



Protection from Sexual Exploitation and Abuse (PSEA) Policy

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1. SCOPE & PURPOSE

This policy applies to all Gus Employees and Related Personnel. During and outside normal working hours; including Gus national, Affiliate HQs, Regional platforms and all programs. Except in where the following policy contravenes local legislation, in these cases, local legislation must be followed with guidance from the [Affiliate equivalent to Safeguarding Team and the Head of HR]. Gus policy will apply in the event that it is more stringent than local legislation.

This policy sets out Gus's approach to preventing and addressing sexual harassment and sexual exploitation and abuse. This includes:

- Our commitments to prevent SHEA and to ensure effective action is taken when problems occur;
- Principles upon which we will base our decision making and actions;
- Our expectations of all those who work on behalf of Gus.

2. POLICY STATEMENT

Gus has a zero-tolerance policy towards sexual harassment, exploitation, and abuse. At Gus, we believe all people have a right to live their lives free from sexual violence and any abuse of power regardless of age, gender, sexuality, sexual orientation, disability, religion or ethnic origin. We recognize that there are unequal power dynamics across the organization and in relation to those we serve, and that we face risk of some people exploiting their position of power for personal gain. Gus will not tolerate its employees, volunteers, consultants, other actors or any other representative associated with the delivery of its work carrying out any form of sexual harassment, sexual exploitation or sexual abuse. Gus commits to supporting survivors, improving safeguarding capacity, reporting, investigating, responding to, and preventing sexual harassment and sexual exploitation and abuse.

Affiliate Safeguarding (SG) Leads and Teams will use this Policy in conjunction with relevant employment/labour laws, duty of care and relevant criminal laws to make decisions about how to respond to any complaints and concerns raised. For further advice, please contact your affiliate's SG Lead (see Annex 2 for Affiliate specific channels) or local SG Focal point.

***Note:** This policy is named in line with the nationally used and recognized term 'PSEA'; however, it covers sexual harassment as well as sexual exploitation and abuse (SHEA). This policy does not form part of an employees' terms and conditions of employment and may be subject to change at the discretion of management. Other related policies include One Gus Code of Conduct (2018), One Gus Survivor Support Policy (under review) and One Gus Child Safeguarding Policy.*

3. Gus PSEA PRINCIPLES AND COMMITMENTS

Gus is committed to achieving full, ongoing implementation of the Six Core Principles relating to Sexual Exploitation and Abuse by the Inter-Agency Standing Committee (IASC) Working Group on Prevention and Response to Sexual Exploitation and Abuse.

Gus' Core Principles on PSEA²

¹ This policy will apply even in the event that it is more rigorous than local laws. In countries where this policy contravenes with the local legislation, this must be taken into account with guidance from the respective affiliate Headquarters. Gus Employees and Related Personnel includes anyone with a contractual link to Gus, including interns, volunteers, consultants, all actors, sub-grantees, etc. See Annex 1 for further information.

² The six Core Principles are from the UN Secretary-General's Bulletin on Special Measures for Protection from Sexual Harassment. They have been modified by Gus to refer to sexual harassment and "Gus Employees and Related Personnel".

- Sexual exploitation and abuse by Gus Employees and Related Personnel constitute acts of gross misconduct and are, therefore, grounds for termination of employment or contract/agreement. Sexual harassment by Gus Employees and Related Personnel is grounds for disciplinary action up to and including dismissal.
- Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of the majority or age of consent locally. Mistaken belief in the age of the child is not a defense.

- Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior by Gus Employees and Related Personnel is prohibited at all times. This includes buying sex or the exchange of assistance that is due to programme participants.
- Sexual relationships between Gus Employees or Related Personnel and beneficiaries are forbidden. Given the contexts where Gus operates, such relationships may be based on inherently unequal power dynamics and may undermine the credibility and integrity of Gus's relief and development work. Gus Employees and Related Personnel must declare any previously existing relationships with beneficiaries to their line managers or HR focal point.
- Where an Gus Employee or Related Personnel develops concerns or suspicions regarding sexual abuse or exploitation or sexual harassment by a fellow worker, whether in Gus or not, he or she must immediately report such concerns via the established reporting mechanisms.
- Gus Employees and Related Personnel are obliged to create and maintain an environment that prevents sexual exploitation and abuse and child abuse and promotes the implementation of this Policy. Gus Managers at all levels have particular responsibilities to support and develop systems, which maintain this environment.

Gus Commitments

Gus is dedicated to fulfilling the following commitments to prevent and respond to sexual exploitation and abuse and sexual harassment as highlighted in the six Core Principles above.

1. Safe Organizational Culture

Gus will make every effort to create and maintain a safe organizational culture for all those who work for and with Gus, as well as those in the communities where Gus operates through robust prevention and response work, offering support to survivors, and holding those responsible for sexual harassment, exploitation or abuse to account.

2. Reporting SHEA

- Ensure that we have multiple channels for Gus Employees, Related Personnel, beneficiaries, and others to safely report sexual exploitation and abuse and sexual harassment. These channels should be designed in consultation with local communities and staff to ensure that they are safe and accessible.
- Ensure that everyone who works on behalf of Gus and those we serve have information about how to access these safe reporting channels. This should include posting reporting procedures in local languages and regularly explaining these channels.
- Provide training and information to all Gus Employees and Related Personnel, particularly focal points for receiving complaints, to ensure they understand their obligations and how to discharge their duties should they receive a complaint. A particular emphasis should be made on confidentiality.

Gus's Code of Conduct strictly prohibits the exchange of sex for money. Gus does not make judgment against individuals who participate in selling sex in exchange for money or something else such as gifts or material support ("transactional sex"). However, Gus has banned buying sex in order to prevent sexual exploitation and abuse from occurring.

C. Responding to SHEA Reports:

Gus will respond in a professional and timely manner to all concerns or allegations of sexual harassment, exploitation or abuse. All concerns or allegations will always be taken seriously, and investigated and acted upon where appropriate, in line with our safeguarding principles listed below.

- **Robust and accountable case management:** All allegations of SHEA, and subsequent follow-up, will be documented in a secure and confidential database to ensure accountability. The report will be officially acknowledged within 24 hours, and a safeguarding team will convene a case conference to assess immediate risks and next steps within 72 hours.
- **Investigations:** Gus will carry out independent, safe, and discreet investigations, through trained investigators working with GUS Safeguarding Teams, recognizing the rights of and duty of care to everyone involved, including the complainant and/or survivor, witnesses and the subject of complaint (SoC).

- **Accountable decision-making:** Gus will take swift and appropriate action against Gus Employees and Related Personnel who are found to have committed SHEA. This may include administrative or disciplinary action, and/or referral to the relevant local authorities if appropriate and safe to do so. An independent and gender representative decision making panel will be assigned in every investigation to ensure impartiality, transparency, and accountability (e.g. for all cases the panel may include people from outside). The decision making process will be subject to scrutiny by relevant SG leads and/or advisors.
- **Survivor Support:** Survivors of SHEA are entitled to specialized support services. Gus commits to refer survivors to competent support services as appropriate and available and according to the wants and the needs of the survivor. Support may include specialist psychosocial support such as counseling, medical assistance, legal counseling and access to Gus's Employee Assistance Programmes (where available). Assistance will be made available regardless of whether a formal internal response is carried out (such as an internal investigation). For further details, please refer to One Gus Survivor Support Policy.

D. Embedding PSEA into Gus work

- **Safer Recruitment:** In compliance with applicable laws, Gus is committed to prevent perpetrators of SHEA from being (re)hired or (re)deployed. Managers and Human Resource teams will ensure robust recruitment screening processes for all personnel, including employees, volunteers, consultants and other representatives. As part of this, all application forms, interviews and references must address Safeguarding and equality requirements and attitudes.
- **Partnership Agreements:** Gus will ensure that, when engaging in partnerships, sub-grant or sub-recipient agreements, these agreements: (i) incorporate this Policy as an attachment; (ii) include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers to abide by a Code of Conduct that is pursuant to the standards of this Policy; and (iii) expressly state that the failure of those entities or individuals, as appropriate, to take preventive measures against sexual exploitation and abuse and sexual harassment, to investigate and report allegations thereof, or to take corrective actions when SHEA has occurred, shall constitute grounds for Gus to terminate such agreements.
- **Staff and partner training⁴:** Gus Employees and Related Personnel must receive as part of their induction trainings on PSEA and Safeguarding when they join Gus, including a briefing on

³ For employees, mandatory training programs (Gender Justice) are available on the Gus Learning Platform.

Gus policies and values, the Code of Conduct, information about how to report concerns, and advice about where to seek further information about safeguarding and safer practices across the organization. Anyone working directly with beneficiaries on behalf of Gus must receive additional training on how to receive complaints and handle them in a safe and confidential manner.

