010, of May 27, on the rights and opportunities of childhood and adolescence. In addition to the “Organic Law 8/2021, of June 4, on the comprehensive protection of childhood and adolescence against violence”.

In accordance with the commitment to defend the **Children's rights** and adolescents with whom we work, our actions are specific to: Detecting situations of lack of protection in which children and adolescents may find themselves and providing a response tailored to the multilevel needs they present. Thus, our interventions are specified in:

- Guarantee, at an institutional level, that all Workers work with an eye on the protection of Children and Adolescents
- Act in the face of situations of lack of protection at the family level, peer group, workers, other institutions, in which children and adolescents are found.

Our **commitments** to develop and implement our Child Protection Policy, the creation of a protection agent and to be able to expand the culture of protection internally, and also with the other organizations and institutions with which we interact.

Our policy aims to be socialized to all members of the Association, regardless of their function within the entity, and with the triple objective of: raising awareness, integrating and acting in the protection and good treatment of children and adolescents.

Our protection policy is based on the following **principles**:

- The rights of Children and Adolescents.
- The best interest of the well-being of children and adolescents.
- The physical, emotional and psychological well-being of children and adolescents.
- The need to take action when there is suspicion or certainty that a child or adolescent is in a situation of possible risk or neglect.

The **objectives** The main principles of our protection policy are aimed at creating a "Culture of protection inside and outside the association", as follows:

- Analyze the current state of the Foundation in terms of protocols and procedures regarding action in situations of discomfort for Children.
- Create and renew protocols and procedures regarding the protection of children and adolescents.
- Have mechanisms, with specific actions, to prevent situations of lack of protection for children.
- Inform and train professionals, volunteers, and board members to ensure that they know the Foundation's vision and actions regarding protection.
- Guarantee the figure/figures responsible for managing, acting and monitoring the actions.
- Create the system of indicators for evaluating the actions that are implemented.

Our entity thus carries out its commitment to guarantee the rights of Children and Adolescents and the relevant actions for their protection and well-being, as the first step within the **Culture of Protection**.

5. SCOPE

Below we present the list of people involved in complying with our Protection Policy, also determining what documentation and therefore involvement they have in compliance.

SURT Foundation workers	<ul style="list-style-type: none"> - Code of conduct - Protection policy - Training - Certificate of negative sexual history - LOPD confidentiality
Volunteers	<ul style="list-style-type: none"> - Code of conduct - Protection policy - Training - Certificate of negative sexual history - LOPD confidentiality
Internships	<ul style="list-style-type: none"> - Code of conduct - Protection policy - Training - Certificate of negative sexual history - LOPD confidentiality
People on the Board of Directors	<ul style="list-style-type: none"> - Code of conduct - Protection policy - Training - Certificate of negative sexual history - LOPD confidentiality
Associates of the SURT Foundation	<ul style="list-style-type: none"> - Protection policy
Adult users	<ul style="list-style-type: none"> - Code of conduct
Children and adolescents who participate in the services of Fundació SURT	<ul style="list-style-type: none"> - Code of conduct
Schools where our actions are carried out	<ul style="list-style-type: none"> - Protection policy - Action procedure according to type of action
Staff from the companies external suppliers of	<ul style="list-style-type: none"> - Code of conduct - Protection policy - LOPD confidentiality
Personnel from external supplier companies	<ul style="list-style-type: none"> - Code of conduct

<ul style="list-style-type: none"> - Mercadona - 	
<p>Personnel from any entity with whom specific and/ or time-limited actions are carried out with NNNA through the Foundation itself (sports, cultural activities, etc.)</p>	<ul style="list-style-type: none"> - Code of conduct

6. FUNCTIONS OF PROTECTION AGENTS AND FUNCTIONS AND ORGANIZATION OF THE PROTECTION COMMITTEE

The #INTOCABLES protection policy and the Action Plan to develop it have been the responsibility of a Committee that was created in May 2022, where there is representation from all services, and which is expected to be stable over time.

Thus, this permanent Committee decided that to manage the situations that could arise, there would be 2 delegated protection figures, and 8 stable members of the Committee, with the provision that more figures could be incorporated if deemed necessary.

6.1 Functions and tasks of the Protection Officer

The Protection Delegates of Fundació SURT will have the following functions and tasks:

1. Raise awareness and visibility about protection policy.Tasks:

- 1.1 Organize internal training on child protection (prevention, detection, notification, intervention).
- 1.2 Plan an internal and external communication plan on the code of conduct and the action protocol.
- 1.3 Meetings with area and address managers to review that the action protocols are being applied.
- 1.4 Review the action protocols.
- 1.5 Prepare annual reports on prevention activities and intervention processes to have systematized data on the work carried out and the needs detected.

2. Provide support to the entity's professional teams in matters of protection.

Tasks:

- 2.1 Be available to advise on queries from the entity's professional teams in relation to possible situations involving children at risk.
- 2.2 Respond to doubts, guidance or notifications of situations of possible lack of protection made by internal personnel according to the action protocol.

2.3 Review spaces and activities together with the direct care teams for children and adolescents to make the necessary adjustments and ensure that they are protective.

3. Provide support to children and their families or legal representatives. Tasks:

- 3.1 Plan a communication plan aimed at NNNA, their families or legal representatives who are already served by the entity on who the Protection Delegates are, how to contact them and their functions.
- 3.2 Respond to doubts, guidance or notifications of situations of possible lack of protection made by children, their families or legal representatives according to the action protocol.

4. Act in accordance with the procedures detailed in the Action Plan in the face of situations of possible lack of protection.Tasks:

- 4.1 Receive and respond to notification communications that may arrive internally or externally.
- 4.2 Know the resources involved in the child protection system and when to report the case.
- 4.3 Follow up on reported cases to verify their evolution and provide the support that is deemed relevant.

6.2 Functions and Organization of the Protection Committee

6.2.1 OBJECTIVE

With the approval of the SURT Foundation's Child Protection Policy and Code of Conduct, the Committee commits to working towards the prevention of abuse and violence and towards building a culture of protection and good treatment where interactions with children and adolescents promote their dignity and foster their full development and well-being in a safe and protective environment.

The Committee's purposes are:

- Guarantee the implementation, monitoring and adaptation of the policy and code of conduct in the entity.
- Ensure that information and training reaches all people included in the policy.

- Systematize and share good practices.
- Support Protection Officers
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6.2.2 ACTION FRAMEWORK

The Protection Committee will act at all times within the following framework:

- Protection policy

- Code of conduct
- Institutional commitment
- Commitment to confidentiality within the framework of the protocol/mechanism for complaints and responses, as well as throughout the process of case analysis, investigation, response and follow-up.

6.2.3 MEMBERS

NAME	Workplace	Role in the Committee
Isaura Roura	Delegate protection Deputy Director	from Coordination and planning of the committee's work
Sheila Alcantara	Delegate protection Area Manager Attention Therapeutic	from Coordination and planning of the committee's work
Sira Vilardell	Direction	Support in planning the work of the Committee. Advice from the Management area Support to the implementation of shares.
Neus Alcantara	Area Coordinator Insertion and Training labor	Support in planning the work of the Committee. Advice from the Integration and Training area Advice from the Committee of Company. Support to the implementation of shares.
Alvarez Cave	Direction Violence Attention	Area Support in planning the work of the Committee. Advice from the residential area.

		Support to the implementation of shares.
Cristina Collado	Responsible SIRGA	Support in planning the work of the Committee. Advice from the residential area. Support to the implementation of shares.
Carmen Door	Responsible Communication	Support in planning the work of the Committee. Advice from from the area from communication. Support to the implementation of shares.
Helena Perona	Responsible Economic.	Support in planning the work of the Committee. Advice from from the area from Economic. Support to the implementation of shares.

