

OLD DART FOUNDATION SAFEGUARDING POLICY

INTRODUCTORY NOTE

This document sets out the ODF Safeguarding Policy and its Protection Intervention Protocols. It also includes annexes detailing: the roles and responsibilities of ODF board members and employees; the Code of Conduct, which shall be signed as a sign of conformity and commitment to fulfilment by all ODF staff; and the Partner Adhesion Agreement.

INITIAL CONSIDERATIONS

1. What is the Safeguarding Policy?

It is a formal statement by the ODF's senior management which expresses its priorities and political will in terms of protection in order to promote and ensure the well-being of children and vulnerable adults who are direct and indirect beneficiaries of the ODF grants.

2. What is the Safeguarding Protocol?

These are the specific procedures that guide the actions of ODF board members and employees to comply with the Organization's Safeguarding Policy.

3. Why do we need a Safeguarding Policy and Protocol at ODF?

In line with the vision and mission of the ODF which emphatically declares its commitment to the defense and promotion of the well-being of the most vulnerable populations and considering national and international policies that protect human rights and promote the eradication of violence, it is a priority to have a regulation that allows us to make clear our determination to promote the safety and protection of children and vulnerable adults explicitly and specifically.

ABOUT ODF EMPLOYEES AND DIRECTORY MEMBERS

ODF employees and board members do not have direct access to unsupervised children or vulnerable adults. However, by granting grants to organizations that do work directly with this

vulnerable population, we find ourselves in need of project visits to learn about the work of partners and occasionally have contact with children or vulnerable adults whenever case monitoring can be counted on.

ABOUT OUR PARTNERS

ODF partners work directly with vulnerable populations on a permanent basis; therefore, ensuring that they have a Safeguarding Policy is necessary to reiterate our commitment to safeguarding the safety and protection of children and vulnerable adults, as well as protecting ODF's reputation and operations in all countries.

In conclusion, our Safeguarding Policy will allow us to:

- Ensure the safety and protection of children and vulnerable adults who are direct or indirect beneficiaries of the subsidies granted by the ODF.
- Guide the actions of ODF board members and employees around children and vulnerable adults if their well-being is found in risky circumstances.
- To channel the work of ODF board members and employees towards good practice through their own behavior.
- Deter those wishing to join the ODF as a collaborator by keeping inappropriate and undue intentions.
- Protect the ODF from false and ill-intentioned accusations by safeguarding our organization's reputation.
- Respond to the call of UK regulators who call for all charities to develop Safeguarding Policies by emphasizing the legal duty to act with care and diligence on the part of board members.

OLD DART FOUNDATION - SAFEGUARDING POLICY

CENTRAL STATEMENT

The Old Dart Foundation (ODF) is a private grant-granting organization working to reduce poverty, focusing on vulnerable populations from Peru, Chile, Papua New Guinea and the Philippines. We support initiatives to improve health, literacy and education among impoverished women and children. In addition to this, we recognize the importance of reducing violence against women and increasing their rights, as well as creating employment opportunities in impoverished communities.

The ODF is committed to promoting the well-being of children and vulnerable adults around the world regardless of race, gender, ethnicity, religion, disability or nationality. We believe that this is the responsibility of anyone who works for and with the ODF, as is to ensure that these individuals are protected from abuse and exploitation.

Despite not interacting consistently and directly with the population referred, our work approaches us indirectly through the granting of subsidies or directly in situations of visit to the partners or their projects which are usually occasional, duly supervised and in their country of origin.

We then have a duty to ensure as individuals and as an organization, for the protection and promotion of the well-being of children and vulnerable adults by ensuring that our security practices are aligned with national and international policies that protect this population and with the relevant regulatory frameworks as established by the Convention on the Rights of the Child that recognizes them as subjects of law and prioritizes the best interests of children and vulnerable adults.

In this way, the ODF undertakes to perform the following actions:

- Establish, implement, monitor, and regularly review our procedures to protect children and vulnerable adults such as selection, induction, and ongoing training of staff.
- Adopt a code of conduct to be complied with by all employees and members of the ODF board.

- Ensure that all detected cases receive a prompt and adequate response, support victims and accountable to alleged perpetrators.
- Ensure that the ODF works closely with justice operators and private network and state protection structures by establishing interinstitutional work where necessary.
- To accompany, participate and support in the development of policies and protocols for protection to the various institutions benefiting from the ODF.

Finally, we would like to point out that our Safeguarding Policy has been developed on the basis of international best practices and using guidelines issued by the Charity Commission for England and Wales and the Association of Charitable Foundations.¹

1. Definitions

Code of Children: National legal document with the rank of law in the republic of Peru that indicates all the rights and duties of children considering the postulates of the Convention on the Rights of the Child.

