

## ***Child Protection Policy and Standards in the activities provided by PerFormat srl***

### **INTRODUCTION**

PerFormat, a training school in Psychotherapy, consultancy organizational and research organization in the psychological field, joins the international association of EATA of which it shares the code of ethics and the standard of training of professionals.

This membership means sharing the following principles to ensure the standards of protection and safeguarding of children and adolescents in the field of research and psychological support to families, developmental psychologists and minors themselves:

#### **General principles**

The Standards are based on the following set of principles:

- All children have equal rights to protection from harm;
- Everybody has a responsibility to support the protection of children;
- Organizations have a duty of care to children with whom they work, are in contact with, or who are affected by their work and operations;
- If organizations work with partners they have a responsibility to help partners meet the minimum requirements on protection;
- All actions on child safeguarding are taken in the best interests of the child, which are paramount.

### **REFERENCE LEGISLATION**

These guidelines take as a reference the international and national legislation for the protection of the rights of minors and for the protection of personal data and the internal legislation of PerFormat and in particular:

- United Nations Convention on the Rights of the Child and Adolescent (CRC) adopted and open for signature, ratification and accession by General Assembly Resolution 44/25 of 20/11/1989, which entered into force on 2/09/1990, in accordance with Art. 49;
- Charter of Fundamental Rights of the European Union 2012/C 326/02 (CFR);
- GDPR: Regulation (EU) 2016/679 of the European Parliament and of the Council of 27/04/2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation);
- Declaration of Helsinki, World Medical Association (2013): Ethical Principles for Biomedical Research Involving Humans;

- PerFormat srl Code of Ethics;
- European Association of Transactional Analysis (E.A.T.A.) Code of Ethics;
- Code of Ethics of Psychologists.

## CONTEXT AND PRINCIPLES

These Guidelines are drawn up in accordance with the relevant legislation and are applied to all Personnel acting in the name and on behalf of PeFormat and who come into direct and indirect contact with Children during the performance of the Activities.

The Guidelines explain PerFormat's policy and strategies and guide the relations between the parties (Personnel, Children and organizations), the procedures and the organization of activities regarding ethical-legal issues arising from the risk of attacking the dignity and protection of the fundamental rights of Children.

With these guidelines, PerFormat intends to ensure respect for the well-being and full protection of every Child who accesses the Activities.

PerFormat is committed to hiring, training, monitoring and supervising its Personnel to adopt appropriate organizational behaviors and practices for the safeguarding and protection of children, minimizing the risk of incurring violations of their rights and well-being.

## STANDARD 1: POLICY

Our policy and code of ethics is inspired and congruent with the European Association for Transactional Analysis (E.A.T.A.) Code of Ethics.

We have attention to children to the extent that we deal with the training of adults who care for and help minors as educators, parents and developmental psychologists.

Within the helping profession, ethical principles need to address many areas in order to influence ethical behavior.

These are:

- Clients
- Self as a practitioner
- Trainees
- Colleagues
- Our environment and community

## The Principles which support and affirm our practice

We have three primary principles, which support and underpin our philosophy:

### *- Open Communication*

This requires that a practitioner will seek to maintain clear overt communication in their professional dealings with both clients and colleagues. It also means that where practitioners are aware of further transactions they will seek to make them overt. Berne emphasized the

importance of sharing knowledge and insights with the client, which is a central feature of this principle. Open communication means that all practitioners are clear in all matters of communication including, for example: advertising, information given about services, rules of confidentiality and working practice and disclosing information that might compromise the professional relationship.

*- The Contractual Method*

This requires that all contracts are both clear and explicit as to the nature and purpose of the professional relationship and that both parties to the contract have clear, functioning Adult thinking. The contractual method respects a client's right to be self-governing and encourages and emphasizes the client and practitioner's commitment to an active process in enabling change. It means that practitioners seek freely given and adequately informed consent from their clients.

A further principle also guides our practice.

*- Above All Do No Harm*

It requires that in all dealings with clients the practitioner seeks to avoid causing harm. To maintain this Principle practitioners are required to sustain competence through ongoing professional development, supervision and personal therapy where necessary.

All practitioners have a responsibility to compare, where appropriate, incompetence and unprofessional behavior in colleagues, and co-operate in any organizational action against those who discredit the good name of TA.

Note on the Principles Observances of the above principles are central in encouraging and respecting the trust that clients place in the practitioner. All ethical practice can be judged against whether or not any action honors that trust. Personal moral qualities Ethical practice and moral action are inextricably linked with personal qualities.

All TA practitioners are strongly encouraged to aim for such qualities. It is recognized, however, that in any ethical process consideration of such qualities needs to be limited to their demonstration in professional practice.

Nevertheless, if these qualities were not also demonstrated in an individual's personal life this indicate a lack of congruence and integration:

- **Integrity:** Demonstrated in openness, congruence and straightforwardness in dealings with others;
- **Courage:** The ability to act for what is believed as right in the face of fear, risk and uncertainty;
- **Respect:** To show consideration and regard to others and to self and in the way that others perceive themselves;
- **Honesty:** The capacity to demonstrate truthfulness, sincerity and trustworthiness in all interactions with others;
- **Compassion:** The ability to experience concern and empathy for the suffering of another together with a desire to give support and help;
- **Humility:** The ability to have a realistic understanding of one's own strengths and weaknesses;

- **Fairness:** The ability to view events without bias or prejudice in order to inform decisions and take appropriate actions.

## STANDARD 2: PEOPLE

### Roles and responsibilities

The Personnel appointed by PerFormat to carry out the Activities, in the person of the scientific manager or coordinator or consultant researcher, is responsible for compliance with the ethical – legal framework and the formation of the work team. Every person authorized to process personal data is bound by specific obligations of confidentiality and respect for privacy; each employee, collaborator or person appointed by PerFormat is required to maintain confidentiality about the confidential information received and to keep it with security measures and a degree of attention in accordance with what is required by law, ensuring adequate protection against unauthorized dissemination, reproduction or use. The Staff undertakes to follow, with regard to the professional activity performed, the regulations in force on privacy and undertakes not to communicate to third parties news, documents, data, information and of which they come into possession during the assignment. It also undertakes not to use in any way the above, as well as the partial and/or overall results of the work in which it participates and of the others of which it may be aware.

Dr. Anna Emanuela Tangolo, as Legal Representative of PerFormat, is responsible for the protection of personal data and guarantor of GDPR compliance and appoints and members of the internal ethics committees of the agency.

Any complaints and reports can be submitted by legal representatives and Children to the e-mail address [privacy@performat.it](mailto:privacy@performat.it) and will be handled within 7 working days of receipt.

## REQUIREMENTS AND RECOMMENDATIONS FOR STAFF

Requirements are the set of essential rules to be instructed by PerFormat to carry out a Child-facing Activity.

Recommendations are the professional requirements and requests of the organization considered appropriate to maintain a high level of professionalism within the Activities involving Children. The omission or infringement of a recommendation will be followed by an organizational response, such as suspension from the Activity.

### Requirements

1. **Essential requirements:** not having imposed prohibition penalties on the exercise of activities involving direct and regular contact with minors; absence of criminal proceedings with particular attention to the crimes of pedophilia and child abuse; knowledge of the policy and procedures for the protection of minors adopted by PerFormat and adherence to these Guidelines.

2. **Insurance** (specifically applied to Staff in charge of consultancy activities): the employee must have a Third Party and Professional Civil Liability Insurance for coverage in the event of a legal case, any compensation due or claims. It is the responsibility of the Staff to check the policy for clauses that may invalidate professional insurance.

3. **Qualifications**: The employee's self-declaration regarding technical and professional skills, professional experience, educational qualifications, specializations and professional qualifications represents his level of qualification and is considered true. An untrue statement about qualifications can jeopardies cooperation with PerFormat.

4. **Training and Supervision**: The employee must ensure participation in training/information events proposed by PerFormat on child protection and the commitment to receive the appropriate supervision of their work.

5. **Medical support** (specifically applied to Counselling Personnel): If the practitioner is working with a Child who potentially has a serious medical or psychiatric condition, they must ensure that they receive appropriate medical support. The professional must request medical support if they detect a serious condition or the professional can only operate in the presence of a physician.

6. **Overlay of roles** (specifically applied to Personnel in charge of consultancy activities): the professional should avoid overlapping of roles in the professional relationship in the following areas:

- ✓ therapist/counsellor and supervisor of the same person
- ✓ therapist and examiner/evaluator of the same person

7. **Equal Opportunities Policy**: Staff must adhere to PerFormat's Equal Opportunities Policy and ensure that, to the extent possible, services are available to all members of the company, without any discrimination.

## STANDARD 3: PROCEDURES

### Identified risks

PerFormat assesses the residual risk of incurring violations of the rights and well-being of Children in the provision of Activities low, taking into account the following aspects:

- The involvement of Children in any Activity is always subject to the authorization of the exercisers of Parental Responsibility. In the event that PerFormat collaborates with other organizations (sponsors, partners, funders, sponsors), any involvement of Children takes place on the basis of specific protocols agreed between the parties, in which the objectives, the methods of work, the related responsibilities in the protection of children and the mutual obligations are explained;

- Related potential risks are assessed for each specific Activity in order to activate strategies to pursue the interests of Children and mitigate any unacceptable impact on their rights and well-being. Specifically, training and counselling interventions, although carefully designed, are not totally risk-free as they could generate mild or moderate emotional tensions for children, so it will be necessary to provide protection strategies;
- The reports of the Activities disseminated for research purposes or addressed to clients, partners, funders and / or sponsors contain data in aggregate and anonymous form;
- Children can be unknown recipients of interventions aimed at disseminating research results outside the training, orientation and consulting context, excluding their direct involvement in any form.

## **ORGANISATIONAL AND TECHNICAL STRATEGIES**

In the case of Activity promoted by PerFormat, the ethical – legal assessment regarding the involvement of Children is carried out by the Staff in charge through a careful internal self-assessment process. For Activities commissioned by an external body, the ethical – legal assessment is contained in the requirements of the Business's entrustment procedure.

Staff, verifying the age, degree of maturity and personal qualities of each Child, assess the appropriate balance between the level of vulnerability of the Children and the need to respect their rights, to define how to behave in each Activity. Taking into account that, in accordance with the law, consent to participate in the Activities is granted by those who exercise Parental Responsibility on the child, the Staff undertakes to give primary relevance to the interest, opinions and needs of the Child, as sanctioned by the CRC and art. 31 of the Code of Ethics of Psychologists (updated 25/09/2023).

To carry out clinical research interventions, PerFormat, not being a health facility, collaborates with universities, public health facilities and private hospitalization and care institutions, of a scientific nature, referring to their Ethical Committees.

For training, guidance and counselling interventions involving Children, commissioned, funded and sponsored by public bodies, PerFormat refers to the Ethics Committees of the bodies themselves where present, or agrees to the establishment of appropriate internal Ethics Committees. For training, guidance and counselling interventions involving Children, promoted in complete autonomy, PerFormat appoints special internal ethical committees.

### **Research Activities that directly involve Children:**

- clinical trials: research protocols are submitted to the competent ethics committee, following the regulatory framework that applies specific organizational and technical measures;
- non-clinical trials: Research protocols are submitted to the relevant ethics committee;
- processing of personal data: GDPR applies.

### **Training activities that directly involve Children:**

- individual / collective training, in the presence /FAD: the intervention protocols are submitted to the competent ethics committee;
- non-clinical educational/educational laboratories: intervention protocols are submitted to the competent ethics committee;
- processing of personal data: GDPR applies.

### **Guidance Activities that directly involve Children:**

- training / individual / collective work orientation, in presence / FAD: the intervention protocols are submitted to the competent ethics committee;
- processing of personal data: GDPR applies.

### **Counselling activities that directly involve Children:**

- individual / group psychological interviews: intervention protocols are submitted to the competent clinical ethics committee, following the regulatory framework that applies specific organizational and technical measures;
- Individual / group counselling: intervention protocols are submitted to the relevant ethics committee;
- processing of personal data: GDPR applies.

### **The results of the above evaluations become part of the projects of the Activities and are the basis of:**

- research/intervention protocol: describe the procedure for involving Children, measures to ensure respect for fundamental rights and to contain risks;
- information sheet: Provides transparent and comprehensive information about Activities about the structuring of the intervention, benefits, risks, incidental outcome procedures, insurance details, privacy policy, how to withdraw from the Activity. The information sheet is intended for Children, practicing Parental Responsibility, sponsors, partners, funders and sponsors;
- informed consent templates: drawn up pursuant to the GDPR.

Research/intervention protocols, information sheets and informed consents shall be submitted for approval by the relevant Ethics Committee and shall be kept together with the documentation relating to the Activities.



## STANDARD 4: ACCOUNTABILITY

PerFormat ensures responsible strategies, aimed at protecting children's rights and well-being by making use of its organization through:

- periodic professional training and refresher activities aimed at Staff, in particular with regard to the appropriate professional behavior methods to consider and reduce the risk of harmful effects on the minor recipients of interventions;
- personnel supervision activities specific to Activities with Children, with particular attention to the recognition of child abuse and the related modalities of intervention in case of suspected abuse;
- monitoring, evaluation and verification processes carried out throughout the life cycle of each Activity;
- coordination activities within the teams dedicated to Activities related to ethical and legal issues related to Children;
- dissemination to Staff and publication of these Guidelines on the PerFormat site.

## SILLABUS

Reference is made to the main concepts recalled in the guide lines as summarized below:

- **Activities:** research, training, guidance and/or counselling pathways provided by PerFormat, in which children carried out in individual and/or group mode, in presence and/or at a distance, involved directly or indirectly, are involved.
- **Children** (children/girls): Persons who have not reached the legal age to consent to the processing or procedures involved in the Activities, under the applicable law of the jurisdiction in which the Activities are carried out. In general, the law considers any person under the age of 18 as a child. However, the law may provide for specific exceptions (such as Article 8 of the GDPR, the higher interest of the child established by the Tutelary Judge or in the case of an ex officio offence).
- **Staff:** all PerFormat members operating under the Activities: administrative staff, researchers, wellness professionals, business consultants. Staff may consult qualified supervisors or professionals, including external to PerFormat.
- **Ethical Rules:** ethical rules for treatments for statistical or scientific research purposes published pursuant to Article 20, paragraph 4, of Legislative Decree 10 August 2018, No. 101 – 19/12/2018 issued by the Italian Data Protection Authority. An integral part of the Rules of Ethics is the Code of Ethics of Italian Psychologists, in particular in the areas of informed consent, typical activities of the profession of Psychologist, ethical and legal principles in the relationship with minors.
- **Ethics Committee:** independent body, composed of professionals in charge of guaranteeing the protection of the rights, safety and well-being of the subjects involved in the Activities, through the validation of all ethical, scientific and methodological aspects.
- **Supervision:** monitoring the correctness of interventions by senior teachers.