



OWH PSEA Policy

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1. Organizational Background

Established in Afghanistan in 2017, the Organization for Welfare and Humanitarian (OWH) stands as a non-governmental, non-political, non-profit, and independent entity. Founded by individuals motivated by shared concerns, OWH endeavors to address societal needs and challenges.

Registered with key Afghan regulatory bodies such as the Ministry of the Economy, Ministry of Finance, Ministry of Refugee and Repatriation, and Ministry of Public Health, OWH demonstrates its commitment to operating within the country's legal framework.

OWH actively engages in pivotal Health, Education, and Nutrition Clusters, significantly contributing to these sectors throughout Afghanistan. Since its inception, OWH has effectively executed diverse projects spanning Health, Training, Research, Pandemic/Disaster Management, Education, and other essential domains.

Bolstered by an experienced team, OWH prides itself on a successful track record of implementing projects supported by prominent international donors operating in Afghanistan. Its extensive experience spans across diverse regions of Afghanistan, enabling substantial contributions to a wide spectrum of developmental initiatives.

OWH holds a profound understanding of Afghanistan's regions and possesses extensive experience operating in various provinces, providing a comprehensive approach to addressing the country's diverse needs.

2. Vision Statement

"A Developed, Educated, Prosperous, and Healthy community, with equal access for all."

3. Mission Statement

"OWH provides quality services, blending ancient wisdom with modern expertise, for an accessible and proud community."

4. Definitions of terms

- **“Affected Persons”** refers to persons who look to or benefit from the OWH’s protection or assistance. This may include any person in the country or local community where the OWH is operating.
- **“Community-Based Complaints Mechanisms”** (CBCM) refers to trusted channels through which members of an affected community can safely report complaints and seek help. It builds

on engagement with the community where individuals are able and encouraged to safely report grievances in a confidential way if needed – including SEA incidents – and those reports are referred to the appropriate entities for follow-up.

- **“OWH Personnel”** refers to any person in the service of the OWH whether main office or the project / provincial offices.
- **“OWH’s Internal Rules”** refers to the Staff Rules, the Staff Regulations and its annexes, including the Code of Conduct with the Anti-Harassment guidelines, and any other applicable OWH rules, regulations and policies adopted.
- **“Prevention and Response to Sexual Exploitation and Abuse” (PSEA)** refers to policy, rules and actions intended to prevent OWH Personnel from engaging in any form of sexual exploitation and abuse and to respond where it has occurred.
- **“Retaliation”** refers to any direct or indirect detrimental action recommended, threatened or taken because an individual has been the victim of or reported in good faith a suspicion of alleged misconduct, such as sexual exploitation or abuse, or participated in an authorized audit or investigation. Retaliation may include denial of aid or inequitable allocation of assistance, adverse administrative actions, such as, but not limited to, unwarranted poor performance evaluations, changes in job duties, a hostile work climate or other negative decisions affecting the individual’s terms and conditions of employment. Retaliation may also take the form of verbal abuse or harassment.
- **“Sexual Abuse”** refers to the actual or threatened physical or psychological intrusion of a sexual nature, whether by force or under unequal or coercive conditions when Committed against Affected Persons.
- **“Sexual Exploitation”** refers to any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes with respect to Affected Persons, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. Any payment (through cash or any other commodity or favor) for sexual services is considered to constitute sexual exploitation.
- **“Sexual Exploitation and Abuse” (SEA)** is used throughout this policy to refer to the above-defined acts together.
- **“Sexual Harassment”** refers to any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature between OWH Personnel. This is distinct from SEA, which

refers to exploitation or abuse of Affected Persons. There is more information provided about the Sexual Harassment in the Code of Conduct and HR policy.

- **“Third-Party Personnel”** refers to any person who is employed by a third-party and made available to the OWH, without being an OWH Personnel, such as by means of a service agreement between the OWH and a service provider.
- **“Whistleblower”** refers to an individual who reports a suspicion of a breach of the OWH’s Internal Rules. Whistleblowers provide information, based on a reasonably held suspicion that a wrongdoing has occurred.

5. Introduction to Policy

Sexual exploitation is defined as an actual or attempted abuse of someone's position of vulnerability (such as a person depending on you for survival, food rations, school books, transport or other services), differential power or trust, to obtain sexual favors, including but not only, by offering money or other social, economic or political advantages.

Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force, or under unequal or coercive conditions. It includes sexual slavery, pornography, child abuse and sexual assault.

OWH have a zero tolerance policy with regard to sexual exploitation and abuse. It is considered serious misconduct and can have severe consequences.

The OWH Code of Conduct prohibits SEA of anyone, including people who “look to or benefit from the organization’s protection or assistance”. Prohibitions also cover the use of abusive material and any exchange of “money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior.” Prohibitions extend to engagement with sex trade workers.

OWH places human dignity at the center of its development work, and has a zero-tolerance stand on exploitative and abusive relationships. OWH employees must report any actual or suspected unethical behavior related to sexual exploitation and OWH has a duty to ensure that allegations of sexual exploitation and abuse are investigated and that appropriate disciplinary measures are taken.

6. Purpose, scope and audience

6.1 Purpose

The aim of this policy is to ensure that the OWH takes every necessary step to prevent sexual exploitation and abuse by OWH Personnel and to respond adequately to those incidents it cannot prevent. Ensuring the well-being of the survivor and accountability and integrity of our engagement with members of local communities is inherent to this aim. Ensuring fair treatment of personnel accused of SEA in accordance with the OWH Internal Rules is inherent to this policy. Existing internal reporting, investigation and follow-up systems regarding possible SEA-related violations of the Code of Conduct and Staff Rules and Regulations are being strengthened via this policy and its procedures.

Engaging with local communities, promoting community-based complaint mechanisms and providing assistance to survivors are important components of this policy's spirit, procedures and Action Plan.

6.2 Scope of application

This policy applies to all OWH Personnel, Contractors, Third Party Personnel, Sub Contractors and associates.

- a) For Contractors, Sub Contractors and Third-Party-Personnel, a standard PSEA clause is to be included in the relevant agreements. A similar clause is to be included in OWH's grant agreements with implementing partners, including National Societies.
- b) This policy does not apply to cases of harassment and sexual misconduct between OWH Personnel. Such cases are addressed separately in the Staff Regulations, Code of Conduct and the Anti-Harassment Guidelines.

7. Survivor Oriented Approach

The OWH applies a survivor-oriented approach to PSEA. This entails the following principles:

- c) **Do no harm:** No action should be taken that would worsen the situation of a survivor of sexual exploitation or abuse.
- d) **Respect:** All actions taken are guided by respect for the choices, wishes, rights and dignity of the survivor.

- e) **Safety:** The safety and security of the survivor is the number one priority for all actors.
- f) **Confidentiality:** There must be strict adherence to confidentiality regarding the survivor's identity and other identifying information in every aspect of case handling. All actions are to be taken to ensure that any matter is handled in full confidentiality.
- g) **Non-discrimination:** OWH provides equal and fair treatment to anyone in need of help due to an SEA incident involving OWH Personnel.
- h) **Child protection:** Children survivors are to benefit from a particular attention and their specific needs must be addressed. Child protection specialists/Consultants are consulted regarding the care for children.

Investigations of sexual exploitation and abuse incidents are to be fair and respect the rights of all parties involved.

PSEA efforts are to use the Community Engagement and Accountability (CEA) approach, which helps put communities at the center of what we do.

7.1 Whistleblower protection

As stated in the OWH Whistleblower Protection Policy, "The Organization has a zero-tolerance policy to any form of retaliation against a person who either reports reasonably held suspicions of a breach of the Federation's Internal Rules or who cooperates in an auditor investigation process carried out under the authority of the General Director."

Further, the OWH Whistleblower Protection Policy states: "Anyone reporting a suspicion of alleged misconduct must be acting in good faith and have reasonable grounds for believing the information disclosed constitutes a potential breach of the Organization's Internal Rules."

8. Responsibilities

8.1 Responsibilities of senior managers

The managers have the overall responsibility for implementation of PSEA policy with regard to OWH Personnel under their supervision.

- Ensuring that all OWH Personnel are informed and regularly reminded of the contents of the PSEA policy.
- Acting as role models by making every reasonable effort to create and maintain an environment that assists in preventing SEA.

- Taking immediate and appropriate action upon receipt of any report or complaint about SEA allegations, concerns or suspicions or retaliation related to SEA, as stated in the present policy and in the accompanying procedure “Response to Survivors”.
- Ensuring, with support from the PSEA Senior Focal Point that all OWH personnel undertake regular, mandatory PSEA training sessions.
- Integrate the issue of sexual exploitation and abuse systematically into information campaigns, training and meetings with affected people, with particular attention given to vulnerable groups, and
- Establish a mechanism for reporting SEA incidents as further described below;
 - Promote engagement with local groups such as women’s associations and those representing marginalized people, such as disabled peoples’ organizations, with the aim of awareness raising on zero tolerance for SEA and, where appropriate, working jointly to set up gender-sensitive community-based complaint mechanisms that put the rights, capacities and needs of survivors at the center.

8.2 Responsibilities of all Personnel

In addition to those set out above, all OWH Personnel have the following responsibilities:

OWH Personnel are strictly forbidden from engaging in any form of sexual exploitation and abuse whatsoever. This applies at all times whether OWH Personnel are at or outside the workplace or during or outside of working hours. Other actions, such as inappropriate behavior toward or with a child, failing to report an allegation of exploitation or abuse, or retaliating against a complainant or a witness are also prohibited by this Policy.

Because sexual exploitation and abuse includes a broad range of activities, the following activities are meant to be illustrative and not an exhaustive list of prohibited behavior:

1. Acts of sexual exploitation or sexual abuse by OWH Personnel including, without limitation:
 - a. Unwanted touching or physical contact of a sexual nature
 - b. Forcing sex or sexual acts against someone’s will
 - c. Using sex or sexual acts as a condition of receiving support, treatment, or assistance
 - d. Physical aggression, including rape, sexual battery, forcible fondling
 - e. Recording sexual acts or interactions without consent.
2. The exchange of, or an offer to exchange money, goods, services, or assistance for sex, sexual

favors or other forms of degrading or exploitative behavior. This prohibition against the exchange of money for sex means that OWH Personnel may not engage the services of sex workers.

3. The exchange of, or an offer to exchange, recommendation for employment, offer of employment or an employment reference for sex, sexual favors or other forms of degrading or exploitative behavior. For the purposes of this section, the employer or prospective employer includes OWH or any OWH vendor or contractor.
4. Any sexual activity, or an attempt to engage in sexual activity, with a child regardless of local age of consent; ignorance or misbelief of a child's age is not a defense.
5. Sexual interactions or relationships with a Beneficiary during the time they are receiving assistance from OWH, regardless of whether the Beneficiary consents to such interaction.
6. Physical force or violence against a Beneficiary regardless of cultural norms.
7. Behavior toward a child that is inappropriate or sexually provocative, including, without limitation, physical abuse, sexual abuse or exposing the child to sexualized images or pornography.
8. Use of language or behavior towards a Beneficiary that is inappropriate, harassing, abusive, sexually provocative or that is intended to shame, humiliate or emotionally abuse.
9. Use of a computer, mobile phone, tablet, camera, social media, email, or other form of technology, without limitation, to exploit or harass a Beneficiary, or to access or distribute child pornography through any medium.
10. Use of OWH or OWH affiliate's facilities, vehicles or any other property for the purposes of sexual abuse or sexual exploitation.
11. Doing things of a personal nature for an unsupervised child that the child can do for themselves (e.g., bathing, dressing). "Unsupervised child" means a child who is not supervised by an adult who is an immediate family member.
12. Sharing a bedroom with an unsupervised child.
13. Photographing a child who is not adequately clothed or who is in a pose that could be considered sexually suggestive.
14. Failing to report a suspected, alleged, or known violation of this Policy in a timely manner.
15. Read and understand this policy.
16. Complete mandatory PSEA training.