Confidentiality: The identity of the child that is a victim of situations of violence must be maintained in total reserve and privacy; so the authorities must avoid their public exposure, as well as any form of sensationalism regarding the identification of the case, the report and the resolution of the case, among other actions, that could affect the victim of situations of violence.

Vulnerable groups: These are people who, because of their age, gender, physical or mental state, or due to social, economic, ethnic or cultural circumstances, find it difficult to exercise their rights fully.

Best Interests of the Child: Children are full subjects of rights that must be respected by family, the state and society. In all public policy decisions, the child's interest must take precedence when resolving issues that affect him. It is a principle that obliges the State and society to recognize and guarantee the human rights of children and which gives pre-eminence to the best interests of the child over other interests and considerations.

Child Abuse: It is defined as action, omission or negligent treatment, not accidental that deprives the children of its rights and well-being; threatens and interferes with its orderly

physical, psychic and social development, and whose authors may be persons, institutions or society itself.

Children: Boy, Girl and Teen. Acronyms used in the Universal Declaration of the Rights of Children and Adolescents. Every human being is considered a boy or girl from conception to 12 years of age and adolescent from 12 to 18 years of age.

Child protection: It is the action or set of actions that are taken in order to guarantee the safety and well-being of children and vulnerable adults.

Preventive child protection: the steps taken proactively when working with young people and children who are particularly vulnerable. The specific actions incorporated in these regulations are based on the guidance issued by the Charity Commission for England and Wales.²

Revictimization: Actions or omissions that increase the harm suffered by the victim, as a result of their contact with the entities in charge of care, protection, sanction and recovery against violence.

Violence: The World Health Organization defines violence as the intentional use of force or physical power, in fact or as a threat, against yourself, another person or a group or community, which causes or is highly likely to cause injury, death, psychological harm, developmental disorders or deprivation.

Physical Violence: Any action involving the use of force (may be with harm or without physical harm) in order to cause some degree of injury, pain or general discomfort; such action is intentional and premeditated. For example: kicks, hair pulls, bites, straps, etc.

Psychological Violence: Any action that affects the proper emotional development of an individual, by omission or performing repetitive behaviors such as ridiculing, insulting, belittling, denigrating, threatening, etc.

Sexual Violence: Actions of a sexual nature that are committed against a person without their consent or under duress. This may consist of acts with physical contact (touching, rubbing, intimate kisses, interfemoral intercourse, acts of penetration with the sexual organ, or with the

hands, fingers, objects) or without physical contact (exhibitionism, acts committed to perform on the body of the abuser or a third person, impose the presence in situations in which the child bathes or uses toilet services, deliberate exposure of pornography, among others).

2. SCOPE OF REGULATIONS

Our Safeguarding Policy promotes and guarantees the well-being of ODF beneficiaries and children through specific procedures that must be strictly followed by all ODF board members, employees, advisors, consultants, interns and volunteers; as well as, by the projects financed by it.

This Safeguarding Policy recognizes that ODF employees may have access to sensitive and confidential information about children and vulnerable adults or, failing that, personally visit the beneficiaries of the subsidized project, so they must keep absolute reserve with the information collected and avoid their public exposure, as well as any form of sensationalism regarding the identification of the case or other action that could affect the alleged victim as recorded in law No. 29733 "Law on the Protection of Personal Data" and in Article IX of the Child Code "The best interests of children" to prevent the revictimization of children and vulnerable adults

Finally, it is necessary to emphasize that all ODF personnel must sign the Code of Conduct as a sign of conformity and commitment to their knowledge and compliance.

3. ODF'S EXPECTATIONS ABOUT ITS PARTNERS

Our partners regularly interact with vulnerable populations by providing them with direct and constant support; for this reason, the ODF expects the highest standards of protection on their part, an initiative that materializes in the establishment of an initial protection agreement between the ODF and the partner receiving the grant.

We also carefully verify the Safeguarding Policies of all partners as it is unfailingly for the evaluation process for granting such subsidies.

The following are requirements for all members:

- a. Sign and accede to the ODF *Partner Safeguarding Adhesion Agreement*.
- b. Have an Organizational Safeguarding Policy
- c. Work with the ODF's Safeguarding Team when there are concerns or statements to make about it.

Partners are responsible for any associated staff, including employees, consultants, consultants and volunteers who carry out any of the activities funded by the ODF, who work on projects partially funded by the ODF, or working for our partners on projects not funded by the ODF. The ODF *Partner Safeguarding Adhesion Agreement* applies to all aforementioned partners and organizations.

The Safeguarding Policy formalizes the ODF's approach and commitment to protection, so it assumes responsibility for supporting partners who do not meet the standards required so that they can properly develop their Protection Policies and Protocols.

The ODF will work with potential partners to develop its Safeguarding Policy as long as it does not have it during the funding application process. In addition, it will strengthen its implementation capacity once the grant has been granted and signed; in addition, it will optionally provide support for training and funding.

The ODF will work closely with partners on protection issues over the duration of the grant. Partners are expected to address protection incidents in accordance with their own Protection Policy and in accordance with applicable national laws. In addition, partners should contact the ODF Director of Protection or the Regional Manager on the three successive days to record the incident. Partners are expected to provide updates when necessary or requested by the ODF over ongoing incidents or investigations.



The ODF may request an independent audit of any subsidized organization, project or program, in relation to the Child and Vulnerable Adult Protection Policy at any time it deems necessary.

In the event that a partner does not accede to the ODF *Partner Protection Agreement* or fails to implement its own Protection Policy appropriately, the ODF may cancel the Grant Agreement and any financing agreement with immediate effect.

OLD DART FOUNDATION - SAFEGUARDING PROTOCOL

1. GENERAL CRITERIA

- ODF staff can never act alone, the Protection Policy is participatory.
- ODF board members, employees and consultants should have the necessary training to understand the nature of violence, abuse and/or exploitation, as well as their impact on victims.
- ODF board members, employees and consultants should familiarize themselves with the procedures of local institutions and justice operators responsible for implementing state protection policies.
- The ODF will deal with all these incidents in accordance with relevant labour and data protection laws, taking its recommendations as deemed appropriate by the Directorate of Protection and the Executive Director.

2. ROLES AND RESPONSIBILITIES

- Board members
 - They are ultimately responsible for protection issues in the ODF, including the implementation and implementation of this regulation.
 - Review protection incidents quarterly and as requested by the Executive Director.
- Designated Safeguarding Lead
 - Act as a meeting point to receive, record and advise relevant information on protection issues (and consult with others, including local protection agencies and local authorities as needed).
 - Provide advice on implementing protection policies in accordance with best practices.
 - Inform and advise board members on protection-related issues, including acquittal of ODF staff concerns/declarations. Prepare annual reports for board members.
 - Gain, maintain, and update knowledge on issues related to child protection and protection, especially where there are relevant changes to best practices, legislation, or when other modifications are recommended.

- CEO
 - Decide on future actions, then receipt of a notification by the Protection Directorate, including whether the abuse should be reported to local authorities (such as the police) or a notification of a serious incident is sent to the Charity Commission for England and Wales or another regulatory body.
 - Ensure that this Protection Regulation is implemented, effective, and comes in line with best practices.
- Regional manager
 - Discuss The Protection Regulations with potential partners.
 - Review partner protection regulations and provide assistance to develop and improve it if necessary.
 - Ensure that protection issues are discussed during project mentoring and evaluation.
- All staff
 - Attend training and understand obligations.
 - Sign and return the Code of Behavior.
 - Notify the Directorate of Protection of any concerns and statements made to you by ODF staff or partners within 48 hours.
 - Declare convictions, investigations or allegations that have been made against them to the Directorate of Protection.

3. PROCEDURE

Incident Detection

- The person receiving the incidence report by a child or vulnerable adult will do their best to be empathetic and maintain a serene attitude.
- Avoid interrupting, pressing or asking unnecessary questions during the story of the facts
- Do not question the account of the child or vulnerable adult or subject it to any value judgment.
- Don't promise what can't be fulfilled as: "no one else will know about this," "you won't have to talk about this anymore."

- Communicate to the child or vulnerable adult that the ODF has a Protection Policy so you will have to report the facts to the Protection Directorate as this way you will be able to protect and support you better.
- Do not minimize or ignore an incident of violence, abuse or exploitation as the protection of children is not only an ethical and social obligation, but also a legal obligation.
- Record in a textual manner the account of the child or vulnerable adult as well as the context in which he expressed the situation (Annex 5).

Communication of Incidence

- All concerns and incidents of violence, abuse and/or exploitation must be notified to the Protection Directorate immediately.
- The person who makes the initial detection must record verbatim the manifestation of the victim in a simple act of occurrence without making any judgment of the value of the testimony provided by the alleged victim and refer him to the Directorate of Protection.
- The Protection Directorate will activate the Protection Policy by informing board members and the Executive Director of the existence of an incident of violence, mistreatment or exploitation.
- The Directorate of Protection shall draw up a formal notification of what has happened based on the information provided by the person who made the detection which will be treated confidentially.
- The Protection Directorate shall communicate to the relatives or guardians of the alleged victim that the ODF will act in accordance with its Protection Policy by drawing up a document containing the immediate measures to be taken by the organization (see annex 5). This document must be signed by the parents or guardians once they are informed of the facts.
- The Directorate of Protection shall communicate to the syndicated person as an alleged aggressor about the existence of an accusation against him and the immediate measures to be taken by the organization (see Annex 5), provided that this work is carried out in the ODF.
- The Protection Directorate will inform the accused that he/she is not obliged to give information about the case and if he wishes he/she may have a civil representation and/or carry out his/her discharge either orally or in writing.

