

# SAFEGUARDING

## Say Yes! to Keeping Children & Programme Participants Safe and Protected

<b>Lead</b>	Plan India - Safeguarding Unit
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<b>Related Policies</b>	<ul style="list-style-type: none"> <li>- <i>Global Policy on Values Conduct and Whistleblowing</i></li> <li>- <i>Global Policy on Gender Equality and Inclusion</i></li> <li>- <i>Global Policy on Data Privacy</i></li> <li>- <i>Harassment, Bullying and Discrimination Policy (PII Policy)</i></li> <li>- <i>Grievance Redressal &amp; Disciplinary Action Policy (Plan India)</i></li> <li>- <i>Whistleblowing Policy (Plan India Policy)</i></li> <li>- <i>Code of Conduct Plan India Policy</i></li> </ul>

# APPLICATION

As an Indian Policy, in accordance to the global policy, this policy applies to:

- [a] Plan International (India Chapter) in India is operating through its country offices, regional hubs, liaison offices, and any other offices, some of which operate as branches and some as subsidiaries;
- [b] All Project Offices and
- [c] All other entities that agree to be bound by the Policies.

(together, Plan International (India Chapter) may be referred as Plan India or 'we' or 'us' in this document.)

The Policy applies to all staff<sup>1</sup> (regardless of nature and terms of association or contract), associates<sup>2</sup> and visitors<sup>3</sup> who must comply with its requirements, including requirement to report, and understand the sanctions that may be applied for breaches of this Policy. In line with the Global and Indian Policy on Values, Conduct and Whistleblowing, which includes the Code of Conduct this policy is binding for staff both in and outside of working hours and in all aspects of a staff member life.

Each of the Plan India entities, including PII, shall enact their own procedures, regulations or other regulatory documents that enable compliance by its staff (and/or, when appropriate, contractors and other partners) with this Indian Policy. Where required by Indian law or practices, offices may enhance the standards and requirements set out in this policy.

Under this policy, any concerned child<sup>4</sup>, adult and/or member of a community where Plan India works has the right to report any concerns, allegations or suspicions or raise a complaint via the appropriate and available reporting procedures.

# REACH

The protective scope of this policy covers:

- all children, those aged under 18, regardless of their association with Plan India or our programmes/projects; and
- any child or adult who is the target of, or who we know will be immediately affected by, one or more Plan Indian associated projects or initiative outputs, hereafter referred to as programme participant<sup>5</sup>. While we are a child-focused organisation our work reaches and involves programme participants of all ages, as such we have a responsibility to safeguard these programme participants, irrespective of their age<sup>6</sup>.

Violence<sup>7</sup> against any child or programme participant is against, not only the values and principles we uphold as described in this Policy, but also in direct opposition to the aims of our work. It is therefore imperative to our

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<sup>1</sup> Individuals who receive a regular salary for work in any Plan India Entity as well as individuals paid by or through a Plan India Entity but located in another entity. Please see Appendix 1 for the full definition of Staff.

<sup>2</sup> A range of contracted paid and non-paid individuals who have committed to work with or support a Plan India Entity. It includes, among others, board members, volunteers (including community volunteers), interns, sponsors, researchers, donors, consultants and contractors, staff and/or representatives of partner organisations and local governments (when operating in partnership agreement with a Plan India Entity). Please see Appendix 1 for the full definition of Associate.

<sup>3</sup> A range of persons who are visiting our offices or programmes/projects and may come into contact with children and young people through a Plan India Entity. A visitor may be a journalist, media, researcher, visiting sponsor or celebrity. Please see Appendix 1 for the full definition of visitor.

<sup>4</sup> Any person girl, boy, young woman, young man, and children of other gender identities - under the age of 18 years (UNCRC Article 1).

<sup>5</sup> Any child or adult that is the target of, and that we know will be immediately affected by, one or more project or initiative output; irrespective of whether these are delivered directly by Plan India or by partners or organisations who are acting on behalf of Plan India. Please see Appendix 1 for the full definition of Programme Participant.

<sup>6</sup> We recognise that our programmes/projects may reach participants who are over 18 years. While these programme participants are adults and may not require distinct consideration, as with children, they still require protection from violence and we retain a duty of care towards them. Young people/person or youth in line with United Nations definitions, include individuals – young women, young men, and young persons of other gender identities – aged 15 to 24 years old. This groups spans the categories of 'children', 'adolescents' and 'adults'. We recognise that the young people we work with have particular safeguarding needs requiring distinct consideration.

<sup>7</sup> Violence is used throughout this policy to describe all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, emotional ill-treatment or psychological violence, sexual abuse and exploitation, harassment, and commercial or other exploitation. Violence consists of anything that individuals, groups,

mandate to ensure that children and programme participants do not experience harm<sup>8</sup>, abuse<sup>9</sup>, exploitation, or any other form of violence because of their engagement with us or our programmes/projects, events, and processes. Where children who are not programme participants experience violence in the communities, they will be referred to the appropriate authorities, support services and/or absorbed into our protection and other programming interventions as appropriate/needed/can be done.

Safeguarding includes the responsibilities; preventative, responsive and referral measures that we undertake to protect children and programme participants. For us, safeguarding includes protection from sexual harassment, exploitation, and abuse (PSHEA). This Policy should be read in conjunction with our Plan India Policy on PSHEA which provides our clear and explicit stance on PSHEA of children and programme participants and our commitment to preventing SHEA amongst staff. When reading this Policy, it should be understood that when we use the term safeguarding this includes the protection of children and programme participants from all forms of sexual violence.

We acknowledge the need to consider gender, intersectionality<sup>10</sup> and varying social identities thoroughly while implementing this Policy. We must ensure that our safeguarding<sup>11</sup> approach and response to safeguarding concerns uphold a gender and intersectional lens. Gender Responsive Intersectional Safeguarding<sup>12</sup> is an approach that takes full account of a social identities and experiences to understand the complexity of the prejudice and/or inequality they face, or conversely, how this may lead to heightened privilege. We use this understanding to identify and respond to specific safeguarding needs. Our risk assessments; project and programme designs; and safeguarding measures must fully consider and be aware of cultural/societal norms and all intersecting vulnerabilities<sup>13</sup>. See Appendix 2 for more information on intersectionality.

## PURPOSE

Plan India recognises that violence is prevalent throughout the world and in all societies. Furthermore, children and adults may be vulnerable and at greater risk of violence due to their intersecting identities, for example, due to their gender, sexual orientation, ethnic origin, disability, age or illness.

The purpose of the policy is to ensure –

- all staff, associates and visitors understand the importance of preventing violence in all its forms and their responsibility to ensure that they, their behaviour and work does not result in violence or harm against a child or programme participant.
- all staff, associates and visitors understand their role in preventing violence and harm as well as the consequences of breaching this policy.
- all staff, associates and visitors understand their responsibility to report any concerns relating to violence and harm and have access to clear guidelines on how to report suspected breaches of this policy.
- all staff, associates and visitors understand our commitment to upholding the highest level of personal and professional conduct amongst staff, associates and visitors working in or visiting programming contexts,

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institutions or organisations do or fail to do, intentionally or unintentionally, which either results in, or has a high likelihood of resulting in, actual or potential harm to a child, young person or adult's wellbeing, dignity, survival and/or development. Please see Appendix 1 for the full definition of Violence.

<sup>8</sup> Any intended or unintended detrimental effect on a child's or young person's physical, psychological or emotional well-being. Please see Appendix 1 for full definition of Harm.

<sup>9</sup> includes all forms of physical or mental violence, injury or violence, neglect or negligent treatment, emotional ill-treatment or psychological violence, sexual abuse and exploitation, harassment, and commercial or other exploitation. Appendix 1 for the full definition of Abuse.

