

# Safeguarding, Anti-Trafficking and Child Protection Policy

## Statement

**The Hunger Project (THP) is committed to the human dignity of all people and thus does not tolerate any form of exploitation, abuse or harassment, whether verbal, physical or sexual in nature, anywhere in our organization or in our work.**

**As children are particularly vulnerable, The Hunger Project (THP) makes special provisions for their safety and well-being.**

## Scope

There are two groups in policy scope:

**THP Affiliated Person** is anyone officially affiliated with THP: it refers to all full time and part time staff members, board members, national advisory committee members, volunteers and / or interns under direct supervision of staff, and any other person who is officially contracted to represent THP.

*Affiliated Persons are expected to **comply** with the principles and requirements specified in this policy.*

**THP Associated Person** is anyone not officially affiliated with THP who may however be associated or perceived to be associated with THP: it refers to community partners (including animators, catalysts and other volunteer community organizers), partner organizations, vendors, consultants, independent contractors and sub-contractors, investors, guests, or any other person who is perceived to be associated with THP.

*Associated Persons are expected to **act in accordance** with the principles and requirements specified in this policy.*

## Key Terms

**Safeguarding** is the set of measures designed to prevent and address behavior by THP Affiliated or Associated persons that threatens the safety, well-being or human rights of others.

Said behavior is unacceptable and is hereafter referred to as **misconduct**. Specific examples of such misconduct are detailed in Appendix 1.

A **child** is defined as a human being under the age of eighteen, even if local law dictates that the age of majority is attained earlier. A specific code of conduct for interaction with children is detailed in Appendix 2.

**“Trafficking in persons”** means the recruitment, transportation, transfer, harboring or receipt of persons, through means such as the threat or use of force or coercion; abduction; fraud; deception; abuse of power; abuse of a position of vulnerability; or giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation includes, at a minimum, the exploitation of the prostitution of others, other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude, or the removal of organs. The consent of a victim of trafficking is irrelevant where any of the means set forth above have been used. The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation is considered "trafficking in persons" even if this does not involve any of the means set forth above. Specific details around unacceptable activities relating to trafficking are included in Appendix 3.

## **Local Compliance**

We recognize that laws and requirements may differ among countries, and that approaches cannot be universal. In order to comply with any provision of national laws that go beyond THP's international policies, when needed, THP may develop additional local policies to meet those local requirements. In no circumstances will the additional local policies serve to weaken or contradict this global policy. When this policy contravenes national laws, the respective country's policy will take precedence in alignment with the spirit of the global policy. When such national policies are required, they will be developed in consultation with the Global Office.

## **Accountability**

Within the Global Board, this policy resides under the Governance, Nominating and Human Resources (GNHR) Committee and its Chair.

THP enforces this policy and monitors how it is applied to and respected by Affiliated Persons. Failure by Affiliated Persons to follow this policy could lead to disciplinary action, which may ultimately result in termination of employment, contract or other forms of official affiliation.

THP will, to the extent possible, monitor how this policy is applied to and respected by Associated Persons. Failure by Associated Persons to follow this policy could result in termination of partnership agreement, or other forms of association.

At the Global staff level, responsibility for this policy lies with the Head of Human Resources in the Global Office (hereafter referred to as Global Office).

At the local level, from among existing staff, a Safeguarding Officer is appointed in each office, who is:

- Naturally skilled with handling sensitive issues and information.
- Trusted and respected by staff and community members.
- Trained in how to handle safeguarding and anti-trafficking reports appropriately. This includes bringing reports to responsible staff in the GO or law enforcement agencies.'

The Safeguarding Officer is tasked with the following key responsibilities: Attend annual training of trainers on safeguarding provided by the Global Office.

- Brief new Affiliated Persons and conduct an annual local training on safeguarding and anti-trafficking.
- Promote ongoing awareness on the importance of safeguarding and anti-trafficking.
- Ensure that reporting mechanisms are in place, both in the workplace and in communities.
- Conduct the initial fact gathering regarding any issues reported.
- Coordinate with the Global Office about concerns and investigations.
- Conducting risk assessments and developing mitigation measures to address these risks with country leadership.

## Approach

This policy is organized by the five phases of Safeguarding and Anti-Trafficking:

1. **Prevention.** Proactive efforts to keep misconduct from occurring in the first place.
2. **Reporting.** Procedures for detecting and reporting incidents that do occur.
3. **Investigation.** Steps involved in fully understanding the facts of a reported incident.
4. **Discipline.** The unequivocal consequences of misconduct.
5. **Closure.** Informing the complainant of THP's determination in the matter.

## 1. Prevention

### 1.1. Policies

This policy comes under the umbrella of THP's Code of Conduct which is a set of guiding standards and principles that all representatives of THP adhere to in practice and in spirit in all their decisions, procedures, actions and interactions.

All THP Affiliated Persons are required to familiarize with and attest to the Code of Conduct and its associated policies upon joining THP and annually thereafter. Associated Persons that contract with THP or are visitors from other countries are required to sign the Code of Conduct prior to making visits to THP program sites.

#### *Dissemination*

This policy will be made available on our global website and in the policy handbooks of all THP offices. It will be provided to all Affiliated Persons as part of their orientation. Summary forms of this policy (such as a poster in local language in partner communities) and a link to the full policy will be provided to Associated Persons at local offices and epicenters.

#### *Continuous Review*

By the Global Office: Every reported incident will trigger a review of the policy to determine if, and which, change in our policies and practices could avoid a repeat of the same situation. New policies, white papers, training and recommendations from peer organizations or donors will be considered to improve the policy.

Applicable laws, statutes, regulations and codes, including the following, change from time to time:

- United Nations Convention on the Rights of the Child (UNHRC);
- UN Secretary General’s Bulletin: Special Measures for Protection from Sexual Exploitation and Abuse;
- US Trafficking Victims Protection Act 2000;
- USAID ADS 303 Mandatory Standard Provision, Trafficking in Persons (July 2015) and;
- International Labor Standards on Child Labor and Forced Labor.

Changes in the above will also trigger a review of the policy.

By the Global Board: This policy will be annually reviewed by the Global Board and updated as needed, informed by recommendations of the Global Office.

## **1.2. Recruitment of Affiliated Persons**

### ***Advertisement***

Recruiting materials, including advertisements, will refer to key policies including this safeguarding, and anti-trafficking policy.

### ***Interview and References***

Appropriate questions will be asked during the interview and reference check process to evaluate a candidate’s commitment to safeguarding and anti-trafficking principles and to reduce the chance that prior offenders join THP’s team.

### ***Positions Classified as Working with Children***

- THP Affiliated Persons who will work directly with children will be required, if available in their country of origin, to provide a certificate of good behavior. In addition, a criminal background check of such persons that specifically checks for prior incidents of child- related misconduct of any kind will be conducted.
- Interviews will incorporate behavioral based questions as an additional screening measure.

## **1.3. Training**

Affiliated persons will undergo safeguarding, anti-trafficking and child protection policy training on an annual basis. In order to further foster a culture of transparency and respect in line with our Code of Conduct, the annual training will include a discussion on where the boundaries between normal and unwanted behavior lie. Any change in policy will be accompanied by appropriate training as necessary.

## **2. Reporting**

It is mandatory for all THP Affiliated Persons to immediately report any witnessed, suspected or alleged misconduct whether the incident occurred at the workplace or in a community. THP’s Whistleblower Protection Policy (available online at thp.org) protects Affiliated and Associated Persons from adverse consequences of reporting incidents in good faith.

Reporting an issue through the THP system does not forbid any THP Affiliated Persons to report the observed issue to the relevant authorities. Additionally, THP may have to or decide to report the issue to the authority, with or without the consent of the Affiliated Person, should it fall under obligation of the law of the country concerned.

There is a deeply entrenched culture of silence around exploitation, abuse and harassment. For that reason, it is incumbent upon all THP offices to create reporting mechanisms that make it *easy and safe* for victims and observers to report any such misconduct.

Each THP Program Country will post clear information in each of its offices and in each epicenter with instructions for how to report any witnessed, suspected or alleged misconduct. This will include contact information for the Safeguarding Officer as well as the third-party whistleblower hotline information as described in Appendix 3.

All alleged incidents must be reported by the Safeguarding Officer to the Global Office promptly. The Global Office will report annually to the GNHR Committee on all reported incidents and their outcome. Serious incidents will be reported as quickly as practicable to the Chair of GNHR and the Head of Global Communications, who will advise on a holding statement and FAQ document for external communication purposes as necessary.

The Global Office will inform Partner Countries that fund the work in the Program Country where an incident is reported. If required, the Partner Country or Global Office will inform donors that an incident took place, and of its resolution. In turn, the Partner Country will report back to the Global Office and Program Country, on the exchange with the donor and any communication and corrective action that might follow.

### **3. Investigation**

All suspected misconduct must be investigated in consultation with local law enforcement and/or expertise, as appropriate. This includes rumors as well as formal reports.

