



Islamic Relief Worldwide

Protection from Sexual Exploitation and
Abuse Policy

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ISLAMIC RELIEF WORLDWIDE

PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE POLICY

1. DEFINITIONS

These definitions has been adapted from CHS Alliance and Islamic Relief's internal policies.

Beneficiary: someone in receipt of assistance. Alternatively referred to as a member of the affected population, person we seek to assist, person affected by crisis or rights holders.

Case management: following the appropriate policies and procedures to determine the outcome of a report or an investigation on sexual exploitation and abuse of all forms.

Code of Conduct: Code of conduct/behaviour is an agreement on rules of behaviour for a group or organisation. Islamic Relief has its own internal Code of Conduct that applies to all staff members and a failure to adhere to the Code of Conduct can result in disciplinary measures.

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 situation¹.

Complainant: an individual making a complaint. This could include a survivor of sexual exploitation, abuse and harm or someone becoming aware of wrongdoing.

Complaint mechanism or procedure: Processes which allow and encourage individuals to report Complaints concerns which breach Islamic Relief's policies or code of conduct. This mechanisms may include, suggestion boxes, whistleblowing policies and designated focal points (see IR complaints procedures).

Confidentiality: restricted access to and dissemination of information. Confidentiality helps create an enabling environment in which witnesses and staff are more willing to recount their versions of events and builds trust in the system and in the organisation.

Child: an individual below the age of 18

Child protection: Child protection is the prevention of and response to abuse, neglect, exploitation and violence against children (and refers to a subset of children's rights). It also describes the work being undertaken to strengthen laws, policies and systems that are designed to protect children.²

Discriminatory Abuse: involves actions or language forming harassment, slurs or similar

¹ World Health Organization Global Status Report on Violence Prevention (2014)

² Adapted from Keeping Children Safe and Child Protection Working Group

treatment including race, gender, gender identity, age, disability, sexual orientation or religion.

Domestic Abuse: domestic violence and abuse includes any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been, intimate partners or family members regardless of gender or sexuality. It also includes so called 'honour' -based violence, female genital mutilation and forced marriage.

Feedback: the information sent to an entity (individual or a group) about its prior behaviour so that the entity may adjust, develop or maintain its current and future behaviour to achieve the desired result.

Financial or Material Abuse: this would include theft, fraud, coercion in relation to financial affairs or arrangements, inheritance or financial transactions or the misuse or misappropriation of property.

Focal point: a designated person locally (at country office level) and globally (at Islamic Relief Worldwide's International office in Birmingham who is responsible for supporting management in implementing the Safeguarding Policy, as well as receiving and managing safeguarding concerns and complaints.

Modern Slavery: incorporates human trafficking, force labour, and domestic servitude. Traffickers and slave masters use all forms of violence and abuse to coerce, deceive, and force individuals into a life of abuse and inhumane treatment.

People at Risk: is someone who has needs for care and support. Who is experiencing or at risk of abuse or neglect and as a result of care

needs, therefore unable to protect themselves.

PSEA: Protection from Sexual Exploitation and Abuse is a term used by the UN and NGO community to refer to measures taken to protect children, young people and vulnerable people from sexual exploitation and abuse by their own staff, representatives and associated personnel.

Psychological Abuse: including emotional abuse is behaviour or intended actions of harm or abandonment, prevention of contact or communication, controlling, limiting accessing, humiliation, intimidation, coercion, harassment, verbal abuse and bullying.

Safeguarding: the responsibility that organisations have to make sure their staff, operations, and programmes do no harm to children, young people and people at risk, and that they do not expose them to the risk of violence, abuse and exploitation.

Safeguarding Complaint: a specific concern raised by someone who have themselves witnessed or experienced a failure by Islamic Relief or its representatives to meet its values, Code of Conduct or organisational policies and/or been alerted to such malpractice by others.

Sexual Abuse: is behaviour or language which includes but not limited to rape, sexual assault, inappropriate looking and touch, sexual innuendos or teasing, sexual photography, exposure of pornography, witnessing of sexual acts, indecent exposure, and sexual assault or act between non-consenting adults or have been pressured to consent.

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 another³.

Sexual Violence: Is any sexual act or attempt to obtain a sexual act; unwanted sexual comments or advances or acts to traffic that are directed against a person's sexuality using coercion by anyone regardless of their relationship to the victim in any setting i.e work or home⁴.

Survivor or victim: the person who is, or has been, exploited, sexually or otherwise, harmed, victimised, harassed or abused in any way. The term 'survivor' implies strength,

resilience and the capacity to survive. This document mostly uses the term 'victim', to mean the victim of the alleged perpetrator's actions. However this is not intended to negate that person's dignity and agency as an individual.

Whistleblowing: an organisational policy which aides and supports staff members to report concerns or suspicions of misconduct by colleagues.

Young people: A young person is defined as an individual between the ages of 15 and 24 years

2. INTRODUCTION: ISLAMIC RELIEF PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE

Islamic Relief is a faith inspired organisation committed to professionalism and the highest standards of excellence in the protection, health and wellbeing of our right holders.

PSEA (Protection from Sexual Exploitation and Abuse) is a term used by the UN and NGO community to refer to measures taken to protect vulnerable people from sexual exploitation and abuse by staff and associated personnel or representatives. Islamic Relief believes everyone has the right to be safe, respected and valued regardless of who they are or their circumstances. A key tenet of our values is to ensure that staff, volunteers, our operations and programmes do not exploit their position of power over communities or colleagues. It is unfortunate a minority of people use this imbalance in power to exploit and abuse vulnerable communities and colleagues. The organisation takes protection and sexual exploitation concerns very seriously and conducts diligent investigations of all complaints raised and takes disciplinary action under its grievance and complaints policy.

It is mandatory for all those representing Islamic Relief locally, nationally and globally to understand, implement and adhere to all the guidance outlined in this document.

2.1 ACCOUNTABILITY AND COMPLIANCE

Islamic Relief Managers, Country Directors and ultimately Directors hold overall accountability for PSEA policy and its implementations. Directors and Trustees are responsible for reviewing and updating this policy bi-annually in line with local and global legislative and organisational developments and hold overall accountability for Islamic Relief PSEA work. All staff, volunteers,

³ <http://www.pseatastforce.org/uploads/tools/1327932869.pdf>

⁴ World Health Organization definition 2012

partners and other representatives of Islamic Relief are required to adhere to this policy and all related safeguarding policies.

It is incumbent upon all Islamic Relief staff to report any concerns or suspicion of sexual exploitation, abuse and harassment. Anyone found to breach any policy within the safeguarding framework could be subject to disciplinary procedures and potential legal action. It's mandatory upon all to report concerns or allegations using the complaints mechanism or procedure in place. Please refer to Islamic Relief's Complaints Policy for further information.

2.2 SAFEGUARDING PRINCIPLES SUPPORTING PSEA

Islamic Relief commits itself to the following principles⁵ in its approach to safeguarding Islamic relief staff, representatives, children, young people and people at risk. All Islamic Relief staff and representatives must uphold the following principles for the protection of all:

- **Empowerment:** People being supported and encouraged to make their own decisions and informed consent.
- **Protection:** Support and represent those in greatest need.
- **Prevention:** It is better to take action before harm occurs.
- **Proportionality:** A proportional and least intrusive response appropriate to the risk presented.
- **Partnership:** Local solutions through services working with communities.
- **Accountability:** Accountability and transparency embedded in safeguarding practices

2.3 INTER-AGENCY STANDING COMMITTEE (IASC) SIX CORE PRINCIPLES RELATING TO SEA⁶

Islamic Relief endorses IASC six core principles which all staff and representatives are required to adhere to.

1. Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination from employment.
2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of the majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence.
3. 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.
4. Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.
5. Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.
6. Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all

⁵ <https://www.scie.org.uk/care-act-2014/safeguarding-adults/sharing-information/six-safeguarding-principles.asp>

⁶ <https://interagencystandingcommittee.org/principals/documents-public/iasc-six-core-principles-relating-sexual-exploitation-and-abuse-2002>

levels have particular responsibilities to support and develop systems which maintain this environment.

3. ISLAMIC RELIEF'S SAFEGUARDING FRAMEWORK

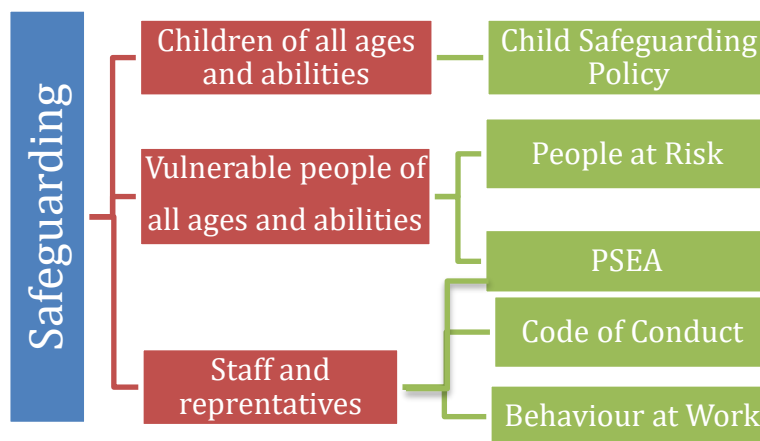
Islamic Relief considers the welfare and protection of children, young people and people at risk to be paramount to the organisation. With a zero tolerance approach Islamic Relief have a number of related policies which also describe standards in behaviour expected from the organisation, its staff and representatives towards each other and those we serve.

This PSEA policy is set out within the Safeguarding framework show in figure 1 which Islamic Relief Worldwide has in place to make sure the organisation has a holistic and systematic approach to safeguarding throughout all levels of the organisational structure and towards those we serve. The safeguarding framework builds on the key learning from policies addressing safeguarding needs.

A crucial component of safeguarding is the mandatory training of all Islamic Relief staff and representatives on safeguarding and related policies and the implementation of these policies through the organisations processes.

Safeguarding Framework

Figure 1:



4. ISLAMIC RELIEF'S PSEA ROLES AND RESPONSIBILITY

Islamic Relief will commit to ensuring all those who work with children, young people and people at risk directly or indirectly will be given mandatory PSEA training. This will be proportionate to their roles and responsibilities. Islamic Relief is also committed to design and implement programme and projects based on an impartial assessment of needs and risks, and an understanding with an understanding of the vulnerabilities and capacities of different groups.

Together with Islamic Relief Worldwide, all Islamic Relief's offices MUST:

1. Adopt PSEA policy to prevent and respond to sexual exploitation and abuse. Partner offices of IR family federation will be required to adopt a PSEA policy.

2. Develop or adapt Standard Operating Procedures (SOPs) for reporting sexual exploitation and abuse involving IR personnel in line with Safeguarding Reporting Procedures. These must be inclusive of the needs of people with disabilities.
3. Translate PSEA policy into local language with information accessible to communities with consideration of varying abilities.
4. Integrate PSEA policy into staff induction materials and on-board training. In doing so, line managers must ensure that staff understand Islamic Relief's PSEA expectations through an ongoing engagement with their teams.
5. Translate the PSEA policy commitments and actions into employee job descriptions to assign specific responsibilities for PSEA implementation.
6. Ensure Safeguarding and PSEA is incorporated as part of screening and vetting processes preventing perpetrators of sexual harassment, exploitation and abuse from being hired or re-hired by Islamic Relief, or other agencies in the sector. This would be in legally possibly in compliance with IRW's HR Reference Protocol on providing and checking references.
7. Develop and implement an effective, trusted, confidential and impartial complaints mechanism and ensure it is in accordance with Islamic Relief's Safeguarding Reporting Procedures. Such procedures must recognise everyone's right to raise awareness and be adapted to ensure they are accessible to all female and male right holders and employees of all ages, language abilities and backgrounds involved in IR programmes.
8. Ensure IR focal points receiving complaints of sexual exploitation and abuse have the time, support and skills to process them in accordance with the principles in this policy.
9. Respond to reports of sexual exploitation and abuse by investigating allegations confidentially, sensitively and professionally. This includes applying basic counselling techniques with survivors and witnesses taking into consideration the trauma for those affected by sexual exploitation and abuse.
10. Ensure timely and appropriate action, including legal action, against staff who commit sexual harassment, exploitation and abuse with utmost regard for the safety and wellbeing of the victim which may arise from such action.
11. Provide psychosocial support and basic emergency support as appropriate to survivors.
12. Engage communities we serve through our programmes and projects, and alert them to Islamic Relief's PSEA commitment and procedures.
13. Country Directors are responsible to inform local partners about IR's PSEA policy and monitor compliance in accordance with our contractual agreements.

14. Report all allegations of sexual exploitation and abuse to Islamic Relief Worldwide to enable it to monitor effectiveness of our PSEA policies and procedures. Islamic Relief should continue to work to respond to the risk of sexual harassment, exploitation and abuse.
15. Involve local communities and authorities to join efforts of addressing sexual harassment, exploitation and abuse.
16. Those traveling to Country Offices must read and adhere to the PSEA Policy and complete online training.
17. Review PSEA policies at least every 2 years.

5. SAFEGUARDING: CODE OF CONDUCT

Islamic Relief has a zero tolerance towards all forms of violence, sexual exploitation and abuse. Representatives of Islamic Relief working directly or indirectly with children, young people and people at risk must follow Islamic Relief's code of conduct. These codes also apply to staff and their conduct towards each other and those we serve.

Islamic Relief representatives **must**:

- Representatives must treat staff, children, young people and people at risk with respect, recognising their right to personal privacy;
- Staff must not make racist or sexist remarks towards anyone. Inappropriate physical contact is prohibited;
- Representatives of Islamic relief must not spend time alone with children, young people and people at risk. They must plan activities so that more than one person is present, or at the very least, other people are within sight and hearing;
- Staff and representatives of Islamic Relief must not stay overnight in the same room with children, young people and people at risk;
- Always take concern of harassment, sexual exploitation, violence or abuse issues seriously;
- All disciplinary measures/sanctions must be non-violent and must not humiliate staff, children, young people and people at risk;
- Staff and representatives must not take images of children, young people and people at risk which are detrimental or explicit and undermine their dignity. Refer to child safeguarding policy or communication guidelines;
- They must not rely on just their good name to protect themselves, and must not put themselves in positions where they could be falsely accused of something by anyone;
- Sexual exploitation and abuse by Islamic Relief staff constitute acts of gross misconduct and are therefore grounds for the termination of employment;
- Any type of relationship, including sexual relationship, between Islamic Relief staff and children, young people, people at risk or those we serve are strictly prohibited, since they are based on inherently unequal power dynamics; such relationships would undermine the integrity of work to help vulnerable and excluded children and would be classed as gross misconduct.

- Where an Islamic Relief staff member develops concerns or suspicions regarding sexual abuse or exploitation by a colleague, whether in Islamic Relief or not, they must report such concerns to the country director and the global safeguarding focal point.

6. RESPONDING TO SAFEGUARDING CONCERNS

Safeguarding is not just about responding to specific allegations or incidents, it is also about the suitability of staff to work with children, young people and people at risk. The Islamic Relief field office will respond immediately to any concern that a staff member may not be suitable for such work.

6.1 GENERAL PROCEDURES TO BE FOLLOWED IN ALL CASES

- When a child, young person or people at risk alleges sexual exploitation or abuse, or a staff member becomes suspicious, write down what the complainant said or the details observed such as marks and behaviour, noting names of people involved, dates, times, places and witnesses using the designated template (appendix 1). This should be done whilst the information is fresh in the staff member's mind. Write down exactly what the complainant says, as an accurate statement of the facts is required, not what you think they meant.
- Report the matter immediately to the country director and/or local safeguarding focal point who should report the matter to IRW through the general safeguarding email: Safeguarding@irworldwide.org. Global safeguarding lead will be engaged within 24 hours maximum.
- The global safeguarding lead together with the complaints administrator will agree a process and who needs to be informed to protect the individual from any further or new risk in cooperation with the Director of International Programme Division and Human Resources— ensuring strict confidentiality. Together they will agree on the necessary steps that need to be taken (which could include conducting an internal investigation or reporting the matter to relevant authorities).
- The only exception to this reporting procedure is where the subject of complaint is a senior member of staff part of the reporting process, whereupon they should be bypassed in the reporting process immediately (report directly to local safeguarding focal point or directly to global safeguarding lead in IRW as appropriate, who can be contacted at any point).
- If sexual exploitation or abuse is strongly indicated, an immediate safety plan (including medical attention where necessary) will be drawn up for all concerned. This is the responsibility of the country director, the global safeguarding lead and the security manager.
- This procedure stresses the best interest of the child, young person and vulnerable adult taking into account s/he is a possible victim of violence, abuse or exploitation and should be the focus at all times.
- If the staff member making the complaint is not satisfied that appropriate steps have been taken, the matter can be brought up directly with the global safeguarding lead or head of governance.

7. ISLAMIC RELIEF SAFEGUARDING FLOWCHART

STANDARD COMPLAINTS FLOWCHART



Appendix 1

Name of complainant:

Ethnic origin/nationality: address/contact details:

Age:

Sex

Relationship with the victim:

Identity/passport number:

Name of victim:

Ethnic origin/nationality:

Address/contact details:

Age:

Sex:

Identity/passport number:

Name (s) and address of parents, if under 18:

Has the victim given consent to the completion of this form? Yes: No:

Date/time of incident (s):

Location of incident (s)

Physical/emotional state of victim (describe obvious signs/symptoms):

Witnesses' names/contact information:

Brief description of incident (s) (attach extra pages if necessary):

Name of the accused person (s)

Job title/organisation of accused person (s)

Address of accused person (s)

Age: Sex:

Physical description of accused person:

Have the police been contacted by anyone? Yes: No:

If yes, what happened?

If no, does the victim want police assistance, if not, why?

Has the victim been informed about available medical treatment? Yes: No:

If yes, has the victim sought medical treatment for the incident? Yes: No:

If yes, who provided treatment?

What is the diagnosis and prognosis?

What immediate security measures have been undertaken for the victim?

Who is responsible for ensuring the safety plan (name/title/organisation):

Any other pertinent information provided in interview (including contact made with other organisations, if any):

Details of referrals and advice on health, psychological, legal needs of victim made by person completing report:

Report completed by:

Name/position/organisation:

Date/time/location:

Has the complainant been informed about IR's procedures for dealing with complaints? Yes:
No:

Signature/thumb print of the complainant signalling consent for this form to be shared on a
'need to know' basis:

Date Report forwarded to CD/Safeguarding focal point,:

Date Report received by CD/ Safeguarding focal point:

Name:

Signature: