



## CHILD PROTECTION CHARTER & POLICY

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# **Child Protection Charter & Policy**

## **1. STATEMENT**

Planète Enfants & Développement recognizes that children are one of the most vulnerable groups in society and that all children have to right to be protected and to live in safety. PE&D is committed to protecting the rights of children and to preventing their exploitation and abuse.

Planète Enfants & Développement is committed to protecting children from exploitation and abuse regardless of their nationality, culture, ethnicity, gender, religious or political beliefs, socio-economic status, family or criminal background or physical or mental health.

Planète Enfants & Développement is committed to providing a safe environment for any children with whom it comes in contact, through implementing child-safe practices within its culture, programs and activities, policies and procedures.

These practices are to be understood and implemented at all levels.

Planète Enfants & Développement is committed to ensuring that it, and anyone in contact with children in connection with the activities and programs of PE&D are obliged to abide by national laws relevant to child protection.

Planète Enfants & Développement is committed to acting in accordance with the rules announced in international conventions regarding the rights and protection of children, in particular, the November 20th 1989 United Nations Convention for the Rights of Children, and just as the signatories agreed in the convention, PE&D is also committed to taking, certainly within the limits of its local power, all the measures « appropriate to protect a child from all forms of violence, physical or mental abuse, abandonment or negligence, mistreatment or exploitation, including sexual abuse, while the child is in the custody of both their parents, or one of them, or their legal guardians or any other person to whom they are entrusted » (extract from article 19-1 of the Convention of the U.N.).

PE&D is committed to aligning its policies on the Protection from the Sexual Exploitation and Abuse (PSEA) as outlined in the UN Secretary General Bulletin (Special Measures For PSEA) (ST/SGB/2003/13) and the IASC Minimum Operating Standards for PSEA.

## **2. SCOPE**

This charter/policy applies to:

- An ensemble of members of PE&D: to board and committee members, to staff and volunteers.
- Contractors providing services to or working with PE&D

## **3. GOALS**

The purpose of this Charter is to contribute to the protection of children from all forms of abuse and exploitation in all PE&D activities and PE&D programs.

This Charter determines the necessary conditions for the successful operation of PE&D missions, which all must be in perfect harmony with the goals of the Charter.

To do this the Charter:

- Defines in a precise way the terms used.
- Determines a process of rigorous screening and recruitment of people working within and under its orders.
- Establishes rules of good conduct through the elaboration of a Code of Conduct for the Protection of Children
- Implements a reporting procedure in the case that children are found to be in danger
- Provides support for risk management linked to the protection of children in all the programs and activities.

## 4. DEFINITIONS/ABBREVIATIONS

### *Abbreviations:*

- **PE&D** - Planète Enfants & Développement
- **PSEA** - Protection from Sexual Exploitation and Abuse
- **SEA**- Sexual Exploitation and Abuse

### *Adult*

A human being of 18 years of age or older

### *Child*

A human being under the age of 18 years old

### *Child Abuse*

One or more of the following: physical abuse, sexual abuse, emotional abuse, neglect, or exploitation

### *Child Abuse practices*

Any means, any practice which directly or indirectly leads a child to be the victim of torture, cruelty, physical or all kinds of moral violence.

### *Child exploitation and abuse*

One or more of the following:

- Committing or coercing another person to commit an act or acts of abuse against a child
- Possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material
- Committing or coercing another person to commit an act or acts of grooming or online grooming

### *Child abuse material*

Material that depicts (explicitly or implicitly) a child as a victim of torture, cruelty or physical abuse.

### ***Child Pornography***

Any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes

### ***Child pornography material***

Material that depicts a person, or is a representation of a person, who is, or appears to be, under 18 years of age and is engaged in, or appears to be engaged in, a sexual pose or sexual activity, or is in the presence of a person who is engaged in a sexual pose or activity, and does that in a way that a reasonable person would regard as being, in all the circumstances, offensive

### ***Child protection***

An activity or initiative for the purpose of preventing or responding to a specific incident of child abuse

### ***Contact with children***

Working or participating in an activity or in a position that involves contact with children, either under the position description or due to the nature of the work environment.

### ***Contractors***

Any person or organization working jointly with or providing services, including consultants and partner organizations to PE&D.

### ***Manipulation/ Grooming***

Behavior or conduct that makes it easier for an offender to procure a child for sexual activity (including online grooming)

### ***Manipulation/ Grooming online***

The act of sending an electronic message with indecent content to a recipient who the sender believes to be under 18 years of age, with the intention of procuring the recipient to engage in or submit to sexual activity with another person including but not necessarily the sender

### ***Neglect***

The failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and well-being.

### ***Psychological violence***

Inappropriate words or actions towards children from parents or caregivers or any person caring for the child as far as their capacity to adequately educate said child and ensure sufficient psychological support, with the consequences of undermining self-respect and the sociability of the child.

### ***Physical violence***

The use of physical force against a child that results in harm to the child, physically abusive behavior includes shoving, punching, hitting, beating, kicking, biting, burning, shaking, throwing, strangling and poisoning.

### ***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 of another.

### *Sexual violence*

The use of a child for sexual gratification by an adult or a significantly older child or adolescent. Sexually abusive behaviors can include fondling genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling breasts, voyeurism, exhibitionism and exposing the child to, or involving the child in, pornography.

