

PREVENTION OF SEXUAL EXPLOITATION, ABUSE AND HARRASSMENT (PSEAH) POLICY

FEBRUARY 2021

INTERNATIONAL NEEDS GHANA

SUBJECT: PREVENTION OF SEXUAL EXPLOITATION, ABUSE AND HARRASSMENT (PSEAH) POLICY

OBJECTIVE: To establish the framework and clear procedures for the prevention of sexual exploitation, abuse and harassment in the operations of INGH.

DIRECTED AT: INGH Management, Staff, Volunteers, Contractors, Agents and partners.

POLICY STATEMENT: This policy is to ensure that INGH creates a work culture and an environment where the dignity and respect for all staff and INGH's community members are promoted in all its practices and operations through the prevention and prompt response to any complaint of sexual exploitation, abuse and harassment.

1.0 Policy Introduction

International Needs Ghana (INGH) is a global partner of a worldwide partnership of Christian organizations fulfilling the commission of Jesus Christ, supporting each other to see transformed lives, families and communities. The goal of INGH is to promote human and community development, for the relief of socio-economic problems and cultural injustice, with a focus on women and children.

INGH recognises that human rights apply to people of all ages and at all places, including the workplace. INGH further recognises that vulnerable adults, women and children within INGH and its communities are particularly at risk to sexual exploitation, abuse and harassment at various levels and places. It is in this regard that INGH has formulated this Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy to ensure that it creates a work culture and an environment where the dignity and respect for all staff and INGH's community members are promoted in all its practices and operations. INGH believes that the principles of dignity and respect for every person is an outward expression of our Godly love and care for each other.

INGH has a zero tolerance for sexual exploitation, abuse and harassment and will not tolerate its staff, volunteer, agent or contractor and any member of the INGH's communities tasked with performing any form of its operations to engage in any form of sexual exploitation, abuse and harassment. INGH is thus committed to protecting all communities that it works with from sexual exploitation, abuse and harassment at all times.

2.0 Purpose of the PSEAH Policy

The purpose of the PSEAH policy and procedures is to establish the framework and clear procedures for the prevention of sexual exploitation, abuse and harassment in the operations of INGH. This policy ensures that all INGH staff, volunteers, Contractors, associates, and partners are aware of their role and responsibilities in keeping staff, communities and stakeholders safe from any form of sexual exploitation, abuse and harassment. The policy also clarifies definitions and responsibilities regarding prohibited behavior and outlines procedures for reporting and investigating SEAH.

3.0 Definitions of terms

For the purposes of this Policy, SEAH refers to Sexual Exploitation, Abuse and Harassment, and PSEAH refers to the Prevention of Sexual Exploitation, Abuse and Harassment.

3.1 Vulnerable adults are defined as those aged over 18 years and who identify themselves as unable to take care of themselves or to protect themselves from harm or exploitation; or who, due to their gender, mental or physical health, disability, ethnicity, religious identity, economic or social status, or as a result of disasters and conflicts, are deemed to be at risk.

3.2 Sexual Exploitation is actual or attempted abuse of a position of vulnerability, power or trust, for sexual purposes including but not limited to profiting monetarily, socially or politically from the sexual exploitation of another.

3.3 Sexual Abuse is actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. All sexual activity with a child (someone under the age of 18) with or without consent is sexual abuse.

3.4 Sexual Harassment is unwelcome conduct of a sexual nature which makes a person feel offended, humiliated, and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situation which create an environment which is hostile, intimidating or humiliating for the recipient.

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 as well as staff and stakeholders.

3.5 Sexual Exploitation, Abuse and Harassment (SEAH) occurs when a position of power is used for sexual purposes against a staff, beneficiary or vulnerable member of the community. It includes sexual relations with a child, in any context, defined as a human being below the age of 18 years.

Acts of SEAH include but not limited to:

- Attempted or actual sexual assault (including non-consensual kissing and touching)
- Demanding sex in any context or making sex a condition for assistance.
- Forcing sex on someone or forcing someone to have sex with another person.
- Forcing a person to engage in prostitution or pornography
- Unwanted touching of a sexual nature.
- Refusing to use safe sex practices
- Attempted rape (including attempts to force someone to perform oral sex)
- Videotaping or photographing sexual acts and posting it without permission
- Unwelcome touching, including pinching, patting, petting, rubbing or purposefully brushing up against a person

4.0 Policy Principles

This policy is guided by the following principles:

4.1 Zero Tolerance

INGH has zero tolerance for any form of sexual exploitation, abuse and harassment.

4.2 Shared Responsibility

The prevention of sexual exploitation, abuse and harassment and the implementation of this policy is a shared responsibility across all levels of the organization. Board of Directors, Management, all INGH staff, Volunteers, Contractors, Consultants, Agents and partners are obliged to report incidents of SEAH or alleged breaches of this policy

4.3 Safeguarding

INGH is committed to all staff and the INGH community members as having the right to safeguarding and protection from sexual exploitation, abuse and harassment irrespective of ability, ethnicity, faith, gender, sexuality, disability and culture. A key principle within this is that all processes are survivor-led. INGH commits to survivors leading the complaint process where it is possible and appropriate to do so.

