



Save Youth Future Society
جمعية إنقاذ المستقبل الشبابي

Anti-Sexual Exploitation & Abuse Policy





Introduction

Sexual exploitation and abuse (SEA) are forms of gender-based violence that have been reported in humanitarian contexts, specifically relating to humanitarian workers.

All Save Youth Future Society employees and volunteers must be aware of their specific obligations as humanitarians to act with the highest standards of integrity and conduct, both in performance of their official duties as well as in their private lives.

Save Youth Future Society will not tolerate any sexual abuse or an act of exploitation being committed by any of the organization's team members or anyone associated with the delivery of our humanitarian projects. Save Youth Future Society will ensure that allegations of sexual exploitations and abuse are investigated and that appropriate disciplinary measures are taken.

This policy applies to all employees, volunteers, consultants, representatives and those anyone else connected to Save Youth Future Society including partners.

Basic Principles

The Inter-Agency Standing Committee (IASC) Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises, composed of UN and non-governmental organizations (NGOs), was established in March 2002. It developed agreed definitions of sexual exploitation and sexual abuse and adopted standards of behavior to be included in UN and NGO codes of conduct. Save Youth Future Society adheres to a code of conduct that includes the six core principles adopted by this Task Force with regards to Sexual Exploitation and Abuse, which are:

1. “Sexual exploitation and abuse by Save Youth Future Society employees 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 Save Youth Future Society and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of the organization and the humanitarian aid work.
5. Where an employee 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 Save Youth Future Society’s reporting mechanism.
6. Save Youth Future Society employees 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.”

Definition

Sexual Exploitation

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

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

Sexual Harassment versus ‘Sexual Exploitation and Abuse’

SEA occurs **against a beneficiary or vulnerable member of the community**.

Sexual harassment occurs when power differentials between staff members are abused.

GBV and SEA

Gender-based violence (GBV) is violence that is perpetrated against someone because of his/her gender. Thus, SEA can be seen as a type of GBV, as victims of SEA are often abused because of their vulnerable status as women, girls, boys or even men [in some circumstances].

Code of Conduct to prevent Sexual Exploitation and Abuse

All Save Youth Future Society staff whatever their position should act in the following manner within and outside working hours;

1. Never exploit the vulnerability of other women, men or children or allow anybody to be put in compromising situations.
2. Never engage in any kind of sexual activity involving children below the age of consent.
3. Never engage in sexual exploitation or abuse of beneficiaries be they men, women, or children. This constitutes acts of gross misconduct and is, ground for dismissal.
4. Never abuse a professional position to withhold humanitarian assistance, nor give preferential treatment; in order to solicit sexual favours, gifts and payments of any kind, or advantage.

5. Never engage in sexual relationships with beneficiaries. Such relationships are strongly discouraged since they are based on inherently unequal power dynamics and undermine the credibility and integrity of humanitarian work.
6. Never accept, solicit, or engage in “buying” of or profiting from sexual services.
7. Never expose staff or partners to any kind of sexual exploitation or harassment.
8. Ensure that all confidential information, including reports of breaches of these standards by colleagues, obtained from beneficiaries or colleagues is channelled correctly and handled with utmost confidentiality.
9. Any concerns or suspicions staff has regarding possible violations of this SEA Policy must be reported immediately via SYFS’ reporting mechanism
 - Any breach of these standards will result in disciplinary action.
 - Any staff purposely making false accusations of a breach of these standards will be subject to disciplinary action.

Responsibilities

Save Youth Future Society

- A senior-level staff member is appointed as the Focal Point on protection from sexual exploitation and abuse (PSEA). He/She will be given all necessary support to fulfil this function and is held accountable for their performance.
- Monitor the progress of the focal point to ensure that the necessary steps are being undertaken to prevent and respond to SEA.
- When entering into cooperative arrangements with non-SYFS entities or individuals (including consultants), inform them of the zero tolerance policy with regards to SEA and any other related standards of conduct and ensure that agreement to adhere to these standards are incorporated into all contracts.
- Create and maintain an environment that prevents sexual exploitation and sexual abuse
- Ensure that reporting and investigation procedures are in place and take timely, appropriate action where there is reason to believe that sexual exploitation or sexual abuse has occurred.
- Take swift and appropriate action, including legal action when required, against SYFS’ Employees and Related-Personnel who have committed sexual exploitation and abuse

PSEA Focal Point:

Save Youth Future Society will appoint a Focal Point for the Protection of Sexual Exploitation and Abuse (PSEA). His/her responsibility is to ensure that PSEA systems are in place. Among others, responsibilities include:

- To be familiar with key documents and resources;
- Ensure a joint understanding is in place in the organization about what the role and responsibilities are of the Focal Point;
- Provide Awareness Raising Sessions for personnel;
- Designation and training of field Focal Points within the organization;
- Support development of internal procedures for staff to report incidents;
- Establish community based complaint mechanism;
- Facilitate awareness raising in local communities on SEA, their rights and how to report incidents;
- Receive complaints, reports and questions about alleged acts of sexual exploitation and abuse;
- Once a complaint is received:
 - Ensure that all materials pertaining to complaints are handled strictly in line with applicable complaint procedures. Refer complaints/reports for investigation;
 - Immediately refer complainants to the victim assistance mechanism, where established, so that they may receive the medical, psychosocial, legal and material support they need or directly assist complainants to access immediate medical assistance and safety measures where needed.
- Make appropriate recommendations to management on enhancing prevention strategies. This could include collecting and analyzing information on actual/potential risk factors for vulnerability to sexual exploitation and abuse and elaborating measures to address them.

Managers/ Supervisors

- Managers and supervisors must ensure that all SYFS Employees and Related-Personnel understand and comply with this Policy and its Core Principles;
- Create an environment that discourages sexual exploitation and abuse;

- Support with the development of strategies to prevent and respond to sexual exploitation and abuse;
- Establish and ensure that complaint mechanisms for reporting sexual exploitation and abuse are accessible, particularly to beneficiaries of SYFS programs in the community
- Protect persons from retaliation when allegations of sexual exploitation and abuse are made in good faith
- Monitoring of the internal SEA policy

Employees/ Volunteers

All employees/volunteers must take responsibility for their own conduct having read and affirmatively confirmed adherence to the policy to prevent sexual exploitation. They fully understand that any breach of this conduct might have administrative and/or legal consequences.

Partner Organizations

Any partnership Save Youth Future Society has or will have with others is based on mutual respect for values and beliefs. All partners should meet SYFS' requirements in upholding this policy.

Prevention

Prevention has a crucial part in the protection from Sexual Exploitation and Abuse.

- Developing, Implementing and Enforcing the 'Sexual Exploitation and Abuse Policy' and the 'Code of Conduct'
- Awareness Training among staff and volunteers
- Prevent hiring people known to have committed SEA
- Awareness raising in community and /or among beneficiaries

The community should be aware that they are entitled to assistance without providing any form of sexual favor and that demands for such favors are strictly prohibited. They should also know how to safely report SEA when it occurs.

Complaint Mechanism

Save Youth Future Society adopts a formal complaint mechanism which allows staff and beneficiaries to report abuse and/or allegations in a safe, confidential, transparent and accessible way.

The mechanism consists of:

- Designated focal point(s) in the Save Youth Future Society Office as well as in the field locations. The focal points in the field are trusted members of the community;
- Posters when and how to report allegation
- SEA complaint forms are available in the office and all field locations;
- Clear rules regarding disclosure of information about the complaint;
- Clear timelines
- Procedures for making complaints by proxy (i.e. that allows one person to complain for another)

In order for the mechanism to be effective people need to be aware of it and encouraged to report:

- **Community/Beneficiaries**

People of concern will be informed about the organizations complaint mechanism, which includes:

- Definition of Sexual Exploitation and Abuse
- How and to who they can complain
- What happens when an allegation has been reported
- What steps they can take to ensure confidentiality and what steps the organisation will take to ensure safety and confidentiality
- **Staff/Volunteers**
- Staff Awareness: Annual PSEA sessions will be conducted in the office. All new staff/volunteers will be informed about SYFS' SEA policy and the role of the PSEA focal person
- Mandatory Reporting: Staff need to be aware of the mandatory reporting requirements with regards to SEA and the potential consequences of non-reporting

- Whistle blower policy in place: SYFS has a whistle blower policy in place that protects staff against retaliation.

Investigation

Initial Allegation

The initial complaint to the organisation can be made in writing or in person to the designated SEA Focal Person (in the SYFS office or the designated person in the community). It should give basic information about who the complainant is and what they allege, i.e. what happened (roughly), who did it, when, where, who else was there and how the complainant can be contacted again. This information will be shared with the Chairman of the Board.

It is further possible that there is concern regarding SEA which has not been reported. Staff and/or community members might have heard rumors, but are not sure if there was indeed misconduct. It should be encouraged that such rumors are reported, after which the organization can document the concerns in the form of a **potential** complaint.

Deciding whether to investigate

Its Save Youth Future Society policy to review and address all complaints, however not all will require an investigation. Important questions to answer are:

- Does the allegation constitute a potential breach of the organizations policy;
- Is there an identified victim and subject of complaint;
- Is further information required to determine either of the above.

If there is enough information available to justify an investigation, the immediate action should be to assess and deal with potential health and protection concerns regarding those involved.

Does the complaint allege a criminal offense

It is possible that the complaint alleges a criminal offense, in which case the organization might immediately refer the case to the police. If it will continue carrying out its own administrative investigation depends on a few things, including:

- The law in Gaza with regards to carrying out an administrative investigation where a criminal offense is suspected;
- Would continuing carry out an own investigation cause protection concerns for those involves. For example, having the victim tell the story twice;
- Will the organisation' evidence gather jeopardize the criminal investigation.

Appointing the Investigation Team

If decision is made to investigate the allegation, the Board of Directors will appoint an investigation team. This team will be comprised of three staff members and is headed by the Chairman of the Board of Directors. The persons selected will vary depending on the expertise required in relation to the alleged fraud.

The duties of the Chairman will be:

- Make the key decisions about the direction of the investigation;
- Producing the ToR for the investigation team;
- Ensure that the investigation is conducted according to key principles and procedures
- Ensure that safety and confidentiality plans are implemented
- Liaising with external stakeholders, such as National authorities, donors and/or other agencies
- Appointing the investigation team
- Receive the final investigation report and if complaint is substantiated, determining the disciplinary actions

The investigation team will conduct the day-to-day investigation, as defined by the ToR. Normally, their responsibilities include:

- Developing the investigation plan
- Gathering and securing evidence
- Making a finding on the evidence
- Preparing and submitting the report to the Chairman of the Board
- Making recommendations/observations on the policies and practices that may have enabled the exploitation/abuse to occur

Confidentiality

The issue of confidentiality will become a primary focus for the investigation team.

Confidentiality is important because:

- Protects the privacy and safety of all the people involved in the complaint. Witnesses might fear retaliation
- For survivors the experience of abuse can be very intimate and a matter of shame for them, their family and/or community
- The reputation of the accused will suffer because of the complaint and he/she might be targeted in revenge attacks.

Therefore, the fact and nature of the complaint, the identity of the key participants (the complainant, the victim, the accused and witnesses) and the investigation records are all confidential and only known to key internal stakeholders on a 'need-to-know basis.

Disclosure is only allowed when:

- It is required or permitted by law
- It is required by management in the best interests of the organisation and the parties
- It is needed to obtain specialist help for the survivor or advice on the evidence
- It is needed for criminal investigation

Whistleblower Protection

Employees reporting reasonably concerns or suspicions with regards to possible violations of the SEA Policy by another employee will not be subjected to an adverse employment action as a result of reporting the activity. This includes actions such as: Reprimand, discharge, suspension, demotion or denial of promotion or transfer that occurs in retaliation.

Any employee who has reason to believe that he/she has been subject to retaliation for making a report or participating in an investigation under this Policy must immediately report this. Any employee who retaliates against another employee for making a report or participating in an investigation under this Policy will be subject to disciplinary action, which can include termination of employment.

However, in view of the serious nature of this policy, employees who use this policy maliciously to damage the reputation of other employees when they have no reason to believe that misconduct has occurred may be subject to disciplinary actions.

Final Report

The investigation report is the document which contains the investigators' conclusions on whether, on the available evidence, there has been a breach of the relevant standards of conduct. It sets out in narrative form how the alleged misconduct was discovered, to whom it was reported, the steps taken to gather the evidence, the investigators' conclusions and the evidence supporting those conclusion port.

The Chairman of the Board checks the finalized report to ensure that conclusions are rational, prudent and supported by reliable, consistent and relevant evidence. Once this is completed the report will be shared with the Board of Directors who will decide upon disciplinary actions.

Disciplinary Actions

Where an investigation reveals that a Save Youth Future Society Staff Member was involved in Sexual Exploitation and Abuse, the organization will pursue disciplinary or legal action. Disciplinary action for SEA, unless prevented by local legal restrictions, will result in immediate termination of employment.

Disciplinary action could also be brought against supervisors whose failures have contributed to the act.

In case the investigation revealed that a staff member deliberately made an allegation in bad faith, his/her employment will be immediately terminated.

Victim Assistance

The purpose of the Victim Assistance strategy is to ensure that victims of sexual exploitation and abuse by Save Youth Future Society staff and related personnel receive appropriate assistance and support in a timely manner. This strategy shall in no way diminish or replace the individual responsibility for acts of sexual exploitation and abuse, which rests with the perpetrators. It is not intended as means for compensation.

Complainants should receive basic assistance and support in accordance with their individual needs directly arising from the alleged sexual exploitation and abuse. This assistance and support could comprise medical care, legal services, support to deal with the psychological and social effects of the experience and immediate material care, such as food, clothing, emergency and safe shelter, as necessary. The duration of the provision of assistance and support should be set in accordance with individual needs directly arising from the sexual exploitation and abuse.

ANNEX I Action Plan

Actions	Date Completed
<u>I. Senior managers raise SEA with personnel and issue code of conduct</u> - The agency's senior managers express, at least annually, to their personnel the importance of complying with SEA prohibitions and reporting incidents - A code of conduct is signed by all personnel - Code of Conduct+ Report Mechanism is posted in prominent places	

<u>2. Designate and support PSEA focal point(s)</u> • Give them direct line to the head of office concerning their focal point role • Ensure both human resources and operational sides of Save Youth Future Society are engaged in PSEA • Ensure designated focal point actively engages in the inter-agency PSEA Network (If applicable) • Incorporate PSEA responsibilities into their performance appraisals	
<u>3. Require adherence to the standards in the PSEA policy in all cooperative arrangements</u> Ensure all contracts issued to implementing partners include clauses on SEA	
<u>4. Conduct awareness raising</u> • Provide awareness training to agency personnel • Raise awareness among beneficiaries / local population. They need to know that they don't need to exchange sexual favors for humanitarian or development assistance as it is free, how to protect themselves, and how to complain if SEA occurs	
<u>5. Establish complaints mechanisms</u> • Establish and publicize how Save Youth Future Society personnel can report concerns or suspicions of SEA • Establish how beneficiaries / local populations can report SEA and/or other issues. • Establish clear procedures for how to handle and direct complaints	
<u>6. Ensure investigation procedures and capacity in place</u> • Ensure there is clarity on the role of the office and personnel in investigating allegations	
<u>7. Ensure recruitment procedures check background of prospective employees</u> Check references and files of possible new hires to ensure no background of SEA	
<u>8. Provide assistance to victims</u> Develop a victim assistance mechanism	