

ADR Safeguarding Policy: Protection from Sexual Harassment, Exploitation and Abuse, and Child Abuse

1. Policy Statement

ADR places human dignity at the centre of its relief and development work. At the heart of ADR's efforts to impact poverty and social justice is its engagement with marginalised communities. In ADR, we also recognise the particular responsibility we have to similarly promote human dignity and social justice within our own organisation and maintain a safe and respectful workplace. We recognise the importance of organisational culture and accountability in creating a safe and supportive organisation for our staff, our partners and the communities with whom we work.

At ADR, we believe all people have a right to live their lives free from sexual harassment, exploitation and abuse, and that no child should be subjected to abuse of any form. We believe that sexual harassment, exploitation and abuse, and child abuse, are more likely to be exerted over particular groups of people due to inequalities and vulnerabilities, particularly those experienced by women, vulnerable adults and children. We recognise that there is unequal power between ADR Employees and Related Personnel and the people we partner and work with throughout our programs, and also between people within our organisation. We expect that our power will not be used to advantage ourselves or cause harm to others.

ADR recognises we have a responsibility to protect people we work with, and who work for us, and we will continuously strive to prevent sexual harassment, exploitation and abuse and child abuse from happening. We take seriously all reports of sexual harassment, exploitation and abuse, and child abuse. Our actions are informed by a survivor-centred approach which means that the needs and wishes of survivors guide our response, that survivors are treated with dignity and respect, and the rights of survivors to privacy and support are prioritised.

ADR has a zero-tolerance approach toward sexual harassment, exploitation and abuse, and child abuse. We will ADRfully examine allegations and investigate, and take appropriate disciplinary action where this is needed, taking into consideration the rights and interests of the survivor, consistent with ADR's survivor-centred approach. We make very clear that sexual harassment, exploitation and abuse, and child abuse in any form, perpetrated by our staff, partners or other related personnel, towards anyone, will not be tolerated.

2. Scope of Application

This policy applies to all ADR Employees and Related-Personnel:

- ADR Employees include all employees of any ADR entity, ADR Members¹, and ADR Affiliates
- Related Personnel includes board members, volunteers, interns, visitors and international and local consultants, in addition to individual and corporate contractors of these entities and related personnel. This includes non-ADR entities and their employees and individuals who have entered into partnership, sub-grant or sub-recipient agreements with ADR, as well as community volunteers and incentive workers.²

The policy applies both during, and outside, normal work hours. Actions taken by ADR Employees and Related Personnel outside of working hours that are seen to contradict this policy will be seen as a violation of this policy.

Further definitions related to this policy are included in Annex 2.

¹ Employees of ADR Candidates fall within the responsibilities of ADR Members

² Different considerations will arise regarding the enforcement of some of this policy and the principles for volunteers and incentive workers hired from communities with whom we work. While sexual exploitation and abuse and the misuse of humanitarian assistance will always be prohibited, as expressly set forth in this policy, discretion may need to be used in the application of the Safeguarding Code of Conduct regarding sexual relationships for this category of worker. See Annex 1 ADR's Safeguarding Code of Conduct.

3. ADR's Safeguarding Commitments

Organisational Culture, Leadership and Accountability

- 3.1 **ADR will make every effort to promote, create and maintain a safe organisational culture** for all people who work for and with ADR, including our partners and the communities where ADR works. At all times, it is expected that ADR's leaders will promote ADR's safeguarding values by highlighting the organization's commitment to equality, diversity and respect for others. ADR will create an environment where it is safe to address sexual harassment, exploitation and abuse, and child abuse.
- 3.2 **ADR will develop organization-specific safeguarding strategies**, with appropriate levels of dedicated capacity and allocated resources at all levels of the organization, to prevent and respond to sexual harassment, exploitation and abuse, and child abuse.
- 3.3 **ADR will ensure high-level oversight and accountability** around its safeguarding efforts. We will do this through monitoring and reviewing our safeguarding performance and seeking feedback from ADR Employees and Related Personnel, partners, program participants and communities where ADR works, on the effectiveness of our safeguarding measures. We are committed to continuous learning and improvement to prevent and respond to sexual harassment, exploitation and abuse, and child abuse. We will be accountable and transparent in communicating our efforts and progress to various internal and external audiences, including ADR governance and leadership structures, staff, donors, partners, the wider sector and communities. All information shared will be informed by a survivor-centred approach and risk assessment.

People Management

- 3.4 **ADR will seek to employ staff who are aligned with our vision, mission and values, and, in compliance with applicable laws, prevent known perpetrators of sexual harassment, exploitation and abuse and child abuse from being (re)hired or (re)deployed.** We will incorporate appropriate job responsibilities in leadership, managers and other staff positions. Managers and Human Resource teams will ensure robust recruitment screening processes for all personnel, particularly for personnel who will have any direct or indirect contact with children and/or vulnerable adults. We may include in performance management/ feedback processes of senior managers, the adherence to create and maintain an environment which promotes this policy and Safeguarding Code of Conduct and to prevent sexual harassment, exploitation and abuse, and child abuse.
- 3.5 **ADR will ensure all personnel are aware of our Safeguarding Policy, our expected behaviours and conduct, and how to report wrongdoing** by incorporating ADR's expectations on the prevention of sexual harassment, exploitation and abuse, and child abuse in relevant codes of conduct, new employee orientations, awareness raising training and refresher courses, and through regular internal communications.

Partners

- 3.6 **ADR will promote and require safeguarding with partners.** ADR will ensure adequate safeguarding assessments as part of due diligence processes when considering new and existing partnerships. We will choose our partners based on their commitment to social justice and equality, their organisational values, and how they safeguard their staff and program participants, as well as on their suitability to deliver the work we require of them. We will ensure that when engaging in partnerships, sub-grant or sub-recipient agreements, these agreements: a) incorporate this Policy as an attachment or otherwise implement reasonable due diligence and monitoring procedures of its sub-awards consistent with this Policy; b) include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers to abide with a Code of Conduct that is pursuant to the standards of this Policy; and c)

expressly state that the failure of those entities or individuals, as appropriate, to take preventive measures against sexual harassment, exploitation and abuse, and child abuse, to investigate and report allegations in a timely manner, or to take corrective actions when sexual harassment, exploitation or abuse, or child abuse has occurred, shall constitute grounds for ADR to terminate such agreements. We will work collaboratively to build capacity in our respective organisations to achieve our safeguarding commitments. We will respect our partners, sub-grantees and sub-recipients and where possible and necessary, support them in having the skills and capacity to fulfil their responsibilities consistent with this policy. For vendors, consultants, independent contractors and the like, ADR may incorporate this Policy as an attachment to any written agreement or otherwise develop a summary of the requirements contained in this Policy and the provisions noted in this section.

- 3.7 ADR will collaborate on safeguarding within the sector**, including with communities, other organisations, donors, governments, global civil society networks and local partners, to advance our practices and contribute to wider efforts to prevent and respond to sexual harassment, exploitation and abuse, and child abuse.

Embedding Safeguarding in our Work

- 3.8 ADR will undertake safeguarding risk assessments** to identify areas of safeguarding and sexual harassment, exploitation, and abuse, and child abuse risks, and document steps that are being taken to remove or reduce these risks.
- 3.9 ADR will incorporate safeguarding measures into programs and throughout the project cycle.** We will do this through our collaborative program design approach, including with our partners and program participants, at all stages to produce better design, monitoring and evaluation of safeguarding in our programs. We aim to identify and mitigate, or minimise, risks arising from our programs.
- 3.10 ADR will ensure that multiple mechanisms for reporting sexual harassment, exploitation and abuse, and child abuse are accessible** and sensitive to the differing needs of anyone wishing to report, including vulnerable adults and children most at risk of sexual harassment, exploitation and abuse, and child abuse, the communities we work with, our partners, and ADR Employees and Related Personnel. We will involve program participants in the design, monitoring and evaluation of community-based reporting mechanisms. We will include documented reporting procedures in relevant local languages. We will raise community awareness on the expected behaviours of our Employees and Related Personnel and on how to make a report. ADR will ensure that anyone responsible for receiving reports understands how to carry out their duties and handle them in a safe and confidential manner. We will be transparent with survivors around any obligations or actions that may need to be taken as a result of their report, including referral to third parties. All actions will be informed by an assessment of risk to all those involved.

Response and follow up to Reports

- 3.11 ADR will provide support and assistance to complainants and to anyone who has experienced sexual harassment, exploitation and abuse, or child abuse by ADR Employees and Related Personnel.** This may include medical treatment, legal assistance and psycho-social support. Our support and assistance will be informed by a survivor-centred approach, feasibility, and an assessment of risk to all those involved.
- 3.12 ADR will take appropriate actions to the best of ADR's abilities to protect persons from retaliation** where allegations of sexual harassment, exploitation and abuse, or child abuse involving ADR Employees or Related are reported in good faith.
- 3.13 ADR will ensure that all allegations of sexual harassment, exploitation and abuse, and child abuse by ADR Employees and Related Personnel are thoroughly examined, risk-assessed, and where needed, investigated and/or referred to another agency for investigation or reported to law enforcement.** ADR's investigations will be conducted in a timely, safe and professional manner by those with appropriate training and experience in sensitive investigations and informed by gender-sensitive and

survivor-centred approaches. Investigations will include an assessment of risk to all those involved. We will collaborate with our partners to have the capacity to similarly investigate allegations of sexual harassment, exploitation and abuse, and child abuse by their staff.

3.14 ADR will take swift and appropriate action with any Employee or Related Personnel who breach this policy by perpetrating sexual harassment, exploitation and abuse, and child abuse. This may include administrative or disciplinary action, legal action, and/or referral to the relevant authorities for appropriate action, including criminal prosecution, in the abuser’s country of origin as well as the host country. All actions will be informed by a survivor-centred approach and an assessment of feasibility and risk to all those involved.

4. ADR’s Safeguarding Code of Conduct³

ADR’s capacity to achieve its vision and mission depends upon the individual and collaborative efforts of all ADR Employees and Related Personnel. To this end, all ADR Employees and Related Personnel must uphold and promote the highest standards of ethical and professional conduct and abide by ADR’s policies. This policy defines the safeguarding conduct to be followed by all ADR Employees and Related Personnel to protect anyone, from sexual harassment, exploitation and abuse, and child abuse by ADR Employees and Related Personnel.

This Safeguarding Code of Conduct is intended to provide an illustrative guide for ADR Employees and Related Personnel to make decisions that exemplify ADR’s broader Code of Conduct and core values in their professional and personal lives. Any violation of this Safeguarding Code of Conduct is a serious concern and may result in disciplinary action, up to and including dismissal, in accordance with disciplinary procedures of each ADR Member or Affiliate and applicable laws. All ADR Employees and Related Personnel must read and sign this Safeguarding Code of Conduct.⁴

5. Responsibilities

5.1 All ADR Employees and Related Personnel

All ADR Employees and Related Personnel share an obligation to prevent, report and respond to sexual harassment, exploitation and abuse and child abuse. It is the responsibility of all ADR Employees and Related Personnel to uphold ADR’s Safeguarding Policy and Safeguarding Code of Conduct. All ADR Employees and Related Personnel must read this policy and either sign the Safeguarding Code of Conduct or sign a Code of Conduct that is consistent with or references this policy and Safeguarding Code of Conduct.

5.2 Managers, Supervisors and Human Resource Managers

Managers, Supervisors and Human Resource Managers must ensure that all ADR Employees and Related Personnel understand and comply with ADR’s Safeguarding Policy and either sign the Safeguarding Code of Conduct or sign a Code of Conduct that is consistent with or references this policy and Safeguarding Code of Conduct. Human Resource Managers are also responsible for robust safe recruitment and induction, whilst Managers and Supervisors are responsible for ensuring staff have a thorough awareness and sensitization to this policy and the issues it raises. Managers must ensure that all staff with specialised duties towards this policy have the appropriate experience, training and support available to them, including staff responsible for receiving and handling sensitive reports and staff responsible for investigations. Managers will ensure performance management of staff, supports an accountable and safe organisational culture to prevent sexual harassment, exploitation and abuse, and child abuse.

5.3 ADR Boards

The Board of ADR is accountable for this Safeguarding Policy and require from leadership regular reports on policy implementation and risks to inform their guidance for the organisation.

6. Associated Policies

This policy is complementary to the set of standards of behaviour that all ADR employees are required to adhere to in the:

- ADR Code of Conduct and Code of Ethics
- ADR Gender Equality Policy
- any further codes or related policies defined by the ADR

This Policy is also a response to ADR's accountability to the communities it works with.

ANNEX 1 - ADR's Safeguarding Code of Conduct⁶

ADR's capacity to achieve its vision and mission depends upon the individual and collaborative efforts of all ADR Employees and Related Personnel. To this end, all ADR Employees and Related Personnel must uphold and promote the highest standards of ethical and professional conduct and abide by ADR's policies. The ADR Safeguarding Policy, and this Safeguarding Code of Conduct, define the safeguarding conduct to be followed by all ADR Employees and Related Personnel to protect anyone, from sexual harassment, exploitation and abuse, and child abuse, by ADR Employees and Related Personnel.

This Safeguarding Code of Conduct is intended to provide an illustrative guide for ADR Employees and Related Personnel to make decisions that exemplify ADR's broader Code of Conduct and core values in their professional and personal lives. Any violation of this Safeguarding Code of Conduct is a serious concern and may result in disciplinary action, up to and including dismissal. All ADR Employees and Related Personnel must read and sign this Safeguarding Code of Conduct.⁷

As an ADR Employee or Related Personnel, *I will –*

1. create and maintain a safe and equitable organisational culture that prevents and opposes sexual harassment, exploitation and abuse, and child abuse.⁸
2. treat everyone with dignity and respect and challenge attitudes and behaviours that contravene the ADR Safeguarding Policy and Safeguarding Code of Conduct.
3. immediately report any concerns I have regarding possible violations of the ADR Safeguarding Policy or Safeguarding Code of Conduct, whether by a ADR Employee or by Related Personnel. I understand that failure to report any concerns may lead to disciplinary action. I will ensure I am aware of the options available to me to report and that when I report a concern or allegation, I will do so confidentially.⁹
4. share sensitive information I may be aware of that relates to concerns of sexual harassment, exploitation and abuse or child abuse, whether involving staff, program participants or others in the communities where ADR works, through the reporting options available to me. I understand that for respect, dignity and safety of everyone involved, it is essential that I maintain confidentiality about any concerns or information I am aware of and only share information with staff of the appropriate function who need to know such information. I am aware that breach of this policy may put others at risk and will therefore result in disciplinary procedures.
5. disclose to ADR any civil judgment or criminal conviction that relates to allegations made against me of sexual harassment, exploitation or abuse of anyone.
6. always make sure I have another adult present when working with children.
7. always ensure that for work-related purposes when I photograph or film a child, I:
 - comply with local traditions or restrictions for reproducing personal images,
 - obtain informed consent from the parent or guardian of the child, before photographing or filming a child, explaining how the photograph or film will be used,
 - ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner,
 - ensure children are adequately clothed and not in poses that could be seen as sexually suggestive,

⁶Based on the six Core Principles from the UN Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13).

⁷Employees and individuals that have entered into partnership, sub-grant or sub-recipient agreements with ADR may instead sign their employer's code of conduct and standards if they are generally consistent with these standards.

⁸UN Secretary General (n 3)

⁹ibid

- ensure images are honest representations of the context and the facts, and
- ensure file labels do not reveal identifying information about a child, for example, name and exact location.

8. protect, manage and utilise ADR human, financial and material resources appropriately and will never use ADR resources, including the use of computers, cameras, mobile phones or social media, to exploit, groom or harass participants of ADR programs, children or others in the communities in which ADR works. I am aware that this means that it is prohibited for staff to access, display or transmit offensive and/or pornographic material on any ADR-provided or subsidized electronic device (e.g. computer, tablet, phone) at any time, or on any personal electronic device on a ADR network in the workplace.

As an ADR Employee or Related Personnel, I will not -

1. sexually harass, exploit or abuse anyone and understand that these behaviours constitute acts of gross misconduct and are therefore grounds for disciplinary action, up to and including dismissal.¹⁰
2. engage in any form of sexual activity or develop physical/sexual relationships with children (persons under the age of 18) regardless of the age of consent locally. I understand that ignorance or mistaken belief in the age of a child is not a defence.¹¹
3. exchange money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. I understand this means I must not buy sex from anyone at any time, or exchange assistance that is due to programme participants / beneficiaries for sex.^{12 13}
4. engage in any sexual activity or sexual relationship with program participants/ beneficiaries. I am aware that such relationships are prohibited. I understand that such relationships are based on an improper use of my position and inherently unequal power dynamics and may undermine the credibility and integrity of ADR's work. I understand I must declare any previously existing relationships with programme participants/ beneficiaries to my line manager or HR manager. I will seek guidance on this prohibition from appropriate management.^{14 15}
5. request any service or sexual favour from participants of ADR programs, children or others in the communities in which ADR works, and will not engage in sexually harassing, exploitative or abusive relationships.
6. support or take part in any form of sexually exploitative or abusive activities, including, for example, child pornography, trafficking of human beings or child marriage.
7. hire children for domestic or other labour, which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities or which places them at significant risk of injury or exploitation.
8. use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.

¹⁰ ibid

¹¹ ibid

¹² ibid

¹³ ADR does not make judgment against individuals who sell sex in exchange for money, gifts or material support ('transactional sex'). However, ADR prohibits its Employees or Related Personnel from buying sex in order to prevent sexual exploitation and abuse from occurring.

¹⁴ UN Secretary General (n 3)

¹⁵ ADR sometimes engages community volunteers and incentive workers and recognises that in these circumstances there may be existing sexual relationships between such volunteers and incentive workers with other community members and program participants, including child marriages that would violate this policy. Information and disclosure of existing sexual relationships/marriages must be made prior to appointment of community volunteers and incentive workers and if/when considering entering into a sexual relationship/marriage once already engaged with ADR. Confidential records must be retained by management.

ANNEX 2

Definitions

A Child

A child is any individual under the age of 18, irrespective of local country definitions of when a child reaches adulthood.¹⁶

Adults experiencing vulnerability

Anyone 18 years or over who -

- is unable to take ADR of themselves/ protect themselves from harm or exploitation; or
- due to their gender, mental or physical health, disability, ethnicity, religious identity, sexual orientation, economic or social status, or as a result of disasters and conflicts, are deemed to be at risk.
- is in a situation of subordination and therefore experiencing a power differential putting them at risk

Sexual Harassment¹⁷

Sexual harassment is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. While typically involving a pattern of behavior, it can take the form of a single incident.

Sexual Exploitation¹⁸

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.

Sexual Abuse

Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Child Exploitation and Abuse (involves one or more of the following)

a. Physical abuse

Physical abuse occurs when a person purposefully injures or threatens to injure a child. This may for instance, take the form of slapping, hitting, punching, shaking, kicking, beating, burning, shoving or grabbing. Physical abuse can be a single or repeated act. It doesn't always leave visible marks or injuries.

b. Emotional abuse

Emotional abuse is inappropriate verbal or symbolic acts toward a child or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts have a high probability of damaging a child's self-esteem or social competence.

c. Neglect

Neglect is the failure to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and well-being.

¹⁶ Definition of child from the Inter-Agency Standing Committee (IASC) Guidelines to implement Minimum Operating Standards for Protection from Sexual Exploitation and Abuse by UN and non-UN Personnel, March 2013.

¹⁷ Definition of "sexual harassment" from the United Nations Secretary-General's bulletin: Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority (ST/SGB/2008/5).

¹⁸ Definitions of "sexual exploitation" and "sexual abuse" from the United Nations Secretary General's Bulletin: Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13).

d. Sexual Misconduct with a Child

Sexual Misconduct with a Child is any form of sexual activity with a child. It is evidenced by an activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person. It may include, but is not limited to, contact or non-contact activities, the inducement or coercion of a child to engage in any sexual activity, the use of a child in prostitution or other sexual practices, or exposing a child to online sexual exploitation material, the use of children in pornographic performances and materials, or taking sexual exploitative images of children.

Grooming

Grooming generally refers to behaviour that makes it easier for an offender to procure a child or vulnerable adult for sexual activity. It often involves the act of building the trust of children and/or their ADRs or a vulnerable adult, to gain access to them in order to sexually abuse them. For example, grooming includes the provision of, or attention paid to a specific child or adult, providing gifts, money, drugs or alcohol to them, encouraging romantic feelings or exposing them to sexual concepts through conversation or exposure to pornography.

Online grooming is the act of sending an electronic message, series of messages or engaging over an online platform with content that may be of an indecent nature, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.

Both children and vulnerable adults can be victims of grooming and online grooming, with children being particularly targeted by online groomers.

Safeguarding

The measures we take to prevent, report and respond to harm or abuse and to protect the health, well-being and human rights of anyone that comes into contact with ADR, whether it is ADR Employees and Related Personnel, partners, program participants and communities.

Community Volunteer

Persons from the local community where ADR is working and who undertake tasks for ADR on a voluntary nature.

Incentive Worker

A person who is provided an incentive to do tasks for ADR that have a temporary and voluntary character. Incentive workers may, for example, be people with refugee status, internally displaced peoples, returnees, or members of the host community, who are working for ADR by doing tasks in return for incentives.

Visitors

Refers to a range of persons who are visiting ADR offices or programs, including donor representatives, journalists, media, researchers, celebrities, family members.