4.4 Effective Communication

INGH effectively communicates with all staff, volunteers, contractors, agents and partners in simple and accessible language to create a positive and accessible culture where responsibilities for PSEAH are concerned. INGH will ensure accountability and transparency of handling of all cases of alleged breach of this policy.

4.5 Continuous Improvement

INGH provides assessment, reflection and feedback mechanisms to inform the organisation of any improvements that can be made to policies and practices. These mechanisms include refresher training, quarterly incident reviews, annual safeguarding audits and regular review of the policy.

4.6 Dignity and Respect

INGH creates a work environment where the principles of dignity and respect for all staff, Volunteers, Contractors, Agents and partners, in all locations are at the heart of what the organisation does. A key principle within this is that of being non-judgmental when hearing the concerns and complaints of survivors of sexual exploitation, abuse and harassment.

4.7 Confidentiality

INGH is committed to confidentiality, information will not be shared outside of the Safeguarding Committee unless it is necessary, and the safety of the person involved is a concern.

4.8 Gender Equality

Gender equality principles will guide this policy. INGH recognizes that sexual exploitation, abuse and harassment is a form of sexual and gender-based violence.

5.0 Scope of Policy Application

SEAH represents a breach of trust with the project communities INGH operates in. This policy is applicable to every person who shares in the work of International Needs Ghana, including

- Board of Directors
- Management Team
- Staff
- Volunteers/Interns/National Service Personnel
- Contractors/Consultants/Suppliers
- Partners /Donors

6.0 Statement of Commitment

INGH is committed to a zero-tolerance environment for Sexual Exploitation, Abuse and Harassment and will strive to consciously create an organizational culture that mitigate the risk of SEAH within our organization and project communities.

In aiming to prevent SEAH, INGH is committed to:

- Intentionally implementing recruitment processes aimed at preventing infiltration by SEAH perpetrators.
- Building awareness among staff, volunteer, interns, contractors and partner organizations concerning women's rights and gender equality in recognition that SEAH is often a form of gender-based violence stemming from gender inequality.
- Ensuring that visitors engaging with project communities understand INGH's zero tolerance position on SEAH.
- Strengthening our capacity to deal with SEAH, including training staff on PSEAH.
- Implementing a fast-track complaints handling mechanism for SEAH and making this available to staff and relevant stakeholders.
- Investigating any complaint or concern about SEAH thoroughly, with regards to confidentiality, including referrals to relevant law enforcement agencies.

INGH staff, Volunteers, Contractors, Agents, Partners, and field visitors must:

- create and maintain an environment that prevents sexual exploitation and abuse and promotes the implementation of this Policy.
- never support or take part in any form of sexually exploitative or abusive activities, for example; transactional sex, i.e., exchange of assistance that is due to participants (including money, goods, services) for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior. Sexual activity with children (persons under the age of 18) is prohibited regardless of the local age of consent. Mistaken belief in the age of the child is not a defence.
- not enter into sexual relationships with beneficiaries in our project communities, in recognition that there is an unavoidable power imbalance between INGH representatives and community members.
- not engage in any act of grooming and/or coercion of a child or vulnerable adult for the purposes of obtaining sex.
- not engage in any act of sexual harassment including unwelcome sexual advances or requests for sexual favours i.e. in exchange for employment, promotion and others.
- not engage in child marriage (marriage to anyone under the age of 18) will be in violation of the PSEAH policy. As per the definition of child marriage, anyone under the age of 18 is not able to give or withhold consent and is considered a form of sexual violence. Any staff married to a child under the age of 18 as per the custom or law of their community, before the INGH PSEAH policy came into force will not be subject to disciplinary action. INGH, however, prohibits any such relationship from occurring once the PSEAH policy comes into effect.
- report any concerns or suspicions they have regarding possible violations of this SEAH Policy through INGH's complaint handling mechanism.

- avoid fraternizing with project community members while engaged in INGH business, where fraternizing is defined as any relationship that involves, or appears to involve partiality, preferential treatment or improper use of rank or position.
- prioritize the safety, well-being and dignity of victims/survivors who report SEAH incidents.
- respect the confidentiality of any information regarding SEAH complaints made known to them.

The INGH Board will be responsible for developing the systems that maintain a zero-tolerance environment for SEAH. The Executive Director will have policy implementation backstop. Managers will have operational responsibility ensuring activities of the Units adheres to the requirements of SEAH. Staff and relevant stakeholders must endeavor to act aptly in accordance with the requirements of SEAH.

Any staff, volunteer, agent, or partner who is in violation of the PSEAH policy will face disciplinary procedures, which may result in disciplinary action, termination of employment or contract and/or referral to the appropriate law enforcement agency or legal authority for prosecution. All complaints of such nature will be taken seriously and treated with respect and in confidence. No one will be victimized for making such complaint.

7.0 Code of Conduct/ Behaviour Protocols

The following shall serve as a behaviour protocol on SEAH for every person who shares in the work of INGH including staff, volunteers/ facilitators, contractors and partners. These behaviour protocols will reflect in INGH Child Protection Code of Conduct. This document shall be signed by all persons concerned.

7.1 Prevention of SEAH

INGH will take steps to ensure the prevention of sexual exploitation, abuse and harassment internally and externally. These measures will be as follows:

- No offer of appointment will be made by INGH before **background check** of an applicant has been completed. (Clearance from the Ghana Police Service shall be completed and submitted).
- INGH will prepare and provide a communication strategy to support the dissemination and implementation of this policy and to raise awareness on the issue of PSEAH and its potential ramifications. The plan will include: Availability of this policy on INGH's Internet websites, attached to appointment letters and all communications avenue at all levels of the Organization.

- Managers shall act as role models by upholding the highest standards of conduct without regard to their power and their position in the organization and promote a harmonious working environment in which staff feel safe to express concerns about inappropriate behaviors and to use, without fear of reprisal, all recourse mechanisms and services available to them.

8.0 Procedures and Reporting Processes

INGH encourages those who have suffered SEAH in relation to our work to report incidents, as this enables us to investigate the complaint (unless this is against the wishes of the survivor), to mitigate risks of harm to others and to improve prevention and response strategies. INGH's process for reporting SEAH is as follows:

1. Throughout the reporting and investigation process, INGH will take a complainant/survivor-centered approach, prioritizing the rights, needs and wishes of the survivor, including treating them with dignity and respect, providing them with comprehensive information and involving them in decision making. As such, no action will be taken which may put the survivor at risk of further harm, or which disregards their wishes.
2. All INGH representatives are required to immediately notify their immediate Unit Manager if any person working or volunteering in a community are accused/ alleged of, charged with, arrested for criminal offences relating to sexual exploitation and abuse via INGH's Child Protection Policy or SEAH. If the allegation relates to a Unit Manager, the Executive Director shall be the person instantly informed. If the allegation relates to the Executive Director, the Chair of the Board of the INGH shall be the person immediately notified.
 - a. Unit Managers will participate in a biannual refresher session on PSEA to be abreast with their obligations.
 - b. Unit Managers will sign on to INGH's code of conduct as a form of obligation to ensure harmonious working environment
3. The Board Chair of International Needs Ghana shall be copied on all complaints. Upon Receipt, he/she shall designate a member of the Board to follow up on the complaint (s). The Board shall sanction a 5-member ad hoc committee made up of a senior management person, 3 staff members across different units of the organization and an external expert on PSEAH to investigate the alleged

complaints and the investigation report submitted for the needed action to be taken. Any such investigative committee must ensure that there is diversity and equal gender representation on the committee.

4. Our Global Partners are required to immediately notify our Executive Director if any staff/visitor working on behalf of INGH in the global partner's country is accused/suspected of, charged with, arrested for or convicted of criminal offences relating to SEAH.
5. Any person making such a report should NOT:
 - Notify the person to whom the claim or allegation relates
 - Seek to independently investigate or substantiate the claim prior to making any notification. The emphasis is on immediate and mandatory reporting.
6. The responsibility to follow up the report and to liaise with relevant investigating authorities' rests with the Executive Director (where the accused is sent from or associated with INGH) or the partner CEO (where the accused is not sent from or associated with INGH). Alternatively, such responsibility lies with the Chair of the INGH Board or the Board of the global organisation.
7. The head of the investigation committee shall partner with the Executive Director to report alleged criminal incidents or incidents posing a reputational risk, to the appropriate state agencies within five (5) working days of INGH becoming aware of the alleged incident. Partners and donors will be informed if any incident of SEAH is identified and how the incident has been resolved.
8. By default, all alleged incidents with criminal aspect will be reported to the appropriate law enforcement agencies. If there is a legitimate reason not to do so due to survivor well-being, this will be documented within the investigation report. In this case, all possible measures will be taken by INGH and the partner organisation, to prevent future occurrences.
9. The Board Chair of International Needs Ghana shall be copied on **all complaints**. Upon Receipt, he/she shall designate a member of the Board to follow up on the complaint (s).

Policy Review

- INGH will review this policy every three years.

Policy Linkage

- INGH Child Protection Policy
- Policy on Sexual Harassment in the HR manual
- INGH Whistle blower policy
- INGH Complaints Handling Mechanism Policy

Legal Framework

- UN Convention of the Right of the Child (UNCRC)
- The African Charter on the Rights and Welfare of the Child (ACRWC)
- The Domestic Violence Act 2007 (Act 732)
- The Children's Act 1998 (Act 560)