



General Protection Plan for Cultural Education

The German Federation for Arts Education and Cultural Learning

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1. Introduction

Why a general protection plan?

Sexualised violence does not just happen – perpetrators plan it. That is why the protection of children and young people must also be planned to minimise the risk of sexualised violence in the activities, associations and institutions of cultural education for children and young people.

A protection plan helps everyone involved in projects, organisations, associations or institutions. It provides guidance, information and the confidence to act. It protects children and adults. It supports staff, freelancers and volunteers. It is a useful guide for parents.

The umbrella organisation's general protection plan should be understood as a suggestion and guideline for organisations, associations and institutions that wish to develop a protection plan specifically tailored to their practice, framework and structure(s). This plan should not be drawn up by a single person "behind the desk". Instead, the development of a protection plan should involve as many people as possible, including managers, staff members, freelancers, volunteers and, above all, children, young people and their parents. The more people are involved, the more they will support the result and actively put it into practice.

For cultural education organisations, associations or institutions, it is important that the specific protection plan takes the special features and possibilities of their activities into account and allows them to continue, for instance, with regard to physicality, touch, relationships and the necessary freedoms. At the same time, it must offer reliable protection, safe spaces, dependable contacts, and help and support for children and young people. It should also aim to strengthen their resilience.

A protection plan...

- identifies instants and situations of the specific educational activities in an organisation, association or institution that demand particular attention.
- explains the actions of perpetrators and describes (new) practices that ensure that obstacles can be put in their way as quickly as possible, and that children and young people are safe and protected.
- explains what should be done in the event of suspected or actual sexualised violence (action plan).
- lists contacts who can assist practitioners who want to help a child or young person or need help themselves.

It is essential to consider potential risks: Which structures or features of the activities or the institution provide fertile ground for perpetrator strategies? Which structural changes need to be made? It is also crucial to identify and build on one's own strengths: in which areas are children and young people already well protected and how can this protection be improved?

The question as to which boundaries offer protection and should be respected is explored through self-reflection and awareness raising. This process should lead to a common position that is communicated to the outside. It is recommended to seek support from external professionals specialising in the prevention of sexualised violence.

Measures for the implementation of a protection plan include:

- **Training and qualification:**
Stakeholders at all levels must be equipped with basic knowledge.
- **Increased participation:**
Power imbalances should be reduced by involving children and young people in decisions.
- **Prevention programmes:**
Children and young people must be made aware of their rights and how to exercise them.
- **Information events:**
Parents should be made aware of, and be involved in, prevention.
- **Complaints procedure:**
Contacts, additional complaints mechanisms and the handling of information must be known to everyone and not just the organisation, association or institution, etc.
- **Cooperation:**
A firm commitment to cooperate with external professionals specialising in the prevention of sexualised violence should be put in place.

This protection plan focuses specifically on protection against sexualised violence. There are other risks to child welfare from which children and young people must be protected. While these are not the subject of discussion here, some of the measures presented below would also be effective in case of other child welfare violations. However, additional aspects will have to be considered when it comes to specific issues of neglect, cyberbullying, domestic violence, etc.

A protection plan and the associated measures will not last forever and must be reviewed and revised at regular intervals.

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2. Guiding principles

The German Federation for Arts Education and Cultural Learning (BKJ) is the umbrella organisation for cultural education in Germany. We are committed to the realisation of young people's rights to cultural participation, social involvement and equal opportunities in life and education. The BKJ's network is made up of fifty professional organisations and associations at national and regional level. They are united in their goals and together develop their activities in the areas of fine arts, digital media, film, photography, literature, museums, music, rhythm, play, dance, theatre and circus.

Our cultural education programmes support the personal development and self-determination of children and young people and strengthen their self-perception and expressiveness. The fundamental principles of our work are full participation, co-determination, strengths orientation and a mistake-friendly culture. We take the individual needs, interests and personal circumstances of each participant into account. Our practice is based on the values of human rights and human dignity. We believe that trust, mindfulness and respect form the foundations of our interactions with each other. We take the autonomy and expression of every individual seriously. We critically reflect power balances and power relationships in our work.

We take responsibility for the welfare and the protection of young people, and the realisation of their rights. We do so as practitioners of cultural education for children and young people, and as part of our responsibility for successful child development on the basis of Section 1 of Book Eight of the German Social Code (SGB VIII) and the UN Convention on the Rights of the Child. We condemn sexualised violence and any other violence against children and young people. We are actively committed to the protection of child welfare through preventive action. We are alert to any risk to child welfare and use any means at our disposal to take action against sexualised, physical and psychological violence, abuse and neglect targeted at or committed by children and young people. Violence can come from individuals and structures. We make sure that our cultural education programmes and activities offer children and young people a safe environment, in which they are fully protected from violence and any other form of abuse.

