



TOOLKITS FOR ADDRESSING PSEA

TOOLKIT A

EXAMPLES OF CODES OF
CONDUCT -
POLICY PROGRAMS



Global Affairs
Canada

Affaires mondiales
Canada



A) EXAMPLES OF CODES OF CONDUCT / POLICY PROGRAMS

FOREWORD

This toolkit aims to provide your organization with guidance for the development of policy programs on the Prevention of Sexual Exploitation and Abuse (PSEA). The eleven documents gathered here were developed by several different organizations and have been selected among the Digna database. The documents are samples of principles, guidelines and codes of conduct, and might be used as examples for each organization to develop their own recommendations regarding PSEA.

Many of the codes of conduct listed here share six core principles. In addition, such documents explicitly present good practices and actions that should be carried out. For instance, the respect for fundamental human rights, and actions that are considered misconducts and should be avoided, such as engaging in relationships with beneficiaries. In general, the codes of conduct selected in this toolkit regard most particularly humanitarian workers; but Digna considers they should be extended to other members of the organization, its partners, and to the general population.

Digna deems some documents as particularly interesting for the development of organizations' guidelines. For example, the booklet developed by Concern Worldwide Ethiopia – document 4 in this toolkit – provides visuals to explain the Organizational Program Participants Protection Policy to community members. In turn, the table provided by Humanitarian Accountability Partnership (HAP) International – document 5 in this toolkit – merges core principles for a code of conduct and a statement of commitment on eliminating PSEA in a single document. For its part, the checklist developed by International Code of Conduct Association (ICoCA) – document 11 in this toolkit – is an easy way to examine which points have already been covered by the organization's policies.

Digna is committed to provide your organization with clear and useful tools. We hope they will help you develop PSEA policies, as well as reach partners and beneficiaries in a respectful and ethical way.



LIST OF DOCUMENTS

1

The Code of Conduct. A template for Addressing Sexual Violence in Small and Medium ICOs – AQOCI, 2019.

2

Common Codes of Conduct – Inter-Agency PSEA-CBCM Best Practice Guide, 2016, Annex 4, pp. 71-73.

3

Kenya Code of Conduct Undertakings – Kenya Refugee Program Prevention of Sexual Exploitation and Abuse Committee, Police Training Module: A Guide for Trainers, 2010, Handout 9, p. 28.

4

Booklet to raise awareness about Program Participants Protection Policy (P4). – Concern Worldwide Ethiopia, Booklet aimed at explaining the organizational Program Participants Protection Policy to community members, 2000.

5

Table containing 6 core principles for Codes of Conduct + Statement of Commitment on Eliminating SEA – Humanitarian Accountability Partnership (HAP) International, To Complain or Not to Complain: Still the Question - Consultations with humanitarian aid beneficiaries on their perceptions of efforts to prevent and respond to sexual exploitation and abuse, 2008, p. 13.

6

Six core principles re. SEA – Inter-Agency Standing Committee (IASC), IASC Global Standard Operating Procedures on Inter-Agency Cooperation in Community-Based Complain Mechanisms, 2016, p. 46.



LIST OF DOCUMENTS

7

Six core principles re.SEA – Regional Safe Spaces Network / UNHCR, Regional Toolkit for Protection from Sexual Exploitation and Abuse, Sexual Harassment (PSEA/PS) and Inter-Agency Community-Based Complaint Referral Mechanism in the Americas, 2019, p. 40.

8

Staff code of conduct for PSEA – Regional Safe Spaces Network / UNHCR, Regional Toolkit for Protection from Sexual Exploitation and Abuse, Sexual Harassment (PSEA/PS) and Inter-Agency Community-Based Complaint Referral Mechanism in the Americas, 2019, pp. 108-109.

9

Types of Referral to consider – Save the Children, Safeguarding in Emergencies Toolkit, 2019, p. 21.

10

Overall principles for a survivor-focused, trauma-informed approach – Save the Children, Safeguarding in Emergencies Toolkit, 2019, p. 30.

11

Guidelines PSEA: Checklist – International Code of Conduct Association (ICoCA), Guidelines for Private Security Providers on Preventing and Addressing Sexual Exploitation and Abuse, 2019, pp. 20-21.

USEFUL:

- to develop a PSEA Policy and Code of Conduct (ANC 03-20: Breakout Session 2)
- to reach partners and beneficiaries (ANC 03-20: Breakout Session 3)
- to conduct risk assessment (ANC 03-20: Breakout Session 4)

ANC = Annual National Conference



DOCUMENT 1

THE CODE OF CONDUCT

A TEMPLATE FOR ADDRESSING SEXUAL VIOLENCE IN SMALL AND MEDIUM ICOS, AQOCI, 2019



The Code of Conduct

A Template for addressing sexual violence in small and medium ICOs

By Emilie Macot, produced for AQOCI
28/08/2019





CODE OF CONDUCT FOR ALL WORKERS IN EMERGENCIES

This Code of Conduct has been developed for agencies and other actors that are involved in emergency response and reconstruction activities after an emergency. They have a duty of care to affected women, girls, boys and men of all ages and a responsibility to ensure that they are treated with dignity and respect. All workers should ensure that certain minimum standards of behaviour are observed, regardless if the person is on or off duty.

In order to prevent sexual exploitation and all forms of abuse including sexual, physical, emotional and neglect, the following core principles should be respected by anyone engaging in humanitarian assistance or taking part in reconstruction activities in Fiji:

- All workers have to ensure assistance is delivered in a way that is safe, respectful, with dignity, and equally accessible to women, girls, boys and men of different ages and abilities.
- Sexual exploitation and all forms of abuse by workers providing humanitarian assistance constitute acts of gross misconduct and are therefore grounds for termination of employment.
- Sexual activity with children (persons under the age of 18 years) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence.
- Exchange of money, employment, goods, services or false promises for sex including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited, including favouritism or procurement of such services for third parties. This includes exchange of assistance that is due to beneficiaries.
- Sexual relationships between humanitarian workers and affected women, girls, boys and men, are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.
- Where a worker develops concern or suspicions regarding sexual abuse and exploitation or other forms of abuse by a fellow worker, whether in the same agency or not, he or she must report such concerns via established reporting mechanisms.
- Workers providing humanitarian assistance are obliged to create and maintain an environment which prevents sexual exploitation and all forms of abuse and promotes the implementation of this Code of Conduct. Managers at all levels have particular responsibility to support and develop systems which maintain this environment.



COMMON CODES OF CONDUCT

INTER-AGENCY PSEA-CBGM BEST PRACTICE GUIDE, 2016

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4a. Common Codes of Conduct



Office of the Resident and Humanitarian Coordinator in the Philippines

Typhoon Haiyan Humanitarian Response Code of Conduct

All responding organisations and entities, including members of the UN system, international and national NGOs, military personnel, government authorities, civil society and private contractors have a duty of care to people affected by Typhoon Haiyan. This duty of care includes a responsibility to ensure that each individual, regardless of sex, age and ability, is treated with dignity and respect, receives assistance equally and safely, and that proper standards of behaviour and accountability are observed.

The women, men, girls and boys affected by this typhoon are the primary stakeholders of the humanitarian response and have a basic right to participate in the decisions that affect their lives, receive the information they need to make informed decisions and to complain if they feel the help they receive is not adequate or has unwelcomed consequences.

Sexual exploitation and abuse¹ (SEA) of those we seek to assist constitute the most serious breach of accountability towards the victims of the typhoon. It erodes the confidence and trust of affected communities and the host country in all those providing assistance. This damages our collective image and integrity.

All responders to this emergency are bound by the legal frameworks of their respective governing institutions. For example, the UN's Special Measures for Protection from Sexual Exploitation and Sexual Abuse² prohibits certain behaviours. These standards are widely accepted as non-negotiable by the humanitarian community, including the NGO community:

- Sexual activity with children (persons under the age of 18) regardless of the age of majority or consent locally. Mistaken belief in the age of a child is not a defence
- Sexual favours exchanged for any form of assistance, including food or non-food items
- Use of children or adults to procure sexual services for others
- Exchange of money, employment, goods or services for sex with prostitutes or any other member of the local population, visits to brothels or places which are declared off-limits

Further:

- Sexual relationships between staff and those receiving assistance are strongly discouraged
- Any suspicions of SEA by a fellow worker of the same or another agency must be reported via established reporting mechanisms
- Staff are obliged to create and maintain an environment that prevents SEA, and managers are particularly charged with developing systems that enable this.

Section 13 of the Government of the Philippines' Magna Carta of Women specifies that, in reference to women affected by disasters, "the State shall... ensure their full protection from sexual exploitation and other gender-based violence committed against them". Military personnel are also governed by such rules.

¹ 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. Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

² United Nations Secretary-General's Bulletin ST/SGB/2003/13

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www.un.org.ph / registry.ph@undp.org



COMMON CODES OF CONDUCT

INTER-AGENCY PSEA-CBGM BEST PRACTICE GUIDE, 2016

Any violation of this Code of Conduct constitutes serious misconduct. SEA will be investigated and may lead to drastic disciplinary measures, including summary dismissal, suspension, immediate repatriation, and in the case of contractual partners, termination of the contract. Immunity, when it exists, will be waived by the Secretary-General should such immunity impede the course of justice.


Luiza Carvalho
Resident and Humanitarian Coordinator



KENYA CODE OF CONDUCT UNDERTAKINGS

KENYA REFUGEE PROGRAM PREVENTION OF SEXUAL EXPLOITATION AND ABUSE COMMITTEE, POLICE TRAINING MODULE: A GUIDE FOR TRAINERS, 2010, HANDOUT 9

HANDOUT 9

KENYA CODE OF CONDUCT UNDERTAKINGS

Humanitarian Workers will

- **Respect and promote the fundamental human rights of all**
- **Treat all beneficiaries and others fairly according to international and Kenyan law, and appropriate local customs**
- **Uphold highest standards of accountability, efficiency, competence, integrity and transparency in executing responsibilities**
- **Never engage in sexual exploitation and abuse of beneficiaries in any circumstances**
- **Never engage in humiliating, degrading or exploitative behavior**
- **Never abuse their position to withhold protection, humanitarian assistance, and services or provide preferential treatment to solicit sexual favors/gifts.**
- **Never commit any act or form of harassment that could cause physical, sexual, psychological harm or suffering**
- **Never exploit vulnerability of beneficiaries or allow them to be put in compromising situations**
- **Never engage in sexual activity with children – persons under 18 years. A mistaken belief is not a defense.**
- **Never condone or participate in corrupt or illegal activities**
- **Never accept or exchange money for services, employment, goods or services for sex for services which are to be provided for free**
- **Ensure all breaches of the Code are reported to senior management or HR managers through established reporting systems**
- **Create and maintain an environment that prevent sexual exploitation and abuse**
- **Not purposely make false accusations against a fellow worker**



DOCUMENT 4

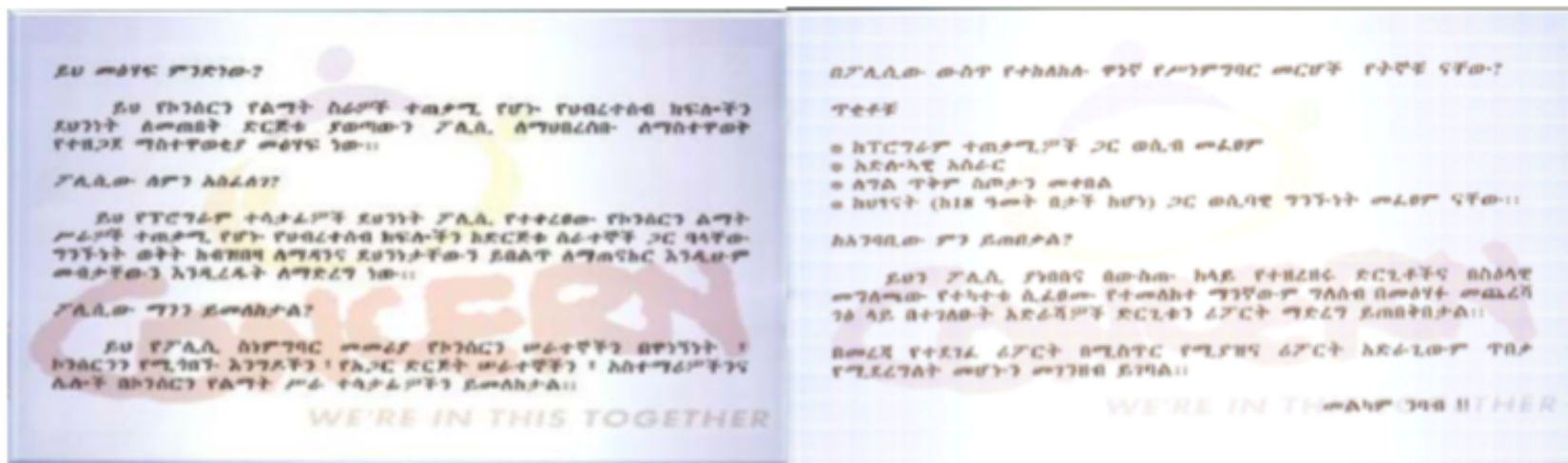
BOOKLET TO RAISE AWARENESS ABOUT P4

CONCERN WORLDWIDE ETHIOPIA, BOOKLET AIMED AT EXPLAINING THE ORGANIZATIONAL PROGRAM PARTICIPANTS PROTECTION POLICY TO COMMUNITY MEMBERS, 2000

Scanned copy of Concern Worldwide Ethiopia's booklet aimed at explaining the organisational Programme Participants Protection Policy to community members – translation from Amharic to English is shown below each scanned page.



Concern Ethiopia
Program Participant Protection Policy
A booklet prepared to raise the awareness of beneficiaries about the P4
June 2000 /Ethiopian Calendar



What is this booklet?
 This booklet is an educational material designed to make concern development program beneficiaries aware about the program protection policy of the organization.

Why the policy?
 Concern's Programme Participant Protection Policy has been developed to ensure the maximum protection of programme participants from exploitation and to clarify the responsibilities of Concern staff and the standards of behaviour expected of them.

Who is the policy applicable on?
 This policy is applicable principally on Concern employees, visitors, partner organizations and their employees, teachers and others who are involved in Concern's development and relief work.

Which are the principal conducts the policy categorizes as inappropriate behaviour?
 Some are:

- Sexual relationship with program beneficiaries
- Discrimination
- Soliciting personal gifts
- Sexual relationships with children (a person under the age of 18)

What is expected of the reader?
 Any one who has read this document and witnessed a violation of the codes of conducts discussed in the booklet and depicted in the drawings has a responsibility of reporting the violation using the addresses indicated at the back of this booklet.