## 5. IMPLEMENTATION

### 5.1. The Child Protection Code of Conduct and policy

Planète Enfants & Développement provides guidance about ways to minimize risk to children. Thus, Planète Enfants & Développement has to:

- Follow a rigorous procedure for recruitment
- Ensure the implementation of the Child Protection Code of Conduct - **Annex 2 - Child Protection Code of Conduct**
- Take the necessary action to display information about PSEA (such as publicize widely the policy among personnel, beneficiaries, communities...) and integrating it into training and awareness-raising.
- Set up trainings that should include the definition of SEA, a prohibition of SEA and actions that personnel are required to take (prompt reporting of allegations and referral of survivors).

In addition, Planète Enfants & Développement ensures to:

- Conduct from time to time assessment on PSEA practices and will suggest improvements, when necessary.
- Supports the local Management in implementing the PSEA activities.
- Facilitates awareness-raising campaigns with beneficiaries and local communities on the definition of SEA and the various mechanisms for raising SEA allegations or concerns.
- Where possible, will designate a staff member to support the Management in coordinating the development and the implementation of PSEA policy and procedures. Upon appointment, this staff member will undergo organization-specific training on PSEA, as soon as feasible.

### 5.1.1. Rigorous procedures for recruitment and screening of people working for PE&D

Planète Enfants & Développement ensures the safety of the child when recruiting and hiring anyone working for PE&D:

- Board members
- Staff and volunteers
- Local partners
- Third parties

For all Board and Committee members, staff, volunteers, and contractors, who will work with or who may have contact with children, the following rigorous check list, as shown in **Annex 1 - Child Safe recruitment** will be applied by PE&D.

PE&D will conduct screening for past SEA violations, and other code of conduct and policy violations (e.g. fraud, corruption, abuse of power), as part of recruitment process.

Anyone in these categories will be provided with a copy of the Policy; and will be briefed on the Policy as part of their orientation or induction; and will be required to understand the requirements of the Policy.

Furthermore, PE&D will include this clause on PSEA in the templates for partnership agreement and service contract:

*“The Contractor shall take all appropriate measures to prevent sexual exploitation or abuse of anyone by its employees or any other persons engaged and controlled by the Contractor to perform any services under the Contract. Any breach of the provision by the Contractor shall entitle PE&D to terminate the contract with immediate effect.”*

### 5.1.2. Behavior expected from personnel

PE&D has established standards of behavior, which must be followed at all times when a person is in contact or working with children.

The standards of behavior are set out below and in the Child Protection Code of Conduct (**Annex 2 - Child Protection Code of Conduct**):

- 1) Sexual exploitation and abuse by PE&D workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
- 2) Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally.
- 3) Mistaken belief regarding the age of a child is not a defense.
- 4) Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.
- 5) Any sexual relationship between those providing 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 ONG's work.

- 6) Where a PE&D worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same organization or not, he or she must report such concerns via established organization reporting mechanisms.
- 7) PE&D 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 particular responsibilities to support and develop systems which maintain this environment.

Board members, staff, personnel, and PE&D volunteers, all third parties who provide services or work with PE&D, visitors of PE&D who are in contact with or who work with children, must receive, sign, and respect the Child Policy and the Code of Conduct.

The Code of conduct, in the form of an Engagement Agreement, as shown in **Annex 2 Child Protection Code of Conduct**, must be submitted in duplicate to any member of staff or any partner in PE&D's activities, who must sign it and deliver a signed copy to PE&D.

Planète Enfants & Développement must retain a copy of the Code of Conduct as signed by each person or maintain a register of those persons who have been provided with and signed a copy of the code and trained in its obligations.

#### **5.1.3. Statement of zero tolerance policy**

Zero-tolerance policy means that all sexual exploitation and abuse by personnel (including by partners) is prohibited and every transgression will be acted upon.

Therefore, SEA is a ground for disciplinary actions, which may result in termination of employment, and for criminal investigation and prosecution (**see. 5.4. Sanctions**)

A failure to comply with the Code of Conduct may also lead to disciplinary action, legal action, or criminal investigation and prosecution.

PE&D will explicitly protect individuals, including personnel (former and current), who report misconduct from any form of retaliation, such as adverse employment action (e.g. termination, compensation decreases, poor work assignments) for personnel and withdrawal of access to goods and services for beneficiaries.

#### **5.1.4. Awareness-raising Sensibilisation**

Awareness raising of personnel and community plays a central role in building an organizational culture that does not tolerate abuse.

PE&D will conduct activities to raise awareness among their personnel, beneficiaries and local communities, including children because some beneficiaries and community members may not understand what SEA is, why it is dangerous, what their rights are, and what they can do to prevent and respond to incidents.

In particular, PE&D will develop core PSEA messages for the beneficiaries and community members and personnel.



The communication messages, materials and channels have to be adapted to the various target audiences, in particular to children. The communication messages have to be accessible from personnel, beneficiaries, communities and children.

PE&D underlines that the PSEA beneficiaries have the following rights:

- Free assistance in case of SEA
- Information about the PSEA
- To report inappropriate behavior
- To report prohibited behavior from personnel
- To report complaints to the Director of PE&D in France or to the country representative or to the designated PSEA contact, if any.

PE&D sends continuous reminders to the staff members for them to be aware of:

- The prohibition of SEA,
- Their roles and responsibilities in reporting and responding to SEA (see. [5.2.3. Reporting Mechanisms](#))

### 5.1.5. Training

PE&D has to arrange for trainings on PSEA. These trainings should:

- Include core content, such as 1) a clear definition of SEA; 2) a clear prohibition of SEA and 3) actions that personnel are required to take (i.e. prompt reporting of allegations and referral of survivors).
- Adapt training content to the audience by describing their PSEA-specific roles and responsibilities and presenting examples of SEA that participants might encounter in their everyday work.
- Increase accountability by requiring participants to acknowledge in writing their responsibilities for complying with the code of conduct and the consequences for breaching it.
- Offer regular re-fresher trainings on annual basis to ensure that personnel are aware of the latest policies and procedures.

**For further details re. trainings, please refer to the specific PSEA Training Instructions issued on the subject.**

## 5.2. Acting on reports of child abuse

### 5.2.1. Circumstances

If a member of staff, volunteer, or any person working with PE&D becomes aware of:

- Child abuse as a result of information given by the child, a third party, or direct observation,
- A definitive or potential violation of the Child Protection and the Code of Conduct.

They must immediately report either to a representative from the country they are in, or to the director of PE&D in France.

Any other person, including people connected to the community belonging to the victim or visitor, can also file a report of the violence or abuse of the child within the context of PE&D.

### 5.2.2. Content

A child abuse report must report all of the fears expressed by the child, all of the allegations made by them, or by any other person, all of the disclosures and information concerning the violence or abuse of which they may have been victim of, or in a more general manner, all violation of the rules of the Child Protection and the Code of Conduct (**Annex 4 - Incident Report Form for SEA Allegations**).

### 5.2.3. Reporting Mechanisms

It is essential to familiarize personnel with the organization's reporting and referral procedures: see **Annex 3 - Reporting Procedures**

PE&D takes the necessary action to:

- Ensure that reporting mechanisms adhere to core principles of effective reporting:
  - **Safety**: referral procedures and protection measures are set up before promoting the use of a reporting mechanism.
  - **Confidentiality**: restrict people who have access to the reported information; using code names when referring to those involved; omitting information that could reveal their identity (e.g. date of birth, address, phone number, description of unique physical traits); and keeping information on the identity and personal information separate from incident and related reports. People have the option of anonymous reporting.
  - **Transparency**: obtain prior informed consent of the complainant. PE&D will share confidentiality procedures with all complainants, explaining clearly how information will be shared, with whom and for what purpose, including for investigations and assistance to survivors.
  - **Accessibility**: make reporting mechanisms easy-to-use and remove potential barriers for usage (e.g. difficult or foreign language, costs and time needed for using them), keeping in mind their target audiences, including people of different ages, genders, educational backgrounds, abilities, etc.
- Give personnel and beneficiaries, including children, access to multiple reporting mechanisms (internal/external) that meet their needs and preferences to the extent possible.

Possible reporting mechanisms (internal/external) may include in-person reporting to designated personnel, reporting via free phone hotlines, SMS, text messaging or email.

These reporting mechanisms may differ between the countries where PED intervene and, will be determined by the Country Representative and the PED's Director according to the needs and the means of the country.

- Support the establishment and functioning of community-based, inter-agency complaint mechanisms, if they locally exist. These mechanisms should be free to use and usually include various reporting channels
- Widely publicize all available reporting channels to personnel, beneficiaries and local communities.

- Inform personnel about their roles and responsibilities on reporting SEA allegations, verbally and in writing, incorporating the following content:
  - A clear description of behaviors that constitute SEA, stressing the need to report when in doubt about a case
  - The obligation of all personnel to report any suspicions or concerns and consequences for failing to report
  - The option of reporting information anonymously
  - PE&D's protections for those who makes an allegation in good faith
  - Details regarding who to report to and what information to share to allow for proper response and follow-up (**Annex 3 - Reporting Procedures**)
  - Explanation of how PE&D will use the information
- Ensure that the report of the alleged incident (**Annex 4 - Incident Report Form for SEA Allegations**) is as detailed as possible.
- Train the personnel who may receive complaints on relevant procedures and remind them to:
  - Use the complainant's own wording to describe facts, violations and persons involved in the case to the extent possible.
  - Indicate where relevant information is missing and add essential contextual information where needed.
  - Remember that their role is not to investigate but rather to relate the facts for others to follow-up.
- Planète Enfants & Développement ensures that the security, well-being, dignity, and rights of the child are always the main concern of PE&D:
- Make every effort to protect the rights and security of the child during investigations, which will be undertaken if a child abuse report is filed.
- Examine the facts from the child abuse report with the upmost attention and ensure that all parties are treated fairly.
- Ensure the confidentiality and fairness of the child abuse report and the rapidity of its preparation.
- Ensure that all the interests of anyone giving testimony in good faith are protected.

