



# Protection from Sexual Exploitation and Abuse (PSEA) Policy

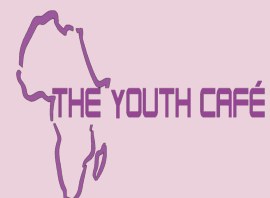
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**Approving Body:** The Youth Cafe Executive Director

**Policy Owner:** The Youth Cafe Executive Director

**Cross Reference/ Related Policies:**

- Child Safeguarding Policy
- Sexual Harrasment, Exploitation and Abuse (SHEA) at Work Policy.
- Sexual Harrasment, Exploitation and Abuse (SHEA) and other safeguarding concerns Overreaching Policy





## **Protection from Sexual Exploitation and Abuse (PSEA) Policy**

**Policy for all staff and representatives of The Youth Cafe.**

*Date:*

*Author:* The Youth Cafe (TYC) Team

*Sponsor:*

*Date for renewal:* November 2024



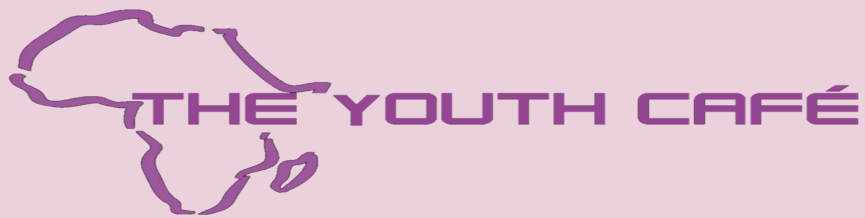


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## 1. Introduction



The Youth Cafe(TYC) is committed to forging a link between development, which we strive to achieve amongst young people from previously disadvantaged communities and the Investment World. We accomplish this by seeking to evaluate our transformation mandate against both revenue targets and social impact outcomes. Through our solution-oriented model, we can provide our partners with measurable solutions.

**The Youth Cafe will not tolerate any form of abuse, exploitation, or harm carried out towards our partners, The Youth Cafe leaders and members, or youth/adults at risk (defined as someone over the age of 18 who, for physical, social, economic or environmental factors are more vulnerable to abuse, exploitation and other harms).**

**The purpose of this policy is to ensure that procedures are in place to protect partners and the community we work with at risk from sexual abuse or exploitation, or other harmful and inappropriate behavior, carried out by any member or staff of The Youth Cafe.**





**Every aspect of our work must be carried out to ensure the rights and dignity of rights holders, community members, and adults at risk. We are committed to working with them to ensure that they are not simply safe *from* harm but safe *to* realize their rights and be active agents of change.**

Building on our Code of Conduct and feminist approach, TYC is committed to preventing sexual harassment, exploitation, and abuse, responding robustly when these harms occur. We recognize that all these harms are rooted in an imbalance of power, particularly gendered and sexualized abuses of power.

We have a duty to prevent and respond to allegations of sexual exploitation and abuse because of the power imbalances inherent in the international aid sector and within the broader social norms and structures in which we work. This means that we take all concerns seriously and carry out timely and robust responses to allegations of harm. No one will be victimized for making a complaint, and TYC is committed to taking a survivor-centered approach throughout. This means we work with survivors to ensure they are central to any response and are not further harmed or disempowered by any processes].

TYC views sexual violence as a gross violation of human rights. In line with Feminist Principle 10 (Zero Tolerance), we will not tolerate abuse, exploitation, or harm carried out towards our employees, rights holders, communities, or



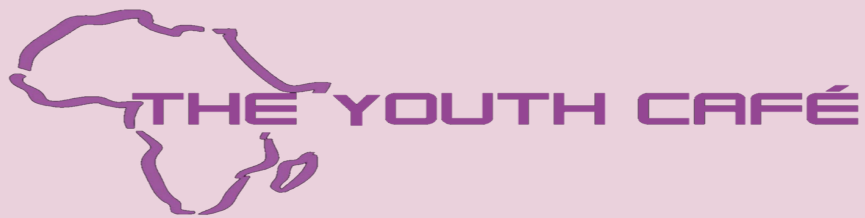


anyone we contact through our work. Zero tolerance means we will always take action when Safeguarding harm takes place, ensure that support is offered to all affected and that the organization learns from the harm so it does not happen again.

We recognize that gendered forms of sexual violence disproportionately affect women and girls, and our work also recognizes the impact on boys, men, transgender, and non-binary people; we are committed to having an inclusive safeguarding approach and working with marginalized, oppressed, and hard-to-reach groups, including groups in hard to reach areas. We recognize that sexual violence impacts people differently depending on various factors, including other forms of oppression they may experience. So we will always look at how safeguarding harms impacts people living in poverty, people in the LGBTQI community, and people of different ethnicities, religions, races, classes, and abilities. We will listen to and learn from them so that our SHEA and Safeguarding approach supports their work to promote their rights and live lives with dignity. As part of living out our feminist principles, we will champion intersectionality by recognizing different groups' diverse and connected experiences and take action to ensure we do not compound harm. We will take action to ensure our approach is anti-racist, inclusive, and safe for all.







## 1.1 Purpose

The recent #Metoo and #Aidtoo movements of recent years have reminded us that those working with TYC have increased power and privilege, and we must do everything we can to stop staff/representatives from abusing that power. We are committed to safeguarding all people who come into contact with TYC from abuse of that power and privilege in any form.

This applies to everyone irrespective of race, age, gender, gender identity, sexual orientation, culture, dress, language, political affiliation, health status, class, caste, ethnicity, marital status, disability, location, pregnancy, and religion.





**This policy provides guidance and direction to anyone associated with TYC so that: All TYC staff and other representatives understand the importance of preventing sexual exploitation and abuse and their responsibility to ensure that they and their work do not deliberately or inadvertently cause harm to rights holders and community members, including adults at-risk.**

**All TYC staff and other representatives understand their role in preventing sexual exploitation and abuse and the consequences of breaching this policy. All TYC staff and other representatives understand their responsibility to report any concerns relating to sexual exploitation, and abuse concerns and have access to clear guidelines on reporting suspected abuse.**

**All organizational processes and structures reflect our duty of care towards rightsholders and the communities we work with, including adults at risk, and put in place procedures to safeguard them in every aspect of our work so that we build a culture free from abuse, discrimination, and harm.**

**All TYC operations and programming must be designed with a safety lens; all activities of TYC must prevent harm to communities and rights-holders; Child Safeguarding, Protection from Sexual Exploitation and Abuse, and Safeguarding against Sexual Harassment and Abuse should be central to all interventions and should be included in all**





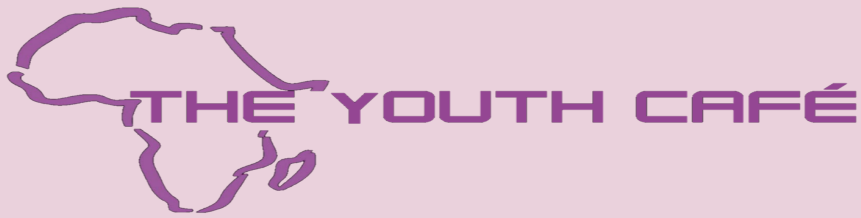
**program activities.**

**TYC commits to uphold the highest level of personal and professional conduct amongst its staff, contractors, volunteers, board members, and partners working in or visiting all programming contexts, particularly humanitarian settings, ensuring zero tolerance of all forms of sexual exploitation and abuse against affected populations and in times of conflict and occupation.**

## 1.2 Difference between The Youth Cafe's Protection from Sexual Exploitation and Abuse; Sexual Harassment, Exploitation, and Abuse at Work; and Child Safeguarding policies

TYC's SHEA and Safeguarding approach seeks to prevent and respond robustly to all forms of sexual harassment, exploitation, abuse, and other Safeguarding harms carried out by TYC staff and other representatives towards anyone we come into contact with through our work. TYC's SHEA and Safeguarding approach and policy positions are outlined in the *overarching TYC's SHEA and Safeguarding Policy*.





We recognize how these forms of sexual violence and abuse of power intersect and inform each other. However, to identify and address the different ways in which these abuses of power manifest, our policies diet adults-at-risk abusive behaviors carried out by staff/representatives towards other staff and other representatives (addressed through our *Sexual Harassment, Exploitation, and Abuse at Work policy*), abusive behavior carried out towards children (addressed through our *Child Safeguarding policy*), and abusive behavior carried out towards **rights holders and communities, including adults at-risk** (addressed through this policy).

Different forms of sexual violence and abuse of power intersect. However, to identify and address the different ways these abuses of power manifest, our policies distinguish between them. The below table shows the various forms of harm and what policy they sit under:

<b>Form of Harm</b>	<b>Policy this falls under</b>
Harmful behavior carried out by staff/representatives towards other staff and representatives	<i>Sexual Harassment, Exploitation, and Abuse at Work policy</i>
Harmful behavior carried out towards children and young people	<i>Child Safeguarding policy</i>



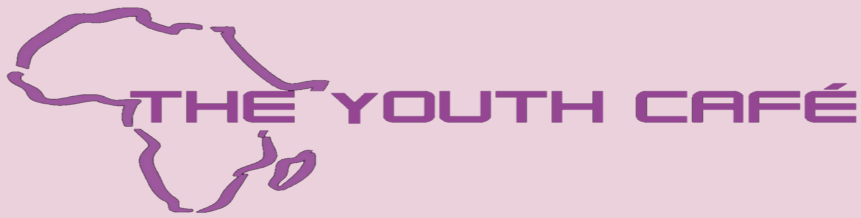


Harmful behavior carried out towards rights holders and communities, including adults at-risk	<b>Addressed through this policy</b> <i>AAI Whistleblowing Policy</i> <i>Allegations of trafficking or modern slavery AAI Anti Slavery and Human Trafficking policy</i>
Bullying and Harassment	<i>AAI Bullying and Harassment policy</i>
Illegal and/or improper conduct and wrongful acts including, but not limited to, suspected fraud, criminal activity, or miscarriages of justice	<i>AAI Whistleblowing Policy</i>
Allegations of trafficking or modern slavery	<i>AAI Anti Slavery and Human Trafficking policy</i>

### 1.3 Scope

This policy is binding for all offices and working locations of TYC, and at both the organisational and project level. Policies created by TYC entities must include all elements of this policy and may only differ to ensure alignment with national legislation as appropriate if national legislation requires a substantively different approach to the Country's policies. In that case, this





must be discussed with the Country SHEA and Safeguarding Team, and they must jointly work to ensure that the national policy is in line with the spirit of the Country policy where he cannot meet the letter of the policy. Should this policy demand a higher standard than the local laws, then this policy will prevail. This policy supersedes previous policies on SHEA and Safeguarding **This policy is binding for all TYC staff members**, whether full-time, part-time, or engaged on fixed-term contracts. **It is also binding for other representatives working with TYC, including (but not limited to) partners, volunteers, consultants, contractors/suppliers/vendors, interns, visitors (e.g., donors), dependents accompanying staff while working for TYC, and other individuals acting as representatives of TYC.** In line with TYC's Code of Conduct, this policy is binding in and outside working hours and in all aspects of a staff member/representative's life. **All staff and representatives named above can raise a complaint via the procedures outlined in this policy. All community members and rights-holders, including adults at-risk and children, can raise a complaint about any TYC staff member or representatives using the channels as outlined in the policy.**

For the roles and responsibilities of staff/representatives, please see section 6 of the Overarching SHEA and Safeguarding Policy. **TYC Leadership Team** and International Board hold overall accountability for this Policy and its implementation. They are responsible for ensuring the policy is reviewed and updated **every three years**. TYC will review adherence to this policy through Internal Assurance and auditing mechanisms. Updates to the policy will be recommended through the **Country SHEA and Safeguarding Lead to the**





**International Leadership Team (ILT)**, who will seek approval from the International Board. In the case of substantive changes to this policy, the International Board will seek permission from the General Assembly.

Suppose the Country SHEA and Safeguarding Team have concerns that a TYC entity is not implementing SHEA and Safeguarding as outlined in this policy. In that case, the Country SHEA and Safeguarding Team will raise this first with the **Executive Director** for action. If no action is taken within one week (e.g., agreeing to a meeting, or developing an action plan), the Country SHEA and Safeguarding Team will inform the Head of Country Support, who will follow up with the Country/Executive Director and request a response within 48 hours. If no action is taken, or there is sustained in-action by an entity, this will be raised to the International Leadership Team and, if needed to the **Advisory Board** for wider action.

## 1.4 Feminist Leadership Principles

TYC's SHEA and Safeguarding approach is built on our Code of Conduct and Feminist leadership approach. TYC's transformative vision to forge a link between development to achievement amongst young people from disadvantaged communities requires transformative feminist leaders: leaders who enable others to lead, building power with them instead over them.





TYC has developed the following ten commitments on feminism. Staff and representatives are expected to embed these into every area of their work and behavior:

1. Self-awareness
2. Self-care and caring for others
3. Dismantling bias
4. Inclusion
5. Sharing power
6. Responsible and transparent use of power
7. Accountable Collaboration
8. Respectful Feedback
9. Courage
10. Zero Tolerance

These feminist principles are embedded throughout our SHEA and Safeguarding approach 8.

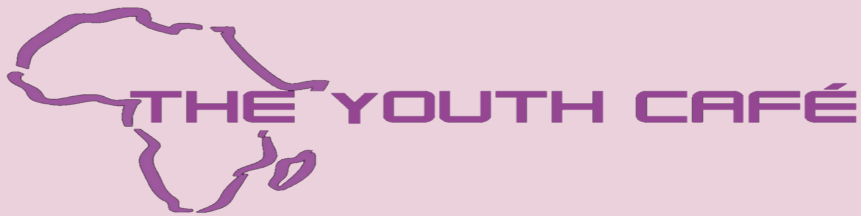
*For further information on these principles, please refer to ActionAid's Top Ten Basics of Feminist Leadership*

## 2. Definitions and Policy Positions

The UN Secretary General's Bulletin on Protection from Sexual Exploitation and Abuse (2003) defines sexual exploitation and abuse as: *Sexual*







*exploitation: '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' 1 Sexual abuse: 'The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions' 2*

TYC's definition of sexual exploitation and abuse aligns with this but goes further to include Gender Based Violence (GBV) and other forms of abuse. Alongside this, TYC upholds the federation-wide *Commitments to Women's Leadership, Rights and Protection in Emergencies (2016)* and affirms the importance of Accountability to Affected Populations as an integral part of its humanitarian signature and upholds the Core Humanitarian Standard (CHS), specifically standard 3 "*Communities and people affected by the crisis are not negatively affected and are more prepared, resilient and less at-risk as a result of humanitarian action*" and standard 5 "*Communities and people affected by crisis have access to safe and responsive mechanisms to handle complaints.*" Additionally, the TYC Country PSEA policy is aligned to the CHS revised PSEAH index (2020).

In line with this and TYC's Code of Conduct, and in recognition of the power dynamics and potential for exploitation, TYC:

**1. Strictly prohibits staff and other representatives from engaging in any form of sexual activity, including sexual or romantic relationships with rightsholders and TYC members (people directly receiving assistance from TYC or involved directly in any programming activities).**



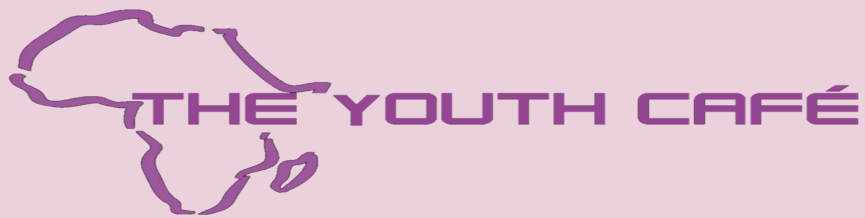


2. Sexual and romantic relationships arising from the working relationship between TYC and youth community members and rights-holders are prohibited due to power imbalances. TYC staff/representatives will be held accountable for inappropriate relationships with **youth community members** and rights holders.

3. Relationships or any kind of sexual activity with youth community members who are not rights holders (i.e., not receiving direct assistance from TYC or involved directly in any programming activities) are not prohibited; however, staff and other representatives must ensure the relationship is not and could not be perceived to be exploitative or abusive. Such relationships must be raised with a Country Director/Executive Director as soon as possible to work with the staff member to manage the potential risks. Part of this risk assessment should include consideration of how the community could perceive the relationship and whether this could cause a reputational risk, which will be managed on a case-by-case basis.

4. Strictly prohibits staff and other representatives from buying sex. TYC does not make judgments on people who sell sex. However, in recognition of the potential for sexual exploitation and abuse and in line with the IASC Core Principles on PSEA, TYC has banned this activity. TYC strictly prohibits staff and other representatives from buying sex. TYC's SHEA and Safeguarding approach does not condemn nor discriminate against sex workers or make judgments on people who sell sex. However, noting that sex workers are at





risk of harm, and to prevent abuse of power and sexual exploitation, TYC prohibits staff/representatives from buying sex in any form. This ban arises from the history of abuse in our sector and ensures we are in line with the IASC Core Principles on PSEA.

5. Strictly prohibits staff and other representatives from engaging in sexual activity with children (anyone under the age of 18 years). The mistaken belief of age is no defense. Where applicable, TYC will also cooperate fully with local authorities to ensure the safety of children and others.

### Definitions



<p><b>Adult at-risk</b></p>	<ul style="list-style-type: none"> <li>• <i>Someone over 18 years who, for physical, social, economic, environmental, or other factors, can be more vulnerable to abuse, exploitation, or other harms, including sexual abuse and exploitation.</i></li> <li>• <i>Given the definition above, many people we work with in African communities would come under this definition. Recognizing this, we will work to ensure that this is an empowering rather than a disempowering term and that we use it to work with communities to uphold the rights and dignity of those at greater risk of abuse or exploitation.</i></li> <li>• <i>The term ‘Vulnerable Adults’ is often used interchangeably with ‘Adults at risk. We choose to use the phrase at-risk instead of describing individuals as vulnerable. This can be a disempowering term if it suggests inherent vulnerability rather than reflecting on where this relates to systems of power.</i>  <i>Safeguarding duties apply to an adult who:</i> <ul style="list-style-type: none"> <li>→ <i>has needs for additional care and support.</i></li> <li>→ <i>is experiencing, or at risk of experiencing, abuse or neglect.</i></li> <li>→ <i>as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect</i></li> </ul> </li> </ul>
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<p><b>Abuse</b></p>	<ul style="list-style-type: none"> <li>● <i>Domestic – “Including psychological, physical, sexual, financial, emotional, or so-called ‘honor-based violence.’”</i></li> <li>● <i>‘Honour’ based violence refers to an honor code set at the discretion of male relatives and the punishing of women for bringing shame on the family when they do not abide by the ‘code’. Infringements may include rejecting a forced marriage, pregnancy outside of marriage, seeking a divorce, inappropriate dress, and even kissing in a public place.</i></li> <li>● <i>Men can also be victims, sometimes as a consequence of a relationship that is deemed to be inappropriate, if they are part of the LGBTQI community, have a disability, or if they have assisted a survivor</i></li> <li>● <i>Financial/material – “Including theft, fraud, and coercion concerning financial affairs such as property or financial transactions”</i></li> <li>● <i>Modern Slavery- “Including slavery, human trafficking, forced labor, and domestic servitude.”</i></li> <li>● <i>Traffickers and enslavers use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude, and inhumane treatment. Please also see the section for Modern Slavery</i></li> <li>● <i>Neglect – “Including ignoring emotional or physical care needs, failure to provide access to appropriate healthcare or educational services, the withholding</i></li> </ul>
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	<p><i>of life necessities such as food.”</i></p> <ul style="list-style-type: none"> <li>• <i>Organisational- This can happen through neglect or poor professional practice due to an organization's structure, policies, processes, and practices.</i></li> <li>• <i>Physical – “Assault, hitting, slapping, pushing, restraint, or inappropriate physical punishments.”</i></li> <li>• <i>Psychological – “Including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, or unreasonable and unjustified withdrawal of supportive networks”</i></li> <li>• <i>Sexual – “actual or threatened physical intrusion of a sexual nature, whether by force or under unequal conditions, e.g., sexual assault, rape, indecent exposure, sexual photography, sexual teasing or innuendo.</i></li> </ul> <p><i>The above examples are not exhaustive, and an individual can raise concerns via the procedures laid out in this policy if they believe they have experienced sexual harassment, exploitation, or abuse.</i></p>
<p><b>Sexual abuse</b></p>	<p><i>The UN Secretary-General defines sexual abuse as the “actual or threatened physical intrusion of a sexual nature, whether by force or under unequal conditions,” e.g., sexual assault, rape.</i></p> <p><i>TYC strictly prohibits staff and other representatives from</i></p>

	<i>engaging in sexual activity with at-risk adults.</i>
<b>Sexual exploitation</b>	<p><i>The UN Secretary-General defines sexual exploitation as “any actual or attempted abuse of power or trust for sexual purposes, including, but not limited to, profiting commercially, monetarily, socially, or politically from the sexual exploitation of another” 1</i></p> <ul style="list-style-type: none"> <li><i>This can represent a broad spectrum of examples including but not limited to invasion of someone’s sexual privacy, forced transactional sex, non-consensual filming of a sexual act or exposure of genitals, online grooming, or knowingly spreading a sexually transmitted disease or infection.</i></li> <li><i>It is important to understand that sexual exploitation is not limited to sexual intercourse, as detailed in some examples above, and includes acts of intimidation of a sexual nature that are intended to cause discomfort and embarrassment.</i></li> </ul>
<b><u>OTHER RELEVANT TERMS</u></b>	
<b>Child abuse</b>	<ul style="list-style-type: none"> <li><i>All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment, or commercial or other exploitation, resulting in actual</i></li> </ul>

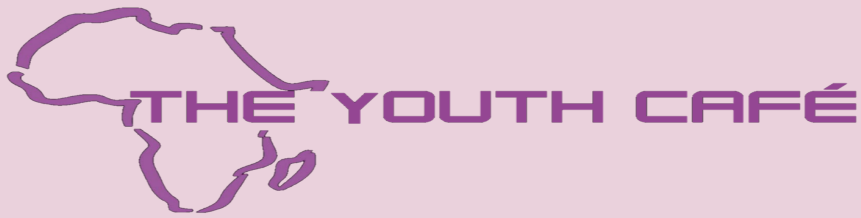
	<p>or potential harm to the child's health, survival, development, or dignity in the context of a relationship of responsibility, trust or power.</p> <ul style="list-style-type: none"><li>• WHO defines the main categories of abuse as physical abuse, sexual abuse; psychological abuse; and neglect.</li><li>• Physical abuse can include inappropriate physical punishments towards a child and/or assaulting, pushing, hitting, and slapping them.</li><li>• Sexual abuse is defined as any sexual activity, or actual or threatened physical intrusion of a sexual nature with someone under the age of consent or under 18, whichever is greater, is considered sexual abuse.</li><li>• Psychological abuse can include, especially in relation to children, threats of harm or abandonment, deprivation of contact, humiliation, blaming, intimidation, coercion, harassment, verbal abuse, and isolation.</li><li>• Neglect can prevent access to education, food or other life necessities, and any emotional or physical care needs. Whatever form it takes, neglect can be just as damaging to a child as physical abuse. Children are more susceptible to neglect, given their vulnerability and dependence on adults for support. It is typical for a child that is abused to experience more than one type of abuse, and it often happens over a while rather than being a one-off event.</li></ul>
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<b>Community member</b>	<ul style="list-style-type: none"> <li>• A person living in a community within which TYC operates; however, they are not necessarily engaged with any programs.</li> </ul>
<b>Complainant</b>	<ul style="list-style-type: none"> <li>• This is the person making a complaint; it may be the person who experienced what is being reported (the survivor), or another person (a third-party complainant) who becomes aware of an issue and makes the complaint.</li> </ul>
<b>Digital Safeguarding</b>	<ul style="list-style-type: none"> <li>• TYC recognizes the risk that staff/representatives could carry out online sexual harassment, exploitation, and abuse. TYC is responsible for protecting staff and representatives (including partners, volunteers, contractors, and others), community members, young people, and children that it engages with online spaces. (For more guidance, please refer to TYC, Digital SHEA, and Safeguarding Risks during TYC’s COVID-19 Response, 2020)</li> </ul>
<b>Female genital mutilation</b>	<ul style="list-style-type: none"> <li>• “Female genital mutilation (FGM) comprises all procedures that involve partial or total removal of the external female genitalia, or other injuries to the female genital organs for non-medical reasons.”</li> </ul>

	<ul style="list-style-type: none"> <li>• <i>FGM is recognized internationally as a violation of the human rights of girls and women. It reflects deep-rooted inequality between the sexes and constitutes an extreme form of discrimination against women. It is nearly always carried out on minors and is a violation of the rights of children.</i></li> <li>• <i>The practice also violates a person's rights to health, security, and physical integrity, the right to be free from torture and cruel, inhuman, or degrading treatment, and the right to life when the procedure results in death.</i></li> </ul>
<p><b>Forced marriage</b></p>	<ul style="list-style-type: none"> <li>• <i>Marriages in which one and/or both parties, whether adults or children, have not personally expressed their full and free consent to the union. Even if children consent to a formal or informal union, the implication is that they are still underage, and their consent does not legalize child marriage.</i></li> <li>• <i>As is the case with child marriage, this is something ActionAid campaigns against, given our human rights-based approach.</i></li> </ul>
<p><b>Gender-based violence (GBV)</b></p>	<ul style="list-style-type: none"> <li>• <i>“Gender-based violence is an umbrella term for any harmful act that is perpetrated against a person’s will, and that is based on socially ascribed (gender) differences between males and females”</i></li> <li>• <i>Acts of gender-based violence are a form of sexual</i></li> </ul>

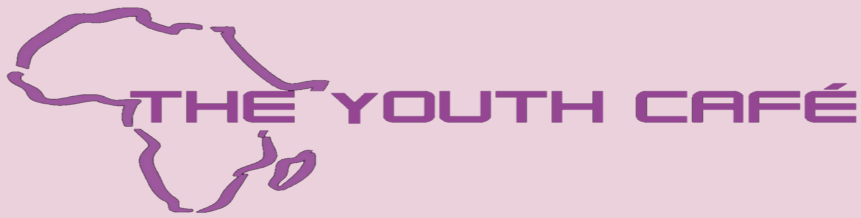
	<p><i>abuse and can affect any stakeholder, whether staff or community members.</i></p> <ul style="list-style-type: none"> <li>• <i>They are often carried out by men towards women and can result partly from power imbalances.</i></li> </ul>
<b>Investigation</b>	<p><i>A process designed to gather information to determine whether wrongdoing occurred and, if so, the persons responsible punished. At TYC, this will take the form of an internal fact-finding process.</i></p>
<b>Modern slavery</b>	<ul style="list-style-type: none"> <li>• <i>Slavery is a situation where a person exercises perceived or actual power of ownership over another person.</i></li> <li>• <i>Modern slavery covers different types of labor exploitation, ranging from mistreating vulnerable workers to human trafficking to child labor and forced sexual exploitation.</i></li> <li>• <i>Related terms include human trafficking, covering coercion and recruitment under pretenses, and bonded and forced labor, which is labor undertaken as repayment or under threat of punishment, respectively.</i></li> </ul>
<b>Rights holder</b>	<ul style="list-style-type: none"> <li>• <i>A rights holder is someone receiving assistance through TYC's work. Other organizations refer to this as a member of the affected population, the person we seek to assist, the person affected by a crisis, or the beneficiary. A rights holder is different from a</i></li> </ul>



	<p><i>community member in that a community member may not engage in our programs, and TYC must therefore be more aware of their risks.</i></p>
<p><b>Staff/ Representatives</b></p>	<ul style="list-style-type: none"> <li>• <i>This refers to “staff, volunteers (including board and assembly members), consultants, interns, volunteers, dependents accompanying staff while working for TYC, and other individuals acting as representatives of TYC, such as partners working in communities.” We reference this entire group when we refer to staff and other representatives in the document.</i></li> <li>• <i>This is not an exhaustive list and covers anyone representative of TYC.</i></li> </ul>
<p><b>Survivor</b></p>	<ul style="list-style-type: none"> <li>• <i>“...a person, including a child, who has experienced sexual abuse, exploitation, or harassment.</i></li> <li>• <i>The terms ‘victim’ and ‘survivor’ can be used interchangeably. ‘Victim’ is often used in the legal and medical sectors. ‘Survivor’ is generally preferred in the psychological and social support sectors because it implies resiliency.”</i></li> <li>• <i>TYC uses the term survivor as part of our survivor-centered approach as it emphasizes the power of the individual, which the term ‘victim’ can remove, and their agency. However, it is important that those affected by sexual harassment, exploitation, and abuse can choose the term they prefer.</i></li> </ul>



<p><b>Trafficking</b></p>	<ul style="list-style-type: none"> <li>• <i>Trafficking is a process of enslaving people, coercing them into a situation with no way out, and exploiting them.</i></li> <li>• <i>People can be trafficked for many different forms of exploitation, such as forced transactional sex, forced labor, begging, criminality, domestic servitude, marriage, and organ removal.</i></li> <li>• <i>Trafficking is considered a human rights violation.</i></li> </ul>
<p><b>Transactional sex</b></p>	<ul style="list-style-type: none"> <li>• <i>This is the exchange of money, employment, goods, or services for sex, including sexual favors.</i></li> <li>• <i>Transactional sex is strictly prohibited by TYC and any other forms of humiliating, degrading, or exploitative behavior, including exchange of assistance due to rights holders.</i></li> <li>• <i>TYC does not make a judgment against rights holders or others who participate in such transactions but recognizes the inherently unequal power dynamic and prohibits staff from exchanging money or anything else for sex.</i></li> </ul>
<p><b>Young people</b></p>	<p><i>TYC defines a young person as anyone between the ages of 15 and 24. We note that in some countries, a young person's age goes up to 30, and so these provisions will apply to those in such contexts. It is helpful to distinguish between teenagers (13-19) and young adults (20-24) as the ability to manage behaviors and</i></p>



	<p><i>experiences differ between the two age groups. Young people under 18 years are still defined as children under the UN Convention of the Rights of the Child and are protected under this policy. This recognizes that while a person under 18 years may be defined as a young person and may have reached the age of majority, age of consent, or voting age in their countries, vulnerabilities still exist, particularly for children and young people from marginalized groups.</i></p>
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### 3. Confidentiality

Confidentiality is vitally important to SHEA and Safeguarding. We are committed to working with survivors/complainants and all others involved in an incident management process in a confidential and respectful manner. Breaches of confidentiality undermine confidence and trust in TYC's Safeguarding and complaints management processes and the organization itself. Maintaining confidentiality around people's data and information is particularly important when managing issues relating to sexual harassment, exploitation, and abuse issues and is part of living out our survivor-centered approach.



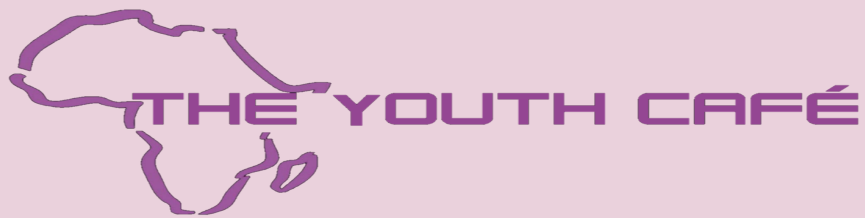


From the point of disclosure to the outcome of any investigation, every effort will be made to maintain and promote confidentiality to protect everyone involved's safety and privacy. The information must be shared on a 'Need to Know' basis – that is, only those who need to be informed so they can support an investigation or because they hold overall accountability will be given information, and they will receive only as much information as they need in order to be effective. If information is shared confidentially related to a child or suggests that someone's life is in danger. In that case, action will need to be taken outside of standard confidentiality procedures to ensure that everyone is safe. This will be managed on a case-by-case basis, and the safety and well-being of the child or adult in question are always paramount. As noted above, only those who need to know will be informed so they can take effective action.

### 3.1 Data Protection

TYC will ensure that it complies with local and international data protection laws when gathering, storing, or sharing any data relating to individuals and SHEA and Safeguarding (e.g., in our fundraising, communications, and incident management approach) and will follow the Data Protection policies owned by the Digital and Technology Team and guidance on retaining data on SHEA and Safeguarding incident management that the Country SHEA and Safeguarding Team issue. Any breaches of TYCs data protection





guidelines, particularly if they put individuals at risk, will be treated as serious misconduct.

#### 4. Working with partners

- TYC will work collaboratively with partners to create safe working approaches that uphold the rights of all, building on TYC's Partnerships Framework, engagement with Partners on safeguarding will be based on mutual respect and learning.
- TYC will work with partners to create programs and operations that uphold community members' rights, rights-holders, and children.
- TYC partners must abide by TYC's Code of Conduct and all SHEA and safeguarding-related policies. All memorandum of understanding (MoU) with partner organizations and consultancy agreements with consultants and suppliers should include this policy as an appendix when starting any project. Breaches can lead to the termination of contractual and/or partnership agreements.
- TYC will work with all partners to ensure they receive training on TYC's SHEA and Safeguarding policies and approach and to ensure that spaces are created to share knowledge on best practices to address







sexual exploitation and abuse and recognize the expertise of our partners in this area as well as our own approach.

- Staff working with partners must ensure that partner organizations and their staff sign up and abide by the TYC Code of Conduct. **The youth cafe** must work with partners to carry out SHEA and Safeguarding risk assessments and/or ensure that partners carry out their SHEA and Safeguarding risk assessments. TYC partners, by the nature of their work, interact with at-risk communities and will therefore be aware of sensitive information concerning **rights holders and community members, including adults at risk**. TYC will work with partners to ensure that partners have a robust reporting mechanism for partner staff and community members to access. These will include safe and inclusive community-based complaints mechanisms. TYC and partners must have agreements to ensure that concerns relating to SHEA and Safeguarding (for partner staff, rights holders, and community members) are shared through designated roles to maintain confidentiality.
- Concerns regarding partner staff members must be reported immediately via the reporting mechanisms detailed below. If TYC receives a complaint about a member of staff at a partner organization, TYC will work with the partner to ensure this is responded to quickly and appropriately. If there is reason to believe that a complaint has been dealt with inappropriately or inadequately by a partner. In that case, TYC must consider whether they will withdraw funding or end the relationship.





## 5. Safer Recruitment and Employee Lifecycle

In line with best practice, stringent recruitment processes will be put in place to ensure that staff/representatives share our values and to reduce the likelihood of engaging someone who may pose a SHEA or Safeguarding risk to the communities we work with, and to staff and other representatives within the organization. The following steps must be included in all Recruitment and Selection procedures:

- Job adverts and job descriptions detail any role responsibilities relating to **rights holders and communities, including adults at-risk**, and the organizational values and commitment to SHEA and Safeguarding. The job description is to be used as the primary basis for assessing an applicant's abilities.
- All interviews will include questions that assess an applicant's understanding of SHEA and Safeguarding (including child safeguarding) and assess their ability to reflect on TYC's values and feminist approach.
- Interviews for positions that involve working with adults at-risk or children must include behavioral-based questions that assess the candidate's suitability to work with adults at risk or children.
- Gaps in employment and/or education history will be discussed at the interview.





- TYC will not knowingly appoint any person with a history of perpetrating sexual harassment, exploitation, and abuse, e.g., adult at-risk abuse, child abuse, or Gender-Based Violence. TYC will ensure that the recruitment of staff and other representatives will include reference checks (written and verbal where necessary).
- Consent will be sought from the successful applicant to request two references, including one from their most recent employer (or place of education), which provides, where permitted, the reason for leaving, and, where appropriate, whether the candidate is suitable to work with adults-at-risk.
- Relevant police/criminal records checks must be carried out in line with country requirements. Staff and other representatives in roles that involve having direct access to rights holders and community members, particularly adults at-risk, will require a self-disclosure of any convictions (relating to adult at-risk abuse and child abuse in any form) before the interview stage and a criminal record check, wherever this is obtainable.
- This also applies to staff changing roles internally and those who are likely to be deployed, in which case a check should be completed in advance. In countries with a database of sexual offenders or people not suitable to work with adults at risk or children.
- Proof of identity should be confirmed at the interview stage, and a hard copy added to the staff file.
- The Code of Conduct and the SHEA and Safeguarding overarching policy are included alongside the offer letter to all new staff and





representatives. All staff and other representatives must sign the Code of Conduct.

- HR staff drafting employment contracts should, where possible under national law, include a clause that specifies the staff member can be dismissed if they are found to have breached this policy or AAI's Code of Conduct.
- All performance management processes and appraisals must include an assessment of how the individual upholds TYC's values and how SHEA and Safeguarding intersect with their work
- Ensure exit processes are carried out in person or remotely, learning is recorded and acted upon as appropriate, and any SHEA and Safeguarding concerns raised at this stage are addressed appropriately
- Ensure references are provided in line with our HR policies, and that information on staff SHEA and Safeguarding misconduct/disciplinary proceedings is shared with the prospective employer in line with Country best practice and our HR procedures

It is recognized that it may be difficult or impossible to obtain police checks, statutory declarations of previous convictions, and references in some operating contexts, or that time constraints in humanitarian contexts may justify the need to start work before obtaining the outcome of the police checks. In such instances, other checks must be put in place. Recruiting managers must ensure they take all reasonable steps to manage risk, including extensive questions on Safeguarding and TYC's values at interview and a more intensive reference check (e.g., mandatory written submissions





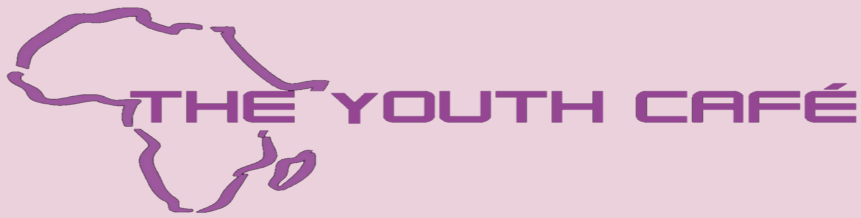
and telephone conversations with referees). The executive director and HR should also use the probationary period to observe the employee for any signs of policy violations that should be dealt with expeditiously and under this policy.

Where police checks/references raise concerns about the suitability of the candidate and TYC decides whether to proceed with the recruitment, justification for the decision must be recorded in the HR files and signed off by the Country/Executive Director.

## 5.1 Induction

The SHEA and Safeguarding Focal Point and HR will ensure all joining staff and other representatives have an induction on TYC's SHEA and Safeguarding approach and this policy **no later than one month** after they have been appointed. It is the responsibility of the individual's Executive Director to ensure that this briefing is carried out. Depending on the nature of the role, more extensive inductions on TYC's SHEA and Safeguarding approach and country-specific risks and challenges should be carried out.





## 5.2 Training

Regular training and refresher courses on SHEA and Safeguarding must be planned and delivered for all staff and partners on a regular basis. This can include but is not limited to:

- AAI's SHEA and Safeguarding policies
- AAI's Code of Conduct and Feminist Leadership Approach as part of our commitment to working with staff and other representatives to transform our working culture
- International and local laws relating to sexual exploitation and abuse, and other forms of abuse
- Information on how to recognize sexual exploitation and abuse, and other forms of abuse
- Information on how to report sexual exploitation and abuse, and other forms of abuse

All programs must establish a training program, including stand-alone and refresher training on TYC's SHEA and Safeguarding approach so that all staff receive at least one SHEA and Safeguarding training per year, with further training for specific teams as required. Evidence of training must be captured and retained (e.g., training attendance records, training materials). Informal discussions in team meetings are also encouraged. Further communications on TYC's SHEA and Safeguarding approach could include information campaigns, regular updates on new developments in the sector, or policy revisions.





Further specialist SHEA and Safeguarding training will be provided depending on the nature of the work undertaken, the context, donor requirements, and where staff and other representatives are in contact with at-risk adults or vulnerable populations, such as displaced communities. The SHEA and Safeguarding Focal Point and Stakeholder Youth Board, in line with the Country SHEA and Safeguarding Team, will work together to identify and address these needs.

## 6. Safer programming

Given TYC's zero-tolerance approach to sexual harassment, exploitation, and abuse, measures to address this must be included as a fundamental part of all program design.

Recognizing that any of our staff, representatives, and partners may experience sexual harassment, exploitation, and abuse, TYC is committed to ensuring that all organizational structures aim to prevent and respond robustly to sexual harassment, exploitation, and abuse.

Internal misconduct can affect our programming, as a TYC staff member or representative behavior towards colleagues can indicate the level of risk



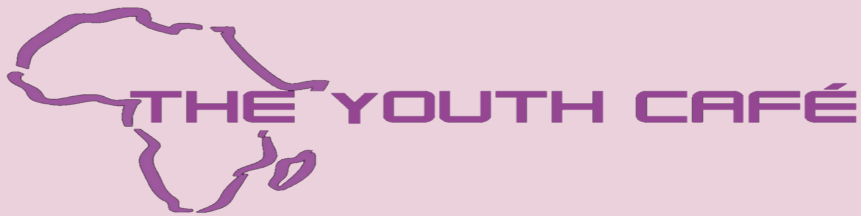


towards rights holders, at-risk groups, including children, and the communities in which TYC works.

- Ensure SHEA and Safeguarding is embedded into the entire program cycle, from design to conclusion, and that budget is included for SHEA and Safeguarding activities.
- Ensure the active participation of **rights holders and communities, including adults at risk**, in assessing, planning, implementing, monitoring, and evaluating programs through the systematic use of participatory methods.
- Integrate and mainstream PSEA into all development and humanitarian work and promote standalone protection programming in humanitarian settings with specific complaints mechanisms in humanitarian settings.
- Ensure that programs are designed with an inclusive and safety lens so that those most marginalized can access the program and realize their rights.
- All programs must include the principles of child rights and should be designed from a child safety lens.
- Ensure that programs in digital spaces still reflect TYC's values, adhere to the safeguarding policies and TYC's Code of Conduct, and always uphold and promote the rights and welfare of rights holders and the communities we work with, including adults at risk. Representatives should use PSEA messaging in all activities in digital spaces.







- All programs will include community-based complaints mechanisms and reporting processes that are designed in collaboration with communities.
- As programs close, embed SHEA and Safeguarding into exit strategies and monitoring and evaluation processes to ensure that learning has been documented and taken on board, and any concerns that exist can be addressed.
- Recognising that sexual exploitation and abuse are often grounded in gender and other inequalities, TYC will ensure that development and humanitarian activities are conducted gender-sensitive, drawing on intersectional feminist analysis. This will include:
  - Creating separate spaces for women, men, transgender, and gender non-binary people to raise concerns and share ideas;
  - Creating safe spaces for consultation and monitoring of program activities based on contextual solid intersectional feminist and power analyses;
  - Having a clear risk assessment in place for all programs outlining sexual exploitation and abuse and safeguarding risks within the program and putting in place measures to address these in program plans (e.g., looking at where and when activities take place, assessing staff (including drivers, partners, etc.) awareness of risks, ensuring services are safe and accessible, etc.





- Ensure mandatory training to all staff/representatives to ensure everyone understands their responsibility to embed safe working practices and build an environment free of Sexual harassment, exploitation, and abuse.
- Work with teams in countries responsible for monitoring and evaluation and the Country Secretariat, to identify areas for improvement and learning.
  - Ensure that this policy is in place, translated into a local language, and communicated to and understood by TYC staff and other representatives and the communities we work with
  - Ensure that all responses are developed in a manner that balances respect for due process with prioritizing the safety, dignity, and rights of survivors;
  - Ensure that assistance for those affected is carried out in line with TYC's survivor centered approach
  - Ensure that all staff and other representatives recognize their responsibility to maintain an environment that is free of sexual exploitation and abuse and to report any abuse they suspect or witness, whether within TYC or outside, in line with the reporting protocols outlined in this policy;
  - Ensure that a copy of this policy will accompany all partner MOUs and discussions held with partners to further embed understanding and compliance.





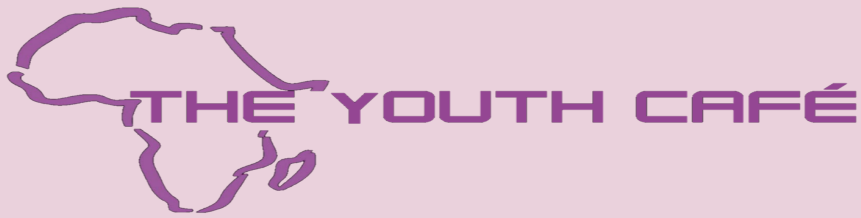
- TYC recognizes that there may be programmes where risks may be heightened, e.g., short-term humanitarian projects; in these instances, rigorous safeguarding measures will be put in place, appropriate to the context, e.g., training, regular reviews \

(For further guidance on Safer Programming, please refer to TYC, SHEA and Safeguarding and Safer Programming in ActionAid’s COVID-19 Response, 2020)

## 6.1 Risk assessments

Risk assessments help identify areas in program or project design where there is a risk of exploitation and abuse taking place, or not being responded to adequately, and enable teams to mitigate any SHEA risks to communities. Safeguarding risk assessments must be carried out at the organizational and project level and integrated into the organizational risk matrix. TYC must work with partners to carry out SHEA and Safeguarding risk assessments and/or ensure that partners carry out their own SHEA and Safeguarding risk assessments. Risk assessment should be carried out at the project inception stage and regularly reviewed as part of standardized monitoring activities and monitored by the Senior Management/Youth Leadership Team.





Efforts should be made by all parties concerned to reduce the identified risks. Mitigation strategies must be developed and incorporated into the design, delivery, and evaluation of all programs, operations, and activities that involve or impact rights holders and community members, including adults at risk. If this is not possible, the program/activity should not proceed. Country Programmes and Country Secretariat Hubs are encouraged to develop risk assessment checklists that are relevant to their contexts and put risk mitigation plans in place at the program design stage. *Please refer to Appendix 3 for further information.*

## 6.2 Complaints mechanisms

As part of embedding SHEA and Safeguarding into all program design and activities, complaints mechanisms must be established in order to ensure that **rights holders and community members, including at-risk adults, can** raise concerns.

Community-based complaints mechanisms ensure communities can raise concerns about TYC staff/processes. Communities can also use community complaint mechanisms to report sexual exploitation and abuse incidents. They help to create a strong culture of accountability;





enable us to improve the quality, impact, and effectiveness of our programs, and ensure our programs are safe.

Staff and representatives should work in a participatory way with rights holders and communities (e.g., local youth committees) to create, strengthen, and evaluate existing complaints mechanisms in line with best practice. Staff and representatives must ensure that the mechanisms used are relevant to the local context, translated into local languages, and made publicly available (e.g., published on the website). As part of our commitment to accountability, staff must ensure that policies and procedures are shared with rights holders and community members, including adults at risk, so they can provide feedback and be instrumental in developing our approach.

All complaints mechanisms must be established under the principle of 'do no harm'. They must be safe and accessible to use, ensure confidentiality, and not put people at risk of harm. Complaints mechanisms must be inclusive and ensure that diverse groups can safely access the mechanisms and are not excluded from these processes (for example, providing people with disabilities can raise concerns). Community-based complaints mechanisms must be accessible to traditionally marginalized groups (for example, people with disabilities, people from minority ethnic groups, older people, and people from the LGBTQI community). These groups must be consulted when creating complaints mechanisms, their needs and views must be





integrated into the design of mechanisms, and specific mechanisms should be developed for them.

Awareness-raising activities must inform communities of the complaint's mechanisms and their right to report and emphasize that aid is free. TYC recognizes that many communities prefer to report to someone they know and trust. Staff/representatives/partners, particularly those in frontline roles, must be trained on SHEA and Safeguarding and how to receive disclosures. Complaints mechanisms should be managed by staff who have received training, so they can address complaints on time and ensure support to all involved. All survivors will be supported and listened to. TYC will respond to all complaints and work with survivors to take action.

The SHEA and Safeguarding Focal Point can work with relevant teams to ensure that any complaints mechanisms are accessible, inclusive, survivor-centered, and relevant to the local context (e.g., to ensure that people with disabilities can access complaints mechanisms) report concerns). Staff/representatives managing complaints procedures must be trained to ensure they have the skills and competencies to take complaints of abuse and exploitation from at-risk groups. They do this with sensitivity and care and do not bring any bias or prejudice to those interactions. Staff/representatives must always carry out Risk Assessments to ensure that any planned community-based complaints mechanisms would not put individuals at risk of harm and identifies





where there is a risk of sexual exploitation and abuse. The findings of needs assessments should be shared with the community.

It is critical that any complaints mechanisms provide a variety of ways of reporting, recognizing that many people prefer to disclose allegations of abuse or exploitation to someone they trust and that people are assured of confidentiality. Where possible, communities should always have a way to report concerns face to face, train staff/representatives, and use other diverse means (e.g., complaints boxes, hotlines). Staff/representatives should work with relevant internal teams and children to build complaint mechanisms to ensure that children are able to raise concerns and have a voice in how safe spaces are created.

Alongside developing complaints mechanisms, staff, representatives, and partners must continually engage with **rights holders and community members, including adults at-risk** about TYC's values, what behavior is and is not appropriate, their rights, and how to report concerns.

(For additional guidance, please refer to TYC's Guidelines, *Community-Based Complaints Mechanisms for SHEA, and Safeguarding during COVID-19, 2020*).





### 6.3 Monitoring and Evaluation

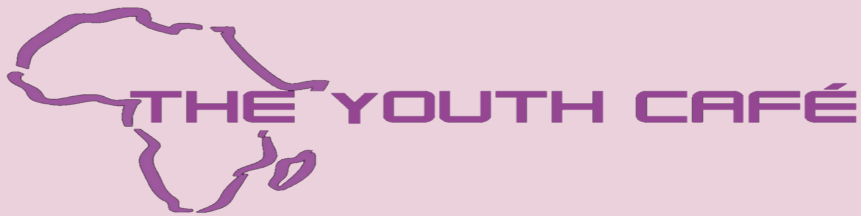
As part of embedding Safeguarding into all program design and activities, staff/representatives must ensure that all Monitoring and Evaluation activities address Safeguarding considerations and that data is analyzed and shared so that lessons can be learned and good practice disseminated. It is necessary to make sure that Monitoring and Evaluation activities such as complaints mechanisms, focus groups, and surveys are accessible to all **rights holders and community members, including adults at risk**, for example, older people or people with disabilities. From initial needs assessments to final project reports, Monitoring and Evaluation are vital to safer programming and ensuring safe outcomes for rights holders and communities.

### 6.4 Emergency Response

Emergencies cover a wide range of events, from environmental disasters to politically driven, religious or ethnic conflict. During emergencies, there can be an increased risk of sexual exploitation and abuse by staff, partners, and other representatives (e.g., from a sudden increase in staff, who have not been recruited in line with our standard procedures, or agreements being established with new partners more quickly than usual). Emergencies can also drive sexual exploitation and







abuse underground, leading to increased risk and exposure to vulnerable communities. The following provisions must be carried out during emergencies to mitigate risk:

- Ensure that this policy is in place, translated into a local language, and communicated to and understood by all people connected with TYC during an emergency. This includes carrying out training, as appropriate training to ensure all TYC staff and other representatives are aware of our approach. This should be done as soon as is reasonably possible, and within two weeks at the latest. Referral and support mechanisms must be mapped as soon as possible. The Emergency Programme Manager and SHEA, and Safeguarding Focal Point are responsible for identifying the relevant statutory authorities (such as the police and/or social services) and other referral mechanisms in the country. An emergency mapping exercise should be carried out with support from the Protection Cluster.
- HR will follow safer recruitment and selection procedures as far as possible during an emergency. For example, asking questions about the protection of **rights holders and communities, including adults at-risk** for those working directly with them.
- Carefully check offers of assistance (e.g., from new staff, partners, and volunteers). Where it is impossible to check backgrounds, put measures in place to prevent abuse and exploitation, including carrying out risk assessments, carrying out regular 'spot' checks,





and ensuring that rights holders and community members have access to complaints mechanisms.

- Communicate to rights holders that aid is free and that staff and representatives are expected to adhere to all TYC's policies on SHEA on Safeguarding.
- Ensure that all humanitarian and response programmes include a range of community-based complaints mechanisms enabling communities and rights holders to report sexual exploitation and abuse.
- All EFAST (Emergency Fast Action Support Team) members will be expected to undertake SHEA and Safeguarding training in their country of residence.

## 7. Interaction with Rights Holders and Community Members, including Adults at-risk

### 7.1 Content gathering

TYC's duty of care towards **rights holders and communities, including adults at-risk**, also exists in gathering, aggregating, and publishing any communications that could expose them to risk. Please see the *Child Safeguarding Policy* for guidelines on gathering content of children.





A risk assessment must first be conducted to assess whether and how to tell the stories and anonymize the identity of any community member, particularly adults at-risk, who is identified as:

- A survivor of sexual abuse, exploitation, or abduction
- A perpetrator of physical or sexual abuse
- Living with any illness, condition or identity that is known to attract social stigma – unless in carefully considered contexts the adult at-risk and/or their guardian wants to provide this
- A person whose life is or may be threatened by speaking out against sexual exploitation and abuse which they have experienced.

The following are practices that staff members and representatives must follow in the collection, storage, and dissemination of communications material concerning rights holders and community members, with a specific focus on adults at risk recognizing that some adults at-risk for a range of factors may not be able to give informed consent:

- The adult at risk's best interests must always be the primary consideration. Content gathering must always be a positive experience for at-risk adults and be in a safe and conducive environment protected from any kind of abuse. We must ensure that we obtain consent from the community before engaging with them in activities or recording sessions.





- Data will be gathered, stored, and shared in line with local and international data protection laws.
- Seek the adult at risk's free, prior, and informed consent where possible. The adult at-risk needs to understand why they are being interviewed/photographed. For example, you could show examples of how their photos could be used.
- If the adult at-risk cannot give informed consent, ensure that full parental or guardian informed consent is received before gathering or using any content relating to adults at-risk (e.g., interviews, images, or footage of adults at-risk) and that they understand the purpose of this activity and how the images or footage will be used without posing any risk to the adult at-risk. Never photograph video, or interview a reluctant adult at-risk, even with parental or guardian consent.
- Never gather content that could shame, humiliate or degrade an adult at risk, put them at risk immediately or at a later date, or perpetrate any form of abuse, discrimination, and exploitation.
- Payment and/or gifts must not be given following content gathering as it can be confused with information payment.
- If a contractor is used to gathering content, they need to have a contract with TYC and have been briefed on this policy and signed TYC's Code of Conduct.





## 7.2 Visits

- Supporters, donors, and other visitors should receive a briefing on our values and TYC's
- Code of Conduct (with a copy to be signed), the *SHEA and Safeguarding Overarching Policy*, and our SHEA and Safeguarding approach (including instructions on content gathering, appropriate behaviors and how to raise concerns) before any visit.
- All content gathering should be carried out by authorized staff or representatives. Because of the risks that can result from the content being gathered and shared outside of TYC's procedures, it is strongly advised that no photos/videos are taken by staff, partners, volunteers, or visitors to a program for personal use. All visitors must receive a pre-travel briefing on TYC's approach to content gathering and our rights and risk-based approach to increase understanding of why we take this stance. If an individual wants to take or share any photos for personal use. In that case, this must be authorized by an appropriate TYC staff member or representative (e.g., Communications Lead, SHEA, and Safeguarding Focal Point) before any action is taken. They must ensure that any content is in line with TYC's approach and will be guided at all times by the advice and permission given by the relevant TYC staff member or representative. To avoid the risk of children or others being identifiable and/or put at risk, where possible only TYC devices should be used to take photos and videos; devices should be





encrypted, meta-data such as GPS should be removed, and content should be gathered, in a way that does not identify the location.

- A visitor should always be accompanied by a TYC staff member or representative while visiting an adult at-risk, a child, or any other vulnerable individual or group.

## 8. Reporting procedures

The Code of Conduct states that it is the duty and the responsibility of all staff and other

representatives to report any suspicions or incidences of sexual harassment, exploitation, and abuse. This applies to TYC staff and representatives, including (but not limited to) partners, volunteers (including board and assembly members), consultants, and contractors/suppliers/vendors. This is a key way to challenge inappropriate behaviors and help create a safe work environment. Failure to report to an appropriate person is a breach of TYC's Code of Conduct and this policy, and could lead to disciplinary action being taken.

Members of the public (e.g., anyone external to TYC ) can also raise concerns about TYC





- If any TYC staff or other representatives have concerns that a rights holder or community member, including adults at risk, has been or is at risk of being abused, exploited, or harmed in any way **they must report this immediately.**
- If any TYC staff or other representatives have concerns that this policy may have been breached, they must report this immediately.
- In line with TYC's survivor-centred approach, individuals do not have to report something they have experienced.

**If you have experienced harm yourself, you can choose if, when, and how you want to tell someone. If you choose to tell TYC what has happened to you, we will work with you to discuss your options and find you support.**

Staff or representatives using the reporting procedures below. If the allegation does not relate to TYC, such as harm carried out during the course of a staff member's work, then ActionAid will look at how best to safely respond (including raising with external agencies better able to support), and will take any action with the best interests of the survivors in mind.





Concerns raised about ex-ActionAid staff/representatives (e.g., people formally employed by TYC in any capacity) will be addressed as far as possible, recognizing potential legal challenges to such processes.

TYC staff members and other representatives can report SHEA and Safeguarding concerns in their TYC country to any of the following channels in person, via email, or telephone:

- Executive Director ([willice@theyouthcafe.com](mailto:willice@theyouthcafe.com))

If TYC staff or representatives have concerns about first reporting in the country or if they want to raise concerns (i.e., appeal against) how a process has been managed in the country, they can report directly to:

- TYC safeguarding and Whistleblowing service ([info@theyouthcafe.com](mailto:info@theyouthcafe.com))

SHEA and Safeguarding Focal Points are responsible for reporting all concerns and complaints to the Country SHEA and Safeguarding Team to ensure that the Country Teams has oversight of all SHEA and Safeguarding concerns in the Federation. The SHEA and Safeguarding Focal Point must complete a SHEA and Safeguarding Incident Reporting Form and send this ([info@theyouthcafe.com](mailto:info@theyouthcafe.com)) within 24 hours of a concern being raised, where possible. The Country SHEA and the Safeguarding Team will update the Country case register and support the Focal Point and TYC country on a







case-by-case basis to respond to all concerns and complaints and monitor action taken.

The Country Director, through designated positions/teams, will work with the Country SHEA and Safeguarding Team to ensure that donors and others (e.g., other ActionAid countries so that they can fulfill their donor reporting requirements; statutory/regulatory bodies) are informed of SHEA and Safeguarding concerns, in line with agreed AAI Donor Reporting SOPs. Any breach of the SOPs will be raised to the CD for action.

Any concerns raised relating to sexual exploitation or abuse of **rights holders or community**

**members, including adults at-risk**, by TYC staff or other representatives will be addressed as a priority, in line with our SHEA and Safeguarding approach. TYC will ensure that the survivor's safety, dignity, and rights are respected at all times. There is no time limit when someone can raise a concern about something they have experienced. There may be limitations to addressing a historical concern, but TYC will take every reasonable measure to address the concern. For example, by gathering any available evidence and contacting witnesses, where a risk assessment shows it is safe. We are committed to carrying out robust and fair investigations that protect the rights of all involved, with a particular focus on the survivor/complainant and the subject of the complaint, ensuring that confidentiality is maintained and that the wellbeing of all is protected.





As part of our survivor-centered approach, survivors/complainants can choose if, when, and how to make a report and decide whether they want ActionAid to take formal action. However, there may be occasions where TYC has a duty of care to respond even if the survivor/complainant does not want to take forward action. This will be managed on a case-by-case basis, and the decision will be made by the SHEA and Safeguarding Stakeholder Youth Board, in conjunction with the Country SHEA and Safeguarding Team. This will only be done following clear risk assessments, analysis of the age and agency of the survivor (as decisions may need to be taken on behalf of children, working with their caregivers), and will always ensure the safety and wellbeing of the survivor/complainant is paramount.

All staff and other representatives are required to report if:

They become aware that someone is experiencing or at risk of experiencing sexual exploitation or abuse - whether carried out by TYC staff and representatives or others. A staff member or other representative suspects that someone connected to TYC is or may be about to carry out sexual exploitation and abuse towards **rights holders, community members, at-risk adults, or someone not related to TYC**. This also includes any suspicion that an ActionAid staff member or representative is in a sexual, romantic and/or exploitative relationship with a rights-holder or community member including a child or an adult at-risk.





A staff member or other representative suspects that someone external to TYC (e.g., a Teacher or Community Leader) is or may be about to carry out sexual exploitation or abuse towards **rights holders, community members, adults at risk, or others**. This is not a breach of the Safeguarding policy as the harm is not carried out by staff/representatives. However, as part of our commitment to eradicating violence and ending poverty, we still have a duty to report such concerns. This must be reported to the SHEA and Safeguarding Focal Point and Country Director, who is responsible for referring this to an external agency so that this can be safely addressed.

TYC is committed to creating a working culture in which everyone feels safe to raise a concern. If a staff member or other TYC representative **does not** report an incident or suspicion, they will be in breach of the Code of Conduct and may face disciplinary proceedings. This does not apply to survivors who can decide if, when, and how to report.

### **Management of complex SHEA and Safeguarding reports:**





NATURE OF CONCERN	REPORT TO	RESPONSE
<p>Allegation about <b>partner staff members</b></p>	<p>SHEA and Safeguarding Focal Point/ SHEA and Safeguarding Stakeholder Youth Board</p>	<p>Concerns regarding partner staff members must be reported immediately via the reporting mechanisms in this section. Concerns that partner staff has harmed TYC staff/representatives will be managed through a collaborative process with the partner where possible, and by TYC if this is inappropriate. If TYC receives a complaint about staff/representatives at a partner organization (i.e., that relate to inter-partner harm rather than a TYC staff member), TYC will work with the partner to ensure this is responded to quickly</p>



		<p>and appropriately and ensure they have safe response measures in place if there is reason to believe that a complaint has been dealt with inappropriately or inadequately by a partner. In that case, TYC must consider whether they will withdraw funding or end the relationship.</p>
<p>Allegation about staff at another organisation (e.g. another international aid agency)</p>	<p>SHEA and Safeguarding Focal Point/SHEA and Safeguarding Stakeholder Youth Board</p>	<p>Concerns raised about the behaviour of staff of another international aid agency must be reported to the SHEA and Safeguarding Focal Point and Stakeholder Youth Board. They will report to the designated person in the other organisation to ensure</p>

		<p>the matter is addressed. This may be through the other organization’s internal process or a joint process agreed upon by TYC and the organization if TYC has concerns about the robustness or timeliness of the other organization’s response. In that case, they should raise concerns to the appropriate channels in the organization and consider termination of engagement if no action is taken.</p>
<p>Allegation relating to criminal activity and/or relating to a child where others have a remit to investigate</p>	<p>SHEA and Safeguarding Focal Point/SHEA and Safeguarding Stakeholder Youth Board</p>	<p>AlSupposegations that staff or other Representatives who have carried out a criminal activity will be assessed by the SHEA and Safeguarding Focal Point/Stakeholder</p>

		<p>Youth Board and the Country SHEA and Safeguarding Team. They will assess on a case-by-case basis if any risks are involved in sharing to the police or other external bodies (e.g., if there are concerns that informing the police or others would put the survivor/complainant at risk).</p> <p>TYC is not a child protection agency and does not have the expertise required to carry out investigations of child abuse itself. External experts will carry this out and be brought in specifically for this purpose. Where the external response is unable</p>
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		<p>to provide this specialized service or no such service exists, then TYC may provide such services only as a last resort.</p> <p>For allegations in which external bodies (e.g., police) rather than TYC have a remit to investigate, TYC will support the external process. For example, TYC will provide all necessary information, map out referral pathways as part of immediate and long-term support of the survivor, and ensure the survivor is supported throughout. TYC will monitor the external response until it is concluded to ensure that, as far as possible, it is carried out</p>
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		<p>in line with TYC’s values, and using ActionAid’s advocacy role to promote change where needed.</p>
<p>ActionAid staff member or other representative raises concerns about how a complaint was managed in a TYC country and wants to appeal the decision</p>	<p>Internal report (e.g., to the Board) and the Country SHEA and Safeguarding Team</p>	<p>TYC staff members and representatives who disagree with actions taken must first appeal in the country via established processes (e.g., to the Board).. If they are dissatisfied with the response they receive to their appeal; they can make a second and final appeal to the Country SHEA and Safeguarding Team, who will work with the AAI Board to review the case. They can repeal the decision made by the TYC country if they find it in favor of the staff</p>



		member or other representative appealing.
<p>Allegation raised by a staff member or representative from one TYC country against a staff member or representative from another TYC country</p>	<p>Country SHEA and Safeguarding Team</p>	<p>Concerns raised involving staff from more than one TYC country must be raised to the Country SHEA and Safeguarding Team to take action. Recognizing the shared reputational risk, when possible (e.g., when a complainant wants to raise a complaint and or there is sufficient information to bring forward an investigation), a joint incident management process will be established, involving staff from both countries as appropriate, and led by the Country SHEA and Safeguarding Team and</p>





		AAI Board. The risk will be monitored at the AAI Board level.
Allegations raised against Country/Executive Director	a National Youth Board, the AAI Board, and the Country SHEA and Safeguarding Team	Concerns about a Country/Executive Director must be raised to their National Board, the AAI Board, and the Country SHEA and Safeguarding Team. Recognizing the shared reputational risk, when possible, a joint incident management process will be established between the National Board and AAI and led by the Country SHEA and Safeguarding Team and AAI Board. The risk will be monitored at the AAI Board level.
Allegations raised against anyone in the International Leadership	AAI Board and the Country SHEA and Safeguarding Team	Concerns raised about anyone in the International Leadership Team (ILT),



<p>Team (ILT) or the Secretary-General</p>		<p>or the Secretary-General must be raised to the AAI Board and the Country SHEA and Safeguarding Team who will ensure, when possible, that an incident management process takes place. The risk will be monitored at the AAI Board level.</p>
<p>Allegation raised against a TYC Youth Board Member</p>	<p>Country SHEA and Safeguarding Team</p>	<p>Concerns about a Youth Board Member must be raised to the Country SHEA and Safeguarding Team. If the allegation relates to a National Board Member, then the AAI Board and the Country SHEA and Safeguarding Team will ensure, when possible, that an incident management process takes place, working with other</p>

		<p>members of the National Board as appropriate. The risk will be monitored at the AAI Board level. If the allegation relates to an International Board Member, then the Country SHEA and Safeguarding Team will ensure, when possible, that an incident management process takes place, working with other members of the International Board and the Secretary-General as appropriate. In both cases, if a complaint is upheld, an assessment will be made on whether it is appropriate for the Board member to continue to serve on the Board.</p>
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<p>The allegation about a SHEA and Safeguarding Focal point member of the SHEA and Safeguarding Stakeholder Youth Board</p>	<p>Executive Director and the Country SHEA and Safeguarding Team</p>	<p>Concerns raised about SHEA and Safeguarding Focal Points/ members of the SHEA and Safeguarding Stakeholder Youth Board must be reported to the Country/Executive Director and to the Country SHEA and Safeguarding Team who will take a joint decision on how to respond to the allegation and what incident management response is appropriate. The risk will be monitored at the AAI Board level.</p>
<p>Allegations about anyone in the Country SHEA and Safeguarding Team</p>	<p>Secretary General and the SHEA and Safeguarding Lead on the AAI Board</p>	<p>Concerns raised about anyone in the Country SHEA and Safeguarding Team must be reported to the Secretary-General and</p>





		the SHEA and Safeguarding Lead on the AAI Board. They will ensure that appropriate action is taken, and the risk will be monitored at the AAI Board level.
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## 9. Responding to Concerns and Complaints

### 9.1 Incident Management Process

Anyone can raise a concern or complaint. An individual can raise a complaint even if they have no evidence other than their own experience, recognizing that sexual harassment, exploitation, and abuse usually occur away from the public eye and, therefore, it can be difficult to produce evidence (e.g., a witness). TYC will work with survivors and complainants to understand how they would like the issue they raised to be addressed; this policy does not prejudice the right of survivors and complainants to use external procedures (e.g., criminal justice procedures) where that is their preference to do so. Support options will be offered to survivors and complainants regardless of





whether or not they decide to make a formal complaint. *Please see Section 11 for further details on support options.*

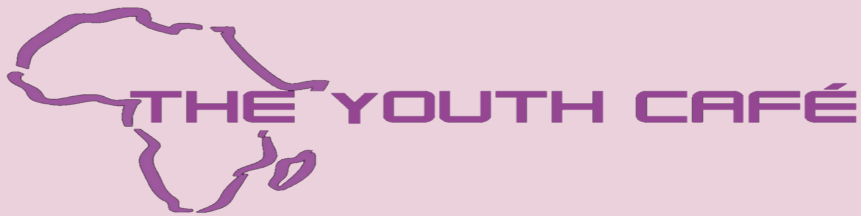
If a survivor or complainant makes a formal complaint and wants an investigation to be carried out, or if TYC takes the view that they have a duty of care to carry out research, then an investigation process will be initiated, and must follow The Youth Cafe's SHEA and Safeguarding Team's Investigation Guidelines. *Please see Appendix 1 for AAI's SHEA and Safeguarding Incident Management Flowchart and Appendix 2 for details of roles and responsibilities in SHEA and Safeguarding incident management.*

As part of our survivor-centered approach, our incident management process puts the survivor's needs and wishes at the center of the process. ActionAid will work with survivors to ensure they have the support that is right for them. At TYC, we recognize how trauma can impact survivors and our commitment to removing barriers in our systems, policies, and approaches, which could lead to the re-traumatization of survivors.

In some cases, concerns may fall partially or wholly under other policies- for instance, Bullying and Harassment and some types of prohibited interpersonal relationships are managed by HR. There can be a grey area between sexual harassment (any type of unwanted sexual behavior) and other forms of discrimination (racism, sexism, homophobia, ageism, transphobia, etc.). In these cases, a collaborative approach between SHEA and Safeguarding representatives and the department that owns the policy may







be appropriate. If the concern is outside the remit of the SHEA and Safeguarding policies. In that case, the GS SHEA and Safeguarding team will support the survivor/complainant in following up with the appropriate function.

Local law may need to be taken into account in the Incident Management Process. It is the responsibility of the management team in each country to ascertain what laws apply to incidents of SEA (for instance, if internal processes must take place within a specific timeframe; if there is mandatory reporting to police; or if a Subject of Concern has a right to cross-examine the complainant). Where the processes need to be adjusted in line with local law, this should be done with the advice of a SHEA subject matter expert, keeping as close to the spirit of the policy as possible and prioritizing TYC's values and survivor-centered approach.

The Country Secretariat and TYC countries must have put measures in place to ensure that any investigations carried out are objective, timely, fair, transparent, and built on ActionAid's SHEA and Safeguarding approach. All parties should be able to participate in the investigation without fear of retaliation. The Stakeholder Youth Board has the authority to challenge actions/decisions taken by anyone in the incident management process if they have concerns; this goes against TYC's SHEA and Safeguarding approach, feminist principles, or values as an organization.

Step 1: Complaint received (timeframe: actions taken within 48 hours)





**a)** Within 24 hours, the complaint is acknowledged, and the SHEA and Safeguarding Focal Point (or other staff members as appropriate) will engage with the complainant /survivor to ensure they are safe and their concerns are understood. The Country SHEA and Safeguarding Team is informed so they can support as appropriate and manage donor reporting requirements.

**b)** The SHEA and Safeguarding Stakeholder Youth Board will triage all cases to assess what action can be taken. If an investigation cannot be carried out (e.g., if the survivor does not want an investigation or there is insufficient information to proceed), then the Youth Board will close the case and assess what other actions can be taken to address concerns, e.g., awareness raising and ways to support the survivor. Within 48 hours, the SHEA and Safeguarding Stakeholder Youth Board meet to discuss the case.

**c)** Risk assessment to address any immediate security or welfare concerns, and legal guidance sought. If the concern includes a partner organization, risk assesses their involvement. An Investigation Team and a separate Decision-Making Youth Board are appointed. This must be done in line with national laws. Where applicable, the stakeholder Youth Board will obtain a legal opinion to ensure that any follow-up actions are aligned with the relevant laws.

**d)** There is no time limit on the activities of the SHEA and Safeguarding Stakeholder Youth Board. They must take action as quickly as possible to ensure they manage risk and the rights of all involved. However, in





line with our survivor-centered approach, timing will depend on the needs and wishes of the survivor, so no time limit is set for this stage. The Stakeholder Youth Board will keep the survivor and subject of concern updated throughout and ensure they are supported.

Step 2: Investigation (timeframe: approx. four weeks, but this may differ depending on the nature and complexity of the case)

**e)** Following the investigation guidelines set out by the Country SHEA and Safeguarding team, an investigation can include carrying out any interviews, gathering any available evidence, and producing an investigation report.

**f)** The complainant/survivor should be interviewed first (or provide a written response to questions submitted by the Investigation Team where a verbal interview is not possible), followed by witnesses and the complainant, if not the survivor, and then the subject of the complaint. The Subject of Concern will be interviewed last unless this is prohibited by local law. If that is the case, then action will be taken to ensure earlier interactions are managed safely and in line with the spirit of this policy. It is important to note that sexual exploitation and abuse in all forms usually occur away from the public eye, and it, therefore, may be difficult to produce evidence. An individual can raise a complaint even if they can point to no objective evidence other than their own experience.

**g)** The Investigation Report is submitted to the Decision Making Youth Board.





**h)** If a partner organization is responsible, they may use their investigation process if it aligns with TYC's approach and values or uses the investigation guidelines set out by the Country SHEA and Safeguarding Team. TYC should be treated as a key stakeholder in this process and updated regularly.

Step 3: Decision (timeframe: actions taken within 72 hours)

**i)** Decision-making Youth Board review report and decide on the report and its findings.

**j)** The Decision Making Youth Board or others as appropriate to carry out any recommendations agreed on (e.g., disciplinary hearing, termination, awareness raising, policy development) with support from HR as required.

Step 4: Outcomes shared and lessons learned (timeframe: up to 1 week following the decision made)

**k)** Decision Making Youth Board document the decision and inform the complainant/ survivor and subject of the complaint of the outcome.

**l)** The Country SHEA and Safeguarding Team are informed of the outcome.

**m)** The subject of the complaint and the complainant have the right to appeal against the decision, in line with TYC's HR policies and procedures. The complainant and subject of complaints can be





appealed in the country. If they have concerns about the country's response (e.g., if a conflict of interest has impacted the investigation), they can raise this to the Country SHEA and Safeguarding Team, who can carry out an independent review.

**n)** A case conference is convened so that the SHEA and Safeguarding Stakeholder Youth Board, The Investigation Team, and Decision-Making Youth Board can discuss learning from the case.

Feedback must be sought from the survivor/complainant and incorporated into the lessons learned conversation. Lessons learned to be shared as appropriate, removing identifiable information, with governance boards and other relevant bodies to ensure key learning is shared and improvements made to practice.

TYC is not a protection agency and does not have the expertise required to carry out investigations into adult at-risk abuse. External experts will carry this out and be brought in specifically for this purpose. Where relevant, TYC will work with external investigators using TYC's SHEA and Safeguarding Investigation Guidelines. However, TYC will refer cases to appropriate professionals and organizations and ensure that referrals are made to professionals and organizations that act in line with TYC's values and put the welfare of the adult at-risk as the highest priority.

TYC will decide on a case-by-case basis on how allegations of abuse or exploitation towards adults at risk will be carried out, recognizing that specific





expertise may be required (for example, interviewing an adult with intellectual disabilities).

If the Country SHEA and Safeguarding Team have concerns that a TYC entity is not responding to a concern in line with these policies (e.g., not taking action in a timely way, or not taking action in line with AA's values), the Country SHEA and Safeguarding Team will raise this first with the Country/Executive Director for action. If no action is taken within 72 hours, the Country SHEA and The Safeguarding Team will inform the Head of Country Support, who will follow up with the Country/Executive Director and request action within 48 hours. If no action is taken, or there are sustained concerns, this will be raised to the International Leadership Team and, if needed to the International Board for wider action. Country/Executive Director for action. If no action is taken within 72 hours, the Country SHEA and Safeguarding Team will inform the Head of Country Support, who will follow up with the Country/Executive Director and request action within 48 hours. If no action is taken, or there are sustained concerns, this will be raised to the International Leadership Team and, if needed to the International Board for broader action.

## 9.2 Security in SHEA and Safeguarding incident management

Recognising the inherent risk in addressing allegations of sexual exploitation and abuse, any internal responses to allegations of sexual exploitation and





abuse must be carried out in line with TYC's security approach and *Country Staff Safety and Security Policy*. Risk assessments must be carried out in incident management processes to help mitigate risks and protect the rights and safety of all involved.

### 9.3 Retaliation Against Complainants, Victims, and Witnesses

TYC will take action against any staff or other representatives who seek to or carry out retaliatory action (e.g., intimidation, threatening behavior) against complainants, survivors, witnesses, or any others involved or believed to be involved in an incident management process. Those found to have done this will be subject to disciplinary action, including termination of employment.

### 9.4 False or malicious complaints

False or malicious sexual harassment, exploitation, and abuse allegations are extremely rare. If a member of TYC staff is found to have made an allegation that they knew to be false, they will be subject to disciplinary action, up to and including termination of employment. It must be noted that if a case is not upheld, that does not mean that the complaint was false, but rather that there was insufficient evidence or that, even if the complaint is found not to reach the threshold for sexual harassment, it may represent harassment or sexist behavior that is contrary to AA policies and Code of Conduct.





## 10. Support Options

TYC will offer support to survivors/complainants regardless of whether a formal response is carried out (e.g., an investigation). Support will also be offered as appropriate to others involved in an incident management process, recognising the impact this can have, for example, on witnesses and those accused of carrying out inappropriate or harmful behaviors. This can include specialist psycho-social counseling, medical support, legal support and/or access to other specialists and appropriate support as needed. Country/Executive Directors must ensure a budget is available to support as needed. Survivors and complainants can choose if and when they want to take up the support options available. TYC is committed to learning from survivors and being guided by them where safe and appropriate.

TYC is committed to working with local NGOs and women's rights groups to develop learning on safe, intersectional, and feminist support options and ensure that the support options are offered to meet the needs of diverse survivors.

TYC will ensure support for adults at-risk is provided by appropriate professionals and organizations. TYC will ensure that cases are referred to them, and that due diligence is taken to ensure that they act in line with TYC's values and put the welfare of the adult at-risk as the highest priority.







In line with our *Child Safeguarding Policy*, TYC will ensure support for children is provided by appropriate professionals and organizations. TYC will ensure that cases are referred to them and that due diligence is taken to ensure that they act in line with TYC's values and put the child's welfare as the highest priority.

If you have any questions about support options, please contact TYC ([info@theyouthcafe.com](mailto:info@theyouthcafe.com))

## 11. Further Reading

- TYC Community-Based Complaints Mechanisms for SHEA and Safeguarding during COVID-19, 2020
- COVID-19 SHEA and Safeguarding Risk Assessments
- Digital SHEA and Safeguarding Risks during ActionAid's COVID-19 Response, 2020
- TYC Process Map for Donor Reporting on Sexual Harassment, Exploitation and Abuse (SHEA) and other Safeguarding concerns (child abuse and adult at-risk abuse), 2020
- SHEA and Safeguarding and Safer Programming in ActionAid's COVID-19 Response, 2020





## Appendix 1: Incident Management Roles and Responsibilities

### SHEA and Safeguarding Stakeholder Youth Board

The Country Secretariat and all countries in Africa will put in place a standing SHEA and Safeguarding Stakeholder Youth Board who is tasked with receiving all concerns and complaints; working with the survivor/complainant on how they want to proceed, and establishing and monitoring an investigation and entire incident management process if this is agreed on.

The Youth Board will triage all cases to assess what action can be taken and in what order. As part of this, they will complete a fact-gathering exercise to establish whether it is possible to carry out an investigation. If an investigation cannot be carried out (e.g., if the survivor does not want an investigation or there is insufficient information to proceed), then the Youth Board will close the case and document this decision. They will assess what other actions can be taken to address concerns, e.g., awareness raising and developing policies.

At a country level, the SHEA and Safeguarding Stakeholder Youth Board must include, at a minimum, the SHEA and Safeguarding Focal Point, an HR





representative, and the Country/Executive Director. Each country is encouraged to consider what other roles may be brought into this process, always keeping in mind the importance of confidentiality and sharing information on a need-to-know basis. The SHEA and Safeguarding Stakeholder Youth Board will:

- Create the Terms of Reference (TOR) for the investigation,
- Appoint an Investigation Team who will carry out an investigation and produce a report,
- Appoint a Decision Making Youth Board who will have responsibility for receiving the report, taking a decision on the case, and taking forward any actions. The SHEA and Safeguarding Stakeholder Youth Board must ensure that there is no conflict of interest and that these individuals have the training and awareness to carry out the task (e.g., training on Safeguarding, gender justice, etc.)
- The importance of confidentiality will be discussed so that everyone is aware of expectations and any possible consequences should confidentiality not be maintained.
- Take responsibility for overseeing the process and ensuring that all investigations are carried out in line with TYC's core values and that a fair process is carried out for all.
- The Safeguarding Focal Point is responsible for ensuring that each case is documented in its entirety, that all activities are undertaken in line with TYC's SHEA and Safeguarding approach, and for updating the Country Safeguarding Team on the case and outcomes.





### **Investigation Team**

The Investigation Team will be made up of 2x Safeguarding trained Investigators. The AAI SHEA and Safeguarding Investigator Network will support all cases, whether as lead Investigator or co-Investigator with an AA entity staff member. An external Investigator can be used where necessary, on a case-by-case basis, and that decision would be made by the SHEA and Safeguarding Stakeholder Youth Board. Members of the SHEA and Safeguarding Stakeholder Youth Board and the Decision Making Youth Board cannot be part of the Investigation Team. The Investigation Team is responsible for:

- Carrying out interviews
- Gathering and assessing any available evidence
- Producing an investigation report which they share with the survivor/complainant, subject of a complaint, the SHEA and Safeguarding Stakeholder Youth Board, and the Country/Executive Director.

### **Decision Making Youth Board**

The Decision Making Youth Board will be made up of three people, alongside dedicated HR support. At least two members of staff or representatives on the Youth Board must be women. If this is not possible in any given situation,





then the reason for this must be documented by the SHEA and Safeguarding Stakeholder Youth Board. All members of the Youth Board must belong to a different department than that of the complainant and the accused to maintain neutrality. The line manager of the complainant or the accused cannot sit on this Youth Board. The Line Manager is responsible for supporting both individuals throughout the process, and their involvement could indicate a bias toward one party and prevent the process from being fair and transparent. If a complaint is raised, that relates to a senior staff member (for example, a Country Director or Board Member). In that case, a different Youth Board may need to be constituted, and the Country SHEA and Safeguarding Team will advise on this case-by-case basis. One Youth Board member will also be appointed as Chairperson and will be a senior employee. Board members and external experts can also be invited to be part of the Youth Board. The Youth Board is responsible for:

- Reviewing the report completed by the investigation Youth Board and determining if the alleged behavior breaches TYC policy
- Referring the accused to a disciplinary Youth Board if deemed necessary, using the national TYC Disciplinary Policy and Procedure
- Informing the SHEA and Safeguarding Stakeholder Youth Board of the outcome and participating in lessons learned discussions following the closure of the case.

HR support



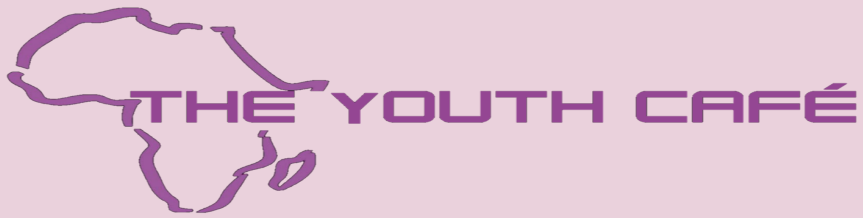


- Provide support and advice to the SHEA and Safeguarding Stakeholder Youth Board, the Investigation Team, and the Decision Making Youth Board to ensure the process aligns with the relevant employment legislation.
- Retain knowledge of the country's national policies regarding sexual exploitation and abuse and obtains a legal opinion, and procure the services of a lawyer when necessary
- Provide support and carry out adjustments as needed during the investigation. This can include: temporarily changing line management or seating/office location and advising on suspension of the subject of complaint during an investigation where deemed appropriate. Suspension does not infer guilt, it is purely a measure to ensure a robust investigation can take place.

### Upheld/Not Upheld

- An investigation or other process is upheld (substantiated) when it finds in favor of the complainant. We recommend using the term 'upheld' rather than 'substantiated' as the latter relates more to criminal justice processes.
- When an investigation or other process is not upheld (unsubstantiated), it finds that there is insufficient evidence to confirm that the alleged inappropriate behavior did occur or that, on the balance of probability, it is most likely that the behavior did not take place.



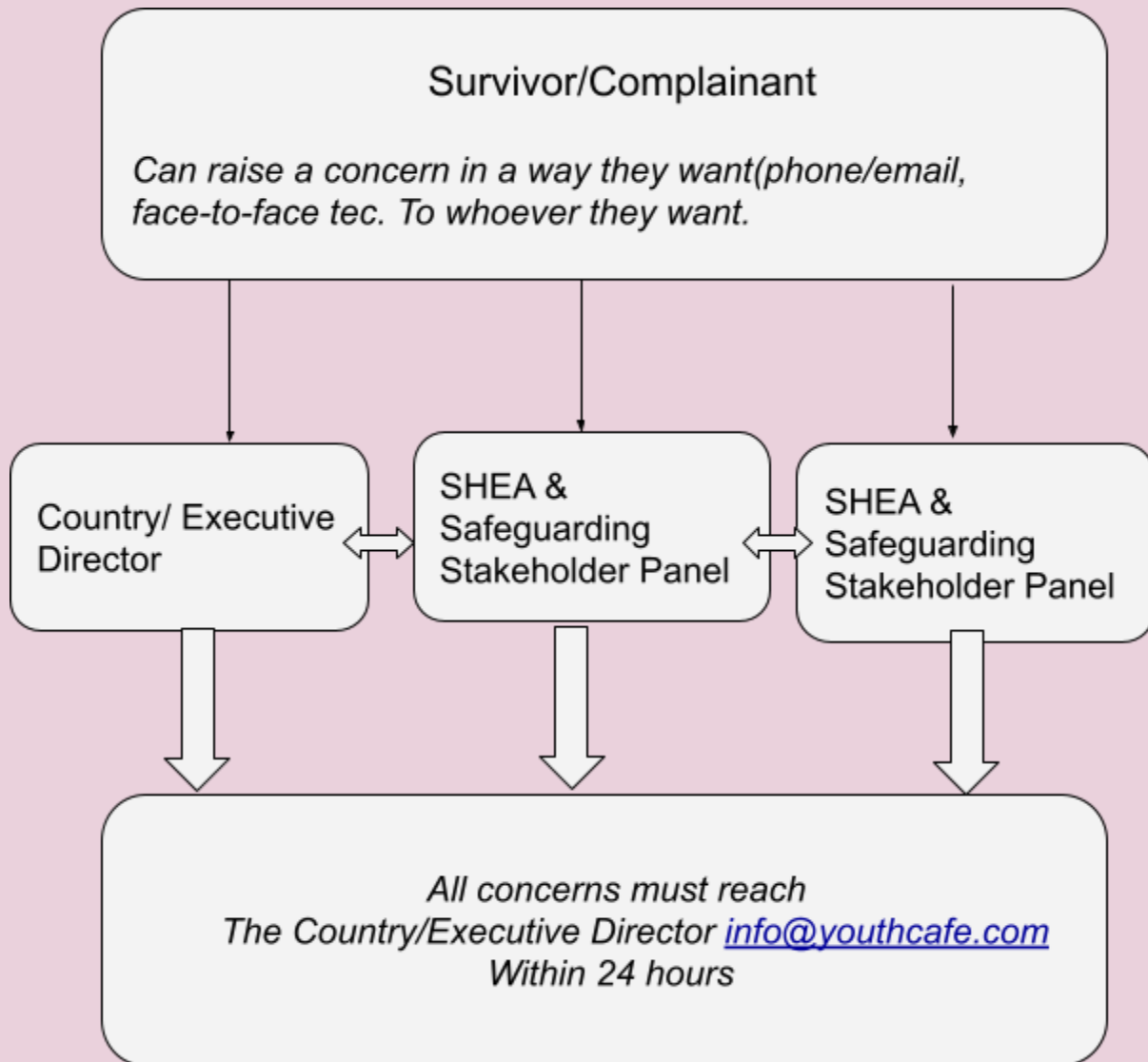


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- In some cases, a complaint may be partially upheld (substantiated), when it may not be possible to uphold all parts of a complaint, but some aspects of the complaint may be upheld.

## Appendix 2: Reporting Flowchart









- The **Survivor/Complainant** can choose how to raise their concern.
- **Everybody** else *must* ensure that the concern is reported to the Country SHEA and
- Safeguarding Team and SHEA and Safeguarding Focal Point **as soon as possible** (within 24 hours).
- The country SHEA and Safeguarding Stakeholder Youth Board will respond with the support of the Country SHEA Safeguarding Team.

## Appendix 3: PSEA Risk Assessment template

*This form is to be completed by staff/representatives trained/experienced in risk assessments.*

<b>Date of risk assessment</b>	
<b>Name of project</b>	





<b>Name of partner</b>	
<b>Donor(s)</b>	
<b>Name of AA reporter</b>	
<b>Name of partner reporter</b>	

		<b>IMPACT</b>		
		L	M	H
<b>LIKELIHOOD</b>	H-3	M	H	H
	M-2	L	M	H
	L-1	L	L	M



Risk Assessment							Risk Management				
Project activity	Identify risk to rights holder or community member, including adults at-risk	Analysis of risk factors – what is causing the risk?	What are the control measures currently in place?	Risk calculation			What are the agreed additional controls/actions to be put in place to mitigate the risk?	By whom	Risk Calculation		
				Likelihood	Impact	Risk Level			Likelihood	Impact	Risk Level
e.g. interviewing internally displaced rights holders	Published material causing risk to safety of rights holders	Lack of due diligence in agreeing consent and anonymising material	Consent form; agreed processes on anonymising rights holders in published material	M-2	H	H	Training of non-Comms staff due to travel to conflict areas and work with rights holders; sharing of relevant policies in advance	Technical expert; Line manager	L-1	H	M
Insert further rows as needed											