



# GOAL Protection from Sexual Exploitation and Abuse (PSEA) Policy

January 2018

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<b>Clients:</b>	All GOAL staff, including all GOAL Head Office and Field staff, all GOAL entities' Boards of Directors, consultants, secondees, interns, volunteers, visitors, implementing partners, contractors, donors, and vendors.
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# 1. Introduction

When we refer to GOAL in the GOAL PSEA Policy we mean GOAL (International), GOAL US and all GOAL subsidiaries, branches and/or liaison officers and other entities established in programme countries from time to time (all defined as "GOAL").

As GOAL works towards its mission of ensuring that the poorest and the most vulnerable people in the world have access to the fundamental rights of life, we, as GOAL employees and representatives, must always uphold and be seen to practice the highest standards of behaviour, accountability and integrity with everyone we encounter.<sup>1</sup>

GOAL is committed to the protection from sexual exploitation and abuse (PSEA) by its staff and humanitarian workers and recognizes both the particular vulnerability of women, girls and boys to sexual exploitation and abuse (SEA) as well as the inherent power dynamics evident within humanitarian and development partnerships. Humanitarian workers and managers hold positions of power over the population they serve, their staff and implementing partners.

We have an obligation to use our power respectfully and must not abuse the power and influence we have over the lives and well-being of the participants of our programmes and others in the communities where GOAL works. "Do No Harm" is a core principle of humanitarian action, and GOAL is committed to giving this principle the adequate resources and attention to be implemented at all levels and ensure that this policy is adhered to. The Code of Conduct 2016 highlights that abuse, harassment and discrimination based on gender and sexual orientation are not acceptable in the workplace and in our contacts with others.

Sexual exploitation and abuse of programme participants or others in the communities we serve by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.

# 2. Purpose

The purpose of the GOAL PSEA Policy is to ensure that all GOAL employees and related personnel make ethical decisions in their professional and personal lives to ensure the protection of all against sexual exploitation and abuse (SEA) by GOAL staff and related personnel.

- a. Women, girls, boys and men with whom GOAL interacts are protected from SEA. GOAL acknowledges that no document can offer complete protection, however mandatory adherence endeavours to minimise risk.
- b. Staff and representatives are protected. By implementing the GOAL PSEA Policy all staff and representatives will have clear guidance regarding mandatory behaviour and reporting lines should there be an issue.
- c. The organisation is protected. By implementing the GOAL PSEA Policy, GOAL is making clear its commitment to PSEA. The GOAL PSEA Policy is a tool to enable GOAL to move towards best practice in this area and to deter those who would wish to abuse it from joining or working with the organisation.<sup>2</sup>

The GOAL PSEA Policy has been developed in accordance with the six core principles adopted in 2002<sup>3</sup> by the Inter-Agency Standing Committee Task Force on Prevention and Response to Sexual Exploitation and Abuse (2002), and the principles of the United Nations Secretary General's Bulletin on Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13)<sup>4</sup>.

1 - GOAL Code of Conduct, November 2016

2 - GOAL Child Protection Policy

3 - <https://goo.gl/3SDuvo>

4 - <http://www.un.org/Docs/journal/asp/ws.asp?m=ST/SGB/2003/13>

As local laws and customs differ widely across the world, the GOAL PSEA Policy is informed by International Human Rights Law, United Nations' standards, and best practice guidelines from the humanitarian sector (including GOAL's own policies and experience). It applies regardless of location and local law<sup>5</sup>. The GOAL PSEA Policy is also in line with the following:

- IASC Minimum Operating Standards; Protection from Sexual Exploitation and Abuse by own Personnel (2012);
- The Global Review of protection from Sexual Exploitation and Abuse by UN, NGO, IOM and IFRC Personnel, July 2010;
- The Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and Non-UN Personnel, August 2008; and
- The Core Humanitarian Standard (CHS) on Quality and Accountability<sup>6</sup>.

The GOAL PSEA Policy covers:

- Sexual exploitation and abuse of and/or by GOAL staff which is addressed in GOAL's Code of Conduct.
- The process of ensuring that SEA victims are referred to/receive medical and psychological care. This should be addressed by the Country focal point who will have received training on how to deal with victims in these situations.
- If SEA is committed by one programme participant on another programme participant. However, GOAL would encourage staff to report all cases of concern, suspicion and disclosures made to allow GOAL management to deal with the appropriate authorities in such cases.

### 3. Scope

The GOAL PSEA Policy applies to everyone associated with GOAL. This includes the GOAL Board and all GOAL employees, whether part-time or full-time and to any paid or unpaid consultants, contractors, interns, secondees and volunteers who provide services to GOAL in Ireland and worldwide.

Any violation of the GOAL PSEA Policy will be treated with the utmost seriousness and will be dealt with in accordance with GOAL's Disciplinary Procedure detailed in the HR Manual and applicable laws. This may result in a disciplinary sanction up to and including termination of employment, as well as legal action.

Those in positions of authority with GOAL have a particular duty to ensure adherence by both themselves and others to the GOAL PSEA Policy and to support and develop appropriate systems to facilitate compliance, disclosures and follow up.

Service providers are expected to be committed to the GOAL PSEA Policy or to their own PSEA policy, provided it promotes similar principles.

### 4. Definitions & Acronyms

- **Abuse** is defined as any action that intentionally harms or injures another person. In many cases, it is characterized by unbalanced power relationships between stakeholders (the abuser and the victim).
- **A disclosure** is defined as a specific allegation of abuse made against a named individual.
- **GOAL Board** is defined as GOAL Ireland Board, GOAL UK Board, and GOAL US Board.
- **Harassment** is defined as an unwelcome behaviour of offensive nature severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or

abusive. This includes discrimination based on gender, race, religion, sex (including pregnancy), ethnicity, age, disability or genetic information. It includes bullying, stalking, sexual harassment, personal harassment, and harassment based on any characteristics listed above.

- **PSEA** means Protection from Sexual Exploitation and Abuse.
- **Sensitive cases** are cases where individuals or groups are harmed, discriminated against, exploited or neglected by individuals. This includes, but is not limited to:
  - o Non-compliance with the GOAL Child Protection Policy and the GOAL Protection Against Sexual Exploitation and Abuse Policy.
  - o Any harm caused by an individual or organisation contracted by GOAL (employee, volunteer, trainee, consultant, partner, sub-grantee etc.). Harm done can be physical, sexual, emotional, and/or discriminatory and can lead to situations of exploitation and abuse of power
- **Sexual Abuse** means the actual or threatened physical intrusion of a sexual nature, including inappropriate touching or harassment, which can occur
  - a. by force;
  - b. under unequal conditions; or
  - c. under coercive conditions.
- **Sexual exploitation** are practices by which a person achieves sexual gratification, financial gain or advancement through the abuse or exploitation of a person's sexuality by abrogating that person's human right to dignity, equality, autonomy, physical and mental well-being; i.e. trafficking, prostitution, prostitution tourism, bride trade, pornography, stripping, battering, incest, rape and sexual harassment.
- **Suspicion** is when a concern is expressed about abuse that may have taken place or concern that abuse may take place.
- **Exploitation** shall include, at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs<sup>7</sup>.
- **Trafficking in Persons** is the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

## 5. Policy Statement

GOAL staff and all clients to this Policy must not engage in:

- a. Sexual exploitation and abuse of programme participants or others in the communities we serve.
- b. Sexual activity with children (persons under the age of 18). This is prohibited regardless of the age of majority or age of consent locally<sup>8</sup>. Ignorance or mistaken belief regarding the age of a child is not a defence.
- c. Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This includes the exchange of assistance that is due to programme participants.
- d. Sexual relationships between GOAL employees and beneficiaries of GOAL's programmes are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of GOAL's development and humanitarian aid work<sup>9</sup>.
- e. Harassment, discrimination, exploitation and abuse based on gender (including pregnancy) and sexual orientation in the workplace or towards partners and service providers.

7 - Adopted from article 3, paragraph (a) of the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons.

