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AFRICA'S VOICES FOUNDATION

PROTECTION FROM SEXUAL EXPLOITATION, ABUSE & HARRASSMENT AND SAFEGUARDING POLICY

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1. INTRODUCTION

Africa's Voices Foundation (AVF) is committed to promoting the security and well being of the communities we serve, staff and volunteers, and ensuring that the children and adults at risk are protected from all forms of harm and abuse and able to live a life with dignity, respect and security. This policy will give staff and representatives a clear structure within which to work safely. AVF will proactively encourage a culture of "Zero Tolerance" towards all forms of harm, abuse and harassment, and seek to ensure that staff and representatives "do no harm" while working for or with Africa's Voices Foundation.

2. POLICY STATEMENT AND SCOPE

This Policy outlines minimum standards for AVF staff and representatives worldwide; Staff and representatives will work together to embrace difference and diversity and respect the rights of children and adults at risk.

Staff includes:

1. All core and project based staff (National and International)
2. Volunteers, Interns

Representatives Include:

1. All contractors e.g. Consultantis, service providers, media partners, sub grantees, partners
2. Board of Trustees, guests, visitors.

Staff and representatives must ensure that their behaviour promotes and allows children and adults at risk to live free from:

- Harm and abuse (Physical, sexual (including sexual harassment) and emotional (including the absence of power, trust and coercion)
- Bullying and harassment
- Exploitation (Physical and sexual)
- Neglect
- Discrimination
- Human Trafficking

a. Definitions

i. Safeguarding

The protection of children and adults who could be easily hurt emotionally and physically. It is AVF's responsibility to make sure that our staff and representatives, operations, and programmes, *do no harm* to children and adults at-risk nor expose them to abuse or exploitation. Our safeguarding mandate includes protecting staff and beneficiaries from inappropriate behaviour such as bullying and harassment.

ii. Child

Any individual under the age of 18 years is a child and is underage, *regardless of the legal age of consent of the country in which the child lives and/or in which the offence occurs*. An underage child cannot legally give informed consent to any sexual activity, and any sexual activity with a child will be treated as a serious infraction and result in disciplinary action, including termination and the pursuit of any other available legal remedy.

iii. Adults at risk

An "Adult at Risk" is defined as any person aged 18 years and over who;

- Are experiencing or at risk of experiencing abuse or neglect, and
- As a result of their care and support needs they are unable to protect themselves against the abuse, neglect or risk of it.

An adult at risk may be a person who:

- Is elderly and frail due to ill health
- Has a learning disability
- Has a physical disability and / or a sensory impairment
- Has mental health needs including dementia or personality disorder
- Has a long -term illness /or condition
- Misuses substances or alcohol
- Is unable to make their own decisions and is in need of care and support
- Is a young adult, over the age of 18, who has care and support needs and is 'in transition' from childrens' to adults' services
- Is a carer (looking after another person with care and support needs)

This list is not exhaustive, other people might also be considered to be adults at risk.

iv. Sexual exploitation

This is 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 an AVF beneficiary.

v. Sexual abuse

This is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. This includes non-contact and online sexual exploitation and abuse.

vi. Sexual harassment

This encompasses a wide range of conduct, some examples of specifically prohibited conduct include the following:

- Physical assaults of a sexual nature, such as rape, sexual battery, molestation or attempts to commit these assaults, and intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body or poking another employee's body.
- Unwelcome sexual advances, propositions or other sexual comments, such as sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience.
- Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward.
- Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of that employee's sex.
- Sexual or discriminatory displays or publications anywhere in [Company Name]'s workplace by the [Company Name] employees.
- Retaliation for sexual harassment complaints

3. KEY RESPONSIBILITIES

This policy details expected and appropriate behaviour for AVF staff and representatives who are in contact with vulnerable people. All AVF staff and representatives are expected to sign and abide by this policy, which includes adherence to the PSEAH Policy and Guidelines. Various AVF staff and representatives have specific responsibilities in regard to the Policy and Guidelines. They perform their roles by:

a. AVF Board

- Creating a culture of Safeguarding and providing governance guidance in relation to PSEAH at AVF.
- Approving the PSEAH Policy and Guidelines.

b. Executive Director

- Embedding a 'prevention and vigilance' culture at AVF in regard to SEAH
- Ensuring that the PSEAH Policy and Guidelines are upheld and informing the Board Executive of any concerns relating to conduct and/or PSEAH that may present risk to AVF, AVF staff and representatives, Partners, operations or other activities

- Ensuring progress in relation to conduct and continuous improvement around PSEAH activities across AVF is included in standard reporting to the Board
- Holding the AVF staff and representatives accountable to the PSEAH Policy and Guidelines.

c. Director of Business Operations

- Leading and overseeing PSEAH at AVF including coordinating training and monitoring compliance
- Ensuring the Policy and Guidelines comply with AVF's obligations and contemporary practice and regular updating of these documents
- Addressing any internal or external questions arising in relation to PSEAH Policy and Guidelines
- Managing any PSEAH concern in accordance with the Reporting Process
- Informing the Executive Director (ED) of any key risk to AVF regarding conduct and/or PSEAH as well as ensuring relevant risk and incident registers are kept up to date and assisting the ED in preparing the reporting set out above.
- Promoting the existence of the PSEAH Policy and Guidelines to all employees
- Ensuring department procedures, practices, plans and operations align with the Policy and Guidelines and that all relevant staff are aware of and understand their responsibilities according to both Policy and Guidelines
- Monitoring and responding to any PSEAH risks or concerns arising within their department activities in collaboration with the AVF staff and representatives.

d. Managers and Supervisors

- Demonstrating a commitment to PSEAH and modelling appropriate behaviour and practices
- Communicating this Policy and all related procedures to AVF staff and representatives during engagement and as required
- Engaging with their teams in an open, honest and meaningful way to ensure they understand what is expected of them under the PSEAH Policy and Guidelines.
- Constructively participating in the resolution of conduct and/or PSEAH concerns, questions or issues raised by AVF staff and representatives
- Receiving all subsequent enquiries concerning any employee dismissed for a breach of PSEAH Policy, Safeguarding or Code of Conduct requirements.

e. AVF staff and representatives

- Adhering to the principles and commitments under the PSEAH Policy and Guidelines
- Taking all reasonable care to ensure that their actions or omissions are not in breach of this Policy or Guidelines, nor directly or indirectly encouraging others to breach these; and reporting any PSEAH concerns by following the Reporting Process.

4. RECRUITMENT

AVF has robust recruitment and screening processes. AVF staff, contractors and volunteers (including Board members), prior to commencing work, will be subject to a due diligence process which considers the level of contact with vulnerable people and includes:

- Answering safeguarding question(s)
- Agreeing to referee checks
- Agreeing to an appropriate criminal record check in the relevant jurisdiction/s, or statutory declarations or local legal equivalents where criminal record checks are unavailable or unreliable. This may be a Working With Children Check and/or other criminal record check.
- Reading and signing the AVF Code of Conduct
- Receiving a briefing on AVF Safeguarding and PSEAH policies
- Completing relevant Safeguarding/PSEAH training (e-learning, face-to-face briefing or other training).

No offer of appointment/partnership/collaboration is made by AVF before the background check of an applicant has been completed. AVF will not appoint an individual if they pose an unacceptable risk to the safety of vulnerable people.

AVF will maintain a record of staff members found to have been convicted for acts of SEA, fraud, money laundering, terrorism and corruption or have received a disciplinary measure or sanction imposed by any existing or former employer, or by disciplinary boards of professional organizations to which the applicant is or has been subject. AVF reserves the right to disclose information about acts of SEA on record concerning an individual staff member if so requested by any other third party in a selection process.

As part of prevention of SEAH, and in order to raise awareness, staff will be required to undertake and successfully complete the SEA training module. Introduction to SEA issues will form part of the overall Ethics Training, and specific modules will be included in the AVF pre-deployment training, the AVF Surge training, Emergency Medical teams training, the Global Outbreak Alert and Response Network (GOARN) training and the Health Cluster Coordination training.

5. PSEAH TRAINING

AVF will publish this policy on its website, and Safeguarding training (including prevention of sexual exploitation, abuse and harassment) will form part of:

- Induction or orientation of new AVF staff and representatives
- Briefing of any AVF staff and representatives person travelling to AVF projects or working in any context involving vulnerable people
- Regular training to raise awareness with all AVF staff and representatives.

Safeguarding training will include training in AVFs Code of Conduct and key policies including PSEAH.

Supervisors of both staff and volunteers are responsible for relevant and effective risk management and ongoing management of conduct in accordance with AVF's policies and Guidelines.

6. RISK ASSESSMENT

AVF's Senior Management Team will include identification of SEAH risks, and actions to mitigate such risks, in the organisational risk review process.

Where AVF staff and representatives are planning, designing, implementing or monitoring a program or event, or supporting a Partner to do so, PSEAH will need to be taken into consideration where this program or event will be run or funded by AVF or its funding partners. This particularly applies where it can reasonably be expected that AVF staff or representatives will have contact with people in vulnerable situations. In this case they will need to consider how to assess and respond to SEAH risks as part of their planning, considering the perspectives and knowledge of primary stakeholders and analysing power dynamics and issues of gender equality from a protection/safeguarding/PSEAH perspective. This process should involve consultation with stakeholders around issues such as (examples only):

- Poverty
- Social risks (peer pressure, homelessness, sexual orientation, family disruption, dysfunction or conflict)
- Community risk factors (social or cultural norms, social isolation, under-resourcing, history of discrimination or abuse)
- Psychological risks
- Physical risks
- Communications risks

7. COMPLAINT/INVESTIGATION PROCEDURE

a. Objective

The objective of this policy is to outline procedures for filing complaints, investigating PSEAH claims and issuing appropriate disciplinary measures in the case of violations.

b. Scope

This policy applies to all staff and representatives of Africa's Voices Foundation at all locations.

c. Responding to Conduct in Violation of Policy

i. Employees

If an employee feels that he or she is being subjected to sexual harassment he or she may immediately inform the harasser that the conduct is unwelcome and needs to stop. If the inappropriate conduct does not cease, or if the employee is unable to or uncomfortable with addressing the alleged harasser directly, he or she should report the incident to his or her own supervisor or to the Director for Business Operations. It is helpful, but not required, to provide a written record of the date, time and nature of the incident(s) and the names of any witnesses.

It is important to report all concerns of sexual harassment or inappropriate sexual conduct to the Director for Business Operations or a supervisor/manager as soon as possible. Management must be made aware of the situation so that it can conduct an immediate and impartial investigation and take appropriate action to remediate or prevent the prohibited conduct from continuing.

ii. Managers and supervisors

Managers and supervisors must deal expeditiously and fairly when they have any knowledge of sexual harassment within their departments, whether or not there has been a written or formal complaint. They must:

- Take all complaints or concerns of alleged or possible harassment seriously no matter how minor or who is involved.
- Report all incidents to the Director for Business Operations immediately so that a prompt investigation can occur.
- Take any appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigations or complaints.

Managers and supervisors who knowingly allow or tolerate sexual harassment or retaliation, including the failure to immediately report such misconduct to Director for Business Operations, are in violation of this policy and subject to discipline.

iii. Human resources

The Director for Business Operations is responsible for:

1. Ensuring that both the individual filing the complaint (complainant) and the accused individual (respondent) are aware of the seriousness of a sexual harassment complaint.
2. Explaining AVF's PSEAH policy and investigation procedures to all parties involved.
3. Exploring informal means of resolving sexual harassment complaints.
4. Notifying the police if criminal activities are alleged.
5. Arranging for an investigation of the alleged harassment and the preparation of a written report.

6. Submitting a written report summarising the results of the investigation and making recommendations to designated AVF officials.
7. Notifying the complainant and the respondent of the corrective actions to be taken, if any, and administering those actions.

The Director for Business Operations will determine if an in-house investigation will be conducted or if a third party will be contracted to complete the investigation. All complaints involving senior management at the Directors level or above will be handled by an external third party.

d. Complaint Resolution Procedures

Complaints should be submitted as soon as possible after an incident has occurred, preferably in writing. The Director for Business Operations may assist the complainant in completing a written statement or, in the event an employee refuses to provide information in writing, the Director for Business Operations will dictate the verbal complaint.

To ensure the prompt and thorough investigation of a sexual harassment complaint, the complainant should provide as much of the following information as is possible:

1. The name, department and position of the person or persons allegedly committing harassment.
2. A description of the incident(s), including the date(s), location(s) and the presence of any witnesses.
3. The effect of the incident(s) on the complainant's ability to perform his or her job, or on other terms or conditions of his or her employment.
4. The names of other individuals who might have been subject to the same or similar harassment.
5. What, if any, steps the complainant has taken to try to stop the harassment.
6. Any other information the complainant believes to be relevant to the harassment complaint.

e. Discipline

Employees who violate this policy are subject to appropriate discipline. If an investigation results in a finding that this policy has been violated, the mandatory minimum discipline is a written reprimand. The discipline for very serious or repeat violations is termination of employment. Persons who violate this policy may also be subject to civil damages or criminal penalties.

f. Confidentiality

All complaints and investigations are treated confidentially to the extent possible and information is disclosed strictly on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation and the Director For Business Operations takes adequate steps to ensure that the complainant is protected from

retaliation during and after the investigation. All information pertaining to a sexual harassment complaint or investigation is maintained in secure files within the HR department.

g. Other Available Procedures

The procedures available under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a victim of sexual harassment under local, state law.

h. Administration

This policy will be administered through AVF's Director for Business Operations.

8. REPORTING INCIDENTS OR CONCERNS

If there is an episode of abuse, exploitation or harassment, our expectation is that the organisation takes it seriously through reporting, learning (e.g. changes made to policies and practices) and providing support to those affected. It is also important to take account of local context where reporting to authorities would cause further harm to the beneficiary/survivor. Consideration should also be given by the organisation to the support needed by staff and volunteers aiding victims of sexual abuse, exploitation and harassment. Concerns regarding a breach in safeguarding policy should be reported immediately to AVF's Reporting Concerns inbox at reportingconcerns@africasvoices.org.

9. REVIEW

This Policy and these Procedures will be regularly reviewed:

- In accordance with changes in legislation and guidance on the protection of children or vulnerable persons or following any changes within Africa's Voices Foundation.
- Following any issues or concerns raised about the protection of children or vulnerable persons within Africa's Voices Foundation.
- In all other circumstances, at least every three years.

Annex 1 : Safeguarding Declaration Form

This form is to be completed by all existing employees and as part of pre-employment checks for new employees or AVF's Representatives. This declaration needs to be completed annually.

Africa's Voices Foundation (AVF) has at its core the principle that the welfare of children and vulnerable adults must be of paramount consideration. AVF therefore asks that

everyone working as an employee, contractor, consultant, intern, volunteer or attache who will come into contact with children or personal details of children and vulnerable adults abide by good practice by completing and signing this declaration.

Please respond to the questions listed below and sign the declaration to confirm that you are safe to work with children and vulnerable adults. If you are unable to meet any of the following aspects, please disclose this immediately to the Designated Safeguarding Lead at Africa's Voices Foundation. Please note that you must provide details of all convictions where applicable.

Full Name	
Address	
Tel No	
Personal Email Address	

Do you have any prosecutions pending or have you ever been convicted of a criminal offence? (Please tick)	Yes	No	If yes, please state below the nature and date(s) of the offence(s)
Have you ever been the subject of disciplinary procedures or been asked to leave employment or voluntary activity due to inappropriate behaviour towards a child or vulnerable adults? (Please tick)	Yes	No	If yes, please state below the nature and date(s) of the offence(s)
Have you committed any offences against an adult (e.g. rape, murder, indecent assault, actual bodily harm, etc. at home or abroad)?	Yes	No	If yes, please state below the nature and date(s) of the offence(s)
Are you 'Disqualified from Caring for Children' or Vulnerable adults?	Yes	No	If yes, please state below the nature and date(s)

Declaration

I understand that if it is found that I have withheld information, or included any false or misleading information above, I may be removed from my post, whether paid or voluntary, without notice. I hereby declare the information I have provided is accurate.

Name _____

Signature_____

Signed Date_____

Note: Where a conviction or prosecution is indicated on the Declaration Form, that information will be brought to the attention of the Africa’s Voices Safeguarding Coordinator and Human Resources Manager.