

Prevention of Sexual Exploitation & Abuse Policy (PSEA)

Approved by: Executive Team

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Signature Required: yes

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1. Introduction

Healthcare Platform Institute (HPI) is committed to ensure that its employees, volunteers, contractors, and partners have safe environment that is free from discrimination, exploitation, harassment, or abuse, including of a sexual nature. HPI adopts a zero-tolerance policy for any form of sexual exploitation, abuse (SEA) or harassment, and shall treat all incidents seriously, with prompt investigation of any allegations. The guilty persons of SEA or harassment will face disciplinary action, up to and including dismissal from employment. In addition to that, HPI makes sure that the complainant of SEA or harassment will not be victimized.

The purpose of PSEA policy in HPI is to guide its employees, volunteers, partners, and public to define SEA and harassment and to outline procedures for filing complaints, investigating claims and issuing appropriate disciplinary measures in the case of violations.

2. Definitions

Sexual exploitation and abuse (SEA) affect persons of concern, while sexual harassment refers to employees.

2.1. 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.

2.2. Sexual abuse

Is the actual or threatened physical intrusion of a sexual nature, whether by force, or under unequal or coercive conditions. It includes sexual slavery, pornography, child abuse and sexual assault.

2.3. Sexual harassment

Is defined as any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another. It can interfere with work, be made a condition of employment or create an intimidating, hostile or offensive environment.

Examples of behavior which constitutes SEA or harassment include, but are not limited to:

2.4. Physical conduct

- Unwelcome physical contact including kissing, hugging, or inappropriate touching
- Physical violence, including sexual assault

2.5. Verbal conduct

- Comments on someone's appearance, private life or perceived sexual orientation, gender identity and the way these might be expressed
- Sexual comments, stories and/or jokes
- Unwanted propositions for physical intimacy
- The use of work-related threats or rewards to solicit sexual favors

2.6. Non--verbal conduct

- Display of sexually explicit or suggestive material
- Sexually suggestive gestures
- Wolf whistling
- Leering

Anyone can be a complainant of SEA or harassment, regardless of their gender, sexuality and individual attributes, and it may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed. It often occurs within unequal relationships, for example between a manager and employee. This dynamic can be aggravated with at risk groups (such as sexual, ethnic, or religious minorities).

All SEA and harassment are prohibited, whether it takes place on HPI premises or outside, including at meetings, field visits, workshops, social events, distribution sites, training sessions or conferences sponsored by HPI. Anyone, including HPI employees, volunteers, donors, external affiliates, casual workers, contractors or visitors, found guilty of SEA or harassment will be reprimanded in accordance with this policy.

Sexual activity with children (persons under the age of 18) is prohibited, regardless of the local age of consent.

3. Procedures for Complainant

All HPI staff, and external affiliates should have access to a confidential mechanism that allows them to make a complaint safely. Any of the staff or external employees can report and should if they witness should any observed or suspected SEA or harassment.

3.1. Reporting Complaints: Employees

Any employee who feels subject to harassment should, if possible, inform the alleged harasser that the conduct is unwelcome and must stop. HPI recognizes that if harassment occurs in unequal relationships, it may not be possible for the complainant to inform the alleged harasser without fear of harm or retaliation. If a complainant cannot directly approach an alleged harasser, s/he should approach the line manager, HR team or the president of HPI as soon as possible after the incident has occurred.

- ✓ Complaints can also be made through to the designated boxes (complaint & suggestion box) in the operation sites, emails (complaints@hp-i.org) or the through **Employee Complaint Tab** in HPI General Channel within Microsoft Teams.

3.2. Reporting Complaints: External Affiliates

Any external affiliates who feels subject to SEA may complain through one of many methods provided under each project.

- ✓ Project helpline (call or text)
- ✓ Online form: <https://www.hp-i.org/complaintform>
- ✓ Email Address: complaints@hp-i.org
- ✓ Suggestion & Complaint box
- ✓ Face to face (meetings, project activities, field visits, etc.)
- ✓ Social media accounts of HPI

3.3. Processing Complaints:

Once the complaint reaches the HR team, CHRO is responsible for managing and is authorized to

act above her/his regular scope of work and authority in relation to sexual misconduct. If the person accused obstructs the process of verification, the HR team is authorized to contact the HPI's president or VP for assistance in investigating complaints.

When the HR team receives complaints, s/he will immediately address the following questions:

- ✓ Is the complainant still at risk?
- ✓ Is the harassment or SEA ongoing?
- ✓ Does the complainant feel safe going back to the location of services/workplace?
- ✓ Does this person need psychosocial support now, or during the process of investigation?

After assessing the immediate risks and needs of the complainant, the HR team shall:

- ✓ Assure the complainant that all complaints will be kept confidential to the degree requested by him or her, unless her or his or others' safety is directly at risk
- ✓ Give the complainant the option of submitting their complaint to an external party and authorities.
- ✓ Record the dates, times and facts of the incident(s).

