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<b>Prevention of Sexual Exploitation, Abuse &amp; Harassment (PSEAH)</b>		2 - 005
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## **Prevention of Sexual Exploitation, Abuse & Harassment (PSEAH) Policy**

### ***Introduction***

Barnfonden's people operate in a privileged position of trust and are sometimes working with children and other community members who are in less powerful and vulnerable situations. Barnfonden recognizes the serious obligation it holds to do everything possible to respect and protect the children and adults with whom it works. Sexual exploitation and abuse of the very children we aim to protect, or vulnerable adults in communities, are among the most grievous ways that Barnfonden can fail in its mission.

The Child Safeguarding Policy and Procedures sets out expectations, systems and processes aimed at preventing all abuse of children, including sexual exploitation, abuse and harassment. The Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy sets out the expectations, systems and processes aimed at preventing sexual exploitation of other people we work with such as vulnerable adults and community members, as well as the actions that will ensue if incidents of sexual exploitation, abuse and harassment are identified.

Harassment in this policy relates to people outside the organisation who may be the target of harassment by staff of the organisation.

### ***Policy Statement***

Barnfonden categorically prohibits, and has zero tolerance for, any actions by its People that constitute sexual exploitation, abuse or harassment of children and adults. Barnfonden's People have a strict obligation to take all possible steps to strengthen protection, prevent sexual exploitation and abuse, and to promote the rights of children and other community members with whom we work. If a Barnfonden Person acts in a way that is sexually

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exploitative or abusive, immediate steps will be taken to protect and support those affected, and to impose disciplinary action as outlined in this Policy and the related Procedure. Action will include referral to law enforcement agencies, while taking into account risks to those who have been affected.

This Policy should be read in conjunction with the ChildFund Child Safeguarding Policy and related Procedure.

### **Scope**

This Policy applies to all People as defined below and meaning all those engaged with Barnfonden's work including employees, interns, volunteers, Board members, contractors, consultants, partners, and service providers.

### **Definitions**

**People/Person** refers to all employees, interns, volunteers, Board members, contractors, consultants, partners, ambassadors, and service providers.

**Partners** refers to organisations that Barnfonden works with in the delivery of project or country services.

**Staff** refers to permanent or contract employees of Barnfonden.

**Child/Children** (sometimes referred to as Barnfonden "beneficiaries"). A child is any individual under the age of 18, irrespective of local country definitions of when a child reaches adulthood.

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**Fraternisation** refers to any relationship occurring in the course of conducting Barnfonden business, that involves — or appears to involve — partiality, preferential treatment or improper use of rank or position including but not limited to voluntary sexual behaviour. It includes sexual behaviour not amounting to intercourse, a close and emotional relationship involving public displays of affection or private intimacy and the public expression of intimate relations.

**Vulnerable Adults** are defined as:

- those aged over 18 years
- who, due to their gender, mental or physical health, disability, ethnicity, religious identity, sexual orientation, economic or social status, or as a result of disasters and conflicts, are deemed to be at risk.

**Sexual Exploitation** means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, included but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

**Sexual Abuse** means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

**Sexual Harassment** means the unwelcome sexual advance, or an unwelcome request for sexual favours, from one person to another, or the engagement in other unwelcome conduct of a sexual nature, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated. 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

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any gender towards any person of any gender. Sexual harassment can be perpetrated against beneficiaries, community members, citizens, as well as staff and personnel.

**Workplace** is the business location where the Staff usually undertake work activities, or where they are working remotely undertaking work activities (for example, undertaking a field visit or overseeing a program at a partner's location). This includes working outside usual business hours and any work-related events including conferences and social events either at the usual business location or an external location.

### ***Policy Principles***

Barnfonden adapts and applies the core principles as defined by the UN Secretary-General (ST/SGB/2003/13):

1. Sexual activity with children 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.
2. 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 any exchange of assistance that is due to beneficiaries of assistance/program participants.
3. Barnfonden People are typically in a position of power in relation to beneficiaries of assistance/ program participants. Any actual or attempted abuse of this power for sexual purposes is exploitative, undermines the credibility and integrity of the work of Barnfonden, and is prohibited.
4. Where a Barnfonden Person develops concerns or suspicions regarding Sexual Exploitation, Abuse or Harassment by someone, whether in the same agency or not and

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whether or not within ChildFund, he or she must immediately report such concerns via established reporting mechanisms.

5. Preventing Sexual Exploitation, Abuse and Harassment is a shared responsibility. Barnfonden People are obliged to help create and maintain an environment that prevents Sexual Exploitation, Abuse and Harassment. Barnfonden managers at all levels have a particular responsibility to support and develop systems that maintain this environment.
6. Zero tolerance of inaction of incidents of Sexual Exploitation, Abuse and Harassment is core to Barnfonden.
7. Sexual Exploitation, Abuse and Harassment by Barnfonden People is never acceptable and constitute acts of serious misconduct and are therefore grounds for termination of employment, or professional relationship severing in the case of non-employees, and may require referral to law enforcement agencies.

## ***Policy in Action***

### **Reporting incidents or concerns**

1. Any Barnfonden Person having reasonable grounds to suspect that Sexual Exploitation, Abuse or Harassment has occurred is mandated to report the matter immediately (within 24 hours) to the Secretary General. This includes any notifications received from partners and any alleged incidents that pose a significant reputational risk to Barnfonden. Any Person requiring advice can contact the Secretary General or Program Director.
2. Community members or any other external person are strongly encouraged to immediately notify a Barnfonden Person if they, or someone they know, is thought to have been the victim/ survivor of Sexual Exploitation, Abuse or Harassment perpetrated by a Barnfonden Person. Community members or other external persons can notify a concern or incident using any of the following mechanism:

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- a. Inform any Barnfonden representative at any time in person or via phone, text, email or other communication;
  - b. Via the contact details contained in the Barnfonden Whistleblowing policy;
  - c. Via the anonymous third-party Whistleblowing mechanism [ceo@barnfonden.se](mailto:ceo@barnfonden.se) or [chairman@barnfonden.se](mailto:chairman@barnfonden.se).
3. The Senior Management Team is responsible for handling all complaints and ensuring reporting is accessible for any instances of Sexual Exploitation, Abuse and Harassment.
  4. The Senior Management Team is responsible for regularly informing our People, Partners and communities on measures taken to prevent and respond to Sexual Exploitation, Abuse and Harassment and should include details on complaints mechanisms, the status and outcome of investigations in general terms, feedback on actions taken against perpetrators and follow-up measures taken as well as assistance available to complainants and survivors.
  5. The Senior Management Team is responsible for reporting all incidents arising under this Policy to the Barnfonden Board.
  6. The Senior Management Team is responsible for reporting all incidents arising under this Policy to relevant donors in line with contractual and partnership obligations. Reports of abuse or exploitation of individuals under the age of 18 years must follow Barnfonden's Child Safeguarding Policy.

### **Confidentiality**

Instances of Sexual Exploitation, Abuse and Harassment raised under this Policy will be treated confidentially. However, when an incident is identified it may be necessary for those managing the incident to reveal its substance to people such as other Barnfonden personnel, external persons involved in the investigation process or law enforcement agencies.

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Where there is a reasonable belief that a criminal offence has occurred, the matter will be reported to the appropriate law enforcement agency while taking into account risks to those who have been affected. When a referral is made to law enforcement, any action by Barnfonden will be guided by such an agency. Any decision not to refer to law enforcement requires the approval of the Senior Management Team and will be documented in order to record the reasons for the decision.

Barnfonden will take reasonable precautions to store any records or files relating to a matter of Sexual Exploitation, Abuse and Harassment securely and to permit access by authorised persons only.

Unauthorised disclosure of information relating to a matter will be taken seriously and may result in disciplinary action, which may include dismissal.

### **Awareness**

- Barnfonden will publish this PSEAH Policy on its websites.

### **Risk Assessment & Risk Management**

- Management will include in the organisational **risk review process**, identification of risks relating to PSEAH and actions to mitigate such risks.
- The Programs team is responsible for undertaking SEAH **risk assessment** as part of project and program design. PSEAH risks and mitigation are assessed, documented and monitored throughout the life of a project/program.

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- The Programs team is responsible for ensuring that partner due diligence and/or capacity assessments include an assessment of partner implementation of key safeguarding and risk policies including PSEAH.
- The Barnfonden Board has overall responsibility for all policies including Risk Management and PSEAH Policies. Should a significant instance occur that may have significant risk to the affected individual or the organisation, this will be directly reported to the Board Chair at the earliest opportunity and outside the normal reporting timelines.
- The Board will review the systems and processes every two years in order to continually strengthen the organisation's approach to the prevention of sexual exploitation, abuse and harassment.

### ***Training and investigations***

- This PSEAH policy shall be included in induction materials and related training courses for Barnfonden's People.
- The Senior Management Team is responsible for ensuring Barnfonden's People know how to report allegations and concerns related to SEAH.
- The Senior Management Team is responsible for managing organisational investigations of allegations of Sexual Exploitation, Abuse and Harassment. All investigations will be conducted in a timely and professional manner. Barnfonden may utilise the services of external experts to support any such investigation.
- The Senior Management Team will take swift and appropriate disciplinary action in relation to People who commit acts of Sexual Exploitation, Abuse and Harassment. This will usually include suspension while investigations are conducted. Substantiated acts of SEAH are regarded as serious misconduct and will result in disciplinary action including dismissal and/or referral to relevant external authorities including referral to law enforcement agencies in the event of suspected criminal action.
- The Senior Management Team will transparently share misconduct information with other organisations who make a request as part of their own due diligence and integrity checks on their people and partners.

### ***Partners***

- The Senior Management Team and the Programs Team are responsible for ensuring that our Partners are aware of Barnfonden's expectations in regards to this policy and will highlight that any failure on their part to report or take action where Sexual

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Exploitation, Abuse and Harassment has occurred shall constitute grounds for the termination of any Agreement or partnership with Barnfonden. Contracts and Agreements with Partners will reflect this expectation in compliance with our commitment to PSEAH.

### ***Support for survivors and non-retaliation***

- All Barnfonden People are responsible for taking appropriate action to ensure that retaliatory actions are not taken against the survivor or reporter. Barnfonden Whistleblowing Policy assists with how to ensure this occurs.

### ***Conduct of Barnfonden's People***

The PSEAH Policy provides detail about the expectations of our People concerning the prevention and reporting of Sexual Exploitation, Abuse and Harassment.

### ***Barnfonden People:***

- Will treat all beneficiaries with respect and not use language or behave towards them in an inappropriate way, harassing, abusing, sexually provocative, demeaning or culturally inappropriate manner.
- Will not exchange money, employment, goods or services, protection or assistance for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour.
- Will not engage in transactional sex in the course of Barnfonden business.
- Will not participate in or support any form of Sexual Exploitation, Abuse or Harassment activity including, for example, people trafficking, or pornography.
- Will immediately (within 24 hours) report any concerns or suspicions regarding possible violations of this Policy via the defined reporting approach within the Whistle blower Policy and Procedure or in the case of those under 18 years of age, the Child Safeguarding Policy and Procedures. Failure to report such conduct could lead to disciplinary action.
- Will take all reasonable steps commensurate with their role to prevent, oppose and combat all Sexual Exploitation, Abuse and Harassment.

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- Will immediately disclose charges, convictions and other outcomes of an offence that relates to Sexual Exploitation, Abuse and Harassment, including those that may be acceptable under traditional law.
- Will always strive to create and maintain an environment that promotes adherence to and implementation of this Policy.

*Any substantiated violation of these expectations is regarded as a serious breach of policy and will result in disciplinary action which may include termination for our Staff, interns, volunteers, Board members, contractors and consultants, and could lead to the cessation of any partnership agreement with our Partners. Criminal behaviour will be reported to law enforcement*