

**ASSOCIAÇÃO HAMUTUK NASAUN SAUDAVEL
(HAMNASA)**

**Preventing Sexual Exploitation, Abuse and Harassment
(PSEAH) Policy**

Administration	
Effective Date:	1 October 2022 (pending translation and Board approval)
Responsibility for Monitoring:	Executive Director and Board President
Responsibility for Implementation:	All HAMNASA personnel
Board Representative:	President
Board Representative Signature:	
Signing Date	
Last Review Date:	N/A
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Purpose

This policy sets the commitments by HAMNASA. This policy aims to protect people and prevent sexual exploitation, abuse and/or harassment (PSEAH) in any form, that may be associated with our work. It aims to protect those most vulnerable, particularly children and at-risk adults from any harm, that may be caused due to their contact with HAMNASA. This includes harm arising from:

- The conduct of staff or personnel associated with HAMNASA
- The design and implementation of HAMNASA's programs and activities.

HAMNASA is committed to actively preventing and minimising the likelihood of harm to clients and promoting a culture where abuse of any kind, including sexual abuse, exploitation and harassment is **not tolerated** and is dealt with promptly if it does occur – **ZERO TOLERANCE**

Scope

- All staff contracted by HAMNASA
- Associated personnel whilst engaged with work or visits related to HAMNASA, including but not limited to the following: consultants; volunteers; contractors; program visitors etc.

This Policy applies during and outside of working hours, whenever someone can be considered to represent the organisation, in line with HAMNASA's zero tolerance approach.

Policy Statement

HAMNASA believes that everyone we may have contact with, regardless of age, gender identity, disability, sexual orientation, or ethnic origin has the right to be protected from all forms of harm, abuse, neglect, and exploitation. HAMNASA will not tolerate abuse and exploitation by staff or associated personnel.

HAMNASA commits to addressing this commitment throughout its work, through the following key principles and the three pillars of prevention, reporting and response.

Principles

The Policy is underpinned by six principles outlined below:

Principle 1: Zero tolerance of inaction

Sexual exploitation, abuse and harassment are never acceptable. For this Policy, HAMNASA defines zero tolerance as acting on every allegation in a fair and reasonable way with due regard for procedural fairness.

Principle 2: Strong leadership accelerates culture change

HAMNASA will make every effort to promote, create and maintain a safe culture for the people who work for our organisation and the communities for whom we work. HAMNASA leaders are expected to promote these values, to set clear expectations and model respectful behaviour in all their

interactions at work, to create an environment that supports people to feel safe, to report concerns and be assured that their allegations are taken seriously.

Principle 3: Victim/survivor needs are prioritised

HAMNASA pursues a “do no harm” approach by prioritising the rights, needs, and wishes of the victim/survivor, while ensuring procedural fairness to all parties, including:

- treats the victim/survivor with dignity and respect
- involves the victim/survivor in decision making
- provides the victim/survivor with comprehensive information
- protects privacy and confidentiality
- does not discriminate based on gender, age, race/ethnicity, ability, sexual orientation, or other characteristics
- considers the need for counselling and health services to assist the victim/survivor with their recovery.

Principle 4: Preventing Sexual Exploitation, Abuse and Harassment is a shared responsibility

Preventing sexual exploitation, abuse and harassment is everyone’s responsibility. HAMNASA will develop strategies with appropriate levels of dedicated capacity and allocated resources, at all levels of the organisation, to prevent and respond to incidents of sexual exploitation, abuse and harassment that may occur.

Principle 5: Gender inequality and other power imbalances are addressed

HAMNASA strives for gender equity, diversity, and inclusion for others in all aspects of our work. We recognise that exploitation and abuse is fundamentally grounded in gender inequality - most survivors are women and most perpetrators are men - the intersection of gender with other forms of inequality can further increase the likelihood of such incidents in the future.

Principle 6: Stronger reporting will enhance accountability and transparency

HAMNASA aims to be accountable and transparent in communicating efforts and progress to various internal and external audiences, while ensuring victim/survivor needs are prioritised.

HAMNASA responsibilities

HAMNASA will:

- Ensure all staff have access to, are familiar with, and know their responsibilities within this policy
- Design and undertake all its programs and activities in a way that protects people from any risk of harm that may arise from their contact with HAMNASA. This includes the way in which information about individuals in our programs is gathered and communicated.
- Implement stringent procedures when recruiting, managing, and deploying staff and associated personnel

- Ensure staff receive training at a level commensurate with their role in the organization
- Follow up on reports of concerns promptly and according to due process.

Staff responsibilities

The HAMNASA Code of Conduct provides clear boundaries on behaviour and conduct expected of all Personnel.

In summary, HAMNASA staff and associated personnel must not:

- Engage in sexual activity with anyone under the age of 18
- Sexually abuse or exploit children or vulnerable adults
- Subject children or vulnerable adults to physical, emotional, or psychological abuse, or neglect
- Exchange money, employment, goods, or services for sexual activity
- Engage in any sexual relationships with beneficiaries of assistance since they are based on inherently unequal power dynamics.

Additionally, HAMNASA staff and associated personnel are obliged to:

- Contribute to creating and maintaining an environment that prevents violations and promotes the implementation of this Policy
- Report any concerns or suspicions regarding violations by HAMNASA staff member or associated personnel to the HAMNASA Program Director, Paul Vasconcelos as the Safeguarding Focal Point.

Reporting

HAMNASA will ensure that it has a system in place to respond to potential or confirmed breaches of this Policy and the Code of Conduct in an appropriate, effective, and timely manner, ensuring no further harm to the victim.

HAMNASA will ensure that safe, appropriate, accessible means of reporting concerns are made available to staff and the communities we work with.

HAMNASA will also accept complaints from external sources such as members of the public, partners and official bodies.

How to report a concern

Staff members who have a complaint or concern relating to safeguarding should report it immediately to their supervisor, the head of HR/Admin, or any member of the HAMNASA Senior Management Team that they trust, including the HAMNASA Program Director, Paul Vasconcelos as the Safeguarding Focal Point. It is also possible to report using the HAMNASA Whistleblower email, hr@hamnasa.org. If the staff member does not feel comfortable reporting to any of the above (for example if they feel that the report will not be taken seriously, or if that person is implicated in the

concern) they can report to a member of the HAMNASA Board, ideally the HAMNASA Board President (for further reporting procedures information, refer to HAMNASA Ethics Policy).

Response

HAMNASA will follow up reports and concerns according to policy and procedure, and legal and statutory obligations.

HAMNASA will apply appropriate disciplinary measures to staff found in breach of policy.

HAMNASA will offer support to survivors of harm caused by staff or associated personnel, regardless of whether a formal internal response is carried out (such as an internal investigation). Decisions regarding support will be led by the survivor.

Confidentiality

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management should be shared on a need-to-know basis only and should be kept secure at all times.

Associated policies

LIST RELEVANT POLICIES:

- PSEAH Procedure
- Safeguarding Code of Conduct
- Human Resources Policy
- Harassment Policy

Glossary of Terms

Child	A child is any individual under the age of 18, irrespective of local country definitions of when a child reaches adulthood.
At risk Adults Also referred to as Vulnerable Adult/s	Anyone 18 years or over who - <ol style="list-style-type: none"> 1. is unable to take care of themselves/ protect themselves from harm or exploitation; or 2. due to their gender, mental or physical health, disability, ethnicity, religious identity, sexual orientation, economic or social status, or because of disasters and conflicts, are deemed to be at risk. 3. is in a situation of subordination and therefore experiencing a power differential putting them at risk.
Beneficiary Also referred to as Program Participant	A person (outside of the organisation) who is receiving assistance or services from the program. Alternatively referred to as a member of the affected population, a person affected by crisis and/or program aims to assist.
Fraternisation	Any relationship that involves, or appears to involve, partiality, preferential treatment or improper use of rank or position including but not limited to voluntary sexual behaviour. It could include sexual behaviour not amounting to intercourse, a close and emotional relationship involving public displays of affection or private intimacy and the public expression of intimate relations.
Sexual Abuse	The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It covers sexual offences including but not limited to attempted rape (which includes attempts to force someone to perform oral sex); and sexual assault (which includes non-consensual kissing and touching). All sexual activity with someone under the age of consent is sexual abuse.
Sexual Exploitation	Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from sexual exploitation of another.
Sexual Harassment	An unwelcome sexual advance or an unwelcome request for sexual favours or engaging in other unwelcome conduct of a sexual nature, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated. Sexual harassment can take various forms. It can be obvious or indirect, physical, or verbal, repeated or one-off and perpetrated by any person of any gender towards any person of any gender. Sexual harassment can be perpetrated against beneficiaries, community members, citizens, as well as staff and personnel.
Survivor / Victim	The person who is, or has been, sexually exploited or abused. The term 'survivor' implies strength, resilience, and the capacity to survive. The term 'victim' refers to the person who is directly affected by alleged perpetrator's actions. However where 'victim' is used, it is not intended to negate that person's dignity and agency as an individual.

Transactional Sex	Transactional sex refers to the exchange of money, employment, goods or services for sex or sexual favours, even in places where sex work is legal. After a crisis or in circumstances of poverty or desperation, individuals may engage in transactional sex to generate income and meet basic survival needs. They may not identify with the term “sex worker”. For a person purchasing sex in this setting, it is often impossible to distinguish between exploitative and non-exploitative transactional sex.
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