- **Beneficiary Accountability:** Gus commits to promoting accountability towards our beneficiaries and the communities where we work by: (i) being transparent about Gus programming, activities, and services beneficiaries are entitled to; (ii) raising awareness about Gus Code of Conduct, safeguarding policies, and reporting channels; (iii) actively seeking feedback from communities on Gus work, individual behaviors, and complaints; and (iv) presenting feedback to communities on what changes have been made resulting from community feedback – ideally by a senior Gus representative. The above steps should occur regularly throughout the lifecycle of the programme or activity.
- **Safe Programming:** Gus Employees and Related Personnel are required to take proactive measures to avoid causing inadvertent harm to civilians, contribute to actively reduce existing threats and ensure programmes are conflict sensitive. This includes embedding good practice and SHEA prevention measures throughout the programme and project cycle, including project design, grant proposals, assessments, complaints and feedback mechanisms, and monitoring and evaluation.

4. ROLES AND RESPONSIBILITIES

- **All Gus Employees and Related-Personnel:** Everyone who works on behalf of Gus is required to report any suspicions or incidences of SHEA of others (see section 5 below). Failure to report to a relevant person suspicion of SHEA relating to someone else is a breach of Gus' policy, and could lead to disciplinary action being taken against employees and the termination of Gus relationship with non-employees. There is no obligation for an individual to report any incident that has happened to them.
- **Trustees and Directors:** Gus Directors and Trustees, hold overall accountability for this policy and its implementation.
- **GUS Affiliate's Director:** Each Gus Affiliate's ED is responsible for the application of this policy within their own affiliate.
- **SG Focal Points:** Provide support to prevent and respond to SHEA alongside their substantive roles. Raising awareness and promoting best practices by receiving concerns, supporting survivors and reporting concerns in a confidential manner within their Affiliate channel.
- **SG Leads/Advisors:** Provide support to Focal Points, staff and programmes to prevent and respond to SHEA. Raising awareness, conducting training and promoting best practices, as well as receiving concerns, conducting referrals to specialized services and supporting investigations. SG Leads/SG Teams/Advisors and senior management should offer further support to help implement this policy.
- **Managers:** Responsible for promoting awareness of this policy with people they manage and for supporting/developing systems that create and maintain a safe working environment. This also includes the responsibility for ensuring that all staff and Related Personnel receive regular PSEA trainings, with a particular emphasis on staff who are in direct contact with the people we serve. Managers should prioritize PSEA awareness raising for themselves and their divisions, individual departments or teams, and provide budget lines for some activities.
- **Program Teams:** Consult with beneficiaries (*in a safe, accessible, and culturally appropriate way*), to ensure that beneficiaries and those working on behalf of Gus are familiar with Gus' Code of Conduct, how to raise complaints and concerns, and that Gus will take action when this happens. Programme Teams should also clearly explain what goods and/or services the beneficiaries are entitled to and how beneficiaries are Selected.

Head of Employee Relations Shared Service, SG leads from affiliates and OI Associate Director SG & Culture are responsible for reviewing and updating this policy annually. This will be in line with legislative and organizational developments, feedback and lessons learned.

5. RAISING A COMPLAINT OR CONCERN

Gus Employees and Related Personnel have a responsibility to report any suspicion or concern of SHEA. Any individual can raise a concern/complaint to Gus about an incident they have experienced, witnessed, or heard about concerning an Gus staff member or other actor's (suppliers, contractor, etc.) without fear of retribution. Gus Employees and Related Personnel must not investigate allegations or suspicions themselves.

Reporting Channels

Anyone (including Gus's beneficiaries) can raise a concern or make a complaint to Gus about something they have experienced or witnessed without fear of retribution. You can do this verbally or in writing to your GUS team or Executing/Home Affiliate's Safeguarding Focal Point, Safeguarding Team or using the whistle blowing helpline service. If your Employing Affiliate does not have a Safeguarding Team, a dedicated whistle blowing helpline or if you simply prefer, you can use Gus's Whistle blowing Service which is available to all Gus Affiliates and GUS teams. Employees can also choose to raise concerns with their Line Manager or Human Resources team member. Affiliate-specific reporting procedures are detailed in Annex 2.

Confidentiality

Complaints can be made anonymously. Every effort will be made to maintain confidentiality throughout the complaints process. Information that identifies individuals involved in a complaint will be limited to essential personnel and will not be shared further without obtaining the informed consent of those involved, except if someone's life is at risk, a child is at risk, or as required by law in consultation with legal counsel and where safe to do so. Non-identifying information will be shared as per reporting requirements.

Staff involved in the complaints process will be made aware of the importance of maintaining confidentiality and may be asked to sign a confidentiality agreement. Employees who breach confidentiality may be subject to disciplinary action up to and including termination of employment, and others who work with Gus may have their relationship with Gus terminated. In some cases, such breaches may constitute breaking the law.

Retaliation against Complainants, Survivors and Witnesses

Gus will take action against anyone, whether they are the subject of a complaint or not, who seek or carry out retaliatory action against complainants, survivors or other witnesses. Employees may be subject to disciplinary action, up to and including termination of employment. Others who work with Gus may have their relationship with Gus terminated.

Complaints about Gus's Partners

Where Gus receives a complaint about a partner, Gus will expect the partner to respond safely, quickly and appropriately. Gus will assist the partner to ascertain its reporting obligations.

Where appropriate, Gus will work with the partner to address the issue through an appropriate independent investigation. If the outcome is that abuse has occurred, ongoing

Work with the partner cannot involve the individual(s) concerned. If there is reason to believe that an allegation of abuse has been dealt with inappropriately by a partner, then they risk withdrawal of funding or ending the relationship (including networks and consortia).

Receiving Complaints about External Organizations/Bodies

Safeguarding complaints raised to Gus about other organizations/bodies should be referred to the affiliate safeguarding teams, who will report cases to the relevant organizations involved where safe to do so, as well as local PSEA working groups, networks, and/or the charity commission/police/donors where appropriate and safe to do so. Gus will not investigate cases related to other organizations, but does have an obligation to report.

Annex 1: Definitions

- **Gus Employees and Related Personnel:** The term "Gus Employees and Related Personnel" includes all employees of Gus national, Gus Affiliates and Gus Offices. The term also includes board members, volunteers, interns, and national and local consultants, day laborers, in addition to individual and corporate contractors of these entities and related personnel. This includes non-Gus entities and their employees and individuals who have entered into partnership, sub-grant or sub-recipient agreements with Gus.
- **Sexual Harassment:** Sexual harassment is any unwelcome sexual advance, request for sexual favor, 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. Such conduct will be also be considered sexual harassment when it 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 harassment may occur between persons of the opposite or same sex. Both males and females can be either the victims or the offenders.
- **Sexual Exploitation:** 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. Gus recognizes that the terms sexual abuse and exploitation represent a wide spectrum of behaviors and is not limited to the act of sexual intercourse.
- **Sexual Abuse:** The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. This would include forced marriage and sexual slavery and also includes sexual activity with a child (any person under the age of 18)

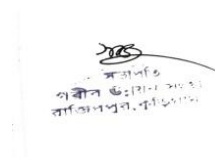
- **Child Sexual Abuse:** When a child is used by another child, adolescent or adult for his or her own sexual stimulation or gratification. Sexual abuse involves contact and non-contact activities which encompasses all forms of sexual activity involving children, including exposing a child to online child sexual exploitation material, or taking sexually exploitative images of children.
- **Survivor:** The person who it is alleged has been the subject of sexual harassment, abuse or exploitation.
- **Complainant:** The person who raises a complaint (this may or may not be the survivor).
- **Subject of Complaint/Subject of Concern/ SoC:** The person against whom the allegation, complaint or concern has been raised.
- **Suspicion of misconduct:** A concern that has been raised through any of the reporting pathways. This suspicion is assessed at an initial case conference / stakeholder panel.
- **Allegation of misconduct:** If, at case conference / stakeholder panel stage there is a decision to investigate the suspicion of misconduct then it is treated as an 'allegation of misconduct'.
- **Outcome of Investigation:** Once an allegation is investigated and the investigation report is reviewed, the resulting recommendations are referred to as the 'outcome of investigation'.

Annex 2: Speak-up Channels

Gus <i>And anyone from another affiliate who wishes to report via another channel.</i>	Safeguarding Contract Number: +88 01716754772 , +8801744496771, Whatsapp: +88001744496771, +8801716754772, Imo: +8801744496771, +8801716754772, Skype: latif.gus or asaduzzaman.ripon12, Facebook ID: Garib Unnayan Sangstha, Youtube Channel: Garib unnayan sangstha(GUS). E-mail: latifgus@gmail.com Website: www.gus.org.bd
All other affiliates, external, third parties	If your Employing Affiliate does not have a Safeguarding Team, a dedicated whistle blowing helpline or if you simply prefer, you can use GUS Whistle blowing service lines mentioned above.



Md. Abdul Latif
Executive Director
Garib Unnayan Sangstha (GUS)



Md. Sajedul Islam
Chair person- Board of Trustee
Garib Unnayan Sangstha (GUS).