



Protection from Sexual Exploitation and Abuse Policy,
2024

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About EID

Established in 2013, Envisions Institute of Development, EID, is a premier Knowledge Management, Research and Communications Company registered as a not-for-profit organization under Section 25 of the Indian Companies Act, 1956 (now Section 8 of Indian Companies Act 2013).

The group is engaged in activities of Strategizing, Mentoring, Capacity Development, Monitoring, Research and Evaluation, Planning, Implementation and Corporate Social Responsibility (CSR).

Policy Introduction

Envisions Institute of Development (henceforth referred to as EID) has a zero tolerance for sexual exploitation and abuse. EID will not tolerate its staff, associates, or any other representatives associated with the delivery of its work to engage in any form of sexual exploitation or abuse. Vulnerable adults, women and children are particularly at risk of sexual exploitation and abuse. EID is committed to protecting all communities that the organisation works with from sexual exploitation and abuse at all times. (#1 for definition of who is included in the community)

The purpose of the PSEA Framework, including the policy, procedures and resources, is to establish an outline of the importance of the framework and clear procedures. The PSEA Framework also affirms EID's commitment to the United Nations Secretary General's Bulletin on Special Measures for protection from sexual exploitation and abuse (ST/SGB/2003/13).

This policy ensures that all EID staff, associates, and partners (hereafter referred to as EID Staff) are aware of their role and responsibilities in keeping communities and stakeholders safe from any form of sexual exploitation or abuse. The policy clarifies definitions and responsibilities regarding prohibited behaviour and the associated PSEA procedures outline the reporting and investigation processes.

This policy is applicable to all EID governance members, staff and consultants (hereinafter referred to as staff) and involves behaviour of EID staff and collaborators towards

- each other (staff)
- third parties, referred to as beneficiary populations beneficiary or vulnerable member of the community;

Coverage under this policy is not necessarily limited to the primary place of employment. It will be applicable to the 'extended workplace' which includes any place visited by the staff arising out of or during the course of work.

Accountability Statement

EID takes this policy very seriously, and the mandate prohibiting any form of sexual exploitation and abuse comes from EID's Board of Directors. The PSEA policy applies to all EID staff who must comply with its requirements and understand the sanctions that may be applied for breaches of the policy. This commitment will be evidenced through signing the policy and the Code of Conduct. Training in this policy as undertaken on the AGORA platform is mandatory for all EID Staff.

EID's Board of Directors is ultimately accountable for this policy. The CEO and PSEA Administrator of EID are responsible for its implementation. It is the responsibility of all representatives of EID to raise any concerns regarding sexual exploitation and abuse. EID takes all concerns and complaints seriously and will initiate a comprehensive investigation of complaints that are in violation of this policy and take disciplinary and possibly legal action as warranted.

Policy Approach and Principles

This policy details how EID achieves its obligations and applies to all staff and associates regardless of their location.

This policy is guided by the following principles:

1. Safeguarding

EID is committed to all community members as outlined in the definitions as having the right to safeguarding and protection from sexual exploitation and abuse irrespective of ability, ethnicity, faith, gender, sexuality, and culture. A key principle within this is that all processes are survivor led. EID commits to survivors leading the complaint process where it is possible and appropriate to do so.

2. Shared Responsibility

For the PSEA policies and practices to be effective in reducing the risks to beneficiaries and communities, all at EID must share the responsibility for implementation and improvement. As such, a failure at one level of the organization constitutes a failure at all levels of the organization.

3. Effective Communication

EID effectively communicates with all staff and associates in simple and accessible language to create a positive and accessible culture where responsibilities for PSEA are clear.

4. Continuous Improvement

EID provides assessment, reflection and feedback mechanisms to inform the organisation of any improvements that can be made to policies and practices. These mechanisms include quarterly incident reviews, regular safeguarding audits, as well as regular policy review and refresher training.

5. Dignity and Respect

EID creates a work environment where the principles of dignity and respect for all staff and associates, in all locations are at the heart of what the organisation does. Included in this are the principles of being non-judgmental when hearing the concerns and

complaints of survivors of sexual exploitation and abuse.

6. Zero Tolerance

EID has zero tolerance for any forms of sexual exploitation and abuse.

7. Confidential

EID is committed to confidentiality and information will not be shared outside of the Safeguarding Committee unless it is absolutely necessary, and the safety of the person involved is a concern.

Policy objective:

- To promulgate policy of zero tolerance for sexual exploitation and abuse (SEA) for all EID employees and related personnel and ensure that roles, responsibilities and expected standards of conduct in relation to SEA are known to all persons associated with EID or engaged by EID for undertaking any activity in a specified time period.
- To create and maintain a safe environment, free from SEA, by taking appropriate measures for this purpose, internally and in the communities where EID operates, through a robust prevention and response work.

Effective Date: March 2021 (with annual revisions where applicable in December of every year)

1. Policy Statement

- SEA violates universally recognized international legal norms and standards and are unacceptable behaviors and prohibited conduct for all, EID staff, associates and related personnel.
- Envisions Institute of Development (EID) adopts a zero-tolerance approach towards sexual exploitation and abuse. EID is committed to the prevention of sexual exploitation and abuse both within the organization and within the framework of EID programmes and beneficiary populations where applicable.

2. Scope of application:

2.1 This policy sets out EID approach to prevent and respond to SEA. The policy applies to all EID staff, both on-and off-duty.

3. Definitions:

Sexual exploitation: Actual or attempted abuse of a position of vulnerability, power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual abuse: Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual exploitation and abuse (SEA) occurs when differences in power between people, are abused. Government of India's "The Prevention of Workplace Sexual Harassment Act, 2013" is used to define SEA for this policy. It includes unwelcome sexually tinted behaviour, whether directly or by implication, such as:

- physical contact and advances,

- demand or request for sexual favours,
- making sexually coloured remarks,
- Showing pornography, or
- any other unwelcome physical, verbal or non-verbal conduct of a sexual nature

SEA also includes sexual relations with a child, in any context, defined as a human being below the age of 18 years.

4. Commitment to PSEA:

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

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

5. Six core principles¹:

All EID staff are expected to conduct themselves in accordance with the PSEA policy. Following are the core commitments relating to sexual exploitation and abuse that all staff, associates, and partners are expected to follow.

5.1. Any reported and proved act of sexual exploitation or abuse by EID employees and related personnel constitute acts of gross misconduct and are therefore grounds for termination of employment².

5.2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the local age of majority or age of consent. Mistaken belief regarding the age of a child is NOT a defense.

5.3. Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.

5.4. Any sexual relationship between EID employees or related personnel and beneficiaries of assistance or other vulnerable members of the local community that involves improper use of rank or position is prohibited.

5.5. EID staff is obligated to report any concerns regarding SEA that is witnessed or observed by them. In case a report of SEA is made, EID staff is obligated to forward the complaint immediately to the concerned PSEA authority.

5.6. EID staff is required to create awareness about SEA and create and maintain an environment around them which prevents SEA.

¹ Modified for the purposes of this PSEA policy. *These acts are not intended to be an exhaustive list.*

² Including all other forms of contractual agreements, such as for example volunteer assignment.

6. PSEA framework:

6.1. Prevention:

6.1.1. Referral: All prospective candidates for consultancy or jobs with EID are systematically vetted in accordance with established screening procedures, including reference checks for sexual misconduct.

All job candidates are required to sign a form to confirm that they have never been subject to sanctions (disciplinary, administrative or criminal) arising from an investigation in relation to SEA, or left employment pending investigation and refused to cooperate in such an investigation.

6.1.2. Training:

It is EID's responsibility to ensure that all staff and associates are aware and fully compliant with the PSEA policy. In order to take the steps to prevent any forms of sexual exploitation or abuse, EID will ensure that:

- i. Training³ is provided for all staff who has a specific responsibility for implementing this Policy and associated Procedure or who may be involved in dealing with complaints, which arise.
- ii. Awareness raising training is provided to all staff and associates on PSEA. The training will equip staff and associates to develop awareness as well as an understanding of when and how to report any concerns.
- iii. Proactive steps are taken to communicate the zero-tolerance message.
- iv. All staff is informed of and trained in the policy and procedure.
- v. All staff is aware of the definitions under this policy.
- vi. All staff is aware of reporting procedures.
- vii. All staff has signed and acknowledged that they have read and understood the policy. EID holds mandatory induction and refresher trainings⁴ for all employees and related personnel on the Organization's SEA policy and procedures.

6.1.3. IEC and Awareness:

IEC and awareness materials will be put up at project sites where EID is implementing any project. In case the project is being managed by another party, EID will offer the materials which can be downloaded from the EID website and used.

6.2. Response:

6.2.1. Reporting: EID has safe, confidential and accessible mechanisms and procedures for personnel, beneficiaries and communities, including children, to report SEA allegations and ensures that all related personnel are aware of the access mechanism through awareness raising from time to time.

6.2.2. Investigation: EID has a process for investigation of SEA allegations in place and shall properly and without delay investigate SEA by its employees or related personnel or refer to the proper investigative body if the perpetrator is affiliated with

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

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another entity.

6.2.2.1. Referral to Appropriate Authorities: If, after proper investigation, there is evidence to support allegations of SEA, these cases may be referred to appropriated authorities for criminal prosecution.

6.2.3. Victim assistance: EID has a system to promptly refer SEA survivors to available services (legal, medical, counselling), based on their needs and consent.

6.3. Cooperative arrangements:

6.3.1. All EID Terms of References and partnership agreements include a standard clause requiring contractors and suppliers⁵ (where applicable), and consultants to commit to a zero-tolerance policy on SEA and to take measures to prevent and respond to SEA.

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

7. Reporting Mechanism

a. Where EID employee or related personnel develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same organization or not, he or she must report such concerns via established reporting mechanisms.

b. All EID employees and related personnel are obliged to create and maintain an environment which prevents SEA and promotes the implementation of this policy. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

1. By Staff

a. Any violation of this policy will be reported to immediate supervisor in writing giving the following details:

- i. Date of SEA violation
- ii. Place of SEA violation
- iii. Date of reporting of SEA violation
- iv. Brief incident

b. Immediate supervisor will forward the report within next working day to the Internal Complaints Committee (ICC)

2. By External Stakeholders

a. There is a possibility that the external person lodges a complaint. This complaint has to be shared with the ICC within two working days. In such an event the forwarding officer will add her/his brief about the complaint as under:

- i. Date of SEA violation

⁵ small purchases like office stationery, consumables, etc. do not have a written agreement. When the value exceeds a particular amount an internal purchase committee is set-up and interaction with the L1 party remains a one-time transaction which does not call for an agreement or training.

- ii. Place of SEA violation
- iii. Date of Reporting of SEA violation
- iv. Brief incident
- b. Alternatively, a complaint by a supervisor against a staff who has violated SEA during third party interactions will also be admissible by the ICC. This complaint should have the following details.
 - i. Date of SEA violation
 - ii. Place of SEA violation
 - iii. Date of reporting of SEA violation
 - iv. Brief incident
 - v. Name of the alleged perpetrator.
 - vi. Name of the alleged victim.
 - vii. Is the victim willing to testify?
 - viii. If no, is there a witness to the incident. If, yes give name and contact number.

7.1 Failure to Report:

The Code of Conduct as well as the ICC Core Principles on PSEA state that it is the duty and the responsibility of all staff and associates to report any PSEA concerns. Failure to report may lead to disciplinary action.

7.2 Whistle-Blowing

All disclosures will be treated in confidence. EID will uphold the rights of an individual; to report on any misconduct or act of PSEA to the nominated committee or any manager who is available. Reports may be submitted anonymously for investigation to the CEO or PSEA Administrator directly.

7.3 Prohibited Retaliation

EID maintains a zero-tolerance policy for retaliation against anyone for reporting sexual exploitation or abuse, assisting in making a complaint, or participating in an investigation.

Any staff, associate, or partner who makes a good-faith complaint of sexual exploitation or abuse, assists, testifies, or participates in any investigation or proceeding or who reasonably opposes such conduct in the workplace will not be adversely affected in the terms and conditions of his or her employment and will not be discriminated against or discharged for engaging in such activity.

Complaints of retaliation will be promptly investigated. If retaliation is substantiated, appropriate disciplinary action, including possible dismissal, will be taken.

8. Enquiry and Support Mechanism

Internal Complaints Committee (ICC)

1. The composition of this committee will be:
 - a. One member from the management board of EID
 - b. One senior staff member
 - c. One external member – a practicing lawyer, or retired professor, or social activist.
 - d. One of them will be designated as Member-Secretary of the ICC by the ICC members.
 - e. The Member-Secretary will be a position that is held on a yearly basis
2. The ICC will examine the complaint.
 - a. Both alleged perpetrator and the victim should be heard by the committee.
 - b. The perpetrator and the complainant will be given a time of 2 days to prepare their case for presentation before the ICC
 - c. The ICC will send a notice to both the parties to submit their written reports at least one day before the meeting of the ICC.
 - d. In this period EID will provide all necessary assistance to safeguard the victim from any harassment or threat.
 - e. Record of proceedings, including verbatim statements will be maintained with the following details:
 - i. Date of proceedings
 - ii. Place of proceedings
 - iii. Name and signature by the victim and the alleged perpetrator on each page
 - iv. Name and signatures of the ICC Member-Secretary
 - f. Examination of the complaint, in any event will be completed within 2 weeks of receipt of complaint by the ICC.
 - g. Extra time will be allowed only if the alleged perpetrator or victim falls sick and produces a medical certificate issued by an MBBS doctor.
 - h. ICC will submit its report to the CEO with their recommendations for disciplinary action or otherwise.
3. Organisational action:
 - a. In view of the ZERO TOLERANCE policy for PSEA, all proven instances of SEA will be treated as serious offence resulting in termination of services.
 - b. The perpetrator will be informed, in writing of her/his termination from the services.
 - c. A copy of ICC report will be given to the person.
 - d. The disciplinary action, including clearance of all dues must be completed within two

weeks of the receipt of ICC report.

- e. The victim (internal or external) will be supported to lodge a formal complaint with the police. The PSEA Support Committee appointed by EID management will assist the victim in rehabilitation and/or pursuance of a legal case.

9. PSEA Support Committee

1. The PSEA Support Committee (PSC) will act as an aiding and advisory body to help the SEA victims. The composition of AMC will include-
 - a. One doctor and/or psychiatrist
 - b. One lawyer OR a retired police officer
 - c. One professional counsellor
2. The PSC will provide counselling or any other help required by the victim of SEA.
3. A report on PSC interventions will be submitted to the CEO.

10. Case Closure

Each SEA case will have the ICC report, the action taken report by the CEO (ATR), and the PSC report. On submission of the ATR and PSC report the case will be considered as closed.