



# Child Protection Policy

for studierendenWERK Berlin  
day-care facilities

# CHILD PROTECTION POLICY

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# INTRODUCTION



Children are a society's most valuable assets and require special protection from verbal, physical and psychological abuse from others.

The studierendenWERK's child protection policy for its day-care facilities is based on Article 6 of the German constitution:

***„Children have the right to a non-violent upbringing. Physical punishment, mental harm and other degrading measures are not permitted.“*** (BGB § 1631 Absatz 2)

Section 1666 (BGB) refers to the endangerment of a child's well-being by "parents and third-parties" and demands that certain, necessary measures be taken to prevent such endangerment. Article 1 of the "Bundeskinderschutzgesetz" (German Federal Child Protection Act) regulates cooperation and information with regard to child protection (KKG).

As a recognised provider of independent youth welfare services according to § 75 SGB VIII (German Social Code), we see it as our duty to support every young person in their development and their education to become a responsible and socially competent individual, whilst protecting them from threats to their well-being.

Sections 8a and 8b of SGB VIII, "Protection Mandate in the Event of a Threat to Child Welfare" regulate the involvement of the independent providers in the protection mandate and describe the responsibility of the "Jugendamt" (Youth Welfare Office). We are committed to this protection mandate.

A further basis for pedagogical and advisory action in relation to the implementation of Section 8a in our day-care centres are the statements in the current version of the KitaFöG (Day-Care Promotion Act), the framework agreements RV TAG (financing) and QV TAG (quality agreement).

Our child protection policy is founded on two pillars – the first being the facility-specific safeguarding measures in place to prevent threats to child welfare, and the second being clear chains of reaction in the event of a suspected threat.



# SAFEGUARDING MEASURES

## TO PREVENT CHILD ENDANGERMENT



These measures include, in particular, educational activities for children to strengthen their resilience. To this end, the educators in our day-care centres include carefully selected activities in their pedagogical planning.

An important safeguarding measure is ensuring children are regularly informed about their rights. We are committed to the "Convention on the Rights of the Child" (UN Convention on the Rights of the Child) and assist the children in our care in learning about, and subsequently exercising, their fundamental rights. Every facility has developed a "day-care constitution" (Kitaverfassung), which details the rights of the children and an age-appropriate complaint system.

Likewise, parents and/or legal guardians are to be informed about our child protection policy, the requirements of the "Berliner Bildungsprogramm" (Berlin educational curriculum) in regards to this topic and the safeguarding procedures of the State of Berlin.

In each studierendenWERK Berlin day-care centre, a teacher is appointed as child rights officer. In addition to this, the provider has a child protection specialist and an "insoweit erfahrene Fachkraft" (specialist with experience in this area) in accordance with Section 8a, Book VIII of the German Social Code (§ 8a SGB VIII). The child protection specialists work closely with the day-care centre management and with local counselling centres and, if necessary, with the "insoweit erfahrene Fachkraft" who provides the district counselling services of the Youth Welfare Offices.

The "insoweit erfahrene Fachkraft (i.e.F)" undergoes regular training and communicate any new information to the day-care teams. They assist in developing support resources, reviewing agreements, and, as necessary, communicating information to the local Youth Welfare Office. If necessary, another i.e.F, who may have more precise knowledge of the networks and support services available in the child's residential district, may be involved.

Further safeguarding measures to prevent child well-being endangerment, include annual training and instruction for staff on child protection and on the protection mandate as per Section 8a, Book VIII of the German Social Code. For this purpose either internal or external events are held by experts or specially trained people. In the training courses, the staff is informed about possible signs of child endangerment and about the reaction chains which are to be followed in the event of suspected child endangerment.

It is made clear during job interviews that protection against violence and respectful interaction with one another are standards in our facilities. All employees of our day-care centres have an extended certificate of good conduct issued by the Federal Office of Justice, which must be renewed every 5 years.





# CRITERIA

## FOR IDENTIFYING SUSPECTED CHILD ENDANGERMENT



Triggers for the suspicion of child endangerment are the so-called “heavy indicators”, which are perceived by the day-care centres educational staff in relation to a specific child. These indicators are observed in the appearance and behaviour of the child as abnormalities which suggest that the child’s wellbeing may be threatened. The living and family situation, parents behaviour towards the child, insufficient or unusual development, traumatising life events and/or abnormalities in the child’s social environment are also potential indicators.

**Manifestations of child endangerment or abuse can be divided into the following categories:**

- physical and mental neglect, neglect of duty of care to the child
- mental abuse
- physical abuse
- sexual violence, sexual abuse
- domestic violence

The instruments for assessing the child wellbeing threat (**Berlineinheitliche Risikoeinschätzung** /Berlin-wide standardised risk assessment, **Berlineinheitliche Indikatoren/Risikofaktoren** /Berlin-wide standardised indicators/risk factors), which are used when a suspected threat is detected by day-care staff, can assist in, and/or provide structure to, the process of evaluation.



# BERLIN STANDARDISED INDICATORS / RISK FACTORS

The Berlin-wide standardised indicators/risk factors for identifying and assessing the hazardous situations<sup>1</sup> for the 0 - 6 year old age group in day-care are as follow:

1.

## Manifestations of dangerous moments and actions or neglect on the part of parents/guardians

### Neglect

- failing to provide: age-appropriate, adequate diet, adequate fluid intake, clothing, personal hygiene, medical care/treatment, undisturbed sleep, emotional attention
- lack of age-appropriate support, care and protection from harm
- lack of supervision (for example, some children as young as 3-4 years old are expected to go home alone, or spend the day at the playground alone if the day-care centre is closed etc.)



### Violence / physical abuse

- hitting, shaking, restraining, choking, tying up, burning etc.

### Mental abuse

- recurrent invalidation, humiliation, yelling at, insulting, mocking etc., expression of feeling of hatred towards the child
- child witnesses violence, sexual abuse, neglect, emotional abuse against another family member
- threats of violence and neglect

### Sexual abuse / sexualised violence

- involving the child in one's own sexual acts, coercion of the child, engaging in sexual activity in front of the child
- encouraging the child to engage in sexual activity with and/or in front of others

### Domestic violence

- witnessing violent confrontations (emotional, physical and sexual acts of violence) between the parents and/or other caregivers, e.g. hitting, kicking, pushing, insulting, threatening, humiliating, mocking, degrading, rape

<sup>1</sup> Recommendations for the implementation of the protection order in the event of child endangerment according to § 8a SGB VIII (Hrsg.: SenBWF)

### 2.

### Appearance of the child and corresponding indicators – age-appropriate

#### Physical

- (indications of) wrong and/or inadequate nutrition, e.g. very poor dental condition, bruises, scars, untreated wounds, chronic fatigue, clothing not suitable for weather, inadequate physical care e.g. with nappies, susceptibility to illness, broken bones, noticeable redness of inflammation in the anal or genital area, delays in physical development

#### Cognitive

- restricted reaction to visual or acoustic stimuli, lack of concentration, delay in language and cognitive development, lack of age-appropriate support and encouragement

#### Mental

- apathetic, sad, aggressive, skittish, restless, anxious, withdrawn, fear of abandonment, inner withdrawal, sleep disorders, eating disorders, age-inappropriate wetting/soiling of themselves, self-injury, sexualised behaviour, conflicts of loyalty to parents

#### Social

- does not respect boundaries and rules, lack of distance, lack of eye-contact, does not participate in play, games etc.



### 3.

#### Stress Factors in the Family and Corresponding Indicators

##### Social/socio-cultural

- poverty/tense financial situation (debt, unemployment), neglected and/or inadequate living conditions, social isolation, lack of integration in one's own family or social environment
- media abuse, severe educational deficits, language and speech issues, climate of violence in the family unit
- Quality of parent-child relationship/bonding: how is the contact and communication between parent and child structured? How is the relationship between parent and child perceived/assessed by day-care staff, for example during pick-up and drop-off situations?

##### Psycho-social

- relating to the parents: mental illness, non-manifested mental abnormalities, restricted efficiency/performance, personal experiences of violence or neglect, parental or domestic conflicts, unwanted and/or early parenthood, single parent, more than two children under the age of 5, distinctly negative disposition, environmental factors which are damaging to development (e.g. excessive amounts of TV, smoking around the child), sexual assault as a child, war or other violence traumas, drugs, nicotine, alcoholism, hygiene issues

### 4.

#### Evidence of willingness and ability to cooperate

##### Acceptance of problems

- Do the parents/guardians recognise the problem themselves, or is this not the case?
- Do the parents/guardians recognise the risk to the child's wellbeing/ the harmfulness of the problem?

##### Congruency

- Do the parents/guardians and the professionals involved agree on the nature of the problem, or is this not the case?

##### Willingness to accept help

- Are the affected parents/guardians willing and able to accept and utilise the offers of help which have been made to them?
- Which resources do the family have?





## BERLIN STANDARDISED INDICATORS / RISK FACTORS

This list does not claim to be complete.

**Furthermore, it should be noted that these indicators/risk factors, for recognising and assessing harmful situations, in accordance with the protection mandate in the event of a child wellbeing threat, are merely tools to aid in structuring and evaluation.**

- the indicators and risk factors listed serve to increase sensitisation in the perception of difficult living conditions of children
- they are fragments of the whole and can only be considered in the overall context of comprehensive observations, the age-appropriate level of development, perception of the quality of the bond and relationship between parent/guardian and child
- the child's individual course of development (including any disabilities, chronic illness etc.) is to be taken into account
- collegial consultations within the day-care team and with the management, potentially with other specialists, are helpful for assessing a possibly harmful situation. (4-Augen-Prinzip / two man rule)
- the processing of the "Berlin-wide standardised risk assessment in the case of suspicion of a threat to a child's wellbeing (initial assessment according to § 8a SGB VIII)" is the foundation for conversations with parents, other professionals or child endangerment employees of the Youth Welfare Office.

**The process of accountability for child protection lies solely with the district Youth Welfare Office. For this reason, our educators are required to inform the Youth Welfare Office (responsible for the area where the child lives) of any suspicions regarding the welfare of a child. We are not allowed to carry out inspections, that is the responsibility of the Youth Welfare Office.**



# PROCEDURE

## IN CASE OF SUSPECTED CHILD ENDANGERMENT



In the event that an employee observes serious indications of a threat to the wellbeing of a child, their personal perception must be verified, with the involvement of management, according to the “two man rule” (requires a minimum of two people to be present in certain situations, or when making certain, important decisions). To this end, they should seek advice from the “insoweit erfahrene Fachkraft/i.e.F” (specialist in this area) - they are an integral part of the team of responsible people in the case of a suspected case of child endangerment.

The i.e.F conducts a risk assessment and provides advisory support for the employees responsible for handling the case. They are the main point of contact for the team and ensure that the chain of reaction is correctly followed. They provide assistance in conducting risk assessments, finding resources and relevant support and preparing for speaking with parents/legal guardians. The i.e.F does not have any specific casework, does not perform diagnostic tasks and does not take part in counselling sessions with the parents.

If risk to a child’s wellbeing cannot be ruled out, management and the responsible educator will meet with the parents/legal guardians of the child. The risk assessment is discussed and the family is encouraged to make use of available support options.

### **The aim of the meeting is:**

- clarify concerns about the child’s wellbeing
- find out the parent’s perspective on the issue
- create binding agreements for necessary improvement
- offer support and advice
- agree on further course of action (within a certain time frame)



# COMPANY STANDARDS

## FOR HANDLING CHILD WELL-BEING THREATS

- as part of the training of new employees, as well as annual employee training, the subject of safeguarding is addressed
- employees are sensitive to any potential emergency situations or threats, document them and discuss them with management
- if there are any suspicions of child endangerment, a joint, initial assessment is conducted
- collegial exchange, to assess the suspicion, is guaranteed
- the educators know the responsible child protection specialist, and other cooperation partners, and are therefore able to receive support and act effectively in the event of a suspected or substantiated endangerment of a child's wellbeing.
- the telephone numbers for the child protection crisis service's of the respective district Youth Welfare Offices and the "Berliner Notdienst Kinderschutz (Berlin emergency service for children) are known to staff - they are displayed in the facility and therefore available at all times.
- a list of contact persons, specialists for child welfare endangerment, i.e.Fs are available in each facility
- conversations with the parents/guardians if there is a suspicion of child endangerment, are prepared with management and the support of the child protection specialist. Efforts are always made to maintain a stable relationship between the day-care centre and the family, in order to provide the best possible support.
- children are involved, as much as is appropriate with consideration to their age and development
- passing on suspicions or information regarding the case, to anyone not directly involved, is prohibited. For e.g. other parents, children, unaffected employees, outsiders.
- the provisions for day-care centres according to §61 PAr. 3 SGB VIII and § 3 RV TAG for the protection of social data apply
- every transfer of data is to be documented in writing
- contact with external support facilities is established in cooperation with the day-care centre management
- management will be informed by the Youth Welfare Office and the completed "Berlin-wide standardised risk assessment" will be provided to them for inspection



## CONTACT PERSONS:

### Head of Day-Care Department:

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### Child Protection Specialist (in accordance with § 8a Para. 2 SGB VIII)

Susanne Rinck, Director of the (Kita an der) UdK/TU day-care centre  
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Tel. 030 / 93939 – 8483 (Day-care centre), 030 / 93939 – 8481 (Office)

### Kinderschutzfachkraft

Eva Schneider, Educator at the (Kita an der ) FU day-care centre  
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Tel. 030 / 93939 – 8470 (Day-care centre), 030 / 93939 – 8478 (relevant floor)

## SEE ALSO:

**Guidelines for child protection** from the State of Berlin, including a flow chart for cooperation between the day-care centre and the district health department/Youth Welfare Office in the event of a suspicion of child endangerment (§ 8a SGB VIII) and the relevant forms: (initial assessment according to § 8a SGB VIII): [https://www.trapez-berlin.de/sites/default/files/Handlungsleitfaden\\_kinderschutz\\_120810.pdf](https://www.trapez-berlin.de/sites/default/files/Handlungsleitfaden_kinderschutz_120810.pdf)

**Child protection website** of the Senate Department for Education:

Youth and Family: <https://www.berlin.de/sen/jugend/familie-und-kinder/kinderschutz>

**Child protection network** of the Senate Department for Education:

Youth and Family: <https://www.berlin.de/sen/jugend/familie-und-kinder/kinderschutz/netzwerk-kinderschutz>

**Telephone emergency services** - "Krisendienst Kinderschutz" of the Youth Welfare Offices (Monday-Friday, 8am-6pm): <https://www.berlin.de/sen/jugend/familie-und-kinder/kinderschutz/#notdienste>

**Berlin child protection emergency service:**

<https://www.berliner-notdienst-kinderschutz.de>



### LEGAL NOTICE

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