

POLICY ON
CHILD PROTECTION AND
PROTECTION AGAINST SEXUAL EXPLOITATION, ABUSE AND HARASSMENT
(PSEAH)

Version March 2023

INTRODUCTION

Sexual Exploitation and Abuse (SEA) by aid workers contradicts the principles upon which humanitarian action is based and represents a protection failure. SEA inflicts harm on those whom the humanitarian community is committed to protect, as well as it jeopardizes the credibility of all humanitarian actors.

Humanitarian workers are expected to uphold the highest standards of personal and professional conduct at all times to protect beneficiaries of their assistance. Sexual exploitation and abuse of affected populations constitutes gross misconduct and will result in disciplinary action, including immediate termination of employment, reporting to relevant networks and inter-agencies dedicated mechanism and referral for criminal prosecution, where appropriate.

POLICY STATEMENT

PATRIR is committed to safe programming and committed to creating an environment where potential risks are identified, considered and minimized and there are clear responsibilities and easily accessible processes and procedures to ensure this in all areas of work. PATRIR accepts that prevention of abuse is part of its duty to care for the children with whom it works, beneficiaries, communities it serves, staff, interns and volunteers, taking into account any particular vulnerability. PATRIR is also committed to equality and anti-discriminatory practice, giving equal priority to keeping safe beneficiaries, children, and communities it serves, all type of staff, regardless of their age, disability, gender, race, religion or belief, sex, or sexual orientation.

PURPOSE AND SCOPE OF THIS POLICY

This policy applies to all PATRIR staff, representatives and associates including drivers, contractors, consultants, volunteers, donors, management. This policy will be guided by the IASC core principles, survivor-centred approaches and “the best interest of the child”.

The purpose of this policy is:

- To establish PATRIR’s commitment to building and maintaining an environment and culture of safety for the staff and communities it serves through “safe programming”
- To set out the standards and code of conduct so that all staff, associates understand their responsibilities and obligations to behave appropriately with the communities they serve

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- To communicate to all managers, supervisors, employees, interns and volunteers (and have them acknowledge) their legal and ethical obligations to prevent and mainstream the prevention of sexual exploitation, abuse, and harassment.
- To ensure that those who directly and indirectly work with PATRIR are skilled in their roles and understand the importance of PSEAH and safeguarding and how it relates to their role

This policy applies to:

Personnel: For this policy purposes, “personnel” is any person who works for or represents the organization, whether or not s/he is compensated monetarily and regardless of the type or duration of their relationship with PATRIR.

Partners: Entities or organizations performing any duty related to their mandate, providing services and/or delivering humanitarian assistance. Staff, members, volunteers of an implementing partner are “humanitarian aid workers” for the purposes of this policy.

Contractors and Suppliers: Entities (and their personnel) partaking in the humanitarian infrastructure even partially and/or occasionally, when performing tasks attained to the humanitarian response.

PRINCIPLES

The Inter Agency Standing Committee (IASC) adopted Six Core Principles in 2002, which were revised in 2019, intended to set forth standards to prevent SEA and incorporated into the UN Secretary General’s Bulletin on SEA in 2003. PATRIR stands for the following principles:

1. Sexual exploitation and abuse by PATRIR personnel and associates constitute acts of gross misconduct and are therefore grounds for immediate 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. Mistaken belief regarding the age of a child is not a defense.
3. 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 exchange of assistance that is due to beneficiaries.
4. Sexual relationships between PATRIR personnel or associates and beneficiaries of PATRIR programs are prohibited, since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.
5. Where a PATRIR employee or associate develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established internal (see paragraph 4.7.1 in Staff Handbook) and/or inter-agency reporting mechanisms.
6. PATRIR personnel and associates are obliged to create and maintain an environment which prevents sexual exploitation and abuse and which promotes the implementation of the provided standard of conduct.

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Other PATRIR guiding principles:

- **The safety, protection and wellbeing of survivors** of sexual exploitation and abuse, or sexual harassment and abuse, shall be paramount to any intervention.
- **Best interest of the child:** In all actions and work with children, the *best interests of the child* will guide PATRIR's dealing with the safety or wellbeing of children. PATRIR firmly believes children have the right to be participating actors in all decisions affecting their lives, which means they can make choices and have the right to share the power adults hold.
- **Zero tolerance of child abuse and exploitation:** PATRIR maintains a zero-tolerance approach to child abuse and exploitation. This is enforced through consequent prevention and response work, supporting survivors and holding those responsible for harm and intolerable behaviour to account. To protect the safe environment for children, PATRIR ensures that all partners and associates involved in facilitating our work can access information about how to report concerns or allegations of child exploitation, abuse or other breaches of this policy and understand their responsibility in preserving child safeguarding principles.
- Child labour is a form of abuse as it deprives children of their childhood, their potential and their dignity, and is harmful to physical and mental development. According to Romanian legislation, children or young persons under 18, having reached the age of 16, may be employed, pending parental consent, however they may not be placed in hazardous work places and may not be made to work at night or beyond the legal duration of a working day (8 hours) except in emergencies. PATRIR considers a child any person under 18 years of age and the only circumstances in which PATRIR would engage the services of 16-year-old persons would be in assistance with interpretation in humanitarian emergencies, and only with parental consent and if no other means are available.
- **Risk Management approach:** PATRIR recognises its duty to provide protective environments for children in all its programmes and activities. Therefore, PATRIR will act to identify, monitor and mitigate child safeguarding risks with care and foresight in both the assessment of its programmes and partnerships to prevent the risk of a child being abused, exploited or harmed. PATRIR expects all staff and associates to consider child safeguarding when planning and implementing PATRIR programmes.
- **All children**, regardless of age, culture, disability, gender, language, racial origin, religious beliefs and/or sexual identity **have the right to equality and to protection from abuse.**
- **All suspicions and allegations of abuse should be taken seriously** and responded to swiftly and appropriately.

STANDARDS OF CONDUCT FOR PSEAH

The need for this Policy flows from a recognition that our work often puts PATRIR personnel in positions of power in relation to the communities we encounter in our work. We have an obligation to use our power respectfully and must not abuse the power and influence we have over the lives and well-being of the participants of our programs and others in the communities where PATRIR works, as per the Standard of Conduct.

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These Standards apply to all personnel and are intended to provide an illustrative guide to make ethical decisions in their professional and personal lives. Any violation is a serious concern and may result in disciplinary action, up to and including immediate dismissal, in accordance with disciplinary procedures of UPP as per UPP Staff Handbook at paragraph 4.7.

1. Personnel, associates and delegates will not request any service or sexual favour from beneficiaries of PATRIR programs, children or others in the communities in which PATRIR works in return for protection or assistance, and will not engage in sexually exploitative relationships.
2. Personnel, associates and delegates will not exchange money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This prohibition against exchange of money for sex means PATRIR personnel, associates and delegates may not engage the services of sex workers, including on PATRIR premises or accommodation, or while travelling to/from or attending workshops, meetings and trainings, regardless of the local or national law concerning sex work or prostitution in the country.
3. Personnel, associates and delegates are prohibited from having sex or engaging in sexual activities with program beneficiaries because there is an inherent conflict of interest and potential for abuse of power in such a relationship. If there is engagement in sex or sexual activities with a program beneficiary, the employee, associate, consultant or delegate must disclose this conduct to their immediate supervisor for appropriate guidance. Failure to report such conduct may lead to disciplinary action pursuant to PATRIR policies and procedures.
4. Personnel, associates and delegates must refrain from sexual activity with any person under the age of 18, regardless of the local age of consent. Ignorance or mistaken belief of the child's age is not a defense. Failure to report such a relationship may lead to disciplinary action pursuant to PATRIR's policies and procedures.
5. Personnel, associates and delegates will not support or take part in any form of sexual exploitative or abusive activities, including, for example, child pornography or trafficking of human beings.
6. Personnel, associates and delegates must report any concerns or suspicions they have regarding possible violations of this SEA Policy via PATRIR's reporting mechanism, even when the alleged person in violation of this policy is Partners' or Contractors' or other Humanitarian Actors' personnel.
7. Sensitive information related to incidents of sexual exploitation and abuse whether involving colleagues, beneficiaries or others in the communities in which PATRIR works shall be shared only with enforcement authorities and PATRIR referents for the investigation (need to know basis).
8. Data, including images, of children and young people are only collected if strictly necessary and foreseen as specific activity of the Organisation or of a project that the Organisation implements. Their use is therefore only limited to the duration of the project, the specific purpose for which they were provided and collected. Specific permission of the child's legal guardians as well as the approval of the child will be sought by the staff of the Organisation implementing the activity, according to law requirements. Acquired images and data are stored on the local server of PATRIR and are accessible only by the staff who have the specific credentials and who have subscribed the Code of Conduct.