<sup>10</sup> Intersectionality is a theoretical framework for understanding how aspects of a person's social and political identities (e.g., gender, sex, race, class, sexuality, religion, disability, physical appearance, programme participant, etc.) intersect, overlap, and compound to create interdependent forms of discrimination and privilege. Please see Appendix 1 for full definition of Intersectionality. You can also see Appendix 2 for more information.

<sup>11</sup> The responsibilities, preventative, responsive and referral measures that we undertake to protect children and programme participants, ensuring that no child or programme participant is subject to any form of harm as a result of their association with the organisation. Please see Appendix 1 for full definition of Safeguarding.

<sup>12</sup> Please see Appendix 1 for full definition of Gender Responsive Intersectional Safeguarding.

<sup>13</sup> A person's ability, which is limited by their social and political identities to avoid, resist, cope with or recover from violence, exploitation, and abuse. See Appendix 1 for full definition.

particularly humanitarian settings where vulnerabilities are increased, ensuring zero tolerance to inaction on reports of any and all safeguarding concerns.

- children and programme participants are aware of our responsibilities to prevent and respond to any harm against them arising from actions and behaviours of our staff, associates and visitors and the routes for reporting such incidents.

## POLICY STATEMENTS

*We are fully committed to –*

- *Creating a safe and inclusive culture that allows children, programme participants, staff, associates and visitors to thrive and feel secure while engaging with Plan India; and supports people to understand, exercise their rights and report any concerns. We promote the active involvement of children and programme participants in their own protection.*
- *Addressing the drivers of gender inequality and unequal power relations that can lead to harm and violence, including sexual harassment<sup>14</sup>, sexual exploitation<sup>15</sup> and sexual abuse<sup>16</sup> (SHEA) through gender responsive intersectional safeguarding of all children and programme participants from all forms of violence by staff, associates and visitors.*
- *Strengthening, cultivating and sharing the capacity of all staff, associates and visitors so they understand, and are supported in meeting, their safeguarding roles, responsibilities, and their duty to do no harm. We take positive action to prevent anyone who might be a risk to children and programme participants from becoming involved with us.*
- *Promoting child and programme participant safe practices, approaches, interventions and environments which respect, recognise and respond to the specific safeguarding needs and the different protection risks faced by children and programme participants based on their gender and other identities. We will challenge and do not tolerate inequality, discrimination or exclusion.*
- *Encouraging, facilitating and receiving all reports related to safeguarding or SHEA concerns. We are committed to ensuring appropriate, adequate and accessible mechanisms for reporting are in place for staff, associates, children, programme participants and communities at large.*
- *Responding in a timely, effective, safe, comprehensive, procedurally fair and confidential manner to all Safeguarding complaints, allegations and incidents, ensuring victims'/survivors' perspectives, voices and best interests are central to any efforts to prevent and respond to any safeguarding concern and providing necessary support to victims/survivors. We have zero tolerance to inaction on safeguarding and SHEA reports.*

## APPLICABLE REQUIREMENTS

Plan India values outline how we should work to secure the changes we want to see in the world and to achieve our purpose. Our Values and Behaviours Framework, underpinned by feminist leadership principles, describes in practical terms, how we need to behave to live those values and deliver our leadership commitments and strategy. Our commitment to safeguarding and the application of this policy is driven by our commitment to these values and the following set of guiding principles.

## GUIDING PRINCIPLES

- 1. Indisputable Rights:** All children under 18 years have equal rights to protection from all forms of violence as declared in Article 19 of the United Nations Convention on the Rights of the Child. In addition, the Universal Declaration of Human Rights recognises fundamental human rights, the dignity, worth and equal rights of people at any age.

<sup>14</sup> Unwelcome sexual advance or an unwelcome request for sexual favours or engages in other unwelcome conduct of a sexual nature, or indecently exposes themselves. See Appendix 1 for full definition.

<sup>15</sup> Any actual or attempted Abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from Sexual Exploitation of another.

<sup>16</sup> The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. See Appendix 1 for full definition.

Plan India respects and upholds the rights of all children and programme participants irrespective of any identities they may hold including their: age, sex, gender, gender identity, sex characteristics, sexual orientation, nationality, ethnic origin, colour, race, language, religious or political beliefs, marital status, disability, physical or mental health, family, socio-economic or cultural background, class, any history of conflict with the law or any other aspect of their background or identity. Inequality, exclusion, and discrimination will be challenged and will not be tolerated.

All children and programme participants must be empowered and encouraged to fulfil their potential. Decisions made about children and programme participants will be made as far as possible with their participation and in their best interests, considering how such decisions will affect them. Children and programme participants will be encouraged to express their views and will be given 'due weight' in accordance with their age and level of maturity.

- 2. Zero Tolerance for Inaction:** Plan India believes that any form of violence is unacceptable and inaction on reports of any Safeguarding concern will not be tolerated. We recognize that zero tolerance does not mean there will be no reports or incidents, nor does it mean that all reports of breaches will result in termination of contracts or employment without due process and investigations. Instead, zero tolerance for inaction means we will act on all safeguarding concerns and allegations, ensuring that our actions are timely, appropriate, and centred on the best interest of the victim/survivor<sup>17</sup>, considering their specific safeguarding needs and vulnerabilities.

We will take all reports of safeguarding concerns seriously and we will act on these reports with the highest priority, and in accordance with the guiding principles and our procedures. Where investigations are launched, they will be carried out by experienced and qualified professionals, who are trained on sensitive investigations and a victim/survivor centred approach.

No one will be victimised for making a complaint which is made without malice or for personal gain. Plan India is committed to working with complainants<sup>18</sup> and victims/survivors to ensure they are central to any response, are not further harmed or disempowered by any processes, and receive support throughout.

Reports can be made using the relevant and/or country specific procedures which must and will be given to all staff, visitors and associates. Reports can also be made anonymously in accordance with Plan India's Whistleblowing Policy. Reports which are malicious will be sanctioned appropriately.

- 3. Survivor-Centred:** All decisions and actions in response to safeguarding concerns and allegations and breaches of this policy will be trauma informed: Plan India will recognise the potential and actual impacts of trauma and aim to prevent re-traumatisation. We will be guided by the safety, rights, needs, wishes and empowerment of the victim/survivor, while ensuring procedural fairness to all parties. We will retain the privacy and dignity of the victim/survivor by maintaining confidentiality (within the limits of responding to the report), treating them respectfully, involving them in decision making, as appropriate, and providing comprehensive information and committing to referrals and assistance to support the recovery and safety of the victim/survivor.

Referring incidents of a potentially criminal nature to law enforcement or relevant authorities will be done after considering the wishes of an adult victim/survivor, the best interest assessment of a child victim/survivor and the welfare and safety of all parties. Where local or national laws mandate Plan India to report a potential crime

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<sup>17</sup> 'Victim' is a term often used in the legal and medical sectors. 'Survivor' is the term generally preferred in the psychological and social support sectors because it implies resiliency. We use both terms as part of our survivor-centred approach and allow those affected to choose the term they prefer. Please see Appendix 1 for the full definition of victim.

<sup>18</sup> Person making a complaint; it may be the person who experienced what is being reported, or it may be another person. Please see Appendix 1 for the full definition of complainant.

to the police or welfare authorities an appropriate safety plan that manages the risks for all concerned must be implemented.