Advocacy Research

- All incidents will be reviewed by the Directorate of Protection and the Executive Director in the subsequent three days.
- If the physical or emotional security or the very life of the alleged victim is in danger, it will be understood that it is a **case of urgency** so the intervention time should be a maximum of 24 hours.
- The Executive Director and the Protection Directorate shall assess the need for additional consultations or failing to conduct a formal internal or external investigation.
- Avoid taking any kind of action that may revictimize the child or vulnerable adult, such as confronting it with its aggressor to ratify your complaint or to accept your apology, interview you more than once, or conduct an interrogation.
- Prepare a report of the defendant's past and current charges if they had been
- Finally, the Directorate of Protection, the board members and the Executive Director shall evaluate the following:
 - o The initial act of occurrence
 - o If it is a case of urgency
 - o The defendant's background if they had been
 - o Whether it is appropriate to temporarily or definitively separate the accused from office
 - o The written or oral exculpatory by the accused
 - o All additional witness information, physical evidence, videos, etc.
 - o The involvement or indifference of the parents or guardians of the alleged victim

4. IMPLEMENTATION OF MEASURES

- Immediately take the necessary actions for the cessation of reported acts of violence, mistreatment or exploitation.
- Where appropriate, the Executive Director may agree with board members to temporarily suspend ODF staff until the investigation is completed. The suspension of accused personnel should not be regarded as a confession of guilt, but as a precautionary measure.
- Where it is found that staff are in breach of the ODF's code of conduct, the foundation will take disciplinary action that may include terminating or terminating the contract and notifying the relevant protection authorities of the incident.
- Seek specialized support and guidance for children and vulnerable adults as well as their families as they are often victims of other types of violence.

- Reject any type of negotiation, conciliation or agreement between the victim and the alleged aggressor.
- In a situation of urgency where the life and integrity of the child or vulnerable adult is at risk or if there is sufficient evidence to confirm the occurrence of the abuse, the ODF shall take concrete and immediate action to withdraw the accused from office permanently and inform the operators of justice.

AS FAR AS ODF PARTNERS ARE CONCERNED

- Members are required to report any incident to the ODF Protection Directorate within three days of the incident.
- In the event of a concern expressed or ODF staff take a statement, they should be notified immediately. All notifications must be derived to the Protection Directorate immediately and, in any case, within 48 successive hours.
- Incidents must be investigated in accordance with the regulations for the protection of the grantee itself. When requested, the ODF will support research with advice and guidance.
- The grant beneficiary is expected to provide regularly updated information to the Protection Directorate and the Executive Director at the request of the ODF.
- The Protection Directorate and/or the Executive Director shall notify the ODF board members of any case involving a beneficiary, whenever requested.
- The ODF shall make it a condition for granting the grant to be able to request an independent audit (or ask a third party to conduct an audit on the part of the ODF) when it has doubts about the adequacy of the grantee's own investigation, or when it receives a notification from a third party that raises concerns on protection issues.

5. OUR COMMITMENT

Action

- We are committed to actively promoting protection policies within the ODF and among partners.
- We are committed to appointing a Director of Protection.
- We are committed to investigating any protection incidents involving ODF personnel.
- We are committed to taking appropriate action against ODF personnel found to be in violation of regulations, including reporting them to relevant authorities if necessary.
- We are committed to taking appropriate action against ODF partners found to be in breach *of the Partner Protection Agreement*.

Awareness

- We are committed to ensuring that all ODF personnel become familiar with the Protection Policy and understand the notification requirements and procedures after reading and signing it.
- We are committed to ensuring that our Protection Policy will reflect changes in legislation and best practices so it will be reviewed and updated at least annually by the Board of Directors.

Compliance

- We are committed to ensuring compliance with the Protection Policy by ODF board members, ODF employees and consultants which will be reflected in an annual report submitted by the Protection Directorate. We will also include protection issues in board sessions; and assess the protection capacity of partners as part of grant management.

