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SAFEGUARDING POLICY

Version: 14 February 2025

Supersedes: Tdh PSEA Policy (2018) and Tdh Child Safeguarding Policy (2018)

Authors: Child Protection Sector and Global Office of Ethics and Compliance

Internal Review: Staff Committee (meeting of 13 November); Safeguarding Focal Points – Delegation Level (Greece, India and Nepal); Safeguarding Specialist Romania, Ethics and Compliance Technical Specialist (Bangladesh); RSH Project Manager (Europe Regional Office)

Validated by: CODIR and Council of Foundation

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Compliance requirement: Mandatory

1. INTRODUCTION

Terre des hommes- Helping children worldwide – Foundation (hereinafter referred as “Tdh”) believes all people should be safe and protected from all forms of harm and abuse. Safeguarding is fundamental to our identity as a humanitarian and development organization. Tdh sees safeguarding as a responsibility and a foundation for its work and is committed to preventing harm from occurring to children, youth, vulnerable adults, all staff members at all levels (including volunteers, interns, apprentices, independent consultants), and community members and responding appropriately when harm occurs.

The Safeguarding Policy ((hereinafter known as “The Policy”) is globally mandatory for HQ, regional hubs, and country offices. Tdh country offices are required to adapt the Policy to the local cultural contexts without compromising on safeguarding principles (see Article 10 on “Principles”) and ensure translations are available in relevant languages, accessible and inclusive to all.

Tdh developed this Policy through consultation workshops with representative delegations of children, young people, and vulnerable adults in Albania and Bangladesh.

2. LEGAL AND REGULATORY FRAMEWORK

Several sets of safeguarding standards apply to the humanitarian and development sector. They define and describe what is required for an organisation to work safely and protect the people who are directly involved in their programs. Safeguarding standards help organisations deliver good quality programs that are accountable to communities. In addition, donors often require organisations to meet certain standards and strengthen their capacities to qualify for funding.

This Policy is aligned with the following global standards:

1. Inter-Agency Standing Committee (IASC) Minimum Operating Standards for Protection from Sexual Exploitation and Abuse by own Personnel;¹
2. Core Humanitarian Standards² (CHS) and its framework for Quality and Accountability.
3. International Child Safeguarding Standards by Keeping Children Safe.³
4. Development Assistance Committee (DAC) Recommendation on Ending Sexual Exploitation, Abuse, and Harassment in Development Co-operation and Humanitarian Assistance.⁴

Tdh operates in different countries and contexts where local laws and customs may differ from the international human rights conventions. This policy is also aligned with the following international conventions and legislation:

5. UN Convention on the Rights of the Child (UNCRC).
6. Universal Declaration of Human Rights (UDHR).
7. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).
8. Convention on the Rights of Persons with Disabilities (CRPD).
9. European Union legislation.

In case of misalignment between global standards, context-specific regional or national laws and the Policy, more stringent regulation should be applied.

¹ https://interagencystandingcommittee.org/sites/default/files/migrated/2016-01/3_minimum_operating_standards_mos-psea.pdf

² <https://www.corehumanitarianstandard.org/>

³ <https://www.keepingchildrensafeglobal.com/international-child-safeguarding-standards/>

⁴ [https://one.oecd.org/document/DCD/DAC\(2019\)31/FINAL/en/pdf#:~:text=The%20DAC%20Recommendation%20is%20built,raising%2C%20and%20communication%3B%20v\):](https://one.oecd.org/document/DCD/DAC(2019)31/FINAL/en/pdf#:~:text=The%20DAC%20Recommendation%20is%20built,raising%2C%20and%20communication%3B%20v):)

3. PURPOSE

To define the Policy principles, describe its framework, and elaborate the commitment to put in place all reasonable measures to prevent and respond to all forms of harm and abuse.

4. STATEMENT

Tdh believes that everyone has an equal right to protection from abuse and exploitation and adopts a **zero-tolerance** approach to violence, sexual abuse and harassment, and exploitation of children and vulnerable adults and members of its personnel. Tdh is committed to taking all reasonable measures to ensure the safety and well-being of anyone involved in or connected to our work, particularly children.

5. APPLICABILITY

This Policy applies to:

- All staff members and at all levels (including volunteers, interns, apprentices, independent consultants).
- Any individual or entity working on behalf of Tdh in all its locations (this includes implementing partners).
- Any individual or entity carrying work for Tdh in all its locations (this includes contractors and suppliers).

6. RESPONSIBILITIES

Everyone who represents Tdh as described in section 5 is responsible for creating a safe environment for people who participate in all our activities, people with whom we work, and our staff. Tdh senior management at all levels is accountable for the implementation, and dissemination of the Policy and for taking all the appropriate measures for prevention and response. Children, youth, and vulnerable adults who are active and/or participate in our programmes must be aware of and understand the importance of the policy. Therefore, (Tdh) commits to ensuring that children, youth, and vulnerable adults understand the safeguarding policy. This will be achieved by simplifying its language, where needed, tailoring communication to cultural and linguistic contexts, incorporating more conducive communication tools, such as visual aids, interactive workshops, and establishing complaints and feedback mechanisms. These measures will be detailed further in the Safeguarding Manual. Additionally, a child friendly version of the policy will be made available.

7. PREVENTION STRATEGIES

Tdh commits to preventing harm from occurring by mandating safeguarding training for new staff members at all levels (including volunteers, interns, apprentices, independent consultants) and regular refresher sessions. It establishes robust procedures for safer recruitment, proactive risk identification, reporting, incident management, and investigation.

8. RISK ASSESSMENT AND MANAGEMENT

Tdh acknowledges the importance of identifying and managing sexual exploitation, abuse, and harassment (SEAH) risks throughout the organization. To address this, a risk assessment tool is available in the Safeguarding Manual. Delegations maintain a list of major SEAH risks and actions in a risk register.

9. MONITORING, REVIEW AND LEARNING

The Director General with the support of Global Ethics and Compliance will continuously monitor the implementation of the Policy, which will be reviewed periodically. Additionally, the Ethics and Compliance

and Child Protection Sector will hold annual workshops with key departments and delegations to reflect, learn, and enhance the Policy's implementation.

10. PRINCIPLES

Regarding children Tdh is committed to respecting the **four (4) Principles** of the UN Convention on the Rights of the Child (UNCRC) and the Minimum Standards for Child Protection in Humanitarian Action (CPMS):

Non-discrimination	Children should enjoy their rights and never be subjected to discrimination. We should detect and prevent any discrimination traits and address them in a timely manner if they occur.
Best Interests of the Child	In all its actions with and related to children, the best interests of the child shall be a primary consideration. This principle should be a guiding principle during the project management cycle.
The Right to Survival and Development	We must consider the impact of our activities and interventions on children's survival and development.
The Views of the Child	We must ensure that children's views are respected and are given adequate opportunities to participate in decisions that affect them. Children should be supported to express their views freely.

In addition, Tdh safeguarding policy is guided **by the principle of Article 5⁵** of the United Nations Convention on the Rights of the Child (UNCRC), which acknowledges the vital role of parents, guardians, and caregivers in providing appropriate guidance to children. We respect the evolving capacities and maturity of children ensuring that our approach to safeguarding adapts to their development stage. We are committed to supporting children, in collaboration with their caregivers, to understand and exercise their rights within a safe and protective environment.

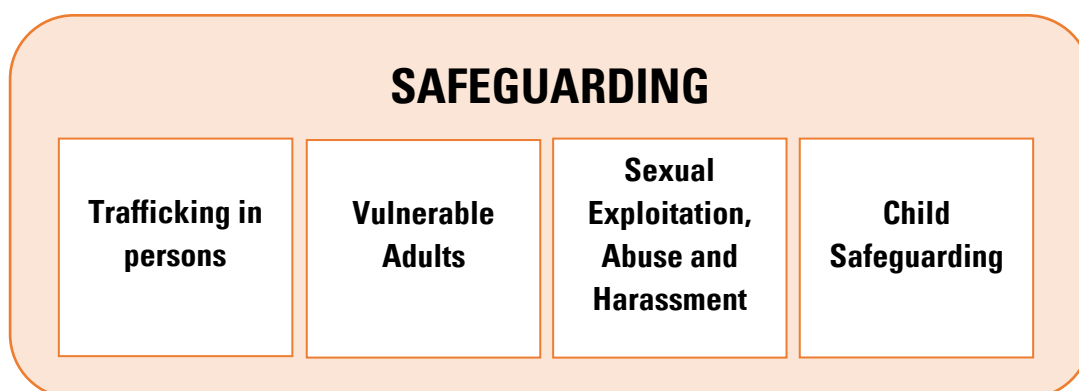
Tdh aligns with the Inter-Agency Standing Committee (IASC) **six (6) Core Principles** relating to Sexual Exploitation and Abuse (**SEA**) and adopts them:

Core Principle 1: No second chances	Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
Core Principle 2: No sexual activity with children	Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. A mistaken belief regarding the age of a child is not a defence. Tdh adds that any marriage with a child is prohibited. This applies regardless of the local laws in the country of operations. This includes the marriages of members of your own immediate family if you are the legal guardian.
Core principle 3: Don't hire/bridge anyone for sex	Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading, or exploitative behaviour is prohibited. This includes the exchange of humanitarian assistance that is due to beneficiaries for sexual favours.
Core Principle 4: No sexual activities with beneficiaries	Any sexual relationship between those providing humanitarian or development assistance and protection and a person benefitting from such assistance and protection that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian and development aid work.
Core principle 5: Always report SEA	Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency

⁵ [Convention on the Rights of the Child text | UNICEF](#)

	or not, he or she must report such concerns via established agency reporting mechanisms.
Core principle 6: Discourage SEA around you	Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have responsibilities to support and develop systems which maintain this environment.

11. DEFINITIONS



A. Safeguarding:

For Tdh, as an umbrella term it means taking all necessary steps to prevent harm to both aid recipients (children and adults) and staff and responding appropriately if harm occurs. This applies equally to both development and humanitarian assistance settings.

B. Child Safeguarding:

Child safeguarding is the responsibility of organizations to ensure their staff, operations, and programs do no harm to children, do not expose children to the risk of harm and abuse. Thus, any concerns that the organization has about children's safety within the communities in which they work are reported to the appropriate authorities.⁶ This includes both preventative actions to minimize the chances of harm occurring and responsive actions to ensure that incidents which may happen are appropriately handled. For this Policy, a child means anyone **under 18 as per the UN Convention on the Rights of the Child (UNCRC)**⁷. Being mistaken about the child's age is not a valid defence in the event of a breach of this Policy. This Policy covers the following forms of abuse:

- **Physical abuse:** The act in which a person causes a child physical injury, illness, or pain, or subjects the child to neglect or similar. This may involve the person hitting the child with or without an implement, pinching, kicking, pushing, throwing, shaking, pulling the child's hair, scratching, or biting the child, stepping, or stamping on the child, or forcing objects into the child's mouth. Physical abuse also includes poisoning, burning, scalding, scratching, and trying to drown or suffocate the child. Any form of corporal punishment is considered physical abuse of children.
- **Psychological abuse:** Psychological abuse includes severe punishment, ridicule, criticism, mockery, disparagement, rejection, freezing out, unreasonable demands, forced isolation from social contacts and age-appropriate activities, threats, and constant refusal to listen to what the child has to say. Certain harmful experiences shall also be considered psychological abuse, for example, if the child is forced to witness (see or hear) violence in his/her immediate environment

⁶ <https://www.keepingchildrensafe.global/child-safeguarding/>

⁷ [Convention on the Rights of the Child | UNICEF](#)

or live in an environment where there is frequent violence or threats of violence. All forms of physical abuse of children, including sexual abuse, involve psychological abuse.

- **Sexual abuse:** Covers all forms of sexual acts or threats forced on a child by another person in a position of power. Sexual abuse means that the other person is exploiting the child's position of dependence, and the act is based on the other person's purposes that violates the child's integrity, takes place against the child's will, or is something that the child cannot understand, is not mature enough to undertake, or cannot give informed consent to.
- **Sexual exploitation:** Actual or attempted abuse of a child's vulnerable position for sexual purposes based on a position of power or trust. This includes but is not limited to, promising the child monetary, social, or political gain through sexual exploitation.
- **Sexual abuse online (through the internet):** Covers all forms of sexual abuse and threat, physical and non-physical, which forced on a child by another person through the internet.

C. Safeguarding Vulnerable Adults:

For this policy, an adult means anyone over the age of 18 who is the recipient of the aid provided through Tdh activities. A vulnerable adult is generally defined as an individual who, due to age, disability, illness, religion, sexual orientation, or other factors, is at an increased risk of harm, exploitation, or abuse; adults who require assistance and support and who are experiencing or are at risk of abuse or neglect and are unable to protect themselves. Abuse can take place in many forms but is commonly seen as discrimination, neglect, sexual abuse, financial abuse, and physical abuse. Tdh is committed to protecting vulnerable adults from abuse and putting in place efforts and measures that enable them to make informed choices.