Support will be offered to Victims/Survivors and complainants according to our survivor-centred approach and regardless of whether a formal response is carried out (e.g. an investigation). Support will also be offered as appropriate to others involved in an incident management process, recognising the impact this can have, for example on witnesses and those accused of carrying out inappropriate or harmful behaviours. This can include specialist psychosocial counselling, medical support, legal support and/or access to other specialist and appropriate support as needed. Victims/Survivors and complainants can choose if/when they would like to take up the support options available to them. We are committed to learning from victims/survivors and complainants and being guided by them, where safe and appropriate to do so. We will ensure that cases are referred to appropriate professionals and organisations and that due diligence is taken to ensure that they act in line with our values and puts the welfare of all parties concerned as the highest priority.

- 4. Equality and Inclusion:** Plan India recognises that imbalances in power and gender and social inequality are key drivers for violence and SHEA. We recognise that in all societies in which we work, gender and social inequality exists; staff, associates, and programme participants may have learned to accept unequal norms and stereotypes; and that the very nature of our work can unintentionally create and maintain differential power and unequal opportunities.

We take an intersectional approach to safeguarding. We consider the ways that multiple identities together create a person's experience of power, gender and social inequality and therefore vulnerability to violence and SHEA. We take appropriate measures to address implicit and explicit biases and other forms of discrimination and violence, which may arise because a person's diverse identity and/or position in society. We support the empowerment and inclusion of victim/survivors in the response process, in a manner that promotes equality, equity and ultimately their increased safety and protection.

- 5. Shared Responsibility:** All staff, associates and visitors must be aware of and adhere to this policy. Everybody has a responsibility to prevent harm, violence and SHEA. Everybody must take their safeguarding responsibilities seriously and uphold the principles of the policy.

In turn, Plan India will work collaboratively with others to support and strengthen the capacity of partners, the sector and our global organisation to prevent and respond to all Safeguarding concerns. We are responsible for creating safe environments for all children and programme participants. This includes never knowingly allowing a person to become or continue to be, a sponsor where the person: is currently in prison for any type of crime including awaiting trial; or has previously committed crimes against children.

- 6. Open and Accountable:** Plan India is committed to openness and transparency. Our leaders will set clear expectations and take personal and organisational responsibility to create safe and inclusive environments to ensure a culture of equity and inclusion. We will maintain our responsibility to provide information on this Policy to all programme participants, children, members of communities in which we work, staff, associates and visitors.

We will explain our commitments so that everybody understands how to exercise their rights and how to report any concerns related to safeguarding. In order to remain accountable to all staff, associates, visitors and programme participants we will ensure safeguarding concerns can be raised and discussed; poor practice and inappropriate behaviours can be challenged and addressed; and safeguarding measures will be regularly reviewed and strengthened.

We will maintain our responsibility for ensuring safeguarding is mainstreamed into all we do and all our approaches. Our Safeguarding Implementation standards lay down the requirements for ensuring safeguarding measures are

embedded in all parts of our operations and interventions. General guidelines for implementing Safeguarding in Practice are provided in Annex 2.

## ROLES AND RESPONSIBILITIES

- 1. All staff, associates and visitors shall:**
  - [a]** commit and contribute to an environment where children and programme participants feel respected, supported, safe and protected;
  - [b]** never act or behave in a manner that results in violence against a child or programme participant or places a child or programme participant at risk of violence;
  - [c]** be aware of and adhere to the provisions of this Policy.
  - [d]** confidentially report any concerns, rumours, suspicions or allegations of harm, violence or SHEA and/or breaches of this policy immediately (or at least within 24 hours) using the relevant and/or country specific procedures.
- 2. All staff shall:**
  - [a]** comply with this Policy, including the Safeguarding Code of Conduct (Annex 1);
- 3. Associates and visitors shall:**
  - [a]** agree, by signing, to complying with either Plan India's Safeguarding Code of Conduct (Annex 1 or other appropriate guidance developed by a manager<sup>19</sup> at the relevant Plan India Entity on appropriate behaviour towards children and programme participants as relevant to their engagement using the Safeguarding Code of Conduct (Annex 1) as a guide; or
  - [b]** comply with their own Code of Conduct, provided the contracting manager ensures that it complies, and is consistent, with this Policy.
- 4. Managers shall ensure that:**
  - [a]** children, programme participants and communities with whom we engage, work or are in contact are made aware of the provisions of this Policy and have the confidence and ability to report any incidents occurring against children and/or programme participants;
  - [b]** staff, associates, and visitors are aware of the Safeguarding Implementation Standards that are applicable to their role or engagement with us;
  - [c]** they support and develop systems which maintains an environment which is safe for and prevents violence against children and programme participants;
  - [d]** they are accountable for ensuring that the Policy is fully embedded within their areas of responsibility in accordance with the Safeguarding Implementation Standards.
- 5. Directors<sup>20</sup> shall ensure that:**
  - [a]** the relevant Plan India Entity has in place local procedures that are consistent with this Policy and with the Reporting and Responding guidelines which outlines the reporting requirements and the manner in which they are escalated within Plan India. These local procedures should be communicated to all in their teams, with the assistance of legal advisers and updated regularly, as advised by Plan India Safeguarding Unit, in line with policy revision or sooner if needed. The policy and applicable procedures must be made available in regional languages and child-friendly formats;
  - [b]** the relevant Plan India Entity implements our Safeguarding Implementation Standards as they apply to their context, the staff, associates, and visitors, and the children and programme participants with whom they engage, as well as the processes, programmes, projects, events and activities they undertake.
- 6. Executive Director shall ensure that:**
  - [a]** Oversee that Plan India implements Safeguarding & PSHEA Implementation Standards, in all the processes, programmes, projects, events and activities undertaken in association with Plan India.

<sup>19</sup> A staff member who has responsibility for line managing or supervising the work of staff or associates. Please see Appendix 1 for full definition of Manager.

<sup>20</sup> An Executive Director of PII or a National Director.

- 7. Safeguarding & PSHEA Focal Points shall ensure that:**
- [a]** All the information related to the safeguarding & PSHEA is provided to all the staffs within the organization.
  - [b]** Provide training to all the staff members and visitors, as and when required by the respective project or program manager.
  - [c]** Undertake self-assessment exercise and provide a true reflection of the state of implementation of safeguarding & PSHEA policy in Plan India.
  - [d]** Undertake investigation, as and when required during the working on the cases and to follow all the protocols that are associated with the investigation guidelines.
- 8. Organisations that work with us** in carrying out our programmes, projects, processes, events and/or activities involving children and programme participants must comply with the Safeguarding Guidelines contained in Annex 2.
- 9. All Plan India Entities** shall monitor compliance with this Policy through the mandatory tracking and auditing of the Safeguarding Implementation Standards and Safeguarding Code of Conduct (see Annex 1). Auditing against the standards will be led by Plan India and Plan International (PII) assurance department. In addition, we will work with and ensure the participation of children, programme participants, staff, associates and visitors to review, monitor and evaluate the implementation of this Policy.

## BREACHES OF THE POLICY

Breaches of this policy will be investigated<sup>21</sup> in accordance with Plan India Reporting and Responding Guidelines, and the Plan India's entity's disciplinary procedures and contractual agreements. Referrals may be made to statutory authorities for criminal investigation under the Indian law, in which the breach occurred. Any allegation/suspicion of a breach made against a member of staff, associate or visitor will be dealt with as quickly as possible, in a fair and consistent way that provides effective protection for the victim/survivor and at the same time protects the rights of the person who is the subject of the allegation. Actions may be taken during an investigation stage that are intended to be precautionary and not a disciplinary sanction or an assumption of guilt.

## SANCTIONS

This policy is a part of the service rules. Adherence to it is mandatory for all the staff, as it is for other policies, which are under the service rules. Breaches of this policy will be investigated in accordance with service rules, disciplinary procedures and contractual agreements, or a reporting may be made to statutory authorities for criminal investigation under the Indian laws and procedures. Breaches may incur sanctions including disciplinary action leading to possible dismissal, termination of all relations including contractual and partnership agreements, and where relevant, appropriate legal or other such actions. The policy contains elements to represent Plan India as a child safe organization and all standards that has been included, is part of the service rules. If a legitimate concern about the suspected abuse or breach of policy for a child or young person is raised but proves to be unfounded on investigation, no action will be taken against the reporter. However, appropriate sanctions will be applied in cases of false and malafied intention with unreasonable accusations.

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<sup>21</sup> Information will be gathered in order to determine whether wrongdoing occurred and, if so, the person(s) responsible. Please see Appendix 1 for full definition of Investigation.

# APPENDIX 1: Terms and Definitions

## When used in this document

**“Abuse”** includes all forms of physical or mental violence, injury or violence, neglect or negligent treatment, emotional ill-treatment or psychological violence, sexual abuse and exploitation, harassment, and commercial or other exploitation. Acts of abuse can also take place online through, for example, the web, social media or mobile phones. It may be an intentional act involving the use of physical force or power or it may be failing to act to prevent abuse. Abuse consists of anything which individuals, groups, institutions or organisations do or fail to do, intentionally or unintentionally, which either results in or has a high likelihood of resulting in actual or potential harm to another’s well-being, dignity and survival and development.

**“Associate”** refers to a range of contracted paid and non-paid individuals who have committed to work with or support Plan India. It includes, among others, board members, volunteers (including community volunteers), interns, sponsors, researchers, donors, consultants and contractors, staff and/or representatives of partner organisations and local governments (when operating in partnership agreement with Plan India).

**“Child”** in line with the United Nations Convention on the Rights of the Child and for the purposes of this policy, is defined as any person – girl, boy, young woman, young man, and children of other gender identities - under the age of 18 years (UNCRC Article 1). (See definition of Young Person/People or Youth below).

**“Child Abuse”** all forms of physical and /or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

**“Child sexual abuse material”** is defined as any representation, by whatever means of a child used for real or simulated sexual activities or any representation of the sexual parts of a child for sexual purposes. It also includes engaging in the production of, viewing, downloading and/or distribution of any such material (whether via the internet or not) and includes pseudo photographs, comics, drawings, and cartoons.

**“Complainant”** This is the person making a complaint; it may be the person who experienced what is being reported (the victim/survivor), or it may be another person (a third-party complainant) who becomes aware of an issue and makes the complaint.

**“Director”** is a Functional Head of a particular function.

**“Executive Director”** is executive head of Plan India.

**“Gender Responsive Intersectional Safeguarding”** is a safeguarding approach that –

- [a] understand the complexity of the prejudice and/or inequality they face, or conversely how this may lead to a heightened privileged status; and the consideration of this in their specific safeguarding needs
- [b] Integrates safeguarding measures that addresses protection risks for all individuals with whom we work that stem from issues relating to gender and other identity bias and discrimination and creates safe spaces where it is safe to challenge and address inequality, power and bias.
- [c] Requires us to reflect on our status as a prominent INGO and acknowledge the power imbalance this causes within the organisation (where within the organisation power lies, who typically are the “dominant” and “non-dominant” groups and how these impacts on decisions we take on safeguarding), as well as between the organisation and the wider society.
- [d] Develops our capacity to analyse how individuals can be at risk of harm and abuse as a result of our work because of their particular identity (age, gender, sexual orientation, tribe, race, colour, disability etc.)
- [e] Supports the empowerment and fosters the inclusion of individuals in all their diversity, particularly in the safeguarding process, in a manner that promotes equality, equity, inclusion and ultimately their increased safety and protection.

**“Harm”** is any detrimental effect on a child’s or programme participant’s physical, psychological, or emotional wellbeing. Harm may be caused by abuse or exploitation whether intended or unintended.

**“Intersectional”** Intersectionality is a theoretical framework for understanding how aspects of a person's social and political identities (e.g., gender, sex, race, class, sexuality, religion, disability, physical appearance, programme participant, etc.) intersect, overlap, and compound to create interdependent forms of discrimination and privilege (or advantage/disadvantage). Intersectionality identifies advantages and disadvantages that are felt by people due to a combination of factors.

**“Investigation”** a process designed to gather information in order to determine whether wrongdoing occurred and, if so, the person(s) responsible.

**“Manager”** refers to a staff member who has responsibility for line managing or supervising the work of staff or associates.

**“PII”** refers to Plan International, Inc., including when operating through one of its subsidiaries. It generally includes Global Hub, regional hubs, liaison offices, and country offices.

“PSHEA” stands for Preventing Sexual Harassment, Exploitation and Abuse. It refers to the responsibilities; preventative, responsive and referral measures that we undertake to prevent children and programme participants from being subject to sexual harassment, sexual exploitation and sexual abuse.

**“Program Participant”**

**Direct Programme Participants** are the people who are the target of and who we know will be immediately affected by one or more programme/project outputs; irrespective of whether these are delivered directly by Plan India or by partners or organisations who are acting on behalf of Plan India.

- Direct programme participants are individuals who receive materials, equipment; interventions such as training, awareness raising, mentoring or other personal support.
- Direct programme participants may be a single member of a household (for example a mother participating in training on nutrition); or it may be all members in the household (for example, parents enrolled in nutrition programmes/projects for improved family nutrition and health).
- Direct programme participants include sponsor children and their family; advocates and participants in advocacy events or awareness raising; participants in Plan supported projects and programmes; members of Youth Advisory Panels. This not an exhaustive list.

**Indirect Programme Participants** are the people who are not the direct target of the project, but who we have good reason to expect will derive secondary benefits from the project outputs. These include individuals who:

- Benefit from the increased resources or capacities of a direct programme participant of the project. (For example: The children of the parents who received training in hygiene or parenting; or the family members who also benefit from the increased household income through the person who participated in savings groups.)
- Benefit from interventions that are aimed at improving the conditions for a community as a whole rather than the individual persons or households. (For example: The people who live in the catchment area of the health clinic, school or community water services that has been improved by the project).

Programme participants can be of any age and include young people who we engage with through our programming and influencing interventions.

Where a Programme Participant has a second identity with Plan, e.g. as intern, incentive worker, volunteer or other; their Programme Participant identity will be the dominant identity considered when handling any Safeguarding cases or concerns.

**NB: The wider public who might be reached through awareness raising in public media or who might eventually benefit from changes in legislation or policy are not considered part of either direct or indirect programme participants. If counts for specific advocacy projects are required, this should be done by a different, more appropriate method.**

“Safeguarding” is the responsibilities, preventative, responsive and referral measures that we undertake to protect children and programme participants, ensuring that no child or programme participant is subject to any form of harm as a result of their association with the organisation. This includes, ensuring that their contact with us and those associated with us and/or their participation in our activities, interventions and operations is safe and where there are concerns over a child or programme participant’s welfare or where a child or programme participant has been subject to violence, appropriate and timely actions are taken to address this and incidents are analysed so as to ensure continued learning for Plan India Entities.

“SHEA” stands for sexual harassment, sexual exploitation and sexual abuse.

“Sexual Abuse/Violence” The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It covers sexual offences including but not limited to: attempted rape (which includes attempts to force someone to perform oral sex); and sexual assault (which includes non-consensual kissing and touching). All sexual activity with someone under the age of consent is considered to be sexual abuse.

“Sexual Exploitation” Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from Sexual Exploitation of another.

“Sexual Harassment” A person sexually harasses another person if the person makes an unwelcome sexual advance or an unwelcome request for sexual favours or engages in other unwelcome conduct of a sexual nature, or indecently exposes themselves, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

Sexual Harassment can take various forms. It can be obvious or indirect, physical or verbal, repeated or one off and perpetrated by any person of any gender towards any person of any gender. Sexual harassment can be perpetrated against programme participants, community members, citizens, as well as staff and personnel.

“Sexual Violence Against a Child” the Sexual Abuse and Exploitation of a child including:

- [a] The inducement or coercion of a child to engage in any unlawful or psychologically harmful sexual activity;

- [b] The use of children in commercial sexual Exploitation;
- [c] The use of children in audio or visual images of child sexual abuse or for sexual performances
- [d] Exploitation for/in prostitution, sexual slavery, Sexual Exploitation in travel and tourism, trafficking (within and between countries) and sale of children for sexual purposes and forced marriage. Many children experience sexual victimization which is not accompanied by physical force or restraint but which is nonetheless psychologically intrusive, exploitive and traumatic.
- [e] This is illustrative and other definition related to POCSO Act are the core of the definition.

**“Online Child Abuse”** Online Child Sexual Abuse and online Child Sexual Exploitation involves the use of information and communication technology as a means to sexually abuse and/or sexually exploit children. Online Child Abuse includes:

- Sexual Abuse material or images
- use of children for sexual performance online or in imagery
- any sexualised conversation with a child
- online grooming coercion or using threats
- sharing inappropriate content with a child

This is illustrative and it entails the definition from the Protection of Children from Sexual Offences (POCSO) Act. Child Sexual Abuse material is defined as any representation, by whatever means of a child used for real or simulated sexual activities or any representation of the sexual parts of a child for sexual purposes. It also includes engaging in the production of, viewing, downloading and/or distribution of any such material (whether via the internet or not) and includes, pseudo photographs, comics, drawings, and cartoons.

**“Online Sexual Exploitation and Abuse”** is when one person manipulates another person to get them to do something sexual — it’s an ongoing cycle of emotional and psychological Abuse. This can include things such as forcing or blackmailing someone into sending sexual photos/videos of themselves online or to perform sexual acts over webcam. Online Sexual Exploitation and Abuse can occur whether communication is between an adult and a child or between two adults. This is illustrative and it entails the definition from the Protection of Children from Sexual Offences (POCSO) Act.

**“Staff”** refers to individuals who receive a regular salary for work in any Plan India Entity as well as individuals paid by or through a Plan India Entity but located in another entity.

**“Victim/Survivor”** a person who has experienced sexual abuse, exploitation or harassment. The terms ‘victim’ and ‘survivor’ is the generally preferred in the psychological and social support sectors because it implies resiliency. We use both terms as part of our survivor-centred approach and allow those affected by sexual abuse and exploitation to choose the term they prefer. A victim/survivor could be a programme participant or a staff member, associate or visitor.

**“Violence”** against a child, young person or adult includes all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, emotional ill-treatment or psychological violence, sexual abuse and exploitation, harassment, and commercial or other exploitation. Acts of violence can also take place online through, for example, the web, social media or mobile phones. It may be an intentional act involving the use of physical force or power or it may be failing to act to prevent violence against a person. Violence consists of anything that individuals, groups, institutions or organisations do or fail to do, intentionally or unintentionally, which either results in or has a high likelihood of resulting in actual or potential harm to the child, young person or adult’s wellbeing, dignity and survival and development.

**“Visitor”** refers to a range of persons who are visiting our offices or programmes/projects and may come into contact with children and young people through a Plan India Entity. A visitor may be a journalist, media, researcher, visiting sponsor or celebrity.

**“Vulnerability”** refers to a person’s ability, which is limited by their social and political identities, to avoid, resist, cope with or recover from violence, exploitation, and abuse. Vulnerable is the greater risk of violence, exploitation, and abuse due to their intersecting identities, for example, due to their gender, sexual orientation, ethnic origin, disability, age or illness.

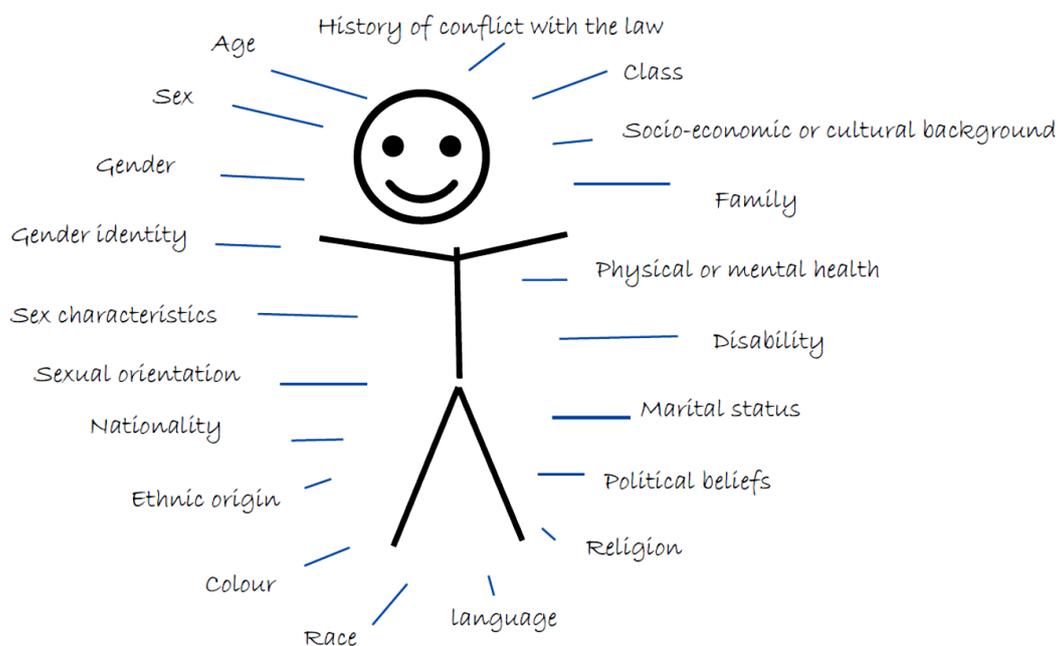
**“Workplace Safeguarding”** refers to the responsibilities, preventative, responsive and referral measures that we undertake to protect our staff, Associates and Visitors form of harm as a result of their work or association with the organisation.

**“Young Person/People” or “Youth”** in line with United Nations definitions, include individuals – young women, young men, and young persons of other gender identities - aged 15 years to 24 years old. This group spans the categories of ‘children’, ‘adolescents’ and ‘adults’ but regards young people as having particular safeguarding needs and requiring distinct consideration aside from younger children and older adults.

# APPENDIX 2: INTERSECTIONALITY

Intersectionality is a way of thinking about power, privilege, and gender that recognises a person’s combination of social identities. Social identity is the part of each of us which identifies as a member of a social group. These social groups which impact on our identity may include age, sex, gender, gender identity, sex characteristics, sexual orientation, nationality, ethnic origin, colour, race, language, religious or political beliefs, marital status, disability, physical or mental health, family, socio-economic or cultural background, class, any history of conflict with the law, and more.

Intersectionality means we think about multiple forms of inequality (based on our social identities) at the same time rather than considering each of them separately and we understand how they overlap (or intersect) and compound to create a person’s experience of prejudice and inequality, or power and privilege.



Instead of thinking of a girl's or woman's oppression based on sexism alone, or a Black person's oppression based on racism alone, or a disabled person's oppression based on ableism alone, intersectionality looks at how those identities intersect. For example, intersectionality would seek to understand how a disabled, Asian girl is affected by the overlapping and compounding prejudices and inequalities of sexism, racism, and ableism all at once rather than separately. This girl is cisgender<sup>22</sup>, Asian, a person of colour and has a disability and may endure specific forms of prejudice and inequality that Asian boys might not, or Asian girls without a disability might not, or a white girl with a disability might not etc.