8 - A GOAL Employee who is married to someone under the age of 18 may declare for a derogation from this provision, if the legal age of consent for marriage in their legal jurisdiction allows. The Country Director may decide if this derogation is accepted. The derogation must be recorded and a record maintained. Should the Country Director wish to gain consultation on the decision of whether to accept/reject the derogation s/he may consult the Head of Ethics & Compliance in GOAL HQ or the Global Protection Advisor.

9 - GOAL considers that engaging in non-professional ways with beneficiaries or project participants can raise the risks of conflicts of interest, as defined in GOAL's Conflict of Interest policy and further explained in its appendix 1, Personal Interest.

Where a GOAL employee develops concerns or suspicions regarding sexual abuse or exploitation by a client to this Policy, whether in the same agency or not, he or she must report such concerns via GOAL's established reporting mechanisms.

GOAL employees are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of the GOAL PSEA Policy. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

The GOAL PSEA Policy encompasses all types of SEA and exploitation and organised abuses of power, including exploitation, forced labour, slavery and trafficking.

GOAL condemns exploitation, slavery, and forced labour and has a zero-tolerance policy towards employees, board members, volunteers and service providers who are exploiting human beings for their benefit. These principles are embedded in the GOAL Employee Handbook, the Code of Conduct and in the GOAL Guidelines and Compliance Plan Against Human Trafficking, Exploitation and Forced Labour.

## 6. Responsibilities

### **GOAL Board and Senior Management**

The GOAL Board is ultimately responsible for the application and implementation of the GOAL PSEA Policy through Senior Management Teams in Head Office and in country programmes.

The GOAL Board will ensure that adequate technical support is provided to country programmes to adapt and implement the GOAL PSEA Policy.

One member of the board is identified as the PSEA focal point.

Senior staff and managers are expected to report on PSEA and breaches of the GOAL PSEA Policy to the GOAL Board.

A yearly report, based on an internal audit is also sent by each GOAL country programme to the Head Office Senior Management Team.

PSEA policy implementation is regularly monitored by the Audit and Risk Committee.

### **ALL GOAL employees**

Where a GOAL employee develops concerns or suspicions regarding abuse or exploitation by a client to this Policy, whether in the same agency or not, he or she must report such concerns via GOAL's established reporting mechanisms<sup>10</sup>.

GOAL employees are obliged to create and maintain an environment which prevents exploitation and abuse and promotes the implementation of the GOAL PSEA Policy. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

### **GOAL Management at HQ and Country Level**

GOAL managers and supervisors must ensure that their employees and related personnel understand and comply with the GOAL PSEA Policy and its Core Principles (see section 5, 'Policy Statement' above).

GOAL managers and supervisors commit to:

- a. Policy
  - Managers agree to disseminate the GOAL PSEA Policy within the organisation and among partners and representatives.

- Adherence to the GOAL PSEA Policy by all employees and related personnel is mandatory and a contractual agreement.
- b. Human Resources
- All staff, related personnel and visitors are informed about the GOAL PSEA Policy during their induction.
  - It is the responsibility of the field office where staff are stationed to ensure that all staff members receive training on the GOAL PSEA Policy.
  - Incorporate appropriate job responsibilities (such as staff training, complaints and response mechanisms, coordinating high-level oversight and progress reports) in specific staff positions to support and ensure effective implementation of organizational strategies to prevent and respond to SEA.
  - Ensure that in every country there is a Protection focal point who responds for both Child Protection and Gender issues. The focal point must have resources and time allocated to its responsibilities.
  - Incorporate the GOAL PSEA Policy in induction materials and training courses for employees. Follow up training on complaints and feedback should also be provided.
  - Ensure recruitment processes use thorough background checks and also vet potential employees' attitudes towards PSEA, in line with applicable laws.
- c. Procedures
- Include PSEA in risk assessment, monitoring and reporting processes e.g. Risk Register.
  - Develop organization-specific strategies to prevent and respond to incidents of SEA at HQ which are led by the Head of Ethics and Compliance.
  - Through our on-going work, commit to engagement with stakeholders, in particular individuals, communities and governments with whom we work to address underlying root causes of SEA.
- d. Accountability
- Accessible complaints and response mechanisms that have responsibilities for responding to instances of SEA.
  - The ultimate responsibility for implementing this policy is with the GOAL Board of Directors. The Senior Management Team shall hold Regional Directors to account for ensuring implementation of the GOAL PSEA Policy including risk management processes.
  - Though the PSEA Policy, GOAL commits to addressing inherent power dynamics within humanitarian and development partnerships through promotion of meaningful engagement with stakeholders as active participants in line with the Core Humanitarian Standards.

## 7. Reporting

It is the obligation of all GOAL staff and related personnel to raise any concerns or suspicions they have, actual or perceived, of any breach of the GOAL PSEA Policy by any colleague or client to the Policy.

This should be done through:

1. GOAL's internal and external mechanism as laid out in the Whistleblowing Policy;
- OR
2. To a senior manager with whom they feel comfortable;
- OR
3. The Country team focal point for PSEA<sup>11</sup>;
- OR
4. Global Protection Advisor.
- OR
5. Head of Ethics and Compliance.

When made aware of an alleged breach of the GOAL PSEA Policy, GOAL will:

- Take appropriate action to the best of its capacity to protect persons from retaliation when allegations of sexual exploitation and abuse are made in good faith.
- Investigate allegations of sexual exploitation and abuse involving GOAL staff and related personnel in a timely and professional manner, and to the best of its capacity encourage all designated stakeholders to do the same.
- Inform donors and relevant regulatory authorities as required by contracts and law, respectively.
- Use appropriate interviewing practices with complainants and witnesses, particularly with children. This may include engaging professional investigators or securing investigative expertise as appropriate.
- Take swift and appropriate action, including legal action when required, against employees and related personnel who commit sexual exploitation and/or abuse.
- Take swift and appropriate action against those who were aware of such abuse/exploitation but did not report it.
- Support survivors of SEA, including but not limited to medical assistance, if required.

All GOAL staff should be made aware of the reporting mechanisms for PSEA by ensuring that reporting lines on how to raise concerns are displayed in an accessible location in all GOAL offices. This display must contain the contacts of all focal points, the internal and external whistleblowing contacts, the complaints response mechanism, the Head of Ethics and Compliance and the Global Protection Advisor (see Annex 4).

## 8. Training and Communication

All staff, related personnel and visitors are to be informed about the GOAL PSEA Policy during their induction. It is the responsibility of the field office where staff are stationed to ensure that all staff members receive training on the GOAL PSEA Policy. Each country's Protection Focal Point will also conduct regular updates and specific trainings to meet the needs of particular staff roles within the local context and its accompanying risks.

GOAL will audit its operations annually to ensure that PSEA is being addressed correctly in 4 components:

- a. Policy: the GOAL PSEA policy is applied in all GOAL country programmes it is easily accessible to all staff and fully understood by all GOAL staff and related personnel.
- b. Procedures: systems are in place to reduce risks of abuse, rumours and the possibility of harm.
- c. People: staff are recruited, managed and work in an environment that addresses PSEA through support, training, information and response.
- d. Accountability: systems are in place to receive and respond to concerns, and to recognize and limit risks.

## 9. Non-compliance

Any concern regarding PSEA or suspicion of SEA or a breach of the GOAL PSEA Policy, at any level is treated with the utmost seriousness by GOAL. The disciplinary actions are detailed in GOAL's HR Manual and include investigation into gross misconduct and breach of Policies. In absentia, the reference manual is the GOAL Head Office Employee Handbook (updated February 2017).

GOAL appreciates that cases of sexual abuse or exploitation can be exceptionally difficult to discover and/or prove. Survivors of sexual abuse and exploitation often face enormous social and cultural barriers to reporting any abuse or exploitation. In many cases alleged perpetrators may wield power or position over their victims, and/ or live in close proximity to them.

GOAL recognises that these factors may interfere with any investigation into cases of sexual abuse or exploitation. GOAL also recognises the significant damage that can be caused by malicious or unfounded accusations and will endeavour to provide protection for staff who may be wrongly accused.

## 10. Related policies and procedures

The GOAL PSEA Policy is linked to and must be read in conjunction with:

- GOAL Code of Conduct
- GOAL Gender Equality Policy and Strategy
- GOAL Child Protection Policy
- GOAL Risk Management Policy
- GOAL Employee Handbook
- GOAL Whistleblowing Policy

A list of all GOAL's active policies can be found on the Policies and Guidelines page on GOAL's intranet.

### Support Toolkit Associated with implementation of this policy:

Annex 1: Flow Chart of Reporting Sensitive Cases

Annex 2: Names and Contact Details for Reporting and Responding to Sea

Annex 3: Reporting and Responding to Suspicion or Disclosure of Sensitive Case

Annex 4: Protection Report Form

Annex 5: Protection Case Follow-Up Form

Annex 6: Self Audit Tool

Annex 7: Check Up for Compliance and Internal Audit (under review)

## Annex 1: Sign Page For All Staff

I acknowledge receipt of the GOAL Protection from Sexual Exploitation and Abuse Policy and Procedures.

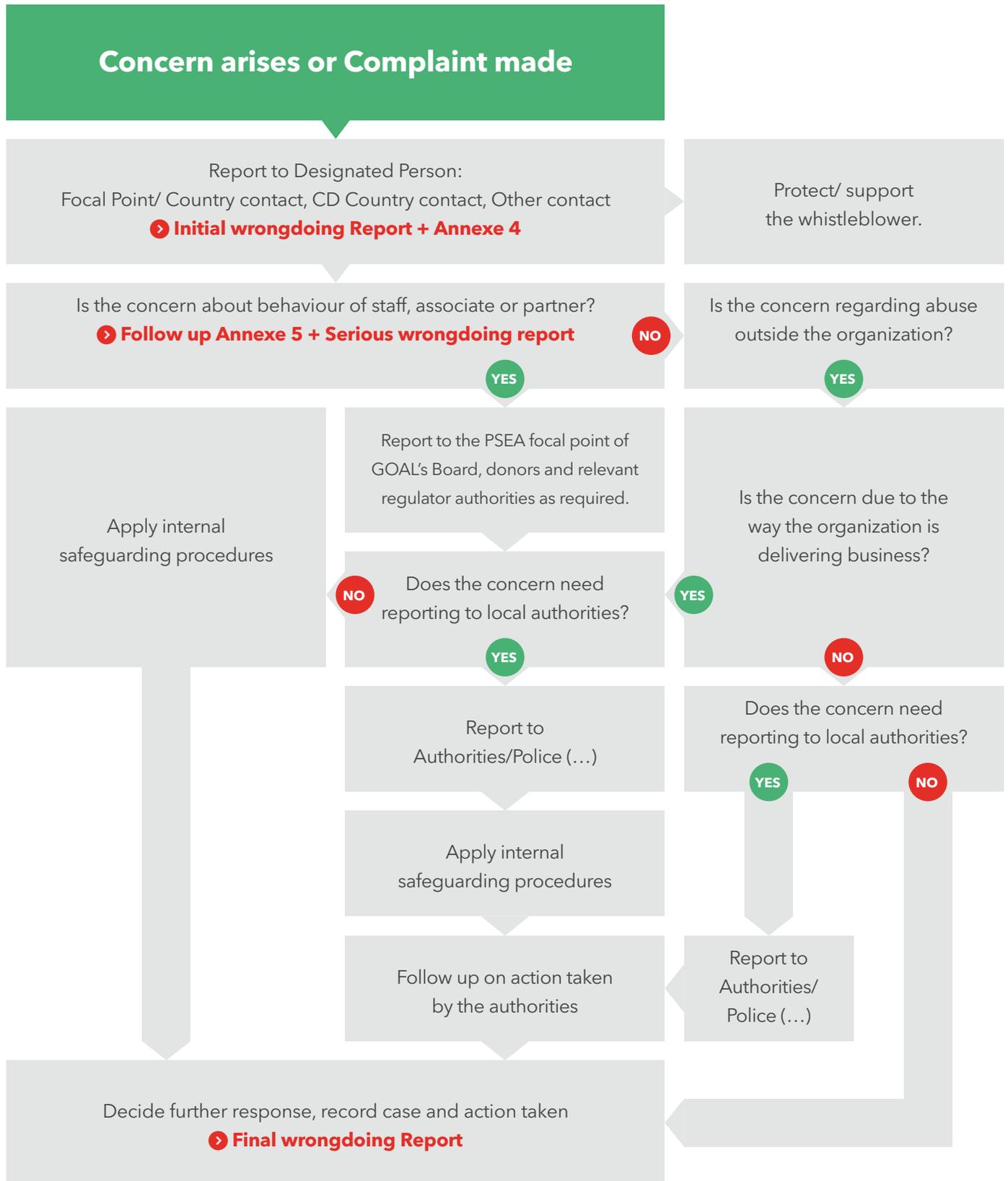
I have read the policy; I understand it and I accept the contents therein as part of my conditions of employment with GOAL.

Name:

Signature:

Date:

## Annex 2: Management of SEA Cases



## Annex 4: Protection Report Form

This report is to be used as a tool to develop the most un-biased information based report possible. This report complements the initial serious wrongdoing report, in case of sensitive concern related to possible breach of the PSEA, CPP, anti-trafficking policies. Concerns reported in this annex are specific to harm, abuse (physical, sexual, emotional), exploitation, involvement in human trafficking, discrimination and neglect by someone related to GOAL (employee, volunteer, consultant/visitor, partner, contractor) against someone related to GOAL (employee, volunteer, beneficiary/ member of the population, partner,...).

- a. If you have knowledge that a person's safety might be in danger, please complete this form to the best of your knowledge. All information and details are relevant, do not be afraid to include all the detail you can think of and remember. If you need additional space to include all the detail, please use a separate piece of paper. Sign and date this additional paper. For confidentiality reasons, the report should be written and signed solely by you.
- b. Once the report is completed, you must communicate directly with the most senior manager in the organisation and the Head of Ethics and Compliance within 24 hours (preferably within the same working day). It will be held in a safe and secure place and treated in the strictest confidence.

### Protection Report Form

Case number:

#### 1. About you

1.1 Your name: 1.2

Your job title:

1.3 Workplace:

1.4 Your relationship to the alleged victim:

1.5 Your contact details:

1.6 Have you discussed this concern with any other person: If so, who?

#### 2. About the alleged victim

2.1 Alleged victim's name:

2.2 Alleged victim's gender:

2.3 Alleged victim's age:

2.4 Alleged victim's contact details:

2.5 Is this alleged victim involved in one of GOAL's programmes?

Continue overleaf 

### 3. About the concern

3.1 Was abuse suspected or witnessed?

3.2 Is this concern based on first hand information or information divulged to you by someone else? (if so, who?)

3.2 Did the alleged victim disclose abuse to you? If so, describe in detail what the alleged victim said to you, how the alleged victim presented/ looked when talking to you.

3.3 Are there any witnesses to the situation? (if so, who)

3.4 Context of the alleged incident:

3.5 Location of the alleged incident:

3.6 Name of alleged perpetrator:

3.7 Is the perpetrator a beneficiary, staff member, or visitor?

3.8 Residence of alleged perpetrator:

3.9 Title of alleged perpetrator:

Continue overleaf 

3.10 Nature of the concern//What type of event are you concerned about, that would raise suspicion on abuse:

3.11 Your personal observations.  
N.B. make a clear distinction between what is fact and what is opinion or hearsay

3.12 Exactly what the alleged victim or other source said to you (if relevant) and how you responded to him or her (record actual details)

3.13 Any other information not previously covered:

3.14 Were there any other beneficiaries involved in the situation?

3.15 Were there any other parties involved in the situation?

3.16 Action taken/What did you do?:

Signed:

Date: