



Prevention of Sexual Exploitation and Abuse (PSEA) and Safeguarding Policy

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Contents

PREVENTION FROM SEXUAL EXPLOITATION AND ABUSE (PSEA).....	Error! Bookmark not defined.
SAFEGUARDING	Error! Bookmark not defined.
POLICY	Error! Bookmark not defined.
1. PURPOSE	4
2. POLICY STATEMENT	5
3. SCOPE	5
4. DEFINITION OF TERMS	6
5. PREVENTION	8
5.1 ROLES AND RESPONSIBILITIES	8
6. DATA PROTECTION	11
7. SOCIAL MEDIA	11
8. REPORTING	12
8.1 HOW TO REPORT A SAFEGUARDING CONCERN	12
8.2 RESPONSE	12
9. CONFIDENTIALITY	13
10. POLICY IMPLEMENTATION	13
11. ASSOCIATED POLICIES	13
12. CONTRAVENTION OF THIS POLICY	14

1. PURPOSE

This policy aims to protect people, particularly young people, at-risk adults and beneficiaries of assistance, from any harm that may be caused due to their coming into contact with SAYWHAT. This includes harm arising from:

- The conduct of employees, students, interns, volunteers or personnel associated with SAYWHAT.
- The design and implementation of SAYWHAT's programmes and activities

The policy lays out the commitments made by SAYWHAT and informs staff, students, interns, volunteers and associated personnel of their responsibilities in relation to safeguarding.

This policy applies to all persons working for SAYWHAT in any capacity, including employees at all levels, directors, officers, agency workers, seconded workers, volunteers, interns, agents, contractors, external consultants, third-party representatives, suppliers and business partners. It applies during or outside of working hours every day of the year.

In coming up with this Policy, SAYWHAT aspires to ensure that its interventions do conform to Constitutional values and principles as well as regional and international standards for the promotion and protection of the personal security of its officers and targeted direct beneficiaries. The development of this policy has thus been guided by the local, regional and international protection and prevention standards which are mainly hinged on ensuring the rights of sexual victims are protected, information on allegations is properly documented and analysed for the correct intervention, reporting processes upholds the integrity and bodily security of all interested person/persons whose interests are at stake and that all officers from SAYWHAT are trained on sexual abuse and exploitation and prevention mechanisms.

Through this Policy, SAYWHAT thus commits itself to develop and implement all measures to ensure that all the persons working for and with SAYWHAT as key drivers to its programmes or as beneficiaries (including communities) are safe and protected from sexual abuse and exploitation.

In formulating and implementing this Policy, SAYWHAT also seeks to ensure that SAYWHAT employees, volunteers and management/board have a practical appreciation of safeguarding issues and are committed to adopting a culture of practices.

2. POLICY STATEMENT

SAYWHAT believes that everyone we come into contact with, regardless of age, gender identity, disability, sexual orientation or ethnic origin has the right to be protected from all forms of harm, abuse, neglect and exploitation. SAYWHAT will not tolerate abuse and exploitation by staff or associated personnel.

SAYWHAT has a “Zero Tolerance” approach to Sexual Exploitation and Abuse and does not allow any partner, supplier, sub-contractor, agent or any individual engaged by SAYWHAT to engage in any form of sexual abuse or exploitation against vulnerable or other adults associated with its work. All persons (including children and adults) have the equal right to protection regardless of any personal characteristic, including their age, gender, ability, culture, racial origin, religious belief and sexual identity.

This policy will address the following areas of safeguarding: child safeguarding, adult safeguarding, and protection from sexual exploitation and abuse. SAYWHAT commits to addressing safeguarding throughout its work through the three pillars of prevention, reporting and response.

3. SCOPE

This Policy shall apply to;

- All SAYWHAT Employees, volunteers, interns, Board of trustees, contractors, employees and volunteers of sub-contractors, consultants, volunteers, interns and all visitors attached to SAYWHAT for educational or exchange purposes and implementing /consortium partners in cases of sub-contracted or consortium projects.
- Associated personnel whilst engaged with work or visits related to SAYWHAT, including but not limited to the following: consultants; students; contractors; programme visitors including journalists, celebrities, politicians, agents, contractors, external consultants, third-party representatives, suppliers and business partners.
- Whilst this Policy represents SAYWHAT’s institutional position and efforts to create safe working environment for its employees, volunteers and beneficiaries, SAYWHAT recognises the supremacy of the Constitution and local laws in this regard. Whilst SAYWHAT will aspire to ensure the institutional Policy remains realigned with the national laws , where the Laws provide for better promotion and protection , the organisation shall allow national laws to take precedence as what is provided herein constitutes minimum standards.
- By adopting this Policy and ensuring that all staff, volunteers, and management /board are aware of its provision, SAYWHAT incorporates the policy in its governance systems to the extent that any deliberate violation of the Policy shall warrant the taking of disciplinary measures against the defaulting party. The disciplinary measures shall not preclude SAYWHAT from pursuing other punitive measures, including civil and criminal prosecution.

Through this Policy, SAYWHAT commits to ensure that volunteers, employees, partners and members of the public are aware of the following concrete measures towards eradication of sexual exploitation and abuse:

- a) Are aware of what SAYWHAT has committed itself to do in order to protect and safeguard vulnerable persons.
- b) Are to be able to safely voice any sexual exploitation and abuse concerns through the procedures and processes adopted by SAYWHAT.
- c) Are aware of SAYWHAT's commitment to effectively investigate and handle all reports of actual abuse or potential abuse
- d) SAYWHAT employees, volunteers, sub contracted agencies and partners receive appropriate training or they familiarise with all safeguarding processes and protocols.
- e) That the employment processes mainstream safeguarding principles.

4. DEFINITION OF TERMS

Abuse

Refers to the single or repeated, unintentional or deliberate violation of one's personal rights including physical, psychological, financial abuse, neglect or negligence which may result in actual or potential harm to the health, survival, development or dignity of a child, young person or vulnerable adult.

At-risk-adult

Sometimes also referred to as vulnerable adult. A person who is or may be in need of care by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

Beneficiary of Assistance

Someone who directly receives goods or services from SAYWHAT's programme. Note that misuse of power can also apply to the wider community that the NGO serves, and also can include exploitation by giving the perception of being in a position of power.

Child

A person below the age of 18

Employee

A person employed by SAYWHAT on such terms and conditions set by the SAYWHAT Board from time to time and shall be construed to mean persons employed in paid or unpaid capacity.

Harm

Psychological, physical and any other infringement of an individual's rights

Neglect

The persistent failure by an expected person to meet the basic physical or psychological needs of a vulnerable person, which failure may likely result in substantial prejudice to the vulnerable person's health and development.

Physical abuse

Involves some act of punching, throwing, suffocating, burning with a view to causing physical harm/damage to a person.

Protection from Sexual Exploitation and Abuse (PSEA)

The term used by the humanitarian and development community to refer to the prevention of sexual exploitation and abuse of affected populations by staff or associated 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)

Psychological harm

Emotional or psychological abuse, including (but not limited to) humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation

Safeguarding

Safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect¹

SAYWHAT understands it to mean protecting people, including children and at-risk adults, from harm that arises from coming into contact with our staff or programmes. SAYWHAT also subscribes to the definition propounded by one donor definition is as follows:

Safeguarding means taking all reasonable steps to prevent harm, particularly sexual exploitation, abuse and harassment from occurring; to protect people, especially vulnerable adults and children, from that harm; and to respond appropriately when harm does occur.

Sexual abuse

The term 'sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual exploitation

The term 'sexual exploitation' means 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. This definition includes human trafficking and modern slavery.

Survivor

The person who has been abused or exploited and has endured the traumatic experience of such abuse and or exploitation. The term 'survivor' is often used in preference to 'victim'

as it implies strength, resilience and the capacity to survive, however it is the individual's choice how they wish to identify themselves.

5. PREVENTION

5.1 ROLES AND RESPONSIBILITIES

The Code of Conduct states that it is the duty and the responsibility of all employees and other representatives to report any suspicions or incidences of sexual harassment, exploitation and abuse. Failure to report to an appropriate person is a breach of SAYWHAT's Code of Conduct and this policy, and could lead to disciplinary action being taken.

a) SAYWHAT Employees must always: -

- Ensure their behaviour is based on SAYWHAT's values, adheres to this policy and SAYWHAT's Code of Conduct, and always upholds and promotes the rights and welfare of rights holders and the communities which SAYWHAT work with, including adults at-risk.
- Promote and raise awareness of this policy to everyone they come into contact with in their work.
- Ensure they are aware of their SEA and Safeguarding Focal Point who is responsible for advising on and mitigating risk in line with this policy.
- Report any suspicions, concerns, or behaviours that breach this policy to the appropriate person(s). This includes (but is not limited to) any suspicions or incidents of sexual abuse and exploitation carried out by staff, other SAYWHAT representatives, partners, community members and others.
- Ensure that the rights of rights holders and communities are central to any activities carried out in their area of work.

b) SAYWHAT Employees must never: -

- Sexually exploit or abuse anyone they come into contact with through the SAYWHAT business. This policy addresses harms carried out towards rights holders and community members, including at-risk adults.
- Engage in any sexual activity with rights holders or adults at-risk
- Engage in any sexual activity with children.
- Engage in exploitative or harmful behaviour towards members of a community that SAYWHAT works with or near to.
- Raise malicious complaints or use the policy for purposes other than what it is intended for.

c) Executive Directors must always: -

- Create a safe environment where staff and others can raise concerns without fear of retribution.
- Be aware of the local and international laws and best practices applying to rights holders and community members, including adults at risk, ensuring that all activities reflect these and that staff members are made aware of them.
- Ensure a SEA and Safeguarding Focal Point is in place who will raise awareness of SEA and Safeguarding and act as a reporting point for suspicions, concerns, and complaints.
- Ensure adequate funding is in place to support SEA and Safeguarding activities in their country (e.g. funding to ensure that all staff receive annual training) and monitor the level of appreciation and implementation of the SEA and Safeguarding Policy among staff.
- Ensure that the SEA and Safeguarding Focal Point raises all concerns and complaints to the management Committee within 24 hours.
- Ensure that the relevant disciplinary procedures are implemented for staff members who have violated this policy.
- Ensure all staff members are trained on the human rights of rights holders and community members, recognise different forms of abuse and exploitation, and raise concerns through the appropriate channels.
- Set a positive example both on and off duty.

d) Line Managers must always: -

- Create a safe environment in their area of responsibility and directly with the staff they manage to ensure that staff and others can raise concerns without fear of retribution.
- Ensure staff members in their line of authority receive an induction on this policy and that any concerns raised about staff in the line of management are addressed through appropriate means (e.g. investigation, performance management).
- Ensure that staff members know their responsibilities and accountability for the welfare of rights holders and community members, including adults at-risk during SAYWHAT activities.
- Ensure that staff members are aware of their responsibilities for reporting and the procedures for doing so.
- Ensure that all processes, procedures, and activities are carried out in a way which seeks to minimise the risk to rights holders and communities (e.g., through carrying out routine risk assessments).
- When managing recruitment, work with HR to implement appropriate measures to prevent individuals who may harm others from entering SAYWHAT (e.g., through safer recruitment processes).
- Ensure that poor practice or potentially abusive behaviour towards rights holders and community members by SAYWHAT or partner staff members does not go unchallenged.
- Ensure this policy is included in any partnership agreement or memorandum of understanding (MoU) with SAYWHAT partners.
- Set a positive example both on and off duty.

e) SEA and Safeguarding Focal Points must always: -

The SAYWHAT Executive Director /Board may designate the Head of Human Resources Officer/Head of Grants and Compliance as the SEA and Safeguarding Focal Point who shall work under the supervision of the Executive Director, with the Finance, Legal & Administration Committee playing an oversight function regarding policy review, implementation. The appointed SEA Focal person must always: -

- Work with others to create a safe environment where staff and others can raise concerns without fear of retribution.
- Ensure that this policy is displayed at prominent places within the office, as well as online, and make it accessible to all members of staff.
- Ensure that all inductions include a discussion of this policy.
- Deliver training to all staff on this policy and other policies within the SEA and other Safeguarding concerns remit.
- Work with others to ensure that the values, commitments, and procedures outlined in this policy are embedded throughout all SAYWHAT's programmes and activities and those of our partners.
- Ensure they raise all concerns and complaints relating to SEA and Safeguarding to the Human Resource Department.
- Set a positive example both on and off duty.

f) Human Resources must always: -

- Work with others to create a safe environment where staff and others can raise concerns without fear of retribution.
- Work to ensure that this policy is displayed at prominent places within the office and online and to make it accessible to all staff members.
- Work to ensure that all inductions include a discussion of this policy.
- Ensure that the values, commitments, and procedures outlined in this policy are embedded throughout the employee life cycle (including safer recruitment, performance management, and exit).
- Set a positive example both on and off duty.

g) All Persons working with SAYWHAT must:

- Adhere to the SAYWHAT Safeguarding Policy
- Promote a zero-tolerance approach to discrimination, sexual harassment and abuse in all working environments
- Place the safety and welfare of children and vulnerable people above all other considerations
- Report any concerns they may have about the behaviour of a SAYWHAT employee or volunteers in relation to safeguarding.

- Ensure the duty of utmost confidentiality is respected when such privacy and confidentiality become pertinent to the personal security of vulnerable persons.

h) All persons working with SAYWHAT must not:

- Physically, sexually, emotionally harass, assault or abuse another person including engaging in behaviour intended to shame, humiliate,
- Promote or participate in behaviour which is abusive, discriminatory, illegal, or unsafe
- Promote /condone or take part in action which is deemed sexual, exploitative or abusive of children or other vulnerable people.
- Conduct themselves in ways that may be violent, inappropriate or sexually provocative
- Encourage children to engage in private conversations which negatively impacts on their safety or the safety of other young persons.

6. DATA PROTECTION

SAYWHAT shall ensure that that any personal information in its custody remains confidential and where the need pass on such information has arisen , the express consent of the vulnerable person or their parent/guardian, is obtained in relation to a safeguarding incident.

In instances where SAYWHAT employees or volunteers have been contracted by other institutions/partners. SAYWHAT shall ensure that such contracting parties are adequately inducted on safeguarding policy and that they adhere to the SAYWHAT Safeguarding Standards.

7. SOCIAL MEDIA

Whilst SAYWHAT recognises the importance of social media in information dissemination and visibility of its work, the following measures shall be adopted for purposes of ensuring the safety and personal security of vulnerable persons;

- Specifically relating to protection of children, young people and vulnerable adults, we will: In instances involving children and vulnerable young persons, SAYWHAT shall ensure that its employees, volunteers and implementing partners do not use names and images of children, young people or vulnerable adults or use social media in a way which exposes such children and young persons or vulnerable persons to further vulnerability (including but not limited to degrading images, or showing sexual images of children naked or partially clothed).
- SAYWHAT shall not reproduce images and use names of children without the express consent of their parents / guardians.
- SAYWHAT shall continuously train and support the designated safeguarding officers in their work and in any action, they may need to take in order to protect vulnerable persons.

8. REPORTING

- SAYWHAT shall ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to staff and the communities we work with.
- Any staff reporting concerns or complaints through formal whistleblowing channels (or if they request it) shall be protected.
- SAYWHAT shall also accept complaints from external sources such as members of the public, partners and official bodies.
- The Safeguarding focal persons shall ensure that reports are made, and decisions and actions taken timeously.
- All cases of a criminal nature shall be referred to the police within 24 hours and it shall be the responsibility of Safeguarding focal person to ensure that appropriate protection and support is given to the vulnerable individual, and that any evidence is collected in accordance with the law .
- The Safeguarding focal person shall ensure that all sensitive and personal data is kept confidential (including the names of anyone who makes a report of abuse), and that where the need for sharing arises, it will be shared on a strictly 'need to know basis'.
- The Safeguarding focal person shall lead all investigations.

8.1 HOW TO REPORT A SAFEGUARDING CONCERN

Staff members who have a complaint or concern relating to safeguarding should report it immediately to their Safeguarding Focal Point (Head of Human Resources) or line manager. If the staff member does not feel comfortable reporting to their Safeguarding Focal Point (Head of Human Resources) or line manager (for example if they feel that the report will not be taken seriously, or if that person is implicated in the concern) they may report to any other appropriate staff member.

8.2 RESPONSE

Reporting: SAYWHAT has safe, confidential and accessible mechanisms and procedures for personnel, beneficiaries and communities, including children, to report SEA allegations that and ensures that beneficiaries are aware of these.

- SAYWHAT shall follow up safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations (see Procedures for reporting and response to safeguarding concerns in Associated Policies).

Investigation: SAYWHAT has a process for investigation of SEA allegations in place and shall properly and without delay conduct an investigation of SEA by its employees or related personnel or refer to the proper investigative body if the perpetrator is affiliated with another entity.

- SAYWHAT shall apply appropriate disciplinary measures to staff found in breach of policy.
- If, after proper investigation, there is evidence to support allegations of SEA, these cases may be referred to national authorities for criminal prosecution.

- - **Victim assistance:** SAYWHAT has a system to promptly refer SEA survivors to available services, based on their needs and consent.
 - SAYWHAT shall offer support to survivors of harm caused by staff or associated personnel, regardless of whether a formal internal response is carried out (such as an internal investigation). Decisions regarding support will be led by the survivor.
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- 9. COOPERATIVE ARRANGEMENT**
- All SAYWHAT contracts and partnership agreements include a standard clause requiring contractors, suppliers, consultants and sub-partners to commit to a zero-tolerance policy on SEA and to take measures to prevent and respond to SEA.
 - The failure of those entities or individuals to take preventive measures against SEA, to investigate allegations thereof, or to take corrective action when SEA has occurred, shall constitute grounds for termination of any cooperative arrangement.

10. CONFIDENTIALITY

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management should be shared on a need-to-know basis only, and should be kept secure at all times.

11. POLICY IMPLEMENTATION

Whilst the SAYWHAT Board shall overall be responsible for the implementation, review and monitoring effectiveness of this Policy, the direct oversight function shall lie with the Finance, Legal & Administration Committee with the Director offering supportive Secretarial function.

In giving effect to this Policy, the Finance, Legal & Administration Committee shall also make reference or draw from the relevant provisions in the Policies listed under Section 11 below.

12. ASSOCIATED POLICIES

- Code of Conduct
- Sexual Harassment policy
- Child Protection and Safeguarding policy

Human Resource Manual

13. CONTRAVENTION OF THIS POLICY

Any employee who commits an act of safeguarding misconduct as defined herein shall be guilty of an act, conduct or omission inconsistent with the fulfillment of the express or implied conditions of his/her obligations under this Policy.

THUS, DONE and SIGNED at HARARE on this day of 20

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BOARD FINANCE, LEGAL & ADMINISTRATION COMMITTEE CHAIRPERSON

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EXECUTIVE DIRECTOR