Social inequality is the existence of unequal opportunities and rewards for different social positions or statuses within a group or society.

<sup>22</sup> Cisgender describes someone whose gender identity corresponds to their sex assigned at birth

## ANNEXE 1: SAFEGUARDING CODE OF CONDUCT

Plan India is committed to creating a safe environment for children and programme participants. All staff have a duty to uphold the principles of the Safeguarding Policy and commit to maintaining an environment that prevents violence, both at work and outside of work. Further to this, sexual harassment, exploitation and abuse by staff (including those that work in our humanitarian response) constitutes acts of gross misconduct and therefore may be grounds for termination of employment.

**As such, I agree that I will –**

- [a]** Adhere to the Policy on Safeguarding and be open and honest in my dealings with children, programme participants, their families, and communities participating in programmes, projects, processes, events, and activities.
- [b]** Treat children and programme participants in a manner which is respectful of their rights, integrity, and dignity and considers their best interests regardless of age, sex, gender, gender identity, sexual orientation, nationality, ethnic origin, colour, race, language, religious or political beliefs, marital status, disability, physical or mental health, family, socio-economic or cultural background, class, or any history of conflict with the law.
- [c]** Create and maintain an environment which prevents violence, abuse and exploitation of children and programme participants ensuring that I am aware of potential risks with regards to my conduct and work, and take appropriate action so as to minimise risks to children and programme participants.
- [d]** Contribute to building an environment where children and programme participants are –
  - i. 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
  - ii. well informed on their safeguarding and protection rights and what to do if they have a concern.
- [e]** Display high standards of professional behaviour at all times, providing a positive role model for children and young people.
- [f]** Comply with all relevant standards and Indian legislation in relation to child labour, and refrain from using children (those aged below 18 years) for domestic or other labour, if such work is inappropriate, exploitative or harmful given their age or developmental capacity, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury, exploitation, or violence. In addition, I understand that I must not use a programme participant of any age for domestic or other labour.
- [g]** Respect the privacy and confidentiality of children and programme participants associated with Plan India. This means I will:
  - i. i. Never ask for or accept personal contact details or invitations to share personal contact details (this includes email, phone numbers, social media contacts, address, webcam, skype, etc.) from any child, programme participant or family associated or formerly associated with our work or share my own personal contact details with such individuals except where this has been explicitly authorised by Plan India and/or for Plan India business purposes.
  - ii. Never disclose, or support the disclosure of, information that identifies children, programme participants, sponsored families or sponsor children, through any medium, unless that disclosure is in accordance with standard Plan India policies and procedures and/or has the explicit consent of Plan India. Media include paper, photographs, and social media.
  - iii. Never make any contact with a child, programme participant, or family members associated with Plan India's work that is not supervised by a (or another) member of Plan India staff. Such contact may include but is not limited to visits and any form of communication via social media, emails, and letters.
  - iv. Always ensure that when on an official or work visit with Plan India and I wish to take pictures of children and programme participants associated with the organisation I will –
    - Always consult first with the local Plan India office to make sure that it is ok to take pictures in the local context and that the intended use of the pictures does not conflict with Plan India's policies.
    - Ask permission of the child or programme participant (or in the case of young children, their parent or guardian) informing them of the specific purpose(s) and intended use (including how and where) and respect their decision to say no making it clear that there will be absolutely no negative repercussions from denying such consent.
    - Ensure the images are respectful and do not affect negatively on their dignity and privacy.
    - Ensure that the use of the images does not put the child or programme participant at risk of being identified or located.

- Never upload the images of children associated with Plan India or images of programme participants to non-Plan India social media pages without the full and explicit consent of Plan India.
- [h] Report and respond to any concerns, suspicions, incidents or allegations of actual or potential abuse to a child or programme participant in accordance with applicable procedures of the engaging office.
- [i] Cooperate fully and confidentially in any Plan India investigation of concerns or allegations of abuse to children and programme participants.
- [j] Immediately disclose all charges, convictions, and other outcomes of an offence, which occurred before or occurs during association with Plan India that relate to exploitation and abuse of a child or young person.

**As such, I agree that I will not:**

- [a] Abuse, exploit or harass a child or programme participant or behave in any way that places a child or programme participant at risk of harm, including through harmful traditional practices such as, for example, Female Genital Mutilation, forced or child marriage.
- [b] Fondle, hold, kiss, hug or touch children or programme participants in an inappropriate way or a manner that is contrary to cultural or social safeguarding norms.
- [c] Engage in any form of sexual activity or develop physical/sexual relationships with anyone under the age of 18 regardless of the age of consent locally. Mistaken belief in the age of a child is not a defence.
- [d] Engage in sexual relationships with Plan India programme participants, regardless of their age, as these undermine the credibility and integrity of Plan India's work and are based on inherently unequal power dynamics.
- [e] Engage programme participants in any form of sexual activity that involves the exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This includes exchange of assistance that is due to programme participants.
- [f] Use language or behave towards a child or programme participant in a way that is inappropriate, offensive, abusive, sexually provocative, demeaning or culturally inappropriate.
- [g] Have a programme participant or child/children with whom I am in contact in a work-related context, stay overnight at my home or any other personal residential location or accommodation.
- [h] Sleep in the same room or bed as a programme participant or a child with whom I am in contact in a work-related context. Where it is necessary to sleep close to unaccompanied children and programme participants, I will make sure that another adult is present and it is in line with authorised procedures.
- [i] Do things of a personal nature for a programme participant or child with whom I am in contact in a work-related context, (e.g. taking a child to the toilet/bathroom; helping them get un/dressed etc.) that they can do for themselves.
- [j] Spend time alone away from others with programme participants or children with whom I am in contact in a work-related context; I will always make sure that another adult is with me and/or I am with the child/young person in an open public place, where others are around and in plain view of others.
- [k] Hit or otherwise physically assault or physically abuse children or programme participants.
- [l] Use any form of physical punishment/discipline, of any degree, or use of physical force of any kind towards children and programme participants.
- [m] Act in ways that shame, humiliate, belittle or degrade children and/or programme participants, or otherwise perpetrate any form of emotional abuse.
- [n] In the course of my work discriminate against, show differential or preferential treatment to, or favour particular child(ren) and programme participant(s) to the detriment of them or others.
- [o] Develop relationships with, engage in any practice with or develop behaviour towards children and programme participants, which could in any way be deemed or interpreted as exploitive or abusive.
- [p] Condone or participate in behaviour of children or programme participants, which is illegal, unsafe, or abusive.
- [q] Use any computers, mobile phones, video and digital cameras, or any such medium to exploit, harass or bully children or programme participants.
- [r] Access, view, create, download, or distribute child sexual abuse material<sup>127</sup>(commonly referred to as 'child pornography') via computers, mobile phones, or video/digital cameras, other electronic devices or any other media, be it personal property or property owned by Plan India.

The above is not an exhaustive list. Staff, associates, and visitors should consider all related actions and behaviour which may compromise the rights and safeguarding of children and programme participants.

**Personal Conduct outside Work or Engagement with Us**

We do not dictate the belief and value systems by which staff, associates, and visitors conduct their personal lives. However, actions taken out of working hours that are seen to contradict this policy or bring the organisation into disrepute in regard to our Safeguarding standards may be considered a violation of the policy. Our staff, managers, associates, and visitors are required to adhere to principles of the Policy on Safeguarding both at work and outside work.