17. Report any SEA incidents that they have witnessed, heard about or suspect.
18. Cooperate fully with those responsible for investigation.
19. Ensure the confidentiality of any reported incident (subject to the rights set out in the OWH Whistleblower Protection Policy).
20. Not commit any act of sexual exploitation or abuse.
21. Not engage in any sexual activity with Persons under the age of 18 years, regardless of the age of majority or consent locally (ignorance of or mistaken belief in the age of a child is not a defense).
Sexual activity includes all forms of activity and abuse of a sexual nature, with or without physical contact and whether either party is aware of such abuse.
22. Not exchange money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior. This applies regardless of the legal status of prostitution in the laws of the OWH staff members' home country or duty stations.
23. Goods or services should never be withheld to induce sexual favors or provided in exchange for sexual favors.
24. Any suspicion of sexual exploitation or abuse of staff should be reported immediately to the PSEA focal point.
25. Ensure that an effective anonymous and confidential complaint mechanism exists. The complaint mechanism should be accessible to complainants and they should feel that it is easy and safe to use.
26. Conduct regular dialogues with the community as part of the monitoring strategy.
27. Ensure that victims of SEA have access without delay to the support they need – to be safe, or to obtain basic material assistance, medical care, psychosocial support, or legal services. Usually, such support is provided through SGBV response services. Clear referral pathways should be established to ensure that all SEA survivors can access all the SGBV case management services they need.
28. Not produce, procure, distribute or use pornographic material in OWH offices or on OWH equipment, including reading/surfing pornographic websites or message boards or sending or engaging with pornographic emails.

8.3 Responsibilities of the PSEA Focal Point/ Office of Internal Audit and Investigations

There will always be at least two PSEA focal points, 1 Male and 1 Female, the roles and responsibilities of the PSEA focal point and the investigating committee is as below;

The PSEA Focal point and Relevance for emergency operations/PSEA Committee has the authority and responsibility to ensure an appropriate investigation of possible instances of sexual exploitation and abuse within OWH. The assessment and/or investigation may be outsourced according to the resources and skills needed.

- All allegations, regardless of their communication channel, should be communicated to the Relevance for emergency operations/PSEA Committee without delay. Reports of possible sexual exploitation and abuse may be submitted anonymously and shall be kept confidential.
- Upon receipt of an allegation, a preliminary assessment of the allegation will be performed by focal point and Relevance for emergency operations/PSEA Committee. If the preliminary assessment of the allegation shows that there are legitimate grounds to believe that possible sexual exploitation and abuse has occurred, an administrative investigation shall be opened in line with the OWH investigation procedures and applicable staff rules and regulations.
- Confidentiality is to be maintained in relation to Relevance for emergency operations/PSEA Committee and Focal Point's investigative activities by all parties involved. The person who is the subject of an allegation is presumed innocent during the preliminary assessment and the investigation. During an investigation the alleged perpetrator are to have an opportunity to be heard.
- Once the investigation is concluded, PSEA Focal Point and Relevance for emergency operations/PSEA Committee drafts an Investigation Report setting forth its findings, conclusions and recommendations.
- Based on the nature and severity of the allegation and the applicable legal framework, the Secretary General may decide to refer the case to the local authority and may waive immunities for the individuals concerned.

8.4 Responsibilities of the Human Resources Department

- PSEA Committee shall inform the Human Resources Department, where appropriate, of the opening of an investigation, who shall notify the OWH Personnel whose conduct is under

investigation.

- On the basis of the Investigation Report, the Department of Human Resources, in consultation with Legal Affairs, shall decide on (1) whether or not there are legitimate grounds to charge the individual with sexual exploitation and abuse, (2) if charges are issued, review responses to charges, (3) recommend appropriate disciplinary measures, if any, to be Determined by the General Director in line with the OWH Staff Regulation, and convey the final decision to the concerned individual.
- Both the alleged perpetrator, and any OWH Personnel interviewed during the course of the investigation are to be offered appropriate support. This could include access to psychosocial support services such as counselling.
- The Human Resources team also:
 - Performs background checks of all new hires
 - Screens OWH personnel who interact with children
 - Monitors compliance with mandatory training
 - Make sure that the PSEA code of Conduct is signed by all the staff

9. Procedures for reporting

9.1 Reporting by Affected Persons

In all the areas where OWH operates, an appropriate mechanism for Affected Persons to report SEA by OWH Personnel shall be developed and information about it effectively disseminated. These includes creation of a community-based complaint mechanism in collaboration with the community, use of the OWH whistle-blower system hotline known as “**You are Free**” and/or designation of a focal point for receiving complaints.

9.2 Reporting by OWH Personnel

OWH Personnel who witness, are aware of, or suspect that other OWH Personnel have engaged in SEA shall report through any of the following current channels:

- a) The Internal Audit Office, Legal Department of OWH
- b) The locally designated PSEA focal point (if applicable),
- c) The reporting individual’s line manager or any other manager, including senior managers,
- d) Human Resource Department

e) OWH's whistle-blower hotline system (currently known as "You are Free").

Any of the above recipients of such complaints shall refer the case to the Office of the Internal Audit and Investigation without delay and within 24 hours after the accident happened.

External partners, including National Societies, UN Agencies, and Regional Stakeholders who wish to report allegations against OWH Personnel may also use any of the above channel.

9.3 Reporting concerning persons other than OWH Personnel

Complaints received against NON OWH staff or volunteers shall be referred to the National Society by PSEA committee, in consultation with Governance Support if needed. The OWH requests National Societies to report back on the outcome of cases and on steps taken to ensure that any immediate medical, psychosocial or other needs of the SEA survivor related to the alleged incident are addressed.

Complaints received against Third-Party Personnel or external organization employees shall be referred to the employer of the person concerned by PSEA Committee.

10. Investigating Committee Procedures

The investigation committee is responsible for ensuring that allegations of SEA are investigated in accordance with this policy. Throughout the investigation, Workers and Visitors are required to cooperate with the investigation. Unless otherwise required by the PSEA team, all information must be kept confidential regarding the suspected survivor(s) and suspected perpetrator(s).

Investigation team is responsible for conducting investigations of internal SEA reports to the extent local authorities are not involved. The committee must report aggregated incident data to the OWH Senior management and to the Board of Directors on a quarterly basis.

The investigating staff will have to start their investigation immediately after the receipt of the complaint, the procedures will be as;

Information about the Complainant or Reporter

- Name of Complainant or Reporter:
- Contact details (including address, phone and email):
- Age: Sex or gender identity:

10.1. Incident of SEA or retaliation

- Date and time of incident (start/most recent dates):
- Location of incident:
- Detailed description of incident:
- Witnesses (names and contact details) and facts witnessed:
- Ask the complainant how they are feeling:

10.2. Information about alleged offender

- Name:
- Employer and job title:
- Contact details (including address, phone and email):
- Age: Sex:
- Physical description:

10.3. Complainant assistance

Ensure survivor-centered approach, which has the following guiding principles for the care of survivors of sexual and gender-based violence:

1. Consent
2. Confidentiality
3. Safety
4. Respect
5. Non-discrimination.

Make sure that whether the Complainant need and want medical assistance or has s/he sought treatment and, if so, where and from whom?

Assess what other services has the Complainant already received assistance from or would need help accessing?

Assign the staff responsible for ensuring a safety plan for the Complainant.

Describe any security measures put in place for the Complainant

Describe any referrals and advice about assistance, provided to the Complainant, including health, psychosocial, police and safe house.

After gathering the information this is the responsibility of the investigating team to ensure proper confidentiality during the whole process.

The investigation should be based on the realities and can be outsourced if there is need for experts. All the process must be documented and finalized reports should be furnished by collaborating the incident with the legal team.

10.4. Additional information

- Date complaint/report first received and by whom:
- Does the Complainant/Reporter know about OWH's process for handling complaints?
- Has the Complainant consented to sharing the complaint with the alleged offender?
- Complaints, whether made by the survivor or a third-party, need to be anonymized to the extent possible when shared with the alleged perpetrator. Only information required for ensuring due process will be shared with the alleged perpetrator.

11. Monitoring and Evaluation

The Senior Focal Point on PSEA at OWH Headquarters has the overall responsibility for promoting and monitoring the implementation of this policy.

The focal point shall review progress of implementation of this policy on annual basis, with support from the Senior Focal Point on PSEA.

As consistent with this policy, the responsibilities of senior managers with regard to PSEA should be reflected in their job description (or Terms of Reference as appropriate) and their performance reviews.

The Internal Audit Office reports annually the number of complaints of sexual exploitation and abuse filed and among them the actual number of proven cases and their resolution to the Governing Board.

A report is also to be made available to the public, accompanied by a statement about measures in place to handle allegations, what is being done proactively in terms of prevention, and how managers are held accountable for sharing and upholding the policy.

OWH shall collaborate with other international, inter-governmental and non-governmental organizations, including National Societies in reviewing the implementation and impact of collective efforts to eliminate SEA and related abuse of power.

An evaluation of this policy's utility and results will be undertaken two years after its adoption.

12. Relevance for emergency operations and Sensitive Recruitment

As OWH have been working in emergency situation thus in emergency operations, where staff are often hired very quickly, it is critical to highlight, prevent and respond to SEA and ensure that the OWH Code of Conduct is upheld.

Staff should create and sustain a respectful and inclusive environment that prevents sexual exploitation and abuse. Since the relationship between humanitarian workers and persons of concern is inherently unequal in terms of power and authority, staff must be vigilant and rigorously avoid any action that could suggest, imply or create the perception that engaging in sexual activity with humanitarian personnel might be expected in return for protection, material assistance or other services of any kind.

Thus in the hiring procedures the below checklist should be implemented and documented.

12.1 Checklist for PSEA-Sensitive Assignments

- ❖ 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.
- ❖ Conduct background checks (e.g. police records, Google searches) and 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 interviews.
- ❖ 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 PSEA clause in employment contracts, including when subcontracting.
- ❖ Outline disciplinary measures in the event of proven SEA allegations (e.g. termination of

contract).

- ❖ include training in PSEA 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 PSEA trainings) in performance appraisals of staff.
- ❖ Include in the performance appraisals of senior staff their effectiveness in creating and maintaining an environment which prevents and responds to SEA.
- ❖ Freeze professional advancement/recruitment opportunities of individuals under investigation.
- ❖ In cases of confirmed misconduct, take robust disciplinary action (e.g. dismissal, suspension, written censure or other administrative/corrective measures) and, where this involves possible criminal conduct, consider reporting the incident to local law enforcement authorities.
- ❖ Maintain an internal database documenting any disciplinary measures on personnel, including dismissals, to avoid rehiring them at a later point in time.
- ❖ Systematically share relevant information of personnel known to have committed SEA with other potential employers during background checks, to the extent legally possible.

13. Related documents

S.NO	Name	Version
1	Code of Conduct	2021
2	Whistleblower Policy	2021
3	Child Protection Policy	2021
4	HR Policy	2021

14. Annexes

ANNEX 1. Sample Incident Report

If you have knowledge of an incident that has occurred that is against the OWH Code of Conduct, the Prevention of Sexual Exploitation and Abuse policy, or that a participant's safety might be in danger, please complete this form to the best of your knowledge as promptly as possible.

Please note for confidentiality reasons, the report should be written and signed solely by you. It will be treated in the strictest confidence. Organization for Welfare and Humanitarian has dedicated email addresses and dedicated Hotline,

Email 1: Psea1focalpoint.owh.org.af,

Email 2: Psea2focalpoint.owh.org.af

Email 3: admin.owh.org.af

Hotline Number: +93 202503130

To enable confidential reporting.

This email address is monitored in the HQ. Alternatively, you can send your report to the relevant program manager and the project level management team.

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.

Your name

Your job title or position

Your telephone number (and e-mail address if you have one)

Name of alleged perpetrator

Name of participant(s)/victim(s) against whom the incident occurred.

Gender of participant/alleged victim MALE / FEMALE

Age of participant (only complete the age for an adult if the age is related to his/her vulnerability)

Guardians / careers of participant (if a child and if known)

Date, time of alleged incident

Location of alleged incident

Please describe the nature of the allegation below (and on a separate page if required).

Try to answer the following questions:

Was the abuse observed, suspected or divulged to you by another party?

What was/is the participant's physical and emotional state?

Has the participant said anything to you, and how did you respond?

Were there any other people involved?

What response have you taken, if any, to the alleged incident?

Which other parties, if any, are also aware of the alleged incident?

Details of other staff members and community members who can verify the incident.

Provide any other relevant information

- Only as needed and appropriate

ANNEX 2. Terms of Reference (ToR) for PSEA Focal Point

1. Background

Sexual exploitation is defined as an actual or attempted abuse of someone's position of vulnerability (such as a person depending on you for survival, food rations, school books, transport or other services), differential power or trust, to obtain sexual favors, including but not only, by offering money or other social, economic or political advantages.

Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force, or under unequal or coercive conditions. It includes sexual slavery, pornography, child abuse and sexual assault.

OWH have a zero tolerance policy with regard to sexual exploitation and abuse. It is considered serious misconduct and can have severe consequences.

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OWH places human dignity at the center of its development work, and has a zero-tolerance stand on exploitative and abusive relationships. OWH employees must report any actual or suspected unethical behavior related to sexual exploitation and OWH has a duty to ensure that allegations of sexual exploitation and abuse are investigated and that appropriate disciplinary measures are taken.

1. Purpose

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

2. Scope of Work

Key roles and responsibilities of PSEA focal points include:

Prevention

- Conduct periodic assessments of OWH's PSEA policies and practices and suggest improvements to senior management.
- Conduct training and awareness-raising sessions on PSEA for all personnel on a regular basis.
- Work with human resource and other relevant personnel (Internal Audit, General Director and Executive Director) on PSEA-related aspects, including ensuring that all personnel sign the code of conduct and that screening for past SEA violations is a regular part of the recruitment process.
- Facilitate awareness-raising campaigns with beneficiaries and local communities on the definition of SEA, the standards of conduct expected of OWH's personnel, and the various mechanisms for raising SEA allegations or concerns, including contact details.

Reporting allegations of SEA

- Manage the development of internal procedures for personnel to report incidents of sexual exploitation and abuse safely and confidentially.
- Receive reports of SEA allegations and related information and coordinate the response according to relevant procedures.
- Report concerns or issues with PSEA implementation to senior management.

Response to SEA allegations

- Once a complaint is received, coordinate OWH's response, including referral of SEA survivors for immediate, professional assistance and referral of the case for further investigations to

Other responsibilities

- Coordinate OWH's PSEA activities with relevant organizations, including Inter-agency initiatives, as appropriate.
- Support senior management in implementing other PSEA-related activities, as appropriate.

3. 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 Pashto, Dari, English and other local languages will be of high importance
- Demonstrated experience of working directly with local communities
- Proven communication skills

Upon appointment, the focal point will undergo organization-specific training on PSEA, as soon as feasible.

ANNEX 3. PSEA code of conduct

I, name, Position understand that I have duty of care to the members of the affected population and beneficiaries and a responsibility to ensure that affected women, girls, boys, and men are treated with dignity and respect.

I commit to uphold the highest standards of professional and personal conduct, even when I am off duty or away from my duty station or on leave.

I have received and I accept all the terms and clauses of the OWH's Prevention of Sexual Abuse and Exploitation policy.

I understand that sexual exploitation and abuse is unacceptable behavior and in order to prevent sexual exploitation and abuse, I commit to respect the six core principles outlined in the UN Secretary-General's Bulletin:

- I. Sexual exploitation and abuse is **serious misconduct** and grounds for **disciplinary measures**, including summary dismissal.
- II. Sexual activity with **children** (persons under the age of 18) is **prohibited**, regardless of the age of majority or local age of consent. Mistaken belief in the age of the child is not a defence.

- III. Exchange of **money, employment, goods or services for sex**, including any humiliating, degrading, or exploitive behaviour is **prohibited**.
- IV. Any sexual relationship between staff and beneficiaries of Organization for Welfare and Humanitarian, including that of our programs and services and of sister organizations; or sexual relationship between members of the affected population that involve the improper use of power or position is prohibited.
- V. Workers providing assistance to beneficiaries are obliged to create and maintain an environment that prevents sexual exploitation and abuse. Managers at all levels have an additional responsibility to do so.
- VI. Where an aid worker or staff member has **concerns or suspicions** regarding sexual exploitation or abuse by an aid worker he/she **must report** such concerns. A confidential complaint **can be made by or on behalf of a survivor** by contacting Organization for Welfare and Humanitarian,

your PSEA focal Points;

PSEA Focal Point 1:

Pseafocalpoint.owh.org.af,

PSEA Focal Point 2:

Psea2focalpoint.owh.org.af

OWH Executive Director:

Executivedirector.owh.org.af

Hotline Number:

+93 (0) 707808080

By signing this Code of Conduct, I hereby agree to uphold its principles.

Name: _____

Title: _____

Date: _____

Signature: _____

15. Message by the Management Team

OWH management team is thankful to all the employees for their effort in the finalization of the policy and for bringing the Organization to this position.

Thank you for everything you do for making OWH a successful and terrific place to work.

OWH believes that all the rules and regulation must be formed to the best interest of the Organization, the sector of its operation and to the wider population.

16. Revision of the Policy

OWH reserves the right to revise, modify any or all clauses of this policy depending upon the need of the day and after making discussion in the board meetings.