Reports of violations supported by evidence will be handled confidentially and protection to the witness will be extended.

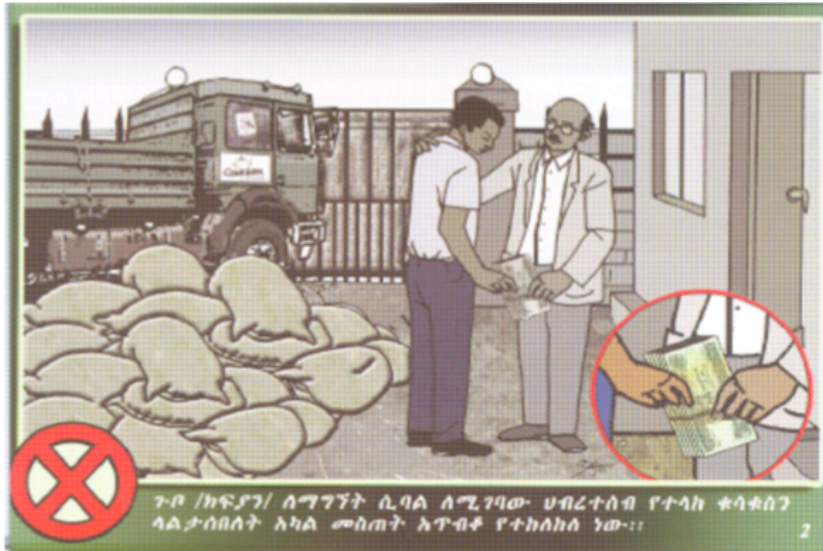
Enjoy reading!



DOCUMENT 4

BOOKLET TO RAISE AWARENESS ABOUT P4

CONCERN WORLDWIDE ETHIOPIA, BOOKLET AIMED AT EXPLAINING THE ORGANIZATIONAL PROGRAM PARTICIPANTS PROTECTION POLICY TO COMMUNITY MEMBERS, 2000



ጉዳ /ክፍያን/ ሰማንንት ሲባል ለሚገባው ህብረተሰብ የተላከ ተሳታፊ ላልታሰበለት እካል መስጠት አጥብቆ የተከለከለ ነው። 2

Awarding goods that are due to programme participants for other parties in order to obtain payments for personal benefit is highly prohibited.



በድርጅቱ በኩል የሚላኩ ማንኛውም ተሳታፊ ህብረተሰቡን በማወያየትና ግልፅ በሆነ መንገድ ሊከፋፈሉ ይገባል። 3

Goods from the organisation must be distributed in public by holding discussions with program participants.



በሴቶች ላይ የሚታገ / የሚረፀፍ እካላዊ ትንኮሳ ረፀፍ የተከለከለ ነው። 4

Any threatened or actual act of physical harassment against women is highly prohibited.



ሴቶች እንደ ማንኛውም የህብረተሰብ ክፍል አገባብ ባለው መንገድ ሊስተናገዱና የፕሮግራም ተጠቃሚ ሊሆኑ ይገባል። 5

Women have the right to be equally treated, contribute to and benefit from the organisation's programs.



አረጋውያን ላይ የሚረፀፍ የማገልል ተግባር የተከለከለ ነው። 6

Any act of discrimination against the elderly is prohibited.



የኮንሰርን ሰራተኞች ለአረጋውያን ልዩ እንክብካቤና እክብርት ለማሳየት ሊተገቡ ይገባል። 7

Concern's employees must demonstrate and extend special care and respect for the elderly.



DOCUMENT 4

BOOKLET TO RAISE AWARENESS ABOUT P4

CONCERN WORLDWIDE ETHIOPIA, BOOKLET AIMED AT EXPLAINING THE ORGANIZATIONAL PROGRAM PARTICIPANTS PROTECTION POLICY TO COMMUNITY MEMBERS, 2000



Hampering the participation of the disabled in programs is prohibited.



Disabled people have the right to become equal program participants like any other member of the society.



Abusing position of responsibility to engage in sexual harassment against women contravenes Concern's Code of Conduct.



Concern employees should not, under any circumstances, accept sexual favours victimizing women as negotiating ground for obtaining personal benefits.



Sexual activity between a Concern staff member and a child is prohibited.



Teachers are responsible for nurturing children with full care without discrimination.



DOCUMENT 4

BOOKLET TO RAISE AWARENESS ABOUT P4

CONCERN WORLDWIDE ETHIOPIA, BOOKLET AIMED AT EXPLAINING THE ORGANIZATIONAL PROGRAM PARTICIPANTS PROTECTION POLICY TO COMMUNITY MEMBERS, 2000



If you seek additional information on the P4 and other related issues please contact

*Mrs Hiwot Emishaw ,
Addis Ababa Head Office
Telephone: 0116 611730 /extension 243/*

*Wolaita Sodo office
Zelalem Mengistu
Telephone : 046 5512427*

*Wollo Kombolcha office
Miss zehara Said
Telephone: 033 5510298/ 033 5511906*

Or write to

*Concern Ethiopia
P.O.Box: 2434
Addis Ababa*

You can also visit the Concern office near you.