We play our part in making sexualised violence against children and young people a focus of public debate. We consciously confront the tabooing, trivialisation or covering-up of sexualised violence. We oppose a cavalier approach to abuse and victim blaming, including in digital communication. We provide paid staff and volunteers in our field of practice with information, qualifications and networks. We are sensitive and sensitise in our language and our publications in terms of child and youth protection. We want to use and exhaust the preventive scope and potential of cultural education practice, and of the arts and culture for the benefit of a young audience even more than before.

Aesthetic and sensory experiences are fundamental to all forms of cultural education. Physicality and physical closeness are central to many areas and indispensable in practice. Shared artistic work often leads to personal and deep relationships of trust. Since this is fundamental to cultural education practice, we must create a safe environment for everyone involved in terms of individual perceptions of closeness and distance, interdependencies and potential risks. This also applies to the actions of instructors and professionals. Our actions are guided by respectful interaction, an open and attentive eye, and explicit bias towards the interests of children and young people and their right to protection.

The BKJ discharges its responsibilities for child and youth protection through its association activities: in the work of its committees, in its communication, and in the activities, projects and

programmes in the areas of cooperation, education infrastructure, volunteering and international cultural education.

3. Risk analysis

Risk analysis is the basis on which the necessary protection measures are built. A systematic analysis can identify and assess risks in the field of cultural education practice for children and young people. The prevention of sexualised violence requires a careful examination of the areas in which children and young people could be harmed by it. Risk analysis forms the basis of a protection plan. It is meant to highlight vulnerable areas within an organisation, association or institution and the necessary improvements. It systematically investigates which conditions perpetrators could exploit to prepare and commit acts of sexual violence. Information is gathered and interpreted on the basis of questions to take stock of the situation. The results of the analysis show which conceptual and structural improvements must be made in terms of child and youth protection.

A risk analysis “from the top” would exclude the views of those for whom the risk analysis is performed. Protection plans are ultimately fit for purpose only if they are discussed with the target group. This position is reflected in the chosen approaches. Children and young people must be able to contribute their view of what they experience in cultural education practice.

The risk analysis can be divided into four steps:

- **Risk identification:**
Which risks of potential (sexualised) violence could arise in the various activities/practices/programmes/events of the organisation/association and among its members?
- **Risk assessment:**
State when a risk could arise.
- **Risk management:**
Identification of causes, planning of risk prevention measures and resources, prevention, documentation and implementation.
- **Verification:**
Perform and update risk analyses at regular intervals.

An analysis of potential risks should use as many information sources as possible. The process should take the age and experience of everyone involved into account. The following four sources are recommended as a minimum:

- **Assessment of the structure by paid staff, volunteers and managers:**
How do we perceive it, e.g. the information and decision-making process?
- **Assessment of conditions by children and young people:**
How do (former) participants, etc. perceive the responsiveness of those in charge or the physical spaces?
- **Identification of potential settings offering opportunities for perpetrators:**
Which activities/practices/programmes/events are particularly vulnerable to perpetrator strategies?
- **Analysis of previous cases:**
Are there known cases, and if so, what type? What happened? What can be learnt from it?

This process is used to check local conditions for their safety, make correlations transparent, increase the risk perception of the acting individuals, and address uncertainties, taboos, hierarchies/participation structures or knowledge gaps. This reflection therefore includes structures and actions, and the attitudes of the individuals involved in the organisation, association or institution.

Cultural education for children and young people is defined by democratic structures and volunteering as well as a wide range of practices and settings. The work is performed at different levels, some of which are legally independent of each other. Each organisation, each association and each institution should adapt the questions to its own structures/constitution and involve all stakeholders and age groups according to their circumstances. Each member organisation and each subdivision of an association should carry out its own risk analysis to identify strengths and weaknesses where preventive measures should be taken.

Risk management requires a mandate from the relevant management level and relevant expertise and resources.

It is recommended that a project group be set up for the development of a risk analysis. This group should consist of staff from all areas to ensure that findings from all activities are included. The involvement of external professionals and, if necessary, external advisory services is also recommended.

Participation in and communication of the risk analysis internally and externally make it clear that sexualised violence is not tolerated in the organisation, association or institution and that countermeasures are seen as a shared responsibility.

An open approach to mistakes and misconduct is the most important prerequisite for addressing, reflecting on and learning from a problem. A mistake-friendly culture accepts the fact that mistakes are made and tries to create an atmosphere of trust, freedom from anxiety, and transparency to facilitate a constructive approach to mistakes. Talking about one's own insecurities with management, colleagues or other contacts is not a shortcoming but an important component of prevention. Open structures with flat hierarchies, which allow for participation and disagreement, are equally important. This creates structural opportunities to address problems openly and prevent a culture of rubberstamping and looking the other way. It is mainly about strengthening participation at all levels.

Associations should support their members and professionals through training and qualification programmes and through guidance and factsheets, etc. Associations can also assist the local level with sector-specific or practice-specific suggestions for risk analyses.

Perpetrator strategies

As a first step, it may be useful to carefully look again at the known strategies employed by perpetrators to commit acts of sexualised violence:

- They deliberately seek close contact with children and young people, especially in corresponding areas of work.
- Perpetrators often demonstrate commitment beyond what is normal and are highly empathetic when dealing with children and young people.

- Perpetrators establish a bond of trust with their potential victim and members of the victim's family to shut off their protective mechanisms for the child. They also establish a trusting relationship with colleagues.
- They often seek out emotionally vulnerable children and young people.
- As part of grooming they establish a special bond with their potential victim through special activities, attention and gifts and encourage their potential victim's unsuspecting nature and gratitude.
- Perpetrators tend to "test" the resistance of the child or young person little by little before creating specific opportunities for assault. This includes steering conversations towards sexual topics and showing that they are open to these conversations. They break through the inhibitions of girls and boys and systematically desensitise them. The seemingly accidental touching of intimate parts is also part of "testing".
- By exploiting insecurities ('this is completely normal'), feelings of guilt ('this is all your fault') and using threats (withdrawal of affection and privileges, isolation, expulsion, public exposure, destruction of the family, physical violence, etc.), perpetrators not only make their victims compliant but also ensure their silence; they specifically exploit the victim's loyalties ('you love me, don't you?'; 'if you tell anyone, I'll go to prison') and dependencies and abuse their superior position.

Within institutions, perpetrators often also employ the following strategies:

- Being on good terms with management or taking on managerial positions themselves; appearing weak or arousing sympathy to create "bite inhibitions"; making themselves indispensable, e.g. by performing unpleasant tasks; covering for colleague's mistakes and so creating dependencies ('I owe them')
- Extending their commitment to their personal life
- Flirting and having affairs with colleagues or pretending to be a good mate on the team
- Friendships with parents
- Exploiting professional knowledge about children or young people

Potential risks

As mentioned above, the aim of a risk analysis is to identify weaknesses and dangers in the practice of the organisation, association or institution, which perpetrators could exploit or have already exploited in previous incidents that have come to light. Special attention should therefore be given to the following risk areas:

Staff management

- Is prevention discussed during the application process?
- Are potential volunteers called in for preliminary interviews?
- Are there rules on extended criminal record checks and on a joint protection policy (child protection policy) and are they adhered to?
- Is there an open communication and feedback culture? Are supposedly taboo topics openly communicated? Are they known?

- Are there specific agreements or guidelines on what is permitted and what is not permitted when dealing with children and young people or is this decision left to staff members (e.g. overnight stays, private contacts, gifts)?
- Are individual children or young people favoured or discriminated against by members of staff?



For more information **also see** the sections on 'Recruitment' and 'Code of Conduct' in chapter 4 'Prevention'.

Opportunities

- In which areas are there special balances of power or dependent relationships?
- What are the specific relationships of trust that could be abused?
- Which particularly sensitive situations could easily be exploited?
- Where do special risks arise because of one-to-one situations?
- Are there children and young people needing special care (e.g. disabilities, illness, etc.)?

Physical spaces

- What types of physical spaces would make it easy for a potential perpetrator?
- Can any person enter the site or institution/rooms in which the activities take place without difficulty?
- Are there "dark corners" where nobody likes to go?
- Do private rooms on the premises or nearby pose special risks?
- Are there rooms used for one-to-one situations that are hidden from view from the outside?
- Who holds the keys? Can rooms be locked?

Decision-making structures

- Which areas of the association or institution have clear and transparent decision-making structures?
- Are the tasks, responsibilities and roles of managers and staff clearly defined, transparent and governed by binding rules?
- Do children, young people and parents know who can decide what?
- How could official rules or decision-making processes be circumvented?
- Are there secret hierarchies?
- Will the management take responsibility and intervene in case of staff misconduct?
- Are there ways for children and young people to make complaints (special contacts)? Are these complaints procedures transparent and is it possible to follow up on them?

- What measures are in place to ensure that complaints made by children and young people are taken seriously?
- Is communication transparent or easily manipulated?
- Are there opportunities for participation, and if so, which?
- Are the rights of the child known to everyone involved and are these rights realised in practice?

Cultural education and artistic practice

- What physical assistance is required to support the learning/education processes?
- What role does physical contact between the participants play?
- What emotions are triggered by thematic and group-dynamic processes (including receptive processes)?
- Are boundaries discussed?
- Are different cultural backgrounds and their potential impact on the approach to physicality, power or violence taken into account?
- What are the risks in terms of re-traumatisation, etc.?



The Annex contains a list of specific questions for different levels (association level and local level) and different groups of people, which can be adapted to specific requirements or structures. The different target groups at both levels were taken into account.

4. Prevention

This chapter sets out the measures that must be taken to minimise the risk of sexualised violence in programmes, associations and institutions of cultural education for children and young people. Preventive measures apply to people working with children and to the structures in which they work. Prevention activities therefore always include the improvement of structures in associations, initiatives and institutions.

In addition, there are measures that are aimed directly at children and young people. Clearly, responsibility must not lie with them – the protection of children and young people is always the duty of adults. Measures directed at children and young people are a safety net and a form of empowerment. This means that their aim is to strengthen children and young people.

Prevention is a fundamental building block of every protection plan and requires constant review and development.

Prevention is divided into primary, secondary and tertiary prevention. Primary prevention is about preventing threats to child welfare in the first place. Secondary prevention comprises measures that ensure that threats to child welfare are detected and eliminated. Tertiary prevention covers the support measures taken after an incident of sexualised violence that aim to prevent further experiences.

Primary prevention means shaping future conditions on the basis of decisions that are made now. Knowledge of perpetrator strategies (cf. chapter 3) helps with establishing the right framework to provide better protection for children and young people.

Staff

Recruitment

One of the strategies used by perpetrators is to specifically apply to paid or volunteer positions in which they will come into contact with children and young people. The position of the organisation, association or institution on child protection is best addressed at the beginning of the work relationship, e.g. during the interview. This can be achieved by one's own open attitude, by requesting references and, if necessary, by carrying out an extended criminal record check. Employment contracts can be amended to include guidelines on how to deal with child protection. Guidelines can consist of a code of conduct or a protection plan, for example. A joint protection declaration signed by the employer and staff member can be used to enhance its binding character. This also applies to fee-based contracts. These measures are intended to clearly show the boundaries. They send a strong signal to potential perpetrators and empower those who are committed to child protection.

Code of conduct

In terms of prevention, it makes sense to develop rules for the interaction between adults and children or young people, and among children or young people themselves in a participatory manner. These rules should be put in writing, be signed by all members of staff and made available to everyone – in an age-appropriate way, where necessary. This means that everyone

will be able to identify with them, and that the rules will be much more present and alive than a piece of paper kept in a drawer. The content of a code of conduct can include a sensitive approach to closeness and distance, the participation of children in decision-making and transparency, rules for one-to-one situations, physical spaces (e.g. rehearsal rooms), changing rooms or language.

Qualification

Apart from professional qualifications in the relevant artistic field and educational sector, cultural education practitioners must also be qualified in and made receptive to child welfare. This applies to all members of staff (i.e. paid staff, freelancers or volunteers), who work with children on a regular basis. Training should also include a basic review of one's own role.

Attitude

A crucial factor in prevention is the attitude (or fundamental position) of staff members. Measures to heighten staff awareness should facilitate discussions during which a fundamental common position on working with children can be developed and expressed. A key frame of reference for this is the UN Convention on the Rights of the Child. A collaborative approach to and examination of child welfare issues further define this position. This common position should also be communicated to the outside. This shows those affected that they are in a place where they can turn to professionals or carers. Potential perpetrators are warned that child welfare is a major priority and that they will find it hard to put their strategies into practice.

Measures for children and young people

Information and empowerment of children and young people

It is essential to make children and young people aware of and familiar with their rights, which include the UN Rights of the Child in general and the rights within their specific environment. This also involves supporting them to claim these rights and telling them where they can get help if their rights are violated (e.g. *'Nummer gegen Kummer'* (Childline)). The concept of youth empowerment is closely related to this. It is also important that children and young people are encouraged to set their own boundaries and ask others to respect them. This applies to physical boundaries (e.g. 'I don't want a good-bye hug') and psychological boundaries (e.g. 'I don't want to play in the "better" orchestra because it's too much pressure'). Boundaries are highly personal and can also be situational. Boundaries set by others must be respected and upheld. This also applies to the boundaries set by adults.

Complaints contacts

This is a point of contact – e.g. a person of trust, a complaints officer or an "agony aunt box" – that children can turn to when they do not feel comfortable in an institution, they are unhappy with something, their boundaries have been violated or they have experienced violence. Children should be told who this person is without having to ask, and the means of contacting this person must be age-appropriate. Complaints must have an effect. Children must not be afraid of negative consequences. The complaints officer should not be the same person as the person

who the children deal with on a regular basis. It would be useful to have various channels and options for making a complaint.

Prevention as the content of cultural education programmes and practices

In cultural education, the prevention of sexualised violence has been the subject of plays, books and films for a long time. These are important and represent a special component of prevention. The artistic or literary examination of the issue allows it to be addressed at a level that is not directly connected to the individual child or young person. Taboos can be lifted, and by relating them to the relevant story, children and young people or their friends may be able to open up. A playful approach can give them the words for what happened. They will also find out where to turn for help. Children and young people who have not been affected by sexualised violence also benefit from these measures. This supports their self-determination and at the same time, they learn that this sort of violence exists in the first place.

5. Intervention

Intervention refers to any measure that helps to end incidents of sexualised violence and other threats to child welfare and protects the victims. It also includes all the steps taken to assess and evaluate suspicions and allegations and the appropriate measures initiated on this basis. In addition to the protection of children and young people, which always takes priority, thought must also be given to the protection of accused staff or volunteers.