The preparation of meeting minutes will be on a rotating basis at each meeting.

The composition of the group may vary over time depending on the evolution of the committee's tasks and the organizational context. Likewise, the committee itself may form working subgroups if necessary.

Likewise, other people from the organization will be involved in different processes and working groups. In particular, the support of HR or Personnel figures, or other professionals, will be needed for everything related to internal training, as well as to guarantee that the Protection Policy is implemented with regard to the selection and hiring processes and to guarantee continuous training.

6.2.4 FUNCTIONS

Responsibilities	Operational Functions
<p>Raise awareness</p>	<p>a. To the entity's staff:</p> <ul style="list-style-type: none"> • Provide in-depth information on the Policy and Code of Conduct to staff through training workshops and promotion of responsibilities • Strengthening knowledge about child protection • Socialize different information and communication strategies and mechanisms • Generate continuous spaces for discussion that allow understanding of the issue of Protection and Good Treatment in team meetings, managers, etc. • Strengthen capacities in strategies that encourage the promotion of children's rights and participation. • Develop internal campaigns to promote Good Treatment. <p>b. To Associated Personnel:</p> <ul style="list-style-type: none"> • Jointly build a culture of protection and good treatment of children and adolescents <p>cA General Citizen:</p> <ul style="list-style-type: none"> • Develop external campaigns to promote Good Treatment. <ul style="list-style-type: none"> • Externalize good treatment practices. <p>d. A NNNA</p>
<p>Prevent</p>	<p>a. To the entity's Human Resources staff:</p>

- Advise on the selection process for new employees within the framework established by the Policy.
- Establish a process of knowledge and integration of the Policy for personnel who join the entity.
- Periodic updates of commitments regarding the policy and the signature of acceptance of the code of conduct.
- Provide tools for the study and analysis of risk factors in the entity's areas of action.
- Promote training with strategic partners for the care of children and adolescents in situations of lack of protection
- Promote consultation mechanisms on the implementation of the Policy and Code of Conduct and participation standards

b. To Associated Personnel:

- signature of acceptance of code of conduct

Report

- Establish strategies to inform human resources and project participants about the channels for reporting and demanding action in cases of abuse and violence.
- Guarantee that a transparent, participatory and objective investigation process is carried out; as well as ensuring confidentiality and proper handling of information.
- Safeguard documentation related to the information in order to guarantee the right to privacy of the people involved.
- Establish protection mechanisms for the person making the complaint
- Report Case management while maintaining confidentiality
- Establish coordination and articulation mechanisms with competent administrative institutions of the protection system
- The committee will hold a hearing

Reply speed effectiveness

with and

- Always ensure a timely response to reported situations, whether serious or not; likewise, establish monitoring in accordance with what is recommended by the Committee.
- Responsibly activate the Communication Protocol in the face of situations of lack of protection, immediately when a suspicion and/or complaint is known.
- Establish a database for recording reported situations, response and follow-up and closure, and

- establish timely systematization according to the response.
- The committee will carry out an informative monitoring process of the cases that are referred to the child and adolescent protection system. In no case will it be a legal monitoring process.

6.2.5 ORGANIZATION

An annual meeting will be held to establish the annual Action Plan, and a biannual follow-up meeting regarding the Action Plan will be held.

Ordinary meetings will be held every three months via teleconference or in person. The aim of these meetings will be to monitor the planned actions, reorient them if necessary, share learnings, etc.

The Protection Delegates may call extraordinary meetings if they become aware of concerns or possible violations of rights or situations of lack of protection for children and adolescents, in order to carry out the analysis and reach agreements based on their best interests.

We will work together (exchange of information, minutes, generation and joint review of documents, etc.) through the group created for this purpose in its folder on the server.

Sub-working groups will be created for defined tasks/tools.

7. CODE OF CONDUCT

What will we do?	What we will not do
<ul style="list-style-type: none"> - Consider children and adolescents as subjects with full rights. 	<ul style="list-style-type: none"> - Having conduct that causes harm in any sphere of NNNA's life, such as hitting, shouting, humiliating, isolating, belittling, belittle, punish, stigmatize, deceive, threaten, manipulate or any type of violence.
<ul style="list-style-type: none"> - Prioritize the needs of children and adolescents over those of adults. 	<ul style="list-style-type: none"> - Invading their personal and emotional space: kissing, hugging or touching without their desire and permission.

- Act on suspicions or evidence of risk situations.	- Establishing relationships of overprotection and differential and/or exclusionary treatment (gifts, confusing vocabulary, etc.) that may confuse the NNNA.
- During communication, adapt verbal and non-verbal language to the developmental stage and particular needs.	- Discriminate on the basis of sex, gender, sexual orientation or gender identity, religion, race.
- Give credibility to your story.	- Deciding on NNNA's life without listening to their voice.
- When interacting with children, always ask, listen and respect their opinions, as well as validate their emotions.	- Having a behavior, attitude or theory that incites hatred, racism, sexism or LGBTQ+phobia.
- Respond to their explicit demands.	- Participate or encourage participation in sexual activities with children, whether physical and/or digital.
- Ensure their safety in the environment or physical space.	- Accepting violent behaviors among children and adolescents and establishing dynamics based on power imbalance.
- Facilitate and promote the participation of children and adolescents and establish channels through which they can express themselves, including demands or complaints.	- Make use of forms of personal contact with NNNA, such as email, mobile phone, XXSS and others, for a purpose other than that of the entity's project activity.
- Respect the right to one's own image, privacy and dignity. And guarantee privacy and confidentiality regarding the personal data of children and their families.	- Recording graphic material of children without their consent, even if there is authorization from the family.

This code of conduct is mandatory for all agents involved, with non-compliance subject to sanctions.

8. MEASURES AND SANCTIONS

All persons included in the scope of this policy have the responsibility and obligation to report on this issue if they have reasonable grounds to suspect that a NNNA is suffering harm or is at risk of suffering it: any concern, suspicion or incident relating to behavior that contravenes the #INTOCABLES Policy (Protection and Good Treatment of NNNA) must be reported within 24 hours of becoming aware of the situation, using the procedures established on this issue.

Likewise, the entity must issue a first assessment and initial response within 72 hours of receiving the notification.

If this assessment results in an appropriate resolution, it will involve archiving the case and timely notification, in addition to producing a resolution report and response to the person reporting the case.

If the resolution is not adequately evaluated, an investigation will be initiated in addition to a resolution report and response to the person reporting the case.

The DPI will carry out the investigation of the complaint including the research process, as well as the binding report to conclude on the existence or non-existence of a violation of the Code of Conduct.

The management of the entity, or the person to whom it delegates during the case, will communicate the resolution, confirming the existence of evidence and taking the appropriate measures and sanctions: corrective measures, complaint or notification to the competent body or a sanctioning file (sanctions will be assessed according to the incidence). If, on the other hand, there is no evidence regarding the case, it would lead to the case being filed.

9. Risk analysis

The SURT Foundation incorporates as an objective in all its areas of action, programs, projects, dissemination and activities the maintenance of the integrity of children and adolescents in safe and protected environments.

The purpose of our risk assessment process is to implement essential mitigation strategies in the prevention of violence and the promotion of a safe environment and a culture of good treatment towards children and adolescents participating in programs, projects, activities and dissemination.

The entity's staff carries out a systematic risk assessment in the protection of children and adolescents, especially in the programs, projects and activities in which children and adolescents are in contact. We take into account the different services from where we work with children and the different contexts: residential (guardianships), residential (with their mothers), pedagogical activities (alone and/or with family), therapeutic activities (alone and/or with family), and also whether the actions are group or individual, and whether they take place in our own spaces (the entity's headquarters) or external (mainly schools).

