

# Protection from Sexual Exploitation and Abuse (PSEA) Policy and Procedures

This publication is part of a suite of EngenderHealth policies, procedures, and frameworks that govern our operations. These materials are grounded in principles of intersectionality and feminist accountability and governance. Colleagues from across our global and country offices collaborated with the Centre for Transnational Development and Collaboration in developing these materials.

**Policy ownership:** Tonee Mwangi, Vice President of Finance and Administration, is the primary owner of this policy and its associated procedures.

**Policy issuance and revision dates:** This policy was initially published in January 2019 and was updated in July 2022. EngenderHealth will update this policy every three years.

**Applicability:** This policy applies to all staff, associates, and partners.



EngenderHealth

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# Protection from Sexual Exploitation and Abuse (PSEA) Policy and Procedure

## Introduction

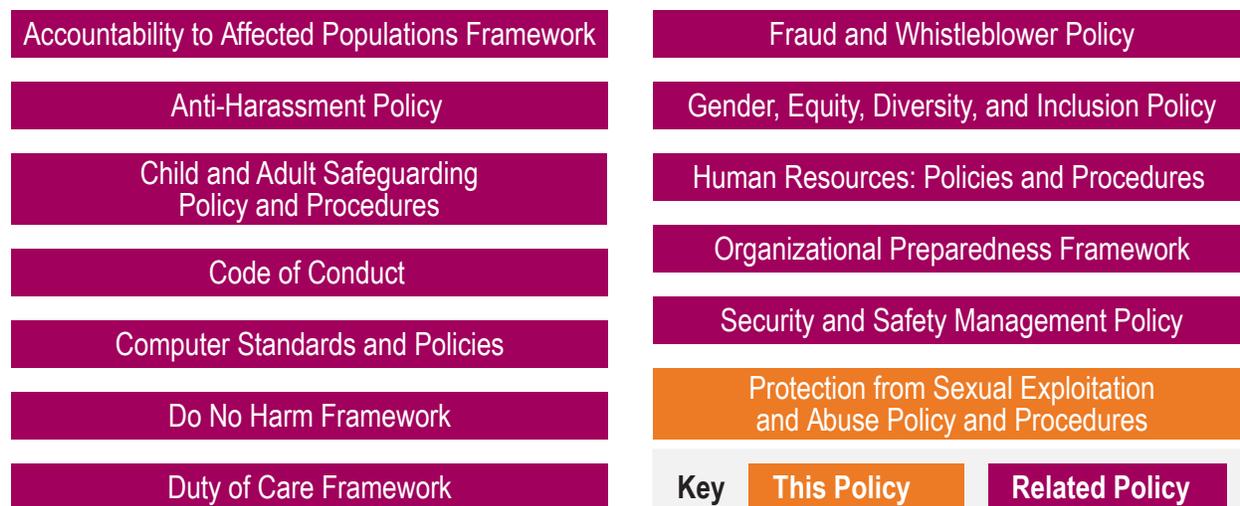
EngenderHealth is a nonprofit organization aiming to contribute to a gender-equal world where all people achieve their sexual and reproductive health and rights, through implementing high-quality, gender-equitable programs that advance sexual and reproductive health and rights. As part of our vision, EngenderHealth is committed to safeguarding all people—particularly children, vulnerable adults, and impact populations—from any harm that may be caused due to contact with EngenderHealth.

EngenderHealth is particularly committed to protecting all communities that the organization works with from sexual exploitation and abuse and we have a zero-tolerance policy and approach toward sexual exploitation and abuse. Women, children, and vulnerable adults are particularly at-risk of sexual exploitation and abuse. EngenderHealth will not tolerate its staff, associates, partners, or any other representatives associated with the delivery of our work to engage in any form of sexual exploitation or abuse.

The purpose of this Protection from Sexual Exploitation and Abuse (PSEA) Policy and Procedures resource is to affirm EngenderHealth’s commitment to the United Nations Secretary General’s Bulletin on Special Measures for protection from sexual exploitation and abuse (ST/SGB/2003/13). This policy ensures that all EngenderHealth staff, associates, and partners are aware of their roles and responsibilities in keeping communities and stakeholders safe from any form of sexual exploitation or abuse. The policy clarifies definitions and responsibilities regarding prohibited behaviors and the associated procedures outline the reporting and investigation processes.

