

# **POLICY ON PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE (PSEA)**

## **Policy Statement**

Action Against Hunger UK recognises the right of people everywhere to be treated with dignity and respect and protected from sexual exploitation and abuse. We understand our work can create unequal power balances between Action Against Hunger UK employees and its representatives (defined below) and the communities with whom we work, especially its most vulnerable members, and we are committed to mitigating the risks associated with this.

In addition to harming people, sexual abuse and exploitation erodes integrity and damages the trust and confidence of the public, our donors, and other stakeholders and therefore our ability to achieve our vision and mission.

All employees and representatives<sup>1</sup> of Action Against Hunger UK must uphold and promote the highest standards of ethical and professional conduct at all times, and abide by the organisation's policies, including this Policy on Protection from Sexual Exploitation and Abuse.

### **Related Policies and Procedures**

To uphold and promote the highest standards of ethical and professional conduct all Action Against Hunger UK employees and representatives must also adhere to related policies and procedures, including but not limited to:

- The Action Against Hunger Code of Conduct
- The Action Against Hunger Gender Policy
- The Action Against Hunger People Management Framework
- The Action Against Hunger UK Risk Management Policies

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<sup>1</sup> We define "Action Against Hunger UK employees and representatives" broadly to include all employees of the organisation, board members, volunteers, interns, consultants as well as individual and corporate contractors of these entities and related personnel, such as non-Action Against Hunger UK entities, and their employees, and individuals who have entered into partnership, sub-grant or sub-recipient agreements with Action Against Hunger UK.

## Purpose

This Policy sets out the organisation's measures to prevent and, where required, respond to sexual exploitation and abuse. It outlines Action Against Hunger UK's commitments to ensure the protection of those with whom we work, and to ensure effective actions are taken when problems occur. This Policy is to be used in conjunction with relevant employment laws, in accordance with our duty of care obligations and relevant criminal laws, to make decisions about how to respond to complaints and concerns raised. It also reflects our responsibility for the full implementation of international standards, principles and commitments to prevent and respond to sexual exploitation and abuse.

By providing clarity on Action Against Hunger UK's position on these issues, we will increase awareness and build trust and confidence amongst all our stakeholders in our work to prevent sexual exploitation and abuse.

## Definitions

In accordance with the UN Secretary General's Bulletin (ST/SGB/2003/13), **Sexual Exploitation** is defined as the abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the sexual exploitation of another. **Sexual abuse** is defined as the actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions.

## Scope

This Policy applies to all Action Against Hunger UK employees and its representatives. For the purposes of this Policy, 'representatives' are defined as volunteers, interns, consultants, individual and corporate contractors, board members, and other representatives associated with the delivery of its work.

This Policy applies in all given countries where Action Against Hunger UK operates and/or has employees and/or representatives located including on Action Against Hunger UK premises. The Policy further applies to all Action Against Hunger UK employees and representatives while travelling to/from or attending workshops, meetings, conferences and trainings regardless of local or national law, habits or practices.

## Prohibition of Sexual Exploitation and Abuse

The organisation prohibits sexual exploitation and abuse by employees and its representatives and affirms its **zero tolerance** approach to such cases. Sexual exploitation and abuse is gross misconduct and may result in disciplinary action of employees, up to and including summary dismissal, in accordance with Action Against Hunger UK's Disciplinary Policy and Procedures. It may also result in the immediate termination of any contracts governing relationships with other representatives.

Action Against Hunger UK reserves the right to refer cases of sexual exploitation and abuse to the relevant authorities for appropriate action, including criminal prosecution where applicable, in the abuser's country of origin, as well as the host country. In order to ensure any risk of harm is fully considered prior to referral to external authorities, all cases where this is potentially appropriate must be referred to legal advisors for guidance.

## Protection Against Sexual Exploitation and Abuse (PSEA) Standards

The Standards below apply to **all Action Against Hunger UK employees and its representatives**. They set out the standards of conduct and behaviour required in personal and professional life. The standards below do not represent an exhaustive list.

All employees and representatives of Action Against Hunger UK will:

1. Treat all people at all times with dignity and respect.
2. Abide by the provisions, standards and commitments laid out in this Policy.
3. Undertake required awareness raising and other training related to this Policy.
4. Report any concerns or suspicions about a breach of this Policy according to the prescribed channels and in a timely manner.

All employees and representatives of Action Against Hunger UK will not:

5. Engage in sexually exploitative relationships, nor request any service or sexual favour from participants of Action Against Hunger programmes, children or others in the communities in which Action Against Hunger works, in return for protection or assistance.
6. Have sex or engage in sexual activities with programme participants. This is because there is an inherent conflict of interest and potential for abuse of power in such relationships.
7. Engage in sexual activity with a child which is any person under the age of 18. This applies regardless of the local age of consent, i.e. the local or national laws of the country in which the employee or representative works or regardless of the age of consent in the home country of the Action Against Hunger UK employee or representative. Ignorance or mistaken belief of the child's age is not a defence.<sup>2</sup>

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<sup>2</sup> This shall not apply in cases where a staff member is legally married to someone under the age of 18 but over the age of majority or consent in their country of citizenship.

8. Exchange money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. Sexual acts with paid sex workers are prohibited at all times, regardless of the local or national law or habits and practices concerning sex work or prostitution in the country.

## Reporting Concerns

All employees and representatives are obliged to report any concerns or suspicions they have regarding possible violations of this Policy as laid out in the Reporting Procedures. This obligation to report includes concerns or suspicions involving any other humanitarian worker, regardless of whether or not s/he is an employee or representative of Action Against Hunger UK. In order to prevent sexual exploitation and abuse, it is a duty and responsibility to report concerns and failure to do so represents a breach of this Policy, will be treated seriously and could lead to disciplinary action.

Action Against Hunger UK will take action against any employee or representative who seeks or carries out retaliatory action against those who have reported concerns or are involved in investigating or handling them.

## Handling Concerns

Action Against Hunger UK will investigate allegations of sexual exploitation and abuse involving Action Against Hunger UK employees and/or representatives in a timely and professional manner. This includes the use of appropriate interviewing practices with complainants and witnesses, particularly with children. We will engage professional investigators or secure investigative expertise as appropriate.

In order to protect those involved, sensitive information related to incidents of sexual exploitation and abuse will be treated confidentially and shared only with discretion and on a need-to-know basis.

## Roles and Responsibilities

Roles and responsibilities for the implementation of this Policy are outlined below:

### **Action Against Hunger UK's Directors and Board of Trustees**

Action Against Hunger UK's Board and Directors recognise their ultimate accountability for the organisation's measures to prevent and respond to sexual exploitation and abuse. They commit to supporting its implementation by:

1. Creating a positive organisational culture to support a safeguarding environment which will help to prevent sexual exploitation and abuse.

2. Appointing a designated safeguarding officer at Board level. As a member of the Risk Committee, this individual will be responsible for engaging with the senior management team, and for ensuring that safeguarding is embedded and regularly updated within the risk register.
3. Reviewing and updating this Policy every two years.
4. Monitoring and reviewing the Policy's implementation at a senior level, including via an annual Policy Implementation Review, and ensuring lessons learnt from this are embedded across the organisation.
5. Ensuring there are sufficient resources available across the organisation to support the effective implementation of this Policy.
6. Protecting the credibility and reputation of Action Against Hunger UK via effective oversight of this Policy and its implementation.
7. Agreeing protocols with regulatory and donor bodies for the handling and reporting of sexual exploitation and abuse information and cases.
8. Role modelling the standards of conduct and behaviour required by this Policy.

### **All Action Against Hunger UK Employees and Representatives**

All employees and representatives of Action Against Hunger UK must contribute individually and collectively to creating an environment that promotes the implementation of this Policy and prevents sexual exploitation and abuse. They will support implementation of this Policy by:

1. Knowing, understanding and abiding by both the specific requirements of the Policy, its specified Standards, and its spirit.
2. Fulfilling any specific requirements related to the prevention of sexual exploitation and abuse required in their positions.

### **Managers and Supervisors**

In addition to the actions applicable to all Action Against Hunger UK employees and representatives, managers and supervisors at all levels will also support this Policy implementation in their areas of responsibility by:

1. Ensuring all Action Against Hunger UK employees and representatives understand and comply with all aspects of this Policy.
2. Creating an organisational culture and fostering a working environment which is free from and prevents exploitation and abuse and supports the implementation of this Policy.
3. Applying and maintaining mechanisms and managerial systems to support the implementation of this Policy including effective supervision, awareness raising, prevention, reporting, and responding.
4. Role modelling the standards of conduct and behaviour required by this Policy.

### **Organisational**

To support the implementation of this Policy, the organisation commits to:

1. Creating a culture which supports safeguarding and prevents sexual exploitation and abuse.
2. Developing organisation-specific strategies, policies, procedures and action plans to prevent and respond to sexual exploitation and abuse.
3. Aligning this Policy across all organisational HR systems, policies and procedures, including but not limited to recruitment and selection, induction and orientation, performance management,

reward, and learning and development. Specific job / role responsibilities for the prevention of sexual exploitation and abuse will also be captured in job descriptions.

4. Seeking to prevent perpetrators of sexual exploitation and abuse from being hired, rehired or redeployed by Action Against Hunger and other organisations within the international development and humanitarian sector. This could include the use of background and criminal reference checks.
5. Working and collaborating with other organisations and stakeholders to develop practices and mechanisms that facilitate greater transparency regarding the handling and reporting of sexual exploitation and abuse cases.
6. Establishing and ensuring complaint mechanisms for reporting sexual exploitation and abuse are accessible, particularly to participants of Action Against Hunger UK programmes, and that Action Against Hunger UK focal points for receiving complaints understand how to discharge their duties. These will be regularly reviewed to ensure they are fit for purpose.
7. Taking swift and appropriate action, including legal action when required, against Action Against Hunger UK employees and representatives who commit sexual exploitation and abuse and / or breach the Standards required by this Policy.
8. Providing assistance (such as medical or legal) and basic psychosocial support as appropriate and feasible to those involved in complaints of sexual exploitation and abuse.
9. Creating and maintaining mechanisms to ensure awareness of and systematically train Action Against Hunger UK employees and representatives about this Policy and measures taken to prevent and respond to sexual exploitation and abuse.
10. Creating and maintaining mechanisms to ensure awareness of programme participants about the provisions and standards contained in this Policy, the behaviour and conduct they can rightfully expect of Action Against Hunger UK's employees and representatives, and how to raise any concerns or suspicions about a potential breach of this Policy.
11. Ensuring that when engaging in partnership, sub-grant or sub-recipient agreements, these agreements a) incorporate this Policy as an attachment OR that contracting entities have their own **Policy on Prevention of Sexual Exploitation and Abuse** and accompanying investigation mechanisms in place b) include the appropriate language requiring such contracting entities and individuals, and their employees and representatives to comply with this Policy OR their own Policy; and c) expressly state that the failure of those entities or individuals, as appropriate, to take preventive measures against sexual exploitation and abuse, to investigate allegations thereof, or to take corrective actions when sexual exploitation or abuse has occurred, shall constitute grounds for Action Against Hunger UK to terminate such agreements.
12. Actively engaging with a broad range of internal and external stakeholders to prevent and respond to sexual exploitation and abuse.
13. Embedding risk assessment and mitigation of sexual exploitation and abuse in programme design and organisational risk management