



TI CAMBODIA

CHILD PROTECTION POLICY

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1. INTRODUCTION

Transparency International is the global civil society organisation leading the fight against corruption. Transparency International Cambodia (TI Cambodia) is an official National Chapter of Transparency International and officially registered as a local Cambodian non-governmental organisation with the Ministry of Interior in July 2011.

The mission of TI Cambodia is to work together with individuals and institutions at all levels to promote integrity and reduce corruption in Cambodia. TI Cambodia is a National Chapter of Transparency International.

VALUES: TI Cambodia shall respect and adhere to the following values:

- Integrity
- Accountability
- Transparency
- Solidarity
- Justice
- Democracy

VISION: For Cambodians to live in a society free of corruption.

MISSION: Work together with individuals and institutions at all levels to promote integrity and reduce corruption in Cambodia.

GOALS:

1. Promote individual and institutional best practices and integrity in their day-to-day performance through education and sharing of good models and examples.
2. Empower community members to actively engage in monitoring development process at national and sub-national levels.
3. Advocate for positive change toward a corruption-free society.

2. PURPOSE

This policy has been developed to be in line with the United Nations Convention on the Rights of the Child as well as the DFAT child protection policy (2017). Its purpose is to:

- ensure TI Cambodia provides a safe environment for children, adults and staff;
- ensure effective mechanisms are in place in order to protect children and youth engaged in TI Cambodia programs from all forms of abuse and exploitation;
- ensure procedures are in place to report about child abuse and how to deal with them once they occur; and
- Ensure culture and practices where people are treated with dignity and respect both in the workplace and in projects conducted by TI Cambodia and its implementing partners.

TI Cambodia is committed to protecting the safety and wellbeing of children.

We uphold the rights and obligations of the United Nations Convention on the Rights of the Child and are dedicated to protecting children from harm, exploitation and abuse. Through the identification and management of risks that may lead to harm of children, TI Cambodia aims to provide the safest possible environments for any children with whom it works. We encourage child-safe practices within our organisation with the aim of children experiencing zero harm as a result of our programs.

3. SCOPE

This policy is strictly applied to all individuals working at all levels and grades, including TI Cambodia People (members of the board of directors, management, staff, interns and volunteers). It also applies to consultants, contractors, advisors and sub-grantees where they do not have Child Protection Policy in place that is in line with TI Cambodia's standards. This policy will have the coverage for the incidents with

the children/youth below the age of 18. For any incidents related to adults from the age of 18, SEAH policy shall be covered.

4. DEFINITION

Child means every person below the age of 18¹.

Child abuse is the physical, sexual, emotional mistreatment or neglect of a child 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 protection is an activity or initiative designed to protect children from any form of harm, particularly harm arising from abuse, neglect or exploitation.

Physical abuse of a child is when a person purposefully injures or attempts to injure a child from an interaction or lack of interaction which is reasonably within the control of a person in a position of responsibility, power or trust over the child. This may take the form of slapping, punching, shaking, kicking, burning, shoving, grabbing or choosing not to assist a child when a situation is causing them physical pain. There may be a single incident or repeated incidents.

Emotional abuse of a child is any action that is not physical but that has a negative effect on the social, intellectual or emotional development of a child. Emotional abuse is categorised loosely as the chronic behavioural pattern directed at a child whereby a child's self-esteem and social competence is undermined or eroded over time. It can take the form of name-calling, threatening, belittling, ridiculing, intimidating, isolating, ignoring or other non-physical forms of hostile or rejecting treatment towards the child.

Neglect of a child is the failure to provide the child with the basic necessities of life such as food, clothing, shelter, education, supervision emotional development and/or protection from foreseeable harm in the context of resources reasonably available to the family or caretakers of the child and to the extent that the child's health and/or development are at risk.