Research

- We are committed to investigating notifications of protection for children and vulnerable adult both internally and at the level of our partners.
- We are committed to investigating all concerns or statements against ODF employees. We will conduct thorough investigations of any incidents and involve external staff and/or expert advisors to assist in such investigations, as deemed necessary by the Protection Directorate and the Executive Director.
- We undertake to suspend any ODF staff member from their occupation when doing so is in accordance with UK labor law and charitable law, while the investigation is

complete. Such decisions shall be taken by the Executive Director and board members.

- We are committed to supporting partners to conduct internal investigations by applying their policies. Partners are expected to report any incident to the ODF within three days of detection of the incidence of mistreatment, violence or exploitation, as stipulated in the *Partner Protection Agreement*
- We reserve the right to audit investigations when consideration is made to clarify the investigations carried out by the partners themselves.
- Investigate all notifications involving ODF partners.

Prevention

- We are committed to preventing abuse and abuse both within the ODF and in the projects of our partners.
- We are committed to implementing these regulations and ensuring that established procedures are followed.
- We are committed to conducting due diligence on protection issues with new and current partners.
- We are committed to working closely with our partners to develop, implement and strengthen their Protection Policy.

Notification

- We are committed to ensuring that all ODF staff and partners understand the notification requirements and are aware of the contact details of the Protection Directorate.
- We are committed to ensuring that all personal information held by the ODF is professionally and securely recorded and stored. It will also be maintained and processed in accordance with data protection law.

Response

- We are committed to responding appropriately to ensure the interests of vulnerable adults and children.
- We are committed to applying the principle of "best interests of children and vulnerable adults" to all concerns and statements on protection issues.
- We are committed to taking seriously all incidents and supporting ODF staff to submit a report.
- We are committed to dealing with all concerns and statements confidentially.

- We are committed to communicating the number of protection incidents at each board meeting and sharing case-specific details if deemed necessary.
- We are committed to making disclosures of information if necessary in response to any protection incidents. Where appropriate, the ODF will issue a "Serious Incident Notification" with the Charity Commission for England and Wales or other appropriate regulatory bodies.

ANNEX 1: CODE OF CONDUCT OF ODF STAFF

The ODF is committed to promoting the well-being of children and vulnerable adults around the world regardless of race, gender, ethnicity, religion, disability or nationality. The ODF believes that the well-being of children and vulnerable adults is everyone's responsibility and this code of conduct applies equally to all board members, employees, consultants, consultants, interns, volunteers ('ODF Staff').

ODF personnel must:

- Act in a way that promotes the care and protection of the rights of children and vulnerable adults and act on their interests.
- Immediately notify concerns and statements of exploitation, abuse or non-compliance with the rights of children and vulnerable adults.
- Declare relevant convictions or investigations of your conduct that have occurred before or during your association with the ODF.

ODF staff should:

- Being aware of situations that can pose a risk to the safety of children and vulnerable adults will allow us to manage, plan and minimize risks through organized work.
- Make sure that another adult is always present when working near vulnerable individuals.
- Understand their responsibilities and that of others in terms of protection.
- Seek the advice of the Protection Directorate if you have any protection concerns.

ODF staff should never:

- Use language or behavior toward children and vulnerable adults that is inappropriate, harassing, humiliating, or emotionally abusive.
- Personally engage in behaviors, physical or otherwise, that may cause harm of any kind to children and vulnerable adults.
- Condone or engage in behaviors of children and vulnerable adults that are illegal, unethical, unsafe or abusive.
- Form an intimate relationship with a vulnerable child or adult who could in any way be exploitative or abusive.

- Participate in any form of sexual activity with children under the age of 18 or use sexualized language and/or behavior against a minor.
- Use physical punishments with children and/or use children for household chores that are inappropriate for their age.
- Use computers, mobile phones, video cameras or social networks to exploit a vulnerable child or adult or access material that involves exploiting them through any means.
- Photograph or film a vulnerable child or adult without managing the appropriate permits or for purposes that cause harm or damage to morality.

This is not an exhaustive or exclusive list. ODF personnel should at all times avoid actions or behaviours that violate the basic principle of protection and protection for children and vulnerable adults.

I have read the ODF Staff Code of Conduct set out above, understand it and agree to comply with it:

Name _____

Signature _____

Date _____

ANNEX 2:

ODF PARTNER PROTECTION AGREEMENT

As partners of the Old Dart Foundation, we are committed to:

- Promote the safety and protection of children and vulnerable adults relevant to our work and in line with international best practices.
- Develop and keep up-to-date protection regulations that prioritize the interests of children and vulnerable adults.
- Ensure that this regulation includes a clear and implementable notification procedure, including the implication of local authorities in line with national law.
- Ensure that all of our staff (board members, employees, consultants, contractors, interns, volunteers) and any subcontractors understand their roles and responsibilities in terms of protection;
- Appoint a Director of Protection within the organization who is responsible for managing the implementation of Protection policies and procedures;
- Accurately record all protection incidents and report them in line with our Protection Policy as necessary.
- Familiarize ourselves with the ODF's Protection Regulations, including the potential consequences of not adhering to expectations of ODF Partners.
- Notify the ODF of incidents within three days of the original notification of the incident in question.