When recording the incident, the complaint should include as much information as possible, including:

- Names and positions of all allegedly involved, including any witnesses
- When and where the incident occurred
- The nature of the SEA or harassment
- A description of any visible sign of abuse or other injuries, if physical assault
- An accurate account of what was said, if verbal harassment
- Whether anyone else knows or has been given the information
- What steps have already been taken

Ascertain the views of the complainant as to what outcome s/he wants

Confirm whether the complainant wants to pursue an informal resolution or a formal investigation, after:

- Ensuring that the complainant understands HPI's procedures for dealing with the complaint
- Ensuring that the complainant understands that choosing to resolve the matter informally at first does not preclude the complainant from pursuing a formal complaint if he/she is not satisfied with the outcome
- Ensuring that the complainant knows that they can lodge the complaint outside of HPI through the relevant legal framework

Throughout this conversation, the focal point must respect all choices of the complainant. She must also ensure that full confidentiality is respected. The ONLY situation in which the focal point may break confidentiality is if the safety of the complainant or anyone else is at risk. All reports, emails, and other documentation throughout the investigation should not include the complainant's name. All discussions and actions taken are to be recorded, and all records are to be kept confidential.

3.4. Informal Complaints Mechanism

The complainant may choose to deal with the matter informally, with support from the HR team. If the complainant is comfortable foregoing confidentiality and wants to address the issue directly with the accused harasser, the HR team shall:

- Ensure that the alleged harasser understands the complaints mechanism
- Give an opportunity to the alleged harasser to respond to the complaint
- Facilitate discussion between both parties, with the aim of achieving an informal resolution which is acceptable to the complainant

- Ensure that a confidential record is kept of what happens
- Follow up to ensure that the offensive behavior has stopped

These steps should be completed within 15 workdays of the complaint being made.

3.5. Formal Complaints Mechanism

If the complainant wants to make a formal complaint directly, or if the informal complaint has not led to a satisfactory outcome for the complainant, a formal investigation may be requested.

- ✓ Every single step in the investigation must be agreed upon with the complainant.
- ✓ All complaints must be reported to the HPI's president who will assign an investigation committee to investigate the complaint.
- ✓ The HR team may be members in the investigation committee.

3.6. Formal Investigation Process

In case the complainant or the victim is a female, at least one investigator must be a female. The investigator(s) will:

- Interview the complainant
- After doing a risk assessment and planning for contingency measures, interview the alleged harasser separately
- Interview other relevant third parties separately and gather relevant evidence
- Decide whether or not there is valid proof of sexual harassment
- Produce a report detailing the investigations, findings and recommendations of actions to be taken, such as an apology, a change of working arrangements, training for the harasser, suspension, dismissal. This must be done in consultation with the complainant
- Ensure that the recommendations are implemented, the behavior has stopped, and the complainant is satisfied with the outcome
- Follow up with the complainant throughout the investigative process to ensure s/he remains informed of all actions taken and provides his or her consent
- The full investigation and implementation of recommendations should be completed within 3 months. If the complaint is proved accurate, the committee will submit their report and recommendations to the President of the Institute.
- If it cannot be proven that the SEA or harassment took place, the complainant should continue to be monitored by HR team, and followed up on to make sure s/he is safe, and no retaliatory measures have been taken.

4. Implementation of this Policy

4.1. For HPI staff:

- The PSEA policy shall be disseminated every time they are updated or/and announced on Microsoft Teams of HPI.
- New employees must read this PSEA policy and sign, as part of their induction into the organization.
- It is the responsibility of the HR officer to ensure this will happen and a signed copy of the PSEA policy will be placed in the Employee Personnel File (EPF).

4.2. For external affiliates:

- The PSEA policy, concepts and reporting channels should be disseminated or easily accessed by the external affiliates.

This can be through:

- Contractual clause to inform external affiliates about this policy
- Appendix to the contract to the external affiliates
- Advertisement of the policy (during project activities and community meetings, and via posters, banners, cards, flyers, etc.)

5. Disciplinary Measures

1. Anyone who has been found to have committed SEA or harassment against another person shall be suspended or have their contract immediately terminated, depending on the gravity of the SEA or harassment.
2. All cases of physical assault will result in the immediate dismissal of the harasser.
3. Even in the absence of an evidence, it is recommended that the HPI president will take action to remove the unequal power conditions between the victim and accuser.

6. PSEA Policy Monitoring

4. The CHRO will manage an accountability mechanism to track, monitor, and evaluate compliance with set standards and protocol.
5. Quarterly, the CHRO will collect and review statistics on PSEA complaints, including the number of complaints, timeframe for resolving, and % of which were resolved.
6. Annually, the Internal Auditor will coordinate with the HR team to complete a PSEA self-assessment and submit a review report to the VP and president and Board of Trustees (BOT), who are responsible for evaluating the effectiveness of this policy and implementation and making any necessary changes.

I acknowledge that as [appropriate position(s) that apply to them], have read, understood, and approved the conditions of this policy and procedure before signing it below.

Name:

Signature:

Date:
