



**arcs**

CULTURE SOLIDALI

**Policy for the protection of  
children and vulnerable adults  
against abuse, sexual violence and  
harassment**

ARCS Arci Culture Solidali APS

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**Last revision:** 17.10.2022

## Declaration of principle

ARCS recognises the central role of preventing and combating harassment, abuse and sexual exploitation for the protection of the dignity of the beneficiaries of development cooperation interventions and of the people who work and operate within the organisation, in accordance with international pronouncements on the themes of respect for human rights and of the fight against sexual exploitation and abuse.

ARCS has a zero-tolerance policy towards sexual abuse and condemns all forms of harassment, intimidation, discrimination, retaliation, persecution, violence, exploitation and any other sexually motivated conduct especially against children and vulnerable persons.

The purpose of this policy on the protection of children, girls and vulnerable adults is to promote and secure the rights of children, girls and vulnerable adults by setting out procedures to be followed to reduce the risk of any form of abuse against them in the course of the organisation's activities.

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Sexual exploitation and abuse damage the minds and bodies of victims and violate their dignity. Sexual exploitation and abuse can cause physical, emotional, psychological, and social harm to victims, and consequences such as rejection or beatings by families.

Sexual exploitation and abuse by NGO staff damage the relationship with the local community and put the health and safety of the organization's staff at risk.

Acts of sexual exploitation and abuse damage the image and credibility of the organization. This, again, undermines ARCS's ability to implement its mandate and do its work effectively. Staff who commit sexual exploitation and abuse will see their professional and personal lives compromised and may face prosecution.

## Main references

- UN Convention on the Rights of the Child, approved by the General Assembly of the United Nations
- on 20 November 1989 and ratified by Italy with Law no. 176 of 27 May 1991.
- Hague Convention of 13 January 2000 on the International Protection of Adults signed by Italy and
- taken up by the European Parliament Working Document on the Protection of Vulnerable Adults of
- 24 November 2015.
- Whistler G7 Declaration of 2 June 2018.
- Tidewater statement, under DAC, dated 5 June 2018.
- Donors' Statement adopted at the Safeguarding Summit in London on 18 October 2018.
- DAC Recommendation on Ending Sexual Exploitation, Abuse, and Harassment in Development
- Cooperation
- and Humanitarian Assistance: Key Pillars of Prevention and Response adopted by the
- OECD Council on 12 July 2019.
- PSEAH Code - Protection from Sexual Exploitation, Abuse and Harassment issued by the Italian
- Agency for Development Cooperation in 2020.
- IASC Six Core Principles.

## Target audience

This policy establishes rules of conduct and management that ARCS and its staff are required to comply with in the context of their activities, both in Italy and abroad, both in the workplace and in their private lives, supplementing what is already expressed in the organisation's Code of Ethics.

The addressees are statutory bodies, directors, employees, collaborators, volunteers, partners, suppliers and all those who work, even only temporarily, with ARCS, both in Italy and abroad.

**Compliance with the rules presented herein constitutes an integral part of contractual obligations. Failure to comply with the rules contained in this Policy is considered a serious disciplinary violation and as such sanctioned under applicable labor laws.**

**Misconduct may result in immediate suspension or termination and may be disclosed to future employers who request such information prior to employment.**

Recipients, by reason of their assigned responsibilities, shall provide adequate information to third parties (Beneficiaries, suppliers, consultants, etc.) on the obligations imposed herein and request compliance therewith.

Recipients are also expected to raise awareness of the rights of possible victims to report and receive immediate protection.

**ARCS staff, volunteers, partners and suppliers when signing a contract of any kind or in defining their voluntary assignment, must receive and declare that they fully understand this Policy, the code of conduct contained herein and how to apply the procedure for reporting suspected abuse of children and vulnerable adults. They must also declare their commitment to its principles, commitments and rules.**

**All partners or other organisations that have a formal contractual relationship with ARCS, must have included in their contracts and agreements the obligation to comply with this Policy including the Code of Conduct and be informed on how to proceed in the event of a report of alleged abuse of children and vulnerable adults.**

All ARCS staff before taking up their duties are required to undergo specific training dedicated to the topic of PSEA.

## Commitments

ARCS is committed:

- to promote environments in which the rights of children and vulnerable adults are always protected and possible abuses prevented; environments that protect and enable vulnerable adults and children to develop their full potential through the cooperation and emergency programmes developed by ARCS;
- to disseminate the policy not only to its own staff but also to the beneficiaries of the programmes and projects implemented by ARCS and to ensure that its principles are understood by adults and minors;
- to ensure that all staff, including volunteers, partners and suppliers, are aware of and sensitised to the issues of sexual abuse and exploitation and the risks faced by children and vulnerable adults who suffer from such conditions;
- to prevent the occurrence of events that may constitute abuse or harassment of minors and adults by checking the profiles of staff, volunteers and partners in the selection and recruitment processes by any means provided for by law, (ARCS requires references to be submitted, and in each case verifies with at least the two previous employers the information received. It also verifies that there are no pending charges and requires a criminal record certificate to be submitted. It may conduct eventual analysis of the candidate's social profiles; it dispenses at the interview stage a specific questionnaire related to the topic) and through specific training programmes to raise staff awareness of these issues;
- to verify that the rules of conduct contained herein are respected through continuous monitoring;
- to encourage the reporting of incorrect events or behaviour by staff, partners, beneficiaries and suppliers;

- to intervene promptly, forcefully and decisively in case of any improper events or behaviour would be reported or detected in order to protect the victims of any abuse or harassment, provide them with support and immediately restore a working environment in which the physical and moral integrity of the person is protected;
- to ensure that staff in contact with children and vulnerable adults have the required knowledge, skills and qualifications to do their jobs safely and effectively;
- to ensure safe practices when working in partnership with other organisations, in particular that they have appropriate safeguards in place, including appropriate policies and mechanisms to provide
- assurance;
- to make sure that when abuse is suspected or discovered, it is clear what action needs to be taken.

## Abuse, harassment, exploitation: definitions

Sexual harassment is defined as repeated, unwanted and unacceptable conduct and practices of a sexual nature, including invitations, requests, demands for sexual favours, verbal or physical conduct or gestures, which may reasonably be perceived as offensive or humiliating. Sexual harassment includes, but is not limited to, acts or behaviour such as:

- requests - implicit or explicit - for unwelcome sexual performance;
- sexually motivated attention that is unseemly and offensive to the subject;
- unwanted physical contact;
- disparaging and/or insulting attitudes, writings and verbal expressions directed at a person because of his/her membership of a particular sex or on the grounds of the diversity of his/her sexuality;
- displaying pornographic material in the workplace, including in electronic format;
- extortion of sexual favours in exchange for benefits, privileges, career advancement;
- threats or retaliation for refusing sexual attention;
- offensive and disreputable gestures or winks of a sexual nature.

**Abuse is any act, which physically or psychologically harms a child or vulnerable adult, directly or indirectly causes harm or precludes the prospects of a healthy and safe development into adulthood.**

The main categories of abuse are defined by the World Health Organisation as physical violence, psychological violence, neglect and negligent treatment, sexual abuse and exploitation. Children and vulnerable adults can be abused in different ways.

Forms of abuse that can affect children and vulnerable adults include: abuse of trust, child sexual exploitation, child trafficking, discriminatory abuse, domestic violence, emotional abuse, female genital mutilation (FGM), financial or material abuse, grooming, harmful sexual behaviour, modern slavery, neglect, organisational or institutional abuse, physical abuse, psychological or emotional abuse, radicalisation of children or vulnerable adults, sexual abuse.

**Sexual abuse is any behaviour or threat consisting of a physical intrusion of a sexual nature, perpetrated by force or otherwise under coercive or inequitable conditions.**

Lastly, the concept of sexual exploitation includes any conduct, even if only attempted, that exploits positions of vulnerability, imbalance in power or trust, for sexual purposes, including conduct aimed at profiting socially or politically from the sexual exploitation of others.

## Code of conduct

Standards of conduct on sexual exploitation and abuse must be followed all day, every day, on duty and off duty.

ARCS forbids to:

- entertain sexual activities with minors (persons under the age of 18). Misconception of a minor's age is not a defense;
- engaging in sexual activities with beneficiaries involving improper use of one's position. Such relationships moreover undermine the credibility and integrity of the work of organizations active in the humanitarian field;
- exchange labour, goods or services for sexual acts, including sexual favours or other forms of exploitation, including the provision of aid and any other form of assistance to beneficiaries, whether direct or indirect;
- having sex with sex workers. Sex with sex workers or any other kind of transactional sex is prohibited, even if prostitution is tolerated or legal in the country in which one operates;
- adopt behaviour that may constitute moral violence and abuse of authority through threats, harassment or psychological persecution that offends the dignity and psychological and physical integrity of persons, especially children and vulnerable persons, or that aims to degrade the working environment;
- engage in any form of harassment;
- exploiting a minor or adult to procure sex for others;
- establish a preferential relationship with an individual child;
- leave a child or vulnerable adult in a situation that is potentially dangerous for their mental or physical safety;
- addressing a child or vulnerable adult in an offensive manner or engaging in inappropriate or sexually suggestive behaviour;
- discriminate especially against a child or group of children;
- asking a child to keep a secret;
- giving gifts to a child or vulnerable adult and discriminating against the rest of the group;
- photograph or film a child without the written consent of his or her parents or guardians;
- film or photograph oneself with a child or vulnerable adult in an equivocal manner;
- publish or disseminate, including via the web or social networks, images that depict a minor in a recognisable way without the consent of the parents or guardians;
- hit, physically assault or physically or psychologically abuse a child or vulnerable adult;
- have attitudes towards children or vulnerable adults that may negatively affect their harmonious and socio-relational development;
- act in a way that sets a negative example for the child and the vulnerable adult;
- use inappropriate, offensive or abusive language, suggestions or advice;
- behaving in an inappropriate or sexually provocative manner;
- establish or maintain 'ongoing' contact with a child or vulnerable adult who is the beneficiary of activities using personal and non-work-related communication tools (e-mail, chat, social networks);
- allow a child or vulnerable adult you work with to sleep in your home without prior supervision and permission from your line manager;
- sleep in the same room or bed with a child or vulnerable adult you work with;
- give money or goods to a child or vulnerable adult outside the parameters and purposes set by the project activities or without the knowledge of the person responsible;
- participate in behaviour of the child or vulnerable adult that is illegal or puts their safety at risk;
- act in such a way as to shame, humiliate, belittle or despise a child or vulnerable adult, or perpetrate any other form of emotional abuse;
- discriminate against, differently treat or favour a child or vulnerable adult.

Sentimental relationships with direct or indirect beneficiaries are prohibited when these involve improper use of position because they are based on inherent dynamics of power inequality. Such relationships can cause serious harm to beneficiaries and undermine the credibility and integrity of the organization's work. Sexual relationships that exploit the power imbalance between staff and community members can also put staff safety at risk.

Truly consensual sexual relationships between staff and community members that do not involve improper use of position are not prohibited.

For example, a locally recruited staff member would not commit sexual exploitation or abuse if he or she had a consensual, nontransactional sexual relationship with another member of his or her community, as long as that person is at least 18 years old.

If you are unsure whether you are violating the standards of conduct regarding the prevention of sexual exploitation and abuse, please seek advice from the PSEA focal point.

All staff are required to:

- promote an environment of openness to listening, in relation to issues concerning the protection of children and vulnerable adults, to facilitate the exposure of issues and/or reports of alleged abuse;
- ensure that a sense of responsibility for the protection of children and vulnerable adults is shared and disseminated;
- encourage children and vulnerable adults with whom one comes into contact to raise problems and concerns;
- make parents or guardians of children and vulnerable adults aware of their rights;
- be clear to parents or guardians of children and vulnerable adults about what can be done about abuse issues;
- be vigilant in identifying situations that may pose risks to children and vulnerable adults;
- report any suspicion or certainty of possible abuse of a child or vulnerable adult.

## Reporting procedure

ARCS encourages anyone who witnesses or is a victim of abuse to report it immediately. Anyone who witnesses abuse is morally obliged to report it.

**Staff and all recipients of this policy have an obligation to report incidents of sexual exploitation and abuse and to cooperate in investigations. These obligations are included in the legal terms and conditions of contracts.**

**Those who report or blow the whistle on misconduct are entitled to confidentiality and protection from retaliation or intimidation.**

**ARCS staff and all recipients of this policy must report any suspicions, concerns, rumors, or complaints about incidents of sexual exploitation and abuse involving their colleagues. Reports must be made immediately, in good faith, and may or may not be anonymous.**

**Problems should not be solved on their own. One cannot independently conduct interviews with the alleged victim and alleged perpetrator to find out if the allegations are credible.**

**Information about SEA allegations are confidential and can be shared only when necessary.**

**One should not investigate or try to find out if the allegations are true before reporting them. That is the purpose of an investigation. Instead, one should take note of anything that is deemed relevant to an investigation.**

**Those who believe themselves to be victims of sexual harassment have the right to absolute confidentiality of their personal information and to request that their names be omitted from any document subject for any reason to disclosure.**

The PSEA Focal Point is responsible for receiving and following up on reports of sexual exploitation and abuse. It is responsible for monitoring the implementation of this policy and the rules therein in his country of service.

PSEA focal points are responsible for ensuring that beneficiaries, including minors (with appropriate adjustments in content and mode of communication) and all staff, including those of local partners and suppliers, know, understand, and remember the rules of conduct and how to report possible abuse contained herein.

They are responsible for creating an environment where such information is repeatedly reminded and for creating the conditions of trust necessary for people not to be afraid to make a report.

PSEA focal points can collect reports from staff, beneficiaries, children, partners, and suppliers, respecting privacy rules and keeping them informed of any developments in the situation following the report.

The report can be made on the form below and should include information about what happened, the date, place and name of the witness, and the people involved (if minors specify the names of parents or guardians).

Abuse reporting form	
<b>Name of reporter</b>	
<b>Email</b>	
<b>Phone number</b>	
<b>Role</b>	
<b>Date of event</b>	
<b>Place</b>	
<b>Detailed description of the incident</b>	Detailed description of the incident Include date, time, first and last name of persons involved (if children specify names of parents or guardians).

ARCS will only use the personal data collected to follow up on the abuse report management process.

**In compliance with the GDPR, I hereby authorize ARCS Arci culture Solidali APS to use and process my personal details contained in this document.**

Reports can be sent by mail to the address of the ARCS office in Rome to the attention of the HSS Officer. Alternatively, they can be sent by e-mail to [safety@arcsculturesolidali.org](mailto:safety@arcsculturesolidali.org) or they can be made by phone at +39 3299247486.

A single operator (HSS Officer operating at HQ) responds to that address and phone number and is responsible for collecting reports in order to direct them to the HSS Global Manager and to the ARCS Control Body who will decide the timely and the most appropriate disciplinary measures to be taken.



## The role of the Control Body

### What happens following a report

ARCS intervenes by ensuring alleged victims receive whatever immediate support they need and takes immediate action to prevent further harm. ARCS uses local or Italian organizations to ensure immediate referral service. It suspends the person who has been referred until the investigation sheds light on the incident. May use local organizations to conduct the investigation.

### Long-term assistance to victims

If an investigation concludes that sexual exploitation and abuse has occurred, ARCS will refer the victim to long-term forms of assistance. These include a return to school if the victim dropped out due to sexual exploitation and abuse, psychological assistance, and legal assistance to pursue criminal proceedings. In addition to support provided to victims, measures taken during or after the conclusion of an investigation may also include referral of cases to national authorities for prosecution.

The Controlling Body verifies information and collects documentation about the incident by carrying out internal investigations:

- collects information from the involved persons;
- temporarily suspends the reported person from his/her activities, informing him/her of the accusations made;
- in the event of a criminal offence being committed, notifies the competent authority;
- ensures that the victim receives immediate protection and psychological and socio-economic support.

ARCS will implement the measures that it considers to be most appropriate to safeguard the person and to restore a working environment in which the physical and moral integrity of the person is protected.

However, the right of the person concerning to avail him/herself of any form of protection provided by law at any time - independently of the ARCS procedures - is not affected.

It is recalled that the alleged offender, if necessary, is generally judged according to the legislation in force in his country.

In any case, ARCS adopts an approach that focuses on the needs of those who have suffered harassment, abuse or sexual exploitation, and is based on respect for human rights, as well as the principles of confidentiality, safety and non-discrimination.

Any violation of the Policy constitutes a disciplinary offence which may be sanctioned, in the most serious cases, with the termination of the employment contract in accordance with the provisions of the applicable labor laws.

The reported person will be supported by the organization to the best of its ability and possibilities and, by virtue of the legal principle of presumption of innocence, will be presumed innocent until proven guilty.