



MOTHERS AND MARGINALISED ADVOCACY CENTRE

Prevention of Sexual Exploitation and Abuse (SEA) Policy

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1. INTRODUCTION

MAMA Centre employees and related personnel are expected to uphold the highest standards of personal and professional conduct at all times in their dealings within and outside the organisation. Sexual exploitation and abuse (SEA) by any member of employee of MAMA Centre directly contradicts the principles and core values upon which MAMA Centre is based and represents a protection failure on the part of the organisation. SEA inflicts harm on those whom MAMA Centre is obligated to protect, defend or support as well as jeopardizes the credibility of the organisation.

All MAMA Centre employees and related personnel are strictly required to behave irreproachably with the project beneficiaries or members of the community, using particular care with the most vulnerable classes: minors, girls, women, the elderly and social outcasts.

MAMA Centre commits to create a zero-tolerance organizational culture against complacency and impunity. MAMA Centre Management, among the others, is expected to create and maintain an environment that prevents sexual exploitation and abuse. MAMA Centre management staff must be familiar with and enforce this policy, being proactive in overseeing their team.

Through the Protection from Sexual Exploitation and Abuse Policy, MAMA Centre clearly expresses its determination to prevent and combat sexual exploitation and abuse within and outside organisation by MAMA Centre employee and all related personnel.

MAMA Centre SEA policy sets minimum standards to be followed to protect beneficiaries and members of the community from sexual exploitation and abuse.

The policy is principally addressed all MAMA Centre employee and related personnel included in the following categories:

- Board of Directors and MAMA Centre Management;
- All the employees;
- Non MAMA Centre entities and their employees and individuals who have entered into partnership, sub-grant or sub-recipients agreement with MAMA Centre, committees, associations of any sort – including their members and staff – supported, financially or otherwise, by MAMA Centre;
- Consultants and other freelance persons who act on behalf of MAMA Centre on the basis of service contracts (understood as consultants and providers of intellectual services);
- All persons acting voluntarily on behalf of MAMA Centre;
- Suppliers of any sort of goods, services, or works, including current and potential suppliers.
- All the other people not included in the above mentioned categories who have signed a contract with MAMA Centre.

2. POLICY STATEMENT

SEA are a violation of MAMA Centre Ethical Code and MAMA Centre Code of Conduct. MAMA Centre does not tolerate any form of sexual exploitation and abuse, as well as bullying and a range of non-sexual abuse of power perpetrated by MAMA Centre employee and related personnel against any individual regardless of age, gender, sexuality, disability, religion or ethnic origin.

MAMA Centre commits to do all the needful for preventing programmes having any negative effects such as SEA by MAMA Centre employee and relate personnel against beneficiaries and members of the community. MAMA Centre takes seriously all the complaints and concerns about sexual exploitation and abuse and it initiates rigours investigation of complaints that indicates a possible violation of this policy, MAMA Centre Code of Conduct and MAMA Centre Ethical Code.

3. CORE PRINCIPLES

- a) Sexual exploitation and abuse by MAMA Centre employee and related personnel constitute acts of gross misconduct and are therefore grounds for disciplinary actions and/or termination of employment contract within the applicable and current regulations;
- b) Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense and in no way shall ignorance of the age of the person be accepted as a justification. A specific Children Safeguarding Policy further set the principles and the operationalizing procedures and guidelines for guaranteeing children safeguarding in all domains of MAMA Centre action;
- c) Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited. This includes exchange of assistance that is due to beneficiaries;
- d) Sexual relationships between MAMA Centre staff and beneficiaries and members of the community are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of the MAMA Centre work;
- e) Where MAMA Centre employee and related personnel develops concerns or suspicions regarding sexual abuse or by a fellow worker, whether the individual works for MAMA Centre or for other organization, partners, suppliers or other related stakeholders, he or she must report such concerns through the means and tools available within the Organization.
- f) The Board must be informed about all the concerns and suspicions, including rumours in good faith arisen about sexual exploitation and abuse;
- g) All MAMA Centre staff members, whatever their levels are obliged to create and maintain an environment that prevent sexual exploitation and abuse and promotes the implementation of the Code of conduct and Ethical Code. When appropriate, MAMA Centre ensures to report for criminal prosecution and legal action to the competent authority in accordance with the applicable law and evaluates to take out proceedings as a civil damaged party.

4. COMMITMENTS

MAMA Centre is dedicated to fulfilling the core principles through the implementation of the following commitments:

- To prevent and mitigate the risk of sexual exploitation and abuse by MAMA Centre employee and related personnel;
- Managers and Human Resource team must ensure robust recruitment screening process for all the personnel, particularly for person who will have any direct or indirect contact with children;
- A Code of Conduct that establishes, at a minimum, the obligation all the employees and collaborators not to exploit, abuse or otherwise discriminate against people is in place and duly known to the intended recipients;

- The Ethical Code is published on the internet site and is distributed and duly known to everyone who collaborates in any way with MAMA Centre. The Ethical Code contains the mission, the vision, the declaration of values and principles, the set of rights, duties and responsibilities that it holds with whoever collaborates with MAMA Centre or benefits from its projects or programs;
- MAMA Centre is responsible to engage the support of communities and governments to prevent and respond to sexual exploitation and abuse. Local communities shall be involved in developing and approving the Compliant Handling Mechanism (CHM) so that the structure is both culturally and gender sensitive;
- A Compliant Handling Mechanism (CHM) for reporting sexual exploitation, abuse is in place and accessible. CHM should not be a separate, parallel system to other complaints and feedback structures in a given area, but rather link to and build on existing structures to create one system for handling feedback and complaint;
- MAMA Centre employee and related personnel are completely aware of the Core Principles contained in this Policy, and the related principles included in MAMA Centre Staff Code of Conduct, Ethical Code.

Other specific approaches to be taken by MAMA Centre include:

- **Awareness:** Ensuring that all MAMA Centre personnel and associates, as well as beneficiaries and target communities, are aware of what SEA is, the risks and consequences related to SEA, and MAMA Centre zero tolerance towards SEA.
- **Prevention:** Ensuring prevention of SEA by MAMA Centre personnel and associates through safe recruitment, safe cooperative arrangements, safe programming and safe communication practices, and by promoting an environment where all MAMA Centre personnel and associates work to minimise the risks of SEA.
- **Reporting:** Ensuring that complaint mechanisms for reporting SEA are in place and accessible, particularly to beneficiaries of MAMA Centre programmes, and that all MAMA Centre personnel and associates are clear what procedures to follow where concerns or suspicions arise regarding a SEA incident.
- **Response:** Ensuring that appropriate measures are taken to protect and support survivors where concerns arise regarding a SEA incident, and that commensurate actions are taken where suspicions of SEA are validated.
- **Promoting culture of openness, sensitivity and support:** Ensuring that MAMA Centre management favours open lines of communication and dialogue, and an atmosphere of support in order to implement and improve MAMA Centre SEA prevention practices and response procedures.

In order to identify and act upon potential or actual sexual exploitation and abuse by staff in a timely and systematic manner, MAMA Centre shall:

- set protocols to process complaints of sexual exploitation and abuse in a timely manner, including the immediate suspension of the alleged perpetrator from all the activities with a direct impact on beneficiaries and communities until the investigation is ended;
- set protocols to properly inform the appropriate authority which is responsible for conducting investigations for sexual exploitation and abuse allegations in respect of national and foreign legislation;

- ensure that beneficiaries and members of the community know to whom they should report and what sort of assistance they can expect to receive. All potential and actual survivors of SEA must be fully informed about how the complaint mechanism works, including the reporting process;
- ensure complainants and survivors have the right to receive feedback on the development and outcome of their case, and the CHM will make every effort to maintain lines of communication;
- ensure to take appropriate disciplinary actions including immediate termination of employment and referral for criminal prosecution and legal action, where appropriate, against the person who committed sexual exploitation and abuse, in accordance with the national law reporting and responding system;
- ensure the protection of the victim, the complainant and the whistle-blower of SEA after having verified and confirmed the reported facts either by internal investigation or by external investigation. MAMA Centre undertakes to provide assistance, psychosocial counselling, medical treatment, legal assistance to any victims of sexual exploitation and abuse, if identified as not specious, unfounded or false, perpetrated by one of its staff members or related personnel;
- responsible to ensure that all the thirdly party, included partners and suppliers are committed to respect the principles included in the SEA Policy, in addition to those explained in MAMA Centre Ethical Code and Code of Conduct. The acceptance of the SEA Policy by signature of a declaration form is a condition for undertaking any relation with MAMA Centre. For Partners, in case of missing of its own Protection to Sexual Exploitation and Abuse Policy, the following Policy must be incorporated into the contract and accepted by the Partner.

5. COMPLAINT MECHANISM

MAMA Centre will be responsible to ensure that complaint mechanisms for reporting SEA are developed and integrated within complaint and feedback structures existing at the base and country level. In order to be accessible and effective, MAMA Centre shall:

- ensure complaint mechanisms for reporting SEA are developed and regularly reviewed with the involvement of beneficiaries and relevant stakeholders;
- ensure complaint mechanisms for reporting SEA have multiple entry points, allowing individuals the opportunity to report within and outside the organisational;
- ensure complaint mechanisms for reporting SEA include both formal and informal structures, where individuals are able and encouraged to safely report incidents of SEA;
- ensure beneficiaries and target stakeholders are aware of their right to be safe from SEA and MAMA Centre zero tolerance towards SEA;
- Ensure beneficiaries and target stakeholders are aware of the existing complaint mechanisms for reporting SEA and know how to access them;
- Raise awareness amongst beneficiaries and target stakeholders in a manner which is age, gender and diversity sensitive, and language appropriate.

6. REFERENCES

- Protection against Sexual Exploitation and Abuse (PSEA). Inter-agency cooperation in community-based complaint mechanisms.

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- Global Standard Operating Procedures, May 2016 Secretary General's Bulletin on SEA ST/SGB/2003/13, 2003.
- The Sphere Project, Humanitarian Charter and Minimum Standard in Disaster Response, 2004, and successive editions.
- Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and Non-UN Personnel, 4 December 2006
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- IASC PSEA Global Standard operating procedures, June 2016 Protection against Sexual Exploitation and Abuse Statement by the Inter-Agency Standing Committee (IASC) Principals 2015
- UN Office of High Commissioner for Human Rights, CRC - Convention on the Rights of the Child,"1989