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PURPOSE

The purpose of this policy is to establish mechanisms for the prevention of all forms of Sexual Exploitation and Abuse (SEA) and provide practical guidance on how to handle suspected or actual cases of SEA. Through the Protection from Sexual Exploitation and Abuse (PSEA) Policy, Proud Lebanon clearly expresses its determination to prevent and respond to sexual exploitation and abuse of beneficiaries and members of the community by Proud Lebanon employees and all related personnel including: **volunteers, interns, contractors, board members and others.**



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SCOPE

- This policy sets minimum standards to be followed in order to protect beneficiaries and members of the community from sexual exploitation and abuse.
- This policy covers SEA occurring no matter where, no matter when, as long as someone is an employee or team member at Proud Lebanon.
- The policy applies to all persons employed by Proud Lebanon such as:
 - Advisory and Executive Board members, Directors and Management
 - Employees and collaborators
 - Full and part time staff
 - Employees and individuals who have entered into partnership, sub-grant or sub-recipients agreement with Proud Lebanon
 - Consultants and other freelance persons who act on behalf of Proud Lebanon on the basis of service contracts
 - Volunteers acting on behalf of Proud Lebanon
 - Suppliers of any sort of goods, services, or works, including current and potential suppliers.
 - Any individual not included in the above mentioned categories who has signed a contract with Proud Lebanon
- The principles set forth in this policy apply all times, during and outside office hours, and during periods of leave, with no exceptions.

ABBREVIATIONS

- HR: Human Resources
- ED: Executive Director
- OD: Operational Director
- HRC: Human Resources Coordinator
- CM: Concerned Manager

LINKED/REFERENCED DOCUMENTS (STANDARDS, LAWS, REGULATIONS, PROCEDURES, INSTRUCTIONS, MANUALS)



PSEA Policy

- Speak-up policy
- Internal regulation
- Employees Code of conduct
- Beneficiaries code of conduct
- United Nations Protocol On Allegations Of Sexual Exploitation And Abuse Involving Implementing Partners
- Minimum Operating Standards Protection from Sexual Exploitation and Abuse by own Personnel
- IASC Six Core Principles Relating to Sexual Exploitation and Abuse, 2019

POLICY

I. Definitions:

Sexual exploitation is any actual or attempted abuse of a position of vulnerability, power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual abuse is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. This includes non-contact and online sexual exploitation and abuse.

SEA also includes sexual relations with a child (defined as a human being below the age of 18 years), in any context. Any 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.

SEA also includes exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior. This also includes exchange of assistance that is due to beneficiaries.

II. Prevention:

- Preventive actions should be considered as a priority to deter or stop any SEA from happening:
 - A reference check is conducted for all new employees with at least 2 contacts. Specific questions related to CP and SEA are included in the reference check.

- During the first HR interview, specific questions related to child protection and SEA are asked to each interviewee. The recruitment process involves 3 interviews, to ensure objectivity and that the proper candidate is recruited for the right position.
- All employees at Proud Lebanon have to go through a mandatory induction during which the Director/HR explains all policies and procedures, including the PSEA Policy. The employee signs these policies (PSEA Policy, the internal regulations and the code of conduct). A checklist of all policies covered is signed by the employee and stored.
- On a yearly basis, all employees go through a performance appraisal in which one important indicator is related to the compliance with the code of conduct, CPP and PSEA policy.
- It is the responsibility of the organization to ensure that staff are properly trained and supported in making sure that they are aware of the PSEA policy (through the induction or refreshers) and in following up on its implementation. The training covers the following: definitions of SEA and roles and responsibilities of personnel in preventing and responding to SEA.
- It is the responsibility of the director to ensure that all his/her team members are fully aware of their responsibilities on a regular basis through one on one meetings, group meetings, training and refresher training, as needed.
- A complaint mechanism has been developed so beneficiaries, minors if any and adults, can raise their concerns and report any misconduct through the proper channels. The complaint mechanism takes into consideration the age and the level education of the beneficiaries in a way that makes it user friendly and accessible. The complaint mechanism is explained to all beneficiaries during the first session / service delivered by the staff in charge, and highlighted during the start of every awareness raising session.
- The organization integrates PSEA in its planning, programming and operational processes (strategic planning, budgeting, program cycle management etc.) Moreover, Proud Lebanon constantly raises awareness about SEA through its different communication channels (media and social media) and training activities through training sessions.
- Cameras are installed in the main working areas of Proud Lebanon's premises (offices, meeting rooms...) to be used to collect evidence in case of any reported incident.
- Focus group discussions (FGD) are conducted on an end of basis project with a group of beneficiaries. During the FGD, the feedback of the beneficiaries is requested regarding the quality of the service, employee behavior. Any complaints are documented and addressed afterwards.



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III. **Complaint procedure:**

Sources of reporting:

1. All employees (paid or volunteer) at Proud Lebanon may use the Speak-up policy to report any misconduct (please refer to the speak-up policy). No employee at Proud Lebanon, no matter their position is exempted of the following procedure.
2. Once per year, an employee satisfaction survey is sent out to Proud Lebanon's staff and is filled anonymously. Several questions focus on SEA, abuse of power etc. If any employee complains about such violations, the administration requests that the employee in question uses the speak-up policy to report those incidents. The administration will also use any data collected about SEA to revise and improve its policies, procedures and practices.
3. As for the beneficiaries, Proud Lebanon has developed a complaint mechanism where all beneficiaries can anonymously share their complaints about the service provided or about any behavior from a team member (paid or volunteer) at Proud Lebanon through a complaint box and online via a secured form. The mechanism is currently being adapted so illiterate beneficiaries could also report through a phone number.
Beneficiaries will be sensitized on the PSEA policy and complaint mechanisms by using a number of tools and activities, including posters placed across the center and website, as well as before each awareness raising session, in addition to dedicated awareness and sensitization sessions for the beneficiaries on the PSEA and the speak up policies.

Procedure to follow:

1. Executive Board members, Managers and supervisors have a specific responsibility towards responding to SEA: once they suspect or are made aware of such violations, they must not tolerate their continuation.
Managers have to suspend the employee who committed the abuse after an investigation has taken place, and report it directly to the Executive and Advisory Board members. The ED will directly inform the lawyer of the NGO for legal purposes.
The Employee or volunteer suspected of any SEA act should be placed on probation period until the investigation process is done.

2. Failure on the part of Executive Board members, managers or any other employee to fulfill their obligations under the present policy may be considered a breach of duty, which, if established, shall result in the termination of their contract and possible legal action.
3. If the report was made through the complaint mechanism, the complaint box and online form will be accessed weekly by the Executive Board member who is in charge of the complaint mechanism has to inform the concerned manager and Advisory Board members in order for them to investigate and take the necessary actions.
4. When the Executive Board receive the complaint related to an adult victim of SEA (employee or adult beneficiary), the below has to be applied:
 - Immediately record the dates, times and facts of the incident(s) as received
 - ED will inform the lawyer
 - Set a meeting with the victim in the next 48 hours
 - The lawyer will be present to advise the victim on their legal rights and explain the obligations of the NGO in terms of legal matters
 - Interview the victim in a confidential matter. The interview will be recorded after taking the approval of the employee. In case no approval is provided, notes are taken and signed by the employee.
 - Request any proof needed to pursue the matter legally.
 - Interview other relevant third parties separately following the consent of the victim.
 - Produce a report detailing the investigations, findings and any recommendations.
 - If the SEA is confirmed, the Executive board will support the victim in filing a legal complaint and refer them to appropriate services such as psychological support if needed or other services as per the referral pathways. An agreement is set with the Lebanese Center for Human Rights (CLDH) to refer the victims in need to file an official legal complaint.
 - The Executive Board and Executive Director and the lawyer will make sure that the victim understands the organization's procedures and inform the employee (paid or volunteer) of the next steps
 - Ensure that the victim knows that they can lodge the complaint outside of the organization, through the relevant country/legal framework



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5. Proud Lebanon recognizes that because SEA often occurs in unequal relationships within the workplace, victims often feel that they cannot come forward. Proud Lebanon understands the need to support victims in making complaints and throughout the complaints procedure (for example psychological and legal counseling).
6. In case the victim is a child, Proud Lebanon will proceed as follows:
 - If the abuse was committed by an adult (but not a Proud Lebanon employee) or by a minor, and was reported by a Proud Lebanon's employee, the case is referred to Himaya's resilience team, as this is the main mission and specialization of Himaya.
 - If the reported or alleged perpetrator is a Proud Lebanon's employee, a psychologist and a social worker will be assigned on the case following a discussion between the Executive Board and the Executive Director assisted by the Advisory Board. The lawyer will be present and can interview the victim in the presence of his/her parents, or after taking the parents' written consent (depending on the child's age and wishes).
 - The interview will be recorded after taking the approval of the child and the parents. In case no approval is provided, notes are taken.
 - Proud Lebanon will pursue legal action against the perpetrator in all cases and will provide all the necessary support for the child and the family.
7. The process is done as quickly as possible, preferably within 4 working days of the complaint being made.
8. Once the final decision is made, the legal and disciplinary action taken is documented and filed in the employee file and to process their papers as per the Labor law.

IV. **Sanctions and disciplinary measures:**

- Proud Lebanon has zero tolerance regarding any SEA incidents. Proud Lebanon takes all concerns and complaints about sexual exploitation and abuse seriously, will initiate rigorous investigation of complaints that indicate a possible violation of this policy and will take appropriate disciplinary action.
- In case of any allegation of SEA perpetrated by a person employed by Proud Lebanon, Proud Lebanon will :
 - 1- Suspend the employee until the investigation is conducted.
 - 2- Conduct an internal investigation, and if needed Proud Lebanon will allocate the needed resources for an external one. If the allegations against the employee are confirmed, Proud Lebanon will:
 - Support the victim who was subject to SEA legally
 - Pursue legal action against the employee

- Terminate the collaboration with the person in question, whether it is an employee, supplier, consultant etc.
- If the perpetrator is a contractor (consultant, fee contract, special service agreement, service contract etc.) his/her contract may be immediately terminated without notice or indemnity, and Proud Lebanon will pursue legal actions in case the victim is a minor, and will support legally in case the victim is an adult.
- If during the investigation process Proud Lebanon identifies potential witnesses among the team who did not report such violations, those will be subject to termination and legal prosecution.

V. **Confidentiality:**

- The complaint procedure, including written and oral communications related to it, shall be strictly confidential at all stages.
- All Board members, managers, employees and other persons who are aware of the SEA complaint, or involved in its resolution, must respect the privacy of all persons involved as well as the strict confidentiality of the matter. They must not discuss the complaint with third parties.
- Breach of confidentiality shall not be tolerated and shall be sanctioned severely. All information and documentation concerning the complaint will be treated as strictly confidential and kept by the Lawyer, Executive and Advisory Board members, Executive Board without prejudice to the due process right of the parties in disciplinary proceedings.
- All records concerning any matter related to SEA are kept confidential.