



**Sexual Harassment,**  
**Exploitation, and**  
**Abuse**  
**(SHEA) and other**  
**Safeguarding**  
**concerns**  
**Overarching Policy**

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**Cross Reference/ Related policies:**

Child Safeguarding Policy

Protection from Sexual Exploitation and Abuse (PSEA) Policy

Sexual Harassment, Exploitation, and Abuse (SHEA) at Work Policy

**Policy for all staff and representatives**

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## 1. TYC's SHEA and Safeguarding approach

The Youth Cafe (TYC) is committed to forging a link between developments, which we strive to achieve amongst Youth from 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. We recognize that to work with integrity, we must 'walk the talk' and ensure that anyone who comes into contact with TYC is protected from any form of injustice, discrimination, or abuse. Safeguarding refers to the policies and processes an organization puts in place to prevent and respond to harm by staff or those working on our behalf. TYC's SHEA and Safeguarding policies sit under the AAI Code of Conduct and are informed by and reinforce TYC's feminist leadership approach.

**TYC is committed to preventing any form of sexual harassment, exploitation, and abuse (including child abuse and adult at-risk abuse) and responding robustly when these harms occur.**

SHEA and Safeguarding incidents are rooted in an imbalance of power, particularly gendered and sexualized abuses of power. The #metoo and #aidtoo movements have reminded us that those working with TYC have increased power and privilege. We must do everything we can to stop staff/representatives from abusing power and the privilege they hold.





TYC views any form of sexual violence as a gross violation of human rights. We will not tolerate our staff or other representatives carrying out any form of sexual harassment, exploitation, or abuse towards anyone we contact through our work. Zero tolerance means we will always take action when Safeguarding harm takes place, ensure that we offer support 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 working with marginalized, oppressed, and hard-to-reach groups, recognizing the impact of sexual violence on 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 the 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.

We must acknowledge that some staff and other representatives will use their position of power for personal gain, exploiting the trust placed in them to harm others. We must do everything we can to reduce the likelihood and respond swiftly and robustly when incidents occur. Because of the power imbalances inherent in the international aid sector and within the broader social norms and structures in which we work, we must prevent and respond to sexual exploitation and abuse allegations. We take





all concerns seriously and conduct 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, are not further harmed or disempowered by any processes, and receive support throughout.

SHEA and Safeguarding are fundamentally re-thinking our sector's humanitarian and development work approach. It asks us to question the work cultures we create and perpetuate and to challenge the norms and power structures inherent in aid work. In doing so, we can create new radical approaches which help to ensure that our behaviors, work cultures, and processes do not deliberately or inadvertently cause harm.

TYC is committed to:

- Creating a **safe working culture** that upholds the rights and dignity of all, founded on AAI's values and mission, outlined in our Code of Conduct, and our Feminist Leadership approach.
- In line with TYC's **intersectional feminist approach**, ensuring that our SHEA and Safeguarding work continuously learns from the voice and experience of marginalized and oppressed groups and challenges destructive systems of power.
- Ensuring that our approach is **survivor-centered**. We are committed to upholding the power and dignity of survivors by respecting their confidentiality and their right to make decisions over what happens to them, where it is safe and appropriate for them.





- Demonstrating our **zero-tolerance approach** to sexual harassment, exploitation, abuse, and other Safeguarding concerns by:
  - Ensuring that **all allegations of sexual harassment, exploitation, and abuse and other Safeguarding concerns are responded to** in a timely, robust, and survivor-centered manner.
  - Ensuring that we **embed our SHEA and Safeguarding approach** into every aspect of our work – how we recruit, build capacity, and develop our programs – so that we uphold the rights of all to live and work with integrity, free from violence and harm.

## 2. Purpose and Scope

This policy outlines TYC International’s approach to Sexual Harassment, Exploitation, and Abuse (SHEA) and other Safeguarding concerns (including child abuse and adults-at-risk abuse). All staff and other representatives must familiarize themselves with this overarching policy, alongside TYC’s Code of Conduct, and refer to the three core policies outlined below for more detailed information and guidance on implementing SHEA and Safeguarding. TYC recognizes how different forms of sexual violence and abuse of power intersect and inform each other. However, in order to identify and address the different ways in which these abuses of power manifest, we have developed three distinct policies that all staff and other representatives are expected to abide by:





- **Child Safeguarding Policy**
- **Protection from Sexual Exploitation and Abuse (PSEA) Policy**
- **Sexual Harassment, Exploitation, and Abuse (SHEA) at Work Policy**

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

<b>The Form of Harm</b>	<b>Policy 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/Youth	<i>Child Safeguarding policy</i>
Harmful behavior carried out towards rights holders and communities, including adults at-risk	<i>Protection from Sexual Exploitation and Abuse Policy</i>
Bullying and Harassment	<i>AAI Bullying and Harassment policy</i>
Illegal and/or improper conduct	<i>AAI Whistleblowing Policy</i>







and wrongful acts including, but not limited to, suspected fraud, criminal activity, or miscarriages of justice	
Allegations of trafficking or modern slavery	<i>AAI Anti Slavery and Human Trafficking policy</i>

This policy is binding for all offices and working locations of TYC, and at both the organizational 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 National Policies, in that case, TYC must discuss it with the National SHEA and Safeguarding Team, and teams must jointly work to ensure that the national policy is in line with the spirit of the National policy where it 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 any previous SHEA and Safeguarding policies.

This policy is binding for **all TYC staff members;** on full-time, part-time, or fixed-term contracts. **It is also binding for other representatives working with TYC, including (but not limited to) partners, volunteers (including board and assembly members), 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 both 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.**

TYC Executive Director holds overall accountability for this policy and its implementation. He is responsible for ensuring the policy is reviewed and updated **every three years**. We will review adherence to this policy through TYC's internal Assurance and auditing mechanisms. Updates to the policy will be recommended through the National 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 approval from the General Assembly.

If the National 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 National 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 National SHEA and Safeguarding Team will inform the Head of Country Support, who will follow up with the 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 International Board for broader action.





### 3. Roles and Responsibilities

We all have a role to play in keeping people safe and creating a safe working environment.

Below we have outlined the positive behaviors all staff/representatives are expected to demonstrate at all times, and the behaviors staff/representatives must avoid. We have outlined some roles' additional responsibilities to embed SHEA and Safeguarding.

Staff/representatives **must**:

- Help create a safe work environment by treating everyone they come into contact with through their work with kindness, decency, and respect.
- Set a positive example on and off duty by living out TYC's values at all times and adhering to the SHEA and Safeguarding policies and TYC's Code of Conduct.





- Embed Safeguarding into their work to ensure everyone they work with is safe from harm and work closely with their SHEA and Safeguarding Focal Point.
- Raise concerns about SHEA and Safeguarding incidents (e.g., harm to a person) or risks (e.g., in programmatic work) to their Focal Point or another responsible person as soon as possible. We can find *More details on reporting in Section 9*.
- If you have experienced harm yourself, you can choose if, when, and how you want to tell anyone. We will offer support if you tell TYC what happened to you. This is part of TYC's survivor-centered approach.

Staff/representatives **must not**:

- Sexually harass, exploit or abuse anyone they come into contact with through TYC's work.
- Create a working environment that violates the dignity and rights of others, whether working face to face (e.g., in offices, external spaces) or online (e.g., in digital spaces).
- Stop or discourage others from reporting concerns or raising malicious complaints.

### 3.1 Executive Directors

Executive Directors **must**:





Create a safe environment where **staff and others** can raise concerns without fear of retribution by setting a positive example on and off duty and promoting the National SHEA and Safeguarding policies.

- Ensure at least one SHEA and Safeguarding Focal Point and a SHEA and Safeguarding Stakeholder Panel are in place, who will raise awareness of SHEA and Safeguarding, receive and manage concerns, and support the broader entity to embed SHEA and Safeguarding.
- Have overall responsibility for SHEA and Safeguarding cases and ensure the safe management of all concerns by supporting the Focal Point and Panel to raise all concerns to the National SHEA and Safeguarding Team and ensuring they work with them on any follow-up actions, ensuring all actions taken are in line with the National policies and local laws, that survivors are supported. Disciplinary procedures are implemented for staff members who violate the National policies, and that donor reporting is managed in line with the Donor Reporting SOPs. As part of this, reassure staff/representatives that the policies apply to all equally, and we will take all concerns seriously regardless of the staff member's position.
- Ensure adequate funding is in place to support SHEA and Safeguarding activities in their country (e.g., budget to ensure that all staff receives annual training, budget for the translation of policies, and other core documents to ensure they are accessible to all).





- Do not engage in sexual or romantic relationships with any TYC staff or Representatives.

### 3.2 Line Managers

Line Managers **must**:

Ensure their area of responsibility is a safe environment where SHEA and Safeguarding are embedded, and everyone feels able to raise concerns without fear of retribution.

Ensure staff members in their management line are recruited safely and in line with safer recruitment standards, that they receive an induction and further training on the SHEA and Safeguarding policies, and that they know how to report concerns and are encouraged to report. That budget is made available to support safeguarding (e.g., budget for staff training).

Do not engage in sexual or romantic relationships with TYC staff or representatives in their management line.

Support staff members who raise Safeguarding concerns and support the SHEA and Safeguarding Focal Point and Stakeholder Panel to address any concerns.

Ensure that poor practice or negative behavior by staff in the line of management are challenged to help create a safe environment and prevent Safeguarding harms.





Ensure that all processes, procedures, and activities are designed and carried out in a way that seeks to minimize the risk to staff and others and that they include a Safeguarding and safety lens.

### 3.3 SHEA and Safeguarding Focal Point

SHEA and Safeguarding Focal Points must:

- Work closely with the National SHEA and Safeguarding Team to build capacity and share learning (e.g., attending training, leading on country activities).
- Work with the SHEA and Safeguarding Stakeholder Panel and others in their entity to create a safe environment where everyone can raise concerns and is committed to SHEA and Safeguarding.
- Deliver training and awareness-raising sessions to all staff on the SHEA and Safeguarding policies. Work with HR and Line Managers to ensure all new staff receives inductions on this topic.
- Work with others to ensure that the SHEA and Safeguarding policies are embedded throughout all TYC's programs and activities and those of our partners.
- Support the management of SHEA and Safeguarding concerns by raising all concerns to the National SHEA and Safeguarding Team, working with the National team to address the concern, ensure all actions taken are in line with the National policies and local laws, that survivors are supported, and that management of donor reporting is in line with the Donor Reporting SOPs.





- Ensure this policy is accessible to all and displayed at prominent places within the office and online.

### 3.4 SHEA and Safeguarding Stakeholder Panel

SHEA and Safeguarding Stakeholder Panel must always:

- Work closely with the SHEA and Safeguarding Focal Point to build capacity on SHEA and Safeguarding, embed safe practices across the entity, and manage incidents.
- Work with others to ensure that the SHEA and Safeguarding policies are embedded throughout all TYC's programs and activities and those of our partners.
- Work with the SHEA and Safeguarding Stakeholder Focal Point and National Team to address concerns relating to sexual harassment, exploitation, and abuse, and ensure incident management is carried out in line with TYC's SHEA and Safeguarding approach, is carried out within agreed timeframes, and always adheres to TYC's feminist and survivor-centered approach

### 3.5 Human Resources

Human Resources colleagues **must**:







- Work with others to create a safe environment by embedding the SHEA and Safeguarding policies into the employee life cycle (including recruitment, induction, performance management, and exit).
- Embed the SHEA and Safeguarding policies and feminist leadership principles into HR policies and practices and organizational culture change processes (e.g., ensure the policies are accessible to all and that everyone knows how to report and is encouraged to report concerns).
- Work with the SHEA and Safeguarding Stakeholder Panel to address any concerns relating to sexual harassment, exploitation, and abuse, by providing strong employment law and employee relations advice and ensuring that all relevant TYC policies and processes are followed correctly throughout the incident management process.

