
 Republika Hrvatska  
Pravobranitelj za djecu 

## Child Protection Policy

Zagreb, December 2023

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## I. Introductory provisions

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The work of the Ombudsman for Children comprises the protection, monitoring and promotion of children's rights in Croatia. The goal of the Ombudsman is also to determine, to the greatest extent possible, how these actions affect children and their rights. This approach is based on the *UN Convention on the Rights of the Child* and its four core principles: **the best interest of the child, the participation of the child, non-discrimination and the right to life and development.**

The Child Protection Policy aims to ensure the protection and the best interest of children participating in the activities organised by the Ombudsman for Children as well as the transparency of the work of the Ombudsman for Children.

The Child Protection Policy complies with the widely accepted standard according to which all organisations, professionals, and other individuals that work with or come into contact with children should keep children safe and have Child Protection Policy in place.<sup>1</sup>

## II. About the Ombudsman for Children

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The institution of the Ombudsman for Children of the Republic of Croatia was founded in 2003 pursuant to *the Law on the Ombudsman for Children*<sup>2</sup>, based on a decision of the Croatian Parliament, with the view of monitoring, protecting and promoting children's rights and interests.<sup>3</sup> The powers of the Ombudsman for Children concern all human rights of children on the whole territory of the Republic of Croatia. The work of the Ombudsman for Children is carried out in four offices: the central office in Zagreb and three regional offices in the cities of Osijek, Rijeka and Split. The regional offices were founded in 2007 at the initiative of the Ombudsman, who also drafted the programme and ensured conditions for their work, invoking Recommendation No. 14 of the *Concluding Observations of the UN Committee on the Rights of the Child* (2004), and the Government of the Republic of Croatia accepted it and enabled its implementation. In 2013, the Little House of Children's Rights was opened at the Zagreb office.

The professionals working in the Office of the Ombudsman for Children form a multidisciplinary team of experts of various professions (legal experts, psychologists, social

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<sup>1</sup> Source: Keeping Children Safe: 'Child Safeguarding Standards and How to Implement Them', <https://www.keepingchildrensafe.global/resources/>

<sup>2</sup> The *Ombudsman for Children Act* (Official Gazette 73/2017), currently in effect, was preceded by the *Law on the Ombudsman for Children* (Official Gazette 96/2003).

<sup>3</sup> Gender-related terms used in this document apply equally to the male and female genders, regardless of whether they are used in the male or female forms.

pedagogues, a speech therapist, a pedagogue, a social worker, an economist, a foreign language teacher who is additionally a specialist in political science).

The principal role of the Ombudsman for Children is to establish the state of children's rights in Croatia by monitoring the work of government administration bodies, local and regional self-government units, legal and natural persons, as well as by monitoring case law and the work of judicial authorities, requesting reports, issuing warnings, proposals and recommendations, visiting places where children reside and initiating the adoption of and amendments to laws and other regulations governing children's rights and their protection.

The Ombudsman for Children deals with children's rights and the protection of children, including the individual complaints of violations of children's rights in the following areas: status rights and privacy, the right to live with parents and enjoy parental care, protection against violence and neglect, the rights of children as members of society, educational, health care, social and economic rights, cultural rights, leisure time and sports, rights in judicial proceedings, safety, accidents and hazardous environment as well as other rights and protection against discrimination. The wide scope of work differentiates the Ombudsman for Children from other bodies.

The Ombudsman also proposes measures for the development of an integrated system for the protection and promotion of the rights and interests of children and for the prevention of harmful practices threatening the rights and interests of children. An emphasis needs to be put on the protection and promotion of rights and interests of children with developmental disabilities and other vulnerable child groups. The Ombudsman for Children is entitled to the right of access to facilities and of getting an insight into the manner of the performance of care for children residing in these facilities or are temporarily or permanently accommodated with natural and legal persons and other legal entities pursuant to special regulations, and has the right of insight into the data and documents of bodies, regardless of the degree of their secrecy.

The Ombudsman for Children **works and cooperates with children**. The Ombudsman informs children of their rights and advises them on the way to exercise and protect their rights and interests. The Ombudsman for Children cooperates with children, encourages children to voice their opinion and gives their opinion due consideration, initiates and participates in public activities aimed at the improvement of the status of children and proposes measures to enhance the influence of children in the society. The Ombudsman for Children informs the public of the state of children's rights and in certain situations publicly addresses children. The Ombudsman for Children devotes significant efforts to meeting and spending time with children in the Office, visiting places where children are accommodated or where they temporarily reside and organising events and thematic activities for children.

Since 2010 the Ombudsman for Children has been cooperating with a children's advisory body – the **Network of Young Advisors to the Ombudsman for Children (NYA)**, which has 25

members, children of 12 to 18 years of age, who cooperate with the Ombudsman and promote children's rights among their peers and adults. The members carry out their advisory role by exchanging opinions through an online forum, suggesting topics from different areas of the protection of children's rights and providing initiatives for actions to be taken by the Ombudsman, either at thematic meetings organised for them by the Office or through other national and international activities in which the Office participates.

In general, the work of the Ombudsman for Children focuses on the following vision, mission and goals:

- **vision** – to raise the level of protection of all children in the Republic of Croatia, help them exercise their rights in all areas of life and advance their position in society;
- **mission** – to autonomously and independently protect, monitor and promote children's rights and interests, adhering to the principles of justice and morality;
- **goals** – to help children realise their best interests by raising the level of their protection and advancing their legal and social status in the Republic of Croatia.

