



Plan International USA

TRAFFICKING IN PERSONS POLICY AND COMPLIANCE PLAN

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Trafficking in Persons Policy and Compliance Plan

Summary/Purpose

Plan International USA (Plan USA) takes child protection, including protection against trafficking, very seriously, as outlined in our Safeguarding Children and Young People Policy. In addition, the United States Government also maintains a zero-tolerance policy for human trafficking. As such, Plan USA has adopted the zero-tolerance policy for human trafficking outlined below. Plan USA also posts its Trafficking in Persons Policy and Compliance Plan on its website.

Definitions

Plan International USA associate — a Plan USA employee, board member, volunteer, intern, consultant, contractor and partner organization engaged by Plan USA.

Trafficking in persons — the recruitment, transportation, transfer, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs. The consent of a victim of trafficking in persons to the intended exploitation shall be irrelevant where any of the means set forth above have been used. The recruitment, transportation, transfer, harboring, or receipt of a *child* for the purposes of exploitation shall be considered trafficking even if this does not involve any of the means set forth above.

Child — any person under eighteen years of age.

Sex trafficking — the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

Commercial sex act — any sex act on account of which anything of value is given to or received by any person.

Forced Labor — knowingly providing or obtaining the labor or services of a person by threats of serious harm to, or physical restraint against, that person or another person; by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or by means of the abuse or threatened abuse of law or the legal process.

Involuntary servitude — a condition of servitude induced by means of any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such conditions, that person or another person would suffer serious harm or physical restraint; or the abuse or threatened abuse of the legal process.

Policy

Plan has zero tolerance regarding trafficking in persons. This policy applies to Plan USA associates. They shall not do the following:

- Engage in trafficking in persons, as defined above.
- Procure commercial sex acts.
- Use forced labor in the performance of the award.

- Directly support or advance trafficking in persons, including, but not limited to:
 - Destroying, concealing, confiscating or otherwise denying access by an employee to the employee's identity or immigration documents.
 - Failing to provide return transportation or pay for the cost of return transportation costs to an employee from a country outside the United States to the country from which the employee was recruited upon the end of employment if requested by the employee, unless exempted from this requirement by USAID under this award, or the employee is a victim of human trafficking seeking victim services or legal redress in the country of employment or a witness in a human trafficking enforcement action.
 - Soliciting a person for the purposes of employment, or offering employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment.
 - Charging employees recruitment fees.
 - Providing or arranging housing that fails to meet the host country housing and safety standards.

If there are violations of any of the above, U.S. Government is authorized to terminate any existing awards without penalty and is also authorized to pursue any other remedial actions authorized.

For awards exceeding \$500,000, Plan, as the recipient, must submit the annual "Certification regarding Trafficking in Persons, Implementing Title XVII of the National Defense Authorization Act for Fiscal Year 2013" to the Agreement Officer prior to this award, and must implement a compliance plan to prevent the activities described above. Plan must provide a copy of the compliance plan to the Agreement Officer upon request and must post the useful and relevant contents of the plan or related materials on its website and at the workplace.

The compliance plan noted above must be appropriate to the size and complexity of the award and to the nature and scope of the activities to be performed. The plan must include, at a minimum, the following:

- An awareness program to inform employees about the trafficking related prohibitions included in this provision, the activities prohibited and the action that will be taken against the employee for violations.
- A reporting process for Plan International associates to report, without fear of retaliation, activity inconsistent with the policy prohibiting trafficking.
- A recruitment and wage plan that only permits the use of recruitment companies with trained employees, prohibits charging of recruitment fees to the employee, and ensures that wages meet applicable host-country legal requirements or explains any variance.
- A housing plan, if the recipient or any sub-awardee intends to provide or arrange housing. The housing plan is required to meet any host-country housing and safety standards.
- Procedures for the recipient to prevent any agents or sub-awardee at any tier and at any dollar value from engaging in trafficking in persons activities. The recipient must also have procedures to monitor, detect, and terminate any agents or sub-awardee or sub-awardee employees that have engaged in such activities.

Plan is obligated to investigate any claims of trafficking in persons. If Plan receives any credible information from any source that alleges that the recipient, contractor, sub-awardee, or agent has engaged in any of the prohibited activities identified in this provision, Plan must immediately notify the Agreement Officer or Contracting Officer and the applicable U.S. Government Agency Office of the Inspector General; and must fully cooperate with any Federal agencies responsible for audits, investigations or corrective actions relating to trafficking in persons. The Agreement Officer or Contracting Officer may redirect Plan to take specific steps to abate an alleged violation or enforce the requirements of a compliance plan.

Plan must include in all subawards and contracts a provision prohibiting the conduct described above by the

sub-recipient, contractor, or any of their employees.

Failure to comply with this policy may result in:

- Removal of employee(s).
- Termination of contract/ award, subcontract/ subaward.
- Suspension of payments.
- Declining to exercise options under contract/ award.
- Loss of award fee.
- Suspension or debarment.

Responsibilities

- Director, Compliance, Operations & Awards: ensuring policy is shared with all relevant offices and that all offices flow down these requirements to all sub-awardees and subcontractors. It is the responsibility of the Director to complete and file the required annual certification with the Agreement Officer of record.
- All Plan USA associates as defined in this policy: adherence to policy and raising any concerns around trafficking.
- Sr. Director, Stewardship: must be informed of any issues relating to child protection/ human trafficking.

Trafficking in Persons Compliance Plan

Plan USA has a robust compliance and ethics program aligned with our corporate values, particularly our dedication to enabling children to achieve their full potential and ensuring their overall well-being in a protective and conducive environment.

In September 2015, Plan USA formally adopted a zero-tolerance policy regarding trafficking in persons (TIP). Plan USA's leadership understands the importance of counter-trafficking initiatives and have devoted sufficient resources to ensure compliance.

In summary, the policy prohibits individuals from:

- Engaging in trafficking in persons.
- Procuring commercial sex acts.
- Using forced labor in the performance of the award.
- Directly supporting or advancing trafficking in persons.

Plan USA's TIP policy does not distinguish between severe and non-severe forms of TIP activities, and therefore Plan USA's associates are held to the highest standard of not engaging in or supporting any form of trafficking.

Plan USA's trafficking in-persons compliance plan consists of four pillars: awareness, prevention, recognition, and reporting.

The TIP compliance plan in its entirety is attached to this policy.

Applicability

Plan USA's TIP policy applies to all Plan USA associates (Plan USA employee, board members, volunteers, interns, consultants, contractors and partners organizations engaged by Plan USA).

Where applicable, Plan USA includes the relevant FAR and USAID Standard Provision clauses in all subcontracts/ sub-agreements with sub-awardees and recruiting agents.

Plan USA's Business Development Unit (BDU) will share the responsibility of (1) ensuring that counter-trafficking policies are known to third parties, and (2) vetting third parties.

Responsibility to Keep Children Safe

As 30% of detected trafficking victims are children (Source: 2018 Global report on trafficking in persons from the United Nations), the TIP policy and plan complement Plan's longtime Safeguarding Children and Young People mission. Plan International believes that in a world where children face so many threats of harm, it is our duty to ensure that we, as an organization, do not contribute in any way to harming or placing children at risk. The Safeguarding Children and Young People Policy provides the framework for the organization's responsibility to keep children safe, ensuring that no child comes to harm as a result of their engagement with us, whether that be via their interaction with staff and those who represent us, or their participation in our programs, sponsorship, activities and fundraising or advocacy campaigns.

Plan strives to create a professional culture where all employees are aware of issues that face children in the countries where we work, affirmatively prevent harm and protect children, and report concerns so that Plan may effectively respond. As part of our strategy, we tackle excluded and marginalized groups to work towards rights for every child. We anticipate that employees will easily adapt to compliance with the TIP policy, which similarly promotes: (1) awareness, (2) prevention, (3) recognition, and (4) reporting.

Trafficking in Persons Compliance Plan

Awareness – All Plan USA employees are required to complete a training introducing the policy and promoting awareness of trafficking activities. As a result of the training, employees will be able to define trafficking in persons, identify where TIP occurs around the globe, describe the roles and motivations of parties involved in TIP, state what USG clients expect from Plan employees to combat TIP, explain Plan's TIP policy, and know the steps to prevent, recognize, and report trafficking activities. Compliance, Operations and Awards will offer an instructor-led Trafficking in Persons awareness training in observance of the UN World Day Against Trafficking in Persons (July 30) and U.S. National Human Trafficking Awareness Day (January 11).

Plan is present in four regions that receive USG funding. It is our goal to conduct the awareness training in each region once every two years. Partners/ Sub-awardees whose funding exceeds \$500,000 may also be invited and strongly encouraged to attend the training.

Prevention – The Compliance, Operations, and Awards (COA) team at Plan USA will be responsible for coordinating with country offices (CO) to keep abreast of local labor law and ensure compliance therewith. Sub-awardees, partners, and suppliers will be required to acknowledge having received a copy of the policy or an agreement not to engage in TIP activities.

Plan USA already has several standards and controls in place to ensure compliance with the TIP policy, including the Code of Ethics and Conduct. The Human Resources (HR) team has recruitment policies that prohibit the use of any fraudulent or misleading recruitment practices. Plan USA does not charge recruitment fees to any candidate. Employees hired in COs are paid per established salary ranges that meet or exceed local labor law. All employees are presented a written employment contract in the official language of that country. When Plan USA hires a third-country national (TCN) or U.S. expatriate to work in a CO, these employees are provided donor compliant round-trip transportation costs.

As a general rule, Plan does not provide housing to employees. Should this be required, Plan will ensure that

any housing meets host country safety standards. This determination will be made by the CO Security Officer.

Plan USA COA as well as CO staff in grants, finance, and procurement screen all subrecipients and certain suppliers in a vetting system called Accuity. This is to ensure that they do not appear on the USG Excluded Parties List (sam.gov), the United Nations Security Council Consolidated List, or the OFAC Sanctions List (U.S. Department of Treasury). During the course of a subaward, the Plan CO grants, finance, and procurement staff conducts regular audits of subrecipient offices.

Recognition – Plan USA is committed to working only with subrecipients and vendors that adopt a zero-tolerance policy when it comes to Trafficking in Persons. As part of the awareness training, employees will be trained to recognize trafficking in its various forms. Project staff will provide monitoring and oversight of project sites to ensure that project activities in no way—directly or indirectly—support trafficking activities. Plan will review compliance Plans submitted by sub-awardees (where required), provide feedback, and monitor for compliance.

Reporting – It is a priority of Plan that it and Plan USA associates act ethically and legally. It is therefore very important that any illegal activity or violations of the Trafficking in Persons Policy be promptly brought to the organization’s attention. All Plan USA associates are required to report suspected trafficking-related activity to Plan.

Reporting may be made in one of several ways:

- Any member of the Compliance, Operations and Awards (COA) team.
- Any supervisor.
- Any member of the HR Team.
- The Director, Ethics & Compliance.
- The CEO.
- The Chair of the Audit Committee of Plan’s Board of Directors at Planboard@Planusa.org.
- Plan’s SafeCall hotline, by phone at 1-866-901-3295, online at www.safecall.co.uk/report, or email at Plan@safecall.co.uk¹.
- Global Trafficking hotline 1-844-373-7888 or send a text HELP to BeFree (233733).

Any Plan USA associate who has any questions regarding the Trafficking in Persons Policy, compliance plan or its application to a particular situation should discuss these concerns with any of the persons listed above. Plan employees may report illegal acts or a violation anonymously. However, anonymous reports must contain enough detailed information to permit the organization to investigate.

It is Plan’s policy to promptly and appropriately investigate reports of illegal activity or violations of the Trafficking in Persons Policy. Plan employees must cooperate with these investigations. It is a violation of Plan’s policies for Plan employees to prevent, hinder, or delay discovery and full investigation of illegal acts or violations of its Code of Ethics and Conduct and TIP policies. To the extent practicable under the circumstances, Plan will take reasonable precautions to maintain the confidentiality of those individuals who report illegal activity or violations of Plan’s Code of Ethics and Conduct and TIP policies and of those individuals involved in the alleged improper activity, whether or not it turns out that improper acts occurred.

No reprisals or disciplinary action will be taken or permitted against employees for good faith reporting of, or cooperating in the investigation of, illegal acts or violations of Plan’s Code of Ethics and Conduct, Whistleblower and TIP policies. It is a violation of Plan’s Code of Ethics and Conduct and TIP policies for any Plan employee to punish or conduct reprisals against another employee for making a good faith report of, or

¹ Refer to the Whistleblower Policy for details on how reports are handled by Safecall.

² References are inserted for information. US government update their rules and regulations on a regular basis.

cooperating in the investigation of, illegal acts or violations of the TIP Policy. Employees who violate the policy or commit illegal acts are subject to disciplinary actions up to and including termination.

References²

Plan International USA Trafficking in Persons Policy and Compliance Plan

ADS 303 – Mandatory Standard Provision: Trafficking in persons

FAR 52.222-50 – Combatting Trafficking in Persons (January 2019)

FAR 52.222-56 – Certification Regarding Trafficking in Persons Compliance Plan (March 2015)