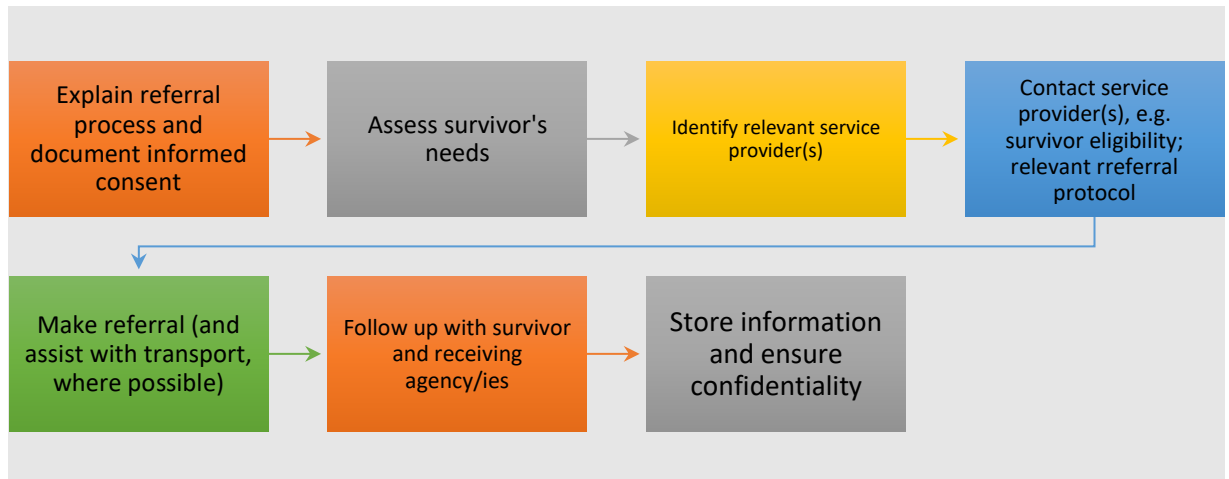
#### **5.2.4. Assistance to survivors of SEA**

PE&D takes the necessary action to ensure survivors of SEA receive immediate professional assistance, referring them to qualified service providers:

- **Ensure that survivors have access to assistance** regardless of decisions made by PE&D to investigate the case and regardless of the outcome of an investigation. Survivors are also not required to identify the perpetrator or prove that they are survivors of SEA to access services.
- **Have an updated list of local service providers**, for each country, which should

provide options for both children and adult survivors where relevant, including safety services, medical care services, psychosocial support, legal services and/or basic material assistance.

- **Have a set procedure to guide the referral process** (see graphic below and **Annex 5 – Referral form**)



- **Always obtain informed and voluntary consent** before facilitating assistance, respecting the right of a person, including children (depending on their age and capacities), to freely choose which type of support services they want to access or to decline services entirely. To ensure informed consent, caseworkers must ensure that the adult or child survivor fully understands the services available and the referral process, potential risks and benefits of receiving services, and what information will be collected and how it will be used, including confidentiality and its limits.
- In the case of children, **prioritize the best interests of the child**, choosing the course of action that is most effective in protecting the child's rights to safety and ongoing development.
- **Respect confidentiality**, protecting identifying information of all those involved in the alleged incident. PE&D will collect, share and store information on these cases safely and according to agreed-upon data protection policies. In particular, PE&D will share this information only with a limited number of individuals and ensure this happens with the survivor's explicit permission.
- **Consider potential risks for survivors (and their families) and take safety precautions, as needed.**

### 5.3. Investigations

PE&D has a policy for investigation of allegation of SEA which provides a clear framework to conduct quality, confidential, safe for those involved and transparent investigation into allegations of misconduct involving personnel.

### 5.3.1. Internal process

PE&D has decided to set up an internal policy including reviewing all allegations and deciding on next steps, including the need for an internal investigation and/or referral to local law enforcement authorities; immediate consequences for alleged perpetrator in terms of their work (e.g. suspension, change of job responsibilities), assistance for survivors and others; and communication with the parties involved, partners and others.

Some criteria for making decisions regarding the investigation policy include the nature of the abuse (i.e. breach of PE&D's code of conduct/national criminal law), reliability of source(s) of allegation, availability of hard evidence (e.g. photographs), and risk(s) for the survivor(s).

PE&D will always keep a record explaining the rationale for the course of action.

#### **Investigation policy will involve:**

- **Deploy or hire experienced, impartial and trained investigator(s)** who are qualified to handle cases that require a high degree of sensitivity and confidentiality. They should speak the language of witnesses and be familiar with local laws if possible. Furthermore, it is critical to agree with the investigator(s) from the outset on the scope of the investigation, coordination and communication processes (e.g. regular check-ins with managers), deliverables and timelines, contingency plans, and other key aspects of the investigation. Investigator(s) will use the Terms of References for Investigator of SEA Allegations - **Annex 6 Terms of Reference for Investigator of SEA Allegations**
- **Identify and manage conflicts of interest** by verifying that personnel and external experts involved in the investigation do not have personal or professional relations to the survivor, witnesses, complainants/whistleblowers, or the alleged perpetrator or have a vested interest in the outcome of the investigation, which may compromise their objectivity. If and when PE&D become aware of such a conflict of interest, PE&D should immediately remove the concerned individual from the case, stop them from further contact with all parties involved in the case, and request them to agree in writing to keep information on the case confidential.
- **Manage information-sharing and communications** in order to protect those directly involved as well as the integrity of the process. This involves:
  - Distinguishing between communications on the process of an investigation (e.g. state of investigation process), which should be transparent, and details relating to the case (e.g. identity of parties involved, details of incident), which should be treated confidentially.
  - Defining which individuals need to have access to what type of information.
  - Having a secure information-management system for keeping electronic and non-electronic data with access limited to those directly involved in managing or overseeing the investigation (e.g. using password protection for computers and keeping them in a secure place; keeping paper documents and other evidence in locked cabinets in a secure room; avoiding any identifying

information in written communications, such as emails, WhatsApp and others).