TABLE CONTAINING 6 CORE PRINCIPLES FOR CODES OF CONDUCT + STATEMENT OF COMMITMENT ON ELIMINATING SEA

HUMANITARIAN ACCOUNTABILITY PARTNERSHIP (HAP) INTERNATIONAL, TO COMPLAIN OR NOT TO COMPLAIN: STILL THE QUESTION - CONSULTATIONS WITH HUMANITARIAN AID BENEFICIARIES ON THEIR PERCEPTIONS OF EFFORTS TO PREVENT AND RESPOND TO SEXUAL EXPLOITATION AND ABUSE, 2008

To complain or not to complain: still the question

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2. The March 2004 Interagency Standing Committee (IASC) Draft Protocol outlining core principles to be incorporated into codes of conduct, staff rules and regulations (principles below).
3. The December 2006 Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and non-UN personnel (below).³

Six (6) core principles to be incorporated into codes of conduct and staff rules and regulations (IASC Draft Protocol March 2004)	Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and non-UN Personnel (December 2006)
<ol style="list-style-type: none"> 1. Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment. 2. 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. 3. 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 exchange of assistance that is due to beneficiaries. 4. Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work. 5. Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, s/he must report such concerns via established agency reporting mechanisms. 6. Humanitarian agencies are obliged to create and maintain an environment which 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 which maintain this environment. 	<ol style="list-style-type: none"> 1. Develop organisation-specific strategies to prevent and respond to sexual exploitation and abuse. 2. Incorporate our standards on sexual exploitation and abuse in induction materials and training courses for our personnel. 3. Prevent perpetrators of sexual exploitation and abuse from being (re-)hired or (re-)deployed. 4. Ensure that complaint mechanisms for reporting sexual exploitation and abuse are accessible and that focal points for receiving complaints understand how to discharge their duties. 5. Take appropriate action to the best of our abilities to protect persons from retaliation where allegations of sexual exploitation and abuse are reported involving our personnel. 6. Investigate allegations of sexual exploitation and abuse in a timely and professional manner. 7. Take swift and appropriate action against personnel who commit sexual exploitation and abuse. 8. Provide basic emergency assistance to complainants of sexual exploitation and abuse. 9. Regularly inform our personnel and communities on measures taken to prevent and respond to sexual exploitation and abuse. 10. Engage the support of communities and governments to prevent and respond to sexual exploitation and abuse by our personnel.

³ The entire Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and non-UN personnel can be found through this link: <http://www.huru.org/Depts/dpko/CDT/statement.pdf>



SIX CORE PRINCIPLES RE. SEA

INTER-AGENCY STANDING COMMITTEE (IASC), IASC GLOBAL STANDARD OPERATING PROCEDURES
ON INTER-AGENCY COOPERATION IN COMMUNITY-BASED COMPLAINT MECHANISMS, 2016

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33. Trinidad and Tobago Red Cross Society
Ms Delia Chatoor, President
34. Winrock International Institute for Agricultural Development (Winrock International)
Mr Frank Tugwell, President and Chief Executive Officer
35. Women's Commission for Refugee Women and Children
Ms Carolyn Makinson, Executive Director
36. World Vision International
Kevin J. Jenkins, President and Chief Executive Officer

Status as of December 2011

Appendix 2: Six core principles relating to sexual exploitation and abuse⁴

1. "Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
2. 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 regarding the age of a child is not a defence.
3. 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 exchange of assistance that is due to beneficiaries.
4. Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.
5. Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.
6. Humanitarian workers are obliged to create and maintain an environment which 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 which maintain this environment."

⁴ See Report of the Inter-Agency Standing Committee Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises of 13 June 2002, Plan of Action, Section I.A.



DOCUMENT 7

SIX CORE PRINCIPLES RE. SEA

REGIONAL SAFE SPACES NETWORK / UNHCR, REGIONAL TOOLKIT FOR PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE, SEXUAL HARASSMENT (PSEA/PS) AND INTER-AGENCY COMMUNITY-BASED COMPLAINT REFERRAL MECHANISM IN THE AMERICAS, 2019

REGIONAL INTER-AGENCY COMMUNITY-BASED COMPLAINT REFERRAL MECHANISM IN THE AMERICAS
For Regional Cross-Border and Inter-Agency referrals of SEA/SH complaints

33. **Trinidad and Tobago Red Cross Society**, Ms. Delia Chatoor, President.
34. **Winrock International Institute for Agricultural Development (Winrock International)**, Mr. Frank Tugwell, President and Chief Executive Officer.
35. **Women's Commission for Refugee Women and Children**, Ms. Carolyn Makinson, Executive Director.
36. **World Vision International**, Kevin J. Jenkins, President and Chief Executive Officer

Status as of December 2011

APPENDIX 2

SIX CORE PRINCIPLES RELATING TO SEXUAL EXPLOITATION AND ABUSE⁴

- 1** "Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
- 2** 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 regarding the age of a child is not a defence.
- 3** 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 exchange of assistance that is due to beneficiaries.
- 4** Any sexual relationship between those providing humanitarian assistance and protection and a person benefiting from such humanitarian assistance and protection that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.
- 5** Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.
- 6** Humanitarian workers are obliged to create and maintain an environment, which 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 which maintain this environment."

4. <https://interagencystandingcommittee.org/principals/documents-public/iasc-six-core-principles-relating-sexual-exploitation-and-abuse-2002>



STAFF CODE OF CONDUCT FOR PSEA

REGIONAL SAFE SPACES NETWORK / UNHCR, REGIONAL TOOLKIT FOR PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE, SEXUAL HARASSMENT (PSEA/PS) AND INTER-AGENCY COMMUNITY-BASED COMPLAINT REFERRAL MECHANISM IN THE AMERICAS, 2019

REGIONAL TOOLKIT
for PSEA/SH and Community-Based Complaint and Referral Mechanism in the Americas

TOOL 10

EXAMPLE: STAFF CODE OF CONDUCT FOR PREVENTION OF SEXUAL EXPLOITATION AND ABUSE (SEA) AND SEXUAL HARASSMENT (SH)

The highest standards of ethical and professional conduct are expected of all staff, representatives, contracted parties, volunteers working for the protection of and provision of services to concerned populations in the Americas Region.

This Code of Conduct applies to all [Name of service provider/agency] _____ staff/personnel and our partners, including all service providers, i.e., all people and organizations involved in the provisions of services including, contractors, sub-contractors, day laborers, and volunteers and all are expected to sign it. This Code of Conduct is based on the Secretary-General's Bulletins on 1. Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13) and on 2. Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority (ST/SGB/2008/15).

I, _____, understand that I have duty of care to beneficiaries and a responsibility to ensure that affected women, girls, boys, and men are treated with dignity and respect.

I understand that I have a responsibility to my colleagues and co-workers to ensure their right to be treated with dignity and respect and to be free from all forms of harassment in the workplace.

I commit to uphold the highest standards of professional and personal conduct, even when I am off duty or away from my duty station.

I understand that sexual exploitation and abuse and sexual harassment¹ are all unacceptable forms of behavior and jeopardize the credibility and reputation of all agencies and their staff/personnel in [SITE] _____.

In order to prevent **sexual exploitation and abuse**, I commit to respect the six core principles of PSEA:

- I. Sexual exploitation and abuse are **serious misconduct** and grounds for **disciplinary measures**, including summary dismissal.
- II. Sexual activity with **children** (persons under the age of 18) is **prohibited**, regardless of the age of majority or local age of consent. Mistaken belief in the age of the child is not a defense.
- III. Exchange of **money, employment, goods or services for sex**, including any humiliating, degrading, or exploitive behavior is **prohibited**.

¹ Sexual Exploitation is any actual or attempted abuse of a person in 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.

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

Sexual Harassment is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another. Sexual harassment may occur when it interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive environment.



DOCUMENT 8

STAFF CODE OF CONDUCT FOR PSEA

REGIONAL SAFE SPACES NETWORK / UNHCR, REGIONAL TOOLKIT FOR PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE, SEXUAL HARASSMENT (PSEA/PS) AND INTER-AGENCY COMMUNITY-BASED COMPLAINT REFERRAL MECHANISM IN THE AMERICAS, 2019

TOOLS

- IV. Any sexual relationship between those providing humanitarian assistance and protection and a person benefiting from such humanitarian assistance and protection that involves improper use of rank or position is **prohibited**. Such relationships undermine the credibility and integrity of humanitarian aid work.
- V. Service providers, personnel providing assistance to concerned populations are obliged to create and maintain an environment that prevents sexual exploitation and abuse. Managers at all levels have an additional responsibility to do so.
- VI. Where service provider or personnel has **concerns or suspicions** regarding sexual exploitation or abuse by a service provider, personnel he/she **must report** such concerns. In [SITE – add specificity of the site/operation] _____, a confidential complaint can be made by or on behalf of a survivor by contacting:
[Names, numbers, email etc. for complaint referral pathways].

In order to prevent **sexual harassment**, I commit to respect the following principles and conditions:

- I. Sexual harassment at the workplace, or in connection with work, constitutes unacceptable behaviour and will **not be tolerated**.
- II. Sexual harassment is a form of **sex discrimination** which negatively affects the working environment and adversely impacts the dignity and well-being of a person.
- III. Something can be considered sexual harassment even if the alleged harasser did not intend for it to be. It does not have to be intentionally directed at a specific person.
- IV. Failure to promote and maintain a respectful work environment may result in disciplinary action, including summary dismissal.
- V. All service providers and personnel are obliged to create and maintain an environment that **prevents sexual harassment**. Managers at all levels have an additional responsibility to do so.
- VI. Where an individual has concerns regarding an incident of sexual harassment, he/she should report such concerns. In [specific site/operation] _____, a formal or informal process can be initiated by contacting:
[Specificities of office/operation]

By signing this Code of Conduct, I hereby agree to uphold its principles to the best of my ability at all times.

