



Komisioni Kombëtar i Edukimit Katolik Shqiptar

NATIONAL COMMISSION FOR THE CATHOLIC EDUCATION



SAFEGUARDING POLICY

2020

**National Commission for the
Catholic Education
In Albania**

(K.K.E.K.SH)



Komisioni Kombëtar i Edukimit Katolik Shqiptar

NATIONAL COMMISSION FOR THE CATHOLIC EDUCATION

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Policies and Procedures Reference No.	S.P 01
Policy Title	Policy on Child Safeguarding (“Child Safeguarding Policy”) and Vulnerable Adults
Category	Child Safeguarding & Vulnerable Adults
Author	The Secretariat of KKEKSH
Approver	The Leading Council and The Commission for the Catholic Education (KKEKSH)
Purpose and Description	These policies and related procedures describe KKEKSH commitment to child safeguarding and vulnerable adults.
Effective date	December 26, 2020
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I. INITIAL PROVISIONS

The Safeguarding Policy (S.P) regulates the policy of protecting children and vulnerable adults who are subject to National Catholic Education Commission of Albania, in accordance with the legislation in force. The purpose of the (S.P) is to define the basic terms and mechanisms for the protection and safety of children and vulnerable persons, the responsibility of supervisory staff, procedures in case of possible conflicts encountered in educational environments, and the role of child protection representatives to effectively guarantee the exercise, respect, promotion of these rights, as well as the special protection of the child.

II. FIELD OF ACTION AND APPLICABILITY

The National Catholic Education Commission of Albania (KKEKSH) aims and promotes through this document the respect of the protection policies by its staff, its members or associates in accordance with the provisions laid down in the legislation in force and their implementation.

This document defines the rights enjoyed by any vulnerable child or adult, protective mechanisms and the responsible staff that effectively ensure the exercise, respect, promotion of these rights and the child's special protection.

III. THE PURPOSE AND MISSION OF K.K.E.KSH

The purpose of this Entity (KKEKSH) is religious, educative, and non-profitable, referred to can 800/1, can 803 and can 804/1 of the Code of Canon Law (CIC). The nature of this authority is pastoral of educational nature. This ecclesiastical entity develops mainly religious activities, as well as formation-educative, which consist of the following:

- Promote the effective fulfillment of the freedom of education as a fundamental condition for the functioning of a democratic society in accordance with the fundamental human rights and freedoms set forth in the Constitution of the Republic of Albania, Declarations, Conventions and Additional Protocols ratified by the Albanian State.
- Support, inform, update schools or institutions run and administered by Catholic Church Entities, supporting them with consultations of didactic, legal, economic and fiscal nature as well as on legislative changes that may be of interest to these educational institutions related to problems solving situations.



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A. POLICIES

IV. BASIC PRINCIPLES

The child protection policy is based on the following principles:

1. All children and young people have equal rights. No child or young person should be harmed because of his gender, color, language or belief.
2. Children and young people have the right to be informed, to express their opinion and to be heard.
3. Every child has the right to be protected from violence, maltreatment, exploitation and use for work, especially under a minimum age which may harm health, moral or endanger his or her normal life or development.
4. The highest interests of every child should be protected at all costs, including support for child issues and the promotion of their rights.
5. The basic principle of working with children is that children should be able to feel safe. Their well-being and highest interest is our top priority.

KKEKSH foresees

1. Policy on commitment to children

In support of this policy, commitment must be based on mechanisms that promote:

- a) Preventing Child Abuse: Efforts, through awareness, good practice and training, to minimize the risks to children and to take positive steps to help protect children if they are victims of any potential abuse.
- b) Reporting of Child Abuse Ensuring that all Security Policy Officers (SPO) in schools know the steps to be taken and who to contact when there are concerns about child protection.
- c) Responding to child abuse: Commitment to action by both the KKEKSH Commissioner's for the Child Protection (CCP) and the Security Policy Officer (SPO) to support and protect children when there are concerns about their well-being and taking the appropriate actions to prevent the repetition of such a case
- d) Training on Awareness Promotion for Child Protection: Ensure that all Representatives (CPR and SPO) are aware and act in accordance with the security policy document.



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2. Policy in compliance with the laws and regulations 1

This policy should be based on Albanian legislation on child protection, international standards, as well as any other provision that foresees and protects the field of children's rights.

3. Policy for Management Responsibility

The KKEKSH Commissioner's for the Child Protection, , is committed to take all the appropriate corrective, disciplinary and legal proceedings or other actions in response to any kind of violation of the Child Protection policies, and take the necessary steps to review applicable policies, procedures and protocols, in identifying and addressing gaps or weaknesses during the reporting of the case.

4. Policy on confidentiality in child protection issues

KKEKSH duty is to manage sensitive information in a confidential and professional way and in accordance with applicable law². Staff should keep all information about incidents related to any suspect or reported, in a strictly confidential way and should only share this information with the Security Policy Officer or the Commissioner's for the Child Protection. (Annex 1)

V. DEFINITION OF TERMS

Child - is any person under the age of 18. In cases when the age of the person is impossible to be determined correctly, but there are grounds to believe that the person is a child, he is considered a child within the meaning of this law, until his age is determined according to the legislation in force.

Teenager - a boy or a girl aged 14-18 years.

Vulnerable person: refers to a person aged 18 and over who, due to disability, age or illness, the context in which they are or due to social inequalities or otherwise, is or may not be able to take care of or be protected from significant damage or potential exploitation.

Staff - all individuals who are full-time or part-time employees or full-time volunteers of KKEKSH.



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Volunteer - an individual who is involved in his free time in various activities organized by KKEKSH with a regular volunteer contract.

Violence against the child - is any deliberate act or omission that causes any form of physical or mental violence, injury or abuse, neglect, mistreatment or exploitation, including sexual abuse.

Discrimination: is any exemption, restriction or preference that has the purpose or effect of preventing or making impossible the exercise in the same manner as others, of the fundamental rights and freedoms recognized in the Constitution of the Republic of Albania, by international acts ratified by the Albanian state, as well as with the laws in force.

Abuse - is a harm (physical, psychological or sexual), mistreatment, and abuse, neglect or deprivation of any child or young person.

a) **Psychological abuse** of children involves such behavior by a person who has a negative consequence for the psychological and emotional development of a child and his/ her behavior. By psychological abuse, we mean repetitive harm to a child by parents or other persons by repeatedly rejecting the child, humiliating, frightening, by limiting his/her freedom, movement and contact with the environment, teaching the children with thoughts and ways of behavior contrary to the morality of society.

Bullying - It is a form of aggressive behavior of a child or a group of children versus other children, a repeated behavior - usually toward someone who is often seen as the weakest or who has less power/ strength.

b) **The physical abuse** of an underage person is a violent and intentional action by the parent or other persons resulting in physical suffering, health damage, physical damage, or non-conscious prevention of physical abuse of the child from another person. The responsibility for child abuse lies with the person who witnessed abuse and does not prevent it or a person who is responsible for a child, knowingly or negligently fails to prevent accidental injury or damage to the child's health.

c) **Sexual Abuse** - Sexual Abuse includes any sexual intercourse or sexual exploitation of a child by anyone who is entrusted to the child or by anyone who has come to any contact with the child. The sexual abuse of juveniles includes the participation of juveniles in improper exposure by making pornographic videos, pictures and audio.



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B. PEOPLE

VI. STAFF EMPLOYMENT

KKEKSH, in order to ensure a reliable and professional attitude of its staff which is in constant contact with the formal and informal educational institutions of the Church, which are in daily contact with vulnerable persons (mainly children and young people), defines the following principles and criteria for hiring its staff.

Employment Criteria:

1. KKEKSH, (the President) announces the professional characteristics of the vacancy or voluntary service.
2. Accepts within the deadline the requirements of the candidates together with the basic documentation:

- Motivational Letters and CVs.
- Identity card.
- Certificate of judicial status.
- Professional Preparation (Relevant Diploma).
- Health condition.

- 3 Examines the candidate's requirements and documentation and receives preliminary information, calls the candidate for an interview.
4. Ensure that the candidate is an experienced person who respects the principles of KKEKSH and guarantees the protection of vulnerable children and adults in the field of education.
5. Ensure that it has well understood the significance of the content of Self-Declaration.
6. Requests the candidate to fill out the original documentation, signing the contract in accordance with the applicable law, (annex no.6) signing the Safeguarding Policy (S.P), and signing the self-declaration document where are written basic principles of KKEKSH. (Annex no.1 attached)

The documentary procedure from the interview conducted for the job of the potential candidate is filed in the personal file of the employee and is kept according to the provisions of the law.

VII. STAFF RESPONSIBILITY AND ETHICS

The personnel are expected to have an ethical attitude that:

- Recognize and Respect Safeguarding Policy (S.P) in order to ensure the protection of children from abuse, and other referral documents provided by law;



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- Recognize and Respect the fundamental human rights and the rights of the child;
- Keep professional boundaries and avoid behaviors that may be misinterpreted by others;
- To act in the benefit of social service beneficiaries;
- Respect each supporting figure, its religious beliefs, ethnicity, social and other differences,
- Take all necessary measures to ensure that school discipline is implemented in a manner consistent with the human dignity of the child and in accordance with applicable laws;
- Maintain the confidentiality of facts and data during various situations documented in their work, especially if a child is entrusted to him and the document requires confidentiality.
- Ensure sustainability of behavior in relationships with children and vulnerable adults, as well as knowledge of indicators in case of negligence.

Each staff member is responsible

- For any alert, disturbance, suspicion, or allegation of abuse in this area, which may come from an educational institution of its network.
- To signal in a confidential and sensitive manner any reports which has come anonymously and share it with the person responsible for child protection.

In these cases, each staff member should first report to the Commissioner's for the Child Protection and in case of direct observation (in case of visits to the Institutions) to be alert in this regard and have the duty to inform the Security Policy Officer of the respective institution who consults with the Council of Vigilance for tracking and resolving the situation.

No concern, doubt or allegation about a supposed or reported abuse even if it is reported directly or anonymously, can be overlooked by any of the staff members, but it should be followed seriously until protective or preventive measures are taken. Each staff member has the responsibility to ensure consistency of behavior, to have knowledge of the indicators of negligence.

If the law enforcement agencies decide to take the necessary procedural steps in cooperation with the responsible local structures such as Child Protection Union (CPU) which is tasked to identify and manage cases of children at risk located within the area where this unit extends its jurisdiction, staff duty is to ensure more efficient cooperation with the competent authorities for clarification as well as the provision of evidence or any other information in the best interest of the child.

It is NOT a task of staff to investigate allegations of child abuse that may come from any educational institution that can be ascertain in case of specific visits to the educational institutions of the network that KKEKSH covers.



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If the police decide to undertake investigative steps in cooperation with the Child Protection Union (CPU), the duty of the staff is to provide the necessary cooperation with the competent authorities to resolve the case according to the evidence given in the interest of the child.

For the best protection and welfare of children, his identification and the use of personal data, name, address, school, etc.) should not be published without the consent of parents or authorized persons.

VIII. STAFF TRAINING

KKEKSH assumes that any staff member who is in direct or indirect contact with staff and in special cases with children and young people should be able to promote and secure their best interests.

Each staff member will be professionally trained on the protection of vulnerable children and adults at an appropriate level for their role. KKEKSH includes:

- Training for Child Protection, including awareness and reporting systems, which will be provided on an annual basis (this includes annual courses for staff who have been employed for more than one year);

- All new staff will be given guidance on child protection policies as part of their work orientation. The instructions will have a certain amount of time depending on the role of staff members, but in any case there will be a deadline within 3 months from the beginning of the employment or before the end of the probation period;

- All staff is provided with access to all written procedures and policies related to the protection of children and vulnerable persons.

Staff is acquainted with: General Procedures for the Protection of Children of School Institutions and its updates. (Annex No. 5)

The child protection representative will undergo a more intensive training on child protection. The National Coordinator of KKEKSH is responsible for the professional development of staff and its members at least once a year.

IX. COMPLAINTS AGAINST STAFF MEMBERS

This paragraph sets out the procedures to be followed if an individual, a network institution or third-party has complained of inappropriate behavior of a staff member in connection with possible abuses or negligence.



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The allegations should be in a written or oral form not anonymous. The complaint must be documented and addressed to the competent body at the Office of the Commissioner for the Right to Information and Protection of Personal Data. (Appendix no.2 attached)

Doubts expressed in confidentiality in V.C (Vigilance Council) are treated with delicacy and professionalism in accordance with the ethics of the institution.

Allegations, suspicions and complaints of abuse of a staff member should be taken seriously and reported to the person responsible for child protection who will deal with the case immediately, responsibly and in accordance with this document. The Commissioner's for the Child Protection after being recognized on the occasion presented shall immediately consult with the Council of Vigilance associated with the risk assessment until taking precautionary measures to resolve the situation, by following the necessary procedural steps in accordance with the legal requirements and handling the abusive case for review by the competent authorities.

Complaints or Charges may be for negligent display of reported cases such as;

- In cases of suspected direct abuse,
- In cases of suspicion of psychological / sexual violence or any other form towards a child or a vulnerable adult within the school / educational environment;
- In cases of inappropriate or humiliating display of images or other visual material that violates the personal data of the staff or the juveniles;
- In case of opening and visiting web pages that have pornographic material and their exchange in the workplace.

Complaints and charges are taken seriously even when the above cases occur outside the workplace.

C. PROCEDURES

X. PROTECTION STRUCTURE OF K.K.E.K.SH

The KKEKSH structure functions within the protection and security of vulnerable children and adults, which consists of:

The Council of Vigilance (CV)

1. Monsignor Angelo Massafra Legal Representative KKEKSH (President).
2. Sister Teuta Buka National Coordinator.



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3. Lawyer Malvina Përgega Representative for the Protection of Children.

The Child Protection Representative for each situation informs the Council of Vigilance of the case ascertained or reported by the educational staff or educational institutions and advises on it for the follow-up of the necessary procedures to be undertaken in order to find the most efficient solution of the presented situation.

The procedure followed by the Representative for the Protection of children:

- Promote the drafting of a Safeguarding Policy (S.P) for the Catholic school network
- Ensures that the Safeguarding Policy (S.P) of KKEKSH is implemented in practice in every school of the network within the presented reference issues
- Ensure that there is a person in charge of security policy and a Council of Vigilance in every school of the network who have the responsibility for handling and taking immediate steps towards abusive cases.
- To be the first point of contact regarding child protection issues, ascertained and reported directly by the Head of the Security Policy of the school or Educational Entities.
- Contact the respective security policy officer (P.S.S.) of the respective school and get the right information in cases where the problem has taken wider dimension and when the situation created in the school is unsolved, so that this information provides specific details that facilitate the steps of further procedures in collaboration with the competent law bodies
- Coordinate with the responsible police security officer (P.P.S) of the respective school and the staff responsible for ensuring the implementation of the procedures envisaged by the Document (S.P) drafted by the school itself;
- Contact the social-legal protection authorities of the children and the social service worker as well as the law enforcement authorities if necessary.

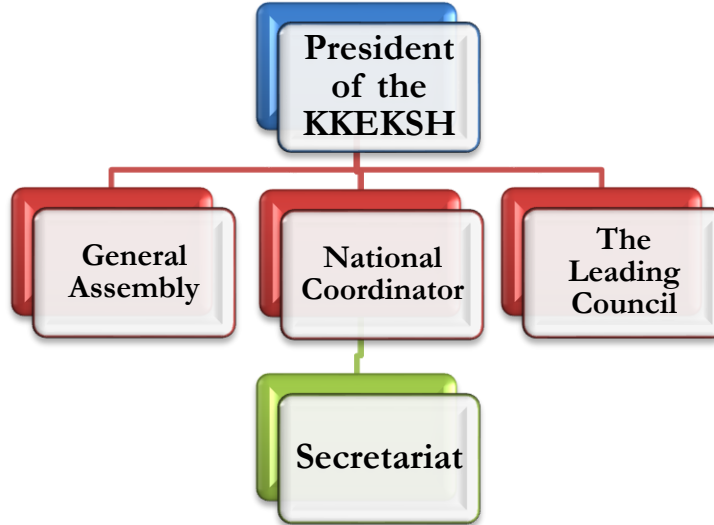
If the Child Protection Representative is not present in the country, he may act as a deputy child protection representative for the case presented to the Council of Vigilance.



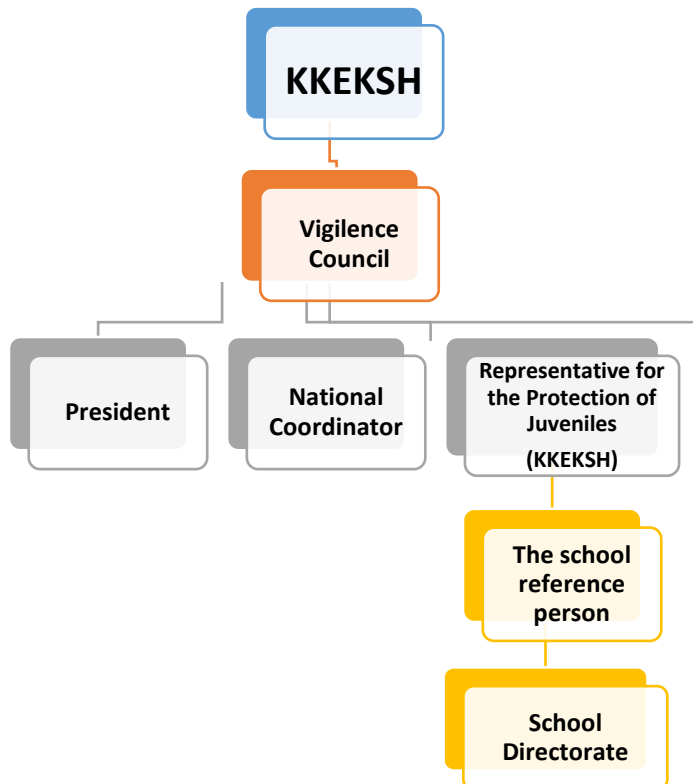
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ORGANIZATONAL STRUCTURE OF K.K.E.K.SH



STRUCTURE OF DEFENSE K.K.E.K.SH





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XI. LABOR SAFETY TERMS

The labor safety conditions are considered as a prime value by KKEKSH, which is obliged to apply the necessary measures to protect the physical integrity and personal moral of its employees.

Any internet connection that may be made available (telephone, fax, e-mail, and video recorder) should be used for the necessary time and only for the purpose of work as well as in carrying out educational and social activities.

Employees who have access to the internal network or email are not allowed to

- Download software programs, photos, retrieve files in the internal network that are not related to the purpose of the work;
- To use for personal reasons files of the system or e-mail file relating to minors;
- Use e-mail and internet to buy or sell online for personal purposes.
- Can not directly process in the personal computer program or duplicate or remove install programs unless it is explicitly authorized by the head of the institution.
- Staff members and other associates are forbidden to put in the institution leaflets, questionnaires, prints, images, multimedia materials or similar materials, without the prior permission of the person authorized by the entity, as well as telematic links with minors and services without the prior written permission of anyone who is authorized by the parents.

For better protection and well-being of children, their identification in personal data (name, address, school, etc.) should not be published.

XII. MONITORING

1. Monitoring

a. Rules for monitoring child protection procedures and other vulnerable adults in full compliance with the Security Policy Document (D.P.S):

- Ask the educational institutions of their Safeguarding Policy (S.P) network.
- Suggest reflection in school Safeguarding Policy (S.P), responsibilities, and procedures for incidents, abuses, or negligence cases.
- To monitor the documentation of the complaints or any other claim for abuse addressed in anonymous form.
- Provide and support the School's Vigilance Council in solving each case.
- To stimulate Safeguarding Policy (S.P) update according to each school's timeframe at least once a year.



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2. Evaluation and the interpretation of information

The Vigilance Council, through the Representative for the Protection of Children and Vulnerable Persons, verifies the implementation of the defense policy practices (S.P) of KKEKSH and School and Educational Entities of the Network it covers, through continuous staff performance monitoring and guarantees two-month periodic contact and evaluates the suspected or perceived risks on a case by case basis. The Vigilance Council encourages the strengthening of security policies for the protection of children and vulnerable persons. The Vigilance Council meets 1 time in 6 months to analyze the performance of the work and examining the problems of the presented cases which have been suspended or the appropriate procedural steps have not been followed.

a. **Risk assessment** helps to minimize the potential abuse of children and adolescents.

The CPR (Child Protection Representative) is required to:

- ✓ Reevaluate risks based on information provided by Educational Institutions or ascertained directly from (P.P.S)
- ✓ Adopt measures to prevent the possibility and situations that may result detrimental to children and adolescents.

Risk Assessment Procedures:

- 1) Collection of information through Security Officers
- 2) Identification of risks through Vigilance Council and Security Officers
- 3) Risk assessment (Evaluation is analyzed according to risk level)
- 4) Planning procedures to be taken for eliminating or limiting risks.
- 5) Following the steps and setting deadlines for review.
- 6) Reassessment and taking concrete measures.
- 7) Maintain risk assessment documentation.

b. Principles of risk assessment

- ✓ **Ethical Behavior.**

Monitoring/oversight should be based principally on trust, integrity, confidentiality and full security.

- ✓ **Unbiased presentation.**

The transparently and impartially presentation of the results and conclusions of the audit reports, bringing to the attention the biggest obstacles encountered during the monitoring as well as the unresolved situations between the monitoring team and the monitored Entity.



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- ✓ **Proper professionalism** Monitors, should base **the content of the audit report** on integrated professional knowledge and on the basis of the recorded information.
- ✓ **Independence**

Monitors should maintain a unilateral and objective independent opinion/ impression during the monitoring process to ensure that the findings and conclusions of the monitoring are based solely on auditing/oversight evidence.

XIII. FINAL PROVISIONS

Any breach of the principles or any behavior of employees that is inconsistent with the provisions of the Safeguarding Policy for the protection of vulnerable children and adults will be the cause for an investigation for a possible suspension/dismissal by KKEKSH, in accordance with the provisions of the Labor Code in force and Internal Regulation of the National Commission for Catholic Education in Albania.

If disagreements arise between the parties, they will be solved by applying the principle of understanding. If such a thing is not achieved the competent authority will be the Judicial District Court of Tirana.

Any notice, request or any other communication between the parties shall be in writing form.

Tirana, 2019



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APPENDIX 1

CONFIDENTIALITY STATEMENT

Object

This statement is addressed to all KKEKSH staff as well as temporary staff, volunteers and other stakeholders who have access to the information maintained by KKEKSH.

It sets out the requirements and responsibilities of those who have access to such information and ensures that all interested parties understand their confidentiality obligations.

Field of action

The scope of this statement is extended to all personal information and confidential information that is known during the work at KKEKSH. The relevant provisions are applied even after the employment relationship with KKEKSH has been completed. This statement must be signed by all employees who have access to KKEKSH's personal data.

Statement of Confidentiality

1. By this declaration I undertake not to use and not transmit to unauthorized persons personal information or confidential information about or obtained by KKEKSH, unless expressly authorized by KKEKSH or required by law. I understand that this obligation is applied during the term of employment as well as after its termination.
2. I understand that the use and disclosure of personal data related to individuals is dealt with by Law No. 9987, dated 10.03.2008 "On the Protection of Personal Data", as amended. I will not use or distribute any personal information I become aware during my work for any purpose that is contrary to the purposes of this work.
3. I understand that I am obliged to keep the confidentiality of personal information and keep them safe, taking all appropriate organizational and technical measures.
4. I take full responsibility that if it is determined that I have acted in violation of the instructions regarding the confidentiality of personal data, or in the case of non-observance of these, then immediate measures are taken. I understand this action as a need to maintain high professional standards at KKEKSH.

Signature of the Employee

Signature of the Supervisor



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Information about the Complaint Process

(What results or measures, you claim at the conclusion of your complaint)

What is your preferred method in handling your complaint?

Informal procedure

Formal/ official procedure

Have you taken any action to resolve your complaint? YES NO

Formal / official procedure

If YES, can you describe the actions you have done so far to resolve your complaint?

Other information

Do you have any other information you want to mention or include in your complaint

Name Surname

Signature of the complainant

(Representative for the Protection of Children)

or

(Security Policy Officer)



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APPENDIX .3

Child incident reporting format

Date of Report:

Place:

Reported by:

Your name:

Your position:

Your phone number:

Your email address:

The Protected Person (Victim)

Name:

Family Name:

Date of birth:

Gender:

Nationality:

Address and contact details:

With whom does the child live?

Are other children included?

The person who caused the problem (the offender)

Family Name:

Name:

Age:

Gender:

Nationality:

Address and contact details:

What is the relationship of this person to the child?

If there are two or more people who have caused this problem, please add details at the end of this report.



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Facts (incident/report details)

Incident Date:

Incident Time:

Location of the incident:

How did you become aware of the incident?

I witnessed that the other staff told me the victim told me other (specify)

Was there any other witness to the incident? Yes No

If so, please give the name, position and contact details:

Please describe the particular incident of child abuse:

Protection.

What immediate action has been taken to protect the child?



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APPENDIX .4

Report Form and Individual Child Protection Plan

Child Protection Meeting	
Name of the child:	
Age and DOB of the Child:	
Date:	
Attendees attending the Child Protection Meeting from the Vigilance Council	
Name/ Surname	Institution/ Position Contact details.
1.	
2.	
3.	
4.	
5.	
6.	
7.	
Concerns about the child which are presented by the Child Protection Employee	
Information submitted by participants (regarding the child and his or her family situation)	
Decision on the Child Protection Meeting	



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Mitigation measures for Child Protection	From	To
The child requires protection services YES NO		
Type of risk:		
Level of risk:		

Individual Child Protection Plan Period from: Until:
--

Type of risk	Level of Risk	Undertaken Action	Time limit	Service Provider
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Date of the Review Meeting on Child Protection
The Signature of the Child's Case Employee/Representative
Signature of members of the Vigilance Council:
Signature of other Parties providing services:



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APPENDIX 5

General Procedures of School Institutions for the Protection of Children

This paragraph outlines an orientation guide for staff to address concerns about child abuse.

The responsible security policy person appointed by the school, the educational institution, which is in direct contact with children and other vulnerable persons or with the staff itself, when reporting a suspected abuse or neglect, should immediately follow the defined defense procedures and instructions for the reporting of the case. He handles it in cooperation with the School's Vigilance Council in such a way as to determine the risk assessment and taking of preventive measures with the investigative bodies in accordance with the law.

If the ascertained case does not pose a high risk, the latter can be solved by the School Institution itself through the Vigilance Commission for the Protection of Children and Vulnerable Persons.

It only acts with the responsible persons for sharing confidential information of the School Vigilance Council, with the respective leader, and if necessary consult with the Child Protection Representative (CPR) and with the Vigilance Council of KKEKSH.

Therefore any suspicion or report of violence or sexual abuse should be taken with full responsibility and in documented form and be investigated by the relevant bodies. All form data or completed reports are stored in a separate file in a closed box.

Postscript

(Signed with Annexes 3 and 4)



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Appendix 6 .The Policy Model of Privacy.

The Privacy Policy in this appendix, which each school should use as a reference model to develop its Privacy Policy.

TYPE OF REGULATION ON "PRIVACY POLICIES" CHAPTER I GENERAL PROVISIONS

National Commission for the Catholic Education (hereafter referred to as KKEKSH) is an entity of the Catholic Church in Albania with legal personality and without profit purpose registered as a juridical ecclesiastical person through the Registration Decision at the Judicial District Court No. 5603, dated 24.05.2017, with headquarters Bulevardi “Zhan D’Ark” Tirane” which has as its object of activity:

Article 1 Object

The scope of this Regulation is the definition of organizational and technical procedures, measures for the protection of personal data and security, the protection of privacy and the administration of personal data by the KKEKSH.

Article 2 Legal basis

1. For the protection of personal data there is extensive national and international legislation as follows:

2. National acts:

- a. Constitution of the Republic of Albania, Articles 15-58 of the Constitution.
- b. Law no. 9887, dated 10.03.2008, "On the Protection of Personal Data", as amended.
- c. Orders, Guidelines and Decisions of the Commissioner for the Protection of Personal Data.

3. International Act:

- a. Universal Declaration of Human Rights and Freedoms;



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- b. Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocol no.11, entered into force on 1 November 1998;
- c. Council Directives 2002/58 / EC and 95/46 / EC of the European Council and of the European Parliament;
- d. Council of Europe Convention 108 "On the Protection of Individuals from Processing" Automatic Personal Data ", ratified by Law No. 9288, dated 7.10.2004;
- e. Additional Protocol to the Convention of the Council of Europe "On the Protection of Individuals from Automatic Processing of Personal Data, Concerning Authority Surveillance and Cross-border Personal Data Movement", ratified by Law No. 9287, dated 7 October 2004.

Article 3

Purpose

This Regulation aims to establish general principles and organizational and technical measures for the protection, preservation, security and administration of personal data. It applies to all data processed by the KKEKSH in accordance with the "Law on the Protection of Personal Data" amended¹.

Data processing should be done in accordance with the Constitution, the Law on Protection of Personal Data, and the vision of the KKEKSH that is in full respect of human rights freedoms and privacy.

Article 4

Definitions

For the purpose of this Regulation, the following terms shall have this meaning:

"Personal Data" means any information related to a natural person, identified or identifiable, directly or indirectly, in particular by reference to an identification number or to one or more specific factors for his or her physical, physiological, mental, economic, cultural or social identity.

"Sensitive Data" is any information about a natural person that has to do with his or her race, ethnic origin, political opinions, union membership, religion, philosophy, criminal punishment, health data and sexual life.

"Subject of Personal Data" is any natural person whose personal data is processed.

"Controller" for the purpose of this regulation is the National Coordinator of KKEKSH who, alone or together with others, defines the purposes and the ways of processing personal data, in accordance with the laws and sub-legal acts of the subject and is responsible for the fulfillment of the obligations set out in this law.

"Commissioner" means the person who performs the processing of the data, with the authorization of the holder or responsible person.

¹https://arsimi.gov.al/wpcontent/uploads/2018/01/Ligji_per_mbroitjen_e_te_dhenave_personale_9887_date_10_03_2008_i_ndryshuar.pdf



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"Processor" for the purposes of this regulation, in addition to the controller's employees, who process data for the controller itself, are _____ and _____ who are charged for updating any school social network.

"Third Party" means any natural or legal person, public authority, agency or other body other than the data subject, controllers, processors and persons who, under the direct authority of the controller or processor, are authorized to process data.

"Receiver" means any natural or legal person, public authority, agency or any other body to which third party data is provided or not.

"Transmitter" is the transfer of personal data to the recipient.

"Confidentiality Statement" is any written statement expressly provided by the data subject who agrees to preserve the confidentiality of personal data and not distribute them to third parties without being authorized. (Annex 1 below).

Granting consent to the processing of personal data: Any written statement given by the parent for the publication and use of personal data of his/ her child by the school institution (Annex No. 2).

"Dissemination" is the communication of information about personal data to unspecified parties, in any form, including through making available information or consulting.

Article 5

Implementation Area

This Regulation applies to the processing of personal data in whole or in part, by automatic means, or by other means maintained in an archive system, intended to form part of the archiving system at the KKEKSH.

CHAPTER II

THE PROCESSING OF PERSONAL DATA

Article 6

The Protection of personal data

Every employee as part of the KKEKSH structure dealing with the processing of personal data is obliged to apply the requirements of Articles 2 and 5 of the Law "On Personal Data Protection", as amended, as follows:



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- Respecting the principle of lawful processing of personal data, by respecting and guaranteeing the fundamental human rights and freedoms and, in particular, the right to privacy;
- Conduct processing in a fair and lawful manner;
- Collecting personal data for specific goals, clearly defined, legitimate and performing their processing in accordance with these purposes;
- The data to be processed must be sufficient to relate to the purpose of processing and do not exceed this goal;
- The data must be factually accurate and, where necessary, updated and completed each action to ensure that inaccurate and improper data are deleted or altered;
- The data must be kept in that form, to allow the identification of its subjects for a time, but no more than is necessary for the purpose for which they are assembled or further processed.

Article 7

The purpose of processing

KKEKSH staff may use personal data only for performing the duties provided by the law and in accordance with the legal acts and bylaws regulating the manner of processing personal data.

Article 8

Personal Data Processing Criteria

1. KKEKSH staff that process personal data are based on the criteria set out in Article 6 of Law No.9887 "On the Protection of Personal Data".

2. Personal data are processed only:

- Whether the personal data subject has given its consent;
- Whether processing is essential for the performance of a contract for which the data subject is a contracting party or for discussing or modifying a project/contract with the proposition of the data subject to protect the interests of the data subject;
- For the fulfillment of a legal obligation of the controller;



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- For performing a legal duty of public interest or exercising a power of controllers or third parties to which the data have been disseminated;
- To pursue the legitimate interests of the controller or a third party to which the data are disseminated unless such interests prevail over the interests of the protection of the fundamental rights and freedoms of the data subject.

Article 9

The processing of sensitive data

The processing of sensitive data by each employee is carried out in accordance with the criteria set out in Article 7 of the Law "On the Protection of Personal Data", as amended.

Article 10

International data transfer

1. In cases of the international transfer of personal data, every employee shall carry out the provisions of Articles 8 and 9 of the Law "On the Protection of Personal Data" and the bylaws issued for its implementation.
2. The data and information may be communicated to counterpart institutions of other States on the basis of a cooperation agreement, provided that in the requesting State such data and information are handled and stored in accordance with the law on the protection of data.
3. The data and information referred to in the preceding paragraph shall be dealt only by the relevant authorities of the receiving State.
4. The transfer of "sensitive" data is realized through electronic communication lines, but must be cryptologically protected.

CHAPTER III

THE RIGHTS OF THE DATA SUBJECT



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Article 11

Implementation of the rights of personal data subjects

1. The dissemination or communication of personal data is carried out in accordance with the purpose for which this data is collected.
2. Everyone has the right to be recognized with personal data processed through a written request.
3. Every institution processing personal data is obliged that according to law no. 9887, dated 10.03.2008 "On the Protection of Personal Data", as amended, to apply these rights to personal data subjects:
 - a) the right to access;
 - b) the right to request correction or deletion;
 - c) the right to object;
 - d) the right to complain;
 - e) the right to compensation for the damage.
4. The request must contain sufficient information to prove the applicant's identity. KKEKSH, within 30 days from the date of receipt of the request, informs the data subject or explains the reasons for not giving information.

Article 12

Request for information

The request for information can be made by:

- The person him/herself;
- The legal representative provided with the appropriate authorization;
- Other persons who, although they have no direct interest, prove they have a legitimate interest in obtaining knowledge of these data and consistent with the purpose of collecting such data;
- Parent or guardian when:
 - a. The child has no full capacity to act.



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b. The parent is acting in the interest of the child.

The answer in each case is sent to the address provided by the applicant himself.

CHAPTER IV

SECURITY OF PERSONAL DATA

Article 13

Measures on data security

KKEKSH as well as the person in charge carrying out the data processing takes appropriate organizational and technical measures to protect personal data from illegal, destruction, accidents, accidental loss, to protect the access or spread from unauthorized person, especially when data processing is done on the network, as well as any other illegal processing method. They take these special security measures:

- Determine the functions between organizational units and operators for the use of data;
- Use of data is done by order of organizational units or authorized operators;
- Instruct operators, without exception, for their obligations, in accordance with the law on personal data protection and internal data protection regulations, including data security regulations;
- Prohibit the entry of unauthorized persons into the controller premises or data processor.
- Access to data and programs is done only by authorized persons; it prohibits access to archiving means and their use by unauthorized persons;
- The installation of data processing equipment is done only with the authorization of the KKEKSH and every means is provided with preventive measures against the authorized commissioning;
- Record and document the modifications, corrections, deletions, transmissions, updates, etc.
- Whenever KKEKSH leave their workplace, they should close their computer, shelves, safes and the office where the personal data is stored;
- They should not leave the work premises when there are unprotected data at the desk, and are in the presence of persons who are not employed by the KKEKSH. They should not keep personal data in the monitor when an unauthorized person is present, especially in non-public places;



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- To not put out of the office in any case, computers, laptops, usb, or other devices that contain personal data and should not leave them in unsafe places without being assured of deletion or destruction of the data;
 - Data should be protected by verifying the user identity and allowing access only to authorized individuals.
 - Instructions for using the computer should be kept in a way that they do not be accessible to unauthorized persons;
 - To continually perform entry and exit procedures using personal passwords at the beginning and at the end of their access to the protected data, which are stored in KKEKSH databases;
 - In documents that contain protected data, they must ensure the destruction of subsidiary materials (eg evidence or records, matrices, calculations, diagrams and sketches) used or produced for document creation;
-
- Documented data is not used for other purposes that are not consistent with the purpose of the collection.
 - It is forbidden to recognize or process any data recorded in a file for a purpose other than the right to input data. It is excluded from this rule when the data is used for the prevention or prosecution of a criminal offense.
 - Maintain the documentation of the data as long as is necessary for the purpose for which it is collected.
 - The level of security should be appropriate to the nature of process of personal data.
 - Respect other legal and sub-legal acts that determine how personal data should be used.

Concretely KKEKSH follows the following steps:

1. There is a secretary and a secretary in charge,
2. The archive shelves for records, contracts, lists etc.
3. Data is destroyed in the fulfillment of expiration dates.
4. The data collection is done on the basis of the civil status documents and is countered by the parent to guarantee their accuracy.
5. There is a computer protected by a password where only the data bearer and the secretary have access.



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6. There is a fire protection system.
7. The shelves are lockable and also the secretary has a responsible person for the security of the web site. The responsible person is _____.
8. There is a specific agreement with parents on the handling of data in video and audio format.
9. There is the Code of Ethics where the behavior and consequences of employees regarding visuals materials are determined.
10. Has a security camera system in the external premises according to the parameters required by the law in which only the security officer has access (director).
11. It is displayed the place where it is located.
12. The co-operation of the security officer and the ethics committee is guaranteed by his presence in both commissions. Attached to this description you can find the following:
 - Personal staff contracts.
 - An example of parent contracts.
 - An example of the statement for handling the employee's data.
 - An example of the statement for allowing the handling of the parent's data.
 - Code of ethics
 - Internal regulation of the school.
 - Security camera's manual.

Article 14

The protection of premises

The premises in which personal data will be processed must be protected by organizational, physical and technical measures in order to prevent unauthorized persons from accessing the premises and equipment that will be used to process personal data.

The implementation of security measures must be made in accordance with the level of security of data and administered information, as well as the level of risk indicators that may result from unauthorized display of stored information.

In the premises where personal data is processed, the following security measures are applied:



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- It is forbidden the entrance of unauthorized persons.
- Persons entering to these environments should be equipped with the appropriate authorization (*to specifically define the label from your side*)
- Entrance environments are monitored with cameras 24 hours and have a shorter image retention time of not less than 10 days.
- In addition to masses and other protection systems, are installed equipment and electronic security systems (signaling systems, telecamera, etc.).
- Premises are provided with an iron closet, secure for the protection of files from damage, with safes and automatic locks with keys and special lockers different from the ordinary one.
- Doors and windows must be safe
- Are provided continuous supervision with physical guards

Article 15

Authorization of persons in the working environment

In the premises where protected (personal) data are processed are allowed to stay:

1. KKEKSH staff " _____ " only if they are employed in this environment or if their presence is essential for carrying out their duties.
2. The maintenance personnel of the telecommunications or equipment system are allowed to enter the premises accompanied by a person designated by the head of staff only when required by the head of the school KKEKSH.

Article 16

Storing Information

KKEKSH must have a copy of all the data and software that are kept or stored on the central computer or personal computer. Duplicate copy should be kept in a safe place outside the building where the central computer is located. KKEKSH keeps a copy of the data and the system placed on the secondary computer.



Article 17

Protection of electronic devices

Electronic Devices for Data Processing and Information in KKEKSH are used only for performing the tasks set out in the regulations. These devices are only used by employees of this Commission previously trained for their use.

For each error or defect in the systems/databases of the KKEKSH is notified the administrator or the company contracted for the maintenance of the information system, which, on request, makes the respective adjustment.

Article 18

Software Protection

Programs for the treatment of data and information purchased or donated by various donors are managed by the KKEKSH

For each program, the KKEKSH may specify:

1. Who can delete, copy or modify it;
2. Where should the copy of the program be kept and who is responsible for keeping it updated.
3. For any program purchased by the KKEKSH the program must be certified and equipped with a license.

Article 19

Passwords

Many of the applications and computer systems are protected by a password. For security



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reasons, these passwords from time to time should be changed (every 3 months or every 6 months). Some rules on using and setting of passwords:

Password for access to technology and information resources (eg computers, etc.) should not be shared with other persons inside or outside the institution where they are working. Employees are responsible for the storage and dissemination of this information.

When entering a password, a word or phrase that can be easily remembered, but not something that can be identified easily, such as the name or address. It is advisable to use a strong password. A strong password is considered to contain large and small letters, punctuation numbers, and punctuation characters.

Article 20 **Protection of documents**

Classified documents and other means of communication in which personal data are kept shall be marked with a type of secretion and a degree of confidentiality. The secrecy and level of confidentiality is determined in accordance with the normative acts in force.

Article 21 **Software duplicates**

The duplicate of programs with the data used in the case of natural disasters or in situations of emergency or war should be stored in places or localities outside the main office of the relevant organizational unit.

Article 22 **Loss of documents**

If a document with confidential data is lost or disappeared, the competent employee is obliged



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to immediately inform his/her superiors and to take any measure deemed necessary to determine the circumstances in which the document was lost in order to eliminate the harmful consequences.

CHAPTER V ADMINISTRATIVE SANCTIONS

Article 23

Administrative measures

Any employee who violates the duty to protect personal data is responsible for breaking the discipline, rules, and obligations in his or her work. If their actions do not constitute a criminal offense administrative and disciplinary measures are taken against them according to normative acts in force.

Article 24

Supervision of measures and protective procedures

The supervision for the implementation of rules for the protection of personal data, for the respect of security norms and for the protection of automated data against their accidental or unauthorized corruption, as well as against their unauthorized access, alteration and dissemination is carried out by responsible persons for the overseeing and protecting of the respective data.

CHAPTER VI

FINAL DISPOSITIONS

Article 25



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Confidentiality for data processing

Any employer who processes data or becomes aware of the processed data can not disclose the content of this data to other persons. He is bound to maintain confidentiality and reliability even after the end of the function.

Any person acting under the authority of the controller shall not process the personal data he/she has access without the authorization of the controller, unless it is legally binding.

Article 26
Obligation to Implement

Every employee dealing with personal data processing is aware that the processing of personal data contrary to the requirements of the law "On the protection of personal data" constitutes an administrative contravention and is punishable by a fine.

Article 27
Sanctions

This regulation is part of the internal regulation and the failure to comply with its requirements constitutes a breach of the discipline at work and is punishable under the legislation in force.



Appendix no.07 Visitors regulation

The visitor declares:

1. to be aware that both minors and young students are hosted in this structure
2. to be aware that all Albanian Catholic schools adopt a common policy for the protection of their students from any form of abuse
3. to be aware that no photographs or audio or video recordings of students may be taken without the express authorization of the school Direction
4. to be aware that it is not possible to withdraw into the school without the express authorization of the school Direction
5. to be aware that Albanian law severely punishes any form of verbal, physical, psychological or sexual abuse against minors and vulnerable adults
6. to be aware that any illegal behavior towards school students will be reported to the public authority

Date: _____

Visitor Signature: _____