#### **3.1. Investigator**

If the incident occurred in a country office, the Safeguarding Officer or Country Leader is responsible for the investigation, with support from the Global Office. If there is any allegation that the Safeguarding Officer or Country Leader is involved in the incident, or if the incident occurred in the Global Office, the Head of Human Resources in the Global Office is responsible for the investigation. If the Head of Human Resources in the Global Office is alleged to be involved in the incident, then the appropriate global executive will be responsible for the investigation, and / or the matter will be referred to the Chair of the GNHR Committee of the Global Board.

Depending on the seriousness and complexity of the allegation, the investigation may be handled internally or referred to an outside expert, after consultation with the Global Office.

All electronic records of investigations, internal or external, will be kept on file in the Global Office records.

#### **3.2. Process**

- The initial response to any allegation is to *take the report seriously*. Safeguarding Officers or others who receive a complaint must not perpetuate the culture of diminishment around these serious issues;
- It is key to take all reasonable precautions to ensure protection of the alleged

victim, including but not limited to removing the alleged victim and/or perpetrator from the situation, and offering access to professional psychological support;

- The Investigator may review relevant documents including electronic communications and take steps to obtain and preserve those documents;
- The Investigator may interview parties involved, including relevant witnesses;
- The Investigator will write an Incident Report (available on THP's Intranet at [sites.google.com/a/thp.org](https://sites.google.com/a/thp.org)) to document the investigation.

### **3.3. Confidentiality**

THP will maintain the confidentiality of the complainant, the accused, and any witnesses, and each of their statements and records, to the fullest extent practicable and appropriate under the circumstances. THP cannot promise absolute confidentiality but will conduct the investigation on a need-to-know basis.

## **4. Discipline**

Disciplinary action will be taken against any THP Affiliated or Associated Person found to have:

- Engaged in conduct that has violated THP policies;
- Contributed to the creation or continuation of a hostile work environment;
- Failed to report an exploitation, abuse or harassment concern;
- Intentionally made a false allegation; or
- Obstructed an internal investigation.

Disciplinary action may include, but is not limited to:

- Termination of all relations including employment, contractual or partnership agreements; and
- Reporting to authorities if it is suspected that a crime has been committed.

In addition to any disciplinary action taken by THP, the THP Affiliated and Associated Persons may be held personally liable for monetary damages if a civil action is filed against them.

## **5. Closure**

THP will inform the complainant, if known, of its determination as to whether THP policy was violated. However, THP will generally not disclose the nature of any disciplinary action that may have been taken because discipline is a confidential matter between THP and the individual subject to corrective action. Discipline may take many forms, and those who raise concerns should not assume that disciplinary measures have not been implemented simply because THP does not publicize such measures.

Responsive action may include, for example, training, referral to counseling, or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, termination, and/or pressing charges, as The Hunger Project believes appropriate under the circumstances.

## **Appendix 1: Types of Misconduct**

Unacceptable behavior under this policy may include, but is not limited to, the following types of misconduct:

- **Abuse of Power:** the nature of NGO work creates an inherently unequal power dynamic—between those employed by or working with the NGO (which has resources and status), and the members of the communities where we work (who frequently have fewer resources and/or status). Misuse of authority is the commission of an unlawful act, done in an official capacity, in the course of performing work.
- **Child Abuse:** verbal, physical, emotional or sexual abuse of a person under 18 years of age or above if legally higher in a specific country.
- **Gender-Based Violence:** actions resulting in physical, sexual, psychological or economic harm or suffering to women and/or girls or otherwise based on gender or identity, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.
- **Disability Abuse:** physical, financial, sexual and/or psychological abuse toward a person with a disability.
- **Elder Abuse:** single, or repeated acts, or lack of appropriate action, occurring within a relationship where there is an expectation of trust, which causes harm or distress to an older person
- **Emotional Abuse:** a behavior designed to hurt another person emotionally, which may include restriction of movement, or treatment that is degrading, isolating, ignoring, humiliating, bullying (including cyber bullying), threatening, discriminating, ridiculing or hostile.
- **Financial Abuse:** when one person improperly restricts access to money from another. This type of abuse may include actions like cutting off appropriate access to bank accounts and preventing appropriate access to financial information.
- **Physical Abuse:** a non-accidental physical act or threat of a physical act designed to harm another person physically. This type of abuse may include actions like slapping, punching, assault or inappropriate physical contact, intimidating or hostile acts.
- **Sexual Abuse:** any unwanted sexual or threatening act forced on the victim. This form of abuse is also often known as sexual assault or rape. Sexual abuse can include anything from unwanted touching to forced intercourse or forced sexual contact with another person.
- **Sexual Exploitation:** an act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose. It is the abuse of a position of vulnerability, differential power, or trust for sexual purposes.
- **Sexual Harassment:** unwelcome or inappropriate advances, requests for favors, and other verbal, visual or physical conduct of a sexual nature, as well as offensive remarks about a person's sex or gender.
- **Spiritual Abuse:** attack against another's belief system, denying access to a house of worship or forced participation in a cult.
- **Transactional Sex:** sexual relationships where the giving and/or receiving of gifts, material support, money or other services is an important factor.
- **Verbal Abuse:** use of words and body language with the intent to hurt another person. Verbal abuse may include put-downs, name-calling, insulting nicknames, derogatory statements, slurs, and unreasonable criticisms.
- **Visual Abuse:** non-verbal communication that hurts others' dignity, for example displaying sexually suggestive posters, derogatory cartoons or drawings, sending inappropriate adult-themed gifts, leering, or making sexual gestures.



