

## PFSCM Policy Document

### Child Safeguarding Standards & Child Protection

#### 1. Purpose

The Partnership for Supply Chain Management (PFSCM) is committed to deterring all activities that would facilitate child abuse, exploitation, or neglect by its staff, as well as by contractors, sub-contractors, recipients, and sub-recipients, vendors, consultants, volunteers, interns, partner agencies, and visitors, among others, as a result of any of its current programming, regardless of source of funding. Through the adoption of “Child Safeguarding Standards and Child Protection Policy,” PFSCM has included general guidelines to all activities intended to prevent and respond to abuse, exploitation, or neglect of children. The adoption of these standards are designed to complement the PFSCM’s Anti-Human Trafficking Policy by expanding the range of actions prohibited by PFSCM’s staff under its Code of Conduct, to include abuse, exploitation, or neglect of children.

#### 2. Background

- The United Nations Convention on the Rights of the Child sets forth the main framework for the protection and safeguarding of children, in particular, the ‘right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous.... Or to be harmful to the child’s health or physical, mental, spiritual, moral or social development.’
- PFSCM has incorporated the Ten Principles of the UN Global Compact into its policies and procedures that allows our organization establish a sound culture of integrity by meeting fundamental responsibilities in the areas of human rights, labor, environment, and anti-corruption, as stated on our commitment letter wherein PFSCM reaffirms its commitment “to making the UN Global Compact and its principles part of our strategy, culture, and day-to-day operations by incorporating them throughout the standard operating procedures (SOPs) guiding supply chain management activities.”
- The “Modern Slavery Act of 2015” issued by the UK Parliament seeks to “amalgamate existing criminal offenses relating to modern slavery (including slavery, servitude, forced and compulsory labour, and human trafficking),” while increasing protections provided to victims, including a provision of child trafficking advocates. This Act – which comprises business and supply chains – aims at actively promoting adoption by its suppliers of robust

policies for the protection and safeguarding of children and the prevention and prohibition of sexual exploitation and abuse of children. All partners, trustees, consultants, contractors, volunteers, interns, partner agencies, sub-grantees, community workers, and visitors to project are expected to abide by said policy.

- The USG, under the Federal Register on July 26, 2016/Rules and Regulations has published the inclusion of specific clauses into the Agency for International Development Acquisition Regulation (AIDAR), under Title 48 Federal Acquisition Regulation System, Part 752 –Solicitation, Provisions, and Contract Clauses. Thus, Section 752.7037 was added to promote child safeguarding when implementing applicable USG-funded programs. This policy complements the USAID Counter Trafficking in Persons (C-TIP) Code of Conduct by expanding the range of actions prohibited by USAID to include abuse, exploitation, or neglect of children. These protections stem from the “U.S. Government Action Plan on Children in Adversity” and the “Assistance for Orphans and Other Vulnerable Children Act of 2005.”

## Definitions

For purposes of this policy, the following definitions are incorporated:

**Child.** This policy regards a child as anyone under the age of 18 years, irrespective of alternative local definitions. An underage child cannot legally give informed consent to sexual activity. Sexual activity with a Child with or without their consent will be treated as a serious issue and will result in disciplinary action being taken, including termination, and the pursuit of any other available legal remedy.

**Child abuse, exploitation, or neglect.** Constitutes any form of physical abuse; emotional ill-treatment; sexual abuse; neglect or insufficient supervision; trafficking; or commercial, transactional, labor, or other exploitation resulting in actual or potential harm to the child's health, well-being, survival, development, or dignity. It includes, but is not limited to: any act or failure to act which results in death, serious physical or emotional harm to a child, or an act or failure to act which presents an imminent risk of serious harm to a child.

**Child Safeguarding.** The set of policies, procedures and practices that we employ to ensure that the PFSCM is a child safe organization.

**Emotional abuse or ill treatment.** Constitutes injury to the psychological capacity or emotional stability of the child caused by acts, threats of acts, or coercive tactics. Emotional abuse may include, but is not limited to: humiliation, control, isolation, withholding of information, or any other deliberate activity that makes the child feel diminished or embarrassed.

**Exploitation.** Constitutes the abuse of a child where some form of remuneration is involved or whereby the perpetrators benefit in some manner. Exploitation represents a form of coercion and violence that is detrimental to the child's physical or mental health, development, education, or well-being.