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Given the inherent vulnerability of children, PATRIR staff, volunteers, interns and caretakers must comply with the following:

1. Adhere to PATRIR's policy, at all times ensuring that the workplace is free from discrimination of any form. Children shall not be excluded on the basis of gender, disability, race, ethnicity, religion or any other criterion.
2. Provide additional support as necessary to the more vulnerable children (ethnic minorities, disabled, girls, those with learning difficulties).
3. Contribute to building an environment where children are respected and empowered to participate in and discuss decision making and interventions into their safeguarding in accordance with their age, maturity and evolving capacities and well informed on their safeguarding and protection rights and what to do if they have a concern.
4. Portray a positive role model for children and youth by maintaining an attitude of respect, patience, courtesy, tact, and maturity.
5. Report and respond to any concerns, suspicions, incidents or allegations of actual or potential abuse to a child in accordance with applicable procedures of the engaging office
6. Provide children with positive corrective measures, giving examples of good conduct.
7. Be aware of situations which may present risks to children and try to prevent and manage such situations by planning and organising the work and the workplace, so as to minimize risk of violations of this code.
8. Ensure that a culture of openness exists to enable issues or concerns to be raised and discussed by children or their families. Employees shall never scold or ridicule a child for raising any issue or concern. Employees shall make children feel confident and secure and safe in voicing their concerns, as well as take a clear stand when other adults physically or verbally abuse a child.
9. Be aware of the potential for peer abuse (e.g. children bullying, discriminating against, victimizing or abusing other children) and actively prevent it. For example, supervising high-risk, peer situations where older and younger children are mixed.
10. Be visible in working with children, and should meet with child(ren) in a central, public location except for when the dignity or safety of the child needs to be protected with privacy. All activities with children, particularly those involving a single child and an adult or an older child, should be easily observed and interrupted.
11. Children are supervised at all times, either 'line of sight' or 'line of sound' supervision is maintained while children are using the facilities.
12. Whenever possible, ensure that adults do not isolate themselves with one child and that another adult is present when working in the proximity of children.
13. Staff should conduct or supervise private activities in pairs. Children are with an adult staff member and proceed in groups of three or more (e.g. 1 staff and 2 children or 2 staff and 1 child) when using the bathroom. No child, regardless of age, enters a bathroom alone on a field trip. If staff are assisting younger children, doors to the facility must remain open.
14. Prevent unauthorized entry by minimizing and securing all the possible ways into the building and ensuring there is a registration desk for visitors, and minimize the contact between children and other visitors on the premises
15. All staff should welcome each individual who they do not know and politely determine the person's purpose, guiding and accompanying the visitors as needed, including out of the building/premises.
16. All publications must be in line with child protection before being publicised or shared.

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17. Data privacy and protection issues shall comply with relevant EU rules (especially the General Data Protection Regulation (GDPR) (EU) 2016/679. If personal data about children and young people needs to be collected, written informed consent will be sought from their parents/legal guardians. The data will be collected and used only for the specific purposes for which they are provided. Staff working with children and needing to collect personal data about children or young people shall refer to the Data Protection Policy of PATRIR and to the General Data Protection Regulation (GDPR) (EU) 2016/679. PATRIR does not share the personal data provided with any other entity.

17. Remember that all staff members are accountable under this code, and that violation of this Code shall result in appropriate and lawful measures taken by the organisation and under the laws of the land.

Cooperate fully and confidentially in any PATRIR's investigation of concerns or allegations of abuse to children.

Immediately disclose all charges, convictions, and others with PATRIR that relate to the exploitation and abuse of a child.