We carry out risk identification processes, analyze them and establish the steps to mitigate them and the necessary procedures and actions. That is why we know that it can

there are some risks due to the following variables in a generic way (and others specific to some projects or activities):

- Individual intervention spaces for professionals working with children and adolescents.
- Actions in other people's spaces (mainly schools).
- Incorporation of new professionals into the actions

We also establish specific mechanisms, focused mainly on the training of professionals who begin intervention in our projects, such as monitoring their actions, through individual and group supervision and specific training.

In this risk analysis process, we consider the participation of children and young people necessary, and therefore we create spaces for dialogue and participation, as well as for the assessment of our actions by the children and young people themselves, adapting the tools and language to their stage of development and emphasizing the importance of their voice in what we do.

10. Personnel management

SURT Foundation reflects, throughout the entire Human Resources management cycle, the commitment it assumes in this Protection and Good Treatment Policy.

To prevent child abuse and mistreatment in the organization, it is absolutely necessary to have adequate, responsible and committed personnel for the protection and good treatment of children and adolescents. For this reason, all employees of the organization will undergo an exhaustive selection process throughout their entire career within the organization.

1. In the recruitment processes:

The hiring process is one of the first mechanisms that the entity has to avoid any type of inappropriate behavior by workers who have a relationship with children. This process represents a commitment by the entity to guarantee good treatment of children.

Therefore, when carrying out personnel recruitment, the following actions will be prioritized:

1. Analyze the level of contact involved in the job you wish to fill and identify the main risks for the protection of children and adolescents.
2. Ensure that the selection criteria capture the relevant experience needed if the position involves working directly with children and adolescents.

3. Ensure that the detailed information for each advertised vacancy includes a commitment to maintaining the safety of children and young people. The Child Protection Policy, as well as the Code of Conduct, will also be made public through the entity's website.

During the personal interview, the position to be held will be described clearly and precisely, with the aim of preparing and clarifying what is expected of their professional work and what the position they will develop entails. The person will present their Certificate of Sexual Offenses, to verify their history with minors. In addition, the entity will carry out identity, qualification and academic training verifications, as well as verification of a minimum of two work references whenever possible.

Prior to joining, the person will sign the document stating that they have understood, agreed with and complied with the Child Protection Policy and the Code of Conduct.

Once the candidate has been hired, they will sign a commitment to maintain the confidentiality of data and information of the people participating in the entity's programs.

It will be verified that the rest of the staff currently hired by the entity, or who are carrying out some type of volunteer work or internship, also meet these requirements, and, if this is not the case, the same criteria indicated for new hires will be used.

2. Staff Training Plans:

The training of the entity's workers is crucial for the implementation and compliance with the Protocol. For this reason, training actions are being considered to increase everyone's skills in preventing, detecting and acting on possible child abuse.

All staff of the entity will have access to regular training adapted to their position and responsibilities on the protection and good treatment of children and adolescents.

All staff of the entity must be trained in child protection, as it is essential that everyone knows their responsibilities, as well as the Child Protection Policy, the Code of Conduct and the action protocol. Regular training and information sessions on child protection will be carried out for all staff. New hires will receive, at least, one training session on protection and good treatment of NNNA during the first week of hiring. In the case of permanent staff, a mandatory annual workshop will be held that will deal with the Protection Policy and protocols.

11. Case response

The SURT Foundation will respond appropriately to each and every situation of lack of protection, suspicion, complaints and communications related to the rights of the children and adolescents with whom we work.

All persons included within the scope of this policy have the responsibility and obligation to report this if they have reasonable grounds to suspect that a child may be at risk or in danger of risk.

The notification will be made via email and must be notified within 24 hours of becoming aware of it, using the procedures established in this regard. The email will be managed by the two people assigned as protection agents of the entity, and the incorporation of other figures will be assessed periodically or due to an increase in the volume of cases, if necessary.

Likewise, the entity will issue a first initial response within 72 hours of receiving the notification.

No person will be harmed with respect to their contractual relationship with the SURT Foundation for having reported concerns, suspicions or incidents, unless after investigating the situation it is demonstrated that there was bad faith in the notification.

Similarly, if a person consciously decides not to report a concern, suspicion or incident, they may be subject to disciplinary action.

All notifications are accepted and taken with the rigor necessary to guarantee the rights of children and adolescents.

Making these notifications does not exclude compliance with the different procedures and protocols already established for specific services and activities.

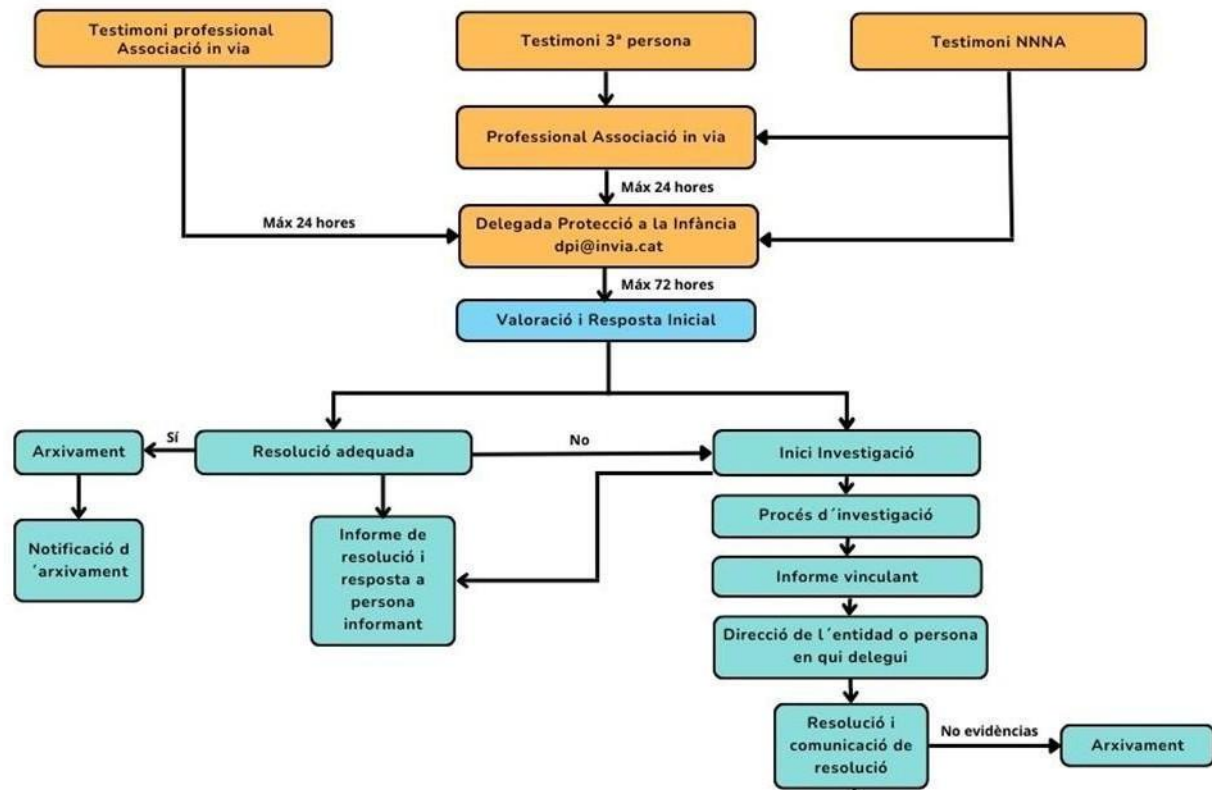
Our transversal view and detection of possible risk towards children and adolescents, supposes that sometimes we find situations where we detect because either the children or adolescents directly verbalize it, or we are indirectly aware that something may be happening. These situations could occur in the following way:

- Direct observation during our intervention.
- Verbalization by the child or adolescent.
- Verbalization by one of the parents and/or legal guardians.
- Knowledge of previous complaints or situations prior to receiving attention from our service.

- Knowledge that any person included in the scope of the Policy is in breach of the same or any of its associated procedures.

A notification form is attached to ANNEX 1 of this document.

CASE RESPONSE FLOWCHART



11. DIFFUSION

At Fundació SURT, the dissemination and access to our Child Protection Policy and Protocol is very important, so that both within the entity and other external agents and the public can learn about and raise awareness about the good treatment of children and adolescents.

The means that we use regularly to raise awareness and disseminate our policy:

- **Permanently, URL/space within our website** visible to everyone, with all the updated material.
- Punctually, **articles /news /videos** visible to everyone, which are uploaded to the web - social networks - newsletter - internal email.

To ensure correct **internal dissemination**:

- We will make one **face-to-face training** of a general nature to all workers of the association.
- We will make one **recording of the presentation** of the UNTOUCHABLE protection policy for all workers, volunteers or internship personnel who rejoin the entity after the approval of the protection policy.
- We will also do **face-to-face training** of a specific nature to Foundation workers who regularly deal with children and adolescents, as specified in the training section.
- Delivery of **physical material and copy saved on our internal server**, and request for **signature** as the workers commit to complying with this policy.

To ensure correct **external dissemination**:

- Delivery of **physical material and copy via email**, and request for **signature** to the heads of the entities as they are aware of our position regarding Child Protection.

On the other hand, posters, leaflets and other documents will be created that will be placed visibly in the entity's spaces and different resources, as well as in all external events in which the entity participates and of which there will be a version adapted for children and adolescents.

12. Monitoring and review of the policy

Our entity within the framework of the Child Protection Policy has a special interest in equipping itself with tools that can be used to monitor and evaluate the actions proposed to protect children. Annually and within the entity's operational plan, an evaluation of compliance indicators by actions will be carried out, in order to assess how the process evolves in relation to child protection and the good treatment of the entity.

We understand that the work of protecting and treating children well is a process that is affected by external and internal changes, and for this reason we carry out a review every 2 years. As part of the entity's strategic process, the participation of the different collective levels of the entity itself will be counted on to contribute those elements that need to be included in the Policy or modified.

ANNEX 1

NOTIFICATION OF RISK SITUATION CHILDHOOD AND ADOLESCENCE

NOTIFYING PERSON DATA					Date:
Name and Surname		Document ID card	Service or project where the situation occurred	Adult/child	Age
MEMBERS OF THE CHILD'S FAMILY UNIT					
Name and Surname		Document	Country birth	from	Date of birth
Mother/Father					
Mother/Father					
CHILD/ADOLESCENT INVOLVED IN THE SITUATION					
Name and Surname		Document	Country birth	from	Date Birth/Age

DETECTED SITUATION (importance of specifying temporality)

--

ANSWER GIVEN BY THE NOTIFIER (importance of specifying time frame)

RESPONSE GIVEN AND MANAGEMENT BY PROTECTION AGENTS (importance of temporary status) *To be filled in by protection agents

RESOLUTION OF THE SITUATION (importance of temporality)

*** To be filled in by the protection delegates**

ANNEX 2

COMMITMENT TO PROTECTION OF CHILDREN AND ADOLESCENCES
SURT FOUNDATION

The SURT Foundation develops its projects from a Human Rights perspective, so that all the people served: children, young people and adults, can be owners and make them count.

Regarding the field of childhood and adolescence, the SURT Foundation assumes the commitment implied by the Convention on the Rights of the Child, approved on November 20, 1989 and ratified by the Spanish State in 1990 and, specifically, what is established, at the regional level, by Law 14/2010, of May 27, on the rights and opportunities of childhood and adolescence. In addition to the “Organic Law 8/2021, of June 4, on the comprehensive protection of childhood and adolescence against violence”.

In accordance with the commitment to defend the rights of the children and adolescents with whom we work, our actions are specific to: Detecting situations of lack of protection in which children and adolescents may find themselves and providing a response tailored to the multi-level needs they present. Thus, our interventions are specified in:

- Guarantee, at an institutional level, that all Workers work with an eye on the protection of Children and Adolescents.
- Act in the face of situations of lack of protection at the family level, peer group, workers, other institutions, in which children and adolescents are found.

Our policy aims to be socialized to all members of the Association, regardless of their function within the entity, and with the triple objective of: raising awareness, integrating and acting in the protection and good treatment of children and adolescents.

Thus, the group of professionals who are part of the in via team, are committed to developing and implementing our Child Protection Policy.

I, with
DNI/NIE.....

I DECLARE THAT:

I have received and read the SURT Foundation's Child Protection Policy, having knowledge of its content.

I received an introductory session from the protection manager with the basic elements of the policy.

Additionally, I have received the Code of Conduct.

I COMMIT:

I undertake to comply with the measures established in the policy, the Code of Conduct and the established compliance standards.

I undertake to inform the person responsible for the Entity's children's policy of any suspicious situation or of which I am aware that affects the well-being and fundamental rights of any CHILDREN who participate in the activities of our Entity.

Signature, place and date

ANNEX 3

PROTOCOL for action and prevention of child sexual abuse and mistreatment at Casa de la Jove

PF39

JUSTIFICATION

This protocol was created with the aim of protecting children and young people treated at Casa de la Jove from situations of mistreatment or sexual abuse that may affect them, violating their rights and inflicting serious harm on their development.

The general objective pursued by this document **is to raise awareness and appeal to the responsibility of professionals who work with children in the face of this serious form of violence, as well as to provide them with specific knowledge that helps them in the prevention, detection and action against abuse.** Likewise, it is intended to promote prevention by ensuring healthy behaviors that promote healthy and enriching relationships, which do not pose a risk to children/young people or adults, in the relationships between staff and young people and children.

OBJECTIVES

This protocol aims to establish guidelines for action to detect and prevent possible situations of child sexual abuse or mistreatment (ASI) that may occur.

The objectives that this protocol seeks to achieve are the following:

- **Prevent situations of child abuse.**
- **Protect all participants, both children and professional staff.**
- **Help detect situations of mistreatment or sexual abuse**

- **Facilitate the communication and notification of suspected or confirmed cases of mistreatment or sexual abuse.**
- **Ensure that the coexistence model is fulfilled, based on respect for children's rights, the promotion of autonomy and non-violence, in any of its forms.**
- **Promote healthy and positive behaviors that avoid risk in relationships between staff and children.**
- **Train staff to incorporate the prevention of mistreatment or sexual abuse as another component in educational practice.**
- **Have a guide to preventing situations of risk, mistreatment or sexual abuse**

- **Provide a space of trust and quality time to facilitate relationships and communication with families, allowing for containment and guidance in cases where necessary.**

For this reason, these specific objectives are proposed:

1. Establish a model of good treatment towards children, adolescents and young people based on the rights of childhood and people with disabilities.
2. Provide ongoing training on the problem of mistreatment and sexual abuse.

SCOPE OF APPLICATION

This protocol applies to all educational and support staff who participate or collaborate in the activities carried out at Casa de la Jove. It applies to any child, adolescent or young person who participates in the proposed activities.

The Protocol will be accessible to all the educational and support team that is already working and collaborating in the activities and for those who are new to the program, for their knowledge.

Every person, once informed of the content of the protocol, must sign the acceptance document in duplicate and return it signed to the people responsible for the entity.

PROMOTING GOOD TREATMENT

Being treated well is a fundamental right of children, and this right must be respected by both parents and caregivers, as well as by the community as a whole. The model of good treatment is based precisely on understanding their needs, needs that are not always known and recognized by the family or social environment.