**Gender-Based Violence.** The term “gender-based violence” refers to violence that targets individuals or groups on the basis of their gender. The United Nations’ Office of the High Commissioner for Human Rights’ Committee on the Elimination of Discrimination against Women (CEDAW) defines it as “violence that is directed against a woman because she is a woman or that affects women disproportionately”, in its General Recommendation 19. This does not mean that all acts of violence against a woman or a girl child are gender-based violence, or that all victims of gender-based violence are female.

**Neglect.** Constitutes failure to provide for a child's basic needs within all funded activities that are responsible for the care of a child in the absence of the child's parent or guardian.

**Online grooming.** The act of sending an electronic message with indecent content to a recipient, who the sender believes to be a child, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.

**Physical abuse.** Constitutes acts or failures to act resulting in injury (not necessarily visible), unnecessary or unjustified pain or suffering without causing injury, harm or risk of harm to a child's health or welfare, or death. Such acts may include, but are not limited to: punching, beating, kicking, biting, shaking, throwing, stabbing, choking, or hitting (regardless of object used), or burning. These acts are considered abuse regardless of whether they were intended to hurt the child.

**Safeguarding** is the combination of policies and actions undertaken to protect children and vulnerable adults by mitigating risks, responding to and referring cases, to ensure no harm as a result of association with the organization.

**Sexual abuse.** Constitutes fondling a child's genitals, penetration, incest, rape, sodomy, indecent exposure, and exploitation through prostitution or the production of pornographic materials.

**Sexual exploitation** is the abuse of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the sexual exploitation of another. Prostitution, human trafficking for sexual abuse, modern slavery and exploitation are only some examples of this.

**Vulnerable adult** is defined as someone over the age of 18 unable to take care of themselves / protect themselves from harm or exploitation; or who, due to their gender, mental or physical health, disability, or as a result of disasters and conflicts, are deemed to be at risk of being

abused.

### 3. Policy Statement

PFSCM has a zero tolerance policy prohibiting its staff from engaging in child abuse, exploitation, or neglect. While acknowledging that local laws and customs may differ from one country to another, these measures are based on international standards and require PFSCM staff to:

- Comply with host country and local child welfare and protection legislation and international standards, whichever gives greater protection, and with U.S. and regional and international-related laws as applicable.
- Maintain an environment that prevents child abuse, exploitation, or neglect, including, but not limited to, limiting unsupervised interactions with children, prohibiting exposure of pornography, and complying with applicable laws, regulations, or customs regarding the photographing, filming, or other image-generation activities of children.
- PFSCM, through its employing organizations should promote child-safe screening procedures when hiring PFSCM staff, particularly staff whose work brings them into direct contact with children.
- Uphold the integrity of the organization, by ensuring that personal and professional conduct is, and is seen to be, of the highest standard.
- Striving, through awareness, good practice and training, to minimize the risks to children and take positive steps to help protect children who are the subject of any concerns.
- Report any abuse by a staff member, consultant, volunteer, intern, or partner to the Director or Human Resources staff member and other appropriate authorities.
- Ensure that another appropriate adult is present when working in the proximity of children or vulnerable adults.
- Never engage in any exploitative relationships – sexual, emotional, financial, or employment-related – with a beneficiary. This is regardless of the local age of consent, i.e., the local or national laws of the country. Failure to report such a relationship may also lead to disciplinary action.
- Refrain from any involvement in criminal or unethical activities that contravene human rights.

- Follow the guidelines when photographing or filming a child or vulnerable adults.
- PFSCM has a duty to manage sensitive information in a manner that is respectful, professional, and that complies with the applicable law. Staff must keep all information about any suspected or reported incidents strictly confidential, and must divulge that information only to a Local or National Child Safeguarding Designated Point of Contact – if applicable, Human Resources team and any other senior staff directly involved in the investigation (and in the case of incidents occurring overseas, to relevant and assigned PFSCM representative), except as may be required by law.
- All PFSCM Representatives should know the steps to take and whom to contact when concerns arise regarding the safeguarding of children. Failure to report a reasonable suspicion of misconduct in accordance with this Policy will be treated as a serious issue and may result in disciplinary action.
- PFSCM places great importance on the need to raise awareness and influence others on the importance of safeguarding children, using this policy and procedures as a way of both highlighting our commitment and explaining our values. PFSCM will share its policy and procedures with others, and be open to feedback regarding its application and relevance.
- PFSCM deeply believes that the successful implementation of this policy is based on the individual and shares that responsibility with all its representatives. PFSCM will ensure that partner organizations' projects also comply with international safeguarding standards and principles.
- PFSCM understands that there is no one specific approach of safeguarding children and promoting their rights. Solutions to protecting children need to reflect the culture and operating environment and the nature of activities being undertaken. Nevertheless, culture can never be used as an excuse for abuse.
- Breaching the Code of Conduct, or contravening the content of this policy may lead to suspension and termination of any type of engagement. This will be determined on a case by case basis, ensuring that applicable employment conditions and legislation are observed and with regard for the privacy and confidentiality of those concerned while any internal investigation is carried out.
- Require PFSCM staff to report suspected allegations of child abuse, exploitation, or neglect perpetrated by its staff and ensure that PFSCM investigates and responds to allegations of child abuse, or exploitation, or neglect by the PFSCM staff. Allegations of child abuse, exploitation, or neglect must be reported PFSCM staff members or others may file an anonymous, confidential report of the alleged violation 7 days a week, 24