### III. Purpose of the Child Protection Policy

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The Child Protection Policy of the Office of the Ombudsman for Children is a document providing the value and operational framework for a safe and stimulating work with children through activities that the Office carries out and in which it participates.

All children participating in the activities organised by the Office of the Ombudsman for Children have the right to health, safety and well-being, and their best interest is a priority in the work of the Office. The Office advocates the respect, promotion and understanding of children's rights in the context of their own culture, religion and ethnicity. The children's opinions and views have to be heard, carefully considered and encouraged, and children need to be supported when making decisions affecting them, including those concerning their protection.

It is the responsibility of every entity working with children to establish **standards and mechanisms for their protection**, thus fulfilling the principal duty of care for children, combating and preventing violence, neglect, exploitation and discrimination of children, and in the case of inappropriate behaviour, ensuring an appropriate response in order to protect and support children, which provides for a transparent work of the institution, trust in care for children and the safety of the institution.

The Child Protection Policy aims to ensure the highest standards of professional conduct and personal practice and provide for the safety and protection of children in all activities organised by the Office of the Ombudsman for Children. It covers four protection standards related to policy, people, procedures, and responsibility, aimed at preventing child

endangerment and clearly outlining the measures that must be taken in case there is a need for protection.

The Child Protection Policy therefore includes procedures regarding employment, outsourcing, creating room for stimulating work with children, the training of staff and the application of transparent protocols in the cases of conduct that is not in line with child protection standards.

This document summarises legal obligations and internal bylaws of the institution and establishes standards for the conduct of employees of the Office of the Ombudsman for Children, its associates, trainees, volunteers and other persons when taking measures for the protection of children's rights as well as regarding the obligation to report every violation of those rights to competent authorities.

The Office of the Ombudsman for Children regularly monitors the implementation of the Child Protection Policy and revises it as needed based on practical experience, with plans to create a child-friendly version.

The Ombudsman for Children strives to make its website accessible in accordance with the *Act on the Accessibility of Websites and Programming Solutions for Mobile Devices of Public Sector Bodies* (Official Gazette, 17/19) transposing *Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies* (OJ EU, L 327, 2.12.2016), and will continue to do so regarding the accessibility of the Policy.

#### IV. Scope of the Child Protection Policy

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##### **The Child Protection Policy is binding for:**

- the Ombudsman for Children, the Deputies of the Ombudsman for Children and civil servants in the Office of the Ombudsman for Children;
- trainees, volunteers and students who can be engaged by the Office of the Ombudsman for Children pursuant to regulations and in line with those regulations;
- other persons who are engaged by the Office of the Ombudsman for Children or who participate in the activities organised by the Office: external associates, partners;
- all adults accompanying children to events and activities organised by the Office of the Ombudsman for Children (e.g. parents, assistants and other persons);
- all other persons participating in events and activities organised by the Office of the Ombudsman for children that involve children;
- children participating in activities organised by the Office of the Ombudsman for Children, in a way that is appropriate for them.

The mentioned adults carrying out activities with children or participating in these activities are expected to read the Child Protection Policy and sign the statement of compliance with the provisions of the Child Protection Policy.

External associates cooperating with the Office of the Ombudsman for Children in the organisation of activities involving children are required to have and submit their child protection policy or to acknowledge the Child Protection Policy of the Ombudsman for Children.

The Child Protection Policy concerns all the activities that the Office of the Ombudsman for Children organises or in which it participates, in line with the provisions of the regulation in effect governing the scope and method of work of the Ombudsman for Children (the *Ombudsman for Children Act* and the *Rules of Procedure of the Ombudsman for Children*), which covers work on individual cases, general initiatives, individual work with children in and outside the Office, in the Republic of Croatia and abroad.

### **Guidance on partnership on child safeguarding standards**

The Ombudsman for Children endorses the *Child Protection Policy* of the *European Network of Ombudspersons for Children* (ENOC), EUROCHILD and *Children of Prisoners Europe* (COPE), of which it is a member.

If the Ombudsman Office's activities involving children engage external associates who have their own child protection policy, the policy ensuring a higher level of protection for the rights and interests of children shall prevail in the event of a disagreement.

While working with other entities, the Office of the Ombudsman for Children considers it is important to jointly establish which organisation is responsible for all aspects of child protection, from activity design to their implementation, monitoring, and actions to be taken if protection is needed, or to address violations of children's rights.

To this end, when joint activities or projects are planned with external associates, where possible and where such practices exist between the parties, all persons involved will sign a joint agreement on child protection procedure to clarify relevant roles and responsibilities.

If a joint agreement is not signed, and child protection policy established by the organisers of such activities apply, the Office of the Ombudsman for Children will implement the policy that ensures a higher level of protection for the rights and interests of children.

If a joint agreement is signed, the form must contain information on the title, duration, scope of the project/activity/event, and in particular any planned direct or indirect activities involving children, the role of all entities/partners within the project/activity/event, a description of the child protection responsibilities among the entities/partners from conception and design to implementation and monitoring (including, for example, a risk management template, the appointment of a child protection focal person (CPFP), along with a code of practice in the event that the need for child protection arises, as well as preparations for activities, etc.).

## V. Basic terms

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**A child** is any person under 18 years of age.

**Children's rights** are the rights enshrined in the UN Convention on the Rights of the Child.

**Violence**<sup>4</sup> is any form of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse and harassment.

**Contact with the child** is the physical presence of a child or children in the context of the work of the Office of the Ombudsman for Children, whether temporary or regular. This includes all activities of the Network of Young Advisors, meetings and conferences attended by children, contact with children during visits to institutions and public events and getting in touch by phone. Contact with the child also includes indirect contact with the child, that is, access to information about children in the context of the work of the Office, such as data on children, photographs, videos, case studies and correspondence.

Contact with the child also includes *online activities*, which the Office of the Ombudsman conducts using applications such as *Zoom* and similar platforms, as well as through the internal e-Forum, *WhatsApp*, *Viber*, SMS and other similar applications. Electronic communication must be shared with at least one other team member.

## VI. Legal framework

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The Child Protection Policy of the Office of the Ombudsman of Children is based on the provisions of the *UN Convention on the Rights of the Child* and accompanying *General Comments of the Committee on the Rights of the Child* as well as on the provisions of the *Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse*.

“States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, 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.”<sup>5</sup>

In addition, the work of the Office of the Ombudsman for Children is based on the provisions of *the Constitution of the Republic of Croatia* (Official Gazette 56/90, 135/97, 113/00, 28/01, 76/10, 5/14), *the Ombudsman for Children Act* (Official Gazette 73/17), *the Family Act* (Official Gazette 103/15, 98/19, 47/20, 49/23), *the Criminal Code* (Official Gazette 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19, 84/21, 114/22, 114/23) and other national and international regulations relating to the realisation of children's rights, including the relevant codes of ethics.

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<sup>4</sup> *General comment No. 13 (2011) of the UN Committee on the Rights of the Child on the right of the child to freedom from all forms of violence*

<sup>5</sup> Article 19, paragraph (1) of the *Convention on the Rights of the Child*

## VII. Principles of working with children

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- Children’s health, safety and well-being are priorities in the work of the Ombudsman for Children.
- The Ombudsman for Children encourages children to express their opinion, calls for giving their opinion due consideration and for improving the status of children in the society.
- The Ombudsman for Children informs children of their rights and encourages them to advocate their rights and to respect the rights of every child.
- The Ombudsman for Children acknowledges and respects the rights of all children in the context of their own culture, religion and ethnicity.
- The Ombudsman for Children considers every child to be special and advocates the rights of children with developmental disabilities and the rights of other vulnerable child groups.
- The Ombudsman for Children listens to and carefully considers the opinions of children, encouraging children to participate in making decisions that concern them, including decisions concerning child protection.
- The Ombudsman for Children advocates the prohibition of all forms of violence and discrimination.
- The Ombudsman for Children’s work with children is based on legal norms and on the expertise of a multidisciplinary team, with due respect given to ethical principles and legal standards.
- The work of the Ombudsman for Children is conducted in cooperation with parents, guardians and other persons taking care of children.
- The Ombudsman for Children participates with children in activities at the national and international levels, in cooperation with verified entities, which are in line with children’s best interests.

**The “Two-Adult Rule”<sup>6</sup>** will apply whenever possible to ensure a safe and healthy environment for all participants in the activities, as well as to provide additional assistance in the event of an accident or emergency. This Rule reduces the risk of potential inappropriate behaviour and/or unfounded accusations, thereby protecting both children and staff.

In the event of a possible one-on-one meeting with the child (for example, if the child requests a confidential conversation or support), another Office employee will be informed that the child will be meeting with an adult. The interview will be conducted ethically, by respecting and protecting the child's dignity, in accordance with professional standards.

This Rule shall not apply if the child is accompanied to the activities by a parent or another family member, subject to prior agreement.

Transportation for children and accompanying them to activities is organised through designated transport services.

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<sup>6</sup> *The Two-Adult Rule requires at least two adults to accompany the child.*

For overnight stays, the child and adult will stay in separate rooms, unless the child is accompanied by a parent or another family member.

The child may share a room with other children of the same sex, subject to agreement with the activity organiser and prior written consent from the parent/guardian.

### **VIII. Risk assessment, management and mitigation**

The Office of the Ombudsman for Children collaborates with children and conducts activities for children in accordance with the provisions of the *Ombudsman for Children Act*, other regulations and internal policies. The Office of the Ombudsman for Children organises and conducts activities with children and participates in those it assesses to be safe for children. Risk assessments are conducted prior to participation in activities, particularly through the development of the Office's annual and multiannual plans and the Network of Young Advisors plans, whereas child protection strategies are developed accordingly.

Risk assessments are dynamic. Risks and risk reduction strategies are continuously analysed to minimise any potential risks to children, and risk assessments are integrated into the development, implementation, and evaluation of all activities.

#### **Risk management occurs on all levels of the Office's work:**

- ✓ organisational level (daily operations of the Office, organisation of work, employment, employees, etc.)
- ✓ level of programmes and other activities involving children (required consents, safety aspects of travel, accommodation, accompanying children, cooperation with parents, specific risks)
- ✓ external or environmental risks, if necessary (pandemic, climate crisis, etc.).

Before the start of any activity involving children, a risk assessment is conducted, considering the specific group of children or the individual child (age, gender, vulnerabilities, external risks, live or *online* event, etc.).

The **Child Protection Team** is involved in risk assessment and risk reduction, taking charge of organising and implementing specific activities with children in a collaborative and dynamic manner, and one or more child protection focal persons (CPFP) actively participate in all these activities.

After the activity is completed, the child protection is reviewed by the team. It is assessed whether the risk management was fit for purpose, with an emphasis on good practice as well as potential areas for improvement that will be considered in the future. This analysis is conducted during team meetings (in person or *online*) within 10 days of the activity's completion.

