

POLICY

ADRA Protection Policy

Including Gender-Based Violence and Sexual Exploitation and Abuse

POLICY DOCUMENT AND GUIDANCE

Effective as of: December 18, 2012 (Revised 2018)



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Glossary

ADRA

Adventist Development and Relief Agency

BSO

Building Safer Organizations

GBV

Gender Based Violence

HR

Human Resources

IASC

Inter-Agency Standing Committee

NEMP

National Emergency Management Plan

PCWG

Protection Cluster Working Group

PSEA

Protection Against Sexual Exploitation
and Abuse

SEA

Sexual Exploitation and Abuse

TOT

Training of Trainers

UN

United Nations



Adventist Development and Relief Agency (ADRA) Protection Policy Including Gender-Based Violence, Sexual Exploitation and Abuse, and Protection of the Child.

Policy Document and Guidance

Category:	Global
Responsibility:	ADCOM
Authorization:	ADRA International and ADRA NETCOM
Approval Date:	June 1, 2018

I. PURPOSES AND SCOPE

The ADRA Protection Policy, including Gender-Based Violence (GBV) and Sexual Exploitation and Abuse (SEA), and Protection of the Child, referred in this document as “Policy,” flows from ADRA’s desire to display God’s love and compassion and its obligation to protect its beneficiaries and those within its sphere of influence from violence or coercion emanating from external sources or from its own employees and related personnel. While the primary responsibility for protection lies with the State, where the capacity and/or willingness of authorities to fulfill their responsibilities is/are insufficient, ADRA may take an important supportive and complementary role. Poorly planned work or neglect places vulnerable people (especially women and children) in jeopardy. Therefore, effective protection must respect and incorporate commonly agreed minimum international professional standards. In addition, ADRA has a duty to recognize the power differential which is a consequence of the position of power and influence held by ADRA employees and related personnel in relation to beneficiaries, and to rigorously counteract the inherent potential for any abuse of that trust or power. ADRA has zero tolerance for misconduct, harassment, or fraud of any shape or form.

Anyone could be in danger from violence or coercion and require protection. This Policy is inclusive of all women and men, girls and boys, regardless of gender identity, disability status, religion, ethnicity, age, socioeconomic status, sexual orientation, geographic area, migratory status, forced displacement, or health status. However, the global evidence indicates that women and children are most often victimized. Therefore, in the context of this Policy, ADRA’s focus is primarily on women and children.

The Policy Serves Three Broad Functions:

Protect Beneficiaries:

- ▶ Remind ADRA employees and related personnel of their absolute obligation to protect all people against violence and coercion, and ensure that vulnerable groups are protected;
- ▶ Provide guidance for ADRA offices worldwide for prioritizing protection activities in all programs and activities and interactions, especially in humanitarian settings;

Address Gender-Based Violence:

- ▶ Set a benchmark for ADRA offices¹ to mainstream gender equality and incorporate the results of gender analysis in all activities. Start with emergency responses and distributions and from there roll-out to all emergency and development activities in order to identify and mitigate imbalances in male-female relations that generate violence against and undermine the wellbeing of vulnerable segments within target populations – usually but not always or exclusively women and girls;
- ▶ Ensure that those most likely to suffer violence and abuse have key roles in decision-making that impacts their lives;

Address Beneficiary Sexual Exploitation and Abuse (SEA), including of Children, by ADRA Employees or Related Personnel:

- ▶ Prevent acts of SEA, including of children, and respond forcefully to such acts by delineating a clear and non-negotiable ADRA Code of Ethics which is binding on all ADRA employees and related personnel world-wide;
- ▶ Affirm ADRA's endorsement of the Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and Non-UN Personnel adopted by the Inter-Agency Standing Committee (IASC) Working Group in July 2002 by incorporating its six core principles addressing SEA into ADRA's Code of Ethics;
- ▶ Affirm ADRA's commitment to the protections afforded under U.S. Code Title 18, Part 1, Chapter 109A Regarding Sexual Abuse, as well as ADRA's commitment to adhere to the requirements under the USAID Standard Provisions for U.S. Nongovernmental Organizations;

¹ ADRA International and all network offices, including any branch offices.

Address Beneficiary Sexual Exploitation and Abuse (SEA), including of Children, by ADRA Employees or Related Personnel, con't.

- ▶ Provide guidance in hiring/contracting, orienting, and/or training ADRA employees and related personnel around the world (including partners and subcontractors/subawardees), in SEA prevention;
- ▶ Delineate responsibilities and procedures for ADRA employees and related personnel world-wide to report on SEA;
- ▶ Enable ADRA offices to fairly handle SEA complaints against ADRA employees and related personnel, to conduct investigations, and to provide care and treatment.

II. DEFINITIONS

Abuse:

Child Abuse:

According to the World Health Organization Report of the Consultation on Child Abuse Prevention, 1999, “child abuse” or “maltreatment” constitutes “all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power.”

Sexual Abuse:

The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions (IASC).

ADRA Employees and Related Personnel²:

This broad term includes all employees of ADRA International, ADRA Regional Offices, ADRA Branch Offices, ADRA Country Offices and ADRA projects. It includes all related personnel such as board members; volunteers; interns; international and local consultants; non-ADRA entity employees and individuals who have entered partnership, sub-grant or sub-recipient agreements with ADRA; and individual and corporate contractors of these entities as well as any when on ADRA business. It also includes individuals formally or informally retained from the beneficiary community to conduct ADRA activities.

Child:

A child is defined as anyone under the age of 18, in line with the UN Convention on the Rights of the Child.

Gender Based Violence (GBV):

GBV is an umbrella term for any harmful act that is perpetrated against a person’s will, and that is based on socially ascribed (gender) differences between males and females (IASC).

² The definition is based on CARE’s definition of a humanitarian worker (see Definitions and Standards, <http://gender.care2share.wikispaces.net/Sexual+Abuse+and+Exploitation>) which includes staff and related personnel such as board members, volunteers, personnel or employees of non-CARE entities or individuals who have entered into a cooperative arrangement with CARE including interns, international and local consultants as well as individual and corporate contractors, and experts on mission.

Gender Equality:

Gender equality, or equality between women and men, refers to the equal enjoyment of rights, socially valued goods, opportunities, resources and rewards by females and males of all ages and regardless of sexual orientation (IASC).

Humanitarian:

The practice of promoting human welfare (Merriam-Webster Dictionary). The term is often used in emergency response, often called “humanitarian response,” whether due to a natural disaster or a man-made disaster such as war or other armed conflict. ADRA is a “humanitarian organization” which seeks to save lives and alleviate suffering.

Protection:

Protection is a concept that encompasses humanitarian operations in response to complex emergencies or natural disasters aimed at obtaining full respect for the rights of the individual in accordance with the letter and spirit of human rights, refugee, and humanitarian law. Protection can involve either removing individuals or groups from a risk, threat, or situation of violence which may adversely affect their fundamental human rights and freedoms, or intervening at the source of the violence to reduce or stop it. This can be accomplished through fostering and contributing to the creation of an environment—political, social, cultural, institutional, and legal—conducive to the sustainable exercise and respect of fundamental freedoms and human rights (IASC).

PSEA:

As used in this document and elsewhere in the literature, this acronym refers to Protection from Sexual Exploitation and Abuse perpetrated by humanitarian workers.

Retaliation:

Any adverse action taken against an employee because he or she filed a complaint about harassment or discrimination. Adverse action can include actions such as firing the employee, giving them negative evaluations, disciplining or demoting them, reassigning them or reducing their pay.

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 (IASC).

Sexual Exploitation and Abuse (SEA):

As used in the document and elsewhere in the literature, this acronym refers to sexual exploitation and abuse perpetrated by humanitarian workers.

Vulnerable Group:

There are groups of individuals more vulnerable to sexual violence than other members of the population. These are generally females who are less able to protect themselves from harm, more dependent on others for survival, less powerful, and less visible. They include, but are not limited to, single females, female-headed households, separated/unaccompanied children, orphans, disabled and/or elderly females (from IASC Guidelines for Gender-based Violence Interventions in Humanitarian Settings, 2005).

ADRA Guiding Principles

ADRA’s Belief Statements and Operating Principles³ form the foundation for this Policy. A central ADRA belief states:

“That all people—in particular, women and children—have the right to protection and a life free from violence, sexual exploitation, and all other forms of abuse.”

Key Operating Principles underpinning this Policy are:

“ADRA demonstrates respect for diversity, treating people with equality, regardless of attributes including, but not limited to, race, ethnicity, gender, or economic, political and religious differences.”

“ADRA advocates for the basic rights of the people with whom it works, empowering them to speak for themselves.”

The Policy outlined in this document is also in harmony with international principles and guidance on protection and addressing GBV including SEA, specifically:

- ▶ The four Protection Principles in the Humanitarian Charter underlying the Sphere Standards, which address how humanitarian agencies can contribute to the protection of those faced with the threat of violence or coercion;
- ▶ The UN Inter-Agency Standing Committee (IASC) Gender Handbook and Guidelines on Gender-Based Violence Interventions in Humanitarian Settings;
- ▶ The UN Inter-Agency Standing Committee (IASC) Working Group’s six core principles relating to sexual abuse and exploitation⁴.

³ ADRA Belief Statements and Operating Principles, approved in 1992 and revised in 2010, are in Annex 1.

⁴ Refer to Annex 2 for a list of the four Sphere and six IASC relevant principles. The link for the IASC Gender Handbook and Guidelines on Gender-Based Violence Interventions in Humanitarian Settings is at <http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-products-products&productcatid=3>

III. ADRA POLICY STATEMENT

ADRA is a global humanitarian organization that seeks to display God's love and compassion. ADRA affirms its commitment to protect its beneficiaries including all women, children and vulnerable persons so that their lives are free from violence, sexual exploitation, and all other forms of abuse.

IV. ADRA COMMITMENTS

ADRA believes that GBV, and in particular sexual violence, is a serious and life-threatening protection issue that commonly exists in humanitarian settings. Therefore, ADRA is committed to:

- ▶ Taking all reasonable steps to protect all parties, including ADRA staff and beneficiaries (especially women and children) from GBV, discrimination and degrading treatment, and to respect their rights;
- ▶ Taking action, from the earliest stages of an emergency and engagement with a community, to prevent sexual violence and abuse, and provide appropriate assistance to survivors/victims;
- ▶ Working in partnership with other partner agencies in protection and preventing GBV including SEA;
- ▶ Hiring employees and selecting related personnel and partners who respect and abide by this Policy;
- ▶ Ensuring employees and related personnel are trained to recognize/respond to GBV including SEA;
- ▶ Taking seriously all suspicions and allegations of SEA and responding swiftly and appropriately;
- ▶ Instituting a mechanism for every employee and related personnel to sign the ADRA Code of Ethics Acknowledgement Form, attesting through their signature that they will abide by the standards of behavior that ADRA requires;
- ▶ Adopting a management process to facilitate the implementation of this Policy.
- ▶ Conducting background checks and training.

V. ADRA CODE OF ETHICS

The ADRA Policy described in this document is a portrayal of God's love and compassion. It is a binding, agency-wide Policy which highlights ADRA's concern for all people. It includes an ADRA Code of Ethics consistent with ADRA's Belief Statements and Operating Principles.

V. ADRA CODE OF ETHICS, *con't.*

Refer to Annex 3 for the ADRA Code of Ethics and Acknowledgement Form. The Code incorporates the Policy outlined in this document.

The Policy meets international standards on protection and addressing GBV including SEA.

ADRA International and all ADRA Regional and Country Offices shall adopt the Policy and ADRA Code of Ethics and utilize the guidance contained therein.

The Policy and ADRA Code of Ethics along with the consequences for violating the ADRA Code of Ethics shall be incorporated into each ADRA office's administrative policies and procedures, such as its Human Resources (HR) policies and procedures.

The Policy and ADRA Code of Ethics are to be accessible in each Country Office's predominant language(s).

All employees and related personnel shall be oriented to the Policy and ADRA Code of Ethics as well as to addressing protection, gender equality, GBV and SEA. The intent is to mainstream protection and to prevent GBV and SEA within ADRA's sphere of influence.

Every ADRA employee or related personnel shall sign the ADRA Code of Ethics Acknowledgement Form as a contingency of employment or association with ADRA and re-sign it annually. A witness in each ADRA office, for example, the Human Resources (HR) department, will attest through their signature. The signed documents are kept in each employee or related personnel's file.

Compliance on an ongoing basis is verified by the presence of signed ADRA Code of Ethics for all ADRA employees and all related personnel, reported annually by HR departments and included in the internal audit function.

VI. PREVENTION OF SEXUAL HARASSMENT AND ABUSE

a. Role of Staff Members and Non-Staff Personnel

i. Staff Members and non-staff personnel must:

1. Be respectful to their colleagues and maintain the highest standards of conduct and confidentiality;

VI. PREVENTION OF SEXUAL HARASSMENT AND ABUSE, *con't.*

2. Maintain a harmonious working environment for other colleagues by behaving in a manner which is free of intimidation, hostility, offense and any form of harassment or abuse;
 3. Familiarize themselves with ADRA's policies, including an understanding of conduct which constitutes harassment or abuse;
 4. Be aware of the various options and internal channels available to them for addressing harassment or abuse;
 5. Refrain from all forms of retaliation.
- ii. Failure of a colleague to promote and maintain a respectful work environment, or to assist in enforcing established standards of conduct may result in appropriate administrative or disciplinary action.
- b. Role of Managers and Supervisors
- i. Managers and supervisors must at all times:
 1. Act as role models by upholding only the highest standards of conduct to achieve a harassment-free environment;
 2. Facilitate, inspire and help to create a harmonious working environment free of intimidation, hostility, offense, and any form of harassment or abuse;
 3. Communicate this Policy to all staff members and non-staff personnel on an annual basis, and be available to provide guidance on prevention and dealing with such forms of misconduct;
 4. Ensure that incidents of harassment or abuse are promptly and adequately addressed. In such cases, managers and supervisors must demonstrate fairness, impartiality, respect for confidentiality, and be free from intimidation or favoritism;
 5. Take all necessary measures to prevent and address retaliation;

b. Role of Managers and Supervisors, *con't.*

6. Take all necessary actions to prevent staff members and non-staff personnel, who supervise others, from engaging in harassment or abuse. Managers and supervisors must also take measures consistent with the present policy should they witness any acts of harassment or abuse.

c. Role of ADRA

- i. In implementing the present framework, ADRA will act consistently and take the appropriate administrative, investigative, and disciplinary actions required. ADRA will also inform its partners of its policy, regardless of the staff member's or non-staff member's function, title, length of service or contractual status.
- ii. ADRA will, on a periodic basis, provide training to staff members and non-staff personnel regarding prevention of harassment and abuse. Staff members and non-staff personnel are required to participate in the training.
- iii. ADRA will take all necessary actions to maintain the confidentiality of the process.
- iv. ADRA will take all necessary measures to prevent retaliation against a complainant and/or witness.

VII. DISPUTE RESOLUTION

- i. Please refer to ADRA's Complaints Mechanism as Outlined Below in Annex 5.

VIII. PROTECTION OF THE CHILD

a. ADRA's commitment to protect children

i. Values, Principles, and Beliefs

1. All child abuse involves the abuse of children's rights.
2. All children have equal rights to protection from abuse and exploitation.
3. The situation of all children must be improved through promotion of their rights as set out in the UN Convention on the Rights of the Child.

a. ADRA's commitment to protect children, *con't.*

4. Child abuse is never acceptable.
5. We have a commitment to protect the children with/for whom we work.
6. Our partners have a responsibility to meet minimum standards of protection for children.

b. Actions

- i. All ADRA staff and ADRA Partners will abide by ADRA'S Code of Conduct.
- ii. All staff and volunteers will have access to a copy of the child protection policy.
- iii. Recruitment procedures will include checks on suitability for working with children, using appropriate and available legislation, in addition to a thorough background check conducted by police where available.
- iv. Induction will include briefing on child protection issues.
- v. Every workplace will display contact details for reporting possible child abuse, and every member of staff will have contact details for reporting.
- vi. ADRA will provide training and learning opportunities for its members as appropriate to meet its commitments in protecting children.

c. ADRA'S Code of Conduct in Protecting Children

- i. Staff and Others must never:
 1. Hit or otherwise physically assault or physically abuse children.
 2. Develop physical/sexual relationships with children.
 