This part of the protection plan describes what must be done in the event of suspected or actual incidents. The necessary measures are set out in an action plan or “emergency plan”. This is important to ensure that action can be taken even in an emotionally charged situation. Organisations, associations or institutions are well advised to discuss what steps are to be taken in an intervention and allocate responsibilities before a potential incident of sexualised violence occurs.

Successful interventions are one of the most important means of preventing further incidents. Overwhelming situations or conflicts of loyalty can lead to misjudgements or the wrong action, which could expose the victim to further risks, place undue pressure on them or violate their personal rights. Another aim of professional interventions is to avoid new traumatisation.

The management of the organisation, association or institution and the person/contact responsible for prevention and child welfare take on a key role in interventions and should coordinate their actions.

Consult external professionals

It is essential to seek external expertise when carrying out an intervention. Local advisory services, specialist solicitors, branches of the Child Protection Agency or similar organisations can offer valuable help. School social workers can be important contacts in collaborative projects with schools. It is particularly important that the details of an incident of sexualised violence are investigated by an external professional because unintentionally suggestive questioning of the victim could make the gathering of evidence much more difficult in criminal cases.

Follow up leads with sensitivity

A number of difficult decisions have to be made during an intervention. These decisions either ensure that the allegation is scrupulously investigated or lead to the investigation being dropped. It is therefore particularly important to follow up suspicions – leads, complaints, rumours – with sensitivity, examine them and, on that basis, take action with the primary aim of protecting the victim.

Designated contacts

The victims and those witnessing or becoming aware of sexualised violence must know who they can approach to talk about their experiences or pass on information. This is one of the reasons why designated contacts should be appointed and why their appointments should be widely communicated. Sometimes victims only make vague suggestions because they cannot find the

words for what has happened to them. In these cases, every adult must actively make it clear that they are available as a first port of call.

Take statements seriously

The statements of children, young people or adults reporting sexualised violence as victims or as witnesses, must be taken seriously. A person (designated contact or manager) should be entrusted with the coordination of further action from the very beginning. This person should form a picture of the situation in as calm and objective an atmosphere as possible. The aim of this review is to check whether there is immediate need for action to avert danger, and whether further intervention is necessary and what form this intervention should take.

The main thing when interviewing the young people concerned is to listen to them and acknowledge what they say. It is important to show that you believe them. If possible, no questions should be asked about the details of the alleged offence. This should be left to personnel trained in interviewing techniques or to the investigating authorities during the investigation of the case.

The imperative of transparency

When victims of sexualised violence confide in someone, they will probably ask that what they say be kept secret. However, it would usually be impossible to honour such requests. In order to reassure the child or young person affected that they do not have to fear negative consequences, every subsequent step should be described in a transparent and age-appropriate manner. It is advisable to make it clear to the young person that their statements may be so important that immediate intervention is required, or that other people who could help the victim should be informed.

The initial victim statements, ones' own thoughts and all subsequent actions should be recorded in writing to ensure that the procedure remains transparent in cases of suspicion.

Action plan/emergency plan

The procedure in cases of suspected (sexualised) violence must be available as a written document and take the specific circumstances of the organisation, association or institution into account. It is therefore not enough to simply adopt another institution's existing emergency plan. Cooperation with external professionals must be incorporated into the emergency plan. External specialist advice must be sought as soon as a suspicious case arises. This protects and empowers those affected, prevents the wrong decisions from being made and safeguards the institution's reputation. The following questions may be useful when developing an individual action plan:

Information and communication processes

- Who are the persons responsible in the organisation, association, institution, etc.?
- Which person should the project manager, staff member, freelancer or volunteer speak to?
- When must top-level management be consulted? Who is the appropriate contact if the management itself is involved? (Managers may also be perpetrators!)

- Who can managers, staff members, freelancers or volunteers turn to for personal or emotional support?
- How is external communication dealt with? How do you deal with potential media interest? Who is responsible for this communication?

Emergency measures

- How can we protect a group of children or young people at risk of or affected by abuse without frightening them?
- How and in which case must the person under suspicion be removed from the project or the group?
- What should the project manager, staff member, freelancer or volunteer do if sexualised violence is suspected to have taken place outside the institution, e.g. in the family?
- Which specific support measures are available to children and young people, or to project managers, staff members, freelancers or volunteers?

Points of contact

- At what point in the process will external advice be sought or a specialist advisory service be involved?
- What external contacts or specialist advisory services are available? How can they be contacted?
- Under what circumstances must the youth welfare office and/or the police be involved and who is responsible for doing so?

Documentation

- At what point must a (suspected) case of (sexualised) violence be documented?
- What information based on observations or feedback from affected persons must be documented?
- How are measures taken in accordance with the action plan documented?
- Is there a documentation template or form?