This policy and the complementary Child and Adult Safeguarding Policy and Procedures are components of a larger suite of policy and procedures (see Figure 1). As we engage with diverse people and organizations across sectors with the shared goal of supporting women and girls to determine their futures, we believe it is imperative that our communities feel protected from any potential harm. EngenderHealth has developed this policy and its procedures as part of our commitment to our communities, particularly affected populations. We acknowledge that we also have a duty of care towards our staff, associates, and partners, and we detail our commitment toward them in our Organizational Preparedness Framework and associated Duty of Care Framework and Security and Safety Management Policy.

**Figure 1. Key EngenderHealth Policies and Procedures**



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## Scope of Application

EngenderHealth takes sexual abuse and exploitation incidents seriously and has zero tolerance for sexual exploitation and abuse. We expect all of our personnel (including permanent and seasonal staff, contractors, consultants, volunteers, and members of our board) as well as our partners and other stakeholders—all of whom have a duty to prevent and report incidents of sexual exploitation and abuse—to adhere to this policy. This policy applies to all of EngenderHealth's country programs, offices, operations, and sites.

This document outlines EngenderHealth's principles, duties, and responsibilities to protect people in all of our operating environments from sexual exploitation and abuse, including impact populations, personnel, and other stakeholders. All EngenderHealth staff are required to sign our Code of Conduct as well as this policy and to complete mandatory training and annual refresher courses.

All representatives of EngenderHealth are responsible for reporting concerns regarding sexual exploitation and abuse. EngenderHealth takes all concerns and complaints seriously. We will initiate comprehensive investigations of any complaints that involve violations of this policy and take disciplinary and possibly legal action, as warranted.

The Vice President of Finance and Administration is responsible for disseminating this policy. Adherence to this policy is monitored by various individuals including:

- At the organizational level: Vice President of Human Resources
- At the global office level: Director of International Human Resources
- At the country office level: Country Representatives
- At the project level: Chief of Party, Project Director, Project Manager (as applicable)

## Guiding Principles and Commitments

The guiding principles and commitments of this policy are summarized below.

**Confidentiality:** EngenderHealth is committed to confidentiality and we will not share information outside of our safeguarding committee unless it is absolutely necessary. The safety of the person(s) involved is our primary concern. For this reason, EngenderHealth maintains an anonymous reporting system. Individuals may submit reports anonymously for investigation via [www.ethicspoint.com](http://www.ethicspoint.com) or by calling the local hotline. In the US, the hotline number is +1 866 739 4117; country-specific hotline numbers are available on the EthicsPoint® webpage. All disclosures will be treated in confidence. Refer to EngenderHealth's Fraud and Whistle Blower Policy for more information.

**Continuous improvement:** EngenderHealth maintains assessment, feedback, and reflection mechanisms to inform improvements to policies and practices. These mechanisms include: quarterly incident reviews, periodic refresher trainings, regular policy reviews, and regular safeguarding audits.

**Dignity and respect:** EngenderHealth creates a work environment where the principles of dignity and respect for all staff, associates, partners, and communities in all locations are critical. This includes principles of being nonjudgmental when learning of related concerns and complaints.

**Do No Harm approach:** EngenderHealth is committed to a Do No Harm approach for programming and ensures that: (1) there is a common understanding of the operating

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context, including gender norms, political dynamics, and social norms; and (2) programs adhere to international best practices for effective and ethical development programming.

**Effective communication:** EngenderHealth effectively communicates with all staff, associates, and partners in simple and accessible language to create a positive and accessible culture where responsibilities for safeguarding are clear.

**Safeguarding:** EngenderHealth is committed to all community members (see “Definitions”) having the right to safeguarding and protection from any sexual exploitation and abuse irrespective of ability, culture, ethnicity, faith, gender, sexuality, or other social characteristic.

**Shared responsibility:** For these policies and practices to be effective in reducing the risks to impact populations and communities, everyone at EngenderHealth must share the responsibility for implementation and improvement. As such, a failure at one level of the organization constitutes a failure at all levels of the organization.

**Zero tolerance:** EngenderHealth has zero tolerance for any violations of this policy.

EngenderHealth commits to:

- Creating a safe culture for those we serve and support as well as those who work for and represent the organization
- Ensuring zero tolerance of any concern related to child or adult safeguarding or to sexual exploitation and abuse
- Educating staff, associates, and partners that any violation of the policy may constitute gross misconduct and may be grounds for termination of employment or contract as well as possible legal action
- Building a culture of dignity, honor, and respect where all those who work with and are served and supported by EngenderHealth feel empowered to report complaints
- Ensuring all staff, associates, partners, and communities understand the procedures for reporting and investigating complaints
- Reviewing all complaints and concerns in a timely manner through a safeguarding committee and taking all complaints seriously
- Ensuring that all staff, associates, and partners have access to this policy, the Child and Adult Safeguarding Policy and Procedures, and all other related policies

### PSEA Measures

In addition to our guiding principles, EngenderHealth has established safeguarding measures (see Figure 2 ), including preventative measures, to ensure that the organization upholds our PSEA commitments.

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Figure 2. Safeguarding Measures



EngenderHealth upholds our commitment to preventing sexual exploitation and abuse by obliging all staff, associates, and partners to always adhere to this policy, to report any suspicions of misconduct, to sign the associated Code of Conduct, and to acknowledge having read and understood the policy. Key PSEA measures are outlined below.

## Staff, Associate, and Partner Responsibilities

All staff, associates, and partners are required to adhere to this policy and are obliged to report any suspicions of sexual exploitation and abuse of others through appropriate channels. All staff, associates, and partners are required to sign the associated code of conduct as well as an acknowledgment confirming they have read and understood the policy.

## Director and Manager Responsibilities

Directors and managers hold overall accountability for implementation of this policy. They

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are also responsible for developing and supporting systems that maintain an environment where all parties involved with EngenderHealth understand how to behave, how to raise complaints and concerns, and what actions will follow.

## Safeguarding Committee Responsibilities

EngenderHealth maintains a safeguarding committee at the organizational level in addition to safeguarding committees in each country office. Each safeguarding committee comprises five members: one woman in a senior management role, three members from different departments, and a fifth external member who is an expert in sexual abuse, exploitation, or harassment. All safeguarding committees are dedicated to ensuring diversity and equal gender representation within the committee.

The safeguarding committees are responsible for informing and training all staff in their purview in PSEA, safeguarding, and harassment policies and procedures. They are also responsible for receiving and investigating any safeguarding and PSEA-related complaints. The safeguarding committee members undergo training around all the related policies, training on reporting and investigations expectations, as well as specialized psychological first aid training to enable them to offer such support, as appropriate.

## Confidentiality of Complaint

EngenderHealth will protect the confidentiality of sexual exploitation and abuse allegations to the greatest extent possible to ensure the integrity of the investigation and to prevent embarrassment, discrimination or harassment, or retaliation. Confidential or sensitive information obtained by any staff member during an investigation shall not be disclosed outside of the committee, except as required by law. The committee will manage any concerns regarding confidentiality of information provided as sensitively as possible, and will not unnecessarily disclose information to others. EngenderHealth cannot guarantee, however, complete confidentiality, because the organization may not be able to conduct an effective investigation without revealing certain information to the alleged perpetrator and potential witnesses. EngenderHealth will share information about allegations of sexual exploitation, abuse, and harassment only with those who must know in order to support the investigation. EngenderHealth keeps all records relating to sexual exploitation, abuse, and harassment complaints confidential.

## Prohibited Retaliation

Retaliation not only affects the recipient, but also can spread rapidly throughout EngenderHealth, destroying faith in EngenderHealth leadership and damaging staff morale. EngenderHealth maintains a zero-tolerance policy for retaliation against anyone for reporting sexual exploitation or abuse, assisting in reporting a complaint, or participating in an investigation. Retaliation against any staff, associate, or partner who makes a good-faith complaint related to sexual exploitation or abuse; who assists, testifies, or participates in any investigation or proceeding; or who reasonably opposes such conduct in the workplace will not be tolerated. Select examples of retaliation include:

- Termination, demotion, disadvantageous transfers or assignments, refusals to promote, threats, reprimands, or negative evaluations
- Coworker hostility or harassment, including gossip, insults, intimidation, rumors, or otherwise offensive conduct that would subject a person to ridicule or humiliation
- Any other action or combination of actions that may materially and adversely affect an individual's job performance or opportunity for advancement

Complaints of retaliation will be promptly investigated. If retaliation is substantiated,

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appropriate disciplinary action, including possible dismissal, will be taken.

## Communication and Training

It is EngenderHealth's responsibility to ensure that all staff, associates, and partners are aware of and fully compliant with this policy. In order to prevent any forms of sexual exploitation or abuse, EngenderHealth will:

- Inform and train all staff on this policy and procedure, including all who are responsible for implementing this policy and associated procedures or who may be involved in addressing complaints that arise
- Conduct awareness raising training for all staff, associates, and partners on PSEA to ensure all understand how to identify potential instances of sexual exploitation and abuse and when and how to report concerns
- Proactively communicate our zero-tolerance message
- Ensure all staff are aware of the definitions under this policy and of associated reporting procedures
- Ensure all staff have signed and acknowledged that they have read and understood the policy

## Support for Survivors

EngenderHealth will support survivors regardless of the outcome of any investigations. This support may include referrals to psychosocial counseling and/or access to other specialized support, as needed.

## Actions and Behaviors Prohibited under this Policy

All EngenderHealth staff, associates, and partners are required to adhere with this policy. Under this policy, all staff, associates, and partners are prohibited from engaging in the following actions and behaviors.

- **Child marriage:** Child marriage (see "Definitions") is a form of gender-based violence and is prohibited. Anyone who married a child in accordance with local customs or laws before this policy came into force or prior to joining EngenderHealth will not be subject to disciplinary action; however, EngenderHealth prohibits any staff, associates, and partners from engaging in such marriages since the establishment of this policy.
- **Physical and emotional abuse:** Any act of physical or emotional abuse is prohibited. Refer to the Child and Adult Safeguarding Policy and Procedures for more information.
- **Sexual activity with any children and vulnerable adults:** Sexual activity with a child or vulnerable adult (see "Definitions") is prohibited. The age of majority or age of consent locally is irrelevant and a mistaken belief that the child is of the age of consent is not a defense.
- **Sexual activity with EngenderHealth impact populations:** Due to the nature of our work, some staff, associates, and partners hold power over impact populations that can be abused—such sexual exploitation (see "Definitions") is prohibited. Individuals who are hired from the local community (e.g., community development agents) may play dual roles as impact populations and staff and therefore have different types of relationships with other community members. In cases where a staff, associate, or partner is a member of the community and engages in sexual activity with another

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member of the impact population, EngenderHealth undertakes a risk assessment of the situation and investigates potential conflicts of interest. For individuals outside the focus communities, this principle applies without reservations or interpretations.

- **Sexual exploitation:** All forms of sexual exploitation (see “Definitions”) are prohibited.
- **Sexual grooming and/or coercion:** Any grooming and/or coercion (see “Definitions”) of a child or vulnerable adult for the purposes of obtaining sex is prohibited.
- **Sexual harassment:** All acts of sexual harassment (see “Definitions”) are prohibited under this policy and EngenderHealth’s Anti-Harassment Policy.
- **Sexual violence:** All acts of sexual violence (see “Definitions”) are prohibited.

EngenderHealth reserves the right to expand this list at any time. Any updates will be communicated with staff, associates, and partners through the safeguarding committee. Please also refer to the Child Safeguarding and Adult Safeguarding Policy for additional behaviors related to abuse that are prohibited.

In accordance with the Inter-Agency Standing Committee’s standards, failure to report sexual exploitation and abuse is a violation of this policy.

### Disciplinary Measures

As we have a zero-tolerance policy for sexual exploitation and abuse, any staff, associate, or partner who violates this policy will face disciplinary procedures. Such procedures may result in disciplinary action, termination of employment or contract, and/or referral to the appropriate law enforcement agency or legal authority.

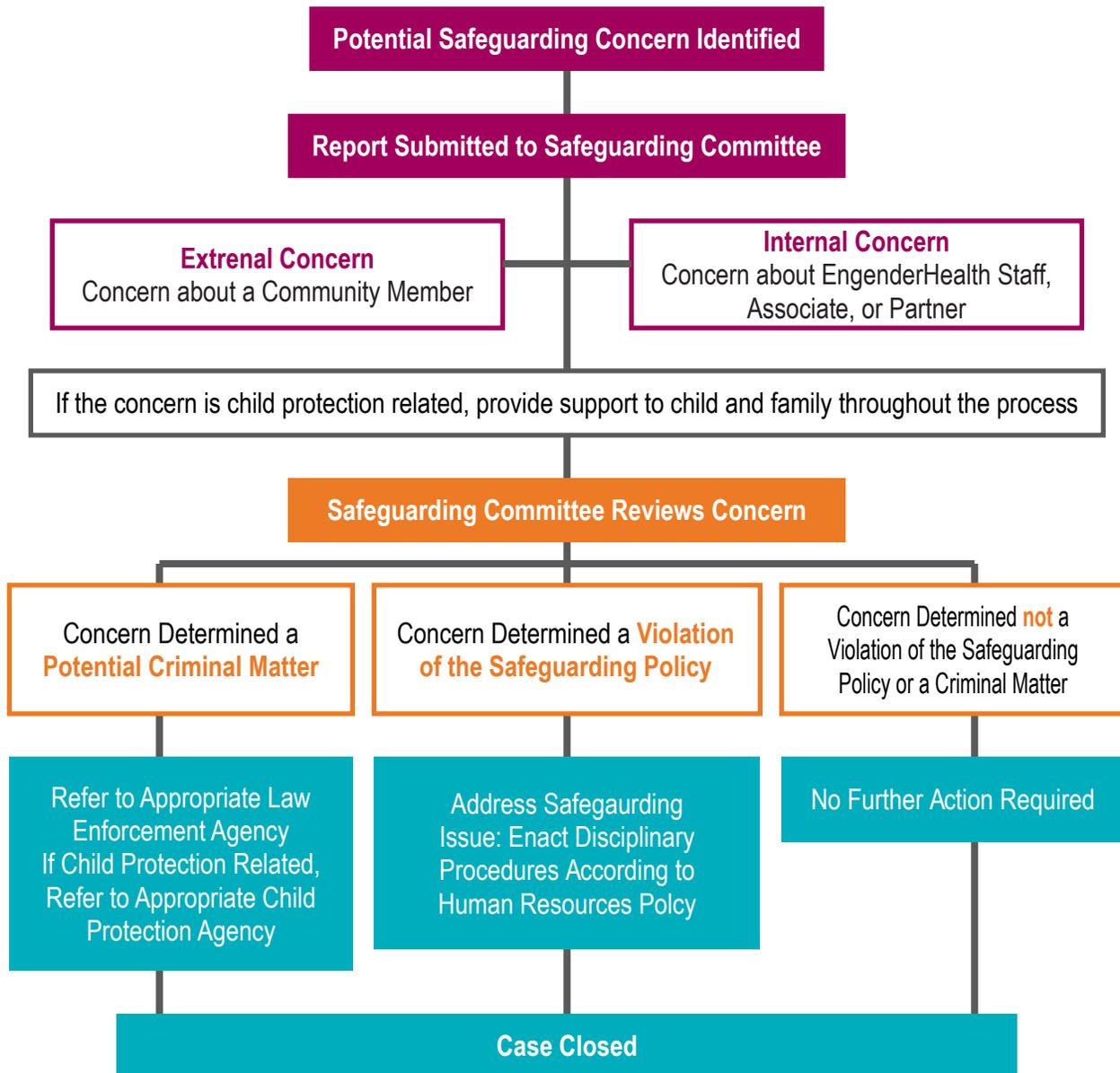
### Reporting Process and Procedures

EngenderHealth follows a set reporting process and procedure (see Figure 3) to address any concerns raised related to sexual exploitation and abuse or child and adult safeguarding.

The process and procedures for reporting sexual exploitation and abuse as well as child and adult safeguarding concerns are managed via safeguarding committees. All incidents must be reported to the safeguarding committee. By facilitating immediate reporting of any concerns, EngenderHealth prevents further harm, ensures the health and safety of the individual(s) involved, and fulfills our accountability responsibilities.

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Figure 3. Reporting Process and Procedure



The steps for reporting and investigating reports of violations are as follows:

1. Once an individual identifies a concern related to sexual exploitation and abuse (or other safeguarding concern), they should share their concern with the safeguarding committee and complete the Reporting Form.
2. The safeguarding committee will begin to investigate the complaint promptly and thoroughly. All complaints will be taken seriously. A committee member will email or text the complainant to acknowledge the complaint as soon as possible.
3. Within 72 hours of receiving a complaint or concern, the safeguarding committee will convene a case conference to determine whether a full investigation is necessary. The independent member of the committee will assist in this process.

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4. The time required to complete any investigation will depend upon the particular circumstances of the complaint. If the committee believes there may be evidence of sexual exploitation and abuse or of another child or adult safeguarding issue, they may undertake a full investigation.
5. An investigation may include a member of the safeguarding committee meeting with the complainant directly as well as with the alleged perpetrator. The investigator will also interview and obtain statements from any witnesses. All EngenderHealth staff, associates, and partners are required to cooperate and provide information during a complaint investigation. Refusal to cooperate in the process may result in disciplinary action, up to and including termination from employment or contract. The committee will maintain confidentiality best practices during the investigation.

### Definitions of Key Terms

It is imperative that everyone shares a common understanding of sexual exploitation and abuse and other child and adult abuse safeguarding principles and terminology. To that end, the following definitions—listed alphabetically—support a common understanding of this policy.

**Abuse:** Abuse may be a deliberate act or it may be a failure to act to prevent harm. Abuse includes anything which individuals, institutions, or processes do (or fail to do), intentionally or unintentionally, which harms a person or damages their prospect of safe and healthy livelihoods. This includes emotional, physical, and sexual abuse, as well as neglect.

**At-risk or vulnerable adult:** This refers to individuals who 18 years or older but—due to age, disability or illness (physical, mental, or similar), or other condition—may be unable to independently care for themselves or protect themselves against abuse, harm, or exploitation. This also includes those who—due to their gender identity, health status or disability, ethnicity, religious identity, sexual orientation, economic or social status, or as a result of disasters and conflicts—are at additional risk of abuse or exploitation.

**Child:** A child is a person under the age of 18.

**Child abuse:** Child abuse includes all forms of physical, emotional, and sexual abuse and exploitation, as well as neglect or negligent treatment, and any other exploitation of a child or other actions that may harm a child. Abuse can occur anywhere and anytime. Research shows that the perpetrators of abuse are likely to be known and trusted by the child. Some of the most common types of child abuse are: (1) physical violence toward or deliberate injury of a child; (2) neglect, or the persistent failure to meet a child's basic physical and psychological needs; (3) sexual abuse, which involves using a child for sexual stimulation or gratification, and (4) emotional abuse, which harms a child's self-esteem.

**Child marriage:** Child marriage includes formal and informal unions in which one or both parties are under the age of 18, regardless of local laws, and therefore under the age of consent.

**Child sexual exploitation:** Child sexual exploitation involves children receiving a form of benefits (including gifts, money, or affection) in exchange for engaging in sexual activities.

**Child protection and safeguarding:** Child protection and safeguarding refers to the responsibilities and preventative and responsive measures and activities that EngenderHealth undertakes to protect children. This includes ensuring that no child is

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subject to child abuse because of their association with EngenderHealth staff, associates, or partners and/or their participation in any EngenderHealth activity, including our projects and programs. “Child protection” is an element of safeguarding promoting welfare. It refers to any activity that is undertaken to protect children who are suffering or likely to suffer significant harm.

**Communities:** The term communities, for the purpose of this policy, includes healthcare providers, frontline health workers, and other service providers as well as children and adults within a particular locale or who share specific social characteristic (e.g., persons with disabilities).

**Coercion:** Coercion includes a spectrum of degrees of force, such as physical force, psychological intimidation, blackmail, or other threats—including threats related to not obtaining or retaining employment. Coercion may also occur when a person is unable to give consent; for example, while asleep, intoxicated, or mentally incapable of understanding the situation. While coerced sex may result in sexual gratification for the perpetrator, its underlying purpose is to express power and dominance over another person.

**Emotional or psychological abuse:** Emotional or psychological abuse includes any behaviors that aim to or result in emotional or psychological harm, for example humiliating and degrading treatment such as belittling and name calling, excessive criticism and shaming, confinement, and isolation.

**EngenderHealth associates:** Associates include paid and non-paid individuals who have committed to work with or support EngenderHealth, such as volunteers, interns, consultants, and contractors.

**EngenderHealth managers:** Managers are staff who manage or supervise the work of other EngenderHealth staff or associates.

**EngenderHealth partners:** Partners include staff and/or representatives of partner organizations and local governments operating in partnership with EngenderHealth.

**EngenderHealth staff:** Staff are individuals who receive a salary for work, including those based in EngenderHealth country and project offices, working as part of the global support team, or operating in any other location where EngenderHealth works.

**Harm:** Harm includes emotional and psychological, physical, and any other infringement of an individual’s rights.

**Grooming:** Grooming is behavior that an offender uses to procure sexual activity from a child, including by building trust with children directly, and/or with their caregivers, to sexually abuse them. In some cases, a person may send electronic messages to a child with the goal of engaging the child in sexual activity; this is called “online grooming.”

**Modern slavery:** Slavery is a situation in which a person exercises (perceived) power of ownership over another person. Related terms include forced labor, which covers work or services that people engage in under threat of punishment; human trafficking, which involves deceptive recruitment and coercion; and bonded labor, which is demanded in repayment of a debt or loan. Modern slavery encompasses a spectrum of labor exploitation, ranging from the mistreatment of vulnerable workers to human trafficking to child labor and forced sexual exploitation.

**Protection from sexual exploitation and abuse:** The development and humanitarian communities use this terminology in reference to the prevention of sexual exploitation and

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abuse of affected populations by personnel. The term derives from the United Nations Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13).

**Safeguarding:** Safeguarding means taking all reasonable steps to protect people (especially vulnerable adults and children) from harm (particularly sexual exploitation, abuse, and harassment) and responding appropriately when harm occurs. Safeguarding applies consistently and without exception across programs, partners, and personnel. It requires proactively identifying, preventing, and guarding against all risks of harm, exploitation, and abuse by having mature, accountable, and transparent systems for incident reporting, response, and learning. Systems must be survivor-centered and protect those accused until proven guilty. EngenderHealth places impact populations and affects persons at the center of our safeguarding approach.

**Sexual abuse:** Sexual abuse includes the actual as well as threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

**Sexual exploitation:** Sexual exploitation includes any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including profiting monetarily, socially, or politically from the sexual exploitation of another. This definition includes any exchange of money, material assistance, employment, goods, or services for sexual favors or other forms of sexually humiliating, degrading, or exploitive behaviors. This includes all forms of human trafficking and modern slavery.

**Sexual harassment:** Sexual harassment includes any unwelcome sexual advances, requests for sexual favors, or other conduct that creates a coercive, hostile, intimidating, or offensive work environment. Sexual harassment may be directed toward a person of the same or the opposite sex and includes uninvited, unreciprocated, and unwelcome behaviors that cause the recipient to feel threatened, humiliated, or embarrassed. This also includes behaviors that are characterized by any of the following conditions: (1) submission to such conduct is explicitly or implicitly made a term or condition of employment of the recipient, (2) submission to or rejection of this conduct is used as a basis for an employment decision that affects the recipient, (3) such conduct has the purpose of or results in creating an intimidating, hostile, or offensive work environment.

**Sexual violence:** Sexual violence includes any unwanted sexual acts or coercive behaviors, any unwanted sexual comments or advances, and any attempts to traffic a person for sexual exploitation. Anyone may perpetrate sexual violence, regardless of their relationship to the victim, in any setting, including at home or at work. Types of sexual violence are commonly distinguished as: (1) sexual violence involving intercourse (rape), (2) violent sexual contact (unwanted touching excluding intercourse), and (3) noncontact sexual violence (threats of sexual violence, exhibitionism, and verbal sexual harassment).

**Survivor:** A survivor is a person who has experienced abuse or exploitation. Note: We frequently employ the term "survivor" rather than "victim" to imply strength, resilience, and the capacity to survive. However, it is the individual's choice as to how they wish to identify.

**Vulnerable adults:** See "at-risk or vulnerable adult" above.