

## 1. Introduction

Sexual Exploitation, Abuse and Harassment (SEAH) are violations of basic human rights. Habitat for Humanity International Nepal (HFHIN) aims to provide a safe and trusted environment that safeguards everyone from SEAH including beneficiary communities, staff, volunteers, Board Members, consultants and implementing partner organizations (PNGOs). HFHIN is committed to safeguarding the people it helps and with whom it works.

The nature of HFHIN development workplaces staff in positions of authority and trust in relation to the communities we serve, especially vulnerable adults and children and a wide range of volunteers. It is therefore essential that appropriate SEAH risk management practices are embedded into the organization that are consistently applied and reinforced, as outlined in this Policy.

### Definition of Terms

**Stakeholder:** Includes Senior Management Team, Committee Members, Staff (full-time, part-time, casual), consultants, contractors, vendors/suppliers, interns, volunteers, agents and implementing partner organizations (PNGOs) including persons in Habitat for Humanity National Offices (NOs), Habitat for Humanity International Branches and State based Affiliates.

**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.

**Sexual abuse:** Any actual or threatened physical intrusion of a sexual nature, whether by force or under unequal power dynamics or otherwise coercive conditions.

**Sexual harassment:** A person sexually harasses another person if the person makes an unwelcome sexual advance or an unwelcome request for sexual favors or engages in other unwelcome conduct of a sexual nature, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

## 2. Purpose

This policy sets out HFHIN's approach to preventing sexual exploitation abuse and harassment associated with the work that it does. It sets out:

- Principles upon which HFHIN will base SEAH decision-making and actions
- Expectations of conduct of all who represent HFHIN, including recruitment, screening and employment processes
- Specific prohibited practices for those who represent HFHIN
- How HFHIN will assess SEAH risk and ensure appropriate conduct at all times
- HFHIN commitments to regular training for Stakeholders

- HFHIN commitments to reporting and investigation procedures that ensure SEAH issues are identified and effective action is taken.

### **3. Policy Statement**

HFHIN takes a “**zero-tolerance**” approach to all forms of SEAH and maintains an organizational culture that prioritizes safeguarding against SEAH. HFHIN will make it readily accessible for any person affected to come forward and report incidents and concerns with the assurance they will be handled confidentially, sensitively and appropriately.

HFHIN Stakeholders, have an obligation to uphold high standards of personal and professional conduct at all times and must not breach positions of trust in order to impact another person through sexual exploitation, abuse and harassment, sexual violence, bullying, fraternization, or any other abuse of power.

HFHIN prohibits transactional sex for all Stakeholders while engaged in HFHIN activities.

This Policy addresses the sexual exploitation, abuse and harassment of adults. It does not replace HFHIN’s Child Protection Policy.

HFHIN’s Stakeholders must also comply with the complementary provisions of the HFHIN’s Safeguarding Policy, HFHIN’s Child Protection Policy, Safeguarding and Child Protection Policy and Code of Conduct, Policy on Harassment, Bullying and Discrimination, Whistleblower Policy, HFHIN’s Child Labour Policy, HFHIN’s Use of Photos and Stories Policy, Community-Based Feedback and Complaints Mechanism (CBFM) Policy.

### **4. Policy in Practice**

#### **A. Prevention of Sexual Exploitation, Abuse and Harassment**

Sexual exploitation, abuse and harassment (SEAH) occur when people in power exploit or abuse vulnerable people for sexual purposes. HFHIN Stakeholders must conduct themselves professionally and appropriately at all times and never engage in conduct which could involve or be perceived as involving any form of sexual exploitation, abuse or harassment.

#### **B. Application of Policy**

This Policy applies to all Stakeholders involved in HFHIN activities.

#### **C. Assessing Risk**

HFHIN maintains an organizational risk register which identify potential SEAH risks.

PSEAH and Child Protection clauses clearly identify safeguarding risks, management and reporting in all Partnership Agreements entered by HFHIN, with direct steps in communications with partners taken before execution to ensure all signatories and their staff are aware of their mutual obligations to manage safeguarding risks.

Project level SEAH risks are captured in risk management planning and monitoring processes of projects undertaken during project development and implementation by HFHIN in collaboration with HFH implementing partner organizations/PNGOs. Risk mitigation and monitoring strategies are included as part of these ongoing risk management processes.

Risk registers will be reviewed regularly as project initiatives change and updates to policies and procedures will be made at least every two years.

#### **D. Recruitment, engagement and management of Stakeholders**

HFHIN will ensure the protection, safety, security and well-being of Stakeholders and all people with whom HFHIN works and supports.

Policies and procedures regarding the recruitment, engagement and management of HFHIN Stakeholders are contained in the HFHIN Human Resources Policy and in other relevant stand-alone HFHIN policies.