## IX. Protection of children's rights

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### **The protection of children's rights is realised by:**

- preventing violence against children;
- preventing peer violence among children;
- the work and engagement of persons who are cleared, competent and specialised for working with children;
- protecting children's personal data;
- cooperating with children, their parents, guardians and other persons taking care of children;
- monitoring children's rights and reporting violations of children's rights to competent institutions;
- cooperating with relevant institutions in the case of a suspicion of violation of children's rights;
- ensuring support for children and their family members in the case of violation of children's rights;
- actions and procedures that respect the child's dignity and age specificity;
- actions and procedures aimed at assessing the impact, effects and results of the protection of children's rights (reports and evaluations);
- raising awareness about the importance of children's rights, in line with the principles of the Convention on the Rights of the Child and recognising the child as the subject and holder of rights;
- networking and organising activities with other institutions and bodies at the national and international levels.

### a) Safety and professional aspects of working with children

The appointment and removal from office of the Ombudsman for Children and the Deputies of the Ombudsman of Children are regulated by the *Ombudsman for Children Act*, which, inter alia, includes obstacles to the appointment and removal from office in the event that the conditions for appointment are no longer met or in the event of illegal, untimely or unprofessional performance of duty.

All the activities and work with children carried out at the Office are performed by experts (legal experts, psychologists, a pedagogue, social pedagogues, a speech therapist, a social worker, an economist, a foreign language teacher who is additionally a specialist in political science), and other employees of the Office who are subject to verification that they meet the conditions for performing such work in accordance with the provisions of the *Civil Servants Act*.

The verification procedure includes the verification that the person is not subject to criminal prosecution as well as a fit to work medical certificate and the originals of other attestations

confirming that the formal conditions of the public tender are met. Before making decision on admission, the Office has the official duty to verify that there are no obstacles to admission to civil service referred to in Article 49 of the *Civil Servants Act* (the Office requests from the Ministry of Justice to issue a criminal records certificate for the chosen candidate).

*The Civil Servants Act* lays down the principles of conduct of civil servants and governmental employees, especially regarding the performance of duties and obligation to adhere to laws, the prohibition to abuse authority, the duty of professional conduct, the duty of non-disclosure of official secrets and respect for privacy, while the *Code of Ethics for Civil Servants* lays down the rules of conduct of civil servants and ethical principles to which civil servants must adhere when performing official duties. The same regulation provides for procedures in the case of violation of official duties by civil servants and governmental employees.

Volunteers, students and other persons engaged by the Office of the Ombudsman for Children or those participating in the activities of the Office of the Ombudsman for Children as external associates and partners, as well as all adults accompanying children to events and activities organised by the Office of the Ombudsman for Children (e.g. parents, assistants and other persons) are obliged, before accepting the engagement, to sign the statement that forms a constituent part of this Child Protection Policy and that enables the verification of the previous conviction record in the Criminal Records of the Ministry of Justice, as well as to submit a certificate that they are not subject to criminal prosecution.

Foreign nationals engaged by the Office of the Ombudsman for Children as external associates are obliged to submit a certificate of no criminal record issued by the country of citizenship.

## b) Protection of children's personal data

The Ombudsman for Children, the Deputies of the Ombudsman, civil servants and governmental employees at the Office of the Ombudsman for Children and other persons who temporarily and/or occasionally perform the tasks or participate in the work of the Office of the Ombudsman for Children are obliged to act in accordance with data secrecy and protection regulations during and after the termination of their work at the Office, irrespective of how they gained knowledge of these data.

The Ombudsman for Children, the Deputies of the Ombudsman and civil servants at the Office of the Ombudsman for Children are obliged to treat data on children in accordance with the best interest principle and to comply with the obligation of professional secrecy regarding all data on children of which they become aware in the course of performing their tasks and responsibilities. The provisions on data secrecy and protection are regulated by the *Rules of Procedure of the Ombudsman for Children*.

### c) Child protection procedure

The introductory provisions of the Child Protection Policy (page 3 of the Child Protection Policy) explain the **special position** of the Office of the Ombudsman for Children, **as both an independent body and public authority**, which, according to Article 2 of *the Ombudsman for Children Act*, safeguards, monitors and advocates the rights and interests of children based on the Constitution of the Republic of Croatia, international treaties, binding legislative acts of the European Union and the legislation.

*The Ombudsman for Children Act* (Official Gazette 73/2017) regulates the scope and means of operation of the Ombudsperson for Children.

Article 15 of the *Ombudsman for Children Act* explicitly stipulates that, if the Ombudsperson for Children learns, while performing his/her duty, that a child is subjected to physical or mental violence, sexual abuse, maltreatment or exploitation, neglect or negligent treatment, he/she shall immediately report it to the competent State Attorney's Office and notify the Croatian Institute for Social Work<sup>7</sup> and propose measures for the protection of the rights and interests of the child.

Article 132 of *the Family Act* stipulates that everyone has a duty to report any violation of a child's personal or property rights to the Croatian Institute for Social Work. The violation of personal rights means in particular: physical and mental violence, sexual abuse, neglect or negligent treatment, maltreatment or exploitation of the child. Upon receiving the report of child welfare and protection concerns, the Croatian Institute for Social Work shall promptly assess the complaint, take measures to protect the child's rights, and inform the complainant accordingly.

**In its work, the Office of the Ombudsman contacts the relevant authorities when it receives reports of children's rights violations – the Croatian Institute for Social Work, the police and the State Attorney's Office – whether based on information received in person, reported concerns, or by other means.**

Complainants need to contact the Office of the Ombudsman for Children, and information on how to do so is available on the websites [www.dijete.hr](http://www.dijete.hr), <https://dijete.hr/hr/kada-i-kako-se-obratiti-pravobraniteljici-za-djecu/>, <https://dijete.hr/hr/prituzba-zbog-povrede-prava-djeteta/>, where the complaint form can also be found. The complaint form is an integral part of this Child Protection Policy and is designated as **number XII**.

Pursuant to Article 21, paragraph 1 of *the Ombudsman for Children Act*, the *Rules of Procedure of the Ombudsman for Children* (OG 49/2018)<sup>8</sup> govern the methods of operation

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<sup>7</sup> The *Social Welfare Act* stipulates that, as of 1 January 2023, the activities of the social welfare centres will be taken over by the Croatian Institute for Social Work.

<sup>8</sup> *The Rules of Procedure of the Ombudsman for Children* are available on the website: <https://dijete.hr/hr/dokumenti/domaci-propisi/>.

and organisation of work, the internal structure of the administrative and technical services, and other matters essential to the operation of the Ombudsperson for Children.

The Provisions of *the Rules of Procedure of the Ombudsman for Children* (especially Title IV Provisions on conduct and Title V Office administration) shall also apply in cases where child protection is required, in accordance with the Child Protection Policy.

The information on how to contact the Office of the Ombudsman for Children and other competent authorities is an integral part of the Child Protection Policy and is designated as number XIII.

Every employee of the Office is obliged to report a suspicion of violation of the rights of the child to the Ombudsman for Children.

If the suspicion of violation of the rights of the child concerns an employee of the Office of the Ombudsman for Children, the Ombudsman will investigate the case and take action as laid down in the *Civil Servants Act*; the Ombudsman will also report the case to competent authorities. The person suspected of violation will not be allowed to work or be in contact with children until the termination of the proceedings. If the suspicion concerns an external associate or another person who is not an employee of the Office, the Office will suspend cooperation with such person until the termination of the proceedings.

In case there is a suspicion of a criminal offence against a child, the Ombudsman for Children, in accordance with the provision of Article 15 of *the Ombudsman for Children Act*, will immediately inform thereof competent authorities, and act according to the provisions of *the Ombudsman for Children Act, the Rules of Procedure of the Ombudsman for Children and the Family Act*.

Anyone can contact the Office of the Ombudsman for Children with proposals about the issues relevant for the protection of children's rights and interests. This includes information indicating that a child has been subjected to physical or mental violence, sexual abuse, maltreatment or exploitation, neglect, or negligent treatment.

Throughout its procedures, the Office of the Ombudsman for Children will pay particular attention to the **specific circumstances of each child**, especially in the case of children with disabilities and other vulnerable groups (those vulnerable due to their age, location, or any other form of disadvantage). The Office's multidisciplinary approach, with permanently employed experts from various professions, enables it to address all aspects of children's lives and advocate for the protection and exercise of all rights for children up to 18 years of age, in accordance with the *Convention on the Rights of the Child*.

#### **d) Child protection focal persons (CPFP)**

The Office of the Ombudsman for Children has a dedicated **Child protection team** that is consistently engaged in the preparation, monitoring, and evaluation of child protection activities, including the Child Protection Policy. The team includes the Ombudsperson for

Children - legal expert, Deputy Ombudsperson for Children – psychologist, advisor to the Ombudsperson for Children and coordinator of child participation activities - psychologist, advisor to the Ombudsperson for Children for legal affairs and international projects – legal expert and media relations advisor to the Ombudsperson for Children – foreign language teacher and a specialist in political science.

Additionally, as part of its main activities, **a multidisciplinary team of all advisors within the Office of the Ombudsman for Children** is continuously engaged in safeguarding, monitoring, and advocating for children's rights, including the rights of children with disabilities and other vulnerable groups, by actively supporting all activities related to child protection.

**The Ombudsperson for Children appoints *Child Protection Focal Person(s) (CPFP)*** who will be responsible for:

- raising awareness and promoting the implementation of the Child Protection Policy in the Office
- monitoring the implementation of the Child Protection Policy and taking action where child protection is needed
- child protection training and monitoring good practices and legal requirements
- providing support and informing Office employees on child protection matters.

The name and contact details of the ***Child Protection Focal Person(s) (CPFP)*** will be clearly listed on the website of the Office of the Ombudsman for Children and added to the Child Protection Policy as an appendix, designated as number XIII.

