



**International Social Service
Service Social International
Servicio Social Internacional**

General Secretariat • Secrétariat Général • Secretariado General

INTERNATIONAL SOCIAL SERVICE PSHEA AND PROCEDURES

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1. PSHEA

Policy title: Protection from Sexual Harassment Exploitation and Abuse (PSHEA)

Policy objective: To promulgate policy of zero tolerance for sexual harassment, exploitation and abuse (SHEA) for all International Social Service (ISS) employees and related personnel and ensure that roles, responsibilities and expected standards of conduct in relation to SHEA are known within ISS. To create and maintain a safe environment, free from SHEA, by taking appropriate measures for this purpose, internally and in the communities where ISS operates, through robust prevention and response work.

Targeted Audience: All International Social Service (ISS) General Secretariat contractual staff, temporary staff and volunteers

Effective Date: 30 June 2020

Mandatory Revision Date: Yearly

1. Policy statement:

1.1. SHEA violates universally recognized international legal norms and standards and are unacceptable behaviors and prohibited conduct for all humanitarian workers, including *ISS employees and related personnel*.¹

1.2. ISS has a policy of zero tolerance towards SHEA. All ISS employees and related personnel² are expected to uphold the highest standards of personal and professional conduct at all times, and to provide humanitarian assistance and services in a manner that respects and fosters the rights of beneficiaries and other vulnerable members of the local communities.

2. Scope of application:

2.1. This policy sets out ISS approach to prevent and respond to SHEA. The policy applies to all contractual staff, temporary staff, volunteers and interns both on-and off-duty to include (medical and maternity) leave

3. Definitions³:

3.1. For the purposes of the present policy the term ‘**sexual exploitation**’ means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

3.2. Similarly, the term ‘**sexual abuse**’ means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

3.3 Similarly, the term “**sexual harassment**” means behavior characterized by the making of unwarranted, unwelcome and inappropriate sexual remarks or physical advances in a workplace or other professional or social situation.

4. Commitment to PSHEA:

4.1. ISS will make every effort to create and maintain a safe environment, free from SHEA, and shall take appropriate measures for this purpose in the communities where it operates, through a robust PSHEA framework, including prevention and response measures.

¹ UN Secretary General’s Bulletin ST/SGB/2003/13, 2003: <https://undocs.org/en/ST/SGB/2003/13>

² The term “related” personnel include, for example, sub-contractors, consultants, interns or volunteers associated with or working on behalf of the ISS.

³ Both definitions are adopted from the Secretary General’s Bulletin ST/SGB/2003/13, 2003: <https://undocs.org/en/ST/SGB/2003/13>



4.2. This PSHEA framework, affirms ISS commitment to the UN Secretary General's Bulletin on Special Measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) and to achieving full, ongoing implementation of the IASC Six Core Principles relating to SHEA⁴.

5. Six core principles⁵:

- 5.1. SHEA by ISS employees and related personnel constitute acts of gross misconduct and are therefore grounds for termination of employment⁶.
- 5.2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense. (See ISS Child Protection Policy)
- 5.3. Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.
- 5.4. Any sexual relationship between ISS employees or related personnel and beneficiaries of assistance or other vulnerable members of the local community that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.
- 5.5. Where an ISS employee or related personnel develops concerns or suspicions regarding sexual harassment, abuse or exploitation by a fellow worker, whether in the same organization or not, he or she must report such concerns via established reporting mechanisms.
- 5.6. All ISS employees and related personnel are obliged to create and maintain an environment which prevents SHEA and promotes the implementation of this policy. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

6. PSHEA framework:

6.1. Prevention:

- 6.1.1. Vetting: ISS systematically vets all prospective job candidates in accordance with established screening procedures.
- 6.1.2. Training: ISS holds mandatory induction and refresher trainings⁷ for all employees and related personnel on the Organization's SHEA policy and procedures.

6.2. Response:

- 6.2.1. Reporting: ISS has safe, confidential and accessible mechanisms and procedures for personnel, beneficiaries and communities, including children, to report SHEA allegations that and ensures that beneficiaries are aware of these.
- 6.2.2. Investigation: ISS has a process for investigation of SHEA allegations in place and shall properly and without delay conduct an investigation of SHEA by its employees or related personnel or refer to the proper investigative body if the perpetrator is affiliated with another entity.
 - 6.2.2.1. Referral to National Authorities: If, after proper investigation, there is evidence to support allegations of SHEA, these cases may be referred to national authorities for criminal prosecution.
 - 6.2.2.3. Victim assistance: ISS has a system to promptly refer SHEA survivors to available services, based on their needs and consent.