hours a day. Anyone can use the Code of Conduct Helpline, to make a report, raise an issue, or simply ask questions.

## Incident Reporting

It is mandatory for any allegation, belief about or suspicion of abuse, neglect, or exploitation of a child or vulnerable adult by a PFSCM staff member or partner to be reported immediately to the EthicsPoint hotline and/or website. There can be circumstances in which any potential reporting may be done via direct supervisor / manager.

If a beneficiary (including a child or vulnerable adult) or their person(s) entrusted with their well-being reports an incident, they must be taken seriously and listened to carefully. Once an allegation is made there should be an immediate response that protects them from further potential abuse or victimization. Where appropriate, the family or entrusted person of the victim should be informed of the allegation and action proposed and they should be consulted where possible as to the process to be followed.

Any potential incident reporting may be used via the above-cited portal or by completing the Safeguarding Children and Vulnerable Adults Incident Report . Beneficiaries should report their concern to a representative of the organization and this staff member will follow the internal procedure as previously stated.

## External Incidents

There may be cases when PFSCM staff, volunteers, or others come across incidents of abuse or exploitation that may be committed by someone not connected with PFSCM, at times within beneficiary communities and at other times in the broader community. Such incidents do not constitute a breach of the Safeguarding Policy, as a PFSCM staff member has not perpetrated them nor has another person or entity associated with PFSCM. However, as children and vulnerable adults are beneficiaries in the communities in which PFSCM works, and their health and wellbeing is of paramount concern, staff members have a moral obligation not to ignore external cases, but report to the Country Director / Director and/or assigned staff. This individual will be responsible for referral to an external agency or service provider as appropriate and will notify the HR Team and Senior Management. There are also formal processes that should be followed based on the funding agency for incidents to be reported.

## PFSCM Child Safeguarding Code of Conduct Guide

In addition to the PFSCM Code of Business Conduct and Ethics, PFSCM is required to have a Code of Conduct Guide for Child Safeguarding purposes. PFSCM believes that all children and vulnerable adults have equal rights to protection from violence, abuse, and exploitation, and takes seriously its duty of care towards the children and vulnerable adults it works with and with

whom its staff come into contact. Part of safeguarding is ensuring that all PFSCM staff and partners understand clearly the behavior that is expected of them when they come into contact with children and vulnerable adults. The PFSCM Child Safeguarding Standards and Child Protection Policy sets out the measures to be taken to safeguard children. This approach includes proactive actions to prevent situations of abuse and harm occurring and reactive actions to respond to situations where a child is, or may be, suffering abuse. The list below is not of exhaustive or exclusive nature. Representatives should at all times avoid actions that may allow behavior to be misrepresented, constitute poor practice, or potentially abusive behavior.

All staff must sign this Code of Conduct before commencing duties.

Staff will always:

- Treat all children and vulnerable adults with respect, regardless of their age, sex, language, religion, opinion, or nationality, ethnic or social origin, status, class, caste, sexual orientation, or any other personal characteristics, disability, birth, or other status.
- Conduct themselves in a manner that is consistent with the values of the PFSCM.
- Provide a welcoming, inclusive, & safe environment for all children & vulnerable adults.
- Respect cultural differences that do not harm children and vulnerable adults.
- Encourage open communication between all children, young people, parents, staff and volunteers, enhance and promote the participation of children and vulnerable adults in the decisions that affect them.
- Inform children and communities of their right to report any worrying situations and how they can raise a concern.
- Take responsibility for ensuring accountability and transparency, not place themselves in positions where there is a risk of allegations being made.
- Ensure that information concerning children, families, and communities remains confidential. Keep confidential all information that they are party to regarding safeguarding cases, disclosing and discussing information only with the relevant parties.
- Report any concerns or suspicions regarding abuse or policy non-compliance by a fellow staff member or the PFSCM partner in line with the respective funding agency / organization's reporting procedures.
- Comply with all relevant national legislation, including laws in relation to child labor.



- Immediately disclose all abuse charges, convictions and other exploitation and abuse and policy non-compliance in accordance with appropriate procedures.

Staff will never:

- Engage in behavior that is intended to shame, humiliate, belittle, or degrade children or vulnerable adults.
- Use inappropriate, offensive, harassing, abusive, sexually provocative, demeaning, culturally inappropriate or discriminatory language when speaking with a child or vulnerable adult.
- Invite a child or their relatives to their home or develop a relationship with a child and/or their family, which may be considered outside normal professional boundaries.
- Be under the influence of drugs or alcohol while working with children.

Hit or physically assault children.

- Engage in any form of sexual activity or acts, including paying for sexual services or acts, with a child or vulnerable adult. This includes not physically touching a baby's genitals, of either gender, even if it is not intended for sexually exploitative purposes. Mistaking a child's age is not a defense.
- Encourage behavior on the part of others, which constitutes abuse or exploitation of a child or vulnerable adult. This includes any encouraging of children to engage in sexual acts with other children.
- Show the faces of children who are exploited sexually, victims of trafficking, abuse, in conflict with the law, linked to armed groups or who can easily be located even if their identity has been modified.
- Behave provocatively or inappropriately with a child or vulnerable adult. Hold, kiss, cuddle, or touch in an inappropriate, unnecessary, or culturally insensitive way. This includes acting in a manner which is likely to have a negative impact on the child's confidence and feelings of self-worth
- Seek to make contact, in person, by phone, or electronically, and/or spend time with any child / vulnerable adult that they come into contact with in their role as a representative of PFSCM, outside of designated work and activity times of their role.
- Discriminate against any children / vulnerable adult for any reason or show special favor towards any individual or group.



- Release or discuss any personal confidential information about suspected or proven abuse or protection cases other than with the relevant persons.
- Use any computer, mobile phone, or video / digital camera to exploit or harass children / vulnerable adults. I will not access child pornography through any medium.
- Hire children to perform domestic or any other labor, which is inappropriate given their age or developmental stage, which interferes with their time available for education / recreational activities, or which places them at significant risk of injury or any other harm.

*When photographing or filming a child or children for work purposes, staff must:*

- Assess and endeavor to comply with local traditions or restrictions for reproducing personal images (taking photos or videos).
- Obtain consent from the child and a parent / guardian of the child. As part of this, staff must explain how and where the photograph or film will be used. Staff must follow the PFSCM guidance on obtaining consent for taking photos of groups of children.
- Never publish a story or image that may endanger the child, their family, or community.
- Ensure photographs or films present children in a dignified and respectful manner, not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure images are honest representations of the context and the facts.
- Ensure children are portrayed as part of their community.
- Ensure file images do not reveal identifying information about a child when sending images electronically.
- Ensure there is no identifying information of the child used in the publication of images with their location, and ensure all recorded identifying details are stored confidentially.
- Ensure all photographers staff are supervising are screened for their suitability, including police checks where appropriate.
- Not post images or details of children associated with the PFSCM's work on personal social media sites.
- Only use the photograph for the circumstances agreed upon. Photos older than three years will be labeled "not for use" and archived, but will not be destroyed, as they may be useful as

historical reports.

*In the event of suspicions or allegations of staff violation(s) of this Code of Conduct:*

*PFSCM will take any action they deem necessary, which may include (but is not limited to):*

- Providing assistance for victim(s) & taking immediate steps to protect/support the child.
- Attempting to establish the facts in the most objective manner possible (presumption of innocence prevails) while protecting the reputation / confidentiality of adults involved.
- Undertaking disciplinary or legal actions, which may result in suspension or termination of contract.

As a person engaged or associated with PFSCM, staff and partners are required to use common sense and avoid actions or behaviors that could be construed as abuse when engaging in activities or visiting projects of PFSCM or partner agencies.

PFSCM expects staff and partners to uphold at all times the standards of behavior described in the Safeguarding Code of Conduct Guide above and that disciplinary measures and/or legal steps will be taken if staff are found to be in breach of the Safeguarding Code of Conduct Guide.