



**Welcome the stranger.
Protect the refugee.**

HIAS SAFEGUARDING OF CHILDREN POLICY

Purpose

In keeping with its vision and values, and as referenced in our Code of Conduct standards, HIAS is committed to assuring safe environments for children, free from any harm caused due to their coming into contact with HIAS. This includes harm arising from:

- The conduct of HIAS staff, partners, and suppliers or personnel associated with HIAS.
- The design and implementation of HIAS' programs and activities.

This policy does not cover:

- Safeguarding concerns of vulnerable adults and others, as this is addressed by HIAS' Safeguarding Policy.
- Safeguarding concerns in the wider community not perpetrated by HIAS or associated personnel.

Note: Definitions found in Appendix A.

Applicability and Disciplinary Action

This policy binds all "Staff and Associated Personnel" (together, "Personnel") employed by or engaged with HIAS including in the United States, regional offices, country offices, and resettlement support centers, whether on HIAS property or at a non-HIAS location. Personnel include board members, permanent staff, fixed-term and temporary staff, third-party representatives or sub-contractors, volunteers, interns, and agents. Adapted Safeguarding of Children policies are applicable to partners and suppliers.

This policy informs HIAS Personnel of their contractual responsibilities and moral obligations to safeguard children in all areas of HIAS' work. This policy describes the steps that will be taken to meet HIAS' commitment to safeguarding children.

Adherence to this policy is mandatory and non-compliance could lead to disciplinary action as outlined in HIAS' Employee Handbook.

Compliance and Laws

HIAS is committed to safeguarding children by protecting them from harm in compliance with the United Nations Convention on the Rights of the Child (UNCRC) and the relevant child

protection laws of the countries in which HIAS operates. Where any provision of this Policy conflicts with a law or regulation, the law or regulation shall govern and supersede the conflicting provision. Where the HIAS standard for safeguarding children is higher than national laws or policy, HIAS' policy shall be followed.

HIAS has adopted policies and procedures to ensure that all Personnel are knowledgeable about child protection risks and are aware of the specific measures they must take in order to safeguard children in the work they do on behalf of the organization.

Vision, Mission, and Values

Vision: HIAS stands for a world in which refugees find welcome, safety, and opportunity.

Mission: Drawing on our Jewish values and history, HIAS provides vital services to refugees and asylum seekers around the world and advocates for their fundamental rights so they can rebuild their lives.

Values: Impassioned by our mission, we bring the lessons of HIAS' history and Jewish ethics to our commitment to serve refugees and other displaced persons of concern around the world through the following values: We **Welcome** the Stranger; We Pursue **Justice**; We Approach our Clients with **Empathy**; We Believe in Changing the World through **Partnership**; We Act with **Courage** to Build a Better World; We Adapt and Thrive, Continuously Demonstrating our **Resilience**.

What is the Safeguarding of Children?

Safeguarding of children is an organization's responsibility to ensure their Personnel, operations, development, communications, and programs do not harm children, and do not expose children to an undue risk of harm and abuse.

Safeguarding Children Policy Statement

HIAS is committed to undertaking all its work in a manner that does not harm children and/or put them at risk. Because of their age, gender, disability, and background, HIAS recognizes that children may be affected differently by risks.

HIAS Personnel are obliged to:

- Create and maintain a culture and secure environment that prevents safeguarding violations of children and promotes the implementation of the Safeguarding of Children Policy.
- Report any concerns or suspicions regarding child protection violations by HIAS Personnel to the appropriate staff member as outlined in the HIAS HQ risk reporting framework and to the child protection focal point (CPFP), as outlined in-country office procedures/processes.

- Organize the work of Personnel and the physical layout of the workplace to minimize risks when working with children. In particular, this means keeping activities visible to others (where possible) when working with children.
- Ensure that children can report abuse and know where to get help. The complaints mechanism must be child-friendly and confidential.
- Ensure that a sense of accountability exists between and among HIAS Personnel so that poor practices or potentially abusive behavior does not go unchallenged.
- All children and young people should be encouraged and empowered to fulfil their potential. Their views should be given 'due weight' in accordance with their age and level of maturity. Appropriate Personnel shall make decisions as to the best interest of children and young people; full consideration will be given as to how such decisions might affect the children.
- The human rights of children and young people shall be respected irrespective of age, sex, gender, gender identity, sexual orientation, nationality, ethnic origin, color, race, language, religious or political beliefs, marital status, disability, physical or mental health, family, socio-economic or cultural background, class, conflict with the law, or any other aspect of their background or identity. Inequality, exclusion, and discrimination shall not be tolerated.

HIAS will:

- Ensure that all activities involving children are timely, appropriate, and centered on the child or young person, taking into account their gender and other specific safeguarding needs, vulnerabilities, and protection risks.
- Implement stringent safeguarding procedures when recruiting, managing, and deploying HIAS Personnel, including but not limited to criminal background checks.
- Comply with national legislation in any activities involving contact with children (assuming this does not involve contravening this policy). Where HIAS sets a higher standard than national laws and policy, HIAS' policy shall be followed.

HIAS Personnel must not:

- Engage in sexual activity with anyone associated with HIAS' activities under the age of 18.¹ Mistaken belief in the age of the child is not a defense.
- Sexually abuse or exploit any child.
- Knowingly engage in any commercially exploitative activities of any child (including but not limited to child labor or trafficking).
- Physically assault any child.
- Emotionally or psychologically abuse any child.

¹ HIAS' policy is any sexual exploitation of or activity with children under the age of 18 is classed as abuse. HIAS' policy applies in all countries, even in countries where the age of sexual consent may be lower than 18.

- Put a child at risk because of HIAS' activities, through either individual action, inaction, or program design and implementation. This includes the way in which HIAS gathers and communicates information about the child in our programs.
- Make any unsolicited, personal contact with children by any means, including social media.
- Take any photographs of children without the consent of the child, parents, or guardians, or publicize these without the written consent of parents or guardians, including for personal use.
- The above is not an exhaustive or exclusive list. HIAS Personnel should exercise good judgment and avoid actions or behavior that may be abusive/exploitative.

HIAS' understanding of harm to a child includes the definitions provided in footnotes, along with neglect and negligent treatment and abuse of children in armed conflict.

Reporting

HIAS Staff or associated personnel who have a complaint or concern relating to the safeguarding of a child should follow reporting procedures/processes outlined in their country office processes and procedures and HIAS' Standard Operating Procedures: Dealing with Safeguarding Reports. Reporting options include but are not limited to reporting to the country office child protection focal option, country office director and/or in-country human resources manager. Further reporting options include anonymous reporting through www.hias.ethicspoint.com or ethics@hias.org.

In accordance with the risk-reporting framework, HIAS' General Counsel decides whether the complaint or concern will be reported to HIAS' Board of Directors and, per funder notice guidelines, determines if the funder/donor shall be notified.

HIAS' Whistleblowing Policy protects any staff properly reporting safeguarding of a child's concern or complaint.

HIAS will also accept complaints from external sources, such as clients and other beneficiaries of assistance, members of the public, partners, and official bodies.

Confidentiality

It is essential that confidentiality be maintained at all stages of the process when dealing with and investigating safeguarding concerns of children. Information relating to the concern and subsequent case management will be shared only on a need-to-know basis and be kept secure at all times. Where a regulation such as the European Union General Data Protection Regulation (GDPR) addresses a person's access to information, HIAS will comply with national legislation while also keeping information related to the concern secure at all times.

Changes and Updates to this Policy

HIAS reserves the right to make changes and updates to this Policy as required. If modified, the Policy will be made available to all HIAS personnel and on HIASnet, indicating the date of the latest revision, and HIAS will comply with applicable law.

Approved: March 14, 2021

HIAS Personnel Safeguarding of Children Certification Form

I hereby affirm and acknowledge that I have received a copy of this Safeguarding of Children Policy, and I fully understand all of the terms contained herein. I agree to comply with all terms of this policy and to report any potential or acts of violation of this policy or related policies and procedures. Reporting options include anonymous reporting through EthicsPoint (www.hias.ethicspoint.com) or ethics@hias.org. I understand that it is my sole responsibility to ask any questions about this Policy, and I confirm that I have had many opportunities to do so.

I acknowledge and understand that my non-compliance with this Policy or my non-disclosure of a violation of this Policy of which I am fully aware, or my willful and intentional concealment of a violation of this Policy committed by myself or others, may result in disciplinary action, including the termination of my employment or other relationship with HIAS and the pursuit of legal action against me by HIAS.

I further understand that the foregoing may result in criminal or civil penalties and fines imposed by law, which HIAS reserves the right to pursue in its sole discretion.

I understand that this policy should be signed upon employment or relationship with HIAS and January 1 every year after.

Print Name

Position or Affiliation with HIAS

Signature

Date

APPENDIX A

Abuse of children in armed conflict - Children are affected by armed conflict in many different ways. The United Nations Security Council has identified six categories of violations: killing or maiming of children; recruitment or use of children as child soldiers; sexual violence against children; attacks against schools or hospitals; denial of humanitarian access for children; and abduction of children. A child associated with the armed groups and armed forces is defined as any person under 18 years of age who is part of any kind of regular or irregular armed force or armed group in any capacity including, but not limited to, cooks, porters, messengers, and those accompanying such groups, other than as purely family members. It includes girls recruited for sexual purposes and forced marriage.

Beneficiary of Assistance is someone who directly receives goods or services from HIAS' program(s).

Child is a person below the age of 18 - *UN Convention on the Rights of the Child, Article 1*.

Harm is physical, sexual, emotional abuse, neglect and exploitation and any other infringement of an individual's rights.

Neglect and negligent treatment is the inattention or omission of the caregiver in providing for the development of the child in health, education, emotional development, nutrition, shelter and safe living conditions, taking account of resources reasonably available to the caretaker, which causes, or has a high probability of causing, harm to the child's health or physical, mental, spiritual, moral or social development. This includes the failure to properly supervise and protect children from harm, as much as is feasible - *WHO, 1999*.

Safeguard children means any action, measure, or structure to prevent and protect any child from harm.

Safeguarding is the measures put in place by organizations to reduce harm that may be caused by inappropriate sexual activity, abuse or exploitation, or other exploitative or abusive conduct. It is the organization's responsibility to make sure their staff, operations and programs "do no harm" to children and vulnerable adults, and to not expose them to the risk of or actual harm and abuse - *Keeping Children Safe (adapted)*.

Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions - *UN Secretary-General's Bulletin on Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13)*.

Sexual exploitation means 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 - *UN Secretary-General's Bulletin on Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13)*.

Vulnerable adult is a person who is or may be in need of care by reason of mental, physical, emotional, psychological or other disability, age, sex, gender sexual orientation, gender identity or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation. - *UK Government Department of Health (abridged)*. Note: Due to issues of poverty, marginalization, relative lack of power and lack of access, beneficiaries served by HIAS programs are classed as vulnerable.