



Document Title : **Protecting Program Participants from Sexual Exploitation and Abuse (PSEA)**

Effective Date : **1-09-2021**

**APPROVED:** \_\_\_\_\_  
\_\_\_\_\_

**REVIEWED:** \_\_\_\_\_  
\_\_\_\_\_

**CONSOLIDATED:** \_\_\_\_\_  
\_\_\_\_\_

**PURPOSE:**

To set out AHNi's behavioral expectations and guiding principles with respect to preventing and responding to sexual exploitation and abuse (SEA) of participants in AHNi programs.

**SCOPE:**

This policy applies to all AHNi Personnel worldwide, and to Suppliers and Supplier Personnel to the extent set out below.

**DEFINITIONS:**

1. *Child* – a person under 18 years of age irrespective of age of majority in the local context.
2. *Community-Based Complaints Mechanism (CBCM)* – a mechanism by which Program Participants in communities where development or humanitarian programs are being implemented are able and encouraged to safely report grievances – including sexual exploitation and abuse (SEA) incidents – and those reports are then routed to the appropriate reporting mechanism/channels for follow-up. A CBCM usually blends both formal and informal community structures, is built on engagement with and input from Program Participants and can be set up to support multiple organizations (inter-agency CBCM) or to support a single organization (intra-agency CBCM) in a given a location.
3. *Complainant* – a person or party who makes a complaint.
4. *Consensual* – involving or based on mutual agreement.
5. *Consent* – agreement to sexual acts, freely given without any element of force, fraud, deceit, or coercion - whether physical, emotional, economic or social in nature. The two necessary components of consent are that it be both *informed* and *voluntary*, meaning involved persons fully understand the sexual act to which the agreement of “yes” is made, without any use of influence, force, or coercion. Children, anyone under 18 years of age, can never give consent to a sexual relationship with an adult.
6. *AHNi Personnel* – AHNi employees, officers, members of the Board of Trustees, interns and fellows (paid or unpaid), volunteers, agents, and other individuals authorized to act on behalf of AHNi.
7. *Program Participant* – any adult or child who is served by AHNi programs, or has contact with AHNi Personnel, Suppliers, or Supplier Personnel in connection with or as a result of AHNi's programs or business activities.
8. *Respondent* – a person or party against whom the complaint is made.
9. *PSEA* – preventing sexual exploitation and abuse (see below –sexual abuse and sexual exploitation)
10. *Sexual abuse* – any actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions (e.g., engaging in sexual activity with a person who has a disability or others who are unable to freely give consent).

11. *Sexual exploitation* – any actual or attempted abuse of Program Participants that takes advantage of their position of vulnerability or trust for sexual purposes.
12. *SEA* – sexual exploitation and abuse committed by humanitarian or development workers (see above - sexual abuse; sexual exploitation).
13. *Supervisor* – an employee of AHNi who is in a direct supervisory role over the work of one or more employees of AHNi.
14. *Supplier* – Any AHNi contractor, consultant, vendor, service provider, subcontractor, or subrecipient.
15. *Supplier Personnel* – A Supplier's employees, interns and fellows (paid or unpaid), volunteers, agents, and other individuals authorized to act on Supplier's behalf.

**POLICY:**1. General Statement of Policy:

- 1.1. AHNi does not tolerate any form of sexual exploitation and abuse of any person, adult or child, who is served by AHNi programs or who AHNi Personnel encounter in the implementation of those programs, including research.
- 1.2. AHNi is committed to upholding the United Nations Secretary General's Bulletin on Special Measures for protection from sexual exploitation and abuse (ST/SGB/2003/13) and the six Core Principles of the UN Inter-Agency Standing Committee on PSEA (2019).
  - 1.2.1 Sexual exploitation and abuse of Program Participants by humanitarian and development workers constitute acts of serious misconduct and are therefore grounds for termination of employment and potential referral to law enforcement authorities.
  - 1.2.2 Sexual activity with children (persons under the age of 18) is always prohibited, even if they are not Program Participants, regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defense.
  - 1.2.3 AHNi Personnel are prohibited from exchanging money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading, abusive, or exploitative behavior with Program Participants. This includes any exchange of assistance that is due to any Program Participant.
  - 1.2.4 Any sexual relationships between AHNi Personnel and Program Participants are prohibited since they are subject to inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian and development aid work
  - 1.2.5 Where AHNi Personnel develop concerns or suspicions related to SEA against Program Participants committed by a fellow worker, including colleagues at other organizations, they must report these concerns via AHNi's established reporting mechanisms.
    - 1.2.5.1 AHNi will take preventive measures, investigate SEA complaints, and take appropriate action to stop any SEA that may occur against any Program Participant, and will do so in a manner that is sensitive to the special needs of children and adolescents.
  - 1.2.6 AHNi Personnel are obligated to create and maintain an environment which prevents SEA and promotes the implementation of AHNi's Code of Ethics and Conduct. AHNi Personnel at all levels are responsible for supporting and developing systems which maintain this environment.

2 Conduct Constituting Sexual Exploitation and Abuse:

- 
- 2.1 Sexual exploitation and abuse can occur during in-person, virtual, or electronic interactions. Examples of sexual exploitation and abuse of a Program Participant include, but are not limited to:
    - 2.1.1 Touching, kissing, or bodily contact in a sexual way by force or by coercion
    - 2.1.2 Taking photographs that are sexual in nature (including degrading or nude photographs)
    - 2.1.3 Showing pornographic material to or asking adult or child Program Participants to engage in conduct of a sexual nature via electronic or mobile interactions (e.g., texting, email, video chat)
    - 2.1.4 Physical assault of a sexual nature, including oral sex or attempted or completed rape defined as "penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim"
    - 2.1.5 Offering preferential treatment or promises of preferential treatment or goods to a Program Participant for submitting to sexual conduct, including soliciting or attempting to solicit any Program Participant to engage in sexual activity for compensation or reward, or promise of a relationship or marriage
    - 2.1.6 Threats or demands that a person submit to sexual requests as a condition of continued program participation or to avoid loss of program-related benefits
  - 2.2 Even in instances when sexual contact was initiated by a Program Participant, AHNi Personnel are bound by all the provisions of this policy.
  - 2.3 The list of prohibited actions set out above is not intended to be exhaustive. Other types of sexually exploitive or sexually abusive behavior - and other forms of humiliating, degrading, or exploitative behavior induced by force, fraud, or coercion - may be grounds for administrative and disciplinary action. See sections 9 and 11.
- 3 AHNI's Standard Reporting Mechanisms
- 3.1 AHNi Personnel who observe, suspect, or receive allegations of SEA, or any other conduct prohibited by this policy, are required to report the conduct immediately, ideally within 24 hours or as soon as possible under the circumstances, either orally or in writing, by contacting one of the following: (Refer to Section 12 for Supplier reporting requirements)
    - 3.1.1 Their immediate supervisor, or, if the conduct involves the immediate supervisor, any other supervisor within AHNi.
    - 3.1.2 PSEA Focal person
    - 3.1.3 AHNi Human Resources (HR) representative at [HRDesk@ahnigeria.org](mailto:HRDesk@ahnigeria.org)
    - 3.1.4 AHNi Compliance Unit at [ComplianceDesk@ahnigeria.org](mailto:ComplianceDesk@ahnigeria.org)
    - 3.1.5 AHNi's HR Unit Link for reporting complaints either with your name or anonymously <https://bit.ly/2UcE9eQ>
    - 3.1.6 AHNi's Compliance Unit link for reporting complaints either with your name or anonymously <https://bit.ly/3yQwzWA>
      - 3.1.6.1 Anonymous reports are generally more difficult to investigate due to limited information. AHNi Personnel are urged to provide as much detailed information as possible about the conduct, including, if possible, identifying people who were involved or who witnessed the conduct, so long as this will not put the persons identified at risk of immediate harm.
  - 3.2 AHNi Personnel who are HR staff, supervisors or hold a position at director level or above are required to promptly report, ideally within 24 hours or as soon as possible under the circumstances, to HR or AHNi's Compliance Unit of any actual or suspected sexual exploitation or abuse, retaliation, or other violation of this policy that is reported to them, or that they observe or otherwise become aware of. Failure to do so is a violation of this policy and could lead to disciplinary action, up to and including immediate separation of employment or other relationship with AHNi.
- 4 Community-Based Complaints Mechanisms (CBCMs):

- 
- 4.1 AHNi is committed to ensuring that Program Participants – in both humanitarian and development settings – have culturally appropriate, gender-sensitive, safe, confidential and accessible ways to report SEA claims. To address any barriers that Program Participants may have in accessing AHNi standard reporting mechanisms (outlined in Section 3.1), projects must determine whether an additional local reporting mechanism (CBCM) is required or needed:
- 4.1.1 In humanitarian settings, AHNi-supported projects are required to participate in an inter-agency CBCM, where one exists. If any inter-agency CBCM does not exist as part of the humanitarian response, FHI 360-supported projects that operate in a humanitarian setting must establish a CBCM to ensure Program Participants have an accessible way to report harm committed by AHNi personnel or partner personnel. In these situations, the CBCM does not need to be an inter-agency CBCM; rather, it should be implemented at all FHI 360-supported project sites and locations.
- 4.1.2 In development settings, each project must determine if a CBCM is necessary based on project activities and known barriers in Program Participants' ability or willingness to access AHNi's standard reporting mechanisms (outlined in Section 3), noting that the following require one: any direct service provision to or activities that involve distributing items to Program Participants; projects interacting with vulnerable populations at high risk of SEA (e.g., women, children, marginalized groups); or if Program Participants do not have access to or do not trust an existing CBCM or AHNi's standard reporting mechanisms.
- 4.2 All CBCMs must be developed, implemented, and monitored and reviewed for effectiveness, including raising awareness among program participants where programs are implemented, employees, and related personnel about how to access the CBCM.
- 4.3 SEA complaints received via a CBCM or any other mechanism must be immediately routed/reported using one of AHNi's standard reporting mechanisms, as outlined in Section 3.
- 5 Non-Retaliation:
- 5.1 AHNi strictly prohibits any retaliation against AHNi Personnel, Suppliers, Supplier Personnel, or program participants/beneficiaries who complain about SEA or other violations of this policy or related procedures, or who participate in a SEA investigation.
- 5.2 Retaliation occurs when someone penalizes or threatens to penalize another person for reporting or expressing an intent to report what they believe in good faith to be SEA or any other violation of this policy, assisting others in reporting SEA or policy violations, or participating in investigations under this policy.
- 5.3 Non-retaliation protection includes all Program Participants. No Program Participant or community member will be denied participation in a program or access to aid for reporting suspected or known sexual exploitation and abuse or participating in a SEA investigation.
- 5.4 Suspected retaliation should be promptly reported via the reporting mechanisms set out in Section 3 (AHNi Personnel) and Section 12 (Suppliers).
- 5.5 AHNi Personnel who engage in retaliation will be subject to disciplinary action up to and including separation of employment or other relationship with AHNi.
- 6 Other Conduct That Violates This Policy
- 6.1 In addition to SEA, retaliation, and other prohibited conduct outlined above, it is also a violation of this policy for AHNi Personnel to:
- 6.1.1 attempt to discourage, interfere, or impede any individual from reporting SEA
- 6.1.2 discourage or impede any individual's participation in any investigation under this policy
- 6.1.3 knowingly provide false information or make false claims to investigators
- 6.1.3.1 This policy recognizes that the fact a claim cannot be substantiated does not necessarily make it a false claim.

7 Support to Victims/Survivors of SEA

- 7.1 The safety of all those involved is paramount. AHNi Personnel involved in implementing this policy **must ensure that responding to sexual exploitation and abuse does not jeopardize the safety of a victim of SEA or an accused Respondent.** Upon receipt of a complaint, AHNi will make a swift assessment concerning the health and safety of the individuals involved and implement temporary remedies necessary for safety. During investigation (see Section 8), AHNi will take measures to protect any victims/survivors or potential victims of SEA.
- 7.2 AHNi will provide referrals for support and assistance to Complainants of SEA. This may include medical treatment, legal assistance and psychosocial support as appropriate and according to the wants and needs of the victim/survivor whilst also considering confidentiality, cultural sensitivities and victim/survivor safety.

8 Investigation and Corrective Action

- 8.1 Upon receipt of a report of a violation of this policy, AHNi will act to prevent further SEA and implement temporary remedies, which may include placing the Respondent of the complaint on administrative leave (if the Respondent is an AHNi employee), or other measures at AHNi's discretion to ensure safety, confidentiality, and allow for a thorough and uninterrupted investigation.
- 8.2 When the subject of SEA is a child, AHNi persons/parties responsible for safeguarding coordination will, under the guidance of AHNi leadership, including, Human Resources Unit and Compliance Unit, take swift and appropriate action to notify local law-enforcement, social services or child protection authorities in compliance with local mandatory reporting laws and take such other action deemed necessary to protect the child, so long as this will not put the persons at risk of immediate harm.
- 8.3 AHNi – or independent investigators acting on AHNi's behalf – will conduct a sensitive, timely, and thorough investigation in an impartial manner that provides all parties with appropriate due process and maintains confidentiality to the extent possible (see Section 9 for detailed information about confidentiality).
- 8.4 Investigations will generally be conducted by AHNi persons/parties responsible for safeguarding and may be guided by HR or Compliance Unit. AHNi may hire outside investigators or work in collaboration with experienced investigators from donors or prime organizations when deemed appropriate, including when AHNi does not have an experienced investigator available to conduct the SEA investigation.
- 8.5 AHNi Personnel must cooperate fully with investigations and provide truthful information to investigators.
- 8.6 Investigations typically involve interviews of the Complainant and Respondent and others who may have witnessed or otherwise have knowledge of the complaint. A review of relevant records, e-mails, communications and other facts will be completed. Specific investigation steps will vary based upon the unique circumstances of each complaint.
- 8.7 Upon completion of the investigation, AHNi will review the evidence collected and determine whether sexual exploitation and/or abuse, retaliation, or other violations of this or other AHNi policies have occurred.
- 8.8 Where a policy violation has occurred, AHNi will take prompt corrective action reasonably calculated to end the SEA and to deter future violations, up to and including immediate separation of employment or other relationship with AHNi (See Section 10).
- 8.9 AHNi will cooperate with regulatory investigations and may be required to report credible allegations to law enforcement and AHNi funders. Such cooperation and reporting will be under the guidance of HR and Compliance Unit and AHNi persons/parties responsible for safeguarding coordination.



9 Confidentiality

- 9.1 AHNi will keep SEA reports confidential to the extent possible to ensure the privacy of the individuals involved and to maintain integrity and fairness of the investigation, while still fulfilling its obligations to investigate and end any sexually exploitative or abusive conduct.
- 9.2 Information learned through the investigation process will be disclosed only to those AHNi Personnel or other persons who “need to know” in order for AHNi to fulfill its obligations to investigate and take prompt action.
- 9.3 As required by local law, AHNi will provide necessary and appropriate disclosure to local enforcement agencies and will participate in investigations.
- 9.4 Nothing in this policy is intended as a guarantee of absolute confidentiality, nor is intended to curtail employee rights under any applicable laws to discuss work-related matters.

10 Consequences of Policy Violations

- 10.1 AHNi Personnel who violate this policy are subject to disciplinary action up to and including immediate termination of employment or other relationship with AHNi.
  - 10.1.1 AHNi may take legal action when required, against AHNi Personnel who have been found to commit SEA, including referral to the relevant authorities for appropriate action, including criminal prosecution, in all relevant jurisdictions.
- 10.2 Program Participants who violate this policy may be removed from AHNi programs and barred from participation in other AHNi programs.
- 10.3 Violations of this policy by Suppliers or Supplier's Personnel may result in AHNi terminating the Supplier's contract with AHNi. Further, AHNi may pursue any contractual or other legal or equitable remedies that may be available.

11 Recruiting and references.

- 11.1 AHNi, in compliance with applicable laws, will take all reasonable steps to prevent perpetrators of SEA and child abuse from being hired, re-hired or re-deployed by AHNi.
- 11.2 As allowed by applicable labor law, AHNi Personnel must immediately disclose convictions or guilty pleas of any offense that relates to sexual exploitation and abuse.

12 Expectations of AHNi Suppliers and Supplier Personnel

- 12.1 Suppliers and Supplier Personnel must refrain from any conduct that violates this policy for Protecting Program Participants from Sexual Exploitation and Abuse.
- 12.2 AHNi requires that Suppliers similarly uphold the principles of this policy to prevent SEA by Supplier Personnel. Failure to do so may result in termination of Supplier's contractual relationship with AHNi.
- 12.3 Suppliers or Supplier Personnel who witness conduct prohibited by this policy or who identify that supplier personnel have engaged in any such conduct should promptly report the conduct, ideally within 24 hours or as soon as possible under the circumstances, either orally or in writing, AHNi’s HR and/or Compliance Unit by one of the following means:
  - 12.3.1 AHNi Human Resources (HR) representative at [HRDesk@ahnigeria.org](mailto:HRDesk@ahnigeria.org)
  - 12.3.2 AHNi Compliance Unit at [ComplianceDesk@ahnigeria.org](mailto:ComplianceDesk@ahnigeria.org)
- 12.4 AHNi requires that suppliers cooperate fully with investigations and provide truthful information to investigators.
- 12.5 will include appropriate language reflecting the applicable requirements in Supplier contracts and other agreements.

---

**Title**

Protecting Program  
Participants from Sexual  
Exploitation and Abuse

Effective Date :1-09-2021

Version : Version 1

---

**RELATED DOCUMENTS:**

**1. Policies**

- Code of Ethics & Conduct
- Harassment Policy

**POLICY REVISION HISTORY:**

POL#	Date Reviewed (DD MMM YYYY)	Summary of Changes