Our standards of protection clearly state:

- A statement of our commitment to ensuring the protection of relevant children and vulnerable adults in our work based on the best practices of national and international law.
- Identify risk situations, protection factors and mitigation strategies.
- A clear process for answering protection issues.
- A statement of consequences if someone does not adhere to the rules and procedures;
- Protection roles and responsibilities, including clear identification of the highest level of protection issues (e.g. board members or executive director)
- A code of conduct for staff and volunteers regarding interaction with relevant NNA and vulnerable adults in our work;
- Promote the well-being of beneficiaries;
- A code of conduct for staff and volunteers that prohibits the following:

- Using language or behavior toward children and vulnerable adults that is inappropriate, harassing, humiliating, or emotionally abusive.
- Personally engage in physical or other behaviors that may cause harm to children and vulnerable adults.
- Condom or engage in behaviors of children and vulnerable adults that are illegal, unethical, unsafe or abusive.
- Form an intimate relationship with a vulnerable child or adult who could in any way be exploitative or abusive.
- Participate in any form of sexual activity with children under the age of 18 or use sexualized language and/or behavior against a minor.
- Use physical punishments with children and/or use children for household chores that are inappropriate for their age.
- Use computers, mobile phones, video cameras or social networks to exploit a vulnerable child or adult or access material that involves the exploitation of a vulnerable child, young person or adult through any means.
- Photograph or film a vulnerable child or adult without managing the appropriate permits or for purposes that cause harm or damage to morality.

Name of the Grant Beneficiary

Representative: _____

Position of the Grant Beneficiary

Representative: _____

Signature of the Grant Beneficiary's

Representative: _____



Date:

ANNEX 3:

REGULATORY FRAMEWORK

Regulations	Description
CHILDREN'S AND ADOLESCENTS CODE ART. II "SUBJECT OF RIGHTS"	Children and adolescents are no longer considered to be the property of their parents or recipients of social programmes, but are recognized as human beings possessing their own rights and responsibilities according to their stage of development.
CHILDREN'S AND ADOLESCENTS CODE ART. IX "INTERES SUPERIOR DEL NNA"	In any measure concerning the child and adolescent adopted by the State through the Executive, Legislative and Judicial Powers, the Public Prosecutor's Office, Regional Governments, Local Governments and their other institutions, as well as in the action of society, the Principle of the Higher Interest of children and respect for its rights will be considered.
LAW No. 29733 PERSONAL DATA PROTECTION ACT	It seeks to guarantee the right to the protection of personal data, through its proper processing by public and private entities. Its regulations have been approved by Supreme Decree No. 003-2013-JUS
LAW No. 30466 LAW ESTABLISHING PARAMETERS AND PROCEDURAL GUARANTEES FOR THE PRIMARY CONSIDERATION OF THE BEST INTERESTS OF THE CHILD	It establishes procedural parameters and guarantees for the consideration of the best interests of the child in the processes and procedures in which the rights of the children are immersed; within the framework of the United Nations Convention on the Rights of the Child
LAW 30364 LAW TO PREVENT, SANCTION AND ERADICATE VIOLENCE AGAINST WOMEN AND FAMILY MEMBERS TITLE II - CHAPTER I ARTICLE 15. THE COMPLAINT	The complaint can be filed by the injured person or by any other person on their behalf, without having to have their representation. It can also be interposed by the ombudsman's office. No lawyer's signature, fee or other formality is required. To the detriment of the above, health and education professionals should report cases of violence against women or family members who are aware of their activity.

<p>LAW NO. 29733, PERSONAL DATA PROTECTION ACT, APPROVED BY SUPREME DECREE NO. 003-2013-JUS</p> <p>ARTICLE 27 and 28</p>	<p>For the processing of the personal data of a minor, the consent of the holders of the parental authority or guardians will be required, as applicable.</p> <p>It is possible to process the personal data of persons over fourteen and under eighteen years of age with their consent, provided that the information provided has been expressed in language understandable by them, except in cases required by law for the assistance of the holders of the parental authority or guardianship.</p>
--	--

ANNEX 4:

SPECIALIZED CARE SERVICES

Attention in cases of violence is particularly complex, so an inter-agency and interdisciplinary approach is necessary in order to ensure a procedure respectful of the rights of children and vulnerable adults and to establish local protection networks capable of providing comprehensive care in the face of a situation of sexual violence.

