



SOLUTIONS FOR HUMANITY-SOMALIA PROGRAMS

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PSEA POLICY

Title

Policy for Preventing and Responding to Sexual Exploitation and Abuse

Summary Statement

SFH has a policy of zero tolerance of sexual exploitation and abuse (SEA), therefore SFH staff members and the employees or any other persons engaged and controlled by SFH including external Contractors should adhere to the PSEA policy.

Key terms

1. **Sexual exploitation** means any actual or attempted abuse of:

- ✚ A position of vulnerability
- ✚ Differential Power
- ✚ Trust for sexual purposes, including but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual exploitation generally means using your power over someone to take advantage of them sexually

2. **Sexual abuse** means the actual or threatened physical intrusion of a sexual nature which can occur

- ✚ By force; or
- ✚ Under unequal conditions; or
- ✚ Under coercive conditions

Sexual abuse generally means use of power in exchange for sex

Engaging Prostitution Services refers to the act of seeking or obtaining sexual acts in exchange for payment or some other benefit. Whether legal or not in any country of assignment, all SFH employees are prohibited from engaging prostitution service.

ZERO TOLERANCE on SEA

- ✚ SEA is an abuse of human rights and power
- ✚ More power = Perpetrator; Less power = Vulnerable
- ✚ Humanitarian aid workers always have more power over beneficiaries
- ✚ Sexual exploitation and abuse not only undermines the image and effectiveness of our work, it also has serious consequences for the individuals and the communities affected.

SG'S Bulletin -Commitments

When you sign a contract with SFH, you agree to the following SIX CORE PRINCIPLES. Every time you receive a payment from SFH, you recommit to these SIX CORE PRINCIPLES.

1. Sexual exploitation and sexual abuse constitute acts of serious misconduct and are therefore grounds for disciplinary measures, including summary dismissal
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 in the age of the child is not a defense.
3. Exchange of money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, is prohibited.
4. Sexual relationships between staff and beneficiaries of assistance, since they are based on inherently unequal power dynamics, undermine the credibility and integrity of the work of the Humanitarian aid and are strongly discouraged
5. Where staff or related personnel develops concerns or suspicions regarding sexual exploitation or sexual abuse by a fellow worker, whether in the same agency or not, he/she must report such concerns.
6. Staff and related personnel are obliged to create and maintain an environment that prevents sexual exploitation and abuse. Managers at all levels have a particular responsibility in this.

Responsibilities of SFH staff and Contractors

1. Not to engage in Sexual Exploitation and Abuse
2. To report any suspicions, reports, observations of SEA (including prostitution at SFH compounds!!!!)

Standard conducts

SFH staff members shall provide humanitarian assistance and services in a manner that respects and fosters the rights of beneficiaries. For this reason and because there is often an inherent and important

power differential in the interactions between staff members and beneficiaries, SFH strongly discourages staff members from having any sexual relationships with beneficiaries.

In addition, SFH staff members shall protect against and prevent sexual exploitation and sexual abuse (SEA) of beneficiaries. Abusive and exploitative sexual activities with beneficiaries are absolutely prohibited.

In order to protect the most vulnerable populations and to ensure the integrity of SFH's activities, the following specific standards shall be followed:

(a) Exchange of money, employment, goods, assistance or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, is prohibited.

(b) 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 defense

(c) Sexual relationships between staff members who deliver professional health services directly to beneficiaries and such beneficiaries are prohibited.

(d) Using the services of prostitutes or sex workers is prohibited, regardless of the legal status of prostitution in the laws of the SFH staff members' home country or duty stations. This prohibition extends to the use of prostitution outside working hours, including while on Rest & Recuperation and home leave.

The above-mentioned acts are not intended to be an exhaustive list. The above-mentioned acts as well as other types of sexually exploitive or sexually abusive behavior constitute serious misconduct and, as such, are grounds for disciplinary measures, including summary dismissal.

