

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

### **1. SCOPE & PURPOSE**

This policy applies to all Help & Shelter Employees and Related Personnel, both during and outside normal working hours. It will apply even if it is more stringent than local legislation.

This policy sets out Help & Shelter's approach to preventing and addressing sexual harassment and sexual exploitation and abuse. It includes:

- Help & Shelter's commitments to prevent SHEA and to ensure effective action is taken when problems occur.
- The principles upon which Help & Shelter will base its decision making and actions.
- Help & Shelter's expectations of all those who work for or on behalf of Help & Shelter.

### **2. POLICY STATEMENT**

Help & Shelter has a zero-tolerance policy towards sexual harassment, exploitation, and abuse. Help & Shelter believes that all people have a right to live their lives free from sexual violence and any abuse of power regardless of age, gender, sexuality, sexual orientation, disability, religion or ethnic origin. Help & Shelter recognises that there are unequal power dynamics across the organisation and in relation to those Help & Shelter serves, and that it faces the risk of some people exploiting their position of power for personal gain. Help & Shelter will not tolerate anyone working for or with Help & Shelter carrying out any form of sexual harassment, sexual exploitation or sexual abuse. Help & Shelter commits to supporting survivors, improving safeguarding capacity, reporting, investigating, responding to, and preventing sexual harassment and sexual exploitation and abuse.

Help & Shelter will use this policy in conjunction with relevant employment/labour laws, duty of care and relevant criminal laws to make decisions about how to respond to any complaints and concerns raised.

**Note:** This policy is named in line with the internationally used and recognised term 'PSEA' but covers sexual harassment as well as sexual exploitation and abuse (SHEA).

### **3. HELP & SHELTER PSEA PRINCIPLES AND COMMITMENTS**

Help & Shelter is committed to achieving full, ongoing implementation of the Six Core Principles relating to Sexual Exploitation and Abuse by the Inter-Agency Standing Committee (IASC) Working Group on Prevention and Response to Sexual Exploitation and Abuse.

#### **3.1 Help & Shelter's Core Principles on PSEA<sup>1</sup>**

- Sexual exploitation and abuse by Help & Shelter Employees and Related Personnel constitute acts of gross misconduct and are, therefore, grounds for termination of employment or contract/agreement. Sexual harassment by Help & Shelter Employees and Related Personnel is grounds for disciplinary action up to and including termination of employment or contract/agreement/relationship with Help & Shelter.
- Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of the majority or age of consent locally. Mistaken belief in the age of the child is not a defence.

---

<sup>1</sup> The six Core Principles are from the UN Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13). They have been modified by Help & Shelter to refer to sexual harassment and "Help & Shelter Employees and Related Personnel".

- Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour by Help & Shelter Employees and Related Personnel is prohibited at all times.<sup>2</sup> This includes buying sex or the exchange of assistance that is due to Help & Shelter clients.
- Sexual relationships between Help & Shelter Employees or Related Personnel and clients/beneficiaries are forbidden. Such relationships may be based on inherently unequal power dynamics and may undermine the credibility and integrity of Help & Shelter's work. Help & Shelter Employees and Related Personnel must declare any previously existing relationships with clients/beneficiaries to the board of directors.
- Where a Help & Shelter Employee or Related Personnel develops concerns or suspicions regarding sexual abuse or exploitation or sexual harassment by another Help & Shelter Employee or Related Personnel, whether in Help & Shelter or not, s/he must immediately report such concerns via the established reporting mechanisms (see Section 5).
- Help & Shelter Employees and Related Personnel are obliged to create and maintain an environment that prevents sexual exploitation and abuse and child abuse and promotes the implementation of this policy. Help & Shelter directors have particular responsibilities to support and develop systems that maintain this environment.

### **3.2 Help & Shelter's Commitments**

Help & Shelter is dedicated to fulfilling the following commitments to prevent and respond to sexual exploitation and abuse and sexual harassment as highlighted in the six Core Principles above.

#### **a. Safe Organisational Culture:**

Help & Shelter will make every effort to create and maintain a safe organisational culture for all those who work for and with Help & Shelter, as well as clients and those in the communities where Help & Shelter operates through robust prevention and response work, offering support to survivors, and holding those responsible for sexual harassment, exploitation or abuse to account.

#### **b. Reporting SHEA:**

- Help & Shelter will ensure that there are channels for Help & Shelter Employees, Related Personnel, clients, beneficiaries, and others to safely report sexual exploitation and abuse and sexual harassment. These channels will be designed to ensure that they are safe and accessible.
- Help & Shelter will ensure that everyone who works on for or behalf of Help & Shelter and those whom Help & Shelter serves have information about how to access safe reporting channels.
- Help & Shelter will provide training and information to all Help & Shelter Employees and Related Personnel for receiving complaints, to ensure they understand their obligations and how to discharge their duties should they receive a complaint. A particular emphasis should be made on confidentiality.