Data protection

- Who should the project leader, staff member, freelancer or volunteer (or the organisation, association or institution) inform and when should they do so?
- What information may be passed on outside the institution, at what point, by whom and to whom?
- How and where must the documentation of a (suspected) case be filed?
- When and about what must legal guardians be informed?

Review

- How are cases of sexualised violence dealt with in the organisation, association, institution, etc.?
- How are cases of sexualised violence occurring in short-term projects dealt with?
- What should be done if a suspected case turns out to be unfounded?



For more information **also see** chapter 6 'Review and Rehabilitation'.



The BKJ's practical guide 'Protection against sexualised violence. Prevention in cultural education for children and young people' (2020) contains **more information** on the preparation of a protection plan, including potential courses of action in an emergency: www.bkj.de/publikation/schutz-vor-sexualisierter-gewalt

6. Review and rehabilitation

A protection plan must contain an obligation to analyse and review cases of sexualised violence and the circumstances in which they were able to happen. This process should include advice from external sources. It is also important to plan a rehabilitation procedure in case of false accusations and put this procedure in writing.

The aim of a review is to analyse where, when and how one's own institution or one's own project provided opportunities for sexualised violence at any level: managers, staff members, freelancers, volunteers, children, young people, parents, etc. If cases of sexualised violence are not properly dealt with, there is a risk that they may occur again in the organisation, association or institution.

This process must consider that while everyone involved wants to improve protection against sexualised violence, they may prioritise different needs depending on their role and point of view:

- The management of the institution wants to maintain or restore its good reputation.
- Project staff do not want to be solely responsible and require personal support.
- Staff members blame themselves for not adequately protecting a child. Others cannot believe that a "valued colleague" has committed abuse.
- Children and young people involved in projects and activities in which sexualised violence occurred need protection and may need to be emotionally stabilised.
- Those affected need to know that they are now protected and are not being stigmatised.
- Parents need reassurance that their children will be in a safe environment.

It is important to note that cases can be dealt with successfully and that wrongly suspected persons can be fully rehabilitated only if the management level is unaffected and free of suspicion.

Improving protection after an incident of sexualised violence

... relating to the organisation, association or the institution

The review and restructuring process should involve managers, staff members, freelancers, volunteers, children, young people and parents. External support is essential to the review process to guarantee qualified case management by an interdisciplinary team of experts (specialist advisory service) who will coordinate all the necessary steps.



The help portal on the pages of the Independent Commissioner for Child Sexual Abuse Issues will assist with taking **the first steps** (e.g. searching for specialist advisory services by postcode): www.hilfeportal-missbrauch.de

The set of circumstances that made sexualised violence possible must be examined, e.g.

- What structural changes to the building could help?
- What structural uncertainties exist in dealing with initial suspicions?
- How hierarchical is the structure of the work with children or young people?
- Where is there a lack of knowledge about violations?
- How easily can information be exchanged between colleagues and other stakeholders?
- What is the prevailing critical culture?
- What are the professional shortcomings?
- Did our crisis management work?

The management and the professional team should jointly identify and implement any necessary short-term changes.

The management should also plan for a long-term process in terms of finance and personnel. The further training, support and supervision of staff members and other persons involved must be funded. The review process will take up the working time of staff members and other persons involved. The process should be made public, i.e. backed by public relations.

... relating to paid staff, freelancers or volunteers

The review is important to prevent anything from getting in the way of practical work and to raise even more awareness of the rules and boundaries of physical project work. This is achieved through:

- participating in the review of the institution,
- demanding a protection plan and an action plan, if not available,
- demanding professional training on the prevention of sexualised violence,
- accepting help, e.g. supervision, from external professionals/specialist advisory services when dealing with a case.

... relating to children and young people who are not personally affected

Children and young people in whose group, project or institution sexualised violence occurred may not have heard about it or just heard rumours. They must be given the opportunity to do something to rebuild their feeling of safety. This is achieved through:

- providing clear information shortly after the incident about what happened (no details),
- making it clear that the affected child or young person is not to blame,
- making it clear that the perpetrator will not return,
- answering questions from the group with the help of external professionals,
- asking if anyone wants to change groups or projects,

- providing information on how they can protect themselves and how to complain (prevention training),
- reacting clearly to violations, including those committed by children and young people against each other,
- involving children or young people in the development of a protection plan and review process for the institution,
- returning to a normalised daily routine in the group or the project.

... relating to affected children and young people

For affected children and young people, dealing with an incident is the opposite of stigmatisation. The investigation can ensure this by:

- repeatedly emphasising in front of the person affected that they are not to blame.
- offering children and young people help from specialist agencies. If the children and young people ask for an investigation, this must not be carried out by their own institution to ensure that institutional and individual investigations are clearly divided.
- involving children and young people in the investigation within the institution in consultation with professionals.
- ensuring that the child or young person concerned is not repeatedly questioned in detail by different people.
- gradually changing the rooms and places in which the abuse occurred.
- leaving it up to the child or young person to decide whether they want to change or leave the group.
- changing educational staff.

