



triangle

GENERATION HUMANAIRE

no!
zero tolerance
for sexual exploitation and abuse



Safeguarding Policy for the Prevention of Sexual Exploitation and Abuse

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Declaration by Triangle Génération Humanaire

All forms of Sexual Exploitation and Abuse (SEA) by TGH staff and related personnel are a gross violation of human rights and an abuse of power over vulnerable persons. SEA can lead to serious, sometimes life-long, adverse consequences for survivors. TGH considers protection from sexual exploitation and abuse (SEA) to be a key concern in its activity. We take all cases of sexual exploitation and abuse very seriously and take all necessary measures to protect people within the framework of our activities.

The purpose of the TGH's **Safeguarding Policy for the Prevention of Sexual Exploitation and Abuse** is to ensure that TGH projects, workers, or others person working with or on behalf of TGH do no harm to vulnerable groups and to ensure that cases of misconduct are identified, reported, and addressed in an appropriate and timely manner.

The Safeguarding Policy for the Prevention of Sexual Exploitation and Abuse is based on point 4 of Article 4 of TGH's **General Code of Conduct**:

TGH has zero tolerance for any form of sexual abuse and/or exploitation targeting beneficiaries, members of communities in which we operate, or any other vulnerable person, regardless of whether the abuse is perpetrated by our personnel or authorized representatives acting on our behalf.

In particular, soliciting sexual favours in return for money, employment, goods, services or any form of assistance is strictly forbidden.

We consider that such abuses constitute serious misconduct. In accordance with the legal framework, and subject to any clearly substantiated exceptional circumstances, all cases of abuse will be reported to the relevant authorities and result in the termination of the contractual relationship. We wish to create and maintain a work environment that is conducive to the prevention of sexual abuse and exploitation. We constantly seek to communicate on and raise awareness of this issue to prevent the development of a culture of complacency and impunity.

As well as on:

- TGH's Child Safeguarding Policy
- TGH's Policy on Gender Equality and Protection from Gender Based Violence

- The Code of Conduct for the International Red Cross and Red Crescent Movement and for Non-Governmental Organizations (NGOs), of which TGH is a signatory
- Coordination Sud's Ethical Charter, of which TGH is a signatory.

Application and use

TGH's Safeguarding Policy for the Prevention of Sexual Exploitation and Abuse is aimed at all the staff of the association, both salaried employees and volunteers.

TGH's safeguarding Policy is intended to be a practical guide. It is therefore a constantly evolving document that must be reviewed regularly. The Policy is available to all staff, volunteers and interns, who will be required to get acquainted with it.

It also applies to implementing partners, sub-grantees or contractors, and in general to all the individuals involved in any way in TGH projects. This policy must be respected by the individuals concerned at all times, throughout their participation in TGH projects.

Key definitions

Sexual Exploitation

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 person.

Sexual Abuse

Sexual abuse is physical contact of a sexual nature, real or threatened, whether by force or under unequal or coercive conditions.

Sexual Harassment

Sexual harassment is characterized by the repeated use of words or conduct with sexual or sexist connotations, that compromises an individual's dignity

due to their degrading or humiliating nature, or that create an intimidating, hostile or offensive situation for the individual.

Gender Based Violence (GBV)

Gender-based violence (GBV) is violence perpetrated against someone because of his/her gender. Thus, SEA can be seen as a type of GBV, as victims of SEA are often abused because of their status as women, girls, boys or even men in some circumstances.

Core principles

Sexual exploitation and abuse constitutes **serious misconduct** and is grounds for **disciplinary measures**, including summary dismissal.

Sexual activity **with children** (persons under 18 years of age) is **strictly prohibited and may be subject to criminal prosecution and punishment**, regardless of the age of majority or local age of consent. An error in the assessment of the child's age is not an admissible defence.

Exchanging **money, employment, goods or services for sex** or any humiliating, degrading, or exploitive behaviour is prohibited. This concerns beneficiaries and job seekers.

Sexual relationships between staff and beneficiaries of assistance are strongly discouraged since they are based on **unequal power dynamics**.

Staff and related personnel are obliged to **create and maintain an environment that prevents sexual exploitation and abuse**. Managers at all levels have an additional responsibility in this regard.

Where a staff member has **concerns or suspicions** regarding sexual exploitation or abuse by a fellow worker, whether from TGH or another organization, **he/she must report** them through established reporting mechanisms.

Operational arrangements¹

1 – Appointment of Referents and Focal points²

Particular attention must be paid when appointing Referents and Focal points to ensuring the equal representation of women and men.

Referents and Focal points are appointed on a voluntary basis.

PSEA Referents

► **At TGH headquarters**, two Referents for the prevention and response to SEA are appointed: the technical referent for protection and education, and a member of the human resources department.

The HQ Referents ensure the dissemination and proper implementation of the PSEA Policy.

► **At mission level**, a Referent must also be appointed, from the expatriate team and/or senior staff. He/she will designate Focal points and coordinate the implementation of PSEA-related activities in the field.

PSEA Focal points

► **At mission level**, and depending on the configuration of the offices and teams, one or more SEA Focal points are designated by the PSEA Referents. The PSEA team must include at least one national staff member and represent the different languages spoken in the region of intervention.

The role of each PSEA Focal point must be mentioned in his/her job description. The Focal points are responsible for supporting the implementation of policies and activities related to PSEA, coordinated by the mission PSEA Referent.

1 - The tools mentioned are available in the PSEA toolbox on the TGH intranet

2 - ToR Referent and Focal Point

2 – Prevention

In order to ensure the appropriation, understanding and application of the **TGH PSEA Policy** at field level, Code of Conduct and framework documents need to be properly disseminated and understood among TGH teams (both national and international), as well as partner NGOs, in order to be applied.

Risk Assessment

An effective prevention of potential cases of Sexual Exploitation and Abuse requires that the risks of such cases are identified and anticipated. In that aim, TGH demands that:

- Partners, suppliers and contractors are assessed for contact with beneficiaries, and capacity to implement PSEA measures.
- Potential risks of Sexual Exploitation and Abuse presented by programs are identified and addressed³.
- Project plans include activities on PSEA awareness and sensitivity.
- Whenever possible, budgets include funding lines for capacity building and communications on PSEA.

Recruitment⁴

One of the essential steps in PSEA is the selection and recruitment of our staff. During the recruitment phase, we recommend:

- TGH's commitment to the Prevention of Sexual Exploitation and Abuse is clearly stated: in the recruitment area of the TGH website, when submitting online applications for expatriate positions, or on job offers for national positions.
- Periods of inactivity in the employment record are checked during the recruitment interview.
- PSEA-related questions are asked during the interview.
- At least two references from previous employers with questions about the candidate's conduct and behaviour are taken.
- Within the limits imposed by law, in programmes involving minors, and where possible within a reasonable period of time, a criminal record must be provided by employees. If this is not possible, a sworn statement of non-conviction for a crime or misdemeanour involving a minor will be required.

3 - PSEA risks assessment and management

4 - Guidelines for Safer Recruitment

- Employees sign employment contracts which include the TGH Policies and Code of Conduct as contractually binding appendices.

Partners & service providers

Similarly, partners (either local or international) and service providers must comply with minimum safeguarding standards.

- **Due diligence:** When engaging in a partnership with a new organization, TGH must include in the due diligence process an assessment of the partner's PSEA policy. Should partners' PSEA policy prove insufficient, TGH should either decide not to partner with the organization or accompany it in the application of measures which comply with the core principles outlined in page 6.
- **Contractual documents:** (partnership agreements, service contracts) must include a clause on the TGH PSEA Policy:

Zero Tolerance

TGH has a zero tolerance policy to any inappropriate behaviour by any person working for or with the organization: TGH staff; partners (local or international); service providers.

TGH strongly condemns all forms of corporal punishment or physical violence, threats of physical violence, sexual exploitation and abuse, harassment and verbal violence, as well as any form of intimidation.