All SFH staff members, particularly managers, are obliged to create and maintain an environment that prevents SEA. The failure of SFH staff members to appropriately prevent or follow-up on claims of SEA, may be reflected in the staff members' performance appraisal and constitute grounds for disciplinary measures.

Preventions of Sexual exploitation and abuse

Every SFH staff member shall:

(a) Read and ensure that they understand the policy

(b) Report in good faith SEA allegations, concerns or suspicions or retaliation related to SEA that they have witnessed, or know of, by other SFH staff members, employees or other personnel of SFH Contractors, any other person working on SFH projects.

(c) Cooperate fully with those responsible for investigating a report or complaint about SEA

Provision of non-financial assistance

1. SFH will provide non-financial assistance and support to complainants and victims of SEA as deemed necessary and appropriate on a case-by-case basis.
2. A preliminary assessment of the victim's or complainant's needs arising directly from SEA or alleged SEA should be conducted as soon as possible. The assistance provided to complainants shall aim at fulfilling needs that cannot await the substantiation of a claim.
3. The nature and duration of assistance may vary. This assistance may include immediately needed services (e.g. medical care, psychological counselling, legal advice, provision of shelter, food, clothing and security). Assistance provided to victims is not intended to serve as compensation and shall not be considered, in part or whole, as compensation for damages or injury caused by SEA.
4. If assistance is deemed necessary and appropriate, SFH will rely on existing local services, such as those already available to the victims of sexual and gender-based violence.

Reporting procedures

1. PSEA focal points who receive any report or complaint of SEA allegations, concerns or suspicions or retaliation related to SEA from any source, including from the local referral complaint mechanism, shall promptly submit a duly completed Confidential report of SEA or retaliation related to SEA to the designated standard officer.
2. Reporting standard. Knowingly and deliberately filing a false or malicious statement under this policy may constitute grounds for disciplinary measures.
3. Confidentiality and data protection. Any person who has knowledge of an SEA report or complaint must respect the sensitivity of the matter and the need to protect the identities, privacy and reputation of the alleged offender, complainant, reporter, alleged victim and any witnesses. Report forms and all related information and documents will be kept and transmitted to the designated standard officer in strictly confidential manner in accordance with the SFH Standards of Conduct. The obligation of confidentiality continues after the matter has been closed. Failure to respect such confidentiality may result in disciplinary measures.
4. Retaliation. SFH is committed to protecting staff members who report SEA in good faith from retaliation or threats thereof. In addition, the security of the complainant, reporter, victim, alleged offender and witnesses is of great importance to SFH and shall be given the fullest consideration throughout the related SEA procedures. SFH staff members, including the alleged offender, shall not, at any time, retaliate against any person who has made a complaint about or reported an SEA allegation, concern or suspicion, or assisted in providing information or participated in an investigation about SEA. Such retaliation may result in disciplinary measures.

Response to a complaint or report of SEA

Upon receipt of a report or complaint about SEA allegations, concerns or suspicions or retaliation related to SEA, SFH shall:

1. Take all reasonable actions to protect the alleged victim, alleged offender, complainant, reporter and any witnesses from any retaliation;

2. Conduct any initial assessment and investigation, if deemed necessary, promptly and objectively in a neutral and confidential manner with full respect for the principles of due process
3. Take appropriate measures to ensure effective cooperation in the Field between the Organization and other actors/stakeholders
4. Take the above action regardless of the function, title, length of service or contractual status of the person(s) concerned.

SFH may:

- (a) Take disciplinary action against the offender or terminate the contract of the offender
- (b) Take managerial action, including mandatory training, counselling, revision of standard operating procedures or other appropriate corrective measures;
- (c) Close the case if there is no or insufficient evidence of SEA; or
- (d) Take any other action as deemed appropriate.

SFH ensures due process during all proceedings, including the right of the alleged offender to be informed of the allegations against him or her, to be given the opportunity to respond to those allegations and to request review of or appeal any decision taken against him or her according to standard SFH procedures.

Kindly confirm receipt of this policy by appending your signature and Company stamp: -

Name:

Title:

Telephone:

Signature:

Stamp: