



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

HIAS SAFEGUARDING POLICY

Purpose

In keeping with its vision and values and as referenced in our Code of Conduct standards, HIAS is committed to the protection of children, vulnerable adults, and any other person from any harm caused directly or indirectly due to their coming into contact with HIAS. This HIAS Safeguarding Policy informs HIAS Staff and associated personnel of their legal, contractual, and moral responsibilities to safeguard children and vulnerable adults in all areas of HIAS' work wherever HIAS operates.

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, including operations, recruitment, procurement, fundraising, and communications

This policy does not cover:

- Sexual harassment in the workplace, because sexual harassment is addressed by HIAS' Discrimination and Harassment Policy
- Safeguarding concerns in the wider community not perpetrated by HIAS or associated personnel

See Appendix A for a glossary of terms and definitions.

Applicability

This HIAS Safeguarding Policy applies to HIAS staff and associated personnel, defined as including permanent, fixed term, and temporary staff, third-party representatives or subcontractors, board members, volunteers, interns, and agents who are engaged with HIAS in the United States and in our country offices (hereinafter referred to as "HIAS Person" or "Personnel"). An Adapted Safeguarding Policy may be applicable to partners and suppliers. Adherence to this policy is mandatory, and non-compliance could lead to disciplinary action.

What is safeguarding?

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.

Safeguarding Policy Statement

HIAS is committed to undertaking all its work in a manner that does not put children or vulnerable adults at risk of harm or injury.

HIAS Personnel must be aware that they are humanitarian workers, subject to the humanitarian protection principles:

- Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
- Sexual activity is prohibited with children (persons under the age of 18) regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.
- Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading, or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.
- Any sexual relationship is prohibited between those providing humanitarian assistance and protection, and a person benefitting from such humanitarian assistance and protection that involves improper use of rank or position. Such a relationship undermines the credibility and integrity of humanitarian aid work.
- Where a humanitarian worker 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 HIAS' reporting mechanisms.
- Humanitarian workers are obliged to create and maintain an environment that prevents sexual exploitation and abuse and promotes the implementation of HIAS' Code of Conduct. Managers at all levels have particular responsibilities to support and develop systems that maintain this environment.

HIAS staff and associated personnel are obliged to:

- Contribute to creating and maintaining a culture and secure environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy
- Report any concerns or suspicions regarding safeguarding violations by a HIAS staff member or associated personnel to the appropriate staff member, as outlined in HIAS' HQ risk reporting framework and to the focal point, as outlined in country office procedures/processes. See "Responding to Safeguarding Reports of Sexual Abuse or Exploitation: Standard Operating Procedure and Investigation Guidelines."

HIAS will:

- Design and undertake all programs and activities (including data and content gathering) in a way that protects clients, beneficiaries of assistance, children, and vulnerable adults and any other persons of concern from any risk of physical or psychological harm that may arise from their coming into contact with HIAS staff or associated personnel
- Implement stringent safeguarding procedures when recruiting, managing, and deploying HIAS staff and associated personnel, including but not limited to criminal background checks
- Comply with national legislation in any activities involving contact with children and vulnerable adults taking place in country (assuming this does not involve contravening this policy – where HIAS sets a higher standard than national laws and policy, it is expected that HIAS’ policy will be followed).

Reporting

Staff members who have a complaint or concern relating to safeguarding should follow reporting procedures/processes outlined in HIAS’ Standard Operating Procedures: Dealing with Safeguarding Reports. In accordance with the risk reporting framework, HIAS’ General Counsel shall report possible safeguarding violations to HIAS’ Board of Directors and per funder notice guidelines determines if the funder/donor also receives a report.

Any staff reporting concerns or complaints will be protected by HIAS’ Disclosure of Malpractice in the Workplace (Whistleblowing Policy).

HIAS will also accept complaints from external sources, such as clients and other beneficiaries of assistance, members of the public, partners, and official bodies, per the “Accountability to Affected Populations” procedures.

Confidentiality

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management will be shared only on a need-to-know basis, and will 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 law, rule, or regulation 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 communicated to all HIAS Staff and associated personnel and posted on HIASnet, indicating the date of the latest revision.

APPENDIX A

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.

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.