

PREVENTION AND PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE POLICY

A. GENERAL

Centre for Knowledge and Development (CKD) (hereinafter referred to as “the Organisation”) places human dignity at the centre of its work. The Organisation takes seriously all concerns about sexual exploitation and abuse and complaints about them brought to its attention. The Organisation initiates rigorous investigation of complaints that indicate a possible violation of this Policy on Prevention and Protection from Sexual Exploitation and Abuse (“the Policy”) and takes appropriate disciplinary action, as warranted. This policy applies to complaints of sexual exploitation and abuse involving CKD employees and related personnel.

B. ACKNOWLEDGEMENT

All employees (including the entire workforce as defined under **E. SCOPE**) will acknowledge the acceptance of this Policy by signing a ‘**Declaration**’ form provided at the end of this Policy.

Failure to acknowledge this Policy may result in the ceasing of benefits accorded to an employee/ consultant of the Organisation, including annual appraisals and/or revocation of employment/ agreement with the Organisation.

C. REFERENCES

1. Child Protection Policy
2. Policy for Prevention of Sexual Harassment.

D. PURPOSE

The purpose of this Policy is to provide guidance on prevention and protection from sexual exploitation and abuse issues and to make the staff members, including project team members (including the entire workforce as defined under **E. SCOPE**), aware of their responsibilities/ duties this Policy places on them towards third parties, referred to as “beneficiary” populations, to ensure the integrity of the Organisation’s activities.

E. SCOPE

This policy applies to the complaints of sexual exploitation and abuse involving the entire workforce in the Organisation, including employees, whatever their status (including those on contract), subcontractors, sub-consultants, and/ or any other parties having business relations with the Organisation.

F. DEFINITIONS

1. Sexual Exploitation

Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes, including, but not limited to, threatening, or profiting monetarily, socially or politically from the sexual exploitation of another. Sexual exploitation and abuse also include sexual relations with a child. For the purpose of this Policy, a child is defined as any person below the age of 18 (eighteen) years.

2. Sexual Abuse

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

3. Sexual Exploitation and Abuse

Abuse or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes or the actual or threatened physical intrusion of a sexual nature by UN personnel, their implementing partners or other aid workers, against the people they serve.

4. Beneficiary

Refers to people the Organisation works with and/or serves or seeks to assist across the world, who are typically in situations of vulnerability and dependence vis à vis the Organisation's staff. Beneficiaries include direct or indirect recipients of the Organisation's services in any project country/ area.

G. POLICY

1. Policy Statement

The Organisation is committed to the dignity and equality of all people in all the programmes and projects the Organisation undertakes - and especially to the principle that its projects should 'do no harm'. The Organisation is committed to create a safe environment for beneficiaries, including communities and vulnerable groups, especially women & children. The Organisation considers an act of sexual exploitation and abuse as serious misconduct, which may constitute grounds for disciplinary measures, including dismissal and criminal prosecution.

2. Principles

This Policy is informed by a set of principles which include:

- i. Sexual exploitation and abuse by CKD staff members constitute an act of gross misconduct and is therefore grounds for termination of employment.
- ii. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. A mistaken belief regarding the age of a child is not a defence.
- iii. Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited. This includes the exchange of assistance that is due to beneficiaries.
- iv. Any sexual relationship between CKD staff member and beneficiary that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.
- v. Where a CKD staff member develops concerns or suspicions regarding sexual abuse or exploitation by a fellow staff member, whether in the same organisation or not, he or she must report such concerns via established reporting mechanisms.
- vi. CKD staff members are obliged to create and maintain an environment that prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems that maintain this environment.

The above principles also extend to those individuals or organisation(s) associated with the Organisation. Therefore, everyone working for or associated with CKD's work must be aware of and adhere to the provisions of this policy.

H. ROLES AND RESPONSIBILITIES

1. Chief Mentor

As the custodian of the Policy on Prevention and Protection from Sexual Exploitation and Abuse, Chief Mentor approves the Policy and its subsequent revisions.

2. Human Resource (HR)

Human Resource Department is responsible for implementation and monitoring the obligations under this Policy and is accountable for establishing and maintaining ethical culture. HR must ensure that it applies highest standards in its recruitment and vetting policies across the Organisation.

3. Department Heads/ Managers

Department heads/ managers are required to take active steps to ensure that every individual staff member(s) who are responsible to them are aware of the Policy and ensure their adherence to this policy.

4. Individual Staff Member

- vii. Individual staff members have a responsibility to ensure that vulnerable individual/s are protected. Staff members have a duty to behave ethically and report suspicions of sexual exploitation and abuse which they may become aware of.

5. Subcontractor/ Sub-consultant

Subcontractor(s)/ Sub-consultant(s) have a responsibility to ensure proper behaviour towards vulnerable population including project beneficiaries that is appropriate to their engagement with CKD.

If requested by the Client, each subcontractor must prepare and follow an appropriate Prevention and Protection from Sexual Exploitation and Abuse Policy and Procedures.

6. Nodal Officer

The role of the Nodal Officer includes responsibilities such as receiving and acting upon any reported concerns, ensuring the Policy is implemented and promoted, promoting best safeguarding practice across the wider partnership network, acting as a first point of contact for the Organisation on issues of sexual exploitation and abuse, both internally, and for members of the public and other external contacts, and more.

Where a member of the workforce develops concern or suspicion regarding sexual exploitation and abuse or exploitation by fellow worker/s, whether in the Organisation or not, s/he must immediately report such concern via established reporting mechanisms.

I. CODE OF CONDUCT

- ☞ Ensure that personal and professional conduct is, and is seen to be, of the highest standard and in keeping with the Organisation's Vision, Mission and Core Values and does not bring the Organisation into disrepute
- ☞ Take reasonable action to protect others from harm and to challenge infringements of the rights of others. The duty to protect others is greater in the case of vulnerable beneficiaries
- ☞ Take measures to protect children, young people and vulnerable adults, including refraining from physically and verbally abusing vulnerable adults including children (even where this is culturally acceptable) and use non-violent methods to manage beneficiary's behaviour (both within and outside the workplace)
- ☞ Always create and maintain an environment that prevents all forms of abuse and exploitation. Managers at all levels have a particular responsibility to support systems that maintain this environment
- ☞ Not use their position to sexually abuse or exploit those who are beneficiaries of services provided by or channelled through the Organisation
- ☞ Not use language or behaviour towards beneficiary that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- ☞ Not engage in any type of sexual relationships with any person under the age of 18 regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defense.
- ☞ Never exchange money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour

- ☞ The Organisation's expectation is that all contact with vulnerable beneficiary especially female individual (whether by phone, email or direct contact) should be supervised, accompanied, or at least in sight of other adults. We recognise that situations may arise where this cannot be the case for urgent or for practical reasons. Where there is a lone adult working with one or more beneficiary especially vulnerable, the line manager should be informed upfront or as soon as possible.
- ☞ Never take beneficiary especially women and children with whom the staff member has established contact through their work to their home where they will potentially have lone contact with the beneficiary
- ☞ Staff member will not be intoxicated under the influence of alcohol or drugs while in the presence of beneficiary
- ☞ Refrain from showing favouritism to particular individual to the exclusion of others, or inconsistent application of rules, nor will they engage in any corrupt practice that may bring favour or disfavour onto particular individuals
- ☞ Take permission from individual and her/his parent/ guardian before clicking photos or taking videos of them

J. PREVENTIVE MEASURES

i. Recruitment

The Organisation strives to ensure that it applies highest standards in its recruitment and vetting policies across the organisation, as laid out in HR Manual. Recruitment and selection procedures reflect our commitment to prevention and protection from sexual exploitation and abuse.

- ☞ All adverts for recruitment state that CKD is an equal opportunity employer.
- ☞ All appointments are subject to reference checks including where relevant, suitability to work with children.
- ☞ The Organisation does not employ any staff member (including those on contract) below the age of 18 years and where, during or upon recruitment, concerns come to light in relation to the applicant's unfavourable conduct with women & children.

ii. Training/ Awareness

All staff members receive prevention and protection from sexual exploitation and abuse training to make them aware of the importance of preventing sexual exploitation and to be fully aware of procedure for reporting the concerns. The trainings in the following stages:

- a. Induction of new employees
- b. Universal training/ awareness programme for all staff members
- c. Tailored training as per the requirement of programme/ project.

K. REPORTING PROCEDURE

Staff members and other personnel are duty bound to disclose any Sexual Exploitation and Abuse concerns, including non-compliance of this Policy by anyone within the scope of this Policy in connection with official duties or business, immediately upon identification. Failure to report any Sexual Exploitation and Abuse concerns including violation of this Policy shall invite disciplinary action, upto and including termination.

Whom to report?

Any staff member including beneficiaries, who suspect wrong-doing or are themselves subject to sexual exploitation or abuse, directly or indirectly, may submit a complaint of the alleged incident to the Nodal Officer in writing or through email or via SMS/ WhatsApp or by post/ courier:

Ms. Sukriti Jain

Lead Manager

IPE Global Centre for Knowledge & Development (CKD), B-84, Defence Colony, New Delhi – 110024, India

Phone : +91 11 40755900; Extn.: 272

Mobile : +91 88002 86106

Email : sukriti.jain@ipeckd.org

Where the concern has been submitted with Department Head/ Supervisor, the same will be duly forwarded to Nodal Officer for investigations.

What to report?

If any staff member suspects sexual exploitation or abuse, or if an external beneficiary reports to the Organisation a suspicion or allegation relating to the Organisation's staff or activities, the following steps should be taken:

- ☞ Avoid any delay
- ☞ Write down what you've heard or seen
- ☞ Email or record the suspicion/ concern with the nodal officer (refer above – **Whom to Report?**)

The report must specify the nature of the suspicion/ concern and name(s) of the alleged abuser. The suspicion/ concern should include date and time of specific event(s), names of witnesses, if any and/or any evidence that support the allegation(s).

L. INVESTIGATIONS

The Organisation will act without delay, prioritising the safety of the individual involved, in the event of a concern or allegation of sexual exploitation and abuse being reported.

The nodal officer will convene a meeting within 24 hours – which can be face to face, by phone, skype or email (all emails should be signalled as confidential). The following (apart from nodal officer) member shall be present in the meeting:

1. For local oversight: Head of Department/ Supervisor;
2. For risk ownership and HR expertise: Head – Human Resource (HR);
3. Representative of management: Chief Mentor.

The members will investigate if there has been a breach of this policy by subject staff member (alleged perpetrator). An investigation will gather evidence and interview relevant parties in order to establish the probable facts in relation to the complaint/ disclosure.

The members of the meeting may recommend management of the Organisation through Head – HR to serve the suspension notice to the subject staff member (alleged perpetrator), until the investigation has been completed.

In case the members of the committee record serious malpractice against the subject staff member in its report, appropriate action shall be initiated, which shall include termination from the Organisation and informing statutory authorities, as per the law of land.

Confidentiality

Given the sensitive nature of investigations and its impact on the beneficiary as well as the person against whom such allegations are levelled, the Organisation is committed to maintaining strict confidentiality in relation to such complaints and the resultant investigations/ inquiry. All investigating members shall acknowledge the **Undertaking of Confidentiality** (annexure A).

All proceedings, including the statements and other material adduced as evidence before the investigating members shall be strictly confidential and the members shall not divulge the details to any other employee

within the Organisation or to any person outside. This includes minutes of the meetings, findings, recommendations, decisions of the members and any document or any verbal communication. Also, to other Employees involved in such discussions, the members should emphasize the necessity for confidentiality and the consequences of possible disciplinary action in case of transgression.

Appropriate sanctions will be applied in cases of malicious and deliberate false accusations of Sexual Exploitation and Abuse, which may include, but not limited to, termination.

Support for survivors

Support will be offered to survivors regardless of the outcome of any investigations. This support may include specialist psychosocial counselling and/or access to other specialist support as needed.

M. DISCIPLINARY ACTION

While it will be ensured that staff member(s) who raises genuine disclosure are accorded complete protection from any kind of unfair treatment as herein set out, any abuse of this protection or this Policy will warrant disciplinary action.

Any person, who negligently or malafidely broadcasts confidential information in relation to investigations shall warrant disciplinary action.

Any person who makes any disclosure malafidely and knowingly that it was incorrect or false or misleading or frivolous or reported otherwise than in good faith, shall invite disciplinary action including initiation of civil or criminal proceedings and/ or termination from employment with the Organisation.

N. PROTECTION AGAINST RETALIATION

The Organisation takes reports of retaliation seriously. The Organisation will not tolerate any attempt to deter anyone from reporting suspicions of Sexual Exploitation and Abuse or incidents of repercussions/ victimisation against anyone who, in good faith, reports/ discloses a concern or cooperates with investigations even when allegations are found to be unsubstantiated. Any employee of the Organisation who retaliates against another employee in violation of this Policy is subject to disciplinary action, upto and including termination. This also includes attempts to deter anyone from reporting suspicions of sexual exploitation and abuse.

O. COMPLIANCE

This Policy cannot describe all Sexual Exploitation and Abuse situations that may arise. Therefore, employees (and other individuals) must use their respective good judgment to avoid any appearance of impropriety.

Alternatively, the concerned individual can get in touch with the nodal officer listed under point (K) above to clear any misconceptions.

P. MONITORING AND REVIEW

Head – HR will monitor the effectiveness and review the implementation of this Policy, on annual basis.

The Organisation reserves right to modify this Policy unilaterally at any time, without notice. Modifications may be necessary to maintain compliance with local regulations and/ or accommodate organisational changes in the organisation. Any revisions in this Policy including amendments or changes under respective clauses will be duly notified to employees through email communication. Also, such revised Policy or notification/ circular/ internal communication on such revisions will be updated in the Darwinbox (HR ERP) and CKD website (www.ipeckd.org). The employee shall be deemed to have read, understood and acknowledged the changes thereof which will supersede the terms of current Policy or any subsequent document/ communication related to the Policy.

DECLARATION

I hereby declare that I have read and understood CKD's Prevention and Protection from Sexual Exploitation and Abuse Policy and I agree to abide by it. Also, I have read and understood legislation/ act on prevention of sexual exploitation and abuse applicable in the project location.

I further declare that I will observe and uphold CKD's position on sexual exploitation and abuse. Also, during the course of my association with CKD, I will promote a culture of honesty, integrity and professionalism. I undertake to inform designated nodal officer verbally or through email about any issue or suspicion of malpractice at the earliest possible stage.

I understand that any violation of the PSEA policy by me shall invite disciplinary action including initiation of civil or criminal proceedings and/ or termination from employment with the Organisation.

Signature :

Name :

Designation :

Date :

Place :

Annexure A**Undertaking of Confidentiality**

This Undertaking of Confidentiality ("Undertaking") is entered into by [Investigator's Name], hereinafter referred to as "Investigator," and IPE Global Centre for Knowledge and Development (CKD), hereinafter referred to as "Organisation," effective as of [Date].

1. Confidential Information

The Investigator acknowledges that in the course of performing duties related to investigating complaints of Sexual Exploitation and Abuse (SEA), s/he may have access to confidential information, including but not limited to:

- Personal information of complainant/s, witness/es, and individual/s involved in the complaint process.
- Investigative findings, reports, and related documentation.
- Any other information deemed confidential by the Organisation.

2. Obligations of Confidentiality

The Investigator agrees to maintain the strictest confidentiality regarding all confidential information obtained during the course of their duties. This obligation extends beyond the termination of their role as an Investigator for the Organisation.

3. Non-Disclosure and Use

The Investigator shall not disclose, reveal, or make use of any confidential information for any purpose other than carrying out their duties as an Investigator for the Organisation, without the express written consent of the Organisation.

4. Security Measures

The Investigator shall implement appropriate security measures to prevent unauthorised access, disclosure, or use of confidential information. This includes but is not limited to secure storage of documents, password protection for electronic files, and limiting access to confidential information to authorised personnel only.

5. Reporting Obligations

The Investigator agrees to promptly report any suspected breaches of confidentiality or unauthorised access to confidential information to the Organisation's designated authority.

6. Duration of Undertaking

This Undertaking of Confidentiality shall remain in effect for the duration of the Investigator's engagement with the Organisation.

[Investigator's Name]

[Investigator's Signature]

[Date]

[Nodal Officer's Name]

[Nodal Officer's Signature]

[Date]