#### **c. Responding to SHEA Reports:**

Help & Shelter will respond in a professional and timely manner to all concerns or allegations

---

<sup>2</sup> Help & Shelter strictly prohibits the exchange of sex for money. Help & Shelter does not make judgment against individuals who participate in selling sex in exchange for money or something else such as gifts or material support ("transactional sex"). However, Help & Shelter has banned buying sex in order to prevent sexual exploitation and abuse from occurring.

of sexual harassment, exploitation or abuse. All concerns or allegations will always be taken seriously, and investigated and acted upon where appropriate, in line with the safeguarding principles listed below.

- **Robust and accountable case management:** All allegations of SHEA, and subsequent follow-up, will be documented in a secure and confidential database to ensure accountability. The report will (unless made anonymously) be officially acknowledged within 24 hours, and the focal point receiving the report will convene a safeguarding committee meeting within 72 hours.
- **Investigations:** Help & Shelter will carry out independent, safe, and discreet investigations, recognising the rights of and duty of care to everyone involved, including the complainant and/or survivor, witnesses and the subject of complaint.
- **Accountable decision-making:** Help & Shelter will take swift and appropriate action against Help & Shelter Employees and Related Personnel who are found to have committed SHEA. This may include administrative or disciplinary action, and/or referral to the relevant local authorities if appropriate and safe to do so. A decision making panel will be assigned in every investigation to ensure impartiality, transparency, and accountability
- **Survivor Support:** Survivors of SHEA are entitled to specialised support services. Help & Shelter commits to refer survivors to competent support services as appropriate and available and according to the wants and the needs of the survivor. Support may include psychosocial support such as counselling, medical assistance and legal advice, A list of service providers is set out in Annex 2, a specimen referral form is at Annex 3 and a specimen report form at Annex 4.

#### **d. Embedding PSEA into Help & Shelter work**

- **Safer Recruitment:** In compliance with applicable laws, Help & Shelter is committed to preventing perpetrators of SHEA from being (re)hired. The board of directors will ensure robust recruitment screening processes for all personnel, including employees, volunteers, and consultants.
- **Incorporation of policy into contracts of employment/contract for services:** This policy shall be incorporated by reference in all contracts of employment, contracts for services and TOR and acceptance of the policy shall be requirement for all persons working with or for Help & Shelter.
- **Staff training:** Help & Shelter employees must receive training on PSEA as part of their induction, including a briefing on Help & Shelter's policies and values and information about how to report concerns. Anyone working directly with clients or beneficiaries on behalf of Help & Shelter must receive additional training on how to receive complaints and handle them in a safe and confidential manner.
- **Annual training:** Help & Shelter will conduct annual PSEA training for all personnel.
- **Safe Programming:** Help & Shelter Employees and Related Personnel are required to take proactive measures to avoid causing inadvertent harm to clients and beneficiaries, contribute to actively reduce existing threats and ensure programmes are conflict sensitive.

#### **4. ROLES AND RESPONSIBILITIES**

- **All Help & Shelter Employees and Related-Personnel:** Everyone who works for on behalf of Help & Shelter is required to report any suspicions or incidences of SHEA of others (see section 5 below). Failure to report to a relevant person suspicion of SHEA relating to someone else is a breach of this policy, and could lead to disciplinary action being taken against employees and the termination of Help & Shelter's relationship with non-employees. There is no obligation for an individual to report any incident that has happened to them.
- **Directors:** Help & Shelter directors hold overall accountability for this policy and its implementation.
- **Focal points:** Two board members shall be identified as focal points and shall:

- Provide support to prevent and respond to SHEA.
- Receive and arrange for the investigation of concerns.
- Support survivors in reporting concerns in a confidential manner.
- **Crisis service coordinator and shelter manager:** Responsible for promoting awareness of this policy with people they manage and for supporting/developing systems that create and maintain a safe working environment.
- **Project coordinators:** Consult with beneficiaries in a safe, accessible, and culturally appropriate way to ensure that they are familiar with this policy and how to raise complaints and concerns, and to assure them that Help & Shelter will take action when complaints are raised.
- **Safeguarding committee:** Responsible for the investigation of concerns and making a report with recommendation to the board of directors, which shall determine what action should be taken.

## 5. RAISING A COMPLAINT OR CONCERN

Help & Shelter Employees and Related Personnel have a responsibility to report any suspicion or concern of SHEA. Any individual can raise a concern/complaint to Help & Shelter about an incident they have experienced, witnessed, or heard about concerning a Help & Shelter staff member or partner (suppliers, partners, contractor, etc.) without fear of retribution. Help & Shelter Employees and Related Personnel *must not* investigate allegations or suspicions themselves.

### 5.1 Reporting Channels

Anyone (including Help & Shelter's clients/beneficiaries) can raise a concern or make a complaint to Help & Shelter about something they have experienced or witnessed without fear of retribution. This can be done verbally or in writing to a focal point, whose contact information shall be provided to all those working for or with Help & Shelter and all clients/beneficiaries. Notices with the focal points' names and contact details shall be posted in conspicuous places at the crisis service and shelter and on Help & Shelter's website and Facebook page.

### 5.2 Confidentiality

Complaints can be made anonymously. Every effort will be made to maintain confidentiality throughout the complaints process. Information that identifies individuals involved in a complaint will be limited to essential personnel and will not be shared further without obtaining the informed consent of those involved, except if someone's life is at risk, a child is at risk, or as required by law in consultation with legal counsel and where safe to do so. Non-identifying information will be shared as per reporting requirements.

Staff involved in the complaints process will be made aware of the importance of maintaining confidentiality. Employees who breach confidentiality may be subject to disciplinary action up to and including termination of employment, and others who work with Help & Shelter may have their relationship with Help & Shelter terminated.

### 5.3 Retaliation against Complainants, Survivors, Witnesses and Whistleblowers

Help & Shelter will take action against anyone, whether they are the subject of a complaint or not, who seeks to or carries out retaliatory action against complainants, survivors or other witnesses. Employees may be subject to disciplinary action, up to and including termination of employment. Others who work with Help & Shelter may have their relationship with Help & Shelter terminated.

## Annex 1: Definitions

- **Allegation of misconduct:** If, there is a decision to investigate the suspicion of misconduct then it is treated as an 'allegation of misconduct'.
- **Child Sexual Abuse:** When a child is used by another child, adolescent or adult for his or her own sexual stimulation or gratification. Sexual abuse involves contact and non-contact activities which encompasses all forms of sexual activity involving children, including exposing a child to online child sexual exploitation material, or taking sexually exploitative images of children.
- **Complainant:** The person who raises a complaint (this may or may not be the survivor).
- **Help & Shelter Employees and Related Personnel:** The term includes all employees of Help & Shelter, board members, volunteers, interns, and consultants.
- **Safeguarding committee:** one focal point, one Help & Shelter counsellor and one director who is not an employee of Help & Shelter.
- **Sexual Abuse:** The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. This would include forced marriage and sexual slavery and also includes sexual activity with a child (any person under the age of 18)
- **Sexual Exploitation:** Any actual or attempted abuse of 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. Help & Shelter recognises that the terms sexual abuse and exploitation represent a wide spectrum of behaviours and is not limited to the act of sexual intercourse.
- **Sexual Harassment:** Sexual harassment is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another. Such conduct will be also be considered sexual harassment when it interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. While typically involving a pattern of behaviour, it can take the form of a single incident. Sexual harassment may occur between persons of the opposite or same sex. Both males and females can be either the victims or the offenders.
- **Subject of Complaint/Concern:** The person against whom the allegation, complaint or concern has been raised.
- **Survivor:** The person who it is alleged has been the subject of sexual harassment, abuse or exploitation.
- **Suspicion of misconduct:** A concern that has been raised through any of the reporting pathways.
- **Whistleblower:** A whistleblower is a type of complainant, not the survivor, who makes a report of SEA. All who work with or for Help & Shelter and all clients and beneficiaries shall be encouraged to report concerns or suspicions of PSEA and offered protection from retaliation for reporting such concerns or suspicions.

## Annex 2: Service Providers

Service providers include:

- a. The Ministry of Human Services & Social Security
- b. The Childcare & Protection Agency
- c. The Ministry of Health
- d. The Guyana Police Force
- e. Faith-based organisations
- f. NGOs
- g. Local authorities
- h. Community-based organisations

### Annex 3: Service Provider Referral Form

<b>Referring agency</b>
Agency: Help & Shelter
Address: Homestretch Avenue Georgetown
Phone: 227 3454, 225 4731
Email: hands@networksgy.com
<b>Client details</b>
Name:
Address:
D.O.B.
Sex:
Phone:
Is an interpreter needed? Yes      No      If yes, which language?
<b>Reason for referral</b>
<b>Agency referred to</b>
Name:
Address:
Phone:
Email:
Contact person:
<b>Any other information</b>

**Annex 4: Protection from Sexual Harassment, Sexual Exploitation and Abuse (SHEA) (PSEA) Reporting Form**

Name of Person Reporting: .....

Date of Report: \_\_\_\_/\_\_\_\_/\_\_\_\_

Are you a full or part time Help & Shelter staff member? Yes ( )

Are you a Help & Shelter volunteer? Yes ( )

Are you a client or someone who received counselling from Help & Shelter? Yes ( )

Are you a member of the public? Yes ( )

Were you sexually harassed, sexually abuse or sexually exploited by someone from Help & Shelter? Yes ( ) No ( )

Do you know someone who was sexually harassed, sexually abuse or sexually exploited by someone from Help & Shelter? Yes ( ) No ( )

Do you know someone who was sexually harassed, sexually abuse or sexually exploited? Yes ( ) No ( )

Age of person sexually harassed/abused: 0-5 ( ) 6-12 ( ) 13-17 ( ) 18-25 ( ) 26-40 ( ) 41-60 ( ) 60+ ( )

Sex of person sexually harassed/ abused: Female ( ) Male ( )

Residence/location of person sexually harassed/abused: .....

Please give details of the sexual harassment, sexual abuse or sexual exploitation:

.....

.....

.....

.....

.....

.....

.....

.....