- Providing investigators (internal/external) with access to relevant internal documents, records and personnel, as well as adequate and administrative support to conduct investigations effectively.
- Requesting all parties directly involved in the investigation process (e.g. investigators, survivors, witnesses, alleged perpetrators, designated managers/personnel) to keep the content of their interviews confidential (see **Annex 7 : Confidentiality Reminder for SEA Investigations**).
- Setting up a system for keeping survivors, witnesses, alleged perpetrators and complainants informed on relevant aspects of the investigation process (i.e. determining who is responsible for sharing what type of information with whom and at what frequency).
- Assess and manage risks relating to the investigation process by conducting a comprehensive risk assessment (see **Annex 8 : Template for Risk Assessment and Management during SEA Investigations**)
- **Provide adequate protection and other support to survivors, witnesses and complainants/whistleblowers, and alleged perpetrators** (as part of their duty of care for personnel) throughout the investigation process as needed.

### 5.3.2. Follow-up and action plans

PE&D has to follow up on investigation outcomes, including through the following actions:

- Make the outcomes of the investigation available to the survivor and accused party and follow up with them to find out if they require additional psychosocial or other support.
- Use investigation reports to identify institutional weaknesses in preventing and responding to PSEA that require changes in PE&D's policies, procedures and staffing.

Any member PE&D, board, staff, or volunteer becomes aware of a report must, where appropriate:

- Discuss their concerns and fears with the country representatives or the director of PE&D;
- Fill out a document declaring the incident indicating the author of the report, if there are others that exist, or people who are privy to relevant information relating to the violence and abuse explained in said report.

Depending of investigations outcomes, PE&D will develop an Action Plan will include but is not limited to the following:

- Report the matter to local police and/or the child protection authority; **and/or**
- Ensure referral and support for the child; **and/or**
- Manage internally in accordance with its processes if not a criminal matter; **or**
- Take no further action.

*For further details re. Investigations, please refer to the specific **PSEA Investigations Instructions** issued on the subject.*

#### **5.4. Sanctions**

A member of staff, volunteer or member who intentionally makes a false or malicious report may be subject to disciplinary action. A contractor who intentionally makes a false or malicious report may be subject to termination of contract.

In case a complaint is substantiated, PE&D will:

- Take appropriate disciplinary actions against the perpetrator that corresponds to the severity of the offense committed, ranging from a written reprimand to dismissal;
- Update personnel files of the perpetrator accordingly and share relevant information with potential employers as part of their background checks to the extent legally possible;
- Report the case to relevant local law enforcement authorities, including the police and/or judicial authorities, and, if the case concerns a child, relevant child protection institutions, as needed.

#### **5.5. Risk management**

Planète Enfants & Développement ensure to identify any child SEA risks in all activities set up and its actions, and adopt strategies for reduce or remove them.

It is important for PE&D to review its risk assessments (and protection plans) regularly as the situation may be evolving.

## **6. MONITORING/REVISION**

### **6.1. Monitoring of the Charter / Policy**

Monitoring application of the charter is the responsibility of all staff, in particular the Director of PE&D.

#### **6.1.1. Review of the Charter/Policy**

The Charter/Policy must be reviewed if substantial changes have been made to national or international norms or in the event that PE&D develops, so that the provisions are always appropriate and effective.

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## ANNEX 1

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### **Child Safe Recruitment - Checklist for PSEA-Sensitive Recruitment, Contracting and Performance Management**

- Include a sentence in job announcements to notify candidates that background and reference checks will be conducted and ethics is part of annual performance appraisals
- Require applicants to self-declare prior issues of sexual or other misconduct, termination of past employment, criminal records, and concerns registered with government authorities regarding contact with children, and to consent to the disclosure of any such information by their former employers during verification of references
- Conduct background checks (e.g. police records, Google searches) and contact references to vet for former misconduct in accordance with local laws regarding employment, privacy and data protection
- Ensure gender-balanced interview panels during hiring processes and conduct gender neutral interviews
- Ask candidates interview questions about ethics and ethical dilemmas (e.g. What's your idea of an ethical organization? Tell me about a time when you faced an ethical challenge.)
- Require candidates to review and sign the code of conduct before being offered a contract
- Include a PSEA clause in employment contracts, including when subcontracting
- Outline disciplinary measures in the event of proven SEA allegations (e.g. termination of contract)
- Include training in PSEA as part of onboarding process and provide refresher courses at regular intervals during employment tenure
- Include adherence to code of conduct (e.g. participation in PSEA trainings) in performance appraisals of staff
- Include in the performance appraisals of senior staff their effectiveness in creating and maintaining an environment which prevents and responds to SEA
- Freeze professional advancement/recruitment opportunities of individuals under investigation
- In cases of confirmed misconduct, take robust disciplinary action (e.g. dismissal, suspension, written censure or other administrative/corrective measures) and, where



this involves possible criminal conduct, consider reporting the incident to local law enforcement authorities

- Maintain an internal database documenting any disciplinary measures on personnel, including dismissals, to avoid rehiring them at a later point in time
- Systematically share relevant information of personnel known to have committed SEA with other potential employers during background checks, to the extent legally possible.

