

Document Title : **Safeguarding of Children**

Effective Date : 2019-06-30

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Approval Statement : *Electronic signatures and signature dates of those individuals who prepared and approved this document are maintained in the FHI 360 Enterprise Document Management System database.*

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**PURPOSE:**

To set out FHI 360's behavioral expectations and guiding principles with respect to preventing and responding to abuse, exploitation or neglect of children in FHI 360 Programs.

**SCOPE:**

This policy applies to all FHI 360 Personnel worldwide, and to Suppliers and Supplier Personnel to the extent set out below.

**DEFINITIONS:**

1. *Child* – A person under 18 years of age irrespective of age of majority in the local context.
2. *Child abuse and exploitation* – Any form of physical abuse; emotional ill-treatment; sexual abuse; neglect or insufficient supervision; trafficking; or commercial, transaction, labor or other exploitation resulting in actual or potential harm to the child's health, well-being, survival, development or dignity.
3. *Emotional abuse or ill treatment* – Injury to the psychological capacity or emotional stability of the child caused by acts, threats of acts, or coercive tactics, including, but not limited to, humiliation, control, isolation, withholding of information, or any deliberate activity that makes the child feel diminished, embarrassed or fearful.
4. *Exploitation* – The physical, sexual, emotional or other abuse of a child where some form of remuneration is involved or where the perpetrator benefits in some manner.
5. *FHI 360 Personnel* – FHI 360 employees, officers, members of the Board of Directors, interns and fellows (paid or unpaid), volunteers, agents, and other individuals authorized to act on behalf of FHI 360.
6. *Neglect* – The failure to provide for a child's basic needs where FHI 360-sponsored programs and staff have a clear responsibility for the care of the child in the absence of the child's parent or guardian.
7. *Physical abuse* – 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, including, but not limited to, punching, beating, kicking, biting, shaking, throwing, stabbing, choking, hitting (regardless of object used) or burning. These acts are considered abuse regardless of whether they were intended to hurt the child.
8. *Program Participant* – Any person who is served by an FHI 360 program or has contact with FHI 360 Personnel, Suppliers, or Supplier Personnel in connection with or as a result of FHI 360's programs or business activities.

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9. *Sexual abuse of children* – A form of child abuse that includes sexual activity with a child. A child cannot consent to any form of sexual activity, ever. Child sexual abuse does not need to include physical contact between a perpetrator and a child. Some forms of child sexual abuse include: fondling a child’s genitals, penetration including vaginal, oral, or anal, incest, rape, sodomy, indecent exposure, sexual language or obscene conversations in-person or via digital interaction (e.g., phone, text, social media), masturbation in the presence of a minor or forcing the minor to masturbate, and exploitation through prostitution or production of pornographic materials, and any other sexual conduct that is harmful to a child's mental, emotional, or physical welfare.
10. *Supervisor* – An employee of FHI 360 who is in a direct supervisory role over the work of one or more employees of FHI 360.
11. *Supplier* – Any FHI 360 contractor, consultant, vendor, service provider, subcontractor, or subrecipient.
12. *Supplier Personnel* – A Supplier's employees, interns and fellows (paid or unpaid), volunteers, agents, and other individuals authorized to act on Supplier's behalf.

**POLICY:**

1. Statement of Policy

- 1.1 FHI 360 takes seriously its responsibility to protect the dignity, rights and well-being of all children involved in its programs and activities around the world. The company is committed to providing a safe environment for children by holding all FHI 360 Personnel to high standards of conduct and implementing policies and procedures to prevent and respond to instances of child abuse, exploitation or neglect.
- 1.2 FHI 360 strictly prohibits all FHI 360 Personnel from engaging in any form of child abuse and exploitation; emotional abuse or ill treatment; exploitation; neglect; physical abuse; or sexual abuse of children served by FHI 360 programs or whom FHI 360 Personnel encounter in the implementation of those programs, including research.
- 1.3 All FHI 360 Personnel must comply fully with host country and local child welfare and protection laws or with international standards, whichever gives greater protection, and must comply with U.S. law where applicable.
- 1.4 FHI 360 will take preventive measures, investigate complaints, and take appropriate action to stop any child abuse, exploitation or neglect that may occur, and will do so in a manner that is sensitive to the special needs of children and adolescents.
- 1.5 FHI 360 Personnel implementing projects must take measures to reduce the risk of child abuse, exploitation or neglect. Examples of such measures include limiting unsupervised interactions with children; prohibiting exposure to pornography; and complying with applicable laws, regulations or customs regarding photographing or filming children.

2. Reporting

- 2.1 FHI 360 Personnel who observe, suspect, or receive allegations of child abuse, exploitation or neglect related to FHI 360’s work, staff, program participants, or partners, or any other conduct prohibited by this policy, must report the conduct immediately, either orally or in writing, by contacting one of the following:

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- 2.1.1 Their immediate supervisor, or, if the conduct involves the immediate supervisor, any other supervisor within their department;
- 2.1.2 Their local Human Resources (HR) representative or regional or departmental HR Partner;
- 2.1.3 The Director of HR Partnering Useetha Rhodes [URhodes@fhi360.org](mailto:URhodes@fhi360.org) or Chief Human Resources Officer Pam Myers [PMyers@fhi360.org](mailto:PMyers@fhi360.org); or
- 2.1.4 The Office of Compliance and Internal Audit (OCIA) via email at [Compliance@fhi360.org](mailto:Compliance@fhi360.org).
- 2.1.5 OCIA’s Ethics and Compliance Hotline (1-800-461-9330 in the US, and +1-720-514-4400 outside the US)
- 2.1.6 OCIA’s reporting website either with your name or anonymously (<http://www.fhi360.org/anonreportregistry>).
- 2.1.6.1 Anonymous reports are generally more difficult to investigate due to limited information. FHI 360 Personnel are urged to provide as much detailed information as possible about the conduct, including, if possible, identifying people who were involved or who witnessed the conduct, so long as this will not put the persons identified at risk of immediate harm.
- 2.2 FHI 360 Personnel who are supervisors or hold a position at director level or above are required to promptly, within 24 hours, notify HR or OCIA (as per section 2.1) of any actual or suspected child abuse, exploitation, neglect, or other violation of this policy that is reported to them, or that they observe or otherwise become aware of. Failure to do so is a violation of this policy and could lead to disciplinary action, up to and including immediate separation of employment..
- 2.3 FHI 360 Personnel should notify local law enforcement, social services or child protection authorities in compliance with local mandatory reporting laws and take such other action deemed necessary to ensure the child’s safety or prevent future harm, so long as this will not put the child(ren) at risk of immediate harm.
- 2.4 FHI 360 will investigate all reports of suspected child abuse, exploitation or neglect and take appropriate remedial action, including, but not limited to, notifying law enforcement and cooperating with criminal investigation and prosecution where appropriate.
- 3. Non-Retaliation:
  - 3.1 FHI 360 has a separate policy prohibiting retaliation (Open Door and Non-Retaliation POL 03004). FHI 360 strictly prohibits any retaliation against FHI 360 Personnel who complain about child abuse, exploitation or neglect or other violations of this policy or related procedures, or who participate in a related investigation.
  - 3.2 Retaliation occurs when someone penalizes or threatens to penalize another person for reporting or expressing an intent to report what they believe in good faith to be child abuse, exploitation or neglect or any other violation of this policy, assisting others in reporting such policy violations, or participating in investigations under this policy.
  - 3.3 Non-retaliation protection includes all Program Participants. No Program Participant or community member will be denied participation in a program or access to aid for reporting suspected or known child abuse, exploitation or neglect, or participating in a related investigation.
  - 3.4 Suspected retaliation should be promptly reported via the reporting mechanisms set out in Section 2.
  - 3.5 FHI 360 Personnel who engage in retaliation will be subject to disciplinary action up to and including separation of employment or other relationship with FHI 360.

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4. Expectations of Suppliers and Supplier Personnel
  - 4.1 Suppliers and Supplier Personnel must refrain from any conduct that violates this Safeguarding of Children policy.
  - 4.2 FHI 360 requires that Suppliers similarly uphold the principles of this policy to prevent abuse, neglect, and exploitation of children by Supplier Personnel. Failure to do so may result in termination of Supplier's contractual relationship with FHI 360.
  - 4.3 Suppliers or Supplier Personnel who witness conduct prohibited by this policy or who identify that Supplier Personnel have engaged in any such conduct should promptly report the conduct, either orally or in writing, to the FHI 360 OCIA by one of the following means:
    - 4.3.1 Via email at [Compliance@fhi360.org](mailto:Compliance@fhi360.org).
    - 4.3.2 OCIA's Ethics and Compliance Hotline (1-800-461-9330 in the U.S., and +1-720- 514-4400 outside the U.S.).
    - 4.3.3 OCIA's reporting website either with your name or anonymously (<http://www.fhi360.org/anonreportregistry>).
  - 4.4 FHI 360 requires that suppliers cooperate fully with investigations and provide truthful information to investigators.
  
5. Consequences of Policy Violations
  - 5.1 FHI 360 Personnel who commit child abuse, exploitation or neglect; fail to report or forward reports of suspected child abuse, exploitation or neglect; or otherwise violate this policy or related procedures will be subject to disciplinary action, up to and including immediate termination of employment or other relationship with FHI 360.
    - 5.1.1 FHI 360 may take legal action when required, against FHI 360 Personnel who have been found to commit child abuse, exploitation or neglect, including referral to the relevant authorities for appropriate action, including criminal prosecution, in all relevant jurisdictions.
  - 5.2 Program Participants who violate this policy may be removed from FHI 360 programs and barred from participation in other FHI 360 programs.
  - 5.3 Violations of this policy by Suppliers or Supplier Personnel may result in FHI 360 terminating the Supplier's contract with FHI 360. Further, FHI 360 may pursue any contractual or other legal or equitable remedies that may be available.

**RELATED DOCUMENTS:**

**1. Policies**

- Code of Ethics & Conduct
- POL 01029: Combating Trafficking in Persons
- POL 01032: Protecting Program Participants from Sexual Exploitation and Abuse
- POL 03004: Open Door and No Retaliation
- POL 03011: Employee Discipline
- POL 03025: Recruitment

**2. Standard Operating Procedures**

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**3. Appendices**

- NA

**REFERENCES:**

1. USAID ADS 303maa, Standard Provision M27 regarding Child Safeguarding (June 2015)
2. 48 C.F.R. § 752.7307, Child Safeguarding Standards (Aug. 2016)

**POLICY REVISION HISTORY:**

<b>POL#</b>	<b>Date Reviewed (DD MMM YYYY)</b>	<b>Summary of Changes</b>
POL 01030	12/09/15	New Policy
POL 01030	10 SEP 2018	Updating Compliance hotline number for reporting of incidents.
POL 01030	13 MAR 2019	Updating content to be consistent with POL 01032; added POL 01032 to related documents.
POL 01030	05 JUN 2019	Changed definitions for FHI 360 Employees and Personnel New definitions and language regarding Suppliers and Supplier Personnel.