... relating to children and young people as perpetrators

We are often at a loss when confronted by children or young people who are first and foremost a perpetrator. However, we must also investigate and consider their background. In terms of a review, this means seeking help from specialist advisory services. It is crucial to check whether the perpetrators themselves were victims of child abuse in another context. Perpetrators and victims must be separated.

... relating to parents/legal guardians

Following a case of sexualised violence, parents or legal guardians need information about what happened (excluding details about the sexualised violence or names of affected children or young people) so that they can continue to trust the institution:

- How was the case uncovered?
- What action was taken?
- What are the complaints procedures in suspected cases?

- What help is available?
- What help is available when children and young people ask questions?

By this stage, if not earlier, parents should be involved in the development of a protection plan and be given the opportunity to participate in an information event with professional advice from external sources.

Rehabilitation after false suspicions

False suspicions can have serious consequences for the suspected person and the cooperation in the team concerned. After suspicion of an act of sexualised violence has been dispelled, a pre-defined rehabilitation procedure should be initiated to eliminate suspicion among all involved, restore trust in the team and enable the wrongfully accused person to resume their work.

This can include the following measures, which should be developed and implemented only with the consent of the wrongfully accused person:

- inform everyone who was involved in or heard of the incident that the suspicion proved to be unfounded,
- if the case has become public knowledge: inform the media and the public that the suspicion proved to be unfounded and endeavour to have any relevant online material deleted,
- initiate counselling and supervision procedures with external professional support to enable teams to work together again in a constructive way and restore trust between the involved parties,
- offer the wrongfully accused person support, e.g. psychotherapy,
- permit the wrongfully accused person to change their area of responsibility or workplace within the organisation without incurring financial losses.

Annex

Risk assessment: Lists of questions for different levels and different groups of people

The following questions are meant as suggestions and should be adapted to the specific situation.

Association level (above local level), teams, work groups, committees

Target groups

- Which target group(s) do you work with?
- Is there a defined adult-to-child ratio? How do you guarantee good communication with and among staff/freelancers/volunteers?
- What forms of power and dependency relationships exist (due to age differences, hierarchical structures, roles, responsibilities, social dependencies)?
- Are special relationships of trust created at work and what can be done to ensure that they are not exploited?
- Are there situations or moments that pose special risks (e.g. overnight stays, alcohol consumption, physical spaces, mixed age groups)?
- Are there specific physical spaces that pose a risk?
- Are there situations involving one-to-one supervision? If so, are they transparently organised and how is this communicated?
- In which situations are children and young people left unsupervised?
- Is the private sphere of children and young people protected?
- Is there a complaints procedure for the children and young people? What does it look like?
- Who can children and young people turn to in case of abuse?
- How is the complaints procedure explained to children and young people?

Concept

- Does the organisation/association/institution have an educational concept for gender-specific work with girls and boys? Is it known? Is it applied?
- Have staff/freelancers/volunteers been given specific instructions on what they can and cannot do when working with children and young people?
- Have early prevention measures been integrated into daily activities (empowering children and young people, training and professional development)?
- Is there an institutional protection plan?
- Has a reliable intervention programme been established in case something happens despite best efforts to prevent it?

Culture of the institution/staff attitude

- Are there rules or a code of conduct for dealing with children and young people? If so, which groups of people are aware of them (staff members, entrusted minors, parents, etc.)?
- How is this code of conduct communicated to the outside?
- Is this code of conduct discussed when somebody joins the organisation/association/institution for the first time?
- How does the organisation/association/institution position itself on the issue of sexualised violence?

- Are there rules for appropriately dealing with closeness and distance or is this left to staff members?
- Do all levels of the organisation have specialist knowledge about the issue of sexualised violence?
- Have there been suspected cases within the association in the past and were they investigated? How were they dealt with?
- Is the protection plan considered in the selection of staff and volunteers? Does it form part of the recruitment criteria?
- Is the issue taken into account when awarding fee-based contracts?

Structure

- What is the structure of the association?
- How are decisions made within the association? Are there set procedures for this?
- Are the procedures clear to everyone involved: staff, team leaders, children, young people and legal guardians?
- Is there a democratic management structure and a responsible approach to power and influence?
- Are decision-making structures and hierarchies transparent to everyone or are there also secret hierarchies?
- Are there open communication structures?
- Does the management take responsibility?
- Does the management intervene when it is notified of misconduct?
- Does the protection of children and young people take priority over the duty of care for staff?
- Are care and monitoring guaranteed in equal measure in dealings with paid staff?
- Is there an open communication and dispute culture at all levels?
- Is there a mistake-friendly culture? Are mistakes seen as an opportunity to learn and improve?
- How transparent is the work within the association?
- Are advice and criticism dealt with openly?
- Is there a clear allocation of roles and tasks?
- Are competencies and responsibilities organised clearly and transparently?
- How is communication with legal guardians or other carers organised?

Local level

Questions for managers

Target groups

- Which target group(s) does the association/institution work with?
- How many staff/freelancers/volunteers are responsible for the same group of children and young people? How do you ensure good communication between them?
- What forms of power and dependency relationships or special relationships of trust exist (due to age differences, hierarchical structures, roles, responsibilities, social dependencies)?
- Are there situations or moments that pose special risks (e.g. overnight stays, alcohol consumption, physical spaces, mixed age groups)?
- Are there initiation rituals? What do they look like?
- Are there overnight stays? What risks do they pose?
- Are the specific structural conditions that could harbour risks in the rooms (e.g. rooms locked from the outside and therefore not freely accessible, secluded rooms; what about hired rooms)?
- Are there situations involving one-to-one supervision? If so, are they transparently organised and communicated? How is this communicated?

- In which situations are children and young people left unsupervised?
- How is the private sphere of children and young people protected?
- How do children and young people experience the activities?
- What is the degree of participation of children and young people?
- How do they experience the management of the association/institution?
- Is there a complaints procedure for the children and young people? What does it look like? Are children and young people aware of this complaints procedure?
- Who can children and young people turn to in case of abuse?
- Is the protection plan considered in the selection of staff and volunteers? Does it form part of the recruitment criteria?
- Is the issue taken into account when awarding fee-based contracts?

Structure

- What is the structure of the association/institution?
- What are the organisational, procedural or decision-making structures?
- How are decisions made? Are there set procedures for this?
- Is there a democratic management structure and a responsible approach to power and influence?
- Are decision-making structures and hierarchies transparent to everyone or are there also secret hierarchies?
- Are there open communication structures?
- How exactly does the relevant management assume responsibility in emergencies?
- Is there an open communication and dispute culture?
- How are mistakes dealt with? Are mistakes seen as an opportunity to learn and to improve?
- Which circumstances, structures or procedures could be exploited by perpetrators to plan and commit abuse?
- Does the association/institution work transparently? Which areas are still unclear?
- What are the procedures for the initial training of new members of staff? How is the quality of their educational approach assured?
- Are roles and responsibilities clear?
- How is communication with legal guardians or other carers organised?

Questions for children

- Are you happy with your group/course/workshop?
- In which situations do you feel uncomfortable?
- Are there rules for being together?
- Have the rules been written down somewhere?
- Are the rules respected?
- What happens when rules are broken?
- Have you ever been photographed or filmed against your will?
- Are there rules for using mobile phones or taking photos and videos? Are these rules respected?
- Do you feel protected by more mature young people or adults in difficult situations?
- Are there dares? What do they look like?
- Can you go to the toilet, change or shower alone and in peace?
- Could you withdraw yourself during trips/exchanges if you wanted to?
- Can you adequately express your wishes? How and where?
- Have you ever talked about sexuality or sexualised violence? (Children aged 12 or over)
- Do you know your rights within this institution?
- Do you know the managers of the association/institution?
- Do you know who to turn to when you need help?

- How are your complaints dealt with?

Questions for young people aged 14 or over

- Are there rules of behaviour in your group/programme?
- Are these rules of behaviour written down and known to everyone?
- Are there different rules of behaviour between adults/more mature young people (with a guiding role) and participating young people, or among the participating young people themselves?
- If so, are the rules respected? What is the response when rules are broken?
- Were you involved in creating the rules?
- Can you bring in your interests?
- Are your needs taken seriously?
- Are there situations in which you feel uncomfortable?
- Are there dares? What do they look like?
- Can you go to the toilet, change or shower alone, in peace and without being watched?
- Could you withdraw yourself during trips/exchanges/training days if you wanted to?
- Have you ever been touched inappropriately during games?
- Are there rules for using mobile phones or taking photos and videos? Are these rules respected? Have you ever been photographed or filmed against your will?
- Do you know who to turn to when you need help?
- Have you ever talked about sexuality or sexualised violence?
- How are decisions made?
- How do you feel your complaints are dealt with?

Questions for legal guardians

- Does your child feel comfortable with our activities?
- Has your child ever talked about unpleasant situations? Which?
- Are there rules of behaviour between the children themselves and towards people in charge?
- Do you know the persons responsible?
- Do you know who to contact on issues of sexualised violence?
- Does the organisation transparently communicate with the outside on the prevention of sexualised violence?
- Is there a complaints office?
- Is there an action plan in case of suspected sexualised violence by/against children and young people and do you know it?
- Have members of staff attended professional training on sexualised violence against children and young people?
- Does the association/institution have a prevention plan on how to deal with sexualised violence against children and young people?
- Does the association/institution have a code of conduct that you can inspect?

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Legal information

Bundesvereinigung Kulturelle Kinder- und Jugendbildung e. V. (BKJ)
Küppelstein 34, 42857 Remscheid
Greifswalder Straße 4, 10405 Berlin
+49 (0)30 4848 600
info@bkj.de

www.bkj.de
www.bkj.de/publikationen

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