



Windle Trust
International

**Prevention of Sexual Exploitation
and Abuse (PSEA) Policy**

Introduction

Windle Trust International (WTI) is dedicated to increasing access to and improving the quality of education for conflict-affected communities and the marginalised in the Eastern Africa region. The organisation is committed to ensuring that everyone is kept safe from harm or abuse while they are involved with the organisation. WTI promotes respect, honesty, integrity and impartiality and will not tolerate harassment, coercion or sexual exploitation and abuse in any form.

WTI is aware that the opportunities and services provided through its programmes can create a power differential between those who are employed/contracted by us or partner with us. We acknowledge that there is a risk for this power imbalance to facilitate sexual exploitation and abuse. This Prevention from Sexual Exploitation and Abuse (PSEA) policy has been developed to ensure prevention of exploitation of programme participants and to clarify the responsibilities of our staff, volunteers, visitors, partners and contractors to the projects and the standards of behaviour expected of them. This PSEA policy should be read alongside WTI's Safeguarding and Protection Policy and Code of Conduct as it is intended to strengthen and enhance already existing policies, rather than to replace them.

Definitions:

Sexual exploitation and abuse - relates to the behaviour of WTI staff/consultants/ and partners intentional or unintentional towards third parties, often referred to as "beneficiary" populations.

Sexual exploitation - any actual or attempted intentional or unintentional 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 abuse - the actual intended or unintended or threat of physical and emotional intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Scope

This policy applies to

- All staff and trustees of Windle Trust International, including volunteers and anyone seconded or working temporarily for WTI.
- consultants recruited by WTI
- Partner organisations or members of a consortium led by WTI even if staff are employees of the partner organisation.

A reference in this policy to staff should be understood as including any other person within the scope of this policy.

Key Principles

Windle Trust International has adopted the Six Core Principles Relating to Sexual Exploitation and Abuse of the United Nations Inter-Agency Standing Committee, September 2019.¹

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 benefitting 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.

Windle Trust International is also guided by the following principles with specific reference to the safeguarding of children:²

1. In all actions concerning children and when dealing with a concern for the safety or wellbeing of a child, the best interests of the child shall be a primary consideration.
2. WTI has a zero-tolerance approach to child abuse and exploitation. Windle Trust International will not knowingly engage personnel to be in direct contact with children or access communities whom we work with if they pose an unacceptable risk to children's safety or wellbeing and will take immediate action upon report of any suspected child abuse or exploitation.
3. WTI believes child safeguarding and protection is a shared responsibility, which requires all personnel committing to and upholding the principles of this policy. WTI will also ensure that all partner organisations involved in the implementation of projects and activities have appropriate child safeguarding measures to implement the minimum standards outlined in this Policy.
4. WTI will continue to strengthen its internal safeguarding systems to ensure accountability to children and the families and communities with which it works. Specific child safeguarding roles and responsibilities will be delegated to staff to effectively embed child-safe organisational practice across all programs, operations and activities. WTI will strive to achieve an organisational child safe culture where any concerns about child safeguarding or poor practice can be raised and discussed.

¹ IASC, *Six Core Principles Relating to Sexual Exploitation and Abuse, 2019*, <https://interagencystandingcommittee.org/inter-agency-standing-committee/iasc-six-core-principles-relating-sexual-exploitation-and-abuse> [accessed 2nd March 2020]

² Windle Trust International, *Safeguarding and Protection Policy 2018*, https://windle.org.uk/sites/default/files/downloads/Safeguarding%20and%20Protection%20Policy%20080318_Final_approved.pdf [accessed 2nd March 2020]

Implementation Mechanisms

WTI takes a three-fold approach to ensuring protection:

- **Awareness** – educating all staff, consultants, volunteers, interns and visitors to the projects on WTI's Code of Conduct and the PSEA policies. Staff and consultants will sign to agree to uphold these policies.
- **Deterrence** – making public, particularly in recruiting staff and volunteers, Windle Trust International's procedures and reference checks put in place to prevent incidents
- **Openness and reporting** – developing a culture where staff can be open about concerns, and a procedure and Whistleblowing Policy whereby staff and volunteers can report concerns.

Awareness

1. Country Directors should review this policy and ensure that it is appropriate given the local context and in terms of language used. It may be edited and adapted as appropriate, subject to final approval by the Executive Director.
2. Managers should distribute copies of the WTI Code of Conduct to staff in relevant languages, including local languages as appropriate. A copy should be included in appointment and induction material for new staff.
3. All staff, visitors, and volunteers must be given a copy of the Code of Conduct.
4. All new staff inductions must include a briefing on this policy.
5. All staff will be expected to read this PSEA policy and sign and agree to follow it.
6. All staff are responsible for reporting any concerns or incidents to their line manager, the Country Director or the Executive Director, whichever may be most appropriate.
7. Country staff are responsible for ensuring that communities, schools and other organisations are aware of the standards of behaviour expected of Windle Trust International staff.
8. Monitoring adherence to the policy will be included in WTI's internal audit processes.

Deterrence

1. All staff must sign the attached Participant Protection Declaration to abide by the WTI Code of Conduct.
2. Every workplace will display a summary of the PSEA policy and every member of staff will have contact details for reporting.
3. All jobs advertised will be with a job description and person specification that will refer to Windle Trust International's PSEA policy. Referees will be asked to comment on an applicant's suitability in relation to this safeguarding policy.
4. All new staff are required to sign the Participant Protection Declaration before finalisation of contract.

Openness and Reporting

1. Each country programme office will appoint one person to be a focal point to ensure implementation of and adherence to the standards and behaviours set out in this policy. That person will be responsible for ensuring dissemination and understanding of this policy and the standards of behaviours that are expected; arranging for training for other staff and for ensuring application of the policy.

2. If you have a concern about a Windle Trust International staff member, supporter or visitor, you should complete the Incident Form (Appendix 1), report your concern to your line manager, the Country Director or the Executive Director. The reporting of suspected or actual abuse is a professional obligation.
3. The Manager and/or Country Director will discuss the concern and agree further action: Considerations should include local culture and traditions, relevant provisions of national law, the best interest of the victim, the risk of re-offence, and our own organisational values and reputation, and the expectations we have of our staff.
4. Every complaint should be investigated fully and appropriately. Protecting the rights of the victims, and also those of potential future victims, should take precedence over a desire to protect our organisational reputation. Our organisational response should be driven by integrity and the imperative to do the right thing.
5. Serious abuses where a law has been broken (particularly rape and assault) should be reported to the local authorities unless there are exceptional circumstances not to do so. A decision not to report serious abuses must be approved by the Country Director and is subject to confirmation by the Executive Director.
6. If the alleged incident involves a Windle Trust International employee, that individual will be suspended or removed from the area where the incident took place until the facts are established and conclusions can be drawn. The decision to suspend must be taken by the Manager or Country Director and is not open to challenge by the individual involved – or by the Executive Director if it involves the Country Director.
7. In conducting an enquiry into allegations of wrongdoing by commission or omission, both the alleged victim(s) and alleged perpetrator(s) shall be allowed to be represented or accompanied by a colleague or friend if they wish.

Prohibited Behaviours

WTI Personnel are strictly forbidden from engaging in any form of sexual exploitation and abuse whatsoever. This applies at all times whether WTI Personnel are at or outside the workplace or during or outside of working hours. Other actions, such as inappropriate behavior toward or with a child, failing to report an allegation of exploitation or abuse, or retaliating against a complainant or a witness are also prohibited by this Policy.

Because sexual exploitation and abuse includes a broad range of activities, the following activities are meant to be illustrative and not an exhaustive list of prohibited behavior:

1. Acts of sexual exploitation or sexual abuse by WTI Personnel including, without limitation: a. Unwanted touching or physical contact of a sexual nature b. Forcing sex or sexual acts against someone's will c. Using sex or sexual acts as a condition of receiving support, treatment, or assistance d. Physical aggression, including rape, sexual battery, forcible fondling e. Recording sexual acts or interactions without consent.
2. The exchange of, or an offer to exchange money, goods, services, or assistance for sex, sexual favors or other forms of degrading or exploitative behavior. This prohibition against the exchange of money for sex means that WTI Personnel may not engage the services of sex workers.
3. The exchange of, or an offer to exchange, recommendation for employment, offer of employment or an employment reference for sex, sexual favors or other forms of degrading or exploitative behavior. For the purposes of this section, the employer or prospective employer includes WTI or any WTI vendor or contractor.
4. Any sexual activity, or an attempt to engage in sexual activity, with a child regardless of local age of consent; ignorance or misbelief of a child's age is not a defense.
5. Sexual interactions or relationships with a Beneficiary during the time they are receiving assistance from WTI, regardless of whether the Beneficiary consents to such interaction.
6. Physical force or violence against a Beneficiary regardless of cultural norms.
7. Behavior toward a child that is inappropriate or sexually provocative, including, without limitation, physical abuse, sexual abuse or exposing the child to sexualised images or pornography.
8. Use of language or behavior towards a Beneficiary that is inappropriate, harassing, abusive, sexually provocative or that is intended to shame, humiliate or emotionally abuse.
9. Use of a computer, mobile phone, tablet, camera, social media, email, or other form of technology, without limitation, to exploit or harass a Beneficiary, or to access or distribute child pornography through any medium.
10. Use of WTI or WTI affiliate's facilities, vehicles or any other property for the purposes of sexual abuse or sexual exploitation.
11. Doing things of a personal nature for an unsupervised child that the child can do for themselves (e.g., bathing, dressing). "Unsupervised child" means a child who is not supervised by an adult who is an immediate family member.
12. Sharing a bedroom with an unsupervised child.
13. Photographing a child who is not adequately clothed or who is in a pose that could be considered sexually suggestive.
14. Failing to report a suspected, alleged, or known violation of this Policy in a timely manner.

Roles and Responsibilities in implementation

WTI Executive Director

- Know and abide by commitments made in this policy statement and comply as a staff member with the standards and requirements of the WTI Code of Conduct
- Ensure that this policy and related policies are reviewed by Trustees as required and are incorporated into the risk register review
- Ensure that organisational budgets enable the provision of relevant training and supervision
- Review management systems to ensure that all managers include compliance with the policy as one ingredient of a performance management system
- Know the reporting mechanism for Protection from Sexual Exploitation and Abuse

WTI Country Directors

- Know and abide by commitments made in this policy statement and comply as a staff member with the standards and requirements of the WTI Code of Conduct
- Ensure that the country budget enables the provision of relevant trainings and subsequent supervision and to participate in organisational or country specific training programmes
- Review management systems to ensure that all managers include compliance with this policy as one ingredient of a performance management system
- Know the reporting mechanism for Protection from Sexual Exploitation and Abuse

WTI Programme Managers

- Know and abide by commitments made in this policy statement and comply as a staff member with the standards and requirements of the WTI Code of Conduct
- Participate in organisational or country specific training programmes
- Ensure compliance with this policy as one ingredient of a performance management system
- Know the reporting mechanism for Protection from Sexual Exploitation and Abuse

WTI Staff/Consultants and partner organisations

- Know and abide by the standards outlined in the WTI Code of Conduct
- Agree to and sign the WTI Code of Conduct
- Participate in relevant trainings
- Know the reporting mechanism for Protection from Sexual Exploitation and Abuse
- Report any known or suspected case of sexual exploitation or abuse to their Country Director and/or the WTI Executive Director

WTI Trustees

- Actively support and supervise compliance with this policy
- Participate in relevant training
- Is legally responsible, as well as all staff in a supervisory capacity, to ensure a workplace free from harassment or discrimination



WINDLE TRUST INTERNATIONAL

REPORTING AND INVESTIGATION PROCEDURES

Concerns that must be reported and investigated include, but are not limited to:

- ✚ A practice or behaviour suggesting that a staff member of WTI has abused the power invested in him/her, by virtue of his/her post, to sexually exploit or abuse a beneficiary;
- ✚ An allegation that a staff member/Consultant/Intern/Volunteer or contractor has breached WTI's policy and rules regarding sexual exploitation and abuse outside the work environment (e.g. by engaging in a sexual relationship with a person under the age of 18);
- ✚ Concerns that cover a wide range of issues involving the exploitation of women and or children ranging from inappropriate behaviour to possible criminal offences;
- ✚ Concerns regarding the past behaviour of a staff member/Consultant/Intern/Volunteer;
- ✚ Concerns expressed by the community in which we operate, government partner, UN agency, NGO or INGO about the behaviour of WTI staff member, consultant, intern, contractor/suppliers.

Reporting concerns procedure

- All employees, volunteers, interns and persons associated with WTI including but not limited to beneficiaries, consultants, service providers and government, NGO partners and UN have the right to report against any form of actual or perceived Sexual Exploitation and Abuse, Harassment and any form of by WTI staff.
- Staff who suspect that SEA is occurring or who are aware of SEA allegations have an obligation to bring such information immediately to the attention of their line manager or the Country Director by completing the incident report.
- Or they may do so by contacting WTI head office directly through email at welfare@windle.org.uk or by calling in confidence WTI UK Offices on **+44 1865 712 900**
- WTI will ensure that an effective anonymous and confidential complaint mechanism exists and the mechanism for reporting is accessible, easy and safe to use.
- WTI management will ensure protection against retaliation for reporting suspected cases of PSEA.
- WTI will make sure that victims of SEA have access to the support they need without delay including support for their safety, or basic material assistance, medical care, psychosocial support or legal services.

Investigations

- Staff who report SEA allegations should not investigate by themselves, because to do so might disrupt due process and tamper with evidence.
- WTI has established SEA investigation committee comprising of human resources and senior management teams.
- The human resources unit and WTI management shall initiate investigation of reported complaints.
- All complaints received in breach of the SEA policy shall be investigated and responded to within a period of one month to allow for comprehensive investigations to take place through collection of evidences and verifications.
- If the perpetrator is a member of senior management, he/she will not take part in the investigation process and placed on administrative leave to allow the investigation to take place.
- The investigation team shall submit the report of their findings to Windle Trust International senior management team (SMT) who shall take appropriate disciplinary procedures
- During investigations, the reporter of the suspected SEA violation will be protected against retaliation with maximum confidentiality.
- Upon completion of the investigation process, if the perpetrator is found guilty, he/she shall be immediately dismissed and blacklisted from WTI system.
- If the suspect is innocent, he/she will be returned to work.



WINDLE TRUST INTERNATIONAL

PARTICIPANT PROTECTION INCIDENT REPORT FORM

If you have knowledge of an incident that has occurred that is against the WTI Code of Conduct, the Prevention of Sexual Exploitation and Abuse policy, or that a participant's safety might be in danger, please complete this form to the best of your knowledge as promptly as possible.

Please note for confidentiality reasons, the report should be written and signed solely by you. It will be treated in the strictest confidence. Please send it to the WTI Country Director, who is the focal point for complaints, or to the Executive Director in Oxford, UK.

Your name

Your job title or position

Your telephone number (and e-mail address if you have one)

Name of alleged perpetrator

Name of participant(s)/victim(s) against whom the incident occurred

Gender of participant/alleged victim

MALE / FEMALE

Age of participant (only complete the age for an adult if the age is related to his/her vulnerability)

Guardians / carers of participant (if a child and if known)

Date, time of alleged incident

Location of alleged incident

Please describe the nature of the allegation below (and on a separate page if required). Try to answer the following questions:

1. Was the abuse observed, suspected or divulged to you by another party?
2. What was/is the participant's physical and emotional state?
3. Has the participant said anything to you, and how did you respond?
4. Were there any other people involved?
5. What response have you taken, if any, to the alleged incident?
6. Which other parties, if any, are also aware of the alleged incident?

Details of other staff members and community members who can verify the incident