## ANNEXE 2: GUIDELINE FOR IMPLEMENTING SAFEGUARDING IN PRACTICE

These guidelines outline the requirements for safeguarding and PSHEA of children and programme participants that are applicable to organisations that work with Plan India Entities in carrying out our programmes/projects.

They are particularly applicable to organisations assessed as having contact with children and programme participants, working with children and programme participants, and/or whose projects, programmes, processes, activities, advocacy and influence work impact on children and programme participants. Organisations funded by a Plan India Entity are expected to build on these guidelines as appropriate based on the nature of their activities and risks to children and programme participants.

The guidelines illustrate our commitment to support and respect children's and programme participant's rights to be protected from harm, and to provide a safe and protective environment for children and programme participants who are involved with any programmes/projects funded by a Plan India Entity.

The guidelines should be applied in relation to children and/or programme participants as appropriate, depending on the group the organisation works with.

- 1. Prevention:** The Organisation must take appropriate measures to manage child and/or programme participant safeguarding and PSHEA risk factors and prevent abuse and exploitation before it occurs. Prevention measures should include organisational safeguarding and PSHEA policies, codes of conduct and associated procedures; the management of risks in relation to its operations, activities and interventions; and the production and promotion of 'child and programme participant friendly' safeguarding and PSHEA information and resources.
- 2. Code of Conduct:** Each Organisation is required to ensure that their personnel avoid any behaviour or conduct that compromises the safety and protection of children and/or programme participants within its activities, operations and programmes. In addition, programmes and activities working directly with children and/or programme participants or involving direct contact between the same should develop guidance on expected and acceptable behaviour for children and/or programme participants towards each other. This should be incorporated into policy and practice documents.
- 3. Gender Equality and Non-Discrimination:** The Organisation should ensure that all Safeguarding and PSHEA policies and procedures consider gender equality and non-discrimination requirements; adopting an intersectional approach. Recognising that girls, boys, young women, young men, and children and programme participants of different gender identities may face different risks relating to their safety and protection and that all children and/or programme participants have an equal right to protection, irrespective of: age, sex, gender, gender identity, sexual orientation, nationality, ethnic origin, colour, race, language, religious or political beliefs, marital status, disability, physical or mental health, family, socio-economic or cultural background, or class.
- 4. Screening Procedures:** There should be detailed screening procedures for all personnel (including unpaid volunteers) who will come into contact with children and/or programme participants (directly or indirectly). Screening procedures should be as available and updated on a regular basis, where possible. Screening procedures may include certificate of good conduct, police reference checks or equivalent, verification that applicants are not listed in national registries of child offenders; a detailed application and interview process; references who support the applicant's suitability to work with children and/or programme participants.
- 5. Awareness:** The Organisation should ensure that all personnel, sub-contractors or consultants or affiliates involved with programmes are aware of safeguarding and PSHEA risks, policies and procedures; and their safeguarding and PSHEA responsibilities. In addition, children and/or programme participants engaged and their parents, guardians or carers should be informed of the same so that they know what behaviours to expect and how to report any concerns.
- 6. Capacity Sharing:** The Organisation should develop and share the capacity of all who work with and for children and/or programme participants to appropriately prevent, detect, report and respond to safeguarding and PSHEA concerns and particularly as they pertain to differing gender and other identities. Efforts should be made to ensure organisational policies and practices are understood and can be effectively implemented through mandatory inductions and on-going training courses for all staff and volunteers and other associates.
- 7. Participation of children and/or programme participants:** Children and/or programme participants should be actively, meaningfully and ethically involved in the development of safeguarding and PSHEA measures in accordance with their

evolving capacities. Children and/or programme participants must not be treated simply as objects of concern but rather listened to and taken seriously and treated as individual people with their own views.

- 8. Reporting mechanisms for children and/or programme participants and staff:** Mechanisms should be established that enable the safe reporting of safeguarding and SHEA concerns. Such mechanisms should ensure appropriate escalation of concerns within the organisation, referral to the appropriate authorities and confidentiality. In addition, child and programme participants reporting mechanisms should be accessible, friendly and sensitive to their differing needs. It is important that complaints mechanisms are established with the participation and input of different groups of children and programme participants, as well as communities, so they work for all users as necessary.
- 9. Response and Follow Up:** Organisational policies and procedures should include appropriate measures to support and protect children and/or programme participants when concerns arise. All measures taken to respond to a safeguarding and SHEA concern should consider the best interest of the child or programme participants and be sensitive to their differing gender and other identities ensuring they are kept safe and protected. Response measures should be appropriately risk assessed and endeavour to ensure no further harm comes to the child and/or programme participant as a result of any actions taken by the Organisation.  
Concerns should be written up and information kept in accordance with the privacy and confidentiality policies of the Organisation and/or Indian legislation. In addition, organisational processes should ensure response evaluation and follow up for organisational learning. The Organisation should also advise Plan India of any complaints of abuse to children and/or programme participant in line with the working agreement.
- 10. Implementation, Monitoring and Review:** The implementation and monitoring of the Safeguarding Policy for each Organisation should be reviewed at regular intervals as determined necessary by the Organisation, preferably at least every three (3) years, where possible.
- 11. Sanction and Discipline of Organisation personnel:** The Organisation policies and procedures should provide for appropriate sanctions and disciplinary measures which ensures children and programme participants are protected from further potential harm. This may include the immediate suspension of personnel until such time as the allegations are followed up and either substantiated or refuted and/or where personnel are convicted of abusing a child or programme participant, the said personnel are immediately terminated with cause from his or her position.
- 12. Informed Consent:** The Organisation should provide children (and their parent(s)/legal guardian(s) where applicable) and/or programme participants, with all necessary details (including on any associated risk,) to make an informed decision regarding their participation in programmes and activities, including any voice recordings, video or photographs of children and/or programme participants (including how and where these will be used). Participation and/or usage of information and/or images should only take place after consent is obtained.
- 13. Protection of Personal Information:** Personal information regarding any child or children and/or programme participants, whether or not such information is obtained as part of the programmes/projects involving children and/or programme participants, should be treated confidentially. There should be clear procedures showing the responsibilities within the organisation for accessing and using such data with appropriate authorisations, in accordance with Local and Global Data Privacy frames. In addition, such data should not be disclosed to any third party, except in accordance with the policies of the Organisation or as required by applicable Indian laws. Personal information includes, but is not limited to, any information that can be linked to or used to identify a child and/or programme participant.
- 14. Working with partners:** The Organisation should ensure adequate safeguarding and PSHEA assessments are made as part of its due diligence processes when it comes to partnership working. Third party entities that are contracted or supported to work with children and programme participants must be subject to the same safeguarding and PSHEA principles and approach outlined in the Organisations policy and procedures. Vendors, suppliers and other contractors that may be in direct or indirect contact with children or programme participants must also be subject to appropriate safeguarding and PSHEA measures.

## ANNEXE 3: DO NO HARM DECISION TREE

### [A] We do no harm to

Any child irrespective of their association with the organisation	Any Programme Participant irrespective of age -i.e. child, young person or adult whom we serve through our programmes/interventions
If it is reported to Plan that a Plan Staff, Associate or Visitor has harmed/committed an act of violence against a child we will act under the Plan India Safeguarding Policy.	If it is reported to Plan that a Plan Staff, Associate or Visitor has harmed/committed an act of violence against a programme participant we will act under the Safeguarding Policy
Furthermore, where the abuse of a child in the community is reported to Plan or where a child discloses abuse to us and this act is not perpetrated by any Plan Staff, Associate or visitor we will respond to this in line with the local protection mapping (a minimum requirement of all Plan offices) and refer the issue on to the correct agency/authority/local support services for care and attention and/or absorb issues into our protection and other programming interventions as appropriate/needed/can be done.	

### [B] 'Is it a Safeguarding Case?' Decision Tree

Question	Yes	No
1 Is the alleged victim/survivor aged under 18?		
2 Has an Indian child protection law been broken / is the alleged action against Indian child protection laws?		
3 Is the alleged victim/survivor a Plan Programme Participant?		
4 Is the alleged victim/survivor a Plan Sponsored Child?		
5 Is the alleged victim/survivor an immediate family member Plan Sponsored Child?		
6 Does the alleged victim/survivor receive any benefit, directly (e.g. Programme Participant) or indirectly (e.g. immediate family member of a Plan Programme Participant), that is funded through Plan project/programme activity budget funds?		
7 Does Plan have the power to withhold this benefit?		
8 Could the alleged victim/survivor fear reprisal or any negative consequence if they were to? <ul style="list-style-type: none"> <li>▪ submit a report/complaint;</li> <li>▪ refuse/reject any physical/sexual/romantic advances; and/or</li> <li>▪ end any physical/sexual/romantic relationship</li> </ul>		
9 Has the alleged victim/survivor received any goods, preferential treatment or money in exchange for sex or sexual favours?		

If you answer **no to all** of the above questions this incident does not fall under the scope of the Safeguarding Policy.

If you answer **yes to any** of the above questions this incident falls under the scope of the Safeguarding Policy. Please proceed to Decision Tree C below to determine if it is an internal or external case.

**Please note however, that where a Plan staff harms an adult (i.e. aged 18 years and above) who is not a programme participant, and this is reported to Plan, you will need to report the issue under the PII Conduct for staff-on-staff misconduct or acts which bring the organisation s reputation into disrepute.**

### [C] Reporting under the policy

#### What do you need to report?

Under the policy you need to report –

- [a] Where the alleged perpetrator is a Plan India Staff, Associate or Visitor, all safeguarding concerns and breaches of the policy (including those related to our interventions, activities, operations and engagement) must be reported. These cases are also referred to as internal cases.
- [b] Where the alleged perpetrator is outside the scope of the policy (i.e. not a Staff, Associate or Visitor) only safeguarding concerns relating to sexual abuse and exploitation, a potential crime as per the legislation and/or other serious forms of violence which are reported to the Plan India office/staff or Plan India is made aware of should be reported under the policy. These cases are also referred to as external cases.
- [c] All types of abuse and violence regardless of who the perpetrator is where Indian law so requires.

### Who do you report to?

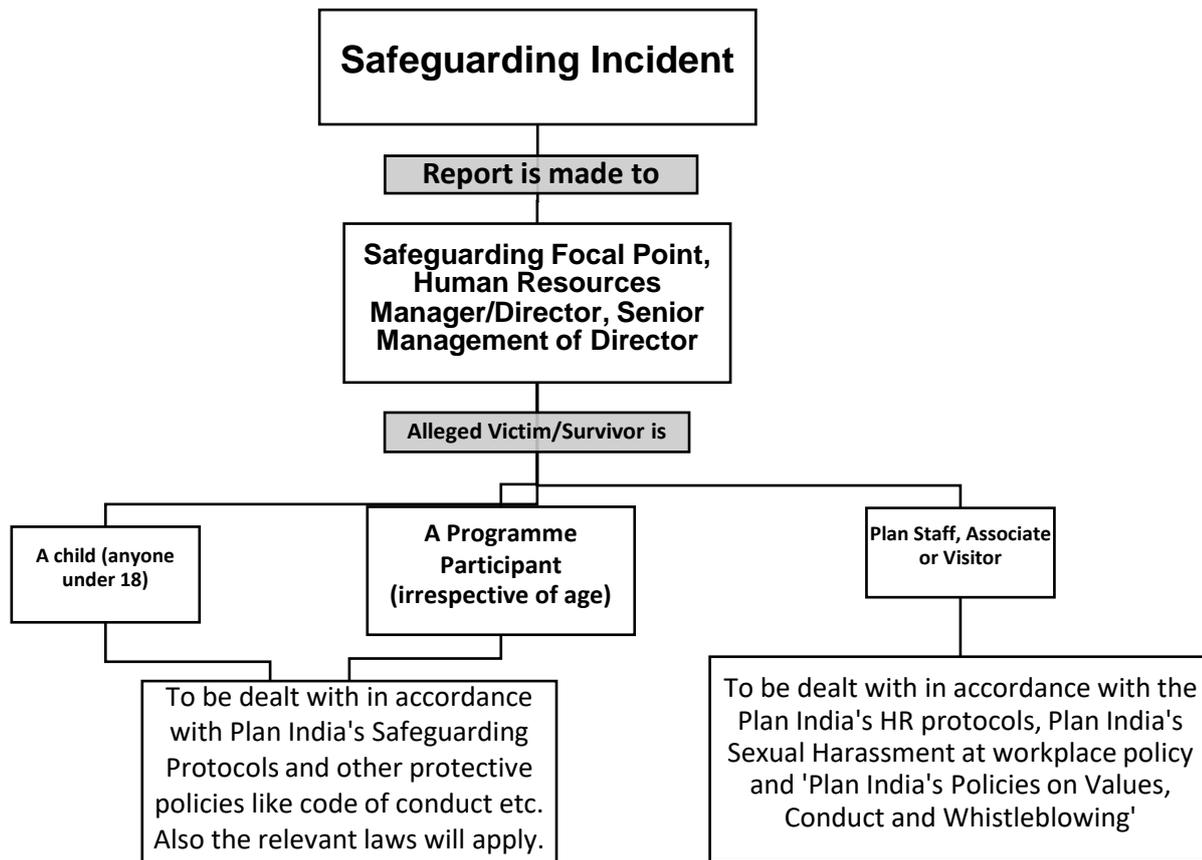
Under the policy each office has staff designated to deal with breaches of the Safeguarding Policy. These staff are known as the **Safeguarding (and PSHEA) Focal Points**.

**IMPORTANT: If you have a concern, don't waste time wondering whether the concern is something that should be reported under the policy. You should immediately (at least within 24 hours) make a report to your Safeguarding (and PSHEA) Focal Point, line manager and/or the relevant Office Director. They will then take further action to ensure that the issue is addressed and appropriate referrals are made in line with Indian legal procedures.**

Please note that reports can also be made anonymously in accordance with Plan India's Whistleblowing Policy. **It is the responsibility of you.** Reports can also be made anonymously in accordance with Plan India's Whistleblowing Policy. Plan India will provide you with written guidance (and training as appropriate to your engagement with Plan India) on how to report and respond to safeguarding concerns and breaches of the Safeguarding Policy (this will include what should be reported and to whom to report). If this is not done, ask to speak to your engaging manager, Office Director or Safeguarding (and PSHEA) Focal Point.

# ANNEXE 4: SAFEGUARDING REPORTING CHAIN

Allegations of SHEA of a child or programme participant will be dealt with in accordance with the 'Plan India Policy on Safeguarding Children and Young People'. Workplace allegations of SHEA, internal to Plan India, will be dealt with in accordance with the Sexual Harassment Act at Workplace law and our 'Plan India Policies on Values, Conduct and Whistleblowing'.



## ANNEXE 5: ACKNOWLEDGEMENT RECEIPT

### Acknowledgement Receipt

# PLAN INDIA SAFEGUARDING POLICY

This is to acknowledge that I have received and read the Plan India's Safeguarding Policy and I give my consent to adhere to the policy.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Position Applied/Purpose: \_\_\_\_\_

Date: \_\_\_\_\_