But how can we define good treatment? The capacities of people to take care of each other and to deal with their own and others' personal needs, always maintaining an affective and loving relationship; in the case of professionals we could change this latter concept to the best interest of others.

ROLE OF THE PSYCHOEDUCATIONAL TEAM IN PROMOTING GOOD TREATMENT

The starting point of good treatment is to respond correctly to the needs of care, protection, education, respect, empathy and emotional bonding. The team has four fundamental actions in promoting good treatment:

a) Prevent

The educator, in their intervention, exercises educational models of good treatment in the following ways:

- Establishing affective relationships, of unconditional acceptance, empathy, support and respect.
- Facilitating healthy relationship models with educational coherence, setting boundaries while accepting criticism and divergent positions.
- Providing support, control, trusting in the possibilities of each individual, and showing respect for individual differences.
- Fostering relationships of trust, where communication is open, and you can come and explain any attitude, behavior or comment from your classmates, other educators or adults that bothers you or makes you feel uncomfortable.
- Controlling behaviors through consistent inductive interventions and correcting inappropriate behavior with clear, reasonable, and respectful strategies.

b) Detect

The educator, in their practice and thanks to the time they spend with children and adolescents, and in their close relationship and degree of knowledge of them, is in a privileged position to detect risk situations for children or adolescents.

To correctly detect these possible situations, the following must be done:

- It is especially important to know and observe these children and adolescents very well when they have a disability that makes communication difficult. In these cases, it is essential to observe aspects of non-verbal communication and possible changes in their usual attitude.
- Share information with the rest of the psychoeducational team.

c) Notify

The educator, like any professional, has the social, ethical and legal obligation to act in cases of abuse that they know of, according to Organic Law 1/1996, of January 15, on the legal protection of minors and Law 14/2010, of May 27, on the rights and opportunities of childhood and adolescence.

In order to prevent the existence of any type of conduct that could be considered mistreatment or sexual abuse by staff, it is necessary to consider the following measures to minimize situations that may constitute a risk or that lend themselves to ambiguities that could give rise to misinterpretation:

DECALE OF MEASURES TO MINIMIZE RISKS

1. The educators who carry out the role of GUARDIAN of the children and adolescents who participate in the activities and, therefore, must ensure their well-being and must assist them because they are responsible for them.
2. All activities carried out must have a pedagogical basis, with clear objectives and be in line with the philosophy of the PEC.
3. You must be clear and direct in your relationship with children and adolescents. Although emotional approaches are necessary and emotional education is very important for correct development, you must always respect their wishes and never force them to show affection if they do not want to.
4. The giving of gifts and presents, such as photos or other personal objects, that could confuse the emotional relationship with children and adolescents and people with disabilities and could be misinterpreted by them or other colleagues should be avoided.
5. You should avoid giving or requesting personal telephone numbers and personal emails or other personal data.
6. All staff should be informed about the appropriate use of social networks. It should be emphasized that the social networks of the entities, if they have them, should be used to inform about the leisure activities that are carried out; and not to follow or add children and adolescents with whom they are working from their own personal networks. Sharing private lives with children and adolescents and having contact with them through personal social networks should be avoided.
7. A negative certificate of sexual crimes will be requested from any person participating in the activities.

CRITERIA AND PROCEDURE TO BE FOLLOWED AFTER DETECTING A CASE OF ABUSE OR SUCH THINGS

1. Suspect that a child/young person is suffering from this situation in their family or trusted environment.
2. Suspect that a child/young person is suffering from a situation of child abuse or sexual abuse
3. Assessment as inappropriate sexual behavior or inappropriate treatment in the interrelationship between children.

When this situation of suspicion exists, two criteria must be used:

- The criterion of **DISCRETION**, which means that there must be a small group of people who must be aware of the detected action and those in charge of managing the actions that must be carried out to guarantee the protection of children.
- The criterion of **TRANSPARENCIA**, which appeals to the need to communicate everything that has happened to EAIA or SSAP that is known, offering information and support to the people affected.

The following internal circuit must be followed, which is part of the action protocol between the departments of Labor, Social Affairs and Families and Education, for the prevention, detection, notification, referral and coordination of situations of child and adolescent abuse in the educational field approved by the government agreement ACORD GOV/79/2016, of June 14. I Framework Protocol of 2006 (point C of the annex to this document).

Procedure for starting this internal circuit

EAI advisory and monitoring team

This team provides advice in the event of suspicion, detection or reporting of abusive situations or mistreatment that child users may suffer.

The professionals who make up this team are the resource psychologist and the specialist in childhood.

The team's functions are as follows:

1. Share the analysis of the situations.

2. Advise the Management with reference to issues of suspicion, detection or reporting of abusive situations or mistreatment that children may suffer.

3. Notify the SURT Foundation Management in the event of suspicions of negligent actions or mistreatment by the resource staff.

When any professional observes a situation that may raise suspicions of child abuse or sexual abuse, they must inform the Management, who must inform the advisory team.

This team will advise Management to initiate the corresponding actions, depending on whether the situation is mild, moderate or serious.

Mild abuse: It occurs infrequently and the intensity is low. Sometimes, however, it is necessary to count on the support and help of basic social services, so the case is reported to these first-level services.

Moderate abuse: Although the intensity and frequency of the abuse is not serious, there are reasonable doubts about the possibility that more serious harm may occur in the future. The case must be referred to basic social services, which will be responsible for assessing whether it is appropriate to refer the case to specialized social services. Given that the range of situations that can be classified as moderate is wide, in case of doubt you can always count on the advice of Social Services or the General Directorate for Child and Adolescent Care (DGAIA) through the Children's Answer line: 116 111.

Serious abuse: It endangers the physical, psychological or emotional integrity of the child, and causes or may cause significant damage to their development. If in doubt as to whether the abuse is mild, moderate or severe, you can consult the DGAIA's risk management support module.

Types of child abuse

Neglect or abandonment. It occurs when the basic needs of the child or adolescent are not attended to, temporarily or permanently, by any of the members of the group with whom they live: there is no care for their food, warm clothing, medical monitoring or treatment. The child does not have a schedule or rhythm, they spend hours without protective or educational attention, they are exposed to situations that endanger their physical integrity. Neglect also includes truancy, which consists of the total or frequent lack of attendance at school.

Physical abuse. Use of force that harms or can cause the death of the child or adolescent.

Psychological or emotional abuse. It manifests itself in situations where there is coldness in the relationship, there is no emotional stimulation, there is no cognitive stimulation, there is no affection, and there is pressure and fear. It can be active or due to a lack of an emotional context.

Sexual abuse or submission. The child or adolescent is forced, induced, habitually or circumstantially, to satisfy the sexual desire of another person, or tolerated. It also includes the passive acceptance of this mistreatment by a third person.

Sexual exploitation. The child or adolescent is induced or forced into sexual submission as a means of labor exploitation. Sexual submission can also be indirect, as is the case with pornography.

Labor exploitation or induction into begging. A child or adolescent of non-working age is used for work in which any type of gain is obtained. It can range from hard physical work to passive use.

Corruption. Antisocial or deviant behavior patterns are promoted in children and adolescents, particularly in the areas of aggression, inappropriate appropriation, sexuality, drug trafficking or consumption.

Subjection to drugs or pharmaceuticals. The child or adolescent is subjected to any type of drug, without medical necessity, that incapacitates them for the development of autonomy, resistance or control, or that harms their health.

Prenatal abuse. Lack of care for one's own body, by action or omission, or ingestion of drugs or psychotropic substances during the gestation process, which harm the fetus. It can also be caused indirectly by the abuser of the pregnant woman.

Institutional abuse. It is caused by any legislation, procedure, action or omission from public authorities or derived from the individual actions of professionals that involves abuse, neglect, harm to the health, safety, emotional state, physical well-being or correct maturation or that violates the basic rights of the child or adolescent.

Definition of child sexual abuse

In recent years we have witnessed an increase in interest in the victimization of children and young people, both in the professional field and by the media, and this shows that mistreatment and sexual abuse are a social reality for which all personnel working with minors must be trained and prepared. Important national and international studies have highlighted the high prevalence of sexual abuse in society, which affects nearly 20% of the population (there are studies that speak of a range between 10% and 24%), and highlight the serious consequences that it can have on the correct development of children.

From the analysis of our reality, we can see the need for professionals and families themselves to remain alert to these situations, which can only be achieved with adequate training.

- a) What is child sexual abuse? It is the situation in which a child or adolescent is used to satisfy the sexual desires of an adult or any older person, or when the aggressor is in a position of power or control over the minor, witnessing or participating in sexual activities that he does not understand or for which he is not developmentally ready and to which, therefore, he cannot give consent.

In this sense, in our country, most professionals follow the criteria of coercion and age asymmetry (Finkelhor and Hotaling, 1984). Whenever there is coercion or age asymmetry, or both conditions, between a minor and another individual, the resulting sexual behaviors should be considered abusive.

These criteria allow us to know in which situations the sexual relationship maintained between the minor and another individual, regardless of their age, is not consensual, which entails a series of consequences for the physical, psychological, emotional and social development of the child. These criteria, however, go beyond those established in the Spanish Penal Code, which in Title VIII of Book II, "Crimes against sexual freedom and indemnity", only establishes as a crime of sexual abuse of minors cases in which the victim is under 16 years old, understanding that a minor of this age cannot give his consent to maintain sexual relations under any circumstances, since he does not understand what this type of relationship implies.

We must be aware that there are multiple behaviors and situations that can be included within what could be called the spectrum of child sexual abuse, and that every professional

must know to carry out a task of protection and monitoring the appropriate development of a minor.

The types of child sexual abuse include both behaviors that involve physical contact, such as caresses, masturbation, or oral, anal, or vaginal penetration, and those that do not directly involve this contact, such as making explicit verbal propositions, exhibiting sexual organs to a child with the purpose of obtaining sexual arousal or gratification, intentionally performing the sexual act in the presence of a minor, masturbating in the presence of a child, or using the minor to create pornographic materials.

On the other hand, sexual abuse can be intrafamiliar, also called incest, and occurs when the sexual behavior is carried out by a relative or adult figures who are stably covering the role of parental figures; or extrafamiliar, which occurs when there is a sexual relationship between an adult and a minor, except for the cases indicated by incest. It must be taken into account that the existence of a close relationship, of intimacy and trust, between abuser and victim before the abuse and, especially, that the abuser is intrafamiliar, and the paternal figure stands out for its high frequency, is one of the variables that implies a greater risk of later psychological problems for the child.

There is also acute abuse, when the minor suffers it only once; or chronic abuse, which occurs more than once, can last for long periods of time and is usually committed by people close to the minor.

Social and technological changes, in turn, give rise to new typologies that professionals must be aware of. Among sexual abuse without physical contact, involuntary exposure to sexual material on the internet stands out, which must be differentiated from those cases in which the minor voluntarily accesses this type of material.

In involuntary exposure, there would be no direct aggressor, but rather the minor, on their own, when using the internet to chat, search for information or play, is involuntarily exposed to material with explicit sexual scenes.

It is worth mentioning the so-called online sexual grooming or sexual abuse through the internet, referring to cases in which an adult connects to the internet and establishes a relationship with a minor, usually pretending to be another young person or a well-known figure in the youth field, and begins a virtual sexual relationship that begins with conversations and can end

with photographs, sexual videos, as well as in the most serious cases, with abuse in the real world.

Other studies have analyzed the characteristics and psychological effects of obscene phone calls or recent stalking, with reference to constant harassment through social networks or mobile phones; very often with the distribution of images of sexual content.

Finally, it is important to highlight, due to its characteristics and specific effects on its victims, child sexual exploitation, which is considered one of the most severe violations of the human rights of children and adolescents and a form of contemporary slavery, based on the sexual abuse of minors and on financial or in-kind remuneration, either for the victim himself or for third parties (UNICEF, 2006).

If child sexual abuse is a problem that has been invisible for years, the sexual exploitation of minors remains a problem unknown to most professionals, and this sexual abuse is an issue that affects, to a greater or lesser extent, all countries, including ours.

The sexual exploitation of children and adolescents can take various forms, including the use of minors for child pornography, sexual performances in which minors are used, the exploitation of children through prostitution or child prostitution, the trafficking of children and adolescents for the purpose of sexual exploitation, the commercial sexual exploitation of children in travel or child sex tourism, among others.

Early or forced marriages and genital mutilation are also child victimizations linked to sexuality and affectivity, in which the effect of culture is evident, and their consideration as a form of child abuse and, specifically, sexual abuse in childhood entails great controversy.

It should be noted that, without taking into account the culture to which minors belong, these behaviors deprive them of everything that corresponds to their age, and their most basic rights are violated.

b) Which children can be victims?

It is important to be aware that any child can be a victim of abuse, as there is no specific profile or group of characteristics that determine its occurrence. However, it is true that a series of risk factors have been identified in children and young people facing sexual abuse of minors.

Regarding the age of the victims, the time of greatest risk seems to be during the prepubertal or preadolescent stage (usually between the ages of 8 and 12, although sexual abuse can also occur before and after these ages).

These children are still young and, therefore, easily manipulated, but they are already beginning to have sexual maturity, which makes them especially attractive to abusers.

In relation to the sex of the child, studies indicate that there are a greater number of girls who are victims of sexual abuse. It should be borne in mind, however, that the shame and isolation that a male child who is a victim of sexual abuse feels makes it considered that this group is overrepresented and that there are many more male victims than one might initially think. It should also be borne in mind that children with a great need to be loved and valued, with low self-esteem, who do not receive the affection they need from their family environment, are also at risk of being potential victims. The abuser knows how to detect these children and young people, and it is easy for him to approach them and use manipulation to offer them the attention, affection and rewards that they seem to need. The absence of a real protective figure in the child or young person's close environment means that the abuser can easily access them.

- c) How many children suffer from these situations? Both national and international studies indicate that child sexual abuse affects approximately one in four girls and one in six boys. The percentages are usually between 10% and 20% of the population.

In our country, there are four studies that have obtained similar data and that show the reality of a problem that affects thousands of children every year. According to the study by Dr. Félix López (1994), from the University of Salamanca, commissioned by the Ministry of Social Affairs, 18.9% of the Spanish population has suffered sexual abuse in childhood, and this percentage has been divided between 15.2% of men and 22.5% of women.

In the Basque Country, the study by Dr. Joaquín De Paúl, Joel S. Milner and Pedro Múgica (1995) shows that 13.4% of Basque university students have suffered this experience, 9.7% of men and 14.9% of women.

In Catalonia, the study by Drs. Noemí Pereda and Maria Forns (2007) indicates that 17.9% of university students in Barcelona state that they have suffered sexual abuse involving physical contact, and this is distributed between 15.5% of men and 19% of women. Finally, the latest study, carried out by Drs. David Cantón and Fernando Justicia (2008), obtains slightly lower figures, with 9.5% of child sexual abuse among university students in Granada, 6.5% of men and 10% of women. Although we do not have scientific data on the incidence of sexual abuse in people with disabilities, we can say that the probability of suffering sexual abuse is four times higher than in the general population.

d) What consequences can these situations have for the child?

Child sexual abuse is, in the vast majority of cases, an experience with an undoubted traumatic component, which interferes with the child's proper development and affects multiple areas of their life.

Practically all studies that have been conducted on short-term psychological consequences in victims of child sexual abuse confirm their high frequency and diversity.

Only between 20% and 30% of victims would remain emotionally stable after this experience, although they could end up developing effects that would have been latent in later stages (López, 1996).

It should be borne in mind that the initial consequences that the child victim of sexual abuse presents, both in the physical and psychological areas, are also its indicators, so it is necessary to know in detail this type of signs and be alert when they appear in a child. The indicators of child sexual abuse, however, are very diverse and do not allow us to speak of a symptom of a child who has suffered abuse, or a set of defining symptoms, since there are no exclusive and univocal signs that allow us to detect a case of child sexual abuse with complete certainty and reliability.

Although the physical aspect is not the most relevant in detecting these cases and professionals who work in educational centers do not have to be experts, it is necessary

know the most important indicators, taking into account that, many times, sexual abuse does not involve physical contact between the abuser and the victim or, if there has been any, the indicators that could be found are infrequent, extraordinarily variable and, in many cases, compatible with another type of injury not related to the experience of sexual abuse, which means that it is very difficult to detect these cases based on physical findings.

It is necessary to be attentive to recurrent urinary tract infections, sexually transmitted diseases before puberty, difficulties walking or sitting, pain, inflammation or itching in the genital area, pain when urinating, stained or torn underwear without apparent explanation, blows, burns and wounds to the external genitals or the anal area, among others. It is also necessary to know, however, that the indicators of child sexual abuse are mainly linked to the emotional and behavioral area of the child, as can be seen in Table 1.

Table 1. Adaptation from Pereda (2009) and Echeburúa and Guerricaechevarría (2000)

Type of effects: Emotional problems

Symptoms:

- fears and phobias
- distrust
- depression
- high levels of anxiety
- low self-esteem
- feeling of guilt
- shame
- stigmatization
- post-traumatic symptomatology: nightmares, recurring dreams, hypervigilant behaviors, exaggerated startle responses
- rejection of one's own body
- self-harming behaviors
- delay in the development of physical sexual characteristics
- suicidal ideation and behavior

Type of effects: Cognitive problems

Symptoms:

- hyperactive behaviors
- attention and concentration problems

- low academic performance

Type of effects: Relationship problems

Symptoms:

- fewer friends
- less play time with peers
- insulation
- deficit in social skills

Type of effects: Functional problems

Symptoms:

- sleep problems
- changes in eating habits
- loss of sphincter control: enuresis and encopresis
- somatic complaints: headache, stomachache

Types of effects:

Behavioral problems sexualized behavior and eroticized behavior

Symptoms:

- compulsive masturbation
- imitation of sexual acts
- use of inappropriate sexual vocabulary
- excessive sexual curiosity
- games and drawings of a sexual nature
- exhibitionistic behaviors
- seductive behavior
- identity and sexual orientation issues
- promiscuous sexual behavior

Disruptive and antisocial behavior:

- hostility
- aggressiveness
- anger and rage
- oppositional behavior
- challenging behaviors
- running away from home

Addictive behaviors:

- substance abuse (tobacco, alcohol, other drugs)

Order BSF/331/2013, of December 18, approving the lists of indicators and factors for the protection of children and adolescents. <http://portaldogc.gencat.cat/utillsEADOP/PDF/6530/1331821.pdf>

LEGAL AND REGULATORY FRAMEWORK

Child sexual abuse is a crime under Spanish law and, therefore, has legal consequences for the person who commits it. It can also have consequences for the institution to which the person belongs or for which they work, as well as for people who, knowing about the situation, have not reported it to the authorities.

International agreements that safeguard children's rights With regard to international regulations, the Convention on the Rights of the Child of 20 November 1989, adopted by the United Nations General Assembly in resolution 44/25, stands out for its important role in the protection of children. Among the provisions of the Convention we can highlight:

- A child is understood to mean any human being under the age of 18, unless, under the law applicable to him or her, majority is attained earlier (article 1).
- In all measures concerning children taken by public or private social welfare institutions, courts, administrative authorities or legislative bodies, a primary consideration that will be taken will be the best interests of the child (article 3), a principle that presides over and informs all legislation on the subject.
- Member States shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child. Such measures of protection should include, as appropriate, effective procedures for the establishment of social programmes to provide necessary assistance to the child and those who care for the child, as well as other procedures for prevention and for the identification, reporting, referral, investigation, treatment and follow-up of cases of child maltreatment as described above, and, as appropriate, judicial intervention (Article 19).

Member States shall take all appropriate measures to promote the physical and psychological recovery and social reintegration of all child victims of any form of neglect, exploitation or abuse; torture or other forms of cruel, inhuman or degrading treatment or punishment; or armed conflict. Such recovery and reintegration shall take place in an environment conducive to the health, self-respect and dignity of the child (Article 39).

The Convention on the Rights of Persons with Disabilities, of 13 December 2006, ratified on 23 November 2007.

Two Conventions promoted by the Hague Conference on Private International Law: the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, of 29 May 1993, ratified on 30 June 1995 and the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children, of 28 May 2010, ratified on 6 September 2010.

Three Council of Europe Conventions, the one on the adoption of minors, done in Strasbourg on 27 November 2008, ratified on 16 July 2010, the one on the protection of children against sexual exploitation and abuse, done in Lanzarote on 25 October 2007, ratified on 22 July 2010, as well as the European Convention on the Exercise of Children's Rights, done in Strasbourg on 25 January 1996, ratified on 11 November 2014.

Regarding the State, the Spanish Constitution establishes:

- The dignity of the person, the inviolable rights that are inherent to him, the free development of personality, respect for the law and the rights of others are the foundation of political order and social peace (article 10.1).
- The right to life and physical and moral integrity (article 15).
- The right to honor and image and personal and family privacy (article 18).
- The right to obtain effective judicial protection from judges and courts (article 24.1).
- The public authorities ensure the social, economic and legal protection of the family, as well as the comprehensive protection of sons and daughters (article 39.1 and 2).
- The obligation of parents to provide all kinds of assistance to their sons and daughters, within or outside of marriage, during their minority and in other cases that are legally appropriate (article 39.3).

As for Catalonia, the Statute of Autonomy of Catalonia establishes, on the one hand, that the Generalitat has exclusive competence in matters of volunteering, which includes the definition of the activity and the regulation of actions aimed at solidarity and voluntary action (article 166.2). On the other hand, in matters of minors, it establishes that the Generalitat has exclusive competence in matters of the protection of minors, which includes, among others, the promotion of families and childhood (article 166.3).

Likewise, through article 142, the Statute of Autonomy of Catalonia attributes exclusive competence in matters of youth to the Generalitat, which includes, among others, the design and application of policies and plans aimed at youth and the regulation, management, intervention and administrative policing of activities aimed at youth.

The Law on the Rights and Opportunities of Children and Adolescents establishes in Title IV a new framework of specific protection against child abuse that provides for all situations, regardless of whether or not they require a declaration of neglect.

The Unified Register of Child Abuse is regulated, which was created with the purpose of having an information system on child abuse, for the purposes of detection, prevention and statistics, and which must receive all notifications of abuse detected by any service, department or administration.

The main guidelines for the development of collaboration plans and protocols for the protection against the abuse of children and adolescents are also established.

CIVIL AND ADMINISTRATIVE FIELD

This area regulates interventions to protect children who suffer abuse. In Catalonia, a distinction must be made between its own regulations and the Spanish regulations that apply in the absence of its own regulations.

Catalonia's own rules

- Law 25/2010, of July 29, of the second book of the Civil Code of Catalonia, relating to the person and the family, and specifically Chapter VI (parental authority) and Chapter VII

(food of family origin). (BOE no. 203, of 21 August 2010 Ref. bulletin: BOE-A2010- 13312; DOGC no. 5686, of 5 August 2010).

Law 14/2010, of May 27, on the rights and opportunities of childhood and adolescence (BOE no. 156, of June 28, 2010 Ref. Bulletin: BOE-A-2010-10213; DOGC no. 5641, of June 2, 2010).

- Law 27/2001, of 31 December, on Juvenile Justice (BOE no. 58, of 8 March 2002 Ref. Bulletin: BOE-A-2002-4677; DOGC no. 3553, of 15 January 2002).

- Decree 279/2006 of July 4, on the rights and duties of students and the regulation of coexistence in non-university educational centers in Catalonia (DOGC no. 4670, of July 6, 2006).

In its article 11 it establishes that: "The student has the right for educational centers to keep confidential all the information they have, relating to their personal and family circumstances, without prejudice to meeting the information needs of the educational administration and its services, in accordance with the legal system, and the obligation to communicate to the competent authority all those circumstances that may imply mistreatment of the student or any other breach of the duties established by the laws on the protection of minors."

Directly applicable state regulations

Law 26/2015, of 28 July, amending the system of protection for children and adolescents, which amends the previous Organic Law 1/1996, of 15 January, on the legal protection of minors (BOE No. 180, of 29 July 2015, Bulletin Ref.: BOE-A-2015-8470).

Regarding child protection and prevention:

- Article 11 introduces as a guiding principle of administrative action the protection of children against any form of violence, including that produced in their family environment, gender, human trafficking and female genital mutilation, among others. It also stipulates that public authorities will develop actions to raise awareness, prevent, assist and protect against any type of child abuse.

Regarding the requirements for working in regular contact with children:

- Article 13 establishes as a requirement to be able to access and exercise a profession or activity that involves regular contact with children, not having been convicted of crimes against sexual freedom and indemnity, human trafficking or exploitation of minors.

CRIMINAL LIABILITY

Criminal law provides for the punishment that must be imposed on people who commit acts defined as crimes. It also provides for mechanisms to protect victims.

We must take into account what is explained in Organic Law 1/2015, of March 30, which modifies Organic Law 10/1995, of November 23, of the Penal Code.

Within the Spanish Penal Code, among the various crimes that can be committed in the field of child abuse, the most relevant are the following:

- Abuse in the family environment (article 153).

- Habitual abuse in the family environment, which also includes people in institutions (article 173.2).
- Homicide and murder (articles 138 to 142).
- Injuries (articles 147 to 151).
- Degrading treatment (article 173).
- Threats (articles 169 to 171).
- Coercion (article 172 to 172 ter).
- Crimes against sexual freedom and indemnity, which include sexual assault (article 178 a 180), sexual abuse (articles 181 to 183 quater), sexual harassment (article 184), exhibitionism and sexual provocation (articles 185 and 186) and crimes related to prostitution, child pornography and corruption of minors (articles 187 to 190). As the most important novelty, the age of sexual consent is raised to 16 years. The conduct of making a minor under 16 witness sexual acts or abuse of other people is also expressly criminalized.
- Family abandonment (article 226).
- Abandonment of a minor (article 229).
- Temporary abandonment of a minor (article 230).

For the aforementioned crimes, the Code provides for prison sentences and in most cases the following prohibitions may be imposed as accessory penalties (article 57 in relation to article 48):

- Deprivation of the right to reside in or access certain places.
- The prohibition of approaching the victim, or relatives and other people who determined by the judge or court.
- The prohibition of communicating with the victim, or with relatives and other people that the judge or court determines.

The possibility of imposing the penalty of professional disqualification on the perpetrator is also envisaged, which can affect educators if they have committed the crime in the exercise of their profession. Since

2010, the convicted person may also be imposed with the security measure of probation, which should be executed once he has finished serving his prison sentence.

Furthermore, article 262 of the Criminal Procedure Law establishes the obligation to report all public crimes: "Those who, by reason of their positions, professions or duties, have knowledge of any public crime shall be obliged to report it immediately to the Public Prosecutor's Office, the competent Court, the Investigating Judge and, failing that, to the municipal or police officer closest to the place, if it is a flagrant crime." This obligation affects all crimes against life and against physical and moral integrity (injuries and abuse) and those related to prostitution and child pornography.

Crimes of sexual assault and abuse must be prosecuted at the request of legal representatives or the Public Prosecutor's Office.

Furthermore, Article 450 provides for the imposition of prison sentences and fines on those who fail to prevent a crime that affects the life, integrity, health, freedom or sexual freedom of people, or who fail to go to the authorities to prevent it. What is punished is not the mere fact of not reporting, but of not preventing the crime from being committed with immediate intervention and without personal risk.

CIVIL LIABILITY

Articles 109 and 116 of the Penal Code provide that persons liable for a crime or misdemeanor are also liable civilly. In addition, article 120 also provides for the conviction as subsidiary civil liability of natural or legal persons for crimes committed in establishments of which they are owners, when their directors or administrators or their employees have infringed rules or regulations related to the crime. According to this provision, several courts, including the Provincial Court of Barcelona, have convicted school owners, including some religious congregations, as subsidiary civil liability in cases of sexual abuse committed by teachers or leisure activity monitors. The fact that the crime was committed in a social space and during activity hours has been the determining criterion in these cases. Jurisprudence tends to declare civil liability based on a generic fault derived from the selection of the personnel who committed the crime (*culpa in eligendo*). The subsidiary civil liability is obliged to pay the victim the compensation established for physical or moral damages when it cannot be made effective with the assets of the main obligors, who are the authors and accomplices of the crime.

Protocol acceptance document

I, with DNI / NIE and based on my responsibilities as:

- Casa de la Jove professional
- Internship student

I sign this document as proof of having read and complied with what is established therein.

Barcelona, in from from

Signature,

This document, once signed, must be delivered to the Casa de la Jove Management.

ANNEX 4

NOTIFICATION OF RISK SITUATION OR ABUSE TOWARDS THE CHILDHOOD

Our transversal view and detection of possible risk towards children and adolescents, supposes that sometimes we find situations where we detect because either the children or adolescents directly verbalize it, or we are indirectly aware that something may be happening. These situations could occur in the following way:

- Direct observation during our intervention.
- Verbalization by the child or adolescent.
- Verbalization by one of the parents and/or legal guardians.
- Knowledge of previous complaints or situations prior to receiving attention from our service.

Procedure to follow:

If the situation occurs through direct observation or direct verbalization, we must be able to explain what we will do as a service, after providing support and containment in the moment.

We must also explain to the parents or legal guardians what we will do and the meaning of doing it.

Questions to consider:

- If there is a referral service, we must first coordinate with it and be able to explain the situation, and find out if they are aware of it and if any action has already been taken in this regard.
- If the referral has been direct, or the referring service is no longer linked to the family unit, we must assess the possible notification of the situation according to some variables:
 - Temporality of the events: if they are current or from the past, if they are continuous or one-off.
 - People causing the risk: whether the reference adults are the ones causing the situation or are they other people from the family unit or from outside the family unit.
 - Current protection: whether or not the child or adolescent may currently be exposed to the situation of risk or abuse.

- Knowledge: whether our service is the first to be aware of the situation, and whether the reference adults are knowledgeable and how they have acted.

Based on this assessment, the coordination and project manager will be informed by telephone or email, in order to jointly assess the possible risk situation, and the information provided to the child and/or adolescent. The most appropriate action will thus be agreed upon according to the assessment made of the degree of seriousness and possible protection of the child, which may include:

- Communication to a specialized service that is already intervening.
- Notification to SSAP of the territory.
- Notification to UDEPMI if the situation is serious and requires urgent intervention.

Josefa Rubio Serrano,

Barcelona, May 2, 2025