

We envision healthy, resilient, and contributing youth



**PREVENTION OF SEXUAL HARASSMENT, EXPLOITATION AND ABUSE  
(PSHEA) POLICY**

<b>POLICY</b> <b>PSHEA Policy</b>	<b>Accountability: employees of TYDT</b>
<b>Scope:</b> <b>TYDT employees</b>	<b>Authorized:</b>  <b>DIRECTOR</b> <b>Date: 06/07/2017</b>

**1. Purpose**

Tariro Youth Development Trust (TYDT) places dignity and human rights at the centre of its development work. Therefore, everyone who represents TYDT must reflect these values in their professional conduct wherever and with whomever they work with. This is mainly crucial when working with marginalized communities, children and vulnerable adults.

TYDT has a zero tolerance toward Sexual Harassment, Exploitation and Abuse (SHEA) of vulnerable adults, and zero tolerance of any form of child abuse. TYDT takes seriously all concerns and complaints about SHEA involving TYDT staff, associates and partners, and we handle all reported incidents and concerns appropriately and with sensitivity.

This policy ensures that all TYDT staff, associates, and partners are aware of their role and responsibilities in keeping communities and stakeholders safe from any form of SHEA. The policy clarifies definitions and outlines the reporting and investigation processes.

**2. Scope of application**

This policy applies to all TYDT board members, interns, staff, associates, and partners.

**3. Principles**

3.1. Human rights and dignity is central to TYDT's values and work, and all TYDT personnel must reflect these values in their conduct as representatives of the organization.

- 3.2. SHEA, and any other forms of child abuse is gross misconduct and will be dealt with accordingly, including termination of contracts and reporting to relevant authorities.
- 3.3. Sexual relationships between TYDT personnel and program participants are discouraged since an unequal power dynamics exists.
- 3.4. TYDT personnel are obliged to create and maintain an environment and culture that prevents SHEA, and all forms of child abuse, and promotes the implementation of this policy. Managers at all levels have the responsibility to develop and enhance systems, practices and communications that maintains this environment and culture.
- 3.5. Program participants, partners and associates should expect the highest levels of professional conduct from TYDT personnel. Trust forms the basis of successful development work and must be protected.
- 3.6. Exchange for money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior by TYDT personnel is prohibited. This includes the exchange of assistance that is due to program participants.
- 3.7. Sexual activity with children i.e. persons under the age of 18, is prohibited regardless of the local age of majority or age of consent (16). Mistaken belief on the age of a child is not a defense.
- 3.8. TYDT personnel must immediately report concerns or suspicions regarding SHEA, and child abuse by a fellow worker, whether in TYDT or not.
- 3.9. All concerns and complaints will be investigated.

#### **4. Policy commitment**

TYDT commits to:

- 4.1. Create a protective, healthy, safe and trusted workplace culture that is representative of our values.
- 4.2. Develop strategies that prevent and respond to SHEA, in particular, recruitment and training practices, complaints mechanisms, and reporting.
- 4.3. Ensure that our working partners incorporate this policy in their own policies and practices, and abide by them.
- 4.4. Inform staff, partners and associates of the measures to prevent SHEA, including information on making complaints & handling procedures, the status of investigations (while maintaining confidentiality), follow up measures taken, and assistance available to complaints and survivors.
- 4.5. Ensure that complaints mechanisms are available to communities, staff, partners, and associates, including providing information in an appropriate language and format.
- 4.6. Provide multi-sectoral support and assistance to survivors, including medical treatment, psychosocial support, and legal support, among others, as appropriate and according to the desires and needs of the survivor.
- 4.7. Value-based recruitments that, in compliance with applicable laws, prevent those with history of SHEA from being hired or deployed. This may include background checks/criminal record checks, working with children checks, verbal referees, and behavioral-based interview questions.
- 4.8. Report suspected criminal cases promptly to relevant authorities for appropriate action.
- 4.9. Protect from retaliation, to the best of TYDT's ability, a person making an allegation of SHEA.
- 4.10. Maintain information on allegations, investigations, and outcomes of SHEA in order to monitor effectiveness of strategies, report to relevant authorities and improve efforts to prevent SHEA.

## 5. TYDT Personnel Standards Conduct

These standards are intended to provide guidance to TYDT staff, board members, associates and partners, on the standard of conduct expected personally and professionally as TYDT representative. These standards should help guide decision making that exemplifies TYDT's core values. Breaches of the Code of Conduct results to disciplinary action, up to and including dismissal/termination of contracts.

### **TYDT staff, associates, and partners will:**

- 5.1. Not engage in sexual relationships with program participants or beneficiaries. These relationships are inherently based on unequal power dynamics. Such relationships undermine the credibility and integrity of TYDT's programs.
- 5.2. Not exchange money, employment, goods or services for sex, including sexual favors while working or volunteering with TYDT. This includes a prohibition on engaging the services of sex workers, and prohibits the procurement of sex for others or the use of a third party to do so.
- 5.3. Inform their Manager or Director if they become engaged in personal relationship which may be perceived as inappropriate or exploitative.
- 5.4. Not use TYDT or partner organisation facilities, personnel or resources for the purpose of arranging or facilitating access to sex workers by any person, including visitors to TYDT or partner offices or programs.
- 5.5. Not use computers, mobile phones, video cameras, cameras and other technology inappropriately, or to exploit or harass, or access and disseminate exploitative material through any medium including social media.

## 6. Policy Implementation

- 6.1. **Training and awareness:** TYDT will ensure that all TYDT personnel are aware of this Policy and the Code of Conduct. The following steps will be taken to ensure proper educational support is provided:
  - We will ensure all TYDT personnel are aware of the problem of SHEA in the international development sector and steps being taken to end it.
  - All TYDT staff, associates and partners will sign and abide by the Code of Conduct.
  - All TYDT staff, associates and partners will have access to a copy of this Policy, and the Policy will be made publicly available to all through the website.
  - All TYDT Personnel will receive training on this policy, the obligations, and the reporting and complaints handling process.
  - We will ensure that all programs select a SHEA Focal Point to support the implementation of the Policy and be the first point of contact to receive reports on complaints and incidents.
  - We will ensure that TYDY Personnel are aware of the relevant SHEA Focal Point for the purposes of reporting a breach of this Policy or Code of Conduct.
- 6.2. **Recruitment:** TYDT is committed to ensuring that no one is recruited to work with TYDY who may pose potential risk:
  - TYDT has put in place recruitment, screening and selection processes to reduce this risk. These recruitment guidelines can be found in the TYDT's Operations Manual.
  - TYDT requires all TYDT Personnel to comply with this Policy throughout their period of contact. Failure to comply with this Policy may result to suspension or dismissal, depending on the nature of the offense. Criminal behavior will be reported to the relevant authorities.

- Contracts clearly states that adherence to PSHEA Policy is required and failure to do so will lead to disciplinary action.

6.3. **Reporting and Response:** TYDT will implement the following Reporting Process for breaches of the PSHEA Policy, or when reporting a concern:

- **Mandatory Reporting:** It is mandatory for all TYDT Personnel to report incidents, concerns or allegations of SHEA, any form of child abuse, and any breach of this Policy, without exception, within 24 hours of becoming aware of the concern. These reports should be made directly to the SHEA Focal Point or Director who shall take necessary measures.
- **Best interest of the Survivor:** The best interest of the survivor is the primary consideration in any response. The first step is always to ensure the survivor is safe and any immediate needs are taken care of.
- **Confidentiality:** Confidentiality of reporting is ensured to protect the identity of the survivor, the whistle-blowers, and alleged perpetrators. All details of the reporting process and investigation process must be kept confidential, and only shared with relevant parties is required. Provision will be made for the protection of the person reporting an issue or concern if they have a fear for their wellbeing, but the case must still be reported.
- **Notification:** The TYDT Director is responsible for informing relevant stakeholders or authorities.
- **Integrity of Reporting Process:** Upon reporting, an investigating committee consisting of the PSHEA Focal Point and Director, as well as the Finance and Admin Officer will be called to review the report and plan the investigation.
- **Outcomes of the Investigation:** There are four potential outcomes of an investigation:
  - The incident is a **substantial case of SHEA**, as well as a **criminal behavior**, and will be reported to the authorities and will lead to dismissal or end of contract.
  - The incident is a **substantial case of SHEA**, as well as a breach of the TYDT code of conduct, but not a breach of the law, and will lead to disciplinary measures ranging from further training to dismissal.
  - The case of abuse **cannot be substantiated**, upon which further action will be decided.
  - The allegation or suspicion is **proven to be untrue**. All those involved will be informed and if there is a suspicion the report was made with malicious intent, this will be investigated.

6.4. **Working with partners:** Most of TYDT's work is carried out in collaboration with partners, therefore it is critical to ensure partners commit to the same standards and take all necessary measures to ensure SHEA, and any other forms of child abuse does not occur. In this regard, TYDT will:

- Require the partners read and acknowledge the TYDT PSHEA Policy, and sign the Code of Conduct, and commit to put appropriate safeguarding measures in place. If a partner does not have their own Policy, TYDT requires that the partner develop a SHEA or incorporate this within a safeguarding policy as part of their collaboration with TYDT.
- Require all partners or associates, from the day of signing the Contract/MOU and Code of Conduct, without exception, to report any suspected SHEA incidents to TYDT within 24 hours, in addition to responding to the incident. Failure to do, will result in suspension and potentially termination of any Agreement.

6.5. **Risk Management:** TYDT will proactively manage risks to children and vulnerable adults in its programs (and the communities where we work) to reduce the risk of harm, by:

- Examining each program and its potential contact with and impact on children and vulnerable adults. Programs that involve direct work with children or vulnerable adults are considered a high risk, and therefore require more stringent and regular risk assessments and oversight, which are integrated in project designing, budgeting, implementation, Monitoring and evaluation.
- TYDT staff will conduct risk assessment/audit of partners and projects at the start of the collaboration and on regular basis from then on. Partners and Project will be classified into high, medium or low risk categories, based on the level of contact and they have with children and vulnerable adults and the nature of their program/context activities or location.

6.6. **Monitoring and Evaluation:** This Policy and its implementation will be monitored on an ongoing basis. Reports on implementation are included in program reports, as well as reports of the TYDT Board of Trustees. The Policy will be reviewed at every 3 years to ensure it remains relevant to the needs of TYDT and its partners.

## **7. Definitions**

### **7.1. Children and vulnerable adults:**

In accordance with the United Nations Convention on the Rights of the Child and for the purpose of this Policy (as well as the Child Protection Guidelines and Code of Conduct), TYDT defines a child as ‘any person under the age of 18 years, regardless of whether a country’s laws recognize adulthood earlier.’

Vulnerable adults are defined as:

- Those aged over 18 and who identify themselves as unable to take care of themselves or protect themselves from harm or exploitation; or
- Those who due to their gender, mental or physical health, disability, ethnicity, religious identity, sexual orientation, economic or social status, or as a result of disasters and conflicts, are deemed to be at risk.

### **7.2. Sexual Harassment**

Is any unwelcome sexual advance, request of sexual favors, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another.

### **7.3. Sexual Exploitation**

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.

#### **7.4. Sexual Abuse**

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

#### **7.5. Child Exploitation and Abuse (Involves one or more of the following)**

##### **a. Physical abuse**

Physical abuse occurs when a person purposefully injures or threatens to injure a child or young person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take the form of bruises, cuts, burns or fractures.

##### **b. Emotional Abuse**

Emotional abuse is inappropriate verbal or symbolic acts toward a child or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts have a high probability of damaging a child's self-esteem or social competence.

##### **c. Neglect**

Neglect is the failure to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and well-being.

##### **d. Child Sexual Abuse**

Child sexual abuse is the involvement of a child in sexual activity that s/he does not fully comprehend, give informed consent to, or for which s/he is not developmentally prepared and cannot give consent, or that violates the laws or social taboos of society. It is evidenced by an activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person. It may include, but is not limited to, the inducement or coercion of a child to engage in any unlawful sexual activity, the exploitative use of a child in prostitution or other lawful sexual practices or the exploitative use of pornographic performances and materials.

##### **e. Grooming**

Grooming generally refers to a behavior that makes it easier for an offender to procure a child for sexual activity. It often involves the act of building the trust of children and/or their Carers to gain access to children in order to sexually abuse them. For example, grooming includes encouraging romantic feelings or exposing the child to sexual concepts through pornography.

##### **f. Online grooming**

Online grooming is the act of sending an electronic message with indecent content to a recipient who the sender believes to be less than 18 years of age, with the intention of procuring the recipient to engage in or submit

#### **7.6. TYDT Personnel**

The term "TYDT Personnel" includes all staff of TYDT, board members, interns, consultants, and associated personnel, as well as visitors, volunteers, and individual or corporate contactors.

**7.7. Partners**

For the purpose of this Policy, Partner(s) refers to any organization or person that TYDT works with to deliver services in Zimbabwe and has a formal Implementation Agreement in existence with TYDT.

**7.8. Staff**

People employed by TYDT on a permanent or temporary basis.