- Operational partners and external service providers (consultants, trainers etc.) will be made aware of and trained in TGH's Code of Conduct, PSEA Policy, and the complaints and feedback mechanisms in the country of intervention
- Suppliers undertaking one-off interventions with no interaction with staff or beneficiaries will not be required to undertake training. The service provision contracts should however contain clauses which require compliance with the TGH PSEA Policy. All TGH employees, and partners and services providers are required to sign the Statement of Commitment⁵.

5 - Declaration of commitment for PSEA

Awareness & training of TGH staff

Training and awareness play a central role in the **Prevention of Sexual Exploitation and Abuse**. These efforts can help fill knowledge gaps, increase staff support on this issue and create a more open discourse on SEA, which remains a sensitive issue in many cultures.

- TGH's PSEA-related display materials must be displayed in all TGH premises, including field offices. They are also disseminated, in the local language, on project implementation sites where possible (e.g. schools)⁶.
- The pre-departure briefing of recruited staff shall include at least one briefing on PSEA.
- Specific training is provided to PSEA Focal points.
- Awareness sessions are organized, at least once a year⁷, individually or in groups to maintain staff awareness of the PSEA Code of Conduct and Policy⁸.

Within the framework of TGH Staff awareness/training, UNHCR's online training on PSEA is used as a mandatory minimum requirement. This training, provided to all staff on recruitment, is available in all TGH working languages via the website: **www.disasterready.org**.

3 – Reporting mechanism

Any allegation or suspicion of potentially illegal or inappropriate behaviour must be reported immediately.

Who can file a report?

The following people can file a report:

- Beneficiaries of projects implemented by TGH & its partners.
- TGH staff members.
- Persons officially representing a TGH partner organization.
- Individual staff members of a TGH partner organization.

6 - Visuel PEAS-TGH

7 - BDD/PSEA

8 - PEAS training

- Other stakeholders involved in the implementation of TGH activities, including local leaders, government officials, contractors and representatives of other NGOs.

How to file a report?

A dedicated email address, accessed only by the two headquarters PSEA Referents, is available to complainants who wish to express their concerns independently of the hierarchical chain of command and in the strictest confidence:

stopabuse@trianglegh.org

Complainants can also file complaints by any means available.

Complainants may submit a report by telephone, letter, e-mail, or verbally either directly to a Focal point, the Referent and/or the TGH Country Director, or to a member of TGH staff who will then be responsible for forwarding the report to one of the aforementioned people.

Each mission must put into place a dedicated phone line for complaints. The number for this phone line must feature in all the display materials produced in relation to PSEA. In every TGH office (coordination and bases), display materials should be displayed to inform complainants about the methods available for reporting an incident. These display materials must be produced in the local language(s).

TGH also encourages implementing other methods for reporting a complaint according to the mission context and setting: email address, complaints box, identifying a specific location and time at the TGH office when complainants can be received in person, community discussion groups etc.

4 – Processing of reports⁹

TGH commits to following the procedures below to ensure that reported cases are dealt with in a timely and efficient manner.

Obligation to report any alert or complaint

Any allegation or suspicion of **potentially illegal or inappropriate behaviour** brought to the attention of or witnessed by a TGH employee must be immediately reported to a PSEA Focal point or Referent and/ or to the Country Director.

⁹ - PSEA-Complaint Referral Chart

The mission PSEA Referent will pass the report on to the TGH headquarters PSEA Referents.¹⁰

If in doubt about a behaviour you have witnessed or heard about you are duty-bound to speak to the designated person (PSEA Referent or Focal point), who will guide you through the process.

If your PSEA Referent or Focal point is involved in the reported case, you can directly contact the Country Director or the HQ PSEA Referents.

Should you feel uncomfortable with this reporting procedure, you can use the aforementioned email address [**stopabuse@trianglegh.org**](mailto:stopabuse@trianglegh.org)

Remember: You have a duty to report any suspicion of inappropriate behaviour immediately.

Confidentiality

All reported cases should be treated confidentially, with a view to protecting the victim(s), complainant(s) and potential witness(es) and to ensuring the necessary presumption of innocence.

In some cases, it may be necessary to inform a third party, which should be decided on a case-by-case basis and with the consent of the complainant if possible.

Reports should be dealt with taking into account the specificities of each case and the risks involved for the parties concerned.

Verification of reported facts¹¹

TGH will use all necessary means to verify the reported facts.

Depending on the seriousness and complexity of the reported facts, TGH may choose to outsource the investigation process, using specialized external resources.

Depending on the seriousness of the allegations, TGH will refer the matter to the national and/or international police, in particular when:

- More than one incident has been reported.
- The inappropriate behaviour is repeated.
- The behaviour in question raises serious concerns.

¹⁰ - Report transmission form

¹¹ - PSEA Investigation Policy and Procedures

Before reporting to competent authorities, the Country Director and/or the mission PSEA Referent contacts the TGH headquarters PSEA Referents.

The PSEA Referents immediately inform the relevant Desk Officer and TGH Directors.

A crisis unit is then established similarly to the procedures that apply in the case of security incidents.

Listening to and referring victims

Particular attention will be paid to providing victims with a safe space to express themselves and be listened to.

Depending on the situation, the victims will be referred to the appropriate and specialized structures (medical, social, legal, police services for possible complaints, etc.).

Every area of intervention (capital and bases) must produce a list of available services.¹²

Disciplinary proceedings

Under the PSEA, and as set out in TGH's internal regulations, an employee who violates TGH's Policies or engages in inappropriate conduct is liable to sanctions ranging from a written warning to termination of employment without notice or compensation.

If the suspicions concern criminal acts, the case will be reported to the police by TGH management, or by delegation, the TGH Country Director.

For each SEA report a referral and follow-up report will be produced at the end of the investigation.¹³

12 - PSEA Service Mapping

13 - Orientation and follow-up report

5 - Monitoring¹⁴

At least once a year, the compliance with TGH's PSEA standards and procedures must be monitored.

By the headquarters Referents:

- Monitoring and review of Policy implementation and revision of Policy content as necessary.

By the Referent at mission level and by the Country Director, ensuring that the measures recommended for an efficient dissemination and understanding of TGH PSEA Policy are effective:

- Availability of the Policy in local/regional/national languages to ensure that it is understood by all stakeholders (TGH, partner teams and beneficiaries).
- The translations of the Policies are on public display in the TGH offices (coordination and field offices).
- Identification of PSEA Referents and Focal points at the coordination/sub offices level
- Awareness-raising all stakeholders and staff on Sexual Exploitation and Abuse issues through workshops and/or interactive training. The dates of the training/awareness-raising sessions and the participants are recorded in a database.
- Integration of Policies into the employee briefing programme / pre-departure briefings or initial briefing for national employees.
- Upskilling of Focal points
- Verification that TGH's Policies and complaint mechanisms are clear and clearly displayed to allow suspected or actual abuse to be reported.
- Verification that the contractual documents (partnership agreements, service contracts) include a clause on the TGH PSEA Policy.
- Verification that the different recruitment-related procedures are applied.
- Verification that complaints or reporting mechanisms (to be defined according to the country context and possibilities: hotline, community focal points, etc.) are in place and that the beneficiaries are aware of them to enable the reporting of potential abuses committed by TGH staff or partners.
- Verification that any suspicion of abuse/report is addressed, dealt with, and that appropriate action is taken in a timely manner.

14 - Evaluation Grid PSEA

- Verification of the updating of the list of service providers for victims (medical, social, legal, police to report a case or press charges etc.).

Other resources

- Global PSEA Task Force – Tools: <http://www.pseataaskforce.org/>
- Interaction Prevention of Sexual Exploitation and Abuse Training Guide, December 2013.
- CHS Alliance https://d1h79zlgfht2zs.cloudfront.net/uploads/2019/07/PSEA_Handbook.pdf
- OCHA, Inter-Agency Training for PSEA Focal Point, (see PSEA Taskforce website, “Focal Point”)



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