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**CODE OF CONDUCT FOR THE PREVENTION OF SEXUAL EXPLOITATION AND
ABUSE: GUIDELINES FOR IMPLEMENTATION**

3rd, August, 2018

The Code of Conduct should form part of all POH employment contracts

Approved by the POH 's Board of Directors

Date.....Signature.....

1. Introduction (Background)

The prolonged conflict, poverty and displacement inevitably erode and weaken many of the social and political structures of South Sudanese that are designed to respect and protect members of the community where these conditions have occurred or exist. The resources available to communities and crisis-affected populations, and to the humanitarian and development agencies that is there to assist them, are frequently insufficient to meet basic needs. All too often, mechanisms for protection are not given sufficient priority. Against this background, women, men, girls and boys find themselves in situations where they can be exploited or abused. Such an environment can provide opportunities for abuse of power and corruption by development and humanitarian aid workers. POH has a zero tolerance to Sexual Exploitation and Abuse (SEA) and must make every effort to create an environment where such practices are not tolerated. This is especially necessary given the following features of humanitarian crises:

- The lack of economic opportunities for displaced populations may result in commercial and exploitative sex being one of the few options for income generation to meet basic needs like food, shelter, education, health etc.
- In cases where communities come from an environment of gender-based violence, proper safeguards need to be put in place, as similar patterns can continue or even be exacerbated in refugee or IDP camp (or non-camp) situations.
- The usual social protections are not in place or are no longer functioning. Levels of protection and security are generally poor; justice and policing frequently do not exist in the displaced environment. POH also has a zero-tolerance position on fraud and corruption.

2. POH Commitment

The POH mission statement affirms that “POH works toward guaranteeing community focused and development-oriented intervention that inspire sustainable peace and respecting the dignity of all people; We seek to identify core social needs, advance the cause of voiceless and mobilize resources to sustainably restore sanity in our communities; and we are committed to making strategic grassroots linkages that impact the social fabric of our society and initiate transformative reforms”. It is committed to “guard against the abuse of power by those responsible for protection and assistance to vulnerable communities” POH employees and board of members “adhere to the Code of conduct of Prevention of Sexual Exploitation and Abuse) and other codes which may be adopted by the Governing Board in the future”.

POH recognizes that sexual exploitation and abuse can occur in many different environments internal and external. However, in humanitarian crises, the dependency of affected populations on humanitarian agencies for their basic needs creates a particular ethical responsibility and duty of care. On the part of POH staff. Therefore, all programme managers have a responsibility to ensure that all staff are aware of this code of conduct, sign it, and understand what it means in concrete behavioral terms. They must also ensure that there are proper mechanisms in place to prevent and respond to sexual exploitation and abuse



POH employees and board of members must cooperate, when requested, with any POH investigation into allegations of sexual exploitation and abuse. Failure to disclose, or withholding, information about sexual exploitation and abuse constitute grounds for disciplinary measures.

3. Scope and purpose.

The main purpose of this Code of Conduct is to promote greater accountability towards crisis-affected populations that POH is serving and all those with whom we work. It is intended to serve as a guide for POH employees and board of directors to make ethical decisions in their professional lives and at times in their private lives. It is designed to assist staff to better understand the obligations placed upon their conduct, and to protect the reputation of the POH. The spirit in which this code has been developed is intended to strengthen, complement and enhance already existing “Codes of Conduct”, rather than to detract from them. POH employees and board of directors have a particular responsibility to uphold the standards expressed in the PSEA Code of Conduct, to set a good example and to create a working environment that supports and empowers staff.

4. POH’s PSEA Code of Conduct

- 4.1. Respect and promote fundamental human rights without discrimination and irrespective of social status, race, ethnicity, colour, religion, gender, sexual orientation, age, marital status, national origin, political affiliation or disability.
- 4.2. Treat all communities with whom we work (including crisis-affected populations, Internally Displaced Persons (IDPs) and refugees), fairly and with respect, courtesy, dignity and according to the respective country Law, International Law and Local Customs.
- 4.3. Create and maintain an environment that prevents sexual exploitation and abuse, abuse of power and corruption, and promotes the implementation of the code of conduct. Managers at all levels have particular responsibilities to support and develop systems that maintain this environment.
- 4.4. Uphold the highest standards of accountability, efficiency, competence, integrity and transparency in the provision of goods and services in the execution of their job.
- 4.5. Never commit any act or form of harassment that could result in physical, sexual or psychological harm or suffering to individuals, especially women and children.
- 4.6. Never exploit the vulnerability of any target group, especially women and children, or allow any person/s to be put into compromising situations.
- 4.7. Never engage in any sexual activity with children (persons under the age of 18) regardless of the age of majority or age of consent locally. Sexual activity with children is prohibited. Mistaken belief in the age of a child is not a defence.
- 4.8. Never engage in sexual exploitation or abuse of any man, woman, girl or boy. This constitutes acts of gross misconduct and is therefore grounds for termination of employment.

- 4.9. Never exchange money, employment, goods, or services for sex, including sexual favours. All forms of humiliating, degrading or exploitative behaviour are prohibited. This includes exchange of assistance that is due to beneficiaries.
- 4.10. Never abuse their position to withhold humanitarian assistance, nor give preferential treatment; in order to solicit sexual favours, gifts, payments of any kind, or advantage. The employee should be conscious of not taking advantage of his/her position and may not accept gifts (except for small tokens of appreciation) or bribes.
- 4.11. Not engage in sexual relationships with communities and affected populations with whom we work. Such relationships are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work. This rule applies to both during and after working hours.
- 4.12. Employees may not accept, solicit or engage in the "buying" of or profiting from sexual services. This is applicable both within and outside of working hours.
- 4.13. Ensure that all confidential information, including reports of breaches of these standards by colleagues, obtained from communities and affected populations or colleagues is channelled correctly & handled with utmost confidentiality.
- 4.14. Ensure that reports, concerns or suspicions of breaches of these standards are immediately reported to senior management or the human resources manager (or established agency reporting mechanisms), who is expected to take prompt investigative action.
- 4.15. Any breach of the Code of Conduct will result in disciplinary action in accordance with the respective terms, conditions and guidelines of the individual agencies.
- 4.16. Any staff member purposely making false accusations on any action by another staff member, which is in breach of the code of conduct will be subject to disciplinary action at the discretion of the employer.

5. Guidelines for implementation

It is essential for POH employees and board members to demonstrate ways in which they are complying with the Code of Conduct on Sexual Exploitation and Abuse (beyond the mandatory individual signing of the Code). Members must do everything possible to reduce the power disparity between affected populations and aid workers, and between staff within the organization, to ensure that there is an organizational culture that prioritizes this issue, and to establish and implement responsible compliance and complaints systems.

The following Mechanisms for Compliance are listed for consideration by members, to be used or adapted as appropriate, recognizing that some members may already have similar mechanisms in place:

- 5.1. Establish Complaints Form: POH will develop complaint form where employees will fill and submit to the focal point person and the person will keep every information confidential.
- 5.2. Embed the Code of Conduct on SEA in all Employment Policy, Procedures and Contracts: The POH's Code of Conduct on PSEA should be embedded in the contract of every employee:

- a. POH should ensure that the essentials of the Code of Conduct (staff behaviour standards and possible disciplinary measures in case of misconduct) become part of the employment contract.
 - b. All staff should have written job descriptions, which mention compliance with POH Codes and policies and with clear reporting lines. At a minimum, new staff will be required to sign that they have read, understood and are in agreement with the content of this Code of Conduct, and accept the consequences of any violation of any of its provisions.
- 5.3. Appoint “Focal Points” on PSEA: POH should ensure that at least one trusted senior staff (male or female), preferably with experience and training in the field of PSEA, is appointed and who can act as Focal Points. In cases where “Employee Representation” or “Employee Representative Committees” are already in place, these should be supplemented by Focal Points. The Focal Points should be equipped with a clear Terms of Reference. POH shall, ensure that respective training and guidance is provided to the Focal Point, and that he/she in turn will be able to train other staff. The Focal Points are the persons to whom staff can make complaints and/or to alert the member to allegations. Selection of the right persons to be the Focal Points is essential. Agreed upon criteria for the selection should be established. Every effort must be made by the Senior Management of the member agency to provide the Focal Points with the requisite tools and authority to perform this role effectively, and to protect him/her from any potential disruptions or outside influence.
- 5.4. Organise Staff Orientation and Training: Raise awareness and familiarise staff and affected populations/communities on the PSEA Code of Conduct. POH cannot assume that staff members are any more aware of PSEA issues than other members of the community. Therefore, all staff should be familiarised with the topic. This may well include internal training, induction and refresher sessions. Awareness raising and familiarisation should include mandatory reporting requirements, as these may help to overcome fears of sharing concerns about colleagues. One of the characteristics of Gender Based Violence (GBV), and in particular sexual violence, is under-reporting. Victims generally do not speak of the incident for many reasons, including self-blame, fear of reprisals, mistrust of authorities, and fear of re-victimisation. Acts of GBV often evokes shaming, blaming, social stigma, and often rejection by the victim’s family and/or community. It is essential to raise awareness both for the potential victims (regarding their rights and ways of reporting) and the potential perpetrators (regarding their wrongs). At a minimum, people with whom we work need to know:
- a. That they have a right to be free of sexual exploitation and abuse.
 - b. How they can complain and to whom they can complain.
 - c. What steps they can take to ensure confidentiality.
- 5.5. Prepare an SEA brochure for dissemination to staff, board members and affected populations/communities Staff, board members, communities and affected populations need to be aware of what mechanisms exist to prepare for and respond to cases of sexual exploitation and abuse. A simple brochure can serve that purpose. For example, the established “channel of complaints” should be communicated clearly and publicised to all staff and populations with which the member is working. The information should include information on: the protection of the rights and confidentiality of both alleged victims and the accused; and where to find Focal Points for inquiry, complaints and protection; and on how to make a complaint. Here it must be kept in mind that provision of too much information can sometimes be counterproductive, and may undermine trust.



5.6. Have investigation and sanction mechanisms in place in some instances complaints will justifiably lead to the need for a more detailed investigation, which is generally carried out by the POH's PSEA focal point person according to its own investigation policies and procedures. If the POH member does not have the capacity to undertake an investigation, the POH Secretariat may be called upon to facilitate an investigation.

ATTESTATION:

The signature of the Chairperson of Board of Directors below confirmed it that the Members of the Board have read, understood and in agreement with the content of this document and specifically articles 4.1 to 4.16 of the Code of Conduct, which shall be subject to periodic revision and review.

The signatory accepts the consequences of any violation of any of the above provisions under this Code of Conduct.

Position:

Signature:

Date:

Place:

ANNEX 1: Sexual Exploitation and Abuse Initial Complaint Form

(to be completed by the PSEA focal point person initially receiving the complaint)

All information must be held securely and handled strictly in line with applicable reporting and investigation procedures. Confidentiality must be maintained as per POH Complaints Policy and Guidelines

File Number: _____

A – General Data

- 1. Location/state _____ Block/Plot _____
- 2. Name of affected person _____ Sex _____ Age _____
- 3. Identification number (specify) _____
- 4. Date of incident _____ Time of incident _____
- 5. Place incident _____
- 6. Date of reporting _____ Time of reporting _____
- 7. Date of Examination _____

B – Brief Description of the incident

C - Name of Witnesses (if any:

- 1. _____
- 2. _____
- 3. _____

D - Describe action taken, provide detailed information regarding what medical assistance has been provided, what psychosocial care has been provided and whether a report has been made to the Police.

Case to be referred to an PSEA Taskforce immediately

If No, why not?

(Name) _____ Signature _____

Case referred to: _____

**Prepared and adopted by:
Pilgrims of Hope Administration
2018**

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