Name and Signature: _____

Title: _____

Date: _____

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TYPES OF REFERRAL TO CONSIDER

SAVE THE CHILDREN, SAFEGUARDING IN EMERGENCIES TOOLKIT, 2019, P. 21.

SAFE AND ETHICAL REFERRAL

As Save the Children's *Sexual Violence Brief Programmatic Guidelines* note, referral pathways should include the following information:

- Specific information on how and where a survivor can access services
- Types of services available (health, psychosocial, police/security, legal/judicial) and specific local contact information
- Any costs involved with accessing referral services (including transportation) and how these will be covered – Save the Children will cover these costs for survivors of abuse perpetrated by our staff, partners or volunteers. Survivors do not need to prove that the perpetrator works for us before receiving after-care funded by Save the Children – the most important thing is treatment.

- Programmatic sources of support available
- Any protocols for having someone accompany survivors (if needed)
- Follow up services and other forms of support

Be aware that some traditional justice systems (for example, local elders' groups) suggest that money from perpetrators, to give to a survivor of sexual abuse, or their family members, is an appropriate response to abuse. Others may recommend that the perpetrator marries the victim. Save the Children cannot engage in traditional justice mechanisms that are not in the best interest of children, and even where traditional justice mechanisms have been chosen by the survivor, an investigation is still required by Save the Children and support to the survivor/victim must also be offered by us, independently of the local or traditional justice mechanism.

TYPES OF REFERRAL

Children and adults in the community who experience abuse or harm due to Save the Children's action, or inaction, may have a variety of needs. You should include these on your referral pathway:

1. MEDICAL ASSISTANCE

- Post-exposure prophylaxis
- Treatment for sexually transmitted infections
- Emergency contraception
- Care of wounds
- Treatment for life-threatening complications
- Support for children conceived as a result of sexual abuse or exploitation; as well as their mother

2. PSYCHOSOCIAL ASSISTANCE

- Counselling, or local equivalent (survivor/victim support groups/organisations)
- Family mediation
- Reintegration assistance
- Community sessions

3. LEGAL ASSISTANCE OR SUPPORT TO ACCESS FORMAL JUSTICE

- Travel costs to visit a Police station
- Legal clinics or support groups
- Access to legal representation

4. PROTECTION ASSISTANCE

- Safe shelters
- Relocation assistance
- Transport assistance



OVERALL PRINCIPLES FOR A SURVIVOR-FOCUSED, TRAUMA-INFORMED APPROACH

SAVE THE CHILDREN, SAFEGUARDING IN EMERGENCIES TOOLKIT, 2019

Save the Children will also offer basic material assistance where needed (for example, food, clothes, hygiene kits, shelter) as well as support with school re-integration, livelihoods and family conflict resolution, where needed. All this support is offered on a case-by-case basis.

Access to basic mental health and psychosocial support is also available through Save the Children (sometimes through our own programming, if not then through local services), and access to legal services.

Save the Children's overall principles for a survivor-focused, trauma-informed approach are:



SAFETY:
the **safety & security** of the survivor is the priority



CONFIDENTIALITY:
must be strictly adhered to in all aspects of handling a safeguarding case



DO NO HARM:
take no actions that could **make things worse** for the survivor



INFORMATION:
must be stored safely within DATIX and all data protection requirements adhered to



BEST INTEREST:
all actions are determined by **the best interest of the child or adult survivor**, and in collaboration with them where possible



NON-DISCRIMINATION:
Save the Children provides **fair and equal treatment** to anyone in need of support as a result of a possible safeguarding violation(s)



EMPOWERMENT:
showing respect for the choices, wishes, rights and **dignity of the survivor**



WORKING:
with **local survivor activist groups** wherever possible to ensure responses are culturally and ethnically appropriate



PHOTO: MOHAMMED AWACH / SAVE THE CHILDREN PHOTOS



GUIDELINES PSEA: CHECKLIST

INTERNATIONAL CODE OF CONDUCT ASSOCIATION (ICOCA) GUIDELINES FOR PRIVATE SECURITY PROVIDERS ON PREVENTING AND ADDRESSING SEXUAL EXPLOITATION AND ABUSE. 2019, PP. 20-21

Annex I – Checklist

POLICIES AND PROCEDURES

- A PSEA-specific policy has been developed or PSEA has been embedded in existing policies and procedures.
- A work plan to implement the PSEA policy has been developed.
- Implementation of the work plan is constantly monitored.
- The PSEA policy is regularly reviewed.

CODES OF CONDUCT

- The company code of conduct explicitly prohibits SEA.
- The company code of conduct sets out standards of conduct and employees' responsibilities with regard to PSEA.
- The company code of conduct is translated into a language or languages that personnel understand.

RECRUITMENT, PERFORMANCE APPRAISAL AND DISCIPLINE

- A PSEA focus is integrated in the recruitment process.
- PSEA is embedded in company performance appraisal procedures.
- Disciplinary procedures for SEA abuses are established and communicated to personnel.

TRAINING AND RAISING AWARENESS

- All personnel receive initial and recurrent PSEA training.
- Managers receive specific training on their PSEA responsibilities.
- The content of training is adapted to the operating environment.
- When it develops and delivers PSEA training, the company considers drawing on support from PSEA experts and local civil society organisations.
- Where possible, PSEA training sessions are opened and closed by a senior manager.
- The company uses a range of tools to make staff aware of PSEA.

OPERATION DESIGN AND RISK ASSESSMENT

- The company runs SEA risk assessments before each operation.
- If necessary, the company adopts additional risk mitigation measures to prevent SEA.
- The company considers drawing on support from local civil society organisations to help identify risks and assess the degree to which its risk mitigation measures are appropriate and effective.



DOCUMENT 11

GUIDELINES PSEA: CHECKLIST

INTERNATIONAL CODE OF CONDUCT ASSOCIATION (ICOCA) GUIDELINES FOR PRIVATE SECURITY PROVIDERS ON PREVENTING AND ADDRESSING SEXUAL EXPLOITATION AND ABUSE. 2019, PP. 20-21

AGREEMENTS WITH PARTNERS AND SUBCONTRACTORS

- The company assesses the ability of partners or subcontractors to comply with PSEA standards of conduct before it implements operations with them.
- PSEA clauses are included in agreements with partners and subcontractors.
- The company constantly monitors implementation of PSEA clauses contained in contracts.

SEA COMPLAINTS AND INVESTIGATION

- The company adopts a survivor-centred approach when it receives and investigates SEA complaints.
- The company takes the gravity and peculiarities of SEA into account when it appoints an investigating team.
- The investigation process is driven by values: investigations are prompt, thorough, impartial, documented, and safe.
- Appropriate disciplinary action is taken against SEA perpetrators.
- All instances of sexual violence are reported to the competent authorities, based on the wishes of the survivor and an assessment in line with Section 3.1.4 of the ICoCA Guidance on Company Grievance Mechanisms.
- The reasons behind SEA incidents are investigated. Investigations assess whether additional risk mitigation measures need to be adopted to prevent reoccurrence.

SURVIVOR ASSISTANCE

- The company considers providing immediate assistance to survivors before their allegations of SEA have been substantiated.
- The company considers providing longer term assistance to survivors whose SEA claims have been substantiated.
- Assistance strategies are designed to meet the individual's needs, wishes and best interests.
- The company respects the rights of SEA survivors to be informed, treated with dignity, and involved at every stage of the assistance provision process.
- The company assesses whether the assistance provided has been appropriate and effective, in order to improve assistance in the future.



TOOLKITS

This is a summary of the eight toolkits



A

EXAMPLES OF CODES OF CONDUCT - POLICY PROGRAMS

This toolkit contains eleven documents, which are samples of principles, guidelines and codes of conduct, and might be used as examples for each organization to develop their own recommendations regarding PSEA.

B

EXAMPLES OF RISK ASSESSMENT AND MANAGEMENT

This toolkit contains five documents, which are samples of useful tools to identify risk indicators and strategies to manage them, and might be used as examples for each organization to develop their own risk management systems.

C

EXAMPLES OF REPORT FORMS

This toolkit contains four documents, which are samples of report and referral forms, and instructions on how to proceed while processing a disclosure. They could be used as examples for each organization to develop their own forms regarding PSEA.

D

EXAMPLES OF FLOWCHARTS

This toolkit contains six documents, which are samples of visually-friendly diagrams. They could be used as examples for each organization to develop their own pathways regarding the procedures on PSEA.

E

EXAMPLES OF PSEA AUDIT AND SELF-ASSESSMENT - CONTACTS WITHIN THE ORGANIZATIONS AND PARTNERS

This toolkit contains seven documents, which are samples of contact lists and check-lists. They could be used as examples for each organization to produce their own call trees and self-assessment forms regarding PSEA.

F

EXAMPLES OF FEEDBACK FORMS

This toolkit contains two documents, which are samples of feedback forms. They could be used as examples for each organization to develop their own feedback materials on PSEA.

G

EXAMPLES OF MONITORING SURVEYS - EVALUATION TOOLS

This toolkit contains five documents, which are samples of monitoring surveys and evaluation tools. They could be used as examples for each organization to develop their own evaluation materials regarding PSEA.

H

EXAMPLES OF VISUALS

This toolkit contains four documents, which are samples of visual information materials. They could be used as examples for each organization to develop their own visually-friendly documents regarding PSEA.