Aligned with the HFHIN PSEAH Policy and procedures, HFHIN recruitment and engagement processes require background screening/reference checks, employee verification, Bridger Database check, and Police Report in line with the Habitat for Humanity International (HFHI) Safer Recruitment Toolkit.

The HFHIN Human Resources Policy contains the following policies, which are relevant to the safety, security and well-being of Stakeholders and beneficiaries:

- Anti-harassment and Non-discrimination Policy
- Cyberbullying Policy
- Child Protection Policy and Procedures (and refer to stand-alone Policy and Code of Conduct)
- Sexual Harassment Policy
- Workplace Bullying Policy
- Victimization Policy
- Complaints Policy
- Whistleblowing Policy
- Equal Opportunity Policy
- Gender Policy
- Staff Grievance/Dispute Resolution Process

All Senior Management Team, Committee Members, Staff (full-time, part-time, casual), consultants, contractors, interns, volunteers, agents and implementing partners (PNGOs) are oriented on these policies and are required to sign their commitment to upholding all the policies as well as the Code of Conduct as part of the induction process.

HFHIN Senior Management Team, Committee Members, Staff (full-time, part-time, casual), interns, volunteers, implementing partners (PNGOs) will be trained annually on the requirements regarding the prevention and reporting of sexual misconduct, harassment and child protection. Implementing partner (PNGO) organizations are also required by HFHIN to conduct annual safeguarding training for staff, project teams and implementing partner/PNGOs.

HFHIN will ensure there is a responsible person appointed (Safeguarding Focal Point) for managing PSEAH matters including policy reviews, staff training, and complaint handling and reporting.

HFHIN's Global Village volunteers receive HFHIN manuals and verbal briefings outlining the safety, security and expected behaviors while on a Volunteering Program. These include

GV- Pre-arrival handbook which contains the project information, project sites, travel agreements, health reminders, general country information, packing list, arrival details, work safety, HFHIN's policies and emergency contact details.

Complaint mechanisms will be explained to the volunteers and community members to ensure they know how to report alleged abuse and action can be taken quickly.

### **5. Implementing Partner/PNGOs Obligations**

HFHIN protects Stakeholders and beneficiaries from discrimination, violence, abuse, exploitation or neglect based on an analysis of the context in which they are working or are located. HFHIN contracted partners must comply with this Policy. Staff, volunteers and contractors/subcontractors, vendors/suppliers or implementing partners must also be familiar with and comply with the contents of this Policy.

Safeguarding risk management requirements are captured in HFHIN Partnership Agreements. HFHIN applies the HFHIN's Child Protection and Prevention of Sexual Exploitation, Abuse & Harassment - Safeguarding Assessment Checklist to assist implementing partners to meet compliance requirements on an annual basis, as a minimum. These checks are conducted in conjunction with the HFHI safeguarding self- assessment process commenced in 2021 to identify capacity strengthening needs and appropriate actions to address them.

These mechanisms support HFHIN in addressing and exceeding minimum PSEAH standards of local safeguarding policies, safe local recruitment and training practices for stakeholders and downstream partners, community based SEAH reporting mechanisms, safe use of stories and photos and the existence of a safeguarding focal point in partner organizations.

### **6. Reporting protocols for potential abuse**

HFHIN requires and enables Stakeholders and beneficiaries to make SEAH complaints to the organization in a safe, transparent and confidential manner. Any person may report or make a complaint in relation to alleged Sexual Exploitation, Abuse and/or Harassment that they have experienced, observed or been made aware of in their role working with HFHIN wherever it may occur.

HFHIN requires that community feedback mechanisms are in place where HFHIN programs are delivered that capture and facilitate reporting requirements from individuals in those communities.

The complaints can be directly registered by the survivor, or any staff, stakeholder in goodwill. We want the reporting system to be easy and approachable for the beneficiaries we serve and work with. For which we encourage our project beneficiaries to use multiple reporting channels.

If you encounter or become aware of any situation that could potentially be classified as a SEAH concern, please immediately contact the Safeguarding Focal or the National Director.

Otherwise, if you feel more comfortable or prefer anonymity, you may report the incident through Habitat's on-line **H.E.A.L** system **Habitat Ethics and Accountability Line**.

If the information on SEAH is received by any staff who is not the Safeguarding Focal Point then they need to inform the complainant to the Safeguarding Focal Point or the National Director immediately. Country partners are legally required to notify HFHIN of any SEAH

complaints immediately and safeguarding is included also as a standing agenda item in regular project team meetings to provide a safe forum to raise concerns.

If the person has reason to believe that the Safeguarding Focal Point or the National Director may be involved in the alleged misconduct, the person must immediately notify **H.E.A.L** system **Habitat Ethics and Accountability Line** which is Habitat for Humanity's confidential, anonymous reporting hotline and central tracking repository for allegations of misconduct.

**Nepal reporting channels are:**

Reporting Hotline- 5431192

Email id- [concerns@habitatnepal.org](mailto:concerns@habitatnepal.org)

Any person who becomes aware of an alleged incident on PSEAH violation must immediately (within two working days of becoming aware) report it to the Safeguarding Focal Point, or the National Director, or **H.E.A.L** system **Habitat Ethics and Accountability Line** on the alleged incident of sexual exploitation, abuse or harassment.

HFHIN must (within five working days of becoming aware of an alleged incident) report to H.E.A.L any alleged Policy non-compliance related to the delivery of funded activities.

HFHIN must immediately (within two working days of becoming aware of an alleged incident) report to DFAT (and other associated donors) any alleged incident of sexual exploitation, abuse or harassment related to the delivery of DFAT (and other associated donors) funded activities. HFHIN must (within five working days of becoming aware of an alleged incident) report to DFAT (and other associated donors) any alleged Policy non-compliance related to the delivery of DFAT funded activities.

All reports of alleged SEAH incidents should be made using the DFAT Sexual Exploitation, Abuse and Harassment Incident Notification Form ([www.dfat.gov.au/pseah](http://www.dfat.gov.au/pseah)) and emailed to [seah.reports@dfat.gov.au](mailto:seah.reports@dfat.gov.au).

All alleged SEAH incidents that involve a criminal aspect will be reported to local law enforcement agencies.

**7. Procedure for investigating alleged misconduct**

Due to the potential seriousness and sensitivity of a complaint, the individual who receives a complaint should not start any investigations, but rather report the concern to the Safeguarding Focal Point or National Director or to the **Habitat Ethics and Accountability Line (H.E.A.L.)** reporting tool. Confidentiality and sensitivity for the wishes of the survivor must be maintained at all times.

HFHIN investigation process is described in the HFHIN Complaints Policy. As there may be circumstances where the performance of an investigation would increase the harm to the survivor, any actions will be taken only after full consideration of the safety and the informed consent of the survivor.

Habitat for Humanity's investigation protocols for potential safeguarding misconduct will be focused on keeping the survivor safe, minimizing harm, and conducting a thorough, impartial investigation. Safeguarding investigations will be performed only by qualified individuals who are:

- Independent from the allegations received;
- Free from the appearance or existence of bias; and
- Specifically trained in appropriate safeguarding investigation procedures.

To ensure all safeguarding investigations are handled with appropriate due diligence and professional care, HFHI has established a Safeguarding Investigation Committee to oversee all such investigations comprised of key stakeholders, including individuals who have been specifically trained in SEA investigation protocols. The basic processes that must occur during a safeguarding investigation include the following items. Further details of the role of the Safeguarding Investigation Committee and Habitat for Humanity’s expected processes when conducting appropriate safeguarding investigations are available in the HFH Investigation Policy.

HFHIN will act on every allegation in a fair and reasonable way with due regard for procedural fairness, confidentiality and welfare of the survivor. The basis for all decisions related to investigation performance or non-performance will be documented. Habitat for Humanity International will also be informed and support in any investigation of SEAH misconduct in Nepal or with HFHIN international programs.

HFHIN recognizes sexual exploitation and abuse as gross misconduct and perpetrators will face disciplinary action, including immediate termination of employment or engagement and referral for criminal prosecution in Nepal and/or the relevant country, where appropriate.

### **8. Obligations to survivors**

Support for potential victims of misconduct (or survivors) will be provided regardless of the status or outcome of an investigation. Upon receipt of an allegation of safeguarding misconduct, HFHIN will, in partnership with HFHI and in accordance with HFHI Safeguarding Policy, consider providing various forms of survivor assistance, as appropriate depending on the nature of the allegations, the circumstances involved, and the informed consent of the survivor. This includes immediate material care, facilitating health and psychosocial support and legal/advocacy support.

## **Prevention of Sexual Exploitation, Abuse and Harassment Policy (PSEAH) Acknowledgement Form**

As an

- Employee
- Consultant
- Intern
- Volunteer
- Independent contractor
- Supplier/vendor
- Board Member
- Sub-awardee
- Government official

**(Tick the appropriate one)**

It is my responsibility to understand, acknowledge and comply with the Habitat Nepal policy on PSEAH. The conduct and standard on PSEAH policy is to safeguard and protect the beneficiaries Habitat Nepal serves.

In signing this form, I certify not to violate the organization's commitment to safeguard and protect the beneficiaries Habitat Nepal serves. I am responsible to report sexual exploitation and abuse cases to the right reporting channel of Habitat Nepal if I witness such incidents and contribute to create a safe workplace.

**Name:**

**Signature:**

**Date:**