## 4. Child Safeguarding Policy

The purpose of this policy is to ensure that procedures are in place to protect all children from deliberate or unintended actions that place them at risk of abuse or exploitation carried out by any member of the TYC Federation or other representative. This policy highlights our approach to child safeguarding, with detailed guidance on key areas such as content





gathering, complaints mechanisms, etc.

Key policy positions:

- TYC strictly prohibits staff and other representatives from engaging in any kind of sexual activity with children (defined as anyone under 18 years or older if the local law indicates this). The mistaken belief of age is no defense.
- TYC strictly prohibits staff and other representatives from engaging in or promoting any form of abusive, exploitative, or harmful behavior towards children.
- All staff and other representatives are responsible for protecting children's rights and ensuring that our SHEA and Safeguarding approach is embedded into all work areas. TYC must carry out every aspect of our work to ensure children's rights, dignity, and empowerment. We will engage with children to recognize their agency, individuality, and value and work with them to ensure that they are not simply safe from harm but safe to realize their rights and become active agents of change.





## 5. Protection from Sexual Exploitation and Abuse (PSEA) Policy

The purpose of this policy is to ensure that procedures are in place **to protect the right holders and communities we work with, including adults at-risk** from sexual abuse or exploitation carried out by any member of the TYC Federation or other representative.

TYC defines an adult at-risk as someone over 18 years who, for physical, social, economic, environmental, or other factors, can be more vulnerable to abuse, exploitation, or other harms, particularly sexual abuse and exploitation.

Key policy positions:

- TYC **strictly prohibits staff and other representatives from engaging in any form of sexual activity with rights holders** (those receiving direct assistance from TYC or involved directly in any programming activities) **or adults-at-risk.**
- TYC **strictly prohibits staff and other representatives from engaging in any form of abusive, exploitative, or harmful behavior towards at-risk rights holders or at-risk adults.**
- Relationships or any kind of sexual activity with 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. This must be raised with the Country Director to manage the potential risks.

- TYC **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, this activity is against TYC's Code of Conduct and policies.
- All staff and other representatives must **protect the rights holders and communities we work with, including adults at-risk,** and ensure that TYC's SHEA and Safeguarding approach is embedded into all areas of TYC's work. Every aspect of our work must be carried out to ensure the rights and dignity of rightsholders, community members, and at-risk adults. 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.





## 6. Sexual Harassment, Exploitation, and Abuse (SHEA) at Work Policy

The purpose of this policy is to ensure that TYC **provides a safe working environment** and that procedures are in place to **protect staff and other representatives from any form of sexual harassment, exploitation, and abuse** carried out by any member of the TYC Federation or other representative.

Key policy positions:





- Staff and other representatives have a **duty to create a safe working environment** that respects the dignity and rights of all.
- **Staff and other representatives are strictly prohibited from carrying out any form of sexual harassment, exploitation, or abuse towards anyone they come into contact with through their work.** TYC is committed to ensuring that all TYC staff and representatives can operate in an environment where they are not simply safe *from* harm but realize their rights and work with dignity.
- TYC prohibits **staff and other TYC representatives** from having a sexual or romantic relationship with people they line manage or supervise or supervise in their line of management. In the case of the most senior staff at the director or leadership team level, this prohibition includes sexual or romantic relationships with any more junior staff. Recognizing the imbalance of power within funding and funded entities and the potential for that power to be exploited, TYC prohibits staff from engaging in sexual activity with staff from its partners where this is or could be viewed as an abuse of power.
- TYC does not prohibit staff from beginning relationships with each other outside of the unequal power dynamics outlined above. Still, all staff and representatives engaged in or beginning relationships with other staff or representatives must behave professionally and conduct their relationships in a way that does not impact TYC's work.

## 7. Employee Life Cycle





An important way of creating a safe working environment is to embed SHEA and safeguard into the employee life cycle. We can do this by ensuring we recruit staff safely, that staff receives an induction on SHEA and Safeguarding, that performance and behavior concerns are addressed promptly, and that we share safe and respectful information via references as part of our commitment to the broader sector.

For more information on safer recruitment processes, please look at the *Child Safeguarding policy*, *SHEA at Work Policy*, and the *Protection from Sexual Exploitation and Abuse policy*.

## 8. Safer Programming

We must ensure that our programs and processes are safe so that we do not enable staff or representatives to cause harm, and we do not inadvertently put ourselves or those we work with at risk.

All programs and broader activities (e.g., events, meetings, campaigns) must include SHEA and Safeguard in their planning, implementation, and review. For example, embedding SHEA and Safeguarding into Risk Assessments, ensuring staff/representatives are aware of SHEA and Safeguarding, that appropriate reporting options are available, and people are encouraged to report.





For more information on safer recruitment processes, please look at the *Child Safeguarding policy*, *SHEA at Work Policy*, and the *Protection from Sexual Exploitation and Abuse policy*.

## 9. How to report a SHEA and Safeguarding concern

The Code of Conduct states that all staff and other representatives must 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 crucial way to challenge inappropriate behaviors and help create a safe work environment.

Failure to report to an appropriate person breaches TYC's Code of Conduct, and this policy could lead to disciplinary action.

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 phone:

- SHEA and Safeguarding Focal Point
- SHEA and Safeguarding Stakeholder Panel members
- TYC member (e.g., SHEA and Safeguarding Board Lead)
- Country Director



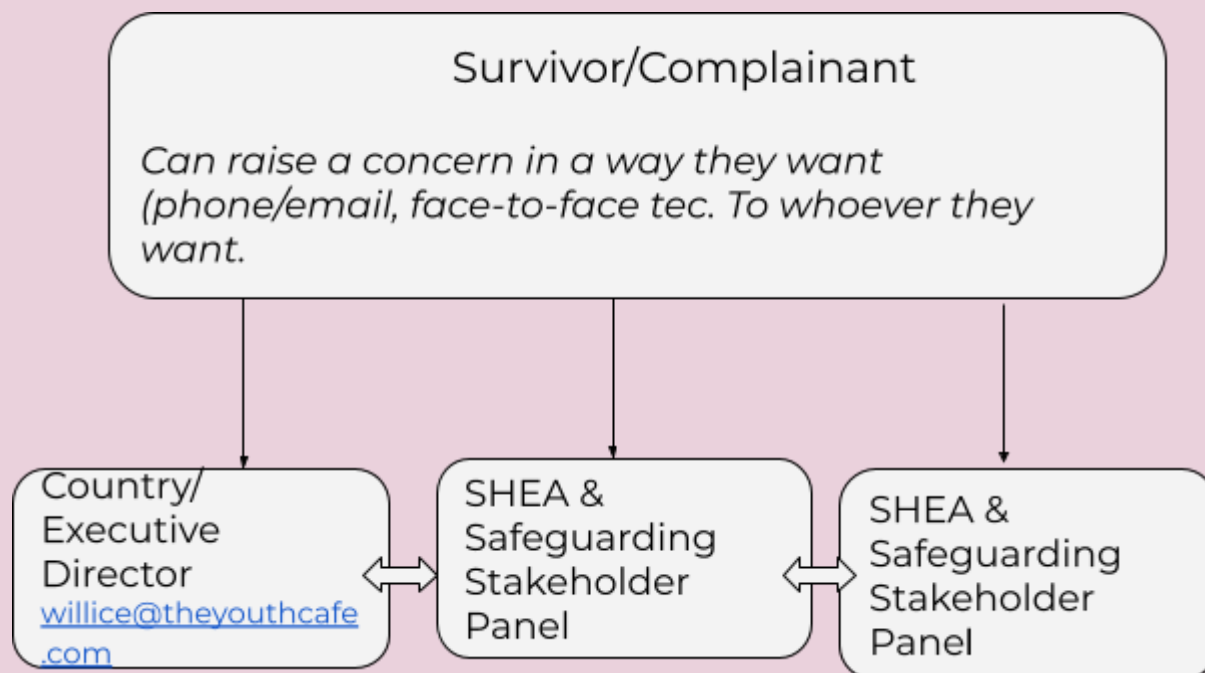




- Line Manager
- HR Representative

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:

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



For a more detailed graphic, please see *Appendix 2: Reporting Flowchart*.





All staff and other representatives are required to report if:

- A rights holder or community member alleges that they or another person 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, or somebody not connected to TYC.
- 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, or others.

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.

Members of the public (e.g., anyone external to TYC) can also raise concerns about AA staff using the reporting procedures above. If the allegation does not relate to TYC, such as harm carried out during the course of a staff member's work. In that case, TYC 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.





SHEA and Safeguarding Focal Points are responsible for reporting all concerns and complaints to the National SHEA and Safeguarding Team to ensure that the National Team 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 to [willice@theyouthcafe.com](mailto:willice@theyouthcafe.com) within 24 hours (where possible) of a concern being raised. The National SHEA and Safeguarding Team will support the TYC country to respond to all concerns and complaints raised and monitor action taken.

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

## 9.1 Reporting and TYC's Survivor-Centered Approach

In line with the AAI Code of Conduct, if anyone has concerns that any individual has been or is at risk of being abused, exploited, or harmed in any way, they must report this immediately in line with the reporting





procedures outlined below. **However, in line with TYC's survivor-centered approach, individuals do not have to report their own experiences of sexual harassment, exploitation, or abuse.**

As part of our survivor-centered approach, survivors/complainants can choose if, when, and how to make a report and decide whether they want TYC to take formal action. 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 Panel, in conjunction with the National SHEA and Safeguarding Team. This will only be done following precise risk assessments and 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.

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. Concerns raised about ex-TYC staff/representatives (e.g., people formerly employed by TYC in any capacity) will be addressed as far as possible, recognizing potential legal challenges to such processes. TYC will ensure that the survivor's safety, dignity, and rights are respected at all times. 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 the wellbeing of all is protected.





## 9.2 Management of complex SHEA and Safeguarding reports

Nature of Concern	Report to	Response
Allegation about the staff at a Partner Organisation	Focal Point/SHEA and Safeguarding Stakeholder Panel	Concerns regarding <b>partner staff members</b> must be reported immediately via the reporting mechanisms detailed in Section 9. 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 a member of staff at a partner organization, TYC will risk assess informing the partner with the aim of working with





		<p>the partner to ensure this is responded to quickly and appropriately in line with TYC’s policies and values. TYC will support a partner’s capacity to manage a concern, for instance, if the partner is engaging well but does not yet have the resources to respond. 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>The allegation about the staff at another organization (e.g., another international aid agency)</p>	<p>SHEA and Safeguarding Focal Point/SHEA and Safeguarding Stakeholder Panel</p>	<p>Concern raised about the behavior of staff of another global aid agency must be reported to the SHEA and Safeguarding Focal Point They will</p>





		<p>report to the designated person in the other organization to ensure the matter is addressed. This may be through the other organization's internal process or a collaborative process agreed upon by TYC and the organization. If TYC has concerns about the other Organization's response, they should raise concerns to the appropriate channels in the organization and consider termination of engagement if no action is taken.</p>
<p>Allegations 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</p>	<p>Allegations that staff or other Representatives who have carried out a criminal activity will be assessed by the SHEA and Safeguarding Focal Point and the National SHEA and</p>





		<p>Safeguarding Team. They will examine 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 cannot provide this specialized service or no such service exists, TYC may provide such services only as a last resort.</p> <p>For allegations involving external</p>
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		<p>bodies (e.g., police) rather than TYC having 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 the survivor's immediate and long-term support, 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 in line with TYC's values and using TYC's advocacy role to promote change where needed.</p>
<p>TYC staff member or other representative raises concerns about how a complaint was managed in a TYC country and wants to</p>	<p>Internal report (e.g., to the Board) and the National SHEA and Safeguarding Team</p>	<p>TYC staff members and representatives who disagree with actions taken must first appeal in the country via established</p>





<p>appeal the decision</p>		<p>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 National 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 member or other representative appealing.</p>
<p>Allegation raised by a staff member or representative from one TYC country against a staff member or a representative from another TYC country.</p>	<p>National SHEA and Safeguarding Team</p>	<p>Concerns raised that involve staff from more than one TYC entity must be raised to the National SHEA and Safeguarding Team to take action. Recognizing the shared reputational risk, when possible (e.g., when a complainant wants to</p>





		<p>raise a complaint and/or there is sufficient information to take forward an investigation), a joint incident management process will be established, involving staff from both countries as appropriate, and led by the National SHEA and Safeguarding Team and AAI Board. The risk will be monitored at the AAI Board level</p>
<p>Allegation raised against an Executive Director.</p>	<p>National Board, the AAI Board, and the National SHEA and Safeguarding Team</p>	<p>Concerns raised about an Executive Director must be raised to their National Board, the AAI Board, and the National 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</p>





		<p>by the National SHEA and Safeguarding Team and AAI Board. The risk will be monitored at the AAI Board level.</p>
<p>Allegations raised against a TYC Board Member</p>	<p>National SHEA and Safeguarding Team</p>	<p>Concerns raised about TYC member must be raised to the National SHEA and Safeguarding Team. If the allegation relates to a National TYC member, then the AAI Board and the National SHEA and Safeguarding Team will ensure, when possible, that an incident management process takes place, working with other members of the National Board as appropriate. The risk will be monitored at the AAI Board level. If the allegation relates to an International TYC member. In that case, the National SHEA and</p>





		<p>Safeguarding Team will ensure, when possible, that an incident management process takes place, working with other members as appropriate. In both cases, if a complaint is upheld, an assessment will be made on whether it is suitable for the TYC member to continue to serve on the Board.</p>
<p>The allegation about a SHEA and Safeguarding Focal Point/ a member of the SHEA and Safeguarding Stakeholder Panel</p>	<p>Country/Executive Director and the National SHEA and Safeguarding Team</p>	<p>Concerns raised about SHEA and Safeguarding Focal Points/ a member of the SHEA and Safeguarding Stakeholder Panel must be reported to the Country/Executive Director and to the National SHEA and Safeguarding Team who will take a joint decision on how to respond to the allegation and what</p>





		appropriate incident management response. The risk will be monitored.
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## 10. Responding to Concerns and Complaints

### 10.1 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.





As part of our survivor-centered approach, our incident management process puts the survivor's needs and wishes at the center of the process. TYC will work with survivors to ensure they have the proper support. 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. There can be a grey area between sexual harassment (any kind 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 Focal Point/Stakeholder Panel/National SHEA and Safeguarding team will support the survivor/complainant in following up with the appropriate function.

Local law may need to be considered in the Incident Management Process. It is the responsibility of the management team in each country to ascertain what rules apply to incidents of SHEA and Safeguarding (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 Safeguarding subject matter expert, keeping as close to the spirit of the





policy as possible and prioritizing TYC's values and survivor-centered approach.

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 an investigation, then an investigation process will be initiated and must follow the National SHEA and Safeguarding Team's Investigation Guidelines. The GS and all TYC countries must have measures to ensure that any investigations carried out are objective, timely, fair, and built on TYC's SHEA and Safeguarding approach. All parties should be able to participate in the investigation without fear of retaliation. The Stakeholder Panel 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 National SHEA and Safeguarding Team is informed so they can support as appropriate and manage donor reporting requirements.

b) The SHEA and Safeguarding Stakeholder panel 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 Panel 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.

- c) Within 48 hours, the SHEA and Safeguarding Stakeholder Panel meet.
- d) Risk assessment carried out to address any immediate security or welfare concerns, and legal guidance sought. If the concern includes a partner organization, risk assesses their involvement.
- e) Investigation Team and separate Decision-Making Panel appointed. This must be done in line with national laws. Where applicable, the stakeholder panel will obtain a legal opinion to ensure that any follow-up actions are aligned with relevant local laws.
- f) There is no time limit on the activities of the SHEA and Safeguarding Stakeholder Panel. 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 Panel 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)

- g) Following the investigation guidelines set out by the National SHEA and Safeguarding team, an investigation can include carrying out any interviews, gathering any available evidence, and producing an investigation report.
- h) 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 any witnesses and the





complainant, if not the survivor, and then the subject of a 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 point to no objective evidence other than their own experience.

- i) The Investigation Report will be submitted to the Decision Making Panel.
- j) If a partner organization is responsible, they may use their own investigation process if it aligns with TYC's approach and values or uses the investigation guidelines set out by the National 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)

- k) Decision-making panel review report and decide on the report and its findings.
- l) The Decision-Making Panel 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)

- m) Decision Making Panel document the decision and inform the complainant/survivor and subject of the complaint of the outcome.





- n) The National SHEA and Safeguarding Team is informed of the outcome.
- o) 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 the complaint can appeal 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 National SHEA and Safeguarding Team, who can carry out an independent review.
- p) A case conference is convened so that the SHEA and Safeguarding Stakeholder Panel, The Investigation Team, and Decision Making Panel 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 critical learning is shared and improvements made to practice.

TYC will decide on a case-by-case basis how allegations of abuse or exploitation towards at-risk children and adults will be addressed. Internal or external experts will address allegations relating to child exploitation or abuse. TYC will refer cases to appropriate professionals and organizations that act in line with TYC's values and puts the welfare of the child or adult at risk as the highest priority.

If the National 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 National SHEA and Safeguarding Team will raise this first with the Country/Executive Director for action. If no action is taken within 72 hours,





the National 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.

## **10.2 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. Staff who are found to have done this will be subject to disciplinary action, up to and including termination of employment.

## **10.3 False or malicious complaints**

False or malicious sexual harassment, exploitation, and abuse allegations are infrequent. However, if a TYC staff member is found to have made an allegation that they knew to be false, in that case, they will be subject to disciplinary action, up to and including termination of employment. It is important to note that if a claim is not upheld, that does not mean the





complaint was false; instead, there was insufficient evidence to support the allegation.

## 11. Confidentiality

Confidentiality is critical to carrying out SHEA and Safeguarding work. Maintaining confidentiality around people's data and information is particularly important when managing sexual harassment, exploitation, and abuse issues and is part of living out our survivor-centered approach.

We are committed to working with survivors/complainants and others involved in an incident management process confidentially and respectfully. 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 to be effective.

If information is shared in confidentiality that relates to a child or suggests that someone's life is in danger. In that case, action will need to be taken





outside standard confidentiality procedures to ensure everyone is safe. This will be managed on a case-by-case basis, and the safety and wellbeing of the child or at-risk adult in question are always paramount.

TYC will ensure that it complies with local and international data protection laws when gathering, storing, or sharing any data relating to individuals involved in SHEA and Safeguarding incidents and will follow the Data Protection policies owned by the Digital and Technology Team and guidance on retaining data on incident management that the National SHEA and Safeguarding Team issue.

## 12. Support Options

Support will be offered 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, recognizing 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.

Survivors and complainants can choose if and when they want to take up the support options available. TYC is committed to listening to and





learning from survivors about what support they want and being guided by them where safe and appropriate to do so. 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 appropriate professionals and organizations support at-risk children and adults. 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 child or adult at risk as the highest priority.

If you have any questions about support options, please contact your SHEA and Safeguarding Focal Point and/or the National SHEA and Safeguarding Team ([info@theyouthcafe.com](mailto:info@theyouthcafe.com)).

## 13. 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 TYC'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 TYC's COVID-19





(Response, 2020)

## Appendix 1: Definitions

<p><b>Abuse</b></p>	<ul style="list-style-type: none"> <li>- Domestic – “Including psychological, physical, sexual, financial, emotional, or so-called 'honor-based violence.’”</li> <li>- Financial/material – “Including theft, fraud, and coercion in relation to financial affairs such as property or financial transactions.”</li> <li>- Neglect – “Including ignoring emotional or physical care needs, failure to provide access to appropriate healthcare or educational services, the withholding of life necessities such as food.”</li> <li>- Physical – “Including assault,</li> </ul>
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	<p>hitting, slapping, pushing, restraint, or inappropriate physical punishments.”</p> <ul style="list-style-type: none"> <li>- 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”</li> <li>- Sexual – “actual or threatened physical intrusion of a sexual nature, whether by force or under unequal conditions, e.g., sexual assault, rape.</li> </ul> <p>TYC strictly prohibits staff and other representatives from engaging in any kind of sexual activity with children (anyone under 18 years or older if the local law indicates this). The mistaken belief of age is no defense.</p>
<b>Adult</b>	An individual aged 18 or over
<b>Adult at-risk</b>	Someone over 18 who, for physical, social, economic, environmental, or





	<p>other factors, can be more vulnerable to abuse, exploitation, or other harms. Given this definition, many people we work with around the world 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.</p>
<p><b>Child</b></p>	<p>Any individual under 18, irrespective of local country definitions of when a child reaches adulthood. This definition is in line with the <i>UN Convention on the Rights of the Child</i>. While a person under 18 may have reached the age of majority, age of sexual consent, or voting age, this does not alter their inherent vulnerability as a child.</p>
<p><b>Child abuse</b></p>	<p>All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment, or commercial or other exploitation, resulting in actual or</p>





	<p>potential harm to the child's health, survival, development, or dignity in the context of a relationship of responsibility, trust or power. The main categories of abuse are defined as physical abuse, sexual abuse; psychological abuse; and neglect.</p> <ul style="list-style-type: none"><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 involve preventing access to education, food or other life</li></ul>
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	<p>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.</p> <p>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.</p>
<p><b>Safeguarding</b></p>	<p>The responsibility that organizations have to make sure their staff, operations, and programs do no harm to anyone they come into contact with, and that they do not expose anyone to the risk of harm and abuse</p>
<p><b>Sexual abuse</b></p>	<p>TYC uses the definition outlined in the <i>UN Secretary-General Bulletin's on Protection from Sexual Exploitation and Abuse</i>: "actual or threatened physical intrusion of a sexual nature, whether by force or under unequal conditions e.g., sexual assault, rape.</p>





	<p>TYC strictly prohibits staff and other representatives from engaging in any kind of sexual activity with children (anyone under 18 years or older if the local law indicates this). The mistaken belief of age is no defense.</p>
<p><b>Sexual exploitation</b></p>	<p>TYC uses the definition outlined in the <i>UN Secretary-General Bulletin on Protection from Sexual Exploitation and Abuse</i>: “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.”</p> <p>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 and acts of intimidation of a sexual nature that are intended to cause discomfort and embarrassment.</p>





**Sexual harassment**

- Sexual harassment is unwanted conduct of a sexual nature. It can happen to anyone regardless of gender, sexuality, race, or other factors. TYC recognizes that different forms of discrimination overlap and intersects, exacerbating the risk of sexual harassment within marginalized and threatened groups such as women, people of color, people with disabilities, and people in the LGBTQI community.
- Sexual harassment can be directed toward one person, groups of people, or towards everyone and can occur as a one-off incident or as a pattern of behavior.
- Sexual harassment can be carried out by creating an intimidating, degrading, or offensive environment and/or violating another person's dignity.
- An action or behavior can still be considered sexual harassment even if the alleged harasser didn't intend it to be harmful. When addressing allegations of sexual harassment, TYC is concerned with the impact of the behaviors on the complainant, not the intention of the person accused.





	<p>- Sexual harassment can be physical, verbal, or non-verbal. Examples of this include, but are not limited to:</p> <ul style="list-style-type: none"> <li>o Physical examples include touching, unwanted physical contact, and assault (including attempts and threats)</li> <li>o Verbal examples include derogatory comments, jokes, questions about someone's sex life, remarks about someone's appearance</li> <li>o Non-verbal examples include sexual gestures, staring, and unwanted phone calls, letters, notes, and/or emails.</li> </ul>
<p><b><u>OTHER RELEVANT TERMS</u></b></p>	
<p><b>Child marriage</b></p>	<p>A formal marriage or informal union involving someone aged under 18.</p> <ul style="list-style-type: none"> <li>o The practice of marrying off young children is a form of sexual violence since the children, particularly girls, cannot give or withhold their consent.</li> <li>o Even though this occurs in many parts of the world where it is also entirely legal, it is something TYC campaigns against, given our</li> </ul>





	human rights-based approach.
<b>Child safeguarding</b>	Child safeguarding is the action taken to promote the welfare of all children and protect them from harm. <b>Child protection</b> is part of broader safeguarding activities and refers to activities that are undertaken to protect specific children who are suffering or likely to suffer significant harm.
<b>Child sexual exploitation</b>	<p>This can take the form of commercial and/or online sexual exploitation of children:</p> <ul style="list-style-type: none"> <li>o Commercial sexual exploitation is sexual abuse enabled by payment in cash or in-kind to the child or another person (or group of people). The commercial sexual exploitation of children is a form of coercion and is a form of modern slavery.</li> <li>o Online sexual exploitation covers any act of sexual exploitation towards a child that has at any point been carried out online. It includes any use of technology (e.g., phones, computers, cameras, online platforms, social media) that causes a child to be sexually exploited and any material created</li> </ul>







	using this technology to be produced, bought, sold, possessed, distributed, or transmitted
<b>Complainant</b>	This is the person making a complaint; it may be the person who experienced what is being reported (the survivor), or it may be another person (a third-party complainant) who becomes aware of an issue and makes the complaint.
<b>Complaint</b>	The specific grievance of anyone who has been negatively affected by an individual's action towards them or who believes that an organization has failed to meet a stated commitment that is intended to keep them safe from harm. Individuals can make a complaint on behalf of someone else as a third party, even if they were not directly affected by the alleged harm.
<b>Concern,</b>	The National SHEA and Safeguarding Team, uses this term to define SHEA and Safeguarding issues raised that are not, or not yet, a formal complaint. For





	<p>example, a group of staff is speaking about rumors about sexual exploitation in a refugee camp or a particular office. Concerns raised must be responded to as this is a critical way of ensuring survivors and complainants are listened to, and TYC follows up on all issues as part of our commitment to creating safe working environments for all</p>
<p><b>Digital Safeguarding</b></p>	<p>TYC recognizes the risk that staff/representatives could carry out online sexual harassment, exploitation, and abuse. TYC is responsible for protecting staff/representatives, community members, Youth, and children that it engages with online spaces. <i>(For more guidance, please refer to: TYC, Digital SHEA, and Safeguarding Risks during TYC’s COVID-19 Response, 2020)</i></p>
<p><b>Female genital mutilation</b></p>	<p>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. FGM is recognized internationally</p>





	as a violation of the human rights of girls and women.
<b>Forced marriage</b>	Marriage in which one and/or both parties, whether adults or children, have not personally expressed their full and free consent to the union.
<b>Grooming</b>	<p>Grooming is when an individual deliberately tries to gain a child’s trust to carry out sexual abuse or exploitation (e.g., favoring a child, giving them gifts, using sexualized language or physical contact, or exposing the child to sexual concepts and sexualized language). This can happen face to face or online. It is common for children not to understand that they have been groomed or that this is a form of abuse.</p> <p>Offenders may also groom adults to enable the abuse of children (for example, persuading those around them that they are safe and responsible individuals so that they allow children into their care or do not believe children when they raise concerns about this individual).</p>
<b>Investigation</b>	At AAI, the investigation will take





	the form of an internal fact-finding process. The decision will be based on the balance of probabilities rather than beyond all reasonable doubt.
<b>Modern slavery</b>	Slavery is a situation where a person exercises perceived or real power of ownership over another person. Modern slavery covers different types of labor exploitation, ranging from mistreating vulnerable workers to human trafficking to child labor and forced sexual exploitation.
<b>Rights holder</b>	A rights holder is someone working directly with (e.g., a program participant) TYC or receiving assistance through TYC's work.
<b>SHEA and Safeguarding Focal Point</b>	A person within an organization is designated to receive concerns and complaints of sexual abuse, exploitation, and harassment cases. And take responsibility for embedding safeguarding into their respective offices and programs.
<b>The subject of concern</b>	The person alleged to have carried out harm.
<b>Survivor</b>	A person, including a child, who





	<p>has experienced sexual abuse, exploitation, or harassment. AAI 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 essential that those affected by sexual harassment, exploitation, and abuse can choose the term they prefer.</p>
<p><b>Survivor-centered approach</b></p>	<p>A survivor-centered approach puts the survivor of harm at the center of any response. Recognizing that violence, particularly sexual violence, is carried out to remove power, a survivor-centered approach works to place the power back with the survivor. Survivor-centered approaches must consider the rights, choices, dignity, confidentiality, and safety of the survivor at all times and ensure that the survivor, their family, and their community do not come to any further harm as a result of having chosen to report an incident.</p>
<p><b>Trafficking</b></p>	<p>Trafficking is a process of enslaving, coercing, and exploiting people.</p>





	<p>People can be trafficked for many different forms of exploitation, such as forced transactional sex, forced labor, forced begging, forced criminality, domestic servitude, marriage, and organ removal.</p>
<p><b>Transactional sex</b></p>	<p>Is the exchange of money, employment, goods, or services for sex, including sexual favors. TYC strictly prohibits transactional sex and other forms of humiliating, degrading, or exploitative behavior, including the exchange of assistance due to rights holders. TYC does not make a judgment against rights holders or others who choose to participate in such transactions but recognizes the inherently unequal power dynamic and so prohibits staff and representatives from exchanging money or anything else for sex.</p>
<p><b>Young People/Youth</b></p>	<p>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 the age of 35, and so these provisions will apply to those people in such contexts. It is helpful</p>

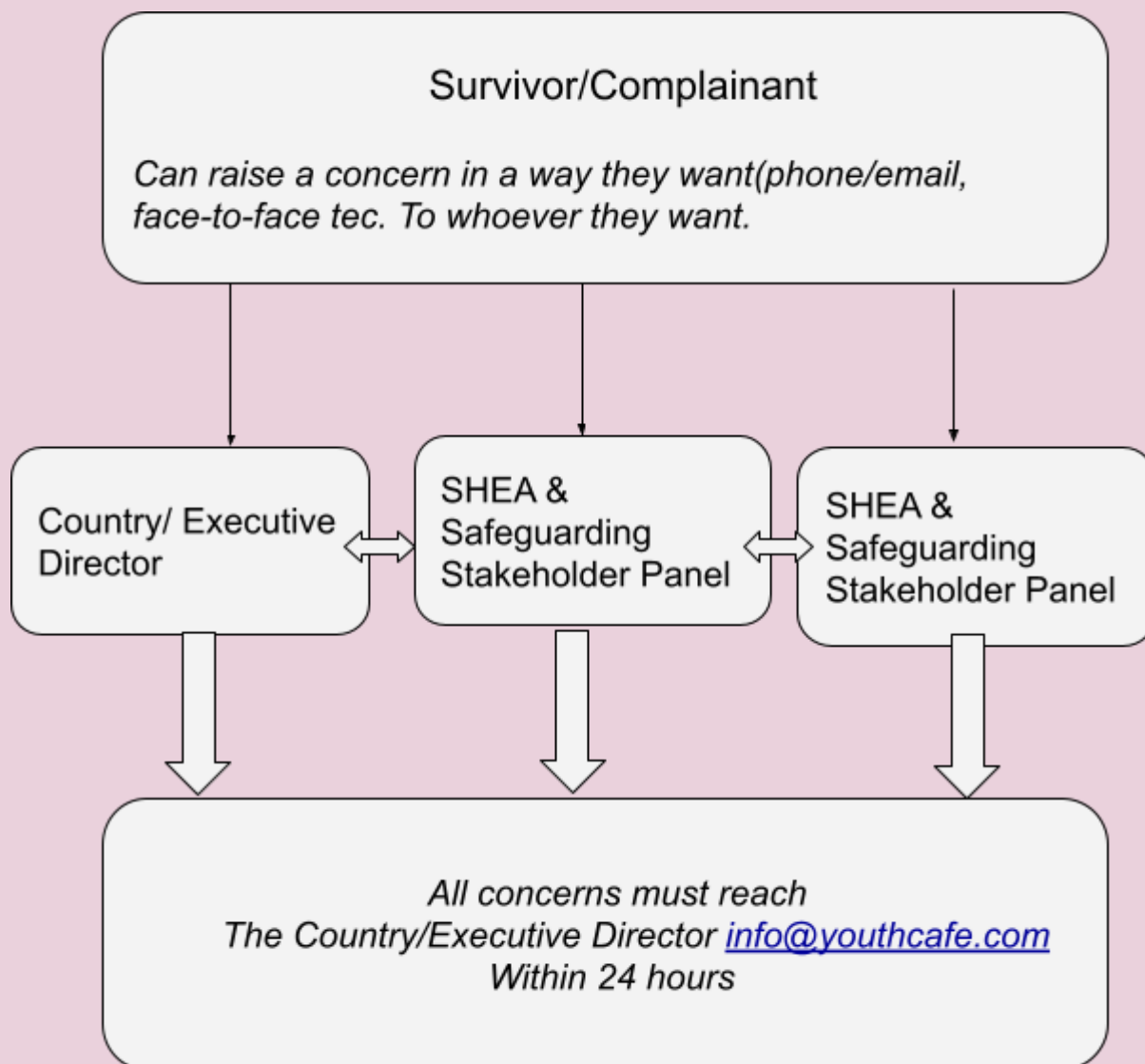




	<p>to distinguish between teenagers (13-19) and young adults (20-24) as the ability to manage behaviors and experiences differ between the two age groups. Young People/Youth under 18 years are still defined as children under the UN Convention of the Rights of the Child and are protected as children under this policy. This recognizes that while a person under the age of 18 may be defined as a young person and may have reached the age of majority, age of consent, or voting age in their countries, there are still vulnerabilities that exist, particularly for children and Young People/Youth from marginalized groups.</p>
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## 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 Panel will respond with the support of the Country SHEA Safeguarding Team.

## Appendix 3: Incident Management Roles and Responsibilities

### SHEA and Safeguarding Stakeholder Panel

The National Secretariat and all countries will put in place a standing SHEA and Safeguarding Stakeholder Panel that 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 panel 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 Panel 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 Panel 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 overriding importance of maintaining confidentiality and sharing information on a need-to-know basis only.

The SHEA and Safeguarding Stakeholder Panel 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 panel who will have responsibility for receiving the report, taking
- a decision on the case, and taking forward any actions. The SHEA and Safeguarding
- Stakeholder Panel 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 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 National Safeguarding Team on the case and outcomes.

### Investigation Team

The Investigation Team will consist 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 the SHEA and Safeguarding Stakeholder Panel would make that decision. Members of the SHEA and Safeguarding Stakeholder Panel and the Decision-Making Panel 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 the complaint, the SHEA and Safeguarding Stakeholder Panel, and the Decision-Making Panel.

### Decision-Making Panel





The Decision Making Panel will be made up of three people, alongside dedicated HR support. At least two members of staff/representatives on the panel 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 Panel. All members of the Panel 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 panel. 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 panel may need to be constituted, and the National SHEA and Safeguarding Team will advise on this case-by-case. One panel 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 panel.

The panel is responsible for:

Reviewing the report completed by the investigation panel and determining if the alleged behavior breaches TYC policy, Referring the accused to a disciplinary panel if deemed necessary, using the national TYC Disciplinary Policy and Procedure Informing the SHEA and Safeguarding Stakeholder Panel 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 Panel, the Investigation Team, and the Decision-Making panel to ensure the process aligns with the relevant employment legislation.
- Retain knowledge of the country's national policies regarding sexual harassment, exploitation, and abuse, and obtains 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.

### Definition of 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 term 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.
  - In some cases, a complaint may be partially upheld (substantiated), this is when it may not be possible to uphold





all parts of a complaint, but some aspects of the complaint may be upheld.

