ALMA MATER STUDIORUM
UNIVERSITÀ DI BOLOGNA

Child Protection Policy

The policy of the University of Bologna for the protection of children in research activities

Table of contents

TITLE I – INTRODUCTION

Alma Mater Studiorum – Università di Bologna (hereinafter also referred to as "University") acknowledges its responsibility to protect, assure and promote the wellbeing of all children involved in the University's scientific research activities. To this end, undertakes to ensure and maintain the highest legal, ethical and moral standards applicable in this area, as described below. It also recognises the importance of a systemic approach, embedding the well-being of all children in teaching, education and outreach activities. For these reasons, it is committed to integrating these areas into this policy in the near future.

Art. 1 – Guiding Principles

The University ensures the respect of children’s rights, as stated, among others, in the Constitution of the Italian Republic, the United Nations Convention on the Rights of the Child (1989), the European Convention on Human Rights and Fundamental Freedoms (1950) and related case law of the European Court of Human Rights, as well as the Charter of Fundamental Rights of the European Union (2000).

In every field concerning – directly or indirectly – children, the University will base its action on the principle of the best interests of the child, the prohibition of discrimination and the right to be heard.

This policy is in line with the University's Code of Ethics and Conduct, as well as with the national and international regulations referring to ethical aspects of research, that are specified as appropriate in the subsequent Articles.

Art. 2 – Definitions

For the purposes of this policy, the following terms apply:

a. **child:** every human being under the age of 18;
b. **adolescent:** a child between the age of 14 and 18;
c. **wellbeing:** a condition of physical, mental, psychological, emotional and social balance and fulfilment, accompanied by the child's perception of security;
d. **university community:** the recipients of this policy as identified in Article 3 below;
e. **consent:** a manifestation of free, specific, informed and unequivocal will;
f. **informed consent:** principle that legitimises the involvement of children in scientific research, and that is explicitly recognised in the Declaration of Helsinki (1964) and its subsequent amendments;
g. **personal data**: any information concerning an identified or identifiable natural person, as defined in Article 4 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April

2016 on the protection of personal data (hereinafter referred to as GDPR); a natural person is considered identifiable when they can be identified directly or indirectly, in particular by reference to an identifier such as a name, identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

h. **discrimination**: any treatment aimed at excluding or distinguishing children based on gender, colour, ethnic, national or social origin, language, religion, political opinion, sexual orientation, health status or any other characteristic or condition of the child, their parents or their legal guardian;

i. **legal guardian**: the person or persons who, under Article 320 of the Italian Civil Code, represent(s) the child in civil acts;

j. **incidental findings**: results involving children which are not attributable to the primary or secondary objectives of the research project, such as for example information about their health status, information about their personal life revealing the existence of events, behaviours, personal or family habits that may negatively affect the physical and/or mental development of the person, information about crimes committed, suffered or known;

k. **principal investigator:** the person responsible for the research activity or research project, who may overlap with the person responsible for the funds in projects funded by third parties;

l. **violence:** any behaviour adopted by adults or children that results in potential or actual harm to the health, development or dignity of the child. Such behaviour may be intentional or unintentional and may include both omissive acts (e.g., negligence) and commissive acts (e.g., abuse). For example, violence may include physical abuse, sexual abuse, psychological abuse, neglect or negligent treatment or exploitation.

Art. 3 – Scope

This policy applies to the entire University community, defined as follows:

a. permanent and fixed-term teaching and research staff;
b. permanent and fixed-term management and technical-administrative staff;
c. PhD students and researchers, holders of research fellowships or contracts and holders of scholarships for study or research who carry out their activities at the University; students, if their study programme includes their involvement in research activities; collaborators and consultants with any type of assignment, including free of charge, for the performance of research activities, within the limits and methods defined by specific clauses or provisions included in their respective contracts or appointments;
d. personnel from other public and private entities who, in various capacities, carry out their activities at the University;
e. members of the Academic Bodies and collegial Bodies of the University, as defined in the respective deeds of appointment.

Art. 4 – Purposes

The purpose of this policy is to ensure the proper care and protection of children in scientific research activities and to safeguard their dignity and wellbeing.

In particular, the objectives of this policy are to:

a. define the standards for the protection of children involved in the University's research activities;
b. promote the definition of procedures within scientific research aimed at preventing or minimising potential risks to which children directly or indirectly involved in research activities may be exposed;
c. raise awareness within the university community regarding the protection of children.

TITLE II – GENERAL PROVISIONS

Art. 5 – Participation and Right to Be Heard

The University undertakes to ensure children, who are capable of discernment and taking into account their age and degree of maturity, the right to freely express their opinions regarding participation in research activities and regarding any matters of interest to them, and undertakes to take them into due consideration.

To this end, children shall be given the opportunity to be heard in any process concerning them, in accordance with relevant legal provisions.

In the event research activities are carried out in collaboration with third-party entities or at their premises, the research methodology should be agreed in advance to take into account coordination needs, always with the aim of ensuring the wellbeing of the participating children.

Art. 6 – Informed Consent for Participation in Research Activities

For the participation of children in the University research activities, the explicit, free and informed consent of their legal guardian(s) shall be obtained.

In particular, if children above the age of 14 are involved, their own explicit, free, and informed consent shall be obtained in addition to that of their legal guardian(s), unless there is obvious lack of discernment. In case of conflict, the adolescent’s will shall prevail.

To this end, information on the participation in the research activities should be prepared by using methods and contents appropriate to the age and degree of maturity of the children concerned. The

University undertakes to make them as aware as possible of the activities in which they will be involved and of the freedom to express their opinion, without jeopardising their wellbeing.

The age, development and degree of discernment of the children involved must be taken into account, also in order to adapt and update the informed consent documents accordingly.

In any case, children must be guaranteed the right to freely revoke their consent to participate in research activities at any time, also through their legal guardian(s).

Art. 7 – Identification and Minimisation of Risk

The University undertakes to assure specific protection to children directly or indirectly involved in its activities against exposure to situations that may entail risks for their wellbeing.

When carrying out activities or a project involving children, a preliminary assessment of the potential risks for their wellbeing shall be carried out, followed by constant monitoring during the activity. In any case, if deemed appropriate and according to the specific circumstances and children's needs, the person with scientific responsibility for the activity may involve or seek the advice of a child psychologist.

It is always advisable to limit the collection of personal data to that strictly necessary.

Art. 8 – Incidental Findings

The possibility of encountering incidental findings about the children during research activities requires special attention and management by researchers, which shall be contextualised in relation to the specific type of incidental findings:

- planning a strategy to manage incidental findings in advance;
- identifying, within the research group(s), the contact person(s) (usually, at least the person holding the role of principal investigator) responsible to discuss and manage any incidental findings and any action to be taken;
- informing adequately the participating children and their legal guardian(s) about the possibility that incidental findings may emerge, their nature and the limits to confidentiality that can be offered;
- being adequately aware of the legal context in which the research is conducted;
- if the research is planned to be conducted at third-party premises (e.g., a school), planning the strategy for managing incidental findings taking into account the legal and other needs of the third party.

Art. 9 – Protection of Personal Data

The University undertakes to protect children’s personal data, including the use of images, and ensures their processing in accordance with current regulations, in particular the GDPR and in compliance with the principle of minimisation enshrined therein (Article 5 of the GDPR).

The University's action in this area is also inspired by the provision of the Italian Data Protection Authority containing prescriptions related to the processing of special categories of data, pursuant to Article 21, paragraph 1 of Legislative Decree No. 101 of 10 August 2018, and to the Ethical Rules for processing for statistical or scientific research purposes published by the Italian Data Protection Authority according to Article 20, paragraph 4, of Legislative Decree No. 101 of 10 August 2018.

In any case, in order to process children’s personal data, where identified as a suitable legal basis, the consent of the legal guardian(s) will be required, in accordance with Articles 6(1)a) and 9(2)a) of the GDPR. In any case, except for cases under Article 14 of the GDPR, consent for the processing of children’s personal data must be preceded by the provision of an appropriate policy according to Article 13 of the GDPR.

Art. 10 – Use of Images

The use and publication, in any way and form, of the child’s personal image for research purposes shall comply with Article 10 of the Italian Civil Code and Articles 96 and 97 of the Copyright Law.

Where possible, the consent of the child’s legal guardian(s) will be requested. In this case, if an adolescent is involved, their consent will also be obtained in addition to that of the legal guardian, unless there is obvious lack of discernment. In case of conflict, the adolescent’s will shall prevail.

Art. 11 – Information and Training of the University Community

The University undertakes to disseminate this policy within its community, promoting specific training activities should the need arise.

Art. 12 – Authority for the Protection of Children and Adolescents

The University undertakes to promote this policy in all appropriate fora, particularly before the Authority for the Protection of Children and Adolescents, to which the University and its community may continue to refer should any specific situation fall within the scope of the Authority’s functions as attributed by the current legislation.

TITLE III – GOOD PRACTICES

Art. 13 – Conduct of Research

Good practices in conducting research, from the planning stage and throughout all its phases, may include:

a. the application of international ethical standards in different disciplinary contexts;
b. the involvement of children in research activities taking due account of their rights, interests, dignity, freedom, needs and psychophysical wellbeing, and the correct balancing of the direct and indirect benefits and burdens, also in relation to their age, competences and any disabilities;
c. the abstention from exercising power, psychological pressure or any significant conditioning, particularly in conducting interviews or psychological tests, administering questionnaires, in games and educational activities that may make children feel inadequate or emotionally uncomfortable;
d. the identification of specific listening methods that require: respect for children’s different adaptation times and an environment where a relationship of trust can be established before starting the research activities, sensitivity and discretion regarding any possible emotional or affective content expressed by the child, refraining from any manipulation or undue incentives;
e. full respect for the child’s privacy, also considering their emotional significance and specific condition towards any difficulty in the affective and family relationships;
f. the collection of children’s personal data limited only to that necessary for conducting the research and solely for that purpose, and information collected directly preferably in the presence of adults with whom the child has a relationship or proximity (parent(s), teacher(s) or others);
g. except in duly and scientifically motivated cases, storing the children’s personal data in pseudonymised form (pursuant to Article 4(5) of the GDPR) and, as soon as possible, proceeding with their anonymisation;
h. in the event that forms of prejudice or discrimination towards participating children are ascertained, assessing the precautionary suspension of the research and consequent overall methodological revision of the project;
i. the assessment the opportunity to establish risk analysis and management procedures, also based on specific indicators;
j. the consideration of the opinion of children, to the extent permitted by their age and degree of maturity and discernment, with their interests always being paramount;
k. during research activities, protecting the children from potential prejudices, discrimination, instrumentalisation or exploitation, corruptive logics also through unjustified incentives;

l. adequate preparation and/or training the personnel involved in research activities to ensure appropriate relations with the children and a welcoming approach.

Scientific research involving children must be submitted to the opinion of the competent Ethics or Bioethics Committee, according to their respective competencies and procedures.

Where research is conducted involving students, according to the provisions of their study programme, the person holding scientific responsibility shall provide all the information needed to make them aware of this policy, while monitoring and controlling its correct application.

Art. 14 – Formulation of Research Information

Particular attention must be paid to the completeness of the information regarding the research project involving children and to the procedures for communicating with their legal guardian(s), in order to enable fully informed participation – as far as possible – of both children and their families.

The manifestly contrary will of the children shall prevail over the positive will of their parents or legal guardian(s).

In particular, when interacting with children, a linear and adequate communication must be ensured, according to their ability to understand given a specific context. The information provided must be authentic and accurate. It is necessary to explain to the children and/or their legal guardian(s):

- what potential risks and discomforts are involved;
- whether direct benefits are foreseen;
- what are the expected benefits in terms of progress of knowledge;
- who are the contact persons they can interact with;
- what are the funding sources and if there are conflicts of interest;
- what measures are taken to protect data confidentiality and what rights can be claimed by participating children through their legal guardian(s);
- what strategy is adopted to manage any incidental findings during the research;
- how the research results are planned to be disseminated and on which occasions, and finally, if there are direct commercial purposes.

Art. 15 – Publication of Results

As a rule, the publication of research results should not allow the direct or indirect identifiability of children, even through elements that may directly or indirectly identify the child, such as the details of people close to them, including family members.

Identifiability may only be permitted in scientifically motivated cases, in compliance with Articles 6, 9, and 10 of this policy and with the current law.

ALMA MATER STUDIORUM
UNIVERSITÀ DI BOLOGNA