



WAR CHILD POLICY: PROTECTION FROM SEXUAL EXPLOITATION, ABUSE, and HARASSMENT (PSEAH)

Policy Review Controls

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Mission Statement

We believe that no child should be part of war. We are driven by a single goal - ensuring a safe future for every child living through war.

Policy Statement

War Child (WC) works to uphold the fundamental rights of children¹ - and we are committed to keeping them safe from harm, neglect, exploitation, and abuse. Our work engages children, youth² and adults³, often those who are particularly at risk of experiencing harm and abuse. The policies of our Integrity Framework ensures that all children, youth and adults who interact with or work for our organisation are protected from harm and abuse. This PSEAH policy, an essential part of the Integrity Framework, applies to every War Child Representative both during, after and in between work hours.

War Child acknowledges that sexual exploitation abuse and harassment is rooted in an inherent power imbalance. War Child is committed to building and maintaining an open, transparent and equitable culture, as we believe this is critical to preventing harm and abuse.

War Child's PSEAH policy is committed to and guided by the following ethical commitments:

- War Child has a duty of care and responsibility to keep all individuals⁴ safe who we come into direct or indirect contact with.
- War Child employees and representatives have a duty of care to report any incident or concern that is witnessed, suspected or overheard.
- War Child implements a zero-tolerance approach to inaction in regards to safeguarding concerns. Suspected breaches of this policy are responded to within defined timeframes, following the standard operating procedures (SOP), and resulting in appropriate disciplinary action upon substantiation.

Purpose

War Child is committed to ensuring a safer work environment for every employee and its representatives. War Child therefore has a **ZERO TOLERANCE APPROACH** to substantiated sexual exploitation, abuse and harassment (SEAH). **All cases reported will be carefully investigated in line with our Investigation Key Principles and Standard Operating Procedures. Substantiated breaches of the War Child PSEAH policy will constitute gross misconduct and will be referred to disciplinary procedures, up to and including dismissal.**

SEAH contributes to an intimidating, threatening or hostile work environment, and adversely impacts the morale, mental equilibrium and psychosocial wellbeing of the person at whom it is directed.

Statement of Commitment

War Child has **zero tolerance approach to all forms of Sexual Exploitation and Abuse**, in accordance with the UN Secretary-General's Bulletin on the Prevention of Sexual Exploitation and Abuse (ST/SGB/2003/13)¹. **Any breaches of the PSEAH policy will be considered critical and will be taken very seriously and will be responded to accordingly. Breaches of the PSEAH policy constitute gross**

¹ UN Sec Generals Bulletin on PSEA 2003 <https://www.unhcr.org/protection/operations/405ac6614/secretary-generals-bulletin-special-measures-protection-sexual-exploitation.html>

misconduct, and will result in disciplinary action which may include immediate dismissal and termination of engagement with War Child.

You have a duty to uphold the principles laid out in this policy 24/7 (both during, after or in-between working hours).

Rationale

War Child works to uphold the fundamental rights of all those we work with in the community and we are committed to keeping people safe from harm and abuse. Our PSEAH policy complements and feeds into our larger **Code of Conduct**¹ and **Integrity framework**² maintaining **Core Humanitarian Standards**³, responding to **IASC Misconduct Disclosure Scheme**⁴, relying on **Whistleblower Protection Policy**⁵ and strengthening **Goal 3 of War Child's Gender Mainstreaming Strategy (2020-2025)**.⁶ We work with a wide range of communities which include people of different genders, sexual orientation, ethnicities, ages and religions. We acknowledge the different and various needs that these communities have. Gender-based inequalities, power differences and privileges are inevitable realities of every socio-political context; women, men, girls, boys, including LGBTQIA+² people have different needs, living conditions and circumstances. War Child is aware that for generations societies have experienced inequalities and people have different access to resources and power. These inequalities and injustices become greater in times of crisis and often result in instances of exploitation, harassment and abuse that are sexual in nature.

War Child recognises that representatives frequently work in situations where they hold a position of power and where they are granted high levels of trust (in relation to the people we are working for, adults and communities at risk, as well as those individuals who are not at risk, other organisations and one another).

This power and trust must never be exploited or abused and everyone who is associated with War Child has an obligation and responsibility to maintain the highest professional and ethical standards in their day-to-day contact.

It is important for WC as an organisation to prevent harm and our policies and procedures help not only to establish a safe environment for programme participants and their community; they also serve to create a safe work environment for our representatives. Our PSEAH Policy sits within the Integrity framework which dictates the standards of safe working environment and responsible behaviour across the organisation to prevent and address abuse of children, youth and adults³. This PSEAH policy is underpinned by our Code of Conduct and is complementary to our Global Safeguarding Policy and Anti-Retaliatio n Policy.

Who does this policy apply to?

This policy and connected procedures are at the core of our operations and apply to all people who represent War Child in any capacity. This includes but is not limited to:

- All permanent and temporary staff
- Volunteers and interns
- Consultants

² LGBTQIA+ is an inclusive term that includes people of all genders and sexualities, such as lesbian, gay, bisexual, transgender, questioning, queer, intersex, asexual, pansexual, and allies

³ With Adults we define adult WC representatives and any project participant from the communities we work with.

- Translators
- Ambassadors and their assistants / staff
- Invited visitors (including donors / funders)
- Media / journalists
- Board of Trustees
- Partner Organisations (NGOs, Ministries, local Community-Based Organisations (CBOs))
- Accompanying family members of expat employees
- Third-party contractors (e.g. suppliers, builders etc)
- Members of research bodies, academic institutions and associates

The term, '*War Child representatives*' will be used to refer to all people associated with War Child.

SEAH Definitions:

Sexual Misconduct: Sexual misconduct is an umbrella term that encompasses sexual abuse, sexual exploitation, and sexual harassment.

Sexual abuse: An actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. All sexual activity with a child (defined as anyone under 18) is sexual abuse, regardless of local age of consent. Mistaken belief that a child is over the age of 18 is not an acceptable defence.

Sexual Exploitation: This encompasses, but is not limited to, commercial and sexual exploitation. Sexual exploitation includes any actual or attempted abuse of a position of vulnerability, differential power, trust or dependency, for sexual or sexualised purposes. This includes the offer or exchange of monetary, social, and/or political benefits as an incentive or form of coercion. Examples include survival sex, sex work, trafficking and the creation and dissemination of sexual images.

Sexual Harassment: 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. Sexual harassment is particularly serious when it interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive environment. Sexual harassment may be unintentional and may occur outside the workplace and/or outside working hours. While typically involving a pattern of behaviour, it can take the form of a single incident. Sexual harassment may occur between or amongst persons of the opposite or same sex.

Expected and Unacceptable Behaviours for Every WC Representative:

Expected:

- Always be alert to potential indicators of abuse, neglect, exploitation or violence.
- Always be alert to the possible risk which any individual, both in the community and within War Child or partner programmes, may pose to others.
- Follow all policies and procedures to ensure the protection and wellbeing of everyone who comes into contact with WC representatives.
- Make sure a safeguarding risk assessment has been carried out before undertaking any activity and/or intervention. This includes the Child Safety Checklist for programme sites.
- Put the best interest and welfare of project participants ahead of all other considerations such as media/communication needs. WC will not contribute to the sexualisation of project

participants through images, videos, stories etc. in line with the Communications & Safeguarding Guidance.

- Report and respond appropriately to all safeguarding and SEA concerns, suspicious and observed cases within 24 hours, following the steps outlined in the reporting section of this policy. Ensure that you respect the confidentiality of all parties – the survivor and the subject of complaint – during this process and only inform those who can help to keep the persons concerned safe.
- Ensure that the behaviour of all individuals associated with War Child complies at all times with the Code of Conduct and the Safeguarding Policy.
- You are obliged to report any and all concerns, allegations or suspicions of sexual exploitation and/or abuse of another person.
- Treat all programme participants, members of the communities in which we operate, and other employees, members and representatives with dignity and respect at all times.
- Be aware that sexual exploitation, abuse and harassment constitutes an act of gross misconduct and are grounds for termination of employment.
- You are obligated to create and maintain an environment which prevents sexual exploitation and abuse and support the implementation of the PSEA policy, the Code of Conduct and Safeguarding Policy.
- Protect any whistle-blowers from retaliation provided the report is assessed to have a valid concern referring to a concrete breach of our policies and is made in good faith.

Unacceptable:

- Prohibited from engaging in sexual activity of any kind with children (person under the age of 18) regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defence.
- Prohibited from engaging, inferring, suggesting or requesting the 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 sex or sexual activities for assistance or services due to project participants.
- Forbidden from engaging in or supporting any form of sexual abuse, sexual exploitation, sex trafficking or any other forms of trafficking of person.
- Forbidden from engaging in the services of sex workers, irrespective of the local or national laws of their home country or the location in question.
- Prohibited from engaging, inferring, suggesting or requesting sexual relationships with project participants or any community member where WC is providing direct or indirect assistance (eg the parent or caregiver of children benefiting from War Child).
- Failure to report any allegations, causes for concern, or suspicions of the sexual exploitation and/or abuse of another person.

Failure to comply with the above, can result in disciplinary action up to and including the termination of employment.

Reporting

All War Child representatives are obligated under the PSEAH policy, the Safeguarding policy and the Code of Conduct to report all concerns, suspicions and disclosures of sexual abuse, harm, exploitation and harassment, within 24 hours to:

- Safeguarding Focal Point or Safeguarding Coordinators in WC country offices
- The Global Safeguarding Advisors

Or use:

War Child Holland Reporting Channels:⁴

SpeakUp@warchild.nl

<https://www.warchildholland.org/speakup>

War Child UK Reporting Channels:

Whistleblowing: whistleblowing@warchild.org.uk

Safeguarding: safeguarding@warchild.org.uk

Failure to report can place any WC representative in a position of breaching the policies and the obligation to report, which may lead to disciplinary measures and may be defined as gross misconduct.

Investigation And Response

While War Child is committed to preventing sexual exploitation, abuse, and harassment, we acknowledge that incidents of misconduct may still occur. It is vital that we respond to and investigate all reported concerns, following the procedures laid out in the Investigation SOP.

The following are the key principles War Child follows for investigations:

- **Confidential:** Confidentiality will be maintained as much as possible applying the need-to-know principle, the survivors centred approach and a due process. All involved will be expected to maintain confidentiality including the team managing a reported concern at global or national level. They will use codified case references even when communicating internally about a specific case and store confidential case files in the online protected environment for case management.
- **Due Process:** The rights of the subject of complaint will be respected and conclusions will be based on the balance of evidence. Investigations into safeguarding misconduct allegations are independent from a disciplinary procedure. They will follow the Incident Management SOP. The standard of proof is the balance of probabilities.
- **Professional:** Investigations are evidence-based, impartial, fair, timely and documented.
- **No Retaliation:** Retaliation is prohibited. Any attempt of intimidation, victimization or retaliation towards a complainant, witness or another other party involved in the investigation may be treated as gross misconduct.
- **Do No Harm:** risk assessments will be conducted and updated throughout the investigation. Investigations will employ trauma-sensitive investigation techniques.
- **Best Interest of Child:** In cases involving children, the best interest of the child will be the primary consideration. This includes, but is not limited to, supporting the child's needs for

⁴ Reporting mechanisms will be cohesive across all War Child countries and programmes after the merger is completed. Until then, please use the reporting mechanisms associated with your Affiliate.

safety, health, wellbeing, family relationships, physical, psychological and emotional development, identity, freedom of expression, privacy and agency.

- **Child Participation:** In cases involving children, the investigation will be child-centred, and will ensure that the child’s voice, needs, and opinions are heard and considered.
- **Survivor-Centred:** In recognition of the sensitivity of the issues, War Child will take a survivor-centred approach to avoid re-traumatising survivors and causing further harm. We will do so by prioritizing the rights, needs, and wishes of the survivor. The key principles of this approach are:
 - **Dignity:** Survivors have the right to be treated with dignity and respect instead of being exposed to victim-blaming attitudes
 - **Respect the survivor’s decision:** choose the course of action in dealing with the situation instead of feeling powerless. If survivors do not consent to an investigation, we will respect that decision.
 - **Survivor Safety:** Survivor safety is paramount.
 - **Non-discrimination**—all survivors will be treated the same, regardless of age, gender, sexual orientation, race, ethnicity, or other factor
 - **Informed Consent:** Survivors will receive comprehensive information to help them make their own decision instead of being told what to do

Where a crime has been committed, War Child will consider reporting to Law Enforcement Agencies in all cases, and will do so in accordance with the do no harm principle, the survivor-centred approach and the local or international law. In these instances, the reasons for not reporting will be documented and authorized in accordance to the Case Management SOP.

Staff are obliged to participate in the investigation process, as outlined in the Code of Conduct. Following the conclusion of the investigation, War Child will follow all aspects of HR and referencing procedures, including those outlined in the Misconduct Disclosure Scheme and referral to relevant law enforcement agencies. Resignation during an investigation procedure will not end investigation processes the investigation will always be completed according to our Case Management SOP.

War Child is committed to recognising the importance of lessons learnt following the closure of an investigation as well as taking all appropriate corrective action including disciplinary, legal or other actions considering any findings of sexual exploitation, abuse, harm or neglect to adults. War Child will review controls, protocols and procedures where gaps and weaknesses have been identified.

Prevention And Implementation

Procedure	PSEAH measures
Recruitment	<ul style="list-style-type: none"> • Job adverts include PSEAH commitments • Gaps in employment history checked during interview • Questions related to PSEAH asked during interview • At least two references taken, preferably verbally, from previous employers <p>which include questions on candidate’s conduct, behaviour (MDS)</p> <ul style="list-style-type: none"> • Criminal records check is conducted, where possible • Consider a self-declaration form, where staff declare that they have no <p>previous convictions or dismissals that prevent them from working with children or at-risk adults</p> <ul style="list-style-type: none"> • New employees sign contracts which include PSEAH and the organisation’s

	<p>code of conduct</p> <ul style="list-style-type: none"> • War Child is a signatory of Inter-Agency Misconduct Disclosure Scheme. We will ensure systematically asking for, and responding to requests for checks with previous employers on SEAH issues
<i>Induction/training</i>	<ul style="list-style-type: none"> • Induction includes at least a briefing on PSEAH • All staff receive a half day training on PSEAH – recognising and responding to risks and concerns • Annual refresher training opportunities provided
<i>Performance management</i>	<ul style="list-style-type: none"> • Performance management discussions include understanding of PSEAH and an opportunity to raise concerns • Where performance management includes working to values or competencies, these include PSEAH
<i>Whistleblowing</i>	<ul style="list-style-type: none"> • War Child’s whistleblower policy and procedure encourages people to report on concerns without fear of reprisals
<i>Discipline and grievance</i>	<ul style="list-style-type: none"> • War Child treats SEAH as grounds for disciplinary action which may constitute immediate termination of employment
<i>Programming guidelines</i>	<ul style="list-style-type: none"> • Programming guidelines include identifying and mitigating risks of sexual exploitation, abuse and harassment in programmes to make them safer
<i>Risk Register</i>	<ul style="list-style-type: none"> • SEAH risks are included in the War Child’s Risk Register/assessment • SEAH is treated as a separate risk category • Major SEAH risks have an assigned owner/or expert referrals
<i>Partnership arrangements</i>	<ul style="list-style-type: none"> • All contracts with partners/suppliers/contractors include clauses on PSEAH • Capacity building for partners includes capacity to implement PSEAH measures • Partner monitoring includes PSEAH measures and SEAH reports
<i>Complaints/ Reporting</i>	<ul style="list-style-type: none"> • Complaints/reporting mechanism developed to receive and respond to reports of SEAH

Accountability

All adults, young people and communities where War Child is working must be made aware of and understand our commitment to preventing abuse, harm, neglect and sexual exploitation of those with whom we are working and in the wider communities. Information on this policy must be made available to them in appropriate, accessible formats including language. In addition to the eLearning essentials on Safeguarding, all WC representatives joining WC must receive an orientation session on PSEAH within the first month of employment and prior to visiting the field. Staff engaged directly with project participants are to receive an in-depth PSEAH training within the first months of their employment.

All War Child representatives will be provided with copies of the PSEAH policy and are expected to read and sign to attest to understanding and adherence to the PSEAH policy, and subsequently adhere to it, as part of their terms of employment. Failure to comply with these standards and

procedures may constitute gross misconduct and grounds for disciplinary procedures including termination of contract.

Behaviour that is criminal will be reported to the relevant law enforcement authorities in alignment with local and international law, however always prioritising and respecting the survivor's agency assessing the local legal framework, practices and culture. This policy enables War Child to prevent, identify, report and respond to all SEA and adult safeguarding concerns, as well as ensuring accountability and transparency always. This policy applies to all War Child representatives, always – 24 hours a day, seven days a week.

Partners, suppliers and consultants must also be made aware of War Child's PSEAH policy and agree to sign and adhere to its requirements on prevention and reporting if they do not have their own PSEAH policy that meets minimum standards. If any are in breach of the required standards documented in the policy, it is possible that contracts will be terminated. This includes not reporting concerns of potential abuse.

Managers and supervisors are required to ensure the provision and resources to support engagement in these trainings and failure to do so may be grounds for disciplinary measures.

Confidentiality

War Child understands that survivors may not want to disclose or report incidents. This could be due to fear (of both the perpetrator and loss of services being received from the organisation) stigma, shame and further abuse. We will take a survivor centred approach in our response, enabling the survivor to regain their power and control of the situation.

Confidentiality must be ensured throughout all stages of the disclosure, reporting and investigation process. Confidentiality about all aspects of the case will be kept to the highest possible degree to protect all involved from further harm.

A breach of confidentiality could have serious consequences for anyone involved as well as reputational damage, threats or attacks on the organisation. All reports / records and evidence will be kept confidential and data security measures are in place. Disclosure of information can only be made to relevant parties on a need-to-know basis.

Breaching confidentiality to any person outside of those who 'need-to-know' constitutes a breach in the policy and appropriate disciplinary measures will follow. Likewise, any person who is found to be using the policy for malicious intent will also be investigated and appropriate disciplinary measures undertaken.

Sensitivity

Incidents of abuse, harm, neglect and exploitation are potentially traumatising for both the survivor and all those associated with the alleged incident whether related to the survivor or the alleged perpetrator. The gathering of information during the investigation should therefore be undertaken with the upmost sensitivity and respect for all those associated, and by trained personnel.

War Child will ensure that both the survivor and the subject of concern receive, where possible, the appropriate support including access to health and counselling services and legal mechanisms for redress.

Other PSEAH Related Definitions

Child: Any person under the age of 18.

Child Safeguarding: Keeping children safe from harm from War Child representatives and programmes.

Code of Conduct: The Code of Conduct is a key document that outlines the values of the organisation and the behaviour we expect from all staff. The Code of Conduct underpins all other policy documents.

Consent: Permission for something to happen or agreement to do something. Consent must be freely given and based off of a reasonable understanding of the circumstances.

Abuse: Abuse is any act which individuals, institutions or processes do - or fail to do - which directly or indirectly results in a negative impact on another. Refer to forced labour, trafficking, emotional abuse, exploitation, financial/material abuse, grooming, neglect, online abuse, physical abuse, sexual abuse, spiritual abuse, and traditional harmful practices for specific definitions

Adult: Any person over the age of 18.

Adult at Risk / Vulnerable Adult: Any person aged 18 years and over who is or may be in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, age or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or serious exploitation

Gross Misconduct: unacceptable or improper behaviour of a very serious kind; behaviour that breaches the War Child Code of Conduct, War Child Safeguarding Policy, and/or the War Child PSEAH policy.

Survivor / Victim: an individual who has experienced sexual misconduct or other forms of abuse. Individuals of all ages, genders, sexual orientations, race, ethnicity, class or any other identifier can be survivors of abuse.

Survivor-Centred approach: The survivor-centred approach is used in investigations and puts the survivor at the forefront of all decisions during the case management process. Survivor safety and informed consent is the top priority, and survivors will be consulted at every stage of the process. We work to ensure that survivors are not further harmed by the investigation process.