Sexual abuse of a child is when a person who is in a position of responsibility, trust or power over a child involves the child in sexual activity which is intended to gratify or satisfy the needs of the other person and which the child does not fully comprehend, is unable to give informed consent to, or is not developmentally prepared and cannot give consent. This can include contact acts (such as rape or sexualized touching) or non-contact acts (such as exposure to pornography or taking sexualized photographs of the child).

Domestic violence is a pattern of assaultive and/or coercive behaviours conducted within the family environment or domestic (home) environment which can include physical abuse, sexual abuse, emotional abuse and/or economic coercion.

Child Exploitation is when a child is used in work or other activities for the benefit of others. This includes, but is not limited to, the commercial sexual exploitation of children whereby a child is sexually abused in return for cash or for kind and child labour whereby a child is forced to work or perform other acts to an extent detrimental to the child's physical, social or mental development.

Survivor: the person who it is alleged has been the subject of child abuse or exploitation.

5. GUIDING PRINCIPLE

This Policy is based upon the following guiding principles:

- Zero tolerance of child abuse;
- Recognition and promotion of children's best interests;
- Sharing responsibility for child protection;
- Use of a risk management approach to prevent child abuse; and

¹ As defined by the Convention on the Rights of the Child (United Nations, Article 1)

- Report and respond to all incidents of child abuse.

6. RESPONSIBILITY

Child abuse is never acceptable and a commitment to children's/young people's rights in general also means a commitment to safeguard the children/young people with whom TI Cambodia is in contact. TI Cambodia will not permit a person to work with children/young people if that person poses an unacceptable risk to children's/young people's safety or wellbeing.

We are all responsible for promoting children's/young people's rights and championing the protection of children/young people. Management is responsible for overall implementation, monitoring and review of this policy and ensuring that all parties comply with the Child Protection Code of Conduct. Board of Director is responsible for the oversight of this policy and approval of any revision.

7. CODE OF CONDUCT

All TI Cambodia People sign and adhere to the Code of Conduct which outlines the expected behaviours for all TI Cambodia People. Failure to align to these processes will lead to employment contract termination, and any conduct that is criminal will be reported to the local authority, where it is safe to do so and is in accordance with the wishes of the victim/survivor if he/she is of an age to give informed consent.

Acceptable Behaviors:

TI Cambodia People shall:

- Treat children with respect regardless of race, colour, sex, gender, gender identity, sexuality, sexual orientation, age, indigeneity, national, ethnicity, language, religion, political or other opinion, disability, property, displacement, caste, poverty, class or socio-economic status;
- Conduct themselves in a manner appropriate with their position representing of TI Cambodia in all their dealings with children;
- Immediately raise concerns regarding a child's safety or wellbeing in accordance with TI Cambodia's Reporting Procedures and observe procedural fairness when engaged in decision-making;
- Be visible when working with children and, wherever possible, ensure that another adult is present when working in the proximity of children;
- Listen to children and allow them to be engaged in decisions that may affect them;
- Immediately report concerns or allegations of child abuse in accordance with appropriate procedures to TI Cambodia's Ethics committee.
- Comply with all relevant Cambodian legislation, including labour laws in relation to child labour
- Immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with TI Cambodia that relate to child exploitation and abuse.

Unacceptable behaviors

TI Cambodia People shall not:

- use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- engage children in any form of activity that is demeaning, offensive, sexually provocative, abusive or culturally inappropriate or insensitive;
- engage children in any form of sexual activity or acts, including paying for sexual services or acts;
- invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger;
- sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible;
- show favouritism through the provision of gifts or inappropriate attention;
- behave provocatively or inappropriately with a child;
- Use any computers, mobile phones, or video and digital cameras inappropriately, and to exploit

or harass children or to access child pornography through any medium (see also 'Use of children's images for work related purposes below);

- conduct physical punishment of children;
- hire children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.

The Photograph Policy for Using Children's Images

When photographing or filming a child for work related purposes, TI Cambodia people must:

- Before photographing or filming a child, assess and comply with local traditions or restrictions for photographing or filming a child.
- Before photographing or filming a child, obtain consent from the child and/or a parent or guardian of the child. As part of this I must explain how the photograph or film will be used.
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure images are honest representations of the context and the facts.
- Ensure file labels or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.
- Ensure images of children available for public use do not reveal any identifying information about a child when sending images electronically or publishing images in any form.
- Conceal the identity of vulnerable and at-risk children. Do not show a vulnerable child's face or represent them in any way that may lead to their identification.
- Not identify children as survivors of sexual exploitation, gender-based violence or abuse
- Not reveal an individual child's status as a person living with HIV, TB or any other serious health conditions without written consent.

8. TI CAMBODIA'S COMMITMENT

TI Cambodia is committed to implementing and maintaining child protection measures to the highest standard. These include:

- In all contracts involving TI Cambodia, all parties agree to abide by the requirements of this Policy;
- Child protection risks are included in all project and activity risk assessments;
- Culturally specific issues relevant to child protection will be incorporated into project specific risk management strategies, training and response procedures;
- Preventative child protection measures are implemented to the highest standard;
- Comprehensive child-safe recruitment and screening processes are employed;
- Child protection training is regularly provided to TI Cambodia People;
- A child protection Code of Conduct exists and is understood and signed, wherever applicable, by all TI Cambodia People;
- Clear and current reporting procedures exist and are known by TI Cambodia People and external stakeholders through publicizing on TI Cambodia's website, conducting in-house orientation and/or explaining about CPP/reporting procedure to participants before the conduct of each event, especially the event related to children and youth;
- TI Cambodia is committed to receiving feedback from external stakeholders regarding its CPP and reporting procedures.
- National laws and processes and local resources are taken into account within reporting and response mechanisms;
- No person is permitted to work with children if they pose an unacceptable risk to children's safety or wellbeing;
- All employment contracts involving TI Cambodia: TI Cambodia has the right to dismiss for those who breach the child protection code of conduct; and
- The highest levels of confidentiality and sensitivity are employed pending an official investigation of an incident.

9. RISK BASED APPROACH

TI Cambodia has adopted a risk management process by which risks are identified, monitored and reasonably mitigated against in the assessment of all our concerned activities. This includes a process by which activities are assessed to determine the level of risk for Child Abuse and Exploitation. Please refer to Appendix 6: TI Cambodia CP/SEAH Org. Risk Assessment, and Appendix 7: TI Cambodia CP/SEAH Program Risk Mitigation and Management for further information.

TI Cambodia ensures that due diligence and/or capacity assessments of sub-grantees, especially sub-grantees under Australian Government's Department of Foreign Affairs and Trade (DFAT)'s funding, shall be included with the assessment of their key preventing and addressing sexual Child Abuse and Exploitation.

10. TRAINING AND COMMUNICATION

The orientation/training on how to implement and adhere to this policy shall be done to all TI Cambodia people in order to avoid risks from Child Abuse involved activities. For new TI Cambodia people, the orientation/training shall be conducted as soon as possible along with other policies' orientation/training once they'll commence work with TI Cambodia.

Zero-tolerance approach towards Child Abuse and Exploitation must be also communicated to TI Cambodia People, and all suppliers, contractors, consultants and sub-grantees at the outset of our relationship with them and as appropriate thereafter including the information about Child Protection code of conduct, reporting/complaint mechanism either at event at the community and/or through TI Cambodia's website.

11. IMPLEMENTATION

As soon as this policy is finalised, approved by TI Cambodia's Board, and thorough orientating/training to all TI Cambodia People, they shall have primary and day-to-day responsibility for implementing this policy. On top of this, board members and the management of the organisation shall be acting as a role model in term of prevention both within and outside the organisation.

TI Cambodia requires that all TI people sign that they have read, understood and agree to abide by TI Cambodia's CPP/PSEAH Code of Conduct, including the requirements to comply with this policy.

12. RECRUITMENT AND REFERENCE

TI Cambodia has a Human Resource Policy which includes a robust recruitment and screening process in order to minimise the risk of recruiting a person who poses an unacceptable risk to children.