Prohibited conduct when it comes to children beneficiaries and child safeguarding and protection

Employees must not:

1. Develop relationships with children which in any way be deemed exploitative, abusive or inappropriate. If there is any doubt, contact the Protection Officer, Focal Points, Senior Focal Point
2. Hit or otherwise physically assault or physically abuse children.
3. Take pictures, videos or any other recording (audio, video, pictorial) of children without the parent's / guardian's prior consent.
4. Use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate, and also shall not use any language that will mentally or emotionally abuse any child.
5. Invite unaccompanied children to their home or encourage meetings outside the programme activity, unless they are at immediate risk of injury or in physical danger.
6. Stay alone overnight with one or more students or minors, whether in the staff member's house, project premises or elsewhere.
7. Encourage other staff to hold or care for their child when the child accompanies the parent for work related travels. This shall not apply to designated caregivers.
8. Be with a child alone in a closed room or a place where no one else can see the employee. If an employee is alone with a single child at any time, that employee must ensure that another adult is present or at least close by.
9. Fondle, hold, kiss, hug or touch children in an inappropriate or culturally insensitive way.
10. Allow children to engage in sexually provocative games with each other, and shall not stand aside when inappropriate actions inflicted by adults or children on other children or other adults occur, even though it may be common.

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REPORTING ON BREACHES AND MAKING COMPLAINTS

All humanitarian personnel has the duty and anyone else has the right, to make a complaint or to report the behaviour of those associated with PATRIR, using the Reporting and Internal Investigation system set in place, the dedicated email address complaints@patrir.eu or any other channel.

Any manager who suspects inappropriate behaviour should refer to the same process and seek advice from their most senior managers. Complaints from person(s) external to PATRIR will be entered through the Complaints Policy (and FCRM).

Complaints on SEA shall be handled promptly without any delay, and preferably within 24 hours, regardless the alleged survivor/victim wishes to take an active part in the process, thus the report/complaint may be submitted also omitting the identifiable personal information of the survivor/victim and/or the complainant, based on their consent and wishes.

We recognize that SEAH disclosures maybe brought forward by a survivor long after the incident occurred due to the sensitive nature of such allegations.

An investigation can go ahead no matter how long ago an incident occurred, however, we strongly recommend putting forward the SEA allegation within 3 months from the incident.

MECHANISMS FOR REPORTING

All employees and representatives of PATRIR have the duty and the right to report any suspicion or incident of abuse. Failure to follow this instruction may lead to disciplinary action.

Reporting an alleged breach of the Code of Conduct, specifically the Policy on PSEAH and Child Protection, follows a standard process, and reports will be handled by the PSEAH Committee at PATRIR.

PATRIR will make efforts to create and maintain a safe organisational culture and safe programming through solid awareness raising and prevention, prompt response, and holding perpetrators accountable.

Part of ensuring a safe space in which staff and communities are empowered to speak up, is ensuring multiple channels for staff, interns, volunteers, beneficiaries, and others to safely report sexual exploitation and abuse and sexual harassment. PATRIR has mechanisms and procedures for personnel, recipients of assistance and communities, including children, to report SEA allegations that comply with core standards for reporting (i.e. safety, confidentiality, transparency, accessibility).

PATRIR's reporting channels have been designed in consultation with staff, interns, volunteers and beneficiaries from the local communities, and partners ensuring a variety of channels and accessibility.

Complaints and reporting may be submitted in any form, written or verbal, through reporting mechanisms or other channels, or sent to the dedicated address complaints@patrir.eu which is managed, in compliance with confidentiality and Data Protection, by the Safeguarding Desk Office, the HR Manager and one non-affiliated employee.

PATRIR strives to ensure that complaint mechanisms for reporting sexual exploitation and abuse are accessible and meaningful. **The following reporting channels are up and running at PATRIR:**

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1. Complaint e-mail address complaints@patrir.eu
2. QR codes with complaint form
3. Suggestion boxes (see attached Guidelines for suggestion boxes)
4. Focal points that can be directly approached by staff, interns, volunteers and beneficiaries

PATRIR will ensure that staff, interns and volunteers, as well the communities they serve are aware and know about how to access the reporting channels by:

1. Awareness raising: PATRIR will display in prominent places posters authorized by the PSEA network featuring the reporting mechanisms mentioned above.
2. Translating reporting procedures/mechanisms in international languages, local languages, and the languages of the communities they serve
3. Reminding staff, interns, volunteers, beneficiaries of the reporting channels by providing training and information, community focus groups, training for focal points
4. Dedicated section on the website with all the available reporting mechanism

PATRIR is committed to regularly informing the personnel and communities on measures taken to prevent and respond to sexual exploitation and abuse. Such information should be disseminated incountry, and should include details on complaints mechanisms, the existence of an internal investigation mechanism, relevant consequences for perpetrators and assistance available to complainants, survivors/victims.

PATRIR requires effective and comprehensive communication from HQ to the field and from the field to the HQ on

- (a) what to do regarding raising beneficiary awareness on PSEA and
- (b) how to establish an effective complaints mechanism at local level.

PATRIR ensures the rights of individuals (both beneficiaries and personnel), balancing due process of law with a survivor-centred approach.

PATRIR acknowledges that a sustainable mechanism provides the option of submitting a complaint even to a third party without direct management line with the alleged perpetrator or service relationship with the survivor/victim, which may alleviate fears of retribution. When a complaint is made to more than one person in the organization, the integrated system minimizes the risk of missing complaints before action can be taken and minimizes the potential repercussions on complainant(s).

INTERNAL INVESTIGATION

PATRIR has procedures for carrying out investigations into allegations. Guidance and support to those managing investigations is essential and is available from your senior managers and through the Guidelines on Handling Allegations of SEA.

Any investigation on a SEA allegation shall be notified to the President. Investigations are an internal administrative process and would not therefore involve the police or judiciary. Investigations are carried out so that PATRIR can have the best information possible on which to base its decisions concerning staff conduct and consequences thereof.

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In the case, assistance with carrying out investigations may be sought from expert partners, such as the PSEAH network in Romania, partners and backing donors.

Mandatory reporting: at the launch of an investigation, the concerned donor and the relevant networks and inter-agency coordination mechanism shall be notified. The outcome of the investigation will also be notified at the investigation closure.

We will alert the appropriate authorities if, following an investigation, we judge that:

- A crime has taken place,
- Confidentiality can be ensured;
- The survivor/victim is in agreement and
- Those associated with the case will not be subject to abuse or violence.

SURVIVOR ASSISTANCE

Survivors/Victims will be granted access to immediate support as necessary at all levels (medical, psycho-social, security), in line with the wishes and needs of the survivor/victim and to levels appropriate locally (and to a level deemed acceptable to appropriate professional staff).

PATRIR has a system to refer SEA victims to locally available support services, based on their needs and consent. Please see attached a list with useful contacts for referring survivors of gender based violence in Cluj.

DEBRIEFING and FOLLOW-UP

All staff involved with a SEA allegation may interact closely with people who are upset, distressed or angry. As a result, they may feel the need for help or would like to talk things through with somebody appropriate.

RESPONSIBILITIES AND COMMITMENTS:

Senior Managers and Line managers must ensure that all PATRIR personnel understand and comply with this Policy and its Principles and Procedures. To aid in implementing this Policy, PATRIR managers (Executive Director, Heads of Departments, HR Manager,) and line managers (Desk Officers, Heads of Office and Project Managers) commit to:

1. Incorporate our standards on sexual exploitation and abuse in induction materials and training courses for our personnel and in other relevant organizational standards of conduct and ensure that new staff takes courses on PSEAH and child rights, especially if they work directly with children, as part of their onboarding process. Refresher trainings on PSEAH will be offered to PATRIR staff, interns and volunteers twice a year: PMs should inform on specific training needs, adapted to the contexts of their projects, field activities.
2. PSEAH info should be disseminated across the Institute, especially to beneficiaries, and should include details on complaints mechanisms, the existence of an internal investigation mechanism, relevant consequences for perpetrators and assistance available to complainants, survivors/victims.