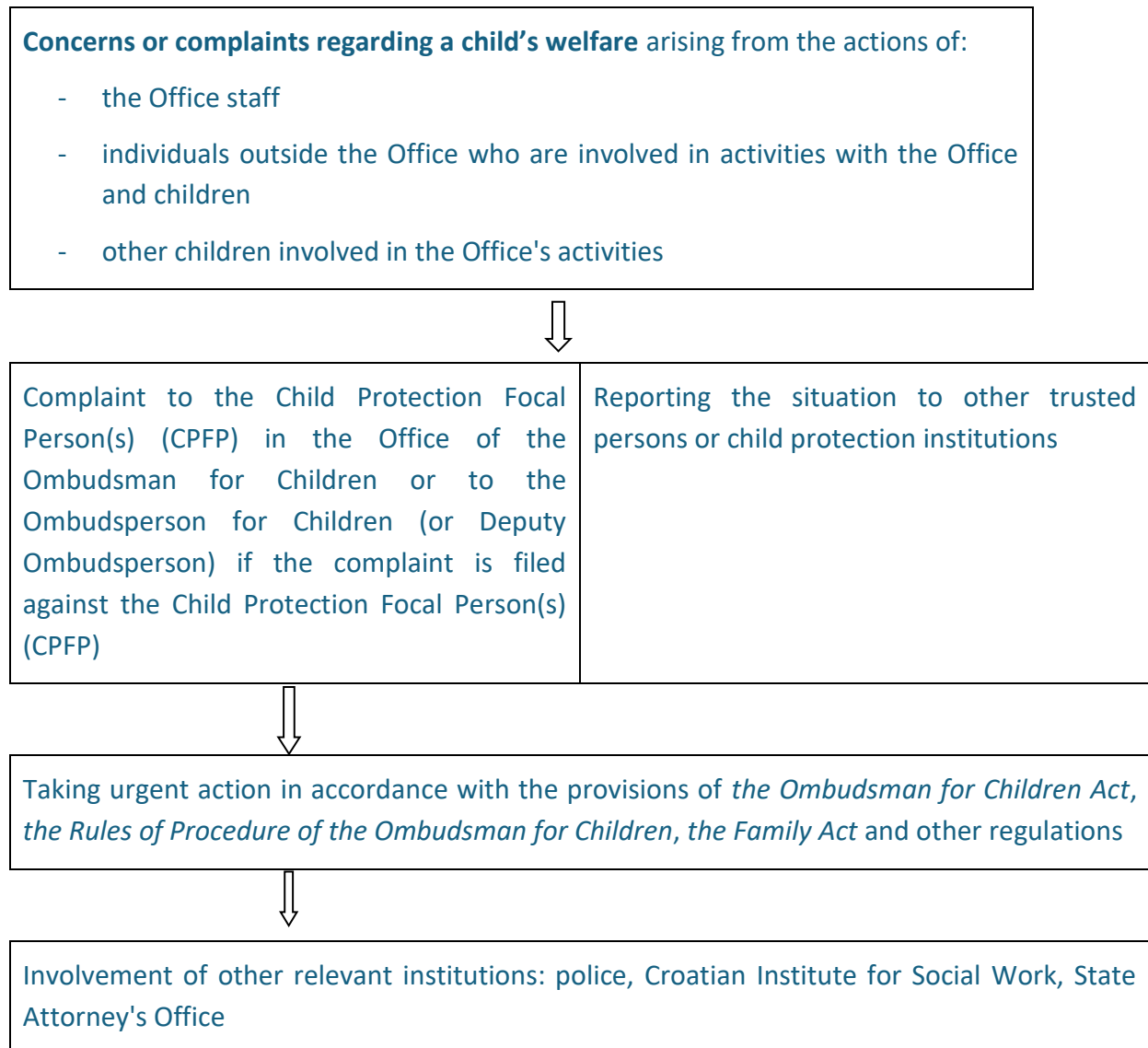
Every new employee of the Office of the Ombudsman for Children, as well as all individuals and entities involved in activities for children, will be informed of the Child Protection Policy of the Office of the Ombudsman for Children, the role of the Child Protection Team and the Child Protection Focal Person(s) (CPFP).

The Ombudsperson for Children may appoint one or two individuals as the Child Protection Focal Person(s) (CPFP) – they will be the Office's employees with relevant expertise and experience in the areas of child participation, child protection, and international cooperation – to ensure more comprehensive monitoring and action in this important field of child protection, and to promote transparency in taking action, in the best interests of both children and the Office's employees.

The Ombudsperson for Children and the Deputy Ombudsperson for Children are responsible for supervising and ensuring the implementation of the Child Protection Policy and will provide support throughout its development and implementation.

The Child Protection Policy is incorporated into internal regulations and strategies of the Office of the Ombudsman for Children and will be applied in all its activities and projects.

e) **Child Protection Procedure flowchart**



f) **Child protection education**

The Office of the Ombudsman for Children continuously works and will continue to work on promoting the protection of rights and interests of children, in accordance with the provisions of the Ombudsman for Children Act and internal bylaws, and it will encourage other bodies and institutions to adopt their own child protection policies (e.g. sports clubs, associations, etc.).

The Office of the Ombudsman for Children will ensure that all employees of the Office are informed of the Child Protection Policy and that they act in accordance with its provisions when they are in contact with children.

The Child Protection Policy is published on the Ombudsman for Children website [dijete.hr](http://dijete.hr) so that all persons coming into contact with children while participating in the activities of the Office of the Ombudsman for Children can be informed of its content and of the mechanism in place for the protection of children.

The Office of the Ombudsman for Children will regularly monitor the application of the Child Protection Policy, which will be discussed biannually at the Office staff meeting. The monitoring and evaluation will be implemented by verifying if the standards of the Child Protection Policy are being applied, if protection measures are effective and to what extent, and what needs to be improved.

The employees receive continuous training through various sessions organised by the Office and the National School of Public Administration, and they also participate in national and international conferences and other professional events organised by other bodies and organisations that collaborate with the Office.

#### **g) *Code of Conduct***

The Office of the Ombudsman for Children is committed to protecting children from violence, abuse, and exploitation. The Office will take all necessary steps to prevent and/or respond to violations of children's rights and will address all reports of actual or alleged abuse or threatening actions in accordance with its Child Protection Policy, regardless of the nature of the complaint, the individuals involved, or the identity of the person who filed the complaint.

This Code of Conduct provides guidance on the ethical and appropriate standards of behaviour for adults towards children, as well as for children towards one another. The Office of the Ombudsman for Children aims to ensure that everyone, both children and adults, can participate safely in its work and activities.

