

PSEA POLICY

1. Scope

People involved in development and social sectors are expected to uphold the highest standards of personal and professional conduct at all times to protect beneficiaries of assistance. Sexual exploitation and abuse (SEA) by social workers directly contradicts the principles upon which social action is based and represents a protection failure on the part of the aid community. SEA inflicts harm on those whom the social workers are obligated to protect, as well as jeopardies the credibility of all assistance agencies.

All Sauhard employees and related personnel are required to behave irreproachably with the program beneficiaries or members of the community, using particular care with the most vulnerable classes: minors, women, the elderly and social outcasts. Sauhard commits to create a zero-tolerance organisational culture against complacency and impunity. Sauhard Management, among the others, is expected to create and maintain an environment that prevents sexual exploitation and abuse. Sauhard management staff and other related personnel must be familiar with and enforce this policy, being proactive in overseeing their team.

Through the Protection from Sexual Exploitation and Abuse Policy, Sauhard clearly expresses its determination to prevent and combat sexual exploitation and abuse of beneficiaries and members of the community by Sauhard employee and all related personnel.

Sauhard SEA policy sets minimum standards to be followed to protect beneficiaries and members of the community from sexual exploitation and abuse.

The policy is principally addressed all Sauhard employee and related personnel included in the following categories:

- Board of Directors and Sauhard Management;
- All the employees and collaborators in all Sauhard structures and projects;
- Non Sauhard entities and their employees and individuals who have entered into partnership, committees, associations of any sort – including their members and staff – supported, financially or otherwise, by Sauhard;

- Consultants and other freelance persons who act on behalf of Sauhard on the basis of service contracts;
- All persons acting voluntarily on behalf of Sauhard;
- All the other people not included in the above mentioned categories who have signed a contract with Sauhard.
- The principles set forth in this policy apply all times, during and outside the office hours and during the periods of leave, with no exceptions.

2. Policy statement

SEA are a violation of Sauhard Ethical Code and Sauhard Code of Conduct.

Sauhard does not tolerate any form of sexual exploitation and abuse, as well as bullying and a range of non-sexual abuse of power perpetrated by Sauhard employee and related personnel against any individual regardless of age, gender, sexuality, disability, religion or ethnic origin.

Sauhard commits to do all the needful for preventing programmes having any negative effects such as SEA by Sauhard employee and relate personnel against beneficiaries and members of the community. Sauhard takes seriously all the complaints and concerns about sexual exploitation and abuse and it initiates rigours investigation of complaints that indicates a possible violation of this policy, Sauhard Code of Conduct and Sauhard Ethical Code.

3. Core Principles

1. Sexual exploitation and abuse by Sauhard employee and related personnel constitute acts of gross misconduct and are therefore grounds for disciplinary actions and/or termination of employment contract within the applicable and current regulations;
2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence and in no way shall ignorance of the age of the person be accepted as a justification.

3. Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited. This includes exchange of assistance that is due to beneficiaries;

4. Where Sauhard employee and related personnel develops concerns or suspicions regarding sexual abuse or by a fellow worker, whether the individual works for Sauhard or for other organisation, partners, suppliers or other related stakeholders, he or she must report such concerns through the means and tools available within the Organisation.

5. The Supervisory Body must be informed about all the concerns and suspicions, including rumours in good faith arisen about sexual exploitation and abuse;

6. All Sauhard staff members, whatever their levels are obliged to create and maintain an environment that prevent sexual exploitation and abuse and promotes the implementation of the Code of conduct and Ethical Code. When appropriate, Sauhard ensures to report for criminal prosecution and legal action to the competent authority in accordance with the applicable law and evaluates to take out proceedings as a civil damaged party.

4. Commitments

Sauhard is dedicated to fulfilling the core principles through the implementation of the following commitments:

To prevent and mitigate the risk of sexual exploitation and abuse by Sauhard employee and related personnel:

- Managers and Human Resource team must ensure robust recruitment screening process for all the personnel, particularly for person who will have any direct or indirect contact with children;
- A Code of Conduct that establishes, at a minimum, the obligation all the employees and collaborators not to exploit, abuse or otherwise discriminate against people is in place and duly known to the intended recipients;
- The Ethical Code is available on demand to everyone who collaborates in any way with Sauhard. The Ethical Code contains the mission, the vision, the declaration of values and principles, the set of rights, duties and responsibilities that it holds with whoever collaborates with Sauhard or benefits from its projects or programs;
- Sauhard employee and related personnel are completely aware of the Core Principles

contained in this Policy, and the related principles included in Sauhard Staff Code of Conduct, Ethical Code.

To identify and act upon potential or actual sexual exploitation and abuse by staff in a timely and systematic manner. In order to do so:

- Sauhard ensures to set protocols to process complaints of sexual exploitation and abuse in a timely manner, including the immediate suspension of the alleged perpetrator from all the activities with a direct impact on beneficiaries and communities until the investigation is ended;
- Sauhard ensures to set protocols to properly inform the appropriate authority which is responsible for conducting investigations for sexual exploitation and abuse allegations in respect of national and foreign legislation;
- Sauhard ensures that beneficiaries and members of the community know to whom they should report and what sort of assistance they can expect to receive. All potential and actual survivors of SEA must be fully informed about how the complaint mechanism works, including the reporting process;
- Complainants and survivors have the right to receive feedback on the development and outcome of their case, and the CHM will make every effort to maintain lines of communication;
- Sauhard ensures to take appropriate disciplinary actions including immediate termination of employment and referral for criminal prosecution and legal action, where appropriate, against the person who committed sexual exploitation and abuse, in accordance with the national law reporting and responding system;
- Sauhard ensure the protection of the victim, the complainant and the whistle-blower of SEA after having verified and confirmed the reported facts either by internal investigation or by external investigation. Sauhard undertakes to provide assistance, psychosocial counselling, medical treatment, legal assistance to any victims of sexual exploitation and abuse, if identified as not specious, unfounded or false, perpetrated by one of its staff members or related personnel;
- Sauhard is responsible to ensure that all the thirdly party, included partners and suppliers are committed to respect the principles included in the SEA Policy, in addition to those explained in Sauhard Ethical Code and Code of Conduct.

5. RAISING A COMPLAINT OR CONCERN

Sauhard Employees and Related Personnel have a responsibility to report any suspicion or concern of PSEA. Any individual can raise a concern/complaint to Sauhard about an incident they have experienced, witnessed, or heard about concerning an Sauhard staff member or partner (suppliers, partners, contractor, etc.) without fear of retribution. Sauhard Employees and Related Personnel must not investigate allegations or suspicions themselves.

A. Reporting Channels

Anyone (including Sauhard's beneficiaries) can raise a concern or make a complaint to Sauhard about something they have experienced or witnessed without fear of retribution. Sauhard has formed a compliant committee comprising of three members including two non Sauhard members. Employees can also choose to raise concerns with their team members. Affiliate-specific reporting procedures are detailed in

B. Confidentiality

Complaints can be made anonymously. Every effort will be made to maintain confidentiality throughout the complaints process. Information that identifies individuals involved in a complaint will be limited to essential personnel and will not be shared further without obtaining the informed consent of those involved, except if someone's life is at risk, a child is at risk, or as required by law in consultation with legal counsel and where safe to do so. Non-identifying information will be shared as per reporting requirements. Staff involved in the complaints process will be made aware of the importance of maintaining confidentiality and may be asked to sign a confidentiality agreement. Employees who breach confidentiality may be subject to disciplinary action up to and including termination of employment, and others who work with Sauhard may have their relationship with Sauhard terminated. In some cases, such breaches may constitute breaking the law.

C. Retaliation against Complainants, Survivors and Witnesses

Sauhard will take action against anyone, whether they are the subject of a complaint or not, who seek or carry out retaliatory action against complainants, survivors or other witnesses. Employees may be subject to disciplinary action, up to and including termination of employment. Others who work with Sauhard may have their relationship with Sauhard terminated.

D. Complaints about Sauhard's Partners

Where Sauhard receives a complaint about a partner organisation, Sauhard will expect the partner to respond safely, quickly and appropriately. Sauhard will assist the partner to ascertain its reporting obligations. Where appropriate, Sauhard will work with the partner to address the issue through an appropriate independent investigation. If the outcome is that abuse has occurred, ongoing work with the partner cannot involve the individual(s) concerned. If there is reason to believe that an allegation of abuse has been dealt with inappropriately by a partner, then they risk will take necessary action of ending the relationship (including networks and consortia).

E. Receiving Complaints about External Organisations/Bodies

Safeguarding complaints raised to Sauhard about other organisations/bodies should be referred to the affiliate safeguarding teams, who will report cases to the relevant organisations involved where safe to do so, as well as local PSEA working groups, networks, and/or the charity commission/police/donors where appropriate and safe to do so. Sauhard will not investigate cases related to other organisations, but does have an obligation to report.

6. Definitions

SEA Sexual Exploitation and Abuse: Particular forms of gender-based violence that have been reported in humanitarian contexts, specifically alleged against humanitarian workers.

Sexual Exploitation: “Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another

Sexual Abuse: “The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual Harassment versus SEA: SEA occurs against a beneficiary or member of the community. Sexual harassment occurs between personnel/staff, and involves any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature. Sexual harassment is not covered by SEA

Survivor: A person who has SEA perpetrated against him/her or an attempt to perpetrate SEA against him/her. 8 For the purposes of these SOPs, persons who report SEA committed against themselves are treated as survivors for the purposes of security and needs assessments

Code of Conduct: A set of standards of behavior that staff of an organization are obliged to adhere to. **Beneficiaries of Humanitarian Assistance:** A person who receives assistance as part of either emergency relief or development aid through assistance programmers. Persons under this title include members of affected populations including refugees, internally displaced persons and other vulnerable individuals, as well as host community members. Sexual exploitation or abuse of a beneficiary is SEA, however the individual need not be in a vulnerable position; a differential power or trust relationship is sufficient to establish SEA.

Relate personnel: all employees of Sauhard, Sauhard Members, affiliates and collaborator. The term also includes board members, volunteers, interns, and international and local consultants, in addition to individual and corporate contractors of these entities and related personnel. This includes non-Sauhard entities and their employees and individuals who have entered into partnership, sub-grant or sub-recipient agreements with Sauhard.

Complainant: A person who brings an allegation of SEA to the CBCM in accordance with established procedures. This person may be an SEA survivor or another person who is aware of the wrongdoing. Both the survivor and the complainant, if different from the survivor, should be protected from retaliation for reporting SEA. Where there is any conflict of interest between the survivor and another interested party, the survivor's wishes must be the principle consideration in case handling, particularly when there is a risk of additional physical and/or emotional harm.

Reference

1. N Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13).
2. IASC PSEA Global Standard operating procedures, June 2016
3. Protection against Sexual Exploitation and Abuse Statement by the Inter-Agency Standing Committee (IASC) Principals 2015
4. POSH Policy