



# Safeguarding Policy for Preventing Sexual Exploitation, Abuse and Harassment

## Purpose

Safeguarding in its broadest sense means protecting people and the environment from unintended harm, but in this policy, NPA focus on preventing and responding to harm caused by sexual exploitation, abuse or harassment in and outside the workplace. Special attention is given to exploitation and abuse of children. NPA's Code of Conduct also reflects these concerns.

This policy aims to protect people from any harm caused by contact with NPA. Included, but not limited to:

The conduct of staff, partners, service providers and personnel associated with NPA, and the design and implementation of NPA's programmes and activities.

The policy outlines the commitments made by NPA, and informs staff and associated personnel of their safeguarding responsibilities. The policy also guides NPA's cooperation and dialogue with partners.

## What is safeguarding?

Safeguarding means protecting people's physical and mental health, wellbeing and human rights, and enabling them to live free from harm, abuse and harassment.

This definition complies with the values and principles that shape our culture. It specifically addresses the need to prevent and respond to harm from any potential, attempted, or de facto abuse of power, trust or vulnerability, especially for sexual purposes.

The aim of this safeguarding policy is to protect people, especially children and at-risk-groups, from harm arising from contact with our staff or programmes.

The duty to safeguard others applies without exception to all NPA staff, partners and programmes. Safeguarding requires proactive identification and measures taken against all potential risk of harm, exploitation and abuse. It also requires the establishment of accountable and transparent systems for reporting, response and experience-based revision of this policy, should breaches of this policy occur. Safeguarding should be at the heart of these systems, while at the same time protecting the rights of those accused.

## Scope

This policy applies to:

- All staff contracted by NPA. The term staff refers to all permanent and temporary employees, interns and all individuals otherwise working for NPA.
- Associated personnel while engaged in work or visits related to NPA, including, but not limited to, consultants, contractors, volunteers, programme beneficiaries and journalists.
- Guests and observers.

Although this policy does not apply specifically to NPA's external partners, they are required to have in place and practise a zero-tolerance policy on sexual harassment and/or abuse and other abuse of power (NPA's Cooperating Partner Contract).

## Policy Statement

NPA believes that everyone we encounter, regardless of age, gender identity, disability, sexual orientation or ethnic origin has the right to protection from all forms of harm, abuse and exploitation. NPA has zero tolerance for sexual exploitation, abuse and harassment by or of our staff or associated personnel.

NPA's safeguarding policy rests on three pillars: prevention, reporting and accountability.

As a representative of NPA, you have a duty to report any suspected breach of our safeguarding policy. It is not your responsibility to decide if sexual exploitation, abuse or harassment has occurred. You must report all concerns in accordance with our Routines for Notifying of Censurable Conditions.

## Prevention

### NPA responsibilities

- Ensure that all managers, employees, volunteers and other representatives or programme visitors have access to, and are familiar with, this policy, and know their responsibilities with respect to safeguarding.
- Make training material related to the safeguarding policy available in HR handbooks.
- Design and undertake all its programmes and activities in a way that protects people from any risk of harm that may arise from contact with NPA. This includes the way in which information about individuals in our programmes is gathered and communicated.
- Develop and implement safeguarding procedures when recruiting, managing and deploying staff and associated personnel.
- Ensure that staff receive training on safeguarding at a level commensurate with their role in the organisation.
- Ensure that all partnership agreements specifically include safeguards against sexual exploitation, abuse and harassment. Based on jointly identified needs, NPA will also help partners to draw up policies and establish routines to prevent and report behaviour defined in this policy as unacceptable.
- Engage in a continuous dialogue about safeguarding with all partners.
- Ensure that all staff, volunteers, interns, partners and programme beneficiaries have access to information about how to report concerns or allegations of abuse.
- Ensure that concerns or allegations of abuse or neglect are always taken seriously and investigated.
- Follow up on reports of safeguarding concerns promptly and in accordance with established procedures (NPA's Routines for Notifying of Censurable Conditions).

### Managers' specific responsibilities

- Ensure the dissemination of this policy and promote its relevance in all aspects of their work.
- Hold themselves and others accountable, and to help create a safe environment for all.
- Support and develop systems that maintain an environment in which programme beneficiaries, staff, contractors and other representatives know how NPA expects them to behave and will respond should they fail to meet those expectations, how they can submit complaints and report their concerns.
- Make sure that all staff have a level of knowledge and competence with regard to safeguarding that is appropriate for their function and role.
- Ensure that NPA staff are updated on our safeguarding policy and are familiar with our procedures for incident reporting, also when dealing with the NPA membership organisation.
- Include safeguarding issues in all working environment surveys. If possible, all NPA staff, both in Norway and abroad, should be invited to participate in working environment surveys.

### All employees' responsibilities

#### Child safeguarding

NPA employees and associated personnel must not:

- Engage in sexual activity with anyone under the age of 18\*, regardless of the age of majority/legal consent in a country. Mistaken belief in the age of a child is not an adequate or acceptable defence.
- Sexually exploit or abuse children.

- Subject a child to neglect or physical, emotional or psychological abuse.
- Use inappropriate language or behaviour when dealing with children.
- Consume alcohol at work events where children/minors are present.
- Engage in trafficking.
- Expose children to pornography.
- Engage in online grooming or consume, purchase or distribute child pornography.
- Abuse their power to obtain favours from children.
- Recruit or employ anyone below national legislated minimum working age\*.
- Behave towards a child in a way that is offensive, abusive, sexually provocative, demeaning or culturally inappropriate.
- Use children's pictures and information in a way that could put them at risk.
- Publish pictures of children without the written consent of their parents or guardians, using NPA's consent form.
- Take pictures of undressed children.
- Use any multi-media equipment or platform to otherwise exploit, harass or bully children.
- Work with vendors who employ child labour.

\* Ref: UN convention on the Rights of the Child.

\*\*Ref: UN convention on the Rights of the Child, ILO conventions nos. 138, 182 and 79, ILO recommendation no. 146.

#### NPA staff must:

- Treat children with respect at all times.
- Interact with children in a spirit of cooperation and partnership based on mutual trust and respect, value their views and take them seriously.
- Ensure that there are always two or more staff members / adults present at NPA activities for children and young people.
- Promote the implementation of the Safeguarding Policy and help to create and maintain an environment that prevents safeguarding violations.
- Report any concerns or suspicions regarding safeguarding violations by NPA staff members or associated personnel.

### Adult safeguarding

#### NPA staff and associated personnel must not:

- Infringe the dignity of an individual by their comments or behaviour. This includes sexual discrimination or harassment of members of the local community, partners, employees, vendors or individuals visiting or conducting business.
- Sexually abuse or exploit any adults.
- Subject an adult to neglect or physical, emotional or psychological abuse.
- Engage in any form of forced or unwanted sexual activity. Sexual abuse includes the use of physical force, making threats or taking advantage of a person unable to give consent. Sexual abuse also includes unwanted sexual attention that does not involve physical contact, such as sexualised comments and gestures or unwanted exposure to pornography.
- Take advantage of an imbalance of power to manipulate or coerce another person to engage in sexual activity for the financial, sexual or political benefit of the abuser. This includes sexual exploitation taking place in person, online or a combination of both.
- Exchange money for sexual activity. This includes paying for sex with a sex worker, which is itself a form of exploitation, and applies even in countries where prostitution is legal.
- Exchange employment, goods or services for sexual activity.
- Engage in any sexual relationships with programme beneficiaries, since such relationships are based on inherently unequal power dynamics.

#### NPA staff and associated personnel must:

- Treat everyone, especially vulnerable adults, with respect at all times.
- Work with vulnerable adults in a spirit of cooperation and partnership based on mutual trust and respect, value their views and take them seriously.
- Be aware of situations which may present risks and manage these risks.

- Promote the implementation of the Safeguarding Policy and help to create and maintain an environment that prevents safeguarding violations.
- Report any concerns or suspicions regarding safeguarding violations by NPA staff members or associated personnel.

## How to report

Staff members who have a complaint or concern relating to safeguarding should report it as soon as possible. Any issues should be reported and dealt with at an early stage and at the lowest possible level. All reports will be investigated by NPA unless the matter could constitute a criminal offence, in which case the police may also be notified.

If a person reports an incident, the person must consent to further investigation of the matter, unless it might be a criminal act. If the person does not consent to investigation of the matter, NPA management are still obliged to do some minimum investigation if possible. If anyone suspects or hears of an incident regarding a child, it is mandatory to report the incident. NPA staff should preferably report through their line manager or manager one level up. If staff members do not feel comfortable reporting to their line manager, they may report to any other appropriate staff member, such as a union representative/elected staff representative, safety representatives or HR locally or at HO.

NPA also has a whistleblowing channel (<https://folkehjelp.whistleblownetwork.net>). This channel is administrated by an HSE advisor at HO and is anonymous, encrypted and accessible to everyone at all times. Cases relating to sexual exploitation, abuse or harassment will be forwarded to the HR notification group at HO for investigation. It is advised that all NPA staff report locally.

Any staff reporting concerns or complaints will be protected by NPA's Whistle-blower Guidelines. The person accused is considered innocent until proven guilty and will also be protected by NPA's Whistle-blower Guidelines.

NPA also accept complaints from external sources such as members of the public, partners, beneficiaries and official bodies. They can report through the whistleblowing channel or to the local country director or HR.

More information on reporting can be found in NPA's Routines for Notifying of Censurable Conditions.

## Accountability

NPA will follow up safeguarding reports and concerns in accordance with its policies and procedures, legal and statutory obligations, and NPA's Routines for Notifying of Censurable Conditions.

NPA will apply appropriate disciplinary measures to staff found in breach of the policy. If found to be a serious abuse, the matter will be reported to the police or other statutory authorities for criminal investigation unless to do so would cause the survivor further harm.

Support will be offered to survivors of abuse and the person accused of perpetrating it. Support can include specialist psycho-social counselling or access to other specialist or appropriate support. Survivors of abuse can choose if and when they would like to take up the support options available to them. This support must be tailored to local conditions.

If NPA receives a complaint about a partner organisation, the partner organisation is responsible for processing and handling the complaint. NPA will expect the partner to respond quickly and appropriately in line with the partner's policies. NPA can help the partner to conduct an internal investigation. If there is reason to believe that an allegation has been dealt with inappropriately by a partner, NPA will consider whether to withdraw funding or pull out of the partnership.

NPA will take action against any staff member or other representative who seeks to or carries out any retaliatory action against complainants/whistleblowers, survivors, witnesses or those who are handling a complaint, this also includes the person who is the subject of a complaint. Staff who are found to have done so will be subject to disciplinary action, up to and including termination of employment.

If a member of staff from NPA is found to have made an allegation that they knew to be false, they will be subject to disciplinary action, up to and including termination of employment.

## Confidentiality

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management should be shared on a need-to-know basis only, and should be kept secure at all times (NPA's Routines for Notifying of Censurable Conditions).

## Recruitment of staff

When recruiting staff and other representatives, we should address safeguarding in interviews in line with NPA's recruitment policy.

When required, NPA will ask about safeguarding issues in prior postings when recruiting personnel.

Successful candidates will always be required to read and sign our Code of Conduct before taking up any position at NPA. All NPA staff will receive training in safeguarding during their employment with NPA.

Candidates recruited to work with children, young people or at-risk groups are required to produce a clean certificate of good conduct before taking up a position at NPA.

### Associated policies

NPA's Code of Conduct

NPA's Workplace Violence, Harassment and Discrimination Prevention Policy

NPA's Routines for Reporting of Censurable Conditions

NPA's Procedure for Incident Reporting and Whistleblowing: reporting, processing and handling

NPA Ethical Standards

NPA's Legal Capacity and Family Relationships

NPA's Recruitment Policy

NPA's Cooperating Partner Contract

NPA's Partner Policy

### References:

Health, safety and the environment (ILO convention no. 155 and recommendation no. 164)

UN Convention on the Rights of the Child

UN Declaration on the Elimination of Violence Against Women

## Appendix

### Glossary of terms

#### Programme beneficiary

Someone who directly receives goods or services from an NPA programme. Note that misuse of power can also apply to the wider community that NPA serves, and can also include exploitation by giving the perception of being in a position of power.

#### Child

A person below the age of 18 (*As defined by the UN Convention on the Rights of the Child*).

#### Harm

Psychological, physical and any other infringement of an individual's rights.

#### Protection from sexual exploitation and abuse (PSEA)

The term is used by the humanitarian and development community to refer to protection from sexual exploitation and abuse of affected populations by staff or associated personnel. The term derives from the United Nations Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13).

#### Sexual exploitation

The term 'sexual exploitation' means 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. This definition includes human trafficking and modern slavery.

#### Sexual abuse

The term 'sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

#### Sexual harassment

Sexual harassment means any form of unwanted sexual attention that has the purpose or effect of being offensive, frightening, hostile, degrading, humiliating or troublesome.

#### Survivor

The person who has been abused or exploited. The term 'survivor' is often used in preference to 'victim' as it implies strength, resilience and the capacity to survive, however it is the individual's choice how they wish to identify themselves.

#### At-risk adult

Sometimes also referred to as a vulnerable adult. A person who is or may be in need of care by reason of mental or other disability, age or illness, and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

#### At-risk groups

Any group or sector of society that is at higher risk of being subjected to discriminatory practices, violence, natural or environmental disasters, economic hardship and is at higher risk in periods of conflict and crisis than other groups (such as women, children, LGBT-individuals or elderly).