

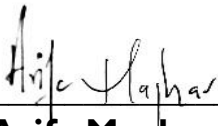
SPO

***Protection from Sexual
Exploitation, Abuse and
Harassment (PSEAH)
Policy***

Initial Approval: February 16, 2025

**This policy is endorsed
by the SPO Board of Directors.**

Approved By:

A handwritten signature in black ink, appearing to read 'Arifa Mazhar', is positioned above a horizontal line.

**Arifa Mazhar
Chief Executive**

I. Definitions:

I.1 Sexual Abuse

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

I.2 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.

Pressurizing or demanding individuals to provide sexual favors against their will, with the threat of denying project assistance, withholding work support, or any other negative repercussions in the work place or community.

I.3 Sexual Harassment is any unwelcome sexual advance, comment, expressed or implied sexual demand, touch, joke, gesture, or any other communication or conduct of a sexual nature, whether verbal, written or visual, by any person to another individual within the scope of organization work.

It is an unwanted conduct of a sexual nature. It can be directed towards one person, groups of people or everyone and can occur as a one-off incident or be a pattern of harmful behavior. Anyone can experience sexual harassment, and SPO recognizes the specific and varied challenges faced by women, men, transgender people and others when experiencing it. (*Refer to: The Code of Conduct on Sexual Harassment at Workplace is attached as Annex-A*).

The effect of sexual harassment is to violate the dignity of another person and to create an intimidating, hostile, degrading, humiliating or offensive environment for them and others.

Sexual harassment can take many forms, including (but not limited to):

- Verbal comments of a sexual nature, such as remarks about an employee's appearance, questions about their sex life or offensive jokes
- Non-verbal such as displaying pornographic or explicit images, staring, sexual gestures or written comments of a sexual nature such as offensive or inappropriate
- Physical such as unwanted physical contact, touching, and assault (this includes attempts and threats to do these things).

When addressing allegations of sexual harassment, SPO is concerned with the impact of the behaviors on the complainant, not the intention of the person accused. An action or behavior can still be considered sexual harassment even if the alleged harasser didn't intend for it to be harmful.

SPO recognizes that the terms sexual exploitation, abuse and harassment represent a wide spectrum of behaviors and is not limited to the act of sexual intercourse. It is in recognition of this that SPO works to a more detailed set of definitions (set out below) to guide work carried out to address and prevent 'sexual violence' in all its forms.

I.4 Sexual Violence

Sexual violence is:

I.4.1 any sexual act or attempt to obtain a sexual act

I.4.2 unwanted sexual comments or advances or acts to traffic

Those are directed against a person's sexuality using coercion by anyone, regardless of their relationship to the victim, in any setting, including at home and work.

Three types of sexual violence are commonly distinguished:

- Sexual violence involving intercourse (i.e. rape),
- Contact sexual violence (i.e. unwanted touching, but excluding intercourse)
- Non-contact sexual violence (i.e. threatened sexual violence, exhibitionism and verbal sexual harassment).

While coerced sex may result in sexual gratification for the perpetrator, its underlying purpose is to express power and dominance over the other person.

1.5 Child Abuse

A child is defined as **anyone under 18 years old**. The most commonly defined types of child abuse are:

- Neglect
- Physical
- Emotional
- Bullying
- Sexual.

SPO strictly prohibits staff and other representatives from having sexual relationships with children, which is anyone under the age of 18 years. The mistaken belief of age is no defense.

1.6 Vulnerable Adult Abuse

A Vulnerable Adult is defined as someone "who is or may be in need of community care services 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". Vulnerable Adult Abuse can take many forms including: physical, sexual, psychological, financial/ material, discriminatory, domestic abuse and self-neglect.

SPO strictly prohibits staff and other representatives from indulging into any vulnerable adult abuse.

1.7 Domestic Abuse

Domestic Abuse "is any incident or pattern of incidents of controlling, coercive or threatening behavior, violence or abuse between those aged 18 or over who are, or have been, intimate partners or family members regardless of gender or sexuality." This may include psychological, physical, sexual, financial and emotional abuse, so-called 'honour' based violence, forced marriage and female genital mutilation ("procedures that involve partial or total removal of the external female genitalia, or other injuries to the female genital organs for non-medical reasons").

SPO strictly prohibits staff and other representatives from indulging into any domestic abuse.

1.8 Modern Slavery

Slavery is a situation where a person exercises (perceived) power of ownership over another person. Related terms include forced labour, which covers work or services that people are not doing voluntarily but under threat of punishment; human trafficking, which involves deceptive recruitment and coercion; and bonded labour, which is demanded in repayment of a debt or loan. Modern slavery encompasses a spectrum of labour exploitation, ranging from the mistreatment of vulnerable workers to human trafficking to child labour and forced sexual exploitation.

SPO strictly prohibits staff and other representatives from indulging into any act of modern slavery.

1.9 Coercion

Coercion covers a whole spectrum of degrees of force. Apart from physical force, it may involve psychological intimidation, blackmail or other threats. For instance, threats of being dismissed from a job or of not obtaining a job that is sought. It may also occur when a person is unable to give consent. For example, while drunk, drugged, asleep or mentally incapable of understanding the situation.

1.10 Sexual Activity with other SPO Colleagues

SPO strictly prohibits employees from engaging in sexual relationships with colleagues, vendors, consultants, interns, General Body members, partners, beneficiaries, visitors, or any other individuals associated with the organization.

SPO requires that **any staff engaged in or beginning a relationship with other colleagues must:**

- Declare their relationship as soon as possible to their line managers and HR, even if the relationship is at an early stage and may not continue;
- Behave professionally and conduct their relationships in a way that does not impact SPO's business;
- Ensure they do not make work decisions based on that relationship;
- Ensure that their relationships do not lead to fraudulent or corrupt behaviors; and
- In case of marriage, one of them will have to resign from the job with SPO.

2. Policy Statement

SPO is committed to a workplace free of discrimination, harassment and sexual violence. This Policy covers employees, vendors, consultants, interns, Members of the General Body, partners, beneficiaries, visitors or any other representatives with whom the organization has any dealings. SPO has a **zero-tolerance** for any form of sexual harassment, abuse, or exploitation by its employees, vendors, consultants, interns, Members of the General Body, partners, beneficiaries, visitors, or any other representatives involved in the delivery of its work.

3. Purpose of this Policy

This Policy sets out SPO's approach to prevent sexual exploitation, abuse and harassment. It sets out:

- the principles upon which we will base our decision-making and actions,
- Our expectations of all who represent SPO and
- Our commitments are to ensure that effective action is taken when problems occur.

4. SPO's commitment is to:

- Create a safe working culture and environment for all those whom SPO serves and those working for and representing the organization.
- Ensure that all concerns or allegations of sexual exploitation, abuse and harassment are responded to in a timely and appropriate manner.

- Ensure zero tolerance of sexual exploitation, abuse and harassment through robust prevention and response work, offering support to survivors and victims and holding those responsible to account.
- Always adopt a survivor-centric approach, that respects the confidentiality and decision-making rights of survivors where possible and appropriate to do so.
- Maintain transparency regarding safeguarding and protection issues, communicate sensitively about our practices, and remain open to learning and continuous improvement.

5. SPO adopts the following principles to guide our safeguarding and protection work:

- **Survivor-led:** we are committed to listening to survivors and being guided by the wishes of the survivor where possible and appropriate to do so
- **Non-directive:** we aim to empower survivors and complainants by helping them explore their options in safe ways without imposing our own opinions
- **Non-judgmental:** we never judge survivors or complainants for their actions or decisions
- **Confidentiality:** we are committed to confidentiality when carrying out our work. Information will not be shared outside the team or the organization unless we believe that someone is in danger or a child has been or may be harmed
- **Independent investigations:** through "Anti-Sexual harassment inquiry committees both at the National & Regional levels" we carry out our independent and discrete investigations, recognizing the rights and duty of care to everyone involved, including the complainant or survivor, witnesses and the person accused
- **Commitment to good practice:** we always strive to offer the best service possible, and are open to feedback and continual learning.

In all circumstances, the processes shall be based on a “**do no harm**” approach. The adapted core principles are as follows:

- **Transparent and Fair.** This implies the process is impartial, objective and fact-based.
- **Professional:** This implies that best practices are followed, and processes are conducted in a timely manner. There is coordination with appropriate specialists, experts and other team members as and when required. The processes are carried out by qualified human resources.
- **Well Structured:** This implies that the processes are thorough and appropriately documented.
- **Survivor-Centered Approach:** This implies that processes are safe, confidential, respectful and non-discriminatory.

6. SPO will ensure that:

- a. All employees, vendors, consultants, interns, Members of the General Body, partners, beneficiaries, visitors, and any other representatives associated with the organization are informed about their **right and duty** and **how to report** concerns or allegations of sexual exploitation, abuse, and harassment;
- b. Concerns or allegations of sexual exploitation, abuse, and harassment will always be taken seriously, investigated and acted on if appropriate, in line with our safeguarding and protection principles set out above;

- c. All employees will have access to, and be familiar with PSEAH Policy and know their responsibilities within it;
- d. All employees will receive orientation/training in relation to PSEAH policy. In addition, staff with specific responsibilities (e.g. managers) will receive additional training commensurate with their role;
- e. All employees are responsible for promoting awareness of PSEAH Policy within their area of work (including communities/beneficiaries).

7. Roles and responsibilities:

Creating a safe working environment at SPO is everyone's responsibility and failure to act on concerns or disclosures relating to sexual exploitation, abuse and harassment is not acceptable.

All managers, employees, volunteers and other representatives of SPO are required to adhere to PSEAH Policy.

For all SPO employees and contractually obliged persons/entities, it is **mandatory to report** any suspicions of sexual exploitation, abuse or harassment. Failure to report is a breach of SPO policy and could lead to disciplinary action.

8. PSEAH Mechanism:

SPO's PSEAH Mechanism comprises of the following:

- 8.1 Prevention
- 8.2 Reporting
- 8.3 Investigation
- 8.4 Referral.

8.1 Prevention

SPO has taken the following preventive measures to ensure that its area of work is free of sexual exploitation, abuse and harassment:

- a. All relevant safeguarding and protection measures are embedded in the recruitment and selection process related to staff, consultants, interns, vendors, partners and beneficiaries;
- b. Orientation and periodic trainings/refreshers of all employees on PSEAH policy and procedures;
- c. The programmatic/project activities shall include an orientation to SPO's PSEAH policy;
- d. Publications, website and email signatures shall include a policy statement regarding PSEAH.

8.2 Reporting

Anyone can raise a concern or make a complaint to SPO about something they have experienced or witnessed. This can be done verbally or in writing, internally to the HR Department at the National Centre and/or externally to the Federal Ombudsperson.

It is **mandatory** for all SPO employees and contractually obliged persons/entities **to report** any suspicions of sexual exploitation, abuse or harassment. Failure to report shall be deemed as the breach of SPO policy and could lead to disciplinary action.

Complaints can be raised confidentially on:

- Internal Channel: complaints@spopk.org and/or a designated phone number: 0331-2123477 or
- External Channel: the Federal Ombudsperson for protection against harassment at workplace (FOSPAH), complaints@fospah.gov.pk and/or phone number: 03444 367 367.

(A detailed PSEA Reporting and Complaint Mechanism is attached as Annex-B).

8.3 Investigation

SPO is committed to responding to all complaints and concerns of SEAH cases reported. SPO's SEAH Inquiry Committee at the National level is responsible for this task. When a complaint or concern has been raised, it must be referred within 24 hours to SPO's SEAH Inquiry Committee.

In order to address complaints and concerns of SEAH, SPO follows the guidelines provided by the Protection against Harassment of women at the Workplace Act, 2010 (and Amendment Act 2022) and the UN's Secretary General's bulletin (attached as Annex-C 1, 2 & 3). There is a separate Inquiry Committee trained to deal with these specific cases (The Terms of Reference of the SEAH Inquiry Committee are attached as Annex-D).

The HR Department will forward the matter to the SEAH Inquiry Committee, which will consist of at least three members, including both women and men. The complainant and respondent both have to sign an Undertaking (attached as Annex-E) and agree on the members of the Committee. An appeal for review of the Committee's decision could be sent to the Chief Executive.

All investigations of exploitation, abuse and harassment claims shall be conducted in accordance with the "Guidelines Receiving and Investigating Allegations" attached as Annex-F. The results of the investigation shall be forwarded to the head of the Organization to make a final decision.

The HR Department shall maintain a written record of the exploitation, abuse and harassment complaints received (Refer to Annex-G). Written records will be maintained as confidential records.

8.4 Referral

In case the matter has to be referred to an external service provider, SPO's standard Referral procedure shall be adopted (Refer to Annex-H1 "Referral Mechanism" and Annex H2 "Follow-up Mechanism"). The details of available services can be accessed through Annex-I "Referral pathway and directory".

9. Prohibition Against Retaliation

Retaliation against any employee who alleges that s/he was the survivor of harassment or against any employee who provides information in the course of an investigation into claims of unlawful harassment in the workplace is prohibited under this policy. Any employee bringing a complaint, providing information for an investigation, or testifying in any proceeding under this policy shall not be subjected to adverse employment consequences based upon such involvement or be the subject of retaliation. The HR Department would ensure the safety and security of the complainant and all other relevant individuals.

10. False Accusations and Information

If any employee knowingly makes a false accusation of unlawful harassment or knowingly provides false information in the course of an investigation of a complaint shall be dealt with breach of conduct and be grounded for strict disciplinary action. However, complaints made in good faith, even if found to be unsubstantiated, shall not be considered a false accusation.

11. Confidentiality

All complaints and investigations shall be handled, to the extent possible, in a manner that will protect the privacy interests of those involved. To the extent practical and appropriate under the circumstances, confidentiality shall be maintained throughout the investigation process. In the course of an investigation, it may be necessary to discuss the claims with the alleged harasser and other persons who may have relevant knowledge. It, therefore, may be necessary to disclose information to persons with a legitimate need to know about the matter (not without prior consent of the complainant). All persons interviewed shall be directed not to discuss any aspect of the investigation with others in light of the important privacy interests of all concerned. Failure to comply with this confidentiality directive may result in disciplinary action.

12. Disciplinary Action

Any employee, as a result of an inquiry report, found to have violated this policy shall be subject to appropriate disciplinary action, which may lead to termination of employment in compliance with SPO's Zero Tolerance Policy attached as Annex-J.