

# Safeguarding Processes and Measures

Programme: Improving Trade Facilitation and Customs in the Occupied Palestinian Territories (TFCS)

Donor: FCDO

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# Safeguarding Processes and Measures

## 1 Purpose

This section sets out the processes and measures that will be employed to prevent sexual exploitation, abuse and harassment of any person linked to the delivery of this programme by both its employees and any downstream partner. It also sets out the escalation procedures by which any such incidents will be identified and reported to FCDO.

## 2 Responsibility statement

As the lead implementer for TFCS Palestine, Cowater International takes overall responsibility for ensuring its policies on safeguarding, sexual harassment and exploitation and abuse are understood and complied with by all project team members. This document is derived from Cowater's corporate policies and Code of Conduct, but is adapted to the project and country context.

Cowater understands that FCDO has zero tolerance towards sexual exploitation and harassment and that we must report incidents immediately to FCDO as per FCDO's procedures.

## 3 Cowater commitment to safeguarding

### 3.1 Safeguarding definition

Safeguarding means taking all reasonable steps to prevent harm, particularly sexual exploitation, abuse and harassment from occurring; to protect people, especially vulnerable adults and children, from that harm; and to respond appropriately when harm does occur. Protection from Sexual Exploitation and Abuse (PSEA) and child protection come under this umbrella term. Safeguarding also includes the prevention of harm to the environment (environmental safeguarding), as well as the prevention of the escalation of conflict, or the creation of new conflict.

### 3.2 Cowater safeguarding mission statement

Cowater is committed to ensuring the safety and welfare of all individuals either delivering or benefiting from its projects. Cowater has a moral, ethical and legal responsibility to its personnel, beneficiaries and clients to ensure that it **upholds a zero-tolerance approach to sexual exploitation, abuse and harassment**. We investigate such incidences promptly and thoroughly and take firm disciplinary action accordingly. Safeguarding applies consistently and without exception across our programmes, partners and employees, as well as to the environments and communities which host our programmes and our offices.

Cowater has policies and procedures in place to ensure the safeguarding of anyone associated with our operations –both directly and indirectly. This includes taking all steps to prevent harm, exploitation and abuse from occurring and to protect people, especially vulnerable adults and children, from any potential harm.

### 3.3 Cowater safeguarding commitments and responsibilities

Safeguarding is a critical part of the **Cowater Code of Business Conduct** which includes our relevant safeguarding policies including: *Preventing Sexual Misconduct and Abuse, Sexual Harassment Policy, Code of Ethics, Child Protection Policy, Anti-Slavery and Human Trafficking Policy, Gender and Social Inclusion Policy and Ensuring a Safe and Respectful Work Environment.*

The Cowater Code of Business Conduct is an important part of our business culture and operations and also an important part of our governance structure, foundational to our business processes and relevant to all aspects of the work that we do. All who work with us are asked to adhere to the Code of Business Conduct and policies and to understand the way to engage with and represent us. Upon engagement with Cowater all staff and suppliers (employees, local project staff, consultants) are required to acknowledge their commitment to the Code of Business Conduct and our employees participate in a discussion session on all topics it covers. Thereafter, yearly our employees are required to re-sign their commitment to the Code of Business Conduct. It is every staff's responsibility to participate fully in discussions related to the Code of Business Conduct, to seek to understand and ask questions about the Code of Business Conduct and related policies. In addition, staff are required to promptly report any incidents or concerns may it be through line management or via our confidential Whistleblower form on our website.

## 4 Safeguarding processes and measures (prevention and accountability)

### 4.1 Cowater roles and responsibilities for safeguarding

We have clear governance and accountability roles and responsibilities for our Code of Conduct and Safeguarding at all levels of the company:

- **The Cowater Executive Team** which is composed of the President & CEO and Divisional leaders, is responsible for setting and reinforcing our culture of project excellence, ethical behaviour, and compliance. The Executive Team is accountable for setting our ethical standards through our Code of Business Conduct and reinforce the values and standards it covers. The Operating Committee which is composed of the Executive Team and their direct reports, are responsible for prevention, communication and safeguarding risk management in all projects
- **The VP of People and Culture and the VP of Risk and Security** oversee our people, culture, safeguarding, risk and security systems. They are responsible for the leadership, governance, accountability and application of the Code of Conduct and Safeguarding practices across all levels of the company and reporting on implementation
- **At a project level, the Cowater Project Director and Snr. Project Manager** have responsibility for ensuring that the project team, partners, suppliers and delivery chain incorporate safeguarding risks.

### 4.2 Safeguarding Processes

Cowater is committed to the highest safeguarding, ethical and professional standards. We ensure delivery on our safeguarding commitments by:

- **Ensuring ownership of Code of Conduct and Safeguarding policies across the organization** and reinforced through formal leadership and governance practices. The prevention, detection and reporting of Intervention Operations Manual: Section 7

safeguarding issues in any part of our organization or supply chain is the responsibility of all those working for us or on our behalf. Staff must not engage in, facilitate or fail to report any activity that might lead to, or suggest, a breach of this policy. We also ensure that these policies and procedures are widely available and easily accessible documents outlining the policies as well as procedures for reporting violations and concerns. These policies apply to our corporate staff, consultants, project staff, third party suppliers, recruitment agencies and any individual / volunteers that engages with our programs.

- **Implementing regular review and training on safeguarding policies.** We have developed and provided Code of Conduct and Safeguarding awareness training for all our current employees and new projects as a way to simply explain the escalation of safeguarding issues at a very high level and the introduction of targeted risk committees. This training has been adapted for various projects so that it places a greater emphasis on certain relevant components based on project specific key risks. We placed a significant emphasis on the importance of reporting all concerns promptly and via the proper channels to ensure prompt investigation and action on behalf of the company.
- **We submit annual reports on corporate adherence to safeguarding and Code of Conduct commitments** and respond to specific requests for our donor clients (FCDO, DFAT, GAC). These commitments are integrated across our business systems (Codes, Policies, Procedures, Manuals). Our Code of Conduct has been reviewed and approved by the FCDO and we also follow the *FCDO Enhanced Partner Due Diligence Guidance for Safeguarding (2018)* covering policies and processes related to safeguarding, whistleblowing, human resources, risk management, codes of conduct and governance.
- **We take a Safeguarding risk-based and due diligence approach across our program delivery chain through our Supply Chain Code of Conduct.** Cowater's supply chain to deliver our projects extends beyond our employees to include subcontractors/sub-consultants, independent consultants, grant or fund recipients, consortium partners, subcontracted construction firms and other suppliers. We ensure during the contracting of suppliers and partner organizations that they comply and understand our Business Code of Conduct and minimum standards required for safeguarding. We also conduct audits of supplier's compliance with our Code of Conduct
- **We have strict reporting and investigation procedures for any breach of our Code of Conduct and Safeguarding commitments.** If we find that other individuals or organizations working on our behalf have breached this policy, we will ensure that we take appropriate action. This may range from considering the possibility of breaches being remediated and whether that might represent the best outcome for those individuals impacted by the breach to terminating such relationships.
- **Our HR and recruitment policies include vetting procedures and background checks** especially for programmes involving working with vulnerable groups and we have detailed procedures in our Child Protection Policy for the recruitment and selection of staff and suppliers to work with children.
- **We have enhanced our internal and external reporting** on ethical/business and safeguarding misconduct in an effort to promptly assess and mitigate against business conduct risks in general and more specifically safeguarding risks. We have adopted a continuous learning and improvement approach to our policies, procedures and activities. We are committed to continue with this approach in the current and upcoming years to enhance and strengthen our organizational strategies and controls.

#### 4.3 Safeguarding and Risk Management

**Safeguarding is a key pillar in our risk management approach.** A risk assessment is conducted for each project and proper and adequate risk mitigating measures will be implemented. Our Cowater risk matrix

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framework is built around six key risk categories: safeguarding, security, implementation, conflict of interest, fiduciary issues and reputation.

The project will use a variety of tools to continuously scan and identify potential safeguarding risks in a structured manner. All project staff own the task of risk identification, but overall responsibility for action and mitigation is falls to the Team Leader, Project Manager and Project Director.

These risk registers are living documents and regularly reviewed as part of the Leadership Team’s decision-making to mitigate evolving risks and improve programme performance. The registers will be shared and discussed with FCDO in half-yearly meetings. In these, risks will be reviewed, and mitigating actions identified, with the FCDO SRO elevating any serious issues to FCDO management for advice.

Cowater operates a whistleblower system for anonymous submissions if any wrongdoing is witnessed.

#### 4.4 Code of Conduct and Safeguarding Training

The Cowater Code of Business Conduct covers the policies and procedures related to all actions representing Cowater. It applies to everyone. It is the basis by which our activities are guided. It covers the Corporate Policies and Procedures that guide our way of working. The Code includes our relevant Safeguarding Policies (Preventing Sexual Misconduct and Abuse, Anti-Modern Slavery and Human Trafficking, Child Protection).

*Figure 1 Cowater code of conduct and safeguarding training will be delivered to all staff, consultants, partners and suppliers involved in the Palestine Trade project*

All staff (including contractors, subcontractors, volunteers, partners and associates who are engaged in projects and activities) must commit to adhere to the Cowater Code of Business Conduct and Safeguarding Policies. Cowater provides mandatory training and refresher training on the Code of Business Conduct and Safeguarding to all Consultants, Suppliers, Employees and downstream partners/suppliers.



#### 4.5 Safeguarding Due Diligence and Downstream partners

Cowater as part of the bid process conducted due diligence assessments on all the sub-contractors. During the inception phase, we will continue to conduct more detailed due diligence assessments to ensure that they comply with the FCDO’s Enhanced Due Diligence requirements (including safeguarding). This will include ensuring that all partners have provided all required safeguarding policies to comply with the requirements and agree to comply with Cowater’s safeguarding policies. All consortium partners are now fully compliant with FCDOs requirements. In addition, all consortium partners have completed and signed Cowater’s Third-Party Due Diligence form and Supplier Code

*Figure 2 Cowater's Supply Chain Code of Conduct forms part of our due dilligence, contracting, partnership and supply chain performance management approach*

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of Conduct. As part of the annual compliance review, Cowater will updated its supply chain map to reflect the various suppliers' roles and responsibilities in relation to the delivery of specific activities.

The project team will continue to have regular follow up with all sub-contractors to ensure their maintained compliance with FCDO Due Diligence Requirements and FCDO Supply Partner Code of Conduct. We will also maintain an updated supply chain map to reflect the various supplier's role and responsibilities in relation to the delivery of specific activities.



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## Supply Chain Code of Conduct

### A. Introduction

Cowater's supply chain to deliver our projects extends beyond our employees to include subcontractors/sub-consultants, independent consultants, grant or fund recipients, consortium partners, subcontracted construction firms and other suppliers. In this Supply Chain Code of Conduct, any outside organization or external consultant that forms part of Cowater's supply chain is referred to as a Supply Chain Party(ies) ["SCP(s)"].

Cowater maintains the highest standards of corporate ethics and we conduct our business in an open and honest manner as described in our code of conduct. Cowater also actively strives to implement socially responsible supply chain practices and anti-corruption practices by working closely with our clients and suppliers. We expect our suppliers to operate with similar values as ours and will encourage them, where necessary, to adopt similar corporate responsibility policies as our own. We believe the behaviour of our SCPs are important to our business and to the projects we deliver to our clients. For this reason, we require our SCPs to follow this Supply Chain Code of Conduct. We expect them to comply with the law, to operate to internationally recognized standards, to adopt appropriate codes of practice, and to implement anti-corruption practices.

In addition to: (1) clauses pertaining to matters including, but not limited to, Anti-Corruption, Anti-Terrorism, Fraud Prevention, International Sanctions, and Conflict of Interest clauses that are included within Cowater's contracts with SCPs and (2) key client policies and required client codes of conduct that are also included within Cowater's contracts with SCPs, SCPs engaged for the delivery of our projects shall be required to accept and comply with Cowater's Supply Chain Code of Conduct.

**Reporting code violations:** Cowater provides a mechanism for employees, SCPs, or other stakeholders to report a concern about any behaviour, practice, activity or conduct which may contravene Cowater's corporate standards and codes of conduct. If a SCP has bona fide concerns pertaining to code of conduct violations related to any of Cowater's operations including the project, the SCP undertakes to immediately report them on Cowater's whistle-blower hotline and reporting protocols available at [www.cowater.com](http://www.cowater.com).

**Training:** The SCP acknowledges that, upon request, it may be required to provide the client or Cowater with evidence to demonstrate that it has provided relevant training to its employees in the topics described in Cowater's Supply Chain Code of Conduct and key policies of the client or that its personnel assigned to the project may be required to attend Cowater training on any of the topics noted in this Supply Chain Code of Conduct and/or key policies of the client.

**Consequences of a breach:** The SCP acknowledges and agrees that a breach of any of Cowater's Supply Chain Code of Conduct or key policies of the client by the SCP, or by any of the SCP's personnel or consultants, shall constitute sufficient grounds for Cowater to immediately terminate the contract for cause.

### B. Ethical Conduct

- Both Cowater and the SCP explicitly confirm their acceptance of, and compliance with, the Anti-Corruption, Anti-Terrorism, Fraud Prevention, International Sanctions, and Conflict of Interest clauses and obligations contained within the contract between the parties and within the prime contract with the client.
- Cowater and the SCP each declare and guarantee that no offer, gift or payment, consideration or benefit of any kind, which constitutes an illegal or corrupt practice, has been or will be made to anyone by the party, either directly or indirectly, as an inducement or reward for the award or execution of the project or the contract.
  - Personal funds may not be used to do what is otherwise prohibited with company funds. Indirect payments of this kind through a third person, such as an agent, are also prohibited.
- Cowater and the SCP each declare and guarantee that neither the party, nor any of its principals or its employees involved in the services:
  - were convicted prior to the commencement of the services by a court of law in any jurisdiction for an offence involving bribery or corruption
  - are under sanction, for an offence involving bribery or corruption, imposed by a government, a governmental organization or a development organization providing development assistance
- Both Cowater and the SCP acknowledge and agree that the other party may terminate the contract forthwith for cause where it is found that the offending party has omitted to declare, prior to entering into this contract, any such conviction or sanction.

Cowater has a Supply Chain Code of Conduct that is shared with all downstream partners to ensure our Business Code of Conduct and Safeguarding Policies are implemented by our downstream partners. The code sets out the expectations from all suppliers and their duty to perform services in line with Cowater's ethical business standards, their responsibility for reporting, their responsibility to participate in training on the Code of Conduct and the consequences for a break of the Code and safeguarding policies.

As part of our ongoing risk assessment and due diligence processes, we will consider whether circumstances warrant us carrying out audits of suppliers for their compliance with our Code of Conduct. We will ensure appropriate action if there is a breach of policy in line with our zero-tolerance approach.

The TFCS project will take a conflict-sensitive approach and ensure that all downstream partners follow a Do No Harm approach within all TFCS work, This includes all facets of safeguarding, including environmental safeguarding.

## 4.6 Safeguarding and Vulnerable Groups

**Do No Harm:** Cowater recognises that care should be taken to ensure that any aid investment does not lead to environmental, social or economic impacts, that ultimately undermines their results. In addition, we ensure that any of our activities protect the health, welfare and livelihoods of people and communities affected, including women, children, vulnerable peoples and indigenous peoples.

**Child Protection:** Our company is committed to ensuring that its services, activities and operations are conducted in a manner that upholds the international principles of child protection and children's rights in accordance with the UN Convention on the Rights of the Child. We protect children from exploitation and abuse in the implementation of projects that involve working with children and/or contact with children. As part of our Child Protection Policy, we also conduct specific Child Protection Risk Assessments and adhere to all Child Protection Compliance standards across our supply chain.

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**Gender and Social Inclusion:** Cowater is firmly committed to advancing gender equality and the empowerment of women and girls, while practicing and promoting non-discrimination of all kinds. We are taking numerous steps to support gender equality and social inclusion across all of its projects and operations. We support the promotion and achievement of equality between girls and boys, men and women, irrespective of sex, age, religion, race, ethnicity, sexual identity, economic status, or ability/disability. Our Gender and Social Inclusion (GESI) Policy ensures that we are fully committed to the GESI guiding principles and GESI strategies in our programs through planning, implementation and monitoring, evaluation and learning.

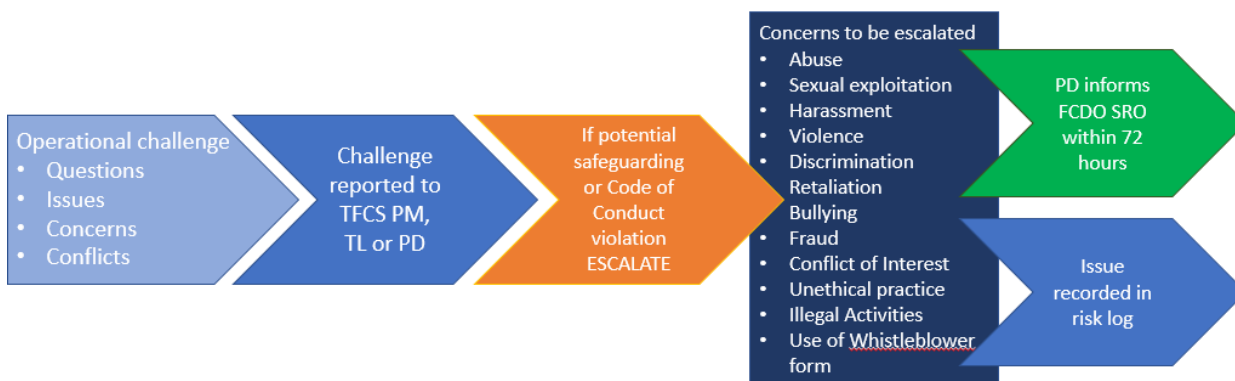
**Covid-19:** Due to entrenched societal norms and discrimination, women and other vulnerable people are most at risk in times of crisis, including during the current COVID-19 pandemic. On a daily basis, humanitarian organizations report increased incidences of gender-based violence, neglect of the elderly, migrants and imprisoned populations, lack of protections for frontline workers, increased destitution of the poor and homeless and more. Cowater has developed a COVID-19 GESI Response Tool to support Cowater staff in addressing the challenges to women and other vulnerable people as they re-design existing interventions and introduce new activities in response to COVID-19.

**Vulnerable groups in the Occupied Palestine Territories (OPTs):** The OPTs has a number of specific socially marginalized groups (women, youth, disability) as well as geographically isolated marginalized groups due to the movement restrictions (Gaza, East Jerusalem, Jordan Valley, Seam Zone, Area C). The restrictions in the OPTs mean there are a specific safeguarding and monitoring issues that need to be incorporated into our risk management framework. We will undertake enhanced due diligence assessments of any NGO or organisation that we work with to ensure safeguarding standards are being applied, monitored and reported in the challenging operating circumstances.

## 5 Reporting and Responding to Safeguarding Issues (Whistleblowing, Reporting and Escalation Procedures)

### 5.1 Safeguarding Reporting and Escalation Procedures

Figure 3 Whistleblowing, Escalation, Reporting Procedure



## 5.2 Reporting obligations – Personnel

Individuals who believe they have witnessed or have knowledge of an act or acts of policy non-compliance, safeguarding concerns, sexual harassment, and/or abuse in their working environment should report the incident(s) immediately to the Project Manager or Project Director in an attempt to address the issue, recognizing the need to consider the interests of the child quickly.

## 5.3 Reporting obligations – supervisors and managers

If the Project Manager or Project Director witnesses or is given written or verbal complaints of policy non-compliance, safeguarding concerns, sexual exploitation, abuse and/or harassment he or she shall immediately initiate the Escalation Procedure. The project will contact Cowater HQ immediately, and escalate concerns to the FCDO within 72 hours.

Project Personnel who are contacted by an individual seeking to file a complaint about policy non-compliance, safeguarding concerns, sexual exploitation, abuse and/or harassment in their working environment shall assist the Complainant in escalating these concerns.

The Company HQ will also immediately notify the FCDO of any allegations or incidents involving sexual exploitation, abuse and/or harassment.

## 5.4 Reporting to FCDO

Where concerns cannot be addressed to the Project Director, Project Manager or Line Managers (who will inform FCDO) or for any reason as deemed necessary by the concerned person, concerns about sexual exploitation and abuse and sexual harassment can be reported directly to FCDO's dedicated Safeguarding Investigations Team at [reportingconcerns@fcdo.gov.uk](mailto:reportingconcerns@fcdo.gov.uk) or on +44(0)1355 843747.

## 5.5 Report handling procedures

The Appropriate Authority shall advise the Complainant and the Respondent of the resolution of any investigation conducted under this Policy. In all cases, Cowater's human resources department shall retain the findings report for a minimum of seven years, or for as long as any administrative or legal action arising out of the complaint is pending.

## 5.6 Confidentiality

All records of policy non-compliance, safeguarding concerns, sexual exploitation, abuse and/or harassment reports and subsequent investigations are considered confidential and will not be disclosed to anyone except to the extent required by law. The Company will do everything it can to protect the privacy of the individuals involved and to ensure that the Complainant and the Respondent are treated fairly and respectfully. The Company will protect this privacy so long as doing so remains consistent with the enforcement of this Policy and adherence to the law.

## 5.7 Assurance against retaliation

This Policy encourages Personnel to freely express – in a responsible and orderly fashion – their thoughts, opinions, and feelings regarding policy non-compliance, safeguarding concerns, sexual exploitation, abuse and/or harassment complaints. Retaliation by the Respondent, or anyone acting on behalf of the Respondent, against the Complainant is strictly prohibited and will result in appropriate disciplinary action. Retaliation by the Respondent, or anyone acting on behalf of the Respondent, against any witness providing information about a policy non-compliance, safeguarding concerns, sexual exploitation, abuse and/or harassment report, is also strictly prohibited. Acts of retaliation include, but are not limited to, interference, coercion, threats, and restraint.

This Safeguarding Policy cannot be used to bring fraudulent or malicious complaints against Personnel. Any complaint made in bad faith, if demonstrated as being such through convincing evidence, will result in disciplinary action being taken against the individual lodging the fraudulent or malicious complaint.

## 5.8 Whistleblowing Policy and Reporting Safeguarding Concerns

Any person associated with Cowater who has a concern related to a Code of Conduct or Safeguarding violation is encouraged to report and speak openly without fear of repercussions. We encourage staff to speak to their supervisor, their supervisor's supervisor, their project manager, human resources, any member of the Management Committee, or the CEO in the first instance. Information will be treated in confidence and the Company will treat all reports of misconduct seriously.

Cowater has a whistleblowing policy in place and provides easily accessible channels and procedures for which anyone can immediately report a suspicion, allegation, or concern about any behaviour, practice, activity or conduct which may contravene our corporate standards and code of conduct.

Documented internally through our Code of Conduct and Employee Handbook and externally/publicly through our website, our approach to whistleblowing is designed to create a culture which prioritises safeguarding and is reinforced through systems and procedures to make it safe and easy to come forward and report incidents or concerns. Our policy specifically references but is not limited to allegations or concerns related to fraud, corruption or bribery, harassment and discrimination, conflicts of interest, financial malpractice, significant environmental and health and safety concerns. Additionally, all managers are aware of client related departments and authorities and these are communicated to project staff. Reporting procedures are documented in our Code of Conduct and provide a number of channels to report violations. This includes direct reporting to our President and anonymous options via our website and Whistleblowing hotline at <https://Cowater.com/whistleblower-hotline/>

Figure 4 Whistleblowing report hotline template through our website

**Whistleblowing report**  
**Issue or Complaint\***

Individuals / Employee Suspected of Violation\*

Provide as much detail as possible including name, location, project, department etc.

Description of Issue or Complaint

What misconduct / improper activity occurred?

Who committed the misconduct / improper activity?

When did it happen and when did you notice it?

Where did it happen?

Is there any evidence that you could provide us?

Are there any other parties involved other than the suspect stated above?

Do you have any other details or information which would assist us in the investigation?

Any other comments?

Contact Information

While you do not need to provide your name and contact details, we encourage you to so that we may follow up as necessary as part of our investigation. All information will be held in full confidence and will not be shared with any party associated with the allegation or beyond the authority responsible for investigation.

Submit