

Prevention of sexual exploitation, abuse and harassment policy (PSEAH)

Content

Introduction - scope.....	1
Statement of commitment.....	2
Policy Principles.....	2
Definitions of terms.....	2
Prevention and Standards of conduct.....	3
Communication.....	3
Reporting and Support.....	4
Investigation and Sanctions.....	4
Scope of application.....	5
Policy management.....	5

Introduction - scope

This policy applies to all SolidarMed staff, at all times, regarding their interactions with beneficiaries, partners, funders and the public. All SolidarMed must

- Behave ethically, treat all individuals with dignity and respect, and abstain from engaging in any acts of sexual exploitation, abuse or harassment.
- Contribute to an environment where all staff and beneficiaries are able to recognize unacceptable behaviour and feel able to discuss their rights and concerns. Managers in particular have a responsibility to uphold this environment.
- Raise concerns promptly, in accordance with applicable reporting procedures, regarding any case of suspected sexual exploitation, abuse or harassment.
- Cooperate fully with any SolidarMed investigation, with respect for the privacy of all concerned and with particular sensitivity to victims' autonomy and welfare.

Statement of commitment

SolidarMed does not tolerate sexual exploitation, sexual abuse or sexual harassment.

SolidarMed recognises that the nature of its humanitarian and development initiatives can lead to abuse and further inequity of power within the communities it works. It therefore requires vigilant attention to maintain the highest professional and ethical standards.

SolidarMed is committed to promote non-discriminatory and respectful behaviour, where misconduct is not accepted, where power is not abused, and where vulnerabilities and power inequality are not exploited.

The purpose of this policy is to create a secure environment for beneficiaries and members of the public and to protect children and vulnerable adults from any harm that may be caused due to their coming into contact with SolidarMed.

Policy Principles

SolidarMed has adopted the following guiding principles:

- Zero tolerance of sexual exploitation, abuse of power and harassment in any form
- Zero tolerance of inaction of incidents of sexual exploitation and harassment
- Shared responsibility
- Gender equality
- Accountability and transparency
- Victim -centred
- Operating and procedural fairness

Definitions of terms

Beneficiary: a person, other than another SolidarMed staff member, who receives assistance from the activities of SolidarMed and is therefore in a position of some reliance or dependency toward SolidarMed

Child: any individual under the age of 18, irrespective of local country definitions of when a child reaches adulthood

Sexual abuse: The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions

Sexual exploitation: Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from sexual exploitation of another.

Sexual harassment: Unwanted physical, verbal or non-verbal conduct of a sexual nature that can include indecent remarks or sexual demands.

Staff/staff member: a person who works full- or part-time for or represents SolidarMed, whether or not s/he is compensated monetarily for such work or representation. This includes volunteers and interns.

Transactional sex: The exchange of money, employment, goods, services or other benefit for sex, including sexual favours.

Victim: the person who is, or has been, sexually exploited, abused or harassed

Prevention and Standards of conduct

Sexual exploitation, sexual abuse and sexual harassment constitute acts of serious misconduct, and any violation of these standards may be grounds for disciplinary action up to and including immediate termination of the working relationship. Any SolidarMed staff member who commits acts of sexual exploitation, sexual abuse, or sexual harassment may also be subject to criminal prosecution or other legal action under applicable laws.

SolidarMed staff shall not engage in acts of sexual exploitation or knowingly benefit from the sexually exploitative acts of others. For example, if a SolidarMed staff member uses his/her position or authority to solicit sexual favours in exchange for benefits, this constitutes sexual exploitation.

SolidarMed staff shall not engage in acts of sexual abuse or knowingly benefit from the sexually abusive acts of others. For example, if a SolidarMed staff member uses force or coercion to engage in sexual acts, this constitutes sexual abuse. Such acts include, but are not limited to, kissing or groping through to serious sexual assault.

SolidarMed staff shall not engage in acts of sexual harassment. For example, if a SolidarMed staff member makes unwelcome verbal or physical advances, sexual or sexually charged jokes, or written or spoken references to sexual conduct and/or gossip regarding one's sex life, this constitutes sexual harassment.

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 a child is not a defence.

Offering or providing SolidarMed benefits such as employment, goods, or services in exchange for sexual activity, or offering or arranging the sexual activity of another person as part of such an exchange, is strictly prohibited.

SolidarMed strongly discourages any sexual activity between SolidarMed staff and beneficiaries who interact directly in connection with assistance the beneficiaries receive, where inherently unequal power dynamics may undermine the credibility and integrity of SolidarMed's work. A staff member may consult with their Country Director for guidance on the appropriateness of a particular relationship.

Where a SolidarMed staff member develops concerns or suspicions regarding sexual exploitation, abuse or harassment by a fellow worker, whether at SolidarMed or another organization, he/she must report such concerns via one of the complaint reporting procedures outlined below.

All SolidarMed staff members and board are obligated to create and maintain an environment that prevents sexual exploitation, abuse, and harassment. Managers at all levels must support and develop systems that maintain this environment and act immediately in response to any reported concerns. Managers at all levels must follow reporting procedures regarding concerns raised with them.

In its HR screening and recruitment processes, SolidarMed is committed to implement recruitment and screening processes when engaging new personnel that verifies the integrity of the applicant through reference or record checks.

Communication

SolidarMed provides an induction on PSEAH to all staff, including expected standards of conduct as detailed in this policy and information on the consequences of failure to fulfil those standards of conduct. SolidarMed will ensure that staff have full access to the mechanisms to report alleged incidents of SEAH.

Partners of SolidarMed will receive a copy of this policy and be asked to review it and acknowledge they will adhere to its content.

Reporting and Support

SolidarMed has an appointed PSEAH focal person to ensure full compliance with and adherence to this policy.

All SolidarMed employees' subject or witness of sexual exploitation, abuse and harassment are encouraged to report the incidents as soon as possible. Subjects of exploitation, abuse and harassment are encouraged to also seek psychological, professional and legal support. SolidarMed takes all reports and concerns seriously and acts on them immediately. In investigating concerns or allegations of sexual exploitation, abuse and harassment, SolidarMed ensures that principles of justice prevail.

Anyone who deliberately makes a malicious report (e.g. falsifies a concern) will be subject to disciplinary action, to the extent permitted by applicable law.

Process to report an allegation of suspected or actual sexual exploitation, abuse or harassment:

Who can make a report?	SolidarMed staff, partners and beneficiaries.
What should be reported?	Any allegation regarding sexual exploitation, abuse or harassment. Any suspected breaches of SolidarMed's PSEAH Policy.
When should it be reported?	Reports and/or concerns should be made immediately and as soon as possible becoming aware of an alleged incident.
Whom should it be reported to?	SolidarMed staff may contact his/her manager or the SolidarMed PSEAH focal point.
How should the report be made?	Reports can be made verbally initially and are then required in writing. SolidarMed will provide a reporting form, reporting procedures and channels for suspected cases of sexual exploitation, abuse and harassment.

Investigation and Sanctions

SolidarMed will conduct a preliminary assessment of the situation and determine whether on the basis of the information at hand there has been a criminal act or a breach of code of conduct.

If there has been a breach of the code of conduct, then a formal internal investigation process will be undertaken by a SolidarMed committee.

- Gather and study background material and documentary evidence
- Interview complainant
- Interview victims if different from above
- Interview witnesses if existing
- Interview subject of complaint
- Write investigation report
- Conclude the investigation with recommendations

Depending on the severity, incidents will also be reported to the appropriate law enforcements authorities and consideration given to whether the internal process will be postponed during the legal investigation.

During the investigation, SolidarMed will ensure a maximum level of confidentiality, security and impartiality.

Also, SolidarMed will not tolerate any form of retaliation, victimization, or adverse employment consequence against any SolidarMed staff member who expresses concerns or lodges a good faith complaint under this policy.

If the investigation concludes that SolidarMed's PSEAH policy has been breached, SolidarMed will apply sanctions. Their level depends on the severity of the proven incident and can range from demanding an excuse over a written warning letter until the immediate ending of the working relationship.

Additional legal sanctions can result from any legal action undertaken by the law enforcement authorities.

During and after an investigation, any person who has knowledge of a report or complaint must respect the sensitivity of the matter and the need to protect the identities, privacy and reputation of the alleged subject of the complaint, the complainant, reporter, alleged victim and any witnesses. Individuals who do not cooperate with an investigation or who breach confidentiality strictures will be subject to disciplinary action, to the extent permitted by applicable law.

Scope of application

These PSEAH regulations apply to all employees with a SolidarMed contractual working relationship, including board members, trainees, volunteers and consultants. The SolidarMed PSEAH regulations are an integral part of their working or consultancy contract.

All partners, contractors and funding representatives will be alerted about SolidarMed's PSEAH regulations and asked to respect them.

Policy management

- Policy approval date: 29.09.2019
- Policy approved by: SolidarMed board
- Policy version: 1.0
- Next review date of the policy: Not regularly planned
- This policy is available only in English