Procedures include:

- All TI Cambodia people are required to provide an appropriate criminal record check or make a statutory declaration as to their criminal record history. Please refer to appendix 1: TI Cambodia Statutory Declaration of Criminal History Record for further information.
- At least two verbal reference checks with former employers / referees will be conducted. Verbal referees cannot include partners, spouse and/or other relatives. For any position deemed to be working with children, referees will be asked about the applicant's suitability for the role to work with children and/or to have regular unsupervised contact with children. Referees will be asked whether they hold any concerns about the applicant, or if complaints were made about the applicant, in connection with working or having contact with children.
- For any position working with children the interview process for candidates at TI Cambodia should include behaviour based interview questions that relate directly to working with children to probe the applicant's attitude, experience and approach to working with children relevant to the post applied for. Where appropriate, questions may be taken from the list below:
 - ✓ Have you worked/volunteered with children in a similar position before? What did you like about it?

- ✓ What did you find difficult?
- ✓ How have you handled children who did not want to participate in an activity?
- ✓ Do you mind being supervised?
- ✓ What motivates you/why do you want to work with children in this program?

13. SUB-GRANTEES

It is mandatory for sub-grantees, especially those who receive fund from DFAT through TI Cambodia to comply with TI Cambodia Child Protection policy, if they do not have such policy in place. They shall:

- a) act in accordance with the principles and requirements in this Policy;
- b) sign TI Cambodia's Code of Conduct committing to adhere to this policy;
- c) have Prevention of child abuse clause included in all partnership agreements with their sub-grantees; and
- d) in a long run, adopt and comply with their own policy and procedure by which risks are identified, monitored and mitigated against, including assessing the level of risk for child abuse and mitigating the same in applying the DFAT Policy and Child Protection Minimum Standards where applicable. TI Cambodia will, if needed, assist them in the process of developing their own policy.

14. WHISTLEBLOWING

Whistleblowing is the disclosure of information about perceived serious problems (wrongdoings). Serious problems (wrong doings) include, but not limited to, those described in section 6.11 of HR policy such as Form of Corruption, Sexual Exploitation, Abuse and Harassment (SEAH), Child Abuse and other illegal activities as defined by laws and regulations of Cambodia. It's becoming more accepted as a way for organisations to access internal information that can help leader/managers to prevent or minimise risks.

Child Abuse is clearly treated as one of the serious problems (gross misconduct). Where any person has reasonable grounds to suspect that TI Cambodia or any persons within the scope of this Policy have engaged in Child Abuse, TI Cambodia encourages them to report their concerns immediately in accordance with this Policy. Please refer to the appendix 4: TI Cambodia CP/SEAH Whistleblowing, Investigation and How to Deal with It for further information (extracted from HR policy, section 12, 13 and 14).

15. MONITORING AND EVALUATION

TI Cambodia People are collectively and individually responsible for the success of this policy implementation. They are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Ethics Committee.

The Ethics Committee members who are comprised of Chairperson or an appointed member of the Board of Directors (chair), TI Cambodia Executive Director, Senior Management Team and one staff representative, will monitor the effectiveness and review the implementation of this policy regularly considering its suitability, adequacy and effectiveness. They shall meet at least 2 times per year to measure the implementation progress, and set out new mechanism (if any) to prevent SEAH.

16. REVIEW AND AMENDMENT

This policy will be reviewed in every 3 years to ensure it remains compliant with law, relevance and effectiveness. Each revised policy shall be approved by the Board of TI Cambodia.

Version	Date Effective	Created By	Consultation by	ApprovedBy TI Cambodia BoD on	Next Revision by
1	10 December 2020	TI Cambodia	Ms. Pauline Taylor-McKeown	10 December 2020	10 December 2023

The policy was revised by the Senior Management Team with proper consultation with TI Cambodia's staff. This policy shall be effective from 10 December 2020.



Pech Pisey
Executive Director

And approved by the Board of Directors on 10 December 2020



Vong Socheata
Chair of Board of Directors

17. APPENDICES

17.1 Appendix 1: TI Cambodia Statutory Declaration of Criminal Record Form

Applicant's Name:		Role applying for:	
Have you ever been charged or convicted of any offence?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please provide details:			

Please note: if you are applying for a position where you will have regular contact with children, (this may be frequent or infrequent), you are required to give details of **all** convictions or criminal offences and cautions, or pending prosecutions.

Have you ever been dismissed from employment or had any disciplinary action taken against you which may be related to work with a child/children under 18 years of age?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please provide details:		
Have you received any formal reprimands, final warnings, or cautions from the police?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please provide details:		
Is there any other information which may be relevant to your application e.g. pending prosecutions	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please provide details:		
Signature:	Date:	

17.2 Appendix 2: TI Cambodia Child Protection/SEAH Code of Conduct

I, *[insert name]* _____, agree that while engaged by TI Cambodia, acknowledge that I have read and understood TI Cambodia's Child Protection and Preventing Sexual Exploitation, Abuse and Harassment Policies and Procedures and agree that while working with TI Cambodia, I will:

Child Protection:

- Treat children with respect regardless of race, colour, sex, gender, gender identity, sexuality, sexual orientation, age, indigeneity, national, ethnicity, language, religion, political or other opinion, disability, property, displacement, caste, poverty, class or socio-economic status;
- Not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- Not engage children in any form of activity that is demeaning, offensive, sexually provocative, abusive or culturally inappropriate or insensitive;
- Not engage children in any form of sexual activity or acts, including paying for sexual services or acts;
- Wherever possible, ensure that another adult is present when working in the proximity of children;
- Not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger;
- Not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible;
- Not show favouritism through the provision of gifts or inappropriate attention; behave provocatively or inappropriately with a child;
- Use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any medium (see also 'Use of children's images for work related purposes below);
- Refrain from physical punishment of children;
- Refrain from hiring children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury;
- Comply with all relevant Cambodian legislation, including labour laws in relation to child labour;
- Immediately report concerns or allegations of child abuse in accordance with appropriate procedures to TI Cambodia's Ethics committee;
- Immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with TI Cambodia that relate to child exploitation and abuse.

Use of children's images for work-related purposes:

When photographing or filming a child for work-related purposes, I must:

- Before photographing or filming a child, assess and comply with local traditions or restrictions for photographing or filming a child;
- Before photographing or filming a child, obtain consent from the child and/or a parent or guardian of the child. As part of this I must explain how the photograph or film will be used;
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive;
- Ensure images are honest representations of the context and the facts;

- Ensure file labels or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form;
- Conceal the identity of vulnerable and at-risk children. Do not show a vulnerable child's face or represent them in any way that may lead to their identification;
- Not identify children as survivors of sexual exploitation, gender-based violence or abuse;
- Not reveal an individual child's status as a person living with HIV, TB or any other serious health conditions without written consent.

Preventing Sexual Exploitation, Abuse and Harassment:

- Treat people with dignity, respect and fairness.
- Understand and respect diversity.
- Recognise where there are power differences and seek to address them.
- Take actions that show consideration for cultural concerns and expectations.
- Report any concerns or suspicions that arise regarding sexual abuse or exploitation.
- Not engage in any form of sexual abuse or exploitation of any persons of any age.
- Not engage in sexual activity with a child (person under the age of 18) regardless of the age of majority or age of consent locally.
- Not exchange money, employment, goods or services for sex while on work related travel or representing TI Cambodia (including sexual favours or other forms of humiliating, degrading, or exploitative behaviour).
- Not engage in sexual relationship that involves, or appears to involve, partiality, preferential treatment or improper use of rank or position.

I understand that the responsibility is on me, as a person engaged by TI Cambodia, to use common sense and avoid actions or behaviours that could be construed as child exploitation or abuse and sexual exploitation, abuse and harassment when implementing TI Cambodia's work.

