



GUIDELINES ON SAFEGUARDING CHILDREN

November 2011

INTRODUCTION

The Creative Media Authority – Abu Dhabi (“the CMA”) Child Safeguarding Guidelines (“the Guidelines”) set out the standards and procedures which must be observed by anyone working in the Creative Zone - Abu Dhabi when dealing with under-eighteens.

From the outset, the CMA is clear in acknowledging the role of the media and the part it plays in reflecting society. With this in mind, the Guidelines have been created to encourage and support the safe participation of children in content creation.

KEY POLICY PRINCIPLE

Both adults and children value and enjoy under-eighteens being portrayed and represented in content. Children form strong views and feelings from an early age and it is considered appropriate that these are seen and heard through their participation in content creation. However, the level of care that is due to each child must be considered carefully and be appropriate to the particular circumstances relating to them. The consequences of a child’s participation should therefore be judged on a case by case basis, depending on age, maturity, capacity and individual circumstances.

There are a variety of ways in which children can be involved in content creation, ranging from, but not limited to, actors; as ad-hoc contributors; as members of an audience; as work experience placements; as participants generally in content; or by accessing and participating in, on-line content and services.

The Guidelines have been developed in such a way as to be consistent with, and to adhere to, world-wide best practice in the field of child safeguarding when creating content involving children. Irrespective of how and why children become involved within the CMA, the overriding principle is clear: *The dignity, welfare and safety of children is paramount and all children have a right to be safeguarded from harm and abuse.* It is therefore everyone’s responsibility not only to ensure the safety and protection of children but to continue to promote the safeguarding of children with particular regard to any and all adults who come into contact with them. In order to facilitate this, the CMA recommends that anyone working in the Free Zone who intends to allow children to participate in content creation, develops documented internal guidelines for working with under-eighteens and that all relevant staff are made fully aware of them.

GUIDANCE CHART

GUIDANCE ON THE SAFEGUARDING OF CHILDREN: FOR ANYONE WORKING IN THE CREATIVE ZONE – ABU DHABI

Responsibilities regarding children are laid down in the *Guidelines on Safeguarding Children* issued by the CMA

Anyone working in the Creative Zone should also develop their own internal guidelines on safeguarding children to ensure that world-wide best practice is followed regarding the care and safety of children.

DEVELOP INTERNAL GUIDELINES

Train staff appropriately

Conduct Risk Assessments

Seek Consent: from Parents, Children & Schools where applicable

Be open, clear and honest about what is expected

Scope of participation should be appropriate for a child

Respect children's data

OBSERVE ALL RELEVANT LAWS

Health & Safety and Insurance

Use Chaperones

Ensure that the interests and welfare of the child are considered at all times.

ADHERING TO THE GUIDELINES

These Guidelines are intended to be of assistance in encouraging everyone working in the CMA to consider, and then put in place, any necessary and relevant internal procedures regarding the participation of children.

In areas of your business where contact with children is required and/or anticipated, you should consider nominating a person in authority, such as a Director or Manager, to be responsible for the implementation of, and adherence to, child safeguarding issues incorporated in both these Guidelines and your own internal guidelines. Adherence to the Guidelines in respect of safeguarding children includes, but is not limited to:

1. CHILDREN'S WELFARE

The welfare of children is paramount and all children have a right to protection from harm or abuse. You will be perceived by the audience you disseminate to, and in particular children and their guardians, as trusted representatives of a media organization. As a consequence due care must be taken with regard to the physical and emotional welfare and the dignity of children. In particular:

- (i) any potential safety risks should be assessed prior to the involvement of children;
- (ii) no distress or anxiety should be caused to the child through their involvement or participation;
- (iii) children should not be asked for their views on matters likely to be beyond their comprehension or capacity to answer e.g. of a private familial matter particularly without specific parental consent; and
- (iv) no identifying references to children involved in any on-going legal proceedings should be included in content.

2. INFORMED CONSENT

It is your responsibility to ensure that all lines of communication between staff, children and their parents and/or guardians are open and clear. You should:

- (i) obtain written consent (for the child to participate) from the child's parents, guardian, trustee and/or teacher;
- (ii) obtain, where practicable, the informed consent of *the child* to participate and consider the child's right to be heard and to decline to participate at any stage;

- (iii) clearly state the type of content the child is to feature in and what the child's participation would or could entail;
- (iv) make clear from the outset and throughout what the Licensee's expectations are of the child; and
- (v) ensure that participation is not *necessarily contingent* on any financial inducements beyond the payment of reasonable expenses and/or per diems e.g. for travel, accommodation, wardrobe, meals and refreshments.

3. HEALTH AND SAFETY

In terms of health and safety, you should:

- (i) develop internal health and safety policies and ensure the appropriate staff are trained on health and safety requirements;
- (ii) assess the risks to children and young people in relation to your activities;
- (iii) ensure that all staff employed by you who work or will work with children and young people are appropriately qualified and/or experienced;
- (iv) ensure that all staff employed by you – including chaperones - who work with children are subjected to appropriate background checks before commencing their involvement with children; and
- (v) assess each child's overall health before they participate, and monitor the child during the course of the assignment, taking into account the child's physical and psychological ability.

4. SUPERVISION AND CHAPERONES

In adhering to international best practice, you should understand and accept the duty of care required in respect of children. As a consequence, the use of chaperones is encouraged. You should:

- (i) ensure that appropriate care and supervision of the child during an assignment is provided by a chaperone or other suitably qualified adult e.g. a chaperone could be a parent, guardian or teacher. A parent could provide the role of chaperone if the parent agrees to be present throughout the duration of the child's involvement with you/your company;
- (ii) ensure that chaperones you employ (both male and female and who are not related to the child) either undergo some form of child safeguarding courses or have proven experience of working with children, such as teachers ;
- (iii) consult where necessary appropriately qualified adults (such as a head teacher) on the potential for any negative consequences of participation by children in particular whether any bullying could occur e.g. a child could be bullied by his peers if he does not perform well in a quiz or challenge; and
- (iv) ensure that no physical harm occurs to a child during its participation

5. REGULATING THE PERFORMANCE

It is important that you appropriately manage the expectations of children who participate in content creation and take account of the fact that the needs and limits of children of varying ages will differ. As a consequence, you should draw up an agreement between you/your company and the parents and/or legal guardian of the child that is relevant to the age of the child. It should clearly state the following:

- (i) the hours the child is required to participate including performance times and durations of performance and a clear breakdown of the hours related to participation, meal times and prayer and/or rest breaks. The following guidance is offered as a best practice example:
 - (a) children should participate no more than a maximum of six hours per day;
 - (b) if a child is participating for up to four consecutive hours it should be provided with at least two intervals: a meal break of not less than one hour and a rest/prayer break of not less than fifteen minutes; and
 - (c) no child should be present i.e. in creating content, for more than seven consecutive hours on any given day.
- (ii) whether the content will be recorded, live or as-live and how it will be used; and
- (iii) depending on the nature of the content and the child's participation, you should provide appropriate information, before the content is disseminated, about how their contribution is to be used. In addition, if the content is going to be re-used at a later date in a (considerably) *different* context, the child and its parents should be informed.

6. DATA PROTECTION

You should put in place an up to date and adequate data protection policy to deal specifically with the collection of data associated with children. Such data is acquired not only through direct liaison with children who participate in content creation but also through general interaction via telephone calls, emails and/or a website. You should, where practicable:

- (i) keep a register of all children participating, detailing each child's personal information such as: full name and age, full name of child's guardian or trustee, the name of the child's chaperone, the child's place of residence and the project in which the child is involved;
- (ii) ensure that any data you have gathered is securely stored. Any hard copies of such data should be stored in a locked cabinet and any data that is stored electronically should be kept on a secure server that is password protected; and

- (iii) limit access to data relating to children only to those staff with a specific business need to access it i.e. it should not be provided to any unrelated third parties.

7. COMPETITIONS

- (i) the willingness of children to 'compete' should not be compromised for financial or commercial gain so as to compromise the moral integrity of the child or put them under unacceptable distress and/or duress.

8. EDUCATION

A child's schooling is important. With regard to approaching under-eighteens, and irrespective of parental consent, it is your duty to ensure that permission for the child to be absent (particularly for extended periods) from school has been granted by the teacher and/or head teacher concerned.

You should also ensure you make yourselves aware of any relevant and/or applicable legislation concerning children. In particular you should ensure that:

- (ii) permission for children to be absent from school for any length of time is requested – and granted – before they are absent; and
- (iii) children do not fall behind with their schoolwork and/or studies as a consequence of their participation. If children are likely to be required during term-time, you should consider informing the school of the maximum duration of the child's anticipated absence from the school and establish whether extra tuition and/or homework would be required.

The CMA will act according to its duties specified in Law No. 8 of 2022 and its powers under the Licensing Regulations 2016. In establishing the Guidelines, the CMA draws Licensees' attention to the legislative background that has informed them including: the UAE Constitution, UAE Labour Law, UAE Penal Code, UAE Civil Code and the UAE ratification of the Geneva Convention C138 Minimum Age Convention. Licensees are fully responsible for ensuring that they comply with all relevant CMA and UAE laws and Regulations.

CHAPERONE RESPONSIBILITIES CHART

GUIDANCE ON THE INDEPENDENT RESPONSIBILITIES OF CHAPERONES: FOR ANYONE WORKING IN THE CREATIVE ZONE – ABU DHABI