## Appendix 2: Code of Conduct for Interaction with Children

### ***Always show respect:***

- Always treat all children with respect, regardless of their race, color, gender, language, religion, opinions, nationality, ethnicity, social origin, property, disability, sexual orientation or other status).
- Never use language or behavior towards children that is inappropriate, harassing, abusive, provocative (sexually or not), demeaning or culturally inappropriate.

### ***Never abuse:***

- Never engage in any sort of child abuse whether sexual, physical, emotional, neglect, grooming, harassment or exploitation via digital or other means
- Never engage children under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services
- Never use any computers, mobile phones, video cameras, cameras or social media to sexually exploit or harass children, or access child exploitation material through any medium
- Never use physical or emotional punishment on children
- Never engage children under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services
- Never hire children for domestic or other labor, except if related to a school apprentice program and comply with labor laws as set out by the International Labor Organization.

### ***Always supervise:***

- Wherever possible, ensure that another adult is present when working near children
- Never sleep close to unsupervised children, unless absolutely necessary, and in which case the supervisor's permission must be obtained; as much as possible, ensure that another adult is present when possible (noting that this does not apply to an individual's own children)
- Never invite unaccompanied children into private residences, unless they are at immediate risk of injury or in physical danger, and do your utmost best to ensure the presence of another adult

### ***Observe and disclose:***

- Be aware of your and other people's behavior, and avoid actions or behavior that could be perceived by others as child exploitation and abuse
- Disclose, as soon as realistically possible, all charges, convictions and other allegations brought against you for an offense that relates to child exploitation and abuse
- Report immediately, to a Country Director / Manager, Safeguarding Officer, or the Head of Human Resource, any concerns or allegations that relate to any situation involving a THP Affiliate or Associate, where words, actions or behavior may be interpreted as a breach of this Child Protection Policy in accordance with appropriate procedures (as stated in the Safeguarding Policy).

### ***Photographing or filming a child, or using children's images for work-related purposes:***

- Take care to ensure local traditions or restrictions for reproducing personal images



- are adhered to before photographing or filming a child
- Obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. An explanation of how the photograph or film will be used must be provided
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be appropriately clothed and not in poses that could be seen as sexually suggestive
- Ensure images are honest representations of the context and the facts
- Ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

### **Appendix 3: Trafficking of Persons**

Unacceptable activity under this policy may include, but is not limited to, the following:

- trafficking persons (see definition);
- procurement of a commercial sex act
- used forced labor
- acts that directly support or advance trafficking in persons which includes:
- destroying, concealing, confiscating, or otherwise denying access to an employee's identity or immigration data
- failing to provide transport or failing to pay for return transport from a country outside the country of hire to the country from which the employee was recruited upon the end of employment if requested by the employee unless the employee is a victim of human trafficking seeking services for legal redress in the country of employment or a witness in a human trafficking enforcement action
- soliciting a person for the purpose of employment, or offering employment, by means of materially false or fraudulent pretenses, representation or promises regarding the employment
- charging employees recruitment fees: or
- providing or arranging housing that fails to meet the host country housing and safety standards

### **Appendix 4: External Whistleblower Hotline**

In addition to other channels set forth in THP's Whistleblower Protection Policy ([https://www.thp.org/wp-content/uploads/2014/08/Whistleblower\\_Protection\\_Policy-12-May-2016.pdf](https://www.thp.org/wp-content/uploads/2014/08/Whistleblower_Protection_Policy-12-May-2016.pdf)), a third-party option has also been made available.

Any witnessed, suspected or alleged misconduct may be reported in the following ways:

- [www.TheHungerProject.ethicspoint.com](http://www.TheHungerProject.ethicspoint.com)
- USA Toll-free phone number: 1-844-425-1098
- Local phone number as made available in in-country material and on [www.TheHungerProject.ethicspoint.com](http://www.TheHungerProject.ethicspoint.com)

Also available to all employees is the Global Human Trafficking Hotline at 1-844-888-FREE and its e-mail address at [help@befree.org](mailto:help@befree.org).