#### **Important rules of conduct and communication:**

- All participants, regardless of their age (particularly children and young people), should be treated with respect and without discrimination.
- All activities must adhere to high standards of personal, ethical, courteous (including dress code) and professional conduct.
- It is essential to protect one's own health, safety, and well-being, as well as health, safety, and well-being of other participants, particularly children and young people.
- It is important to be vigilant regarding potential situations that may increase the risk of peer violence and discrimination.

- It is essential to consider your communication style, manner of expression, and the language (terminology) you use, as well as how these may be perceived by other participants (especially children and young people).
- Through their behaviour and communication, conditions should be created to ensure that all participants (especially children and young people) feel safe and accepted, enabling them to participate actively.
- Children and young people should be encouraged to express their opinions. Encourage and assist them in expressing what they want, when they want, and in the manner they prefer.
- Being open to the opinions and experiences of other participants is important.
- Particular attention must be given to maintaining the confidentiality of information regarding children and young people who participate in the activity. Throughout the entire duration of the activity, care must be taken not to share private and confidential information about children, young people, and their families.
- During the activity, children and young people are prohibited from consuming alcohol and other addictive substances. In particular, we urge adult participants to refrain from consuming alcohol and other addictive substances in the presence of children and young people.
- Engaging in inappropriate forms of behaviour with children and young people is strictly prohibited (alcohol and drug consumption, use of tobacco products, inappropriate comments, unwanted touching, socialising inappropriately, and physical punishment).
- Inappropriate jokes and profanity must not be used when communicating with children and young people.
- The opinions and experiences of children and young people must not be subjected to discrimination, humiliation, belittlement, or degradation.
- If you observe any unauthorised or undesirable behaviours towards children and young people during the activity, please make sure they are reported to the organisers and the Child Protection Focal Person (CPFP).

- Do not take photos or videos of other conference attendees, particularly children and young people, without obtaining their permission and that of their parents or guardians.
- Do not request the contact information of children and young people (such as mobile numbers or social media accounts).
- Do not enter rooms where children and young people are accommodated (unless you are an authorised accompanying person, educator, or expert from the institution to which the child belongs, in accordance with the child protection policy).
- Under no circumstances should you be alone with a child or young person you do not know in situations that could be called into question by others.

Children are free to contact the **Child Protection Focal Person (CPFP)** at any time if they feel that their rights are not being respected or their safety is threatened.

**This Code of Conduct may be supplemented and adapted as necessary to meet the specific needs of an activity, depending on the participants and attendance (in person or online), all in the interest of protecting children.**

X Specific provisions governing work with children participating in the activities of the Network of Young Advisors to the Ombudsman for Children (NYA)

The Ombudsman for Children founded the Network of Young Advisors (NYA) as its standing advisory body and a form of child participation. The NYA members act as advisors to and associates of the Ombudsman for Children, but also as ambassadors, communicating information about the work of the NYA and the Ombudsman for Children to their peers and taking steps to ensure that they know their rights and the ways to protect them.

**The work of the members of the NYA is determined by their specific roles:**

- **ADVISORS** – through an online forum or at meetings (whole group, regional or thematic meetings) the members of the NYA exchange opinions among each other and with the representatives of the Office regarding relevant issues (the adoption of new laws and policies, the organisation of conferences, the public expression of opinion about subjects and issues relevant to the lives of young people). The members report on their experiences and insights, and propose changes or possible solutions to problems.

- **COLLABORATORS** – the members propose discussion topics, activities for the Office of the Ombudsman, participate in work preparation and planning and in the presentation of the advisory body (NYA); in cooperation with the Ombudsman they present initiatives and work of the Office of the Ombudsman for Children and participate in the preparation of promotional and educational materials of the Office aimed at children and young people.
- **AMBASSADORS** – the members, in their communities (schools, cities etc.) inform children and young people about children’s rights and the possibilities for their protection and about the work and role of the NYA of the Ombudsman for Children. They encourage their peers to contact the NYA and the Ombudsman for Children if they have ideas about issues and problems concerning young people that deserve more attention and action from adults, about the kind of support young people expect from adults and about the areas in which children want to be more active.

An individual can become a member of the NYA based on a public call of the Ombudsman for Children, which is publicised in various forms. The future members of the NYA apply by themselves and are selected by the current members of the NYA and the expert team of the Office of the Ombudsman for Children.

The members of the NYA are selected as individuals, and not as representatives of their schools, cities, counties, etc. Every member advocates his or her opinion and represents himself or herself, in direct contact with the Ombudsman and the employees of the Office of the Ombudsman for Children and in a closed online forum, where members exchange their opinions.

When electing the NYA members, the Office aims to ensure the representation of different groups of children: children from cities and villages, children who do not live with their parents, the students of vocational schools, art schools and grammar schools, national minority children, children with developmental difficulties; in short, children and young people from various backgrounds.

During the mandate, each member of the NYA can, at any moment, request for his or her membership to be suspended, without having to state the reason. Each member can withdraw his or her membership regardless of the reasons. The Office of the Ombudsman for Children informs the child, the parent, the guardian or any other person taking care of the child of all planned activities and obligations and of the method of work of the Office.

The child and the parent/guardian sign/co-sign the relevant declarations of consent relating to the participation of children – members of the NYA – at meetings and events organised by the Office of the Ombudsman for Children until the end of his or her mandate, which includes issues related to travels, accommodation, special diets, health conditions, allergies and medicines the child might be taking, measures taken in medical emergencies, as well as approval to publish photos and interviews.

Special consideration is given to the safety aspect of work with the members of the NYA: the organisation of travels and accompaniment, food, accommodation, supervision, leisure time, rest and support.

The Office also collaborates with the members' parents/guardians and other persons taking care of them with regard to their protection.

The children involved in the work of the NYA are informed of the Child Protection Policy, which is binding, and of their right to contact the Office personally or in writing in case there is a need for protection, for themselves or for another child.

The satisfaction of the members with the work of the NYA is monitored through anonymous evaluations.

Special consideration is also given to the relationships between the members of the NYA, additionally regulated by rules drafted by every new generation of the NYA in the form of the Agreement on the Method of Work of the NYA, which governs the rules of conduct in the group, in the closed online forum and during public appearances of the members of the NYA.

## XI. STATEMENT OF COMPLIANCE WITH THE PROVISIONS OF THE CHILD PROTECTION POLICY

I \_\_\_\_\_, hereby declare that I read and understood the standards and guidelines contained in this Child Protection Policy.

I agree with the principles contained herein and I acknowledge the importance of the implementation and promotion of child protection policies, procedures and practices contained in this document during the performance or in connection with the work of the Ombudsman for Children.

I declare that I am not aware of any reason as to why I would be deemed unsuitable for working with children and that I am not being prosecuted for the criminal offence against a child, of which I undertake to obtain a relevant certificate.

I understand that compliance with the Child Protection Policy implies the verification of the previous conviction record and I give my approval for a certificate to be requested from the Criminal Records of the Ministry of Justice, pursuant to Article 14, paragraph (2) of the *Act on the Legal Consequences of Conviction, Criminal Records and Rehabilitation* (Official Gazette 143/12, 105/15, 32/17 and 53/22).

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(name and surname, personal identification number (OIB))

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(signature)

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(place and date)

# COMPLAINT

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If you believe a child's rights have been violated, you may file a complaint with the Ombudsperson for Children. While doing so, you should provide information about yourself (as the complainant), details about the child whose rights have been violated, and describe the situation and circumstances surrounding the violation.

## 1. Information about the complainant:

- Name and surname  
\_\_\_\_\_
- Correspondence address/please, mention your county:  
\_\_\_\_\_
- Email, phone/mobile number  
\_\_\_\_\_
- Have you already contacted the Ombudsperson for Children?    YES                      NO

## 2. Information about the child/children whose rights have been violated

Name and surname	Date of birth	Sex
1. _____		M F
2. _____		M F
3. _____		M F
4. _____		M F

Address where the child lives (or is accommodated)/please, mention their county  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name, surname and address of the child's parent/guardian  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What is your relationship to the child (for example: father, grandmother, neighbour, teacher)

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Have you contacted any other service about protecting the child's rights?      YES      NO

If YES – which service have you contacted?

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Are there any ongoing judicial or administrative proceedings concerning the protection of the child's rights?

YES

NO

If YES – please, explain the type of proceedings?

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Tell us who violated the child's right or denied the right to the child, e.g. institution (hospital, school, social welfare centre...) or individual (parent, doctor, neighbour...) or authority (ministry, city office...):

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Please briefly describe which child's right has been violated and the circumstances surrounding the violation:

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Place and date:

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Complainant's signature:

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### **XIII. HOW TO CONTACT THE OFFICE OF THE OMBUDSMAN FOR CHILDREN AND OTHER COMPETENT AUTHORITIES**

Complaints may be submitted verbally, by telephone, in person, or in writing:

- by sending a letter to **Pravobranitelj za djecu, Teslina 10, 10000 Zagreb**
- by calling +385 1 4929 669
- by sending a fax + 385 1 4921 277
- by email: [info@dijete.hr](mailto:info@dijete.hr)
- dedicated email address **for children only**: [mojglas@dijete.hr](mailto:mojglas@dijete.hr)

#### Basic information

The complaint must contain the following elements:

- your full name, surname and address
- name, surname, age and address of the child
- the name of the individual or service against whom you are lodging a complaint
- description of the problem – specify how the child's rights have been violated
- institutions or services that you have contacted about the problem
- please, attach copies of decisions adopted in the process and other relevant documents.

Form: **Complaint about children's rights violations**

#### CHILD PROTECTION FOCAL PERSON(S) (CPFP):

Davorka Osmak Franjić: [davorka.osmakf@dijete.hr](mailto:davorka.osmakf@dijete.hr), +385 1 4929 669

Danijela Žagar: [danijela.zagar@dijete.hr](mailto:danijela.zagar@dijete.hr) , +385 51 311 121

#### Other relevant services:

**Ombudsperson for Children:** Helenca Pirnat Dragičević, [info@dijete.hr](mailto:info@dijete.hr), +385 1 4929 669

**Deputy Ombudsperson for Children:** Maja Gabelica Šupljika, [info@dijete.hr](mailto:info@dijete.hr) , +385 1 4929 669

#### Other institutions:

**Ministry of Interior: 112**

**RED BUTTON:** <https://redbutton.gov.hr/online-prijava/7>

**CROATIAN INSTITUTE FOR SOCIAL WORK:** <https://socskrb.hr/kontakt/>



## **Pravobranitelj za djecu**

Address: Teslina 10  
10000 Zagreb

Phone: 01/4929 669  
Fax: 01/4921 277  
E-mail: [info@djete.hr](mailto:info@djete.hr)

<http://djete.hr>