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## ANNEX 2

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### **Child Protection Code of Conduct**

#### **1 - I agree that, while working with or engaging in activities funded by Planète Enfants & Développement I will apply the Child Policy:**

\* Treat children with respect regardless of race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;

\* Not use language or behavior towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.

\* Not conduct corporal punishment on children.

\* Not engage a child (under the age of 18 years) in any form of sexual activity or acts, including paying for sexual services or acts, as detailed in the Child Policy, with the following definition of SEA :

“Sexual exploitation” is 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 of another. “Sexual abuse” is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. This includes non-contact and online sexual exploitation and abuse.

\* Wherever possible, ensure that another adult is present when working in the proximity of children.

\* Not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger.

\* Not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor’s permission, and ensure that another adult is present if possible.

\* Not use computers, cell phones, cameras, or any other means of communication in an inappropriate manner, namely: proceeding deliberately or by simple negligence, to such actions which constitute acts of exploitation, abuse or harassment of children, either directly or through third party involvement.

\* Not hire children for domestic or other labor, which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.

\* Comply with all relevant local legislation, including labour laws in relation to child labor.

\* Immediately report concerns or allegations of child abuse and exploitation in accordance with Child Protection Policy established by Planète Enfants & Développement.

\* Immediately disclose any information relating to child abuse and exploitation occurring prior to or arising during the course of my employment or activity under the direction of Planète Enfants & Développement (simple charges or convictions and, beyond that, anything related to the case).

\* Never be under the influence of alcohol or any other substance that could affect my capacity to work and judgment during my professional work and including when I am in the presence of children.

**2 - Specifically, with respect to the use of images of children for purposes related to my work or activity under the direction of PE&D, I will:**

\* Be aware of the local traditions and restrictions before photographing or filming children or reproducing their images, and assess and comply with these norms.

\* Obtain informed consent from the child and a parent or guardian of the child before photographing or filming a child. As part of this I must explain how the photograph or film will be used.

\* 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 adequately clothed and not in poses that could be seen as sexually suggestive;

\* Ensure images are honest representations of the context and do not distort the facts; and

\* Ensure the file labels, metadata or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

**3 – I commit myself**, as a person participating in the activities of *PE&D*, to exercise extreme caution with regard to the physical and moral safety of children in order to avoid behavior, which could be interpreted as constituting as exploitation, violence or abuse of a child.

**4 - I acknowledge** that I have read, understood and will comply with all the principles and rules prescribed by the Child Protection Charter and the Child Protection Code of Conduct.

**5 - I confirm** that I have read that failure to comply with the provisions of the Code of Conduct for the Protection of Children may result in disciplinary action, legal action, investigation or even criminal prosecution

Place ..... Date .....

Name .....Position .....

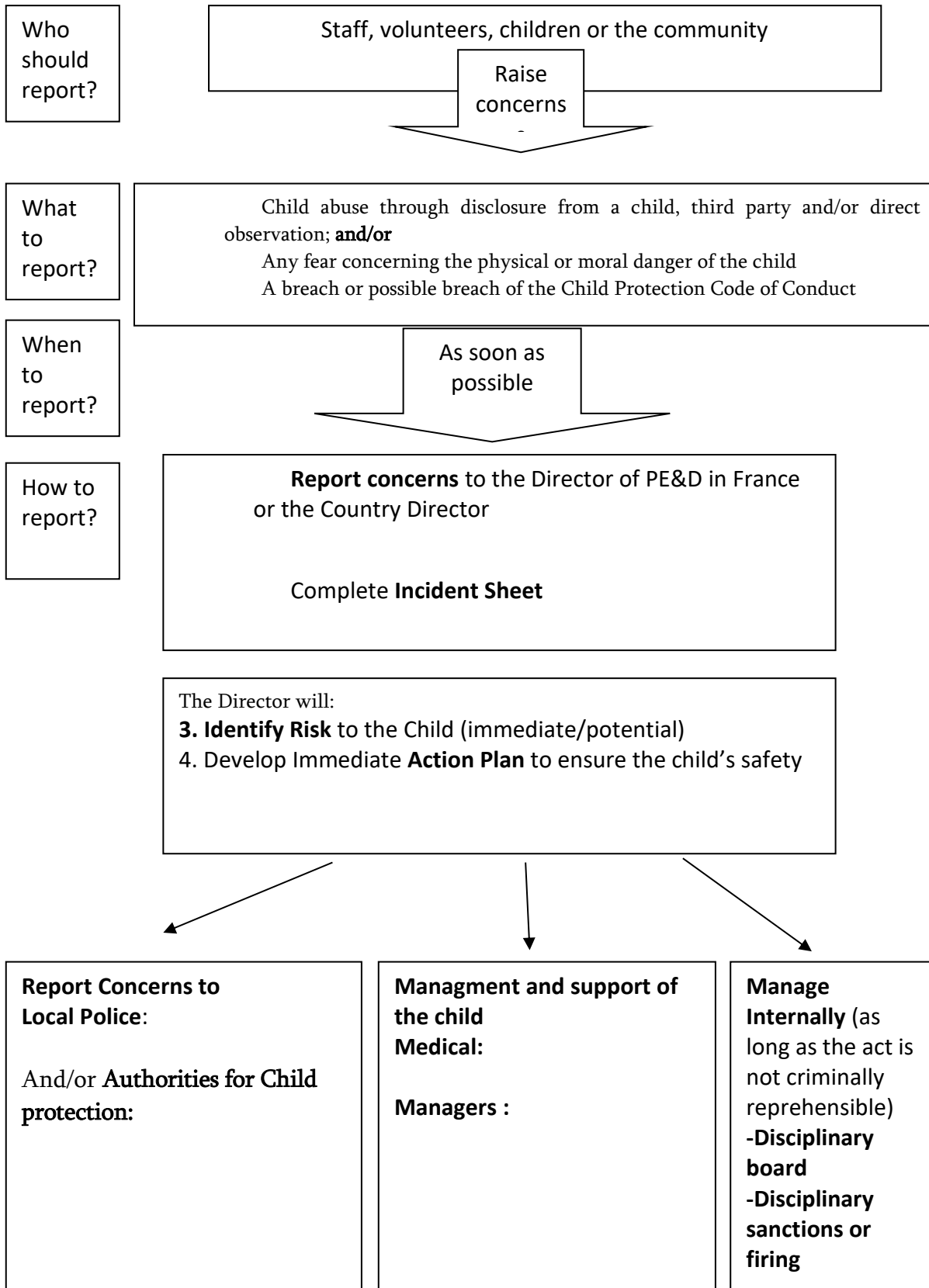
Signature .....

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## ANNEX 3

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### Reporting Procedures



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**ANNEX 4**

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**Incident Report Form for SEA Allegations**

*This sheet must be filled out if it appears that there is abuse or exploitation of children occurring or if a violation of the Child Protect Code of Conduct has taken place, or the child is in danger. Any fear concerning the physical or moral harm of a child must be immediately reported to either the director of Planète Enfants & Développement in France or to a country representative.*

*The report must be treated as strictly confidential.*

*CONFIDENTIAL: Please restrict access to this document and keep it stored safely (e.g. using passwords or encryptions for computers and locking offices when unattended). Always use code names when referring to individuals involved in the case, omit information that could reveal identities (e.g. date of birth, address, phone number, description of unique physical traits) and keep information on the identity and personal details of persons involved separate from incident and related reports.*

Date:.....

Place / Address:.....

Name of the Child:.....

Age of the Child:.....

Names of the parents or caretakers:.....

Name of the organization involved:.....

1. Details on how, when, and by whom, the allegation was received:

.....  
.....  
.....  
.....

2. Description of alleged incident, including dates, times and locations:

.....  
.....  
.....  
.....

3. Description of alleged or suspected survivors (e.g. name, age, gender, ethnic origin/nationality, specific needs):

.....  
.....  
.....

4. Description of alleged or suspected perpetrators (e.g. name, age, gender, nationality, organizational affiliation/position, previous record of misconduct):

.....  
.....  
.....

5. Actions taken in response to allegations to date (e.g. referral for assistance, investigations):

.....  
.....  
.....

6. Actions taken by other organizations or entities in response to the allegation:

.....  
.....  
.....

7. Requested support from partners (e.g. support for SEA survivors, investigations)

.....  
.....

Name:	Contact info (email, phone):
Title:	Date:

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## ANNEX 5

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### Referral Form

**CONFIDENTIAL: Please restrict access to this document and keep it stored safely.**

Note: Please share copies of filled out referral forms with the survivor and receiving agency and keep a copy for PE&D's internal records and follow-up.

Referring agency	
Agency/org:	Contact:
Phone:	Email:
Location	

Receiving agency	
Agency/org:	Contact:
Phone:	Email:
Location	

Survivor information	
Name:	Phone:
Address:	Age:
Sex	Nationality:
Language:	ID number
If survivor is a minor (under 18)	
Name of primary caregiver:	Relationship to child:
Contact information for caregiver:	Is child separated or unaccompanied?    Yes    No
Caregiver is informed about referral?    Yes    No (If no, explain)	

Background Information/Reason for referral and services already provided	
Has the survivor been informed of the referral? Yes    No (If no, explain below)	Has the survivor been referred to any other organization? c Yes    No (If yes, explain below)

Services requested

Mental Health Services	Protection Services	Shelter
Psychosocial Support	Legal Assistance	Material Assistance
Social Services	Education	Nutrition
Medical Care	Livelihood Support	Support for children born as a result of SEA
Please explain any requested services:		

**Consent to release information. (Read with survivor/ caregiver and answer any questions before s/he signs below. Sign on behalf of survivor/caregiver if consent is given verbally and survivor/caregiver cannot sign.)**

I, \_\_\_\_\_ (**survivor name**), understand that the purpose of the referral and of disclosing this information to \_\_\_\_\_ (**name of receiving agency**) is to ensure the safety and continuity of care among service providers seeking to serve the client. The service provider, \_\_\_\_\_ (**name of referring agency**), has clearly explained the procedure of the referral to me and has listed the exact information that is to be disclosed. By signing this form, I authorize this exchange of information.

Signature of responsible party (survivor or caregiver if a child):

Date (DD/MM/YY):

**Details of Referral**

Any contact or other restrictions?    Yes    No (If yes, please explain below)

Referral delivered via:    Phone (emergency only)    E-mail    Electronically (e.g., App or database)    In Person

Follow-up expected via:    Phone    E-mail    In Person. By date (DD/MM/YY):

Information agencies agree to exchange in follow up:

Name and signature of recipient:

Date received (DD/MM/YY):



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## ANNEX 6

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### Term of Reference for Investigator of SEA Allegation

<p style="text-align: center;"><b>Terms of Reference:</b> <b>Investigator of SEA Allegations</b></p>
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#### 1. Background

[Include brief description of the SEA allegation and other relevant information that may support the investigation.]

#### 1. Purpose and Objectives

The purpose of this investigation is to conduct a thorough, objective and effective investigation of the above-mentioned reported SEA allegations and other related incidents, in accordance with professional standards and best international practice.

Specific objectives are to:

- 1) Assess whether the allegations reasonably amount to SEA, and possibly, an offence under national law;
- 2) Review evidence presented and gather further evidence that might support or undermine the allegations;
- 3) Present a summary of the evidence and conclusions.

#### 2. Scope of Work

Key deliverables are:

- Work plan, including detailed methodology of investigation (e.g. review of relevant documents, site visit(s), interviews with relevant stakeholders)
- Recommended plan of actions for protecting survivors, witnesses, alleged perpetrators and the organization during investigation process
- Investigation report, including
  - 1) Executive Summary
  - 2) Introduction
  - 3) Allegations (i.e. listing all allegations; names of the organization's policies/code of conduct and laws potentially violated)
  - 4) Investigative approach (e.g. interviews, review of documents)
  - 5) Chronology of events

- 6) Analysis of evidence
- 7) Retaliation and protection risks (and steps taken to address them)
- 8) Analysis of adequacy of organization's response to SEA allegation
- 9) Conclusions regarding evidence to substantiate or not the allegation(s)
- 10) Recommendations (including areas of improvement for the organization's response to PSEA)

### **3. Key Required Skills and Experiences**

- Experienced, reliable professional investigator with experience in dealing with highly sensitive cases
- Trained in conducting interviews, including with children and people who experienced trauma
- Demonstrated sensitivity and knowledge to cultural diversity and gender issues, including GBV experience if possible
- Fluent in relevant languages for interviews with personnel and other witnesses, including (specify)
- Proven communication and organizational skills

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## ANNEX 7

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### **Confidentiality Reminder for SEA Investigations**

You have been asked to provide assistance in an investigation of allegations of sexual exploitation or abuse involving personnel that is currently being undertaken. You may be interviewed, asked to provide documents, computer files and other records, or asked to assist in some other way. Internal investigations are a key part of our organization's commitment to preventing and responding to sexual exploitation and abuse.

As a participant in an investigation, there are certain points you need to know:

1. **Co-operate.** You are encouraged to co-operate with the investigations and respond to all questions and requests from investigators honestly and fully.
2. **Keep it confidential.** You must keep confidential the fact that an investigation is underway and anything discussed with you as part of the investigation.
3. **No retaliation.** PE&D does not tolerate any type or threat of retaliation against anyone who reports a violation or cooperates in an investigation.
4. **Don't play detective.** Do not try to carry out your own inquiries or exhort witnesses as this may disrupt the ongoing investigation.
5. **No obstruction.** Never attempt to interfere with or obstruct an investigation.

Your compliance with these requirements is imperative. Violations can potentially result in severe discipline up to and including discharge and referral to criminal charges.

Thank you very much for assisting PE&D with its investigation. If you learn or remember anything else that might be relevant to the investigation, or if you have any questions please contact me.

Name:

Email:

Phone:

Mobile:

## ANNEX 8

### Template for Risk Assessment and Management During SEA Investigation

This is an example of a tool that anyone working with Planète Enfants & Développement can use to evaluate the risks that can come with children being in the presence of staff or volunteers of PE&D:

**CONFIDENTIAL:** Please restrict access to this document and keep it stored safely.

RISK ASSESSMENT				MANAGEMENT			
No.	Who is at risk?	Identified risk(s)	Likelihood of risk*	Previous measures to manage risk(s) to date	Additional mitigation measures	By whom ?	By when
<i>Example</i>	<i>Survivor</i>	<i>Alleged perpetrator pressuring survivor to withdraw allegations</i>	<i>Medium</i>	<i>Verbal communication to alleged perpetrator to abstain from contact with survivor - Date (XX/XX/XXXX)</i>	<i>Written warning to alleged perpetrator regarding consequences of continued contact</i>	<i>Anne</i>	<i>By (date) XX/XX/XXXX (immediately)</i>
1.							
2.							
3.							

\* High/Medium /Low

#### Necessary questions

- **IDENTIFY** - What are the practical activities of the program, which present a risk to children?
- **RISK** – What are the detailed and precise ways things could go wrong?
- **PROBABILITY** – What is the likelihood of something going wrong? (High, medium, low)
- **IMPACT** - What would be the consequences to the child?
- **ACTION** – What means should be used to reduce risks, and what resources are required. Who would be in charge of implementing these actions and when should they be implemented?

**Content for risk management:**

- Identify possible actions.
- Determine the necessary resources for reducing risk.
- Put in place precise procedures for rapid and effective management of risks when they occur.

**Follow-up on risk situations-** ask the following questions:

- Do the risks still exist?
- Have the risks been adequately managed in the framework of the existing procedures?
- Have they been detected, monitored, and reduced in a timely manner?
- Can these risks reoccur?
- Are risks of any other kind likely to arise?
- Can other actions or resources be put to use to better manage the risks facing children?