Name: _____

Signature: _____

Date: _____

17.3 Appendix 3: TI Cambodia Child Protection/SEAH Incident Report

Key questions with (*) are mandatory to fill in.

Name of complainant*:	
Address/contact details:	
Age:	
Sex:	
Name of alleged victim* (if different from complainant):	
Address/Contact details:	
Age:*	
Sex:*	
Name (s) and address of parents, if applicable*	
Has the alleged victim given consent to the completion of this form?*	
Date of incident(s)*:	
Time of incident (s)*:	
Locations of incident (s)*:	
Physical and emotional state of victim (please describe):	
Witnesses' names and contact information (if any):	
Brief description of incident (s)* (attached extra pages if necessary):	
Name of accused person (s):*	
Position of accused person (s):	
Organisation accused person (s) work for:	
Address of accused person (s) (if known):	
Age:	
Sex:	
Have the police been contacted?*	
If yes, what happened?	
If no, does the alleged victim want the police assistance, and if not, why?	
Has the alleged victim been informed about available medical treatment?	
If yes has the alleged victim sought medical treatment for the incident?	
If yes, who provide treatment?	
What is the diagnosis and prognosis?	
What immediate security measures have been undertaken for victim?	
Any other pertinent information provided in interview (including contact made with other organisations, if any)	
Details of referrals and advice on health, psychosocial, legal needs of victim (if any) made by the person completing the report:	

Has the complainant been informed about the organisation's procedures for dealing with complaints?*	
Please provide any other relevant information here that has not already been mentioned above.	
*Report completed by: Name, Position, organisation, Date/time/location	

17.4 Appendix 4: TI Cambodia CP/SEAH Whistleblowing, Investigation and How to Deal with it

Whistleblowing is the disclosure of information about perceived serious problems (wrongdoings). Serious problems (wrong doings) include, but not limited to, those described in section 6.11 of HR policy such as Form of Corruption, Sexual Exploitation, Abuse and Harassment (SEAH), Child Abuse and other illegal activities as defined by laws and regulations of Cambodia.

Purpose

TI Cambodia, within its mandates, promotes integrity, transparency and fight against corruption in Cambodia. At the same time, we must uphold good principle and code of conduct (ethics) in order to avoid serious problems (wrongdoings) which might happen within our course of work.

TI Cambodia's Ethics Committee is therefore committed to hearing any concern in which TI Cambodia may have related to this issue during the whole phase of programme implementation.

Scope

All individuals working under any form of contract or agreement with TI Cambodia, including full and part-time employees including the Board of Directors, interns, volunteers, contractors, advisors and consultants, can use this policy to make a report about serious problems.

Channel to Make a Report

If you have information about the activities related the above-mentioned serious problems or believe that those activities may have occurred, has occurred, or could occur, you are encouraged to make a report to the Members of the Ethics Committee. The report can be made either in verbal and written forms or through suggestion box for TI Cambodia people.

For external stakeholders, reporting channel shall be made to:

- Focal person receiving the report: HR/Admin Manager
- Email: ethics@ticambodia.org
- Phone: 023 883681/82
- Address: #13, St. 554, Sangkat Boeung Kak 1, Tuol Kork, Phnom Penh, Cambodia

While it is understood that you may want to seek further information or consult with any colleague before making a report, please avoid unnecessarily sharing the identity of individual affected by your report, undertaking your own investigations, or collecting evidence before making a report would be crucial.

In case a complaint is filed against any member of the Ethics Committee, the person who is the subject of that complaint shall step down from the committee. If the complaint is about a chairperson, the appointment of a new chairperson shall be made.

Confidentiality, Anonymity

Your report and the information contained in it, as well as your identity will be treated confidentially. The Members of the Ethics Committee have the duty to treat the information sensitive, and protect your identity. Your identity will not be revealed without prior written permission or unless required to do so by law.

You have the possibility to report serious problems anonymously, i.e. without disclosing your personal. Please be aware that investigations tend to be more difficult in this case because TI-Cambodia may need your feedback, clarification or confirmation of the case.

Whistleblower Protection

When you report a case related to serious problems, you may need to prove that your report is true and with adequate evidence. No action will be taken against you if you acted in good faith. If, after making a report, you find additional relevant information, you are also strongly encouraged to report

it to TI Cambodia's Ethics Committee, regardless whether this information supports or modifies your original report. TI Cambodia fully protects you from any form of retaliation, disadvantage or discrimination at the workplace linked to or resulting from your report.

Any individual who retaliates against someone who has reported a serious problem under this policy, or who has cooperated in the investigation of a concern person, is subject to disciplinary, termination of employment contract, any further action which is appropriate.

Investigation

Investigation on Serious Problems case shall be conducted covertly and confidentially. The investigation shall be done carefully in an independent manner and free from undue interference. The person(s) who is assigned to investigate the case shall have broader knowledge of and well understand the case of serious problem, and through which the investigator(s) would be able to know where to obtain appropriate evidence to prove the case. The investigator (S) shall be given with adequate investigative power.

The investigator shall, during the course of investigation, collect all appropriate evidence and compile written reports once the investigation is ended. The report shall then be submitted to TI Cambodia's Ethics Committee for further processing.

How to Deal with Serious Problem

If the report shows that there is no clear and enough evidence on the case, the Ethics Committee will end the case and take no further action.

If there is clear, strong and enough evidence about the case, the Ethics Committee Members will meet with the concerned person to inform of the charged case and immediate dismissal.

The concerned person can bring staff representative or any staff whom s/he trusts in along with her/him during the meeting with the Ethics Committee Members.

The dismissal letter signed by the chairperson of the Ethics Committee shall be given to the concerned person. A copy of letter will be retained in the employee's personnel file.

In this case, the final settlement shall be made including final payment and clearance (returning of organisation's property). If the case was involved with the loss/damage of organisation's property, the lost/damaged amount shall be asked to return. Legal action shall be made against the concerned person if necessary.

17.5 Appendix 5: TI Cambodia Ethics Committee ToR

The Ethics Committee is set up in order to create conditions to help employee and other involved stakeholders to embrace the principles of the Code of Conduct and making sure its principles are applied by everyone in their day-to-day work. It is also responsible for examining whether the ethical risks have been effectively identified, assessed, managed and reported, with a view to ensuring that they do not engage in serious problems (HR policy ref, 6.11: Form of Corruption, Sexual Exploitation, Abuse and Harassment (SEAH), Child Abuse and other illegal activities as defined by laws and regulations of Cambodia).

The Committee shall review and assess the adequacy of these Terms of Reference every two years or more frequently if necessary.

1. Composition of ethics committee

Ethics Committee comprises of Chairperson or an appointed member of the Board of Directors (chair), TI Cambodia Executive Director, Senior Management Team and one staff representative. One of the members shall be appointed to be a secretary to the committee. The Committee may request any TI Cambodia staff or any external expert to attend Committee meeting if needed. If the complaint is about a member of the committee, s/he shall step down from the committee. If the complaint is about a chairperson, the appointment of a new chairperson shall be made.

2. Quorum

The Ethics committee's meeting can be preceded with a minimum quorum of 50% +1. The decision can be made with the voice of at least 50% + 1 from the participating members.

3. Frequency of meetings

Meetings will be held normally two times a year unless an emerging issue arrives which require adhoc meetings. All the meetings shall be invited for and chaired by the chairperson of the Board of Directors or her/his appointed. Minutes of the Committee meetings shall be taken and filed after approval by the Committee Members. A copy will be sent to the members of the Committee.

4. Responsibilities of the committee

The main roles and responsibilities of the committee members are as follows:

- Advising and assisting in development and implementation of policies and procedures aimed at enhancing integrity and ethical behavior and preventing serious problems throughout TI Cambodia's day to day operations and monitoring compliance;
- Providing orientation on those policies and procedures to all staff and involved stake holders;
- Dealing with the ethical issue including disciplinary and/or remedial action;
- Advising and making recommendations concerning the prevention/mitigation of serious problem related risks, and other preventive measures to be taken, where necessary;
- Making the report on serious problem related risks to the Board of Directors (if any), and to the donors (if required);
- Updating the Board of Directors on the compliance of organisation's policies on a regular basis;
- Appointing a member to be a secretary of the committee;
- Ensuring that organisation's existing policies/procedures shall be reviewed and approved as mentioned in each policies.

5. Confidentiality

All information made available to and used by the Committee Members shall be handled with due care regard to its confidential nature and to the need to protect the interests and privacy of the individuals under investigation.

17.6 Appendix 6: TI Cambodia CP/SEAH Org. Risk Assessment

	Risk factors	Potential Considerations	YES/NO	
	Business/activity risk	Personnel deployed:	away from their usual location/country of residence	
to remote/rural location/s				
to a humanitarian or emergency setting				
who are unaccompanied				
Interaction with individuals, especially women, who:		are young adults		
		have a disability		
		are of an ethnic, indigenous, religious or sexual minority		
		are experiencing poverty		
		are sex workers		
		are part of families impacted by disasters		
		are displaced, refugees, migrants or asylum seekers		
		are part of female headed households		
		are victims/survivors of trafficking and/or other forms of sexual and gender based violence		
		are in contact with the law		
		are accessing residential/shelter services		
confidential personal information		health care providers		
		counselling services		
		medical personnel		
		humanitarian aid coordinators		

	High Risk Activities	construction/infrastructure in developing country settings – these can have a higher risk of SEAH given the construction industry is male dominated; and that construction in developing countries often involves the temporary movement of workers from other areas		
		humanitarian		
		disaster response		
		security in conflict or post conflict or disaster settings		
	Provision of goods and/or services that may create a power imbalance	services for vulnerable groups of women (eg. escaping trafficking or gender based violence)		
		food distribution		
		medical supplies		
		emergency supplies following a disaster		
		training		
		residential/shelter services		
		disability services		
		justice facilities		
		counselling and support services		
		community consultation (data collection, surveying, training)		
		health sector programs		
	parenting and child protection programs			
	Staff or personnel who have an actual or perceived level of authority	humanitarian workers		
		medical personnel		
		security workers		
police				
teachers				
	aid workers			

		NGO personnel		
		security services		

SEAH organisational risk factors

Organisation risk	Does the organisation?	have poor leadership on PSEAH		
		have a historic lack of diversity in the workplace		
		fail to consider PSEAH in core organisational policies and procedures		
		have geographically isolated work spaces, with employees working in small groups and having fewer opportunities to interact with their Head Office.		
		have primarily young workforces		
		normalise "sexualised banter"		
		tolerate/encourage alcohol consumption		
		have a very hierarchical structure i.e. are there both high-ranking (Executives) and low-ranking employees in the organisational hierarchy; are there gendered power disparities (e.g. most of the low-ranking employees are female)		
		have poor reporting mechanisms and transparency around SEAH incidents		

Table 8: SEAH reputational risk factors

Reputational risk	Does the DFAT business/activity?	include significant DFAT branding		
		have media engagement or interest		
		include high profile individuals		
		have political interests		

Total

17.7 Appendix 7: TI Cambodia CP/SEAH Program Risk Mitigation & Management

The training on how to fill in this risk mitigation & management to staff who involve in the activities shall be done. Normally this matrix shall be filled in by responsible staff before conducting the activities which might occur risks.

Activity	Possible Risks to Children <18 years and adult	Probability of incident occurrence (low, medium, high, very high)	Consequence of Risk (low, medium, high, very high)	Preventing Protocol/Procedure	Action to be taken if incident occurs	Responsible Person
E,g Youth Camp (mobilise youth to join activities in Camp)						