



PROTECTION FROM SEXUAL EXPLOITATION, ABUSE AND HARASSMENT POLICY (PSEAH)

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Scope and Purpose

Reaffirming the organisational behavioural principles, commitments and obligations set out in the overarching INTERSOS Safeguarding Framework, this policy specifically sets out INTERSOS' approach to preventing and addressing **Sexual Exploitation, Abuse and Harassment (SEAH) of adults in the communities in which we work** and should be read in conjunction with INTERSOS' Child Safeguarding Policy for safeguarding children and INTERSOS' Dignity at Work Policy for misconduct in the workplace.

This policy applies to all INTERSOS employees (international, national personnel at country, regional and HQ level), interns, volunteers, consultants, contractors, board members, plus accompanying partners and family members of international staff. Whenever employees or staff are mentioned in this document it is intended to include all these groups of people. This policy does not only apply to our own organisation but extends to those we work with. Both INTERSOS' staff and partners having agreements in place with INTERSOS are expected to act in accordance with the principles and reporting requirements outlined in this Policy. Through partnership agreements, INTERSOS will ensure PSEAH and Safeguarding is part of due diligence processes for these organisations, and seek assurances of their application.

For the purposes of this policy, unless otherwise stated, INTERSOS adopts the following descriptions of sexual exploitation, sexual abuse and sexual harassment:

- **Sexual exploitation:** Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from 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. It covers sexual offences and sexual assault (which includes non-consensual kissing and touching). All sexual activity with someone under the age of consent (the age of consent recognized by this policy is 18 years, as established by the Child's Rights Act of 2002) is considered to be sexual abuse.
- **Sexual harassment:** A person sexually harasses another person if the person makes an unwelcome sexual advance or an unwelcome request for sexual favours, or engages in other unwelcome conduct of a sexual nature, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated. Sexual harassment can take various forms. It can be obvious or indirect, physical or verbal, repeated or one-off and perpetrated by any person of any gender towards any person of any gender. Sexual harassment can be perpetrated against beneficiaries, community members, citizens, as well as staff and personnel.

Policy Statement

INTERSOS upholds a policy of **zero tolerance** of SEAH and shall not tolerate SEAH of any kind. INTERSOS strongly supports IASC's vision of a humanitarian environment in which people caught up in crises feel safe, respected, and can access needed protection and assistance without fear of SEAH by any aid worker. INTERSOS' representatives and partner staff frequently work in situations where they are in positions of power and where they are granted high levels of trust (e.g. controlling distribution of essential resources for survival). INTERSOS will do everything possible to prevent its employees (international, national personnel at country, regional and HQ level), interns, volunteers,

consultants, contractors, suppliers, implementing partners, board members, plus accompanying partners and family members of international staff from abusing the power and privilege they hold and ensure that anyone who comes into contact with INTERSOS is protected from any form of injustice, discrimination, or abuse.

Application

a) Core principles

This Policy is underpinned by the core principles outlined below¹:

- **Sexual exploitation and abuse** by INTERSOS staff and associates constitute **acts of gross misconduct** and is, therefore, grounds for termination of employment or contract/agreement. **Sexual harassment** by INTERSOS staff and associates is **grounds for disciplinary action** up to and including dismissal.
- **Sexual activity with children** (persons under the age of 18) **is always prohibited** regardless of the age of majority or age of consent locally established. Mistaken belief regarding the age of a child is not a defence. Breach of the policy leads to dismissal and can result in criminal prosecution.
- **Exchange of money, employment, goods, or services for sex**, including sexual favours or other forms of humiliating, degrading or exploitative behaviour by INTERSOS staff and associates **is prohibited** at all times. This includes buying sex or the exchange of assistance that is due to programme participants/beneficiaries. Breach of the policy leads to dismissal and can result in criminal prosecution.
- INTERSOS staff and associates **must declare any previously existing relationships with community members who receive direct assistance** from INTERSOS to their line managers, HR focal point, HoM or Global Safeguarding Coordinator **prior to start working** with INTERSOS. If not promptly reported, this omission can lead to disciplinary action up to and including dismissal.
- When an INTERSOS staff and associate develops **concerns or suspicions regarding sexual abuse or exploitation or sexual harassment** by a fellow worker, whether in INTERSOS or elsewhere, he or she must immediately report such concerns via the established reporting mechanisms, otherwise this omission can lead to disciplinary action up to and including dismissal.
- INTERSOS staff and associates are **obliged to create and maintain an environment that prevents sexual exploitation, abuse and harassment** and any form of child abuse and promotes the implementation of this Policy. INTERSOS Managers at all levels have specific responsibilities to support and develop such type of environment.
- INTERSOS strictly **prohibits** staff and associates from **buying sex**. INTERSOS does not make judgements on people who sell sex. However, in recognition of the potential for sexual exploitation and abuse and in line with the IASC Core Principles on PSEAH, this activity is against INTERSOS' Code of Conduct and safeguarding policies. Breach of the policy is grounds for disciplinary action up to and including dismissal

¹ Six of the nine Core Principles are adapted from the UN Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse and IASC

All INTERSOS staff and associates are obliged to adhere to these standards of behaviour which are in line with those set by the UN Secretary-General². Failure to comply with these standards or failure to report SEAH concerns is grounds for disciplinary action pursuant to the INTERSOS Charter of Values, Code of Conduct, Safeguarding Framework and related Policies. This action may include **termination of contract or summary dismissal**, and may result in the case being forward to the local authorities for **criminal prosecution** where appropriate and in accordance with applicable national laws.

b) Commitments

INTERSOS shall make all efforts to create and maintain a safe, accountable, and inclusive organisational culture where all those working for and with INTERSOS as well as those in the communities where INTERSOS operates are treated with dignity and their rights and voices are heard and respected. INTERSOS is committed to establishing robust prevention, reporting and response mechanisms, creating safe and appropriate reporting channels, offering support to survivors, and holding those responsible for sexual exploitation, abuse or harassment, to account.

1) Prevention

Safe recruitment: In compliance with applicable laws, INTERSOS is committed to prevent perpetrators of SEAH from being hired, (re)hired or (re)deployed. Managers and Human Resource teams will ensure robust recruitment screening processes for all personnel, including employees, volunteers, consultants and other representatives. This includes:

- **Job descriptions** for all positions shall make reference to responsibilities for PSEAH, Code of Conduct and other specific policies relevant to the position advertised- and shall include links to INTERSOS' policies.
- **Advertisement** shall make clear INTERSOS' commitment to PSEAH.
- **Shortlisting** – INTERSOS shall scrutinise information in applications/CVs – aimed at clarifying any gaps, discrepancies or anomalies in employment history.
- **Interviews** shall include questions around PSEAH, the Code of Conduct and working with vulnerable people.
- **Checks** – INTERSOS shall verify the successful applicants' identity, their employment history and qualifications. Offers shall not be confirmed until all checks are carried out.
- At least two professional **references, including from the last line manager**, shall be obtained and any concerns followed up and clarified.
- Disciplinary sanctions in relation to safeguarding allegations are referred to in references and information shared as part of the **Disclosure of Misconduct Scheme**
- **External checks** shall be conducted by INTERSOS prior to confirmation of offers. This includes a criminal record check or equivalent in the country of origin and anti-terrorism checks if required by the donor. Should none of the above be available in the country of origin, a personal declaration stating any criminal convictions, including spent convictions will be used in lieu. All staff shall have their criminal record check renewed every three years. For newly recruited staff, the criminal record shall not be longer than three months prior to their initial deployment.

² Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) and Addressing discrimination, harassment, including sexual harassment, and abuse of authority (ST/SGB/2019/8)

- **Staff Training:** All new staff and partners shall be given **an induction** which includes a training on the standards of behaviour compatible with the Code of Conduct, PSEAH policy and related policies. New managers shall be provided with additional support in the implementation of these policies. Staff shall also be reminded of the contents of this policy during the **safeguarding refresher training carried out annually**. In addition, relevant training shall be provided to those with specific PSEAH responsibilities e.g., Head of Missions, Protection and HR Managers responsible for conducting investigations and staff with safeguarding responsibilities.
- All staffs, volunteers, community committee members, interns and consultants shall be **required to acknowledge in writing the receipt, understanding and commitment to the Safeguarding Framework and related policies** prior to commencement of their contract/ placement. The signed statement of commitment to the PSEAH Policy will be kept on file together with the signed employment or collaboration contract.
- An assessment of the individual's commitment to comply with and promote implementation of the PSEAH Policy shall be included in the standard internal **performance review** process cycle.

Safe Contractual and Partnership Agreements: INTERSOS shall **not enter into contractual agreements for the supply of goods, services or works** with contractors which are known to utilize sexual exploitative or abusive practices, or are involved in any other humiliating, degrading or exploitative behavior, **or partner with entities** – international or national, humanitarian or institutional – which do not recognize that all forms of SEAH violate universally recognized international norms and standards, and do not commit to protection from sexual exploitation, abuse and harassment.

- As part of the pre-qualification and bidding processes, all potential contractors shall be required to submit the **Supplier/Tenderer's Declaration** to the effect they are aware and formally agree to abide by INTERSOS Code of Conduct and Safeguarding Framework, including the PSEAH policy
- When possible, an independent **background check** of the contractor's business practices shall be conducted to inform the pre-qualification assessment or bid analysis.
- For partners, INTERSOS shall carry out **due diligence assessments** on partner capacity to prevent and respond to SEAH prior to signing a partnership agreement or sub-agreement
- Partners which do not have their own robust PSEAH Policy shall be required to sign up to the **INTER SOS PSEAH Policy** as a condition for any partnership arrangement
- When necessary, INTERSOS shall provide **capacity development** and support to partners on PSEAH as part of entering into partnership.
- The above-mentioned **ethics clauses will be integral part of any supply, service, works and partner contract**, in which it will be expressly stated that the failure of those entities or individuals to take preventive measures against sexual exploitation and abuse and sexual harassment, to investigate and report allegations thereof, or to take corrective actions when SEAH has occurred, shall constitute grounds for INTERSOS to terminate such agreements.

Safe programmes: All INTERSOS programmes shall be designed and implemented to **minimise actual or potential risks of sexual exploitation, abuse and harassment** by INTERSOS staff and associates against beneficiaries or other members of the community they come into contact with or impact upon directly or indirectly, especially women and children. This includes conducting programme and projects SEAH risks assessments, embedding good practices and SEAH prevention measures throughout the programme and project cycle, including project design, grant proposals,

assessments, implementation, complaints and feedback mechanisms, and monitoring and evaluation.

- Each mission shall strengthen **SEAH risk analysis** and integrate SEAH considerations into the design of needs assessment and new project proposals, including identification of activity-specific SEAH risks and related mitigation measures.
- **SEAH context analyses and referral mapping** shall be completed at country level so that the programme knows how to refer complaints to local authorities, welfare, and social services as needed
- Each mission shall allocate **dedicated resources** (human and financial) for PSEAH activities in country programmes' budgets

Safe communication: INTERSOS has a **duty of care** towards the beneficiaries of its programmes and at all times must put their **best interests** first. Beneficiaries have the right to be accurately represented with their own identity and dignity preserved. The “**Do No Harm**” principle must guide the collection and use of images and information about beneficiaries. INTERSOS programmes shall:

- Ensure that images of beneficiaries (photos, video, etc.) taken for communication purposes are **respectful**, people are adequately clothed and sexually suggestive poses are avoided.
- Choose images and related messages based on values of respect and equality, representing a broad range of people and **not victimizing them**.
- **Truthfully represent** the particular situation both in its immediate and wider context, **avoid stereotypes**
- Ensure that people whose situation is being represented have the opportunity to communicate their stories themselves.
- Take and use images and stories only with the full understanding and permission of the subject represented or described.
- Change the names of beneficiaries to **protect their identity**, unless they have explicitly stated their preference to use their true name as there are no security implications.
- **Do not disclose personal information** (such as location) which could put beneficiaries at risk on the INTERSOS website or in public literature.
- **Report in a timely manner** any complaint or concern about inappropriate or intrusive images through the same procedures as for reporting child protection concerns.
- All media folders and photographs need to be **stored in a secure area** to which a limited number of people have access on need basis³.

2) Prompt, safe, and survivor-centred reporting

- Each INTERSOS Mission, through his/her Head of Mission and Accountability Officer where in place, shall be responsible to ensure that complaint mechanisms for reporting SEAH concerns are developed and integrated within the complaint and feedback structures existing at the base and mission level.
- Complaint mechanisms for reporting SEAH concerns shall be developed and regularly reviewed with the involvement of communities, **particularly adults at risk**
- **Reporting, using one of INTERSOS channels, is mandatory and must be immediate** (within 24 hours of becoming aware of an alleged incident)
- **Awareness raising** on SEAH risks among local communities is mainstreamed across all INTERSOS programs. Communities shall be sensitized on the importance of denouncing any request for sexual favours, any abuse or pressure towards them, and shall be aware of

³ For further guidance, please refer to **INTER SOS Ethical Images Policy**

the strict ban on staff and partners engaging in such behaviour and of the mechanisms in force to report any misconduct.

- **Multiple channels** are in place for INTERSOS' representatives, partners, and community members we work with, and others to safely report SEAH. These channels shall be designed **in consultation with local communities**, especially with those identified at higher risk of SEAH, staff and partners to ensure that they are safe and accessible.
- Anyone working on behalf of INTERSOS and communities we work with shall have information about **how to access** these safe reporting channels, including messaging that is suitable for specific groups. This shall include posting reporting procedures in **local languages** and regularly explaining these channels.
- Robust **induction and continuous training** and information to INTERSOS' representatives and partners shall take place to ensure they understand their obligations and how to discharge their duties when they receive a complaint against SEAH.
- **Victims' and survivors' safety and wellbeing** shall be paramount when reporting and their information treated confidentially. Complainant/whistle-blowers shall similarly feel safe and protected during the reporting process.
- Any intentionally false, malicious or vexatious statement, misrepresentation or accusation against another INTERSOS personnel member or third party shall be sanctioned
- **Complaints can be made anonymously**. Information that identifies individuals involved in a complaint shall be limited to personnel with the absolute need to have such information and shall not be shared further without obtaining the **informed consent** of the survivor, except if someone's life is at risk, or as required by law in consultation with legal counsel and when safe to do so. Non-identifying information shall be shared as per donor and regulatory body reporting requirements and with PSEAH task force as required. Employees who breach **confidentiality** may be subject to disciplinary action up to and including termination of employment.

3) Prompt, safe, and survivor- centred response

- All reported allegations shall be **acknowledged within 48 hours**, and a safeguarding team shall convene a case conference to assess immediate risks and next steps within **72 hours**.
- INTERSOS shall carry out **independent, safe, and discreet investigations**, through trained investigators, recognising the rights of duty of care to everyone involved, including whistle-blowers and/or survivors, witnesses and subjects of complaint
- The **safety and security of the victim/survivor** and her/his children is the primary consideration.
- The victim/survivor shall always be **involved in decision making** and be provided with comprehensive information
- The victim/survivor's **privacy and confidentiality** shall be protected at all times
- All actions taken shall be guided by respect for the choices, wishes, rights and dignity of the victim/survivor.
- Victims/survivors shall receive **equal and fair treatment** regardless of their age, gender, race, religion, nationality, ethnicity, sexual orientation or any other characteristic
- Survivors/victims of SEAH shall be entitled to **specialised support services**. INTERSOS commits to provide or refer victims/survivors to competent support services as appropriate and available and according to the wants and the needs of the survivor/victim. Support may include specialist psychosocial support such as counselling, medical assistance, legal

counselling and access to financial or in-kind assistance. Assistance shall be made available regardless of whether a formal internal response is carried out (such as an internal investigation). Following referral, INTERSOS commits to **follow up with the victim/survivor and the service provider** on a regular basis as long as it is deemed necessary.

- All information related to the case shall be held in the **strictest confidence, recorded, and the record held in a secure location** with the Head of Mission and/or other designated personnel. It shall be disclosed only on a need-to-know basis to resolve the matter. Any breach of the data protection and sharing protocols may be subject to disciplinary action, up to and including dismissal
- INTERSOS shall take **swift and appropriate action** against INTERSOS staff and partners who are found to have committed SEAH. This may include administrative or disciplinary action, and/or referral to the relevant local authorities if appropriate and safe to do so. An independent decision-making panel will be established in every investigation to ensure impartiality, transparency, and accountability (e.g. for cases at mission level the panel may include people from outside of country): if the case involved a national staff member, the decision-making panel shall be appointed and chaired by INTERSOS Head of Mission; if the case involved an international staff, the decision-making panel shall be appointed and chaired by INTERSOS Director General or his/her delegate. The decision-making process shall always be subject to scrutiny by the Global Safeguarding Coordinator.

c) Roles and responsibilities

In addition to the roles and responsibilities outlined in the INTERSOS Safeguarding Framework, the following functions shall have dedicated responsibilities to help INTERSOS prevent and respond to SEAH:

INTERSOS Board hold overall accountability for this policy and its effectiveness in practice

All INTERSOS Directors are responsible for integrating its implementation into daily decisions and for promoting awareness of this policy within their departments

All INTERSOS staff, partners and suppliers are obliged to adhere to these standards of behaviour. Failure to comply with these standards or failure to report SEAH concerns is grounds for disciplinary action pursuant to the INTERSOS Charter of Values, Code of Conduct, Safeguarding Framework and Associated Policies. This action may include termination of contract or summary dismissal, and may result in the case being forward to the local authorities for criminal prosecution where appropriate and in accordance with applicable national laws.

All INTERSOS Head of Missions hold overall responsibility for roll-out of the PSEAH policy in their Missions. This includes:

- Creating a safe environment where staff and others feel able to raise concerns without fear of retaliation by setting a positive example, both when on and off duty, and promote the global PSEAH and Safeguarding policies.
- Ensuring at least one senior staff member has safeguarding responsibilities in their mission
- Ensuring SEAH risk assessment, context analysis and referral mapping are embedded in their programme
- Ensuring all mission' staff receive an annual refresher training on safeguarding, including SEAH
- Ensuring raised concerns are promptly reported to the Global Safeguarding Coordinator

- Ensuring adequate funding is in place to support PSEAH and Safeguarding activities in their mission (e.g. budget to ensure that all staff receive annual training, budget for translation of policies and other core documents to ensure they are accessible to all).

INTERSOS Global, Regional and Country Protection staff (where recruited) shall be providing technical support for the implementation of and adherence to the PSEAH Policy at the global, regional and country level until dedicated staff with safeguarding responsibilities is appointed. They shall also provide support on the development and revision of the country-specific PSEAH strategies and related SOPs.

A **decision-making panel shall be appointed by the Director General or by his/her delegate** and shall meet on an *ad-hoc* basis to provide oversight and management support for alleged SEAH Incidents.

TO REPORT A CONCERN, YOU CAN:

- Do this verbally or in writing to your Line Manager, HR, Head of Mission, country programme staff with safeguarding responsibilities or
- Send an email to: complaint@intersos.org or
- Send a WhatsApp message to: +39 3808970033
- Fill an incident report and put it in one of INTERSOS feedback boxes

For reporting a complaint at mission level, please refer to the existing Complaint and Feedback Response Mechanism (CFRM) in each INTERSOS mission, which includes a dedicated email address and phone number.

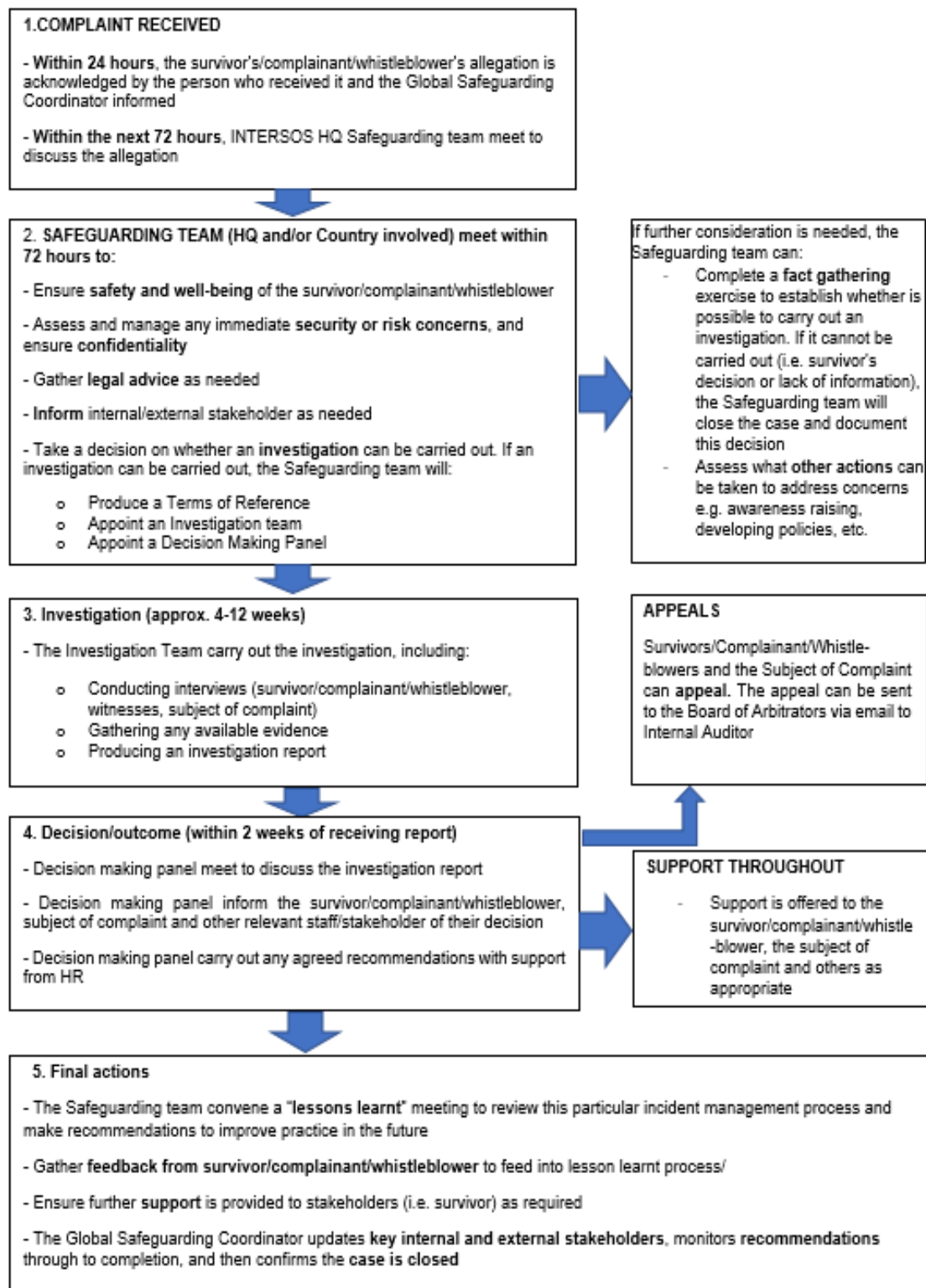
REPORTING FLOWCHART



- The survivor/complainant/whistleblower can choose how to raise their concern
- Everybody else must ensure that the concern is reported to the Global Safeguarding Coordinator as soon as possible

It is MANDATORY for all INTERSOS staff and associates to report complaints, concerns or suspicions of SEAH in accordance with the established procedures. This includes acts or omissions resulting in placing an individual at risk of SEAH, or an act of SEAH itself. When an INTERSOS staff or associate is aware of a SEAH incident involving INTERSOS staff or associates, or other humanitarian aid workers, and fails to report it, he/she may be subject to disciplinary action, up to and including dismissal or interruption of contractual or partnership agreement in case of suppliers or partners.

INCIDENT REPORTING FLOWCHART



References:

This Policy must be read in conjunction with: Code of Conduct, Charter of Values, Safeguarding Framework; Child Safeguarding Policy, Equal Opportunities Policy; Dignity at Work Policy; Anti-Modern Slavery Policy; Misconduct Policy; Whistleblowing and Investigation Policy; Conflict of Interest Policy, Ethical Images Policy.

APPROVAL AND DATES

This policy was approved on 6 December 2023. This version of the policy takes effect on 23 March 2024 and will be reviewed in 36 months' time.

POLICY OWNER

Global Safeguarding Coordinator