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3. Incorporate appropriate job responsibilities (such as staff training, complaints and response mechanisms, coordinating high-level oversight and progress reports) in specific staff positions to support and ensure effective implementation of organizational strategies to prevent and respond to sexual exploitation and abuse. Focal points report to the Senior Focal Point and Head of Office, however, if Project managers have a focal point in the team, they should ensure that the focal points dedicate time to safeguarding (usually 10-20% of an employee's time).
4. In compliance with applicable laws and to the best of our abilities, prevent perpetrators of sexual exploitation and abuse from being rehired or redeployed by PATRIR and other humanitarian entities. This includes use of background and criminal reference checks as per the Internal Regulations on the recruitment and selection process.
5. Establish and ensure that complaint mechanisms for reporting sexual exploitation and abuse are accessible, particularly to participants and beneficiaries of PATRIR programs, and that PATRIR personnel receiving complaints understand how to discharge their duties.
6. Raise awareness and encourage and empower staff, communities that PATRIR serves to make suggestions, report SEAH. PMs should act upon feedback related to quality of service that has been referred to their team; Address and act upon non-sensitive feedback from employees, interns, volunteers, that has been referred by the focal points, so that the suggestion and reporting system becomes living practice and all PATRIR community, staff and beneficiaries, develop trust in the suggestion and reporting system.
7. Take appropriate action to the best of our abilities to protect persons from retaliation when allegations of sexual exploitation and abuse are made.
8. Put forward, upon PATRIR investigation mechanism in the Internal Regulations, allegations of sexual exploitation and abuse involving PATRIR personnel and associates in a timely and professional manner, and to the best of our ability encourage personnel to do the same. This includes the use of appropriate interviewing practices with complainants and witnesses, particularly with children. Engage professional investigators as appropriate.
9. Take swift and appropriate action, including legal action, against PATRIR personnel who are found to have committed sexual exploitation and abuse (perpetrator). This may include administrative or disciplinary action, and/or referral to the relevant authorities for appropriate action, including: reporting to relevant networks or inter-agency coordination mechanisms and criminal prosecution either in the perpetrator's country of origin (if international personnel) or in the host territory. Any action taken shall be based on the survivor/victim and complainant's wishes for expressing or omitting identifiable personal information.
10. Ensure survivor/victim and/or complainant(s) of SEA access to emergency assistance (medical, legal) and psychosocial support as appropriate and feasible, based on their wishes and consent.
11. Create and maintain mechanisms to systematically educate PATRIR personnel and associates and the communities we serve on SEA and measures taken to prevent and respond to sexual exploitation and abuse.
12. Ensure that when engaging in partnership, subgrant or subrecipient agreements, the agreements
 - a) incorporate this Policy or the reference to it;
 - b) include the appropriate language requiring such contracting entities and individuals to comply with this Policy;

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c) expressly state that the failure of those entities or individuals, to investigate allegations on sexual exploitation and abuse, or to take corrective actions when sexual exploitation or abuse has occurred, shall constitute grounds for terminating such agreements.

13. Ensure high level oversight and information systems on SEA reports received and actions taken in order to monitor effectiveness, report progress and improve efforts to prevent and respond to sexual exploitation and abuse.

PSEAH Training and Training on child safeguarding

Child rights training

All staff members (at minimum, all staff members/volunteers/interns working directly with children and youth) will participate in a comprehensive initial children's rights and child abuse prevention training and in further training throughout their employment period, that includes information on the Rights of the Children (UNCRC, Lanzarote Convention, National regulation), Communicating with Children, Sexual abuse, Prevention, Early Identification, Responding, Documenting, and Reporting.

External collaborators and associates who may come in contact with children and young people in the fulfilment of their tasks as assigned by PATRIR will participate in the same child abuse prevention training.

PSEAH Training

As part of the onboarding process all staff, interns and volunteers will go through trainings on PSEAH and Safeguarding when they join PATRIR, including a briefing on policies and values, the Code of Conduct, information about how to report concerns, and advice about where to seek further information about safeguarding and safer practices across the organisation. Additionally, all staff, interns and volunteers undergo an online training on PSEAH. Refresher trainings on PSEAH will be offered to PATRIR staff, interns and volunteers twice a year.

SCREENING AND HIRING PRACTICES

PATRIR establishes and sustains proper hiring and volunteer, internship selection practices, including completed applications, reference checks, Criminal Background Checks, Social Security checks and documented personnel files, and includes specific reference to PSEAH and child protection in its Code of Conduct.

- All prospective staff members/volunteers/interns will complete an application form to work or volunteer or intern that includes questions regarding past work history, volunteer experience, and education.
- All Application forms will include a statement that PATRIR has a zero tolerance standard for abuse and inappropriate behaviour by staff members.
- All staff/volunteers/associates who may be involved in working with children and young people, or who are deemed likely to come in contact with children in the fulfilment of their duties, will be requested to provide a certificate of their national criminal record.

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- Advertisement - make clear the organisation's commitment to PSEAH and child safeguarding and ensure that potential applicants are informed of the requirement to declare all previous employment, including (i) the name of the employer; (ii) the title of his/her position during employment; (iii) the duration of employment; (iv) the identity of the person's supervisor during employment, and (v) the reason for his/her separation.
- Interviews - include questions around PSEAH, child safeguarding, the Code of Conduct or working with children.
- Background/reference checks - verify the successful applicant's identity, their employment history, and qualifications. Offers should not be confirmed until all checks are in place.
- The job candidate will complete a self-declaration regarding any prior involvement in sexual misconduct confirming that they have never been subject to sanctions (disciplinary, administrative or criminal) arising from an investigation in relation to SEA, or left employment pending investigation and refused to cooperate in such an investigation
- Prior to performing any work duties, staff members, interns, and volunteers will sign and date a copy of the Code of Conduct of the Organisation, to which the PSEAH Policy is annexed. They will receive the updated copy of the Code of Conduct and of PSEAH Policy annually.

CONSEQUENCES

Personnel members who contravene PATRIR's clearly stated expectations on sexual conduct will be subject to disciplinary action that may result in immediate dismissal.

Partners whose personnel members contravene our expectations and those expressed in partnership documentation must conduct appropriate investigations. Failure to do so will result in partnership termination. As outlined above (in Investigations), the appropriate authorities might become involved under certain circumstances.

LEARNING

Human Resources and the President keep a database from which analysis for trends in behaviour, investigation outcomes and problems will be regularly analysed. Regular reporting on SEA incidents to these positions is obligatory.

Synergies with other PATRIR Policies

1. Gender Equality Policy
2. GDPR Policy

Annexes

Annex 1 Diagramm for Reporting Mechanism

Annex 2 Guidelines for Suggestion Boxes

Annex 3 TOR for Safeguarding Focal Points

Annex 4 Safeguarding Confidentiality Agreement

Annex 5 Useful contacts for referring survivors of gender-based violence

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DEFINITIONS

Sexual Exploitation and Abuse (SEA): Particular forms of gender-based violence that have been reported in humanitarian contexts, specifically alleged against humanitarian workers. Sexual exploitation and/or abuse of a beneficiary is SEA, however the individual need not be in a vulnerable position; the differential in power or trust relationship between a humanitarian worker and a direct or indirect beneficiary of the response is sufficient to establish SEA.

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.”

Exploitation: This refers to the use of child in work and other activities for the benefit of others. This include but not limited to child labour. These activities are to the detriment of the child’s physical and mental health, education, moral or social emotional development.

Sexual Abuse: “The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.”

Child abuse is caused by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting; most often by those known to them or, more rarely, by stranger.

Physical abuse: Physical abuse is defined as intentional physical injury to a child or corporal punishment of a child. Torture, beatings, and assault of children are obvious forms of physical abuse. May involve tapping, hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child.

Neglect: Neglect is the persistent failure to meet a child’s basic physical and or psychological needs, likely to result in the serious impairment of the child’s health or development. It may involve a parent or caregiver failing to provide adequate food, shelter and clothing, failure to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child’s basic emotional need.

Child: Any person under the age of eighteen (18) years as defined by the Convention on the Rights of the Child.

Child Rights: Children have the “right to life, survival and development” where development encompasses physical, emotional, cognitive, social and cultural development.

Child Safeguarding: The policies, procedures and practices employed to safeguard children who come into contact with Oxfam PATRIR and all those associated with the delivery of our work from all forms of harm, abuse or exploitation and the responsibility of all personnel to embed these at the activity level to ensure organization is a child safe organisation.

Child Protection: The prevention of and response to significant harm, abuse, neglect, exploitation and violence against children. Child Protection programming is an activity or initiative designed to protect

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children from all forms of violence. This includes the integration of child protection into all thematic areas of programming to enhance the protective environments for children in the community

Beneficiary: A person directly targeted by the response as part of either emergency relief or development aid and person(s) associable with the former at a degree that may imply to consider the latter as indirect target of the response.

Complainant: A person who brings an allegation of SEA in accordance with established procedures. This person may be an SEA survivor or another person who is aware of the wrongdoing. Where there is any conflict of interest between the survivor and another interested party, the survivor's wishes must be the principle consideration in case handling, particularly when there is a risk of additional physical and/or emotional harm.

Reporter: Any person who flags in any way, shape or form information on an allegation of SEA to a humanitarian worker. Also, the person receiving in any way, shape or form information on an allegation of SEA and putting it forward through the established procedures.

Victim/Survivor: A person who has SEA perpetrated against him/her or has experienced an attempt of SEA against him/her. For the purposes of this policy, person(s) who allegedly have experienced SEA are immediately treated as survivor(s), in line with the survivor-centered approach, pending the outcome of the investigation.

Subject of the Complaint: Once a complaint has been filed, the alleged perpetrator of SEA is referred to under these terms.

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