Below are different services for the protection of children and vulnerable populations that can be used in the face of a case of violence.

MINISTRY OF WOMEN AND VULNERABLE POPULATIONS MIMP	DEMUNA Child and adolescent advocacy	- Counseling and psychological counseling. - Legal guidance before the National Police or Public Prosecutor's Office.
	Hundred	- Legal, psychological and social care for cases of family and sexual violence.
	Women's Emergency Center	- Emotional support and psychological counseling on issues of violence
	LINE 100	- Free telephone guidance service
MINISTRY OF HEALTH	Mamis Health Child Abuse Care Module	- Specialized care in treatment linked to physical and psychological recovery.
	Hospitals and health centres	- Medical and psychological care when the fact has incurs a physical injury and/or mental health has been affected.
MINISTRY OF THE INTERIOR	Police stations	- Police intervention.
PUBLIC MINISTRY	PROSECUTOR'S OFFICE SPECIALIZING IN VIOLENCE	- They are involved in police and judicial proceedings in order to protect the rights of children and vulnerable adults.

	AGAINST WOMEN AND MEMBERS OF THE LIMA FAMILY GROUP	
MINISTRY OF JUSTICE AND HUMAN RIGHTS	Glad Free legal offices Public Defender	<ul style="list-style-type: none"> - Free legal guidance for judicial action in sexual abuse cases. - Free legal assistance in criminal proceedings affecting NNA.
OMBUDSMAN'S OFFICE	Defensorial Offices	<ul style="list-style-type: none"> - Complaints about the performance of public services in the face of situations of violence. - Technical assistance to DRDs, UGEL and II. EE for the fulfillment of its duties in the face of cases of school violence.

ANNEX 5:

Documentation

ACT OF OCCURRENCE

Me (First and Last Name): identified with ID: in my capacity as a (position he performs): of the area of ODF, I leave it clear that being the hours of the day of the 202....., in circumstances (describe the context) approaches me the (place the name of the child, vulnerable adult or parent referring to the fact and all personal data available) and manifests the following (literally record the facts of violence reported by writing them as presumable and objectively detailing all available information):

.....
.....
.....
.....
.....

That's all I have to report.

Date.....

(Company)
(Indicate full name and title)

REPORTING ACT

Act No..... Year No.....

Being the hours of the day 202....., meet at the premises of the Old Dart Foundation on The Lord (Indicate the full name of the complainant) and domiciled in , (consigning the link with the alleged victim) (child's acronym or full name of aggrieved vulnerable adult) and the Director of the Institution (Point to Full Name)

1. The mother/father or guardian states that her child has been the victim of (detailed pointing out the acts of violence to which the student was a victim) the day (to indicate the date and time of possible when the events occurred)
2. In addition, it is noted that they witnessed the facts (putting the full name of the possible witnesses, if they were minors put the initials)
3. As evidence of the statement, it is presented to this office (documents, police report, photographs of injuries, medical or psychological reports, etc. It should be noted that they are not mandatory to process the complaint, because the competent authorities are required to investigate the facts ex officio).

.....

In this act you are guided and provides the necessary information to (the complainant) to seek attention in: (Indicate local protection and assistance services, e.g. DEMUNA, Health Center, etc.)

You are also informed of the following:

1. The fact will be brought to the attention of the Public Prosecutor's Office to verify the abusive event.
2. Confidentiality will be maintained and reserves that the case warrants.
3. The preventive separation measure against the alleged aggressor will be taken, as set out in our Protection Policy

Being the hours of the day indicated above, we subscribe to this document after reading.

In sign of their content, they sign the minutes:

..... Signature
and seal of the Director (representative
of the ODF receiving the complaint)

.....
Signature and ID of the eenunciante

ACT OF INFORMATION TO PARENTS OR AGENTS OF THE ALLEGED VICTIM

Act No..... Year No.....

Being the hours of the day 202....., meet at the premises of the Old Dart Foundation, Mr.(a) (Indicate the full name of the parent or guardian) (child's acronym or full name of aggrieved vulnerable adult) and the Director of the Institution (Point to Full Name).....

1. The Old Dart Foundation , by means of the (point out the person who made the detection) (indicate the time of detection) received the voluntary demonstration of the (place initials of the child or full name of the aggrieved vulnerable adult) who referred: (Place everything recorded in the act of occurrence).
2. The Old Dart Foundation shall act in accordance with its PROTECTION POLICY which ensures the "Superior Interest of the Child" and the vulnerable adult as set out in Article 9 of the CODE of CHILDREN AND ADOLESCENTS, for this reason it shall take the following actions (add all measures taken):
 - The fact will be made available to the Public Prosecutor's Office.
 - Confidentiality will be maintained and reserves that the case warrants.
 - The preventive separation measure against the alleged assailant shall be taken.
3. The Old Dart Foundation reiterates its commitment to the defense of the rights of children and vulnerable adult so we recommend that they seek care in (Indicate local protection and assistance services, e.g. DEMUNA, Health Center, etc.)

After having notified the facts contained in this document and given the corresponding reading, in accordance with its contents, they sign the minutes:

.....
Signature and Seal of the Director (ODF
Representative)

.....
Parent and/or parent or guardian

ACT OF INFORMATION TO THE ACCUSED AS ALLEGED AGGRESSOR

Act No..... Year No.....

Being the hours of the day 202....., meet at the facilities of the ODF, Mr. (Indicate the full name of the syndicated person as an alleged aggressor)..... who currently holds the position of and the Director of the Institution (Point to Full Name)

1. The Old Dart Foundation , by means of the (point out the person who made the detection) (indicate the time of detection), during (contextualize detection) received the voluntary manifestation of the child or vulnerable adult (Place the initials) who referred the following: (Place everything recorded in the act of occurrence)
2. The ODF shall act in accordance with its PROTECTION POLICY which ensures the "Superior Interest of the child" and vulnerable adult as set out in Article 9 of the CODE OF CHILDREN AND ADOLESCENTS, or this reason it shall take the following actions (add all measures taken):
 - The fact will be made available to the Public Prosecutor's Office.
 - Confidentiality will be maintained and reserves that the case warrants.
 - The preventive separation measure against the alleged assailant shall be taken.
4. The accused person who has the right to self-defense is made known, if he wishes he can make his disclaimer in writing, a document that will be appended to all the action, however, he is not obliged to provide any information about the case within the Institution.

After having notified the facts contained in this document and given the corresponding reading, in accordance with its contents, they sign the minutes:

.....
Signature and seal of the Director

.....
Signature of the accused party

**COMMUNICATION TO THE PUBLIC PROSECUTOR'S OFFICE OF THE ACTS OF
VIOLENCE AGAINST THE NNA OR VULNERABLE ADULT**

(Indicate PLACE AND DATE)

.....
.....
.....

OFFICE NO.....

PROSECUTOR'S OFFICE SPECIALIZING IN VIOLENCE
AGAINST WOMEN AND MEMBERS OF THE
FAMILY GROUP LIMA - (indicate the corresponding cone)

Present.-

Subject: Public reported event of violence against

References: File No. (indicate the file or registration number
with which the complaint was filed in case the ODF has received one)

I address you very cordially on behalf of the Old Dart Foundation, a foundation that
provides (short description)

Case 1 – When the ODF receives a complaint:

The present is intended to convey to you a copy of the complaint filed by (indicate the name
of the complainant)

.....
.....
.....
.....
.....

In this regard, it is made aware of the complaint in compliance with the provisions of
article 18 (a) of Law No. 27337, Law on the Code of Children and Adolescents.

Case 2 – where the ODF assumes the complaint:



The purpose of this is to communicate an alleged event of violence (specify OLD DART FOUNDATION the type of violence) in the tort of (full name of the NNA or vulnerable adult accompanied by all personal data available).....

..... syndicating Mr. (full name accompanied by all personal data available)

As a court of the above, and in the face of the presumption of a criminal act, I request that the relevant investigation be carried out in the use of its powers.

Kind regards

(Signature and Seal of the Director)

GENERAL REPORT OF WHAT THE ORGANIZATION HAS ACTED ON

REPORT NO

Matter : Intervention carried out according to the guidelines of the ODF Protection Policy
..... in response to an alleged abuse in grievance of
.....
.....
.....

I. **BACKGROUND: (We record the contents of the declaration of occurrence and any additional information available)**

.....
.....
.....
..... (Registramos el contenido del acta de ocurrencia y cualquier información adicional del cual se disponga)
.....

II. **ACTIONS PERFORMED: (We list everything acted by the ODF minutes, interviews, home visits, complaint, trades, etc.)**

- 1.
- 2.
- 3.

III. **PREVENTIVE MEASURES:** (all measures taken by the ODF to ensure the cessation of violence, the safety of the alleged victim, reduce the psychological impact and prevent it from happening again).

- 1.
- 2.
- 3.

IV. **ANNEXES:** (Copy of all documents of the acting is attached)

- 1.



2.

Lima. 202....

(Signature and Seal of the Director)