D. Protection against Sexual Exploitation, Abuse, and Harassment (PSEAH):

wChild safeguarding focuses on protecting children from all forms of harm, while PSEAH (Prevention of Sexual Exploitation, Abuse, and Harassment) addresses sexual misconduct affecting both children and adults in organizational settings.

For Tdh PSEAH falls under safeguarding , and it applies the Inter-Agency Standing Committee (IASC) Task Force definition of SEAH valid for all Tdh staff at all levels and all aid recipients:⁸

- **Sexual abuse:** The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
- **Sexual exploitation:** Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation or abuse of another.
- **Sexual harassment:** Any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation. Sexual harassment may occur in the

⁸ <https://interagencystandingcommittee.org/inter-agency-standing-committee/iasc-six-core-principles-relating-sexual-exploitation-and-abuse>

workplace or in connection with work. While typically involving a pattern of conduct, sexual harassment may take the form of a single incident.

E. Trafficking in Persons (TIP):

The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which is also known as the Palermo Protocol, in its Article 3a defines trafficking in person as “[t]rafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”⁹ Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, or practices like slavery, servitude, or the removal of organs.

In addition, the consent of a victim of trafficking in persons to the intended exploitation shall be irrelevant where any of the means stated above have been used. The recruitment, transportation, transfer, harbouring, or receipt of a child for the purpose of exploitation shall be considered trafficking in persons, even if this does not involve any of the means stated above.

Tdh is committed to its fight against any form of trafficking in persons and prohibits any behaviour that aids and supports trafficking in persons.

12. REQUIREMENTS

All individuals and entities listed **in section 5** of this Policy shall comply and report any breach of this policy. Tdh has a zero-tolerance approach to violence, sexual abuse and harassment, and exploitation of children and vulnerable adults and members of its personnel.

Whistle-blower protection: Tdh will protect anyone who reports suspected misconduct in good faith from negative action taken against them and will not tolerate any form of retaliation against whistle-blowers and reporters.

Any staff who suspects, witnesses and/or receives an allegation of suspected breach of this policy must immediately transmit the allegation by:

- Informing the safeguarding focal point in their country
- Sending an e-mail to Tdh internal reporting channel: concern@tdh.org
- Filing an allegation (which can be anonymous) at: <https://concern.tdh.org>
- Contacting the Global Ethics and Compliance Office directly

Any allegation received will be handled by the Global Ethics and Compliance Office in confidentiality according to its Incident Management Procedures. The investigations apply a survivor-centred approach, and specific support services will be available for victims/survivors of abuse. This could include counselling services, legal aid, and other services having as paramount the best interest of the victim/survivor and based on the assessed needs.

Failure to report consists of misconduct and will result in disciplinary action up to and including termination.

To note that **any reporting made in bad faith (malicious reporting)**, when substantiated, will be met with disciplinary measures, as applicable.

⁹ <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

Reporting to the Police:

If a report is received that is not within Tdh's own operations and that indicates a potential breach of national laws in connection with harm to a child or any other beneficiary, it will be assessed by the relevant delegation and reported, if applicable, to the nearest police station.

Near miss reporting:

A near miss is an unplanned event that did not result in injury, illness, or damage – but had the potential to do so. Near miss reporting is an important part of ensuring that Tdh operations are safe and secure for children and vulnerable adults, but also an important element in continuously strengthening and improving our operations and our procedures. Reporting must be carried out irrespective of the level of risk and anything that increases the risk of harm to children and vulnerable adults must be reported. Near miss reporting is a way to continuously improve our operations and reduce the risk of incidents.

You must submit a near miss report if you discover failings in our operations that could have breached the Safeguarding Policy but where no child and vulnerable adult has come to harm yet.

You can disclose a near miss report by:

- Sending an e-mail to your country safeguarding focal point **OR**
- Sending an e-mail to the Head of Country Office

13. SANCTIONS

Tdh reserves the right to impose disciplinary sanctions, in accordance with the personnel regulations in force in the country of operation, up to and including termination.

14. COMPANION MANUAL

To apply this policy, a Safeguarding Manual has been developed with tools, guidelines, and forms. Compliance is mandatory.

Every child in the world
has the right to a childhood.
It's that simple.



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