6.3. Cooperative arrangements:

⁴ IASC Six Core Principles; available at: <https://interagencystandingcommittee.org/inter-agency-standing-committee/iasc-six-core-principles-relating-sexual-exploitation-and-abuse>.

⁵ Modified for the purposes of this PSHEA policy. *These acts are not intended to be an exhaustive list.*

⁶ Including all other forms of contractual agreements, such as for example volunteer assignment.

⁷ The training includes at a minimum: 1) a definition of SHEA (that is aligned with the UN's definition); 2) a prohibition of SHEA; and 3) actions that employees and related personnel are required to take (i.e. prompt reporting of allegations and referral of survivors).



6.3.1. All ISS' contracts and partnership agreements include a standard clause requiring contractors, suppliers, consultants and sub-partners to commit to a zero-tolerance policy on SHEA and to take measures to prevent and respond to SHEA.

6.3.2. The failure of those entities or individuals to take preventive measures against SHEA, to investigate allegations thereof, or to take corrective action when SHEA has occurred, shall constitute grounds for termination of any cooperative arrangement.

6.3.3 ISS will take action against anyone, whether they are the subject of a complaint or not, who seek or carry out retaliatory action against complainants, survivors or other witnesses. Employees may be subject to disciplinary action, up to and including termination of employment. Others who work with ISS may have their relationship with ISS terminated.



2. Roles and Responsibilities on PSHEA

Personnel	Roles and Responsibilities
Senior Management (SG and Director ISS/IRC)	<ul style="list-style-type: none"> • Provide oversight of PSHEA prevention and response • Review and update PSHEA-related policies and guidance • Ensure attention and resources to PSHEA across the organization • Conduct investigations of SHEA allegations • Coordinate if relevant with other organizations on PSHEA. • Share PSHEA related policies and codes with partners and donors when necessary
PSHEA Focal Point Deputy Director ISS/IRC	<ul style="list-style-type: none"> • Support senior management to meet their PSHEA-related responsibilities • Report concerns or issues with PSHEA implementation to senior management bi-yearly or as required for specific cases • Receive reports of SHEA allegations and coordinate the response • Conduct PSHEA training and awareness-raising of ISS personnel as necessary • Coordinate with other relevant actors on PSHEA, including inter-agency efforts • Undertake regular PSHEA training
Staff management SG, Administration and Project Heads	<ul style="list-style-type: none"> • Conduct screening for past SHEA violations, code of conduct and other policies in place (e.g. fraud, corruption, abuse of power), as part of recruitment process (SG) • Ensure all personnel sign the organization’s code of conduct (SG) • Integrate a PSHEA clause in contract agreements, including when subcontracting (Project Heads) • Support communication with personnel during investigation of SHEA allegations (SG) • Keep PSHEA-related documents of personnel on file, including signed codes of conduct (Administration)
All Personnel	<ul style="list-style-type: none"> • Uphold the code of conduct and PSHEA-related policies • Actively participate in SHEA-related trainings and awareness-raising efforts, including support for dissemination of PSHEA materials • Report allegations of SHEA through the designated reporting channels • Participate in investigations of SHEA allegations as appropriate • Identify and mitigate/avoid SHEA-related programme risks (<i>particularly for personnel involved in programming</i>)



3. Terms of Reference for PSHEA Focal Point⁸

Terms of Reference: Protection from Sexual Harassment, Exploitation and Abuse (PSHEA) Focal Point

1. Background

ISS promotes and protects the rights of children, families and individuals according to human rights conventions, including the United Nations (UN) Convention on the Rights of the Child (CRC) and national laws as applicable. Inherent to this approach ISS is prioritizing the best interests of the child by notably using a participative approach. As ISS celebrates diversity, it continually strives for respecting and promoting the understanding and acceptance of all cultures worldwide. The principles of neutrality, confidentiality, independence, transparency and impartiality are at the heart of ISS work. ISS has a shared commitment to families, children and individuals that unites its global network.

To this end ISS has developed Standards and Orientations on Child Safeguarding and Wellbeing to protect the children directly or indirectly involved in our activities, from harm while promoting their wellbeing.

2. Purpose

The purpose of the PSHEA focal point is to have a designated staff member who supports senior management in coordinating the development and implementation of PSHEA policy and procedures.

3. Scope of Work

Key roles and responsibilities of PSHEA focal points include:

Prevention

- Conduct periodic assessments of ISS' GS PSHEA policies and practices and suggest improvements to senior management.
- Conduct training and awareness-raising sessions on PSHEA for all personnel at least every two years.
- Work with human resource and other relevant personnel (name other relevant personnel working on related issues, e.g. gender, CP) on PSHEA-related aspects, including ensuring that all personnel sign the code of conduct and that screening for past SHEA violations is a regular part of the recruitment process.

Reporting allegations of SHEA

- Co-manage the development of internal procedures for personnel to report incidents of sexual harassment, exploitation and abuse safely and confidentiality.

⁸ Adapted from various sample ToR, including Terms of Reference for in-country Network on Protection from Sexual Exploitation and Abuse by UN/NGO/IGO Personnel, produced by the ECHA/ECPS UN and NGO Task Force on Protection from Sexual Exploitation and Abuse, November 2008; Terms of Reference for Focal Points on Protection from Sexual Exploitation and Abuse by individuals providing humanitarian services within the Syrian refugee emergency response Jordan, produced by PSHEA Network Jordan, March 2016.



- Receive reports of SHEA allegations and related information and coordinate the response according to relevant procedures (see documents 1, 2, 4, 5 and 6).
- Report concerns or issues with PSHEA implementation to senior management.

Response to SHEA allegations

- Once a complaint is received, coordinate ISS' response, including referral of SHEA survivors for immediate, professional assistance and referral of the case for further investigations to relevant body.

Other responsibilities

- Co-coordinate ISS' PSHEA activities with relevant organizations, including inter-agency initiatives, as appropriate.
- Support senior management in implementing other PSHEA-related activities, as appropriate.

4. Competencies and Experiences

- Proven integrity, objectivity and professional competence.
- Demonstrated sensitivity and knowledge of cultural and gender issues; experience in GBV programming is preferred.
- Fluent in English and French.
- Demonstrated experience of working directly with local communities.
- Proven communication skills.

Upon appointment, the focal point will undergo organization-specific training on PSHEA periodically.



4. Checklist for PSHEA-Sensitive Recruitment, Contracting and Performance Management⁹

Minimum checklist for PSHEA-Sensitive Recruitment, Contracting and Performance Management

- Include a sentence in job announcements to notify candidates that background and reference checks will be conducted and ethics is part of annual performance appraisals.
- Require applicants to self-declare prior issues of sexual or other misconduct, termination of past employment, criminal records, and concerns registered with government authorities regarding contact with children, and to consent to the disclosure of any such information by their former employers during verification of references.
- Contact references to vet for former misconduct in accordance with local laws regarding employment, privacy and data protection.
- Ensure gender-balanced interview panels during hiring processes and conduct gender neutral interviews¹⁰.
- Ask candidates interview questions about ethics and ethical dilemmas (e.g. What's your idea of an ethical organization? Tell me about a time when you faced an ethical challenge).
- Require candidates to review and sign the code of conduct before being offered a contract.
- Include a PSHEA clause¹¹ in employment contracts, including when subcontracting:

“The Contractor shall take all appropriate measures to prevent sexual exploitation or abuse of anyone by its employees or any other persons engaged and controlled by the Contractor to perform any services under the Contract. Any breach of the provision by the Contractor shall entitle ISS to terminate the contract with immediate effect.”
- Outline disciplinary measures in the event of proven SHEA allegations (e.g. termination of contract). In cases of proven misconduct of exploitation and abuse, there will be immediate dismissal.
- Include training in PSHEA as part of onboarding process and provide refresher courses at regular intervals during employment tenure.
- Include adherence to code of conduct (e.g. participation in PSHEA trainings) in performance appraisals of staff.

⁹ Based on IASC, [PSEA-MOS](#), January 2016; IASC, [Summary of IASC Good Practices: Preventing Sexual Exploitation and Abuse and Sexual Harassment and Abuse of Aid Workers](#), May 2018.

¹⁰ Also see [UNICEF Gender Balance Strategies and Tools](#), accessed July 8, 2019

¹¹ ISS has added the following PSHEA clause to its contracts: “The Contractor shall take all appropriate measures to prevent sexual exploitation or abuse of anyone by its employees or any other persons engaged and controlled by the Contractor to perform any services under the Contract. Any breach of the provision by the Contractor shall entitle ISS to terminate the contract with immediate effect.”



5. Complaint procedure¹²

Procedure

Anyone who is subject to sexual harassment, exploitation and abuse should, if possible, inform the alleged perpetrator that the conduct is unwanted and unwelcome. ISS recognises that sexual harassment, exploitation and abuse may occur in unequal relationships (i.e. between a supervisor and organisation's employee) and that it may not be possible for the victim to inform the alleged perpetrator. If a victim cannot directly approach an alleged perpetrator, he/she can approach one of the designated staff members responsible for receiving complaints of sexual harassment (PSHEA focal point).

When a designated person (PSHEA focal point) receives a complaint of sexual harassment, abuse or exploitation, he/she will:

1. immediately record the dates, times and facts of the incident(s) (written report is required and to be signed/dated);
2. ascertain the views of the victim as to what outcome he/she wants;
3. ensure that the victim understands the organisation's procedures for dealing with the complaint;
4. discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he/she is not satisfied with the outcome;
5. keep a confidential record of all discussions;
6. respect the choice of the victim;
7. ensure that the victim knows that they can lodge the complaint outside of the organisation through the relevant internal hierarchy levels described below and or state support and legal frameworks.

If the complaint is against the PSHEA focal point, complaints can be directed to senior management. If the complaint is against senior management (excluding the Secretary General), complaints can be directed to the Secretary General. If the complaint is against the Secretary General, complaints can be directed to the Chair of the Governing Board.

Throughout the complaints procedure, a victim is entitled to be helped by a counsellor within the organization or partner organisation. ISS will nominate a number of external professionals that to enable could assist victims of sexual harassment, abuse or exploitation. Their list shall be made public to all staff. ISS recognises that because sexual harassment, abuse or exploitation often occurs in unequal relationships within the workplace, victims often feel that they cannot come forward. ISS understands the need to support victims in making complaints.

Informal complaints mechanism (*only available for harassment cases*)

If the victim wishes to deal with the matter informally, the PSHEA focal point will:

1. give an opportunity to the alleged perpetrator to respond to the complaint. A written and signed statement will be required;
2. ensure that the alleged perpetrator understands the complaints mechanism;
3. facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant, or refer the matter to a designated mediator within the organization to resolve the matter;
4. ensure that a confidential record is kept of all accounts of the case;

¹² Adapted from ILO template: https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/policy/wcms_407364.pdf



5. follow up after the outcome of the complaints mechanism to ensure that the behavior has stopped;
6. ensure that the above is done speedily and within seven days of the complaint being made.

Formal complaints mechanism (*available for harassment, exploitation and abuse cases*)

If the victim wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism should be in place and used to resolve the matter. The PSHEA focal point who initially received the complaint will refer the matter to a senior manager to instigate a formal investigation. The senior manager may deal with the matter him/herself, refer the matter to an internal or external investigator or refer it to a committee of three other personnel in accordance with this policy. The victim will have the right to choose his/her own counsellor from within the staff or from the accredited list of external counsellor.

The person (i.e. senior manager or external investigator or committee) carrying out the investigation will:

1. Interview the victim and the alleged perpetrator separately (use of forms) (the victim will have a choice to be accompanied by a counsellor during the process);
2. Interview other relevant third parties separately;
3. Decide whether or not the incident(s) of SHEA took place;
4. Produce a report detailing the investigations, findings and any recommendations;
5. If the SHEA took place, decide what the appropriate remedy for the victim is, in consultation with the victim (i.e. An apology, a change to working arrangements, a promotion if the victim was demoted as a result of the harassment, training for the harasser, discipline, suspension, dismissal);
6. If sexual exploitation and abuse occurred, this will result in immediate dismissal;
7. Follow up to ensure that the recommendations are implemented, that the behavior has stopped and that the victim is satisfied with the outcome;
8. If it cannot determine that the harassment, sexual exploitation and abuse took place, he/she may still make recommendations to ensure proper and sane working environment in the office;
9. Keep a record of all actions taken safeguarding confidentiality and data protection;
10. Ensure that the all records concerning the matter are kept confidential;
11. Ensure that the process is done as quickly as possible and in any event within 7 working days of the complaint being made.

Outside complaints mechanisms

A person who has been subject to sexual harassment, sexual exploitation and abuse can also make a complaint outside of the organisation. They can do so through the labor and employment inspection or ombudsperson. In cases of sexual exploitation and abuse, ISS encourages recourse to outside complaint mechanisms.

Sanctions and disciplinary measures

At the end of the investigation by the senior manager or external investigator or committee, a sanction may be proposed. The final sanction will be decided by the Secretary General or the Governing Board (in case accusation is against the Secretary General) with input from the investigator. Anyone who has been found to have sexually harassed another person under the terms of this policy is liable to any of the following sanctions:

- verbal or written warning;
- adverse performance evaluation;
- demotion;



- suspension;
- dismissal (in cases all of sexual exploitation and abuse).

The nature of the sanctions will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial. Certain serious cases, including physical violence, will result in the immediate dismissal of the harasser. As per the code of conduct whistle blowers will be protected (see also PSHEA policy article 6.3.3).



6. Incident Report Form for SHEA Allegations

Incident Report Form for SHEA Allegations

CONFIDENTIAL: Please restrict access to this document and keep it stored safely (e.g. using passwords or encryptions for computers and locking lock offices when unattended). Always use code names when referring to individuals involved in the case, omit information that could reveal identities (e.g. date of birth, address, phone number, description of unique physical traits) and keep information on the identity and personal details of persons involved separate from incident and related reports.

1. Details on how, when, and by whom, the allegation was received:
2. Description of alleged incident, including dates, times and locations:
3. Description of alleged or suspected survivors (e.g. name, age, gender, ethnic origin/nationality, specific needs):
4. Description of alleged or suspected perpetrators (e.g. name, age, gender, nationality, organizational affiliation/position, previous record of misconduct):
5. Actions taken by organization in response to allegations to date (e.g. referral for assistance, investigations, notification of UN/Host Government):
6. Actions taken by other organizations or entities (e.g. UN, Host Government) in response to the allegation:
7. Requested support from partners (e.g. support for SHEA survivors, investigations)

Report transmitted by:	
Name:	Contact info (email, phone):
Title:	Date:



7. Sample Referral Form¹³

CONFIDENTIAL: Please restrict access to this document and keep it stored safely.

Note: Please share copies of filled out referral forms with the survivor and receiving agency and keep a copy for the organization's internal records and follow-up.

Referring agency	
Agency/org:	Contact:
Phone:	Email:
Location	

Receiving agency	
Agency/org:	Contact:
Phone:	Email:
Location	

Survivor information	
Name:	Phone:
Address:	Age:
Sex	Nationality:
Language:	ID number
If survivor is a minor (under 18)	
Name of primary caregiver:	Relationship to child:
Contact information for caregiver:	Is child separated or unaccompanied? <input type="checkbox"/> Yes <input type="checkbox"/> No
Caregiver is informed about referral? <input type="checkbox"/> Yes <input type="checkbox"/> No (If no, explain)	

Background Information/Reason for referral and services already provided	
Has the survivor been informed of the referral? <input type="checkbox"/> Yes <input type="checkbox"/> No (If no, explain below)	Has the survivor been referred to any other organization? <input type="checkbox"/> Yes <input type="checkbox"/> No (If yes, explain below)

¹³ Adapted from: IASC Reference Group for Mental Health and Psychosocial Support in Emergency Settings, [Inter-Agency Referral Form and Guidance Note](#), 2017



Services requested

<input type="checkbox"/> Mental Health Services	<input type="checkbox"/> Protection Services	<input type="checkbox"/> Shelter
<input type="checkbox"/> Psychosocial Support	<input type="checkbox"/> Legal Assistance	<input type="checkbox"/> Material Assistance
<input type="checkbox"/> Social Services	<input type="checkbox"/> Education	<input type="checkbox"/> Nutrition
<input type="checkbox"/> Medical Care	<input type="checkbox"/> Livelihood Support	<input type="checkbox"/> Support for children born as a result of SHEA

Please explain any requested services or actions expected from the organisation:

Consent to release information (Read with survivor/ caregiver and answer any questions before s/he signs below. Sign on behalf of survivor/caregiver if consent is given verbally and survivor/caregiver cannot sign)

I, _____ (survivor name), understand that the purpose of the referral and of disclosing this information to _____ (name of receiving agency) is to ensure the safety and continuity of care among service providers seeking to serve the client. The service provider, _____ (name of referring agency), has clearly explained the procedure of the referral to me and has listed the exact information that is to be disclosed. By signing this form, I authorize this exchange of information.

Signature of responsible party (survivor or caregiver if a child):

Date (DD/MM/YY):

Details of Referral

Any contact or other restrictions? Yes No (If yes, please explain below)

Referral delivered via: Phone (emergency only) E-mail Electronically (e.g., App or database) In Person

Follow-up expected via: Phone E-mail In Person. By date (DD/MM/YY):

Information agencies agree to exchange in follow up:

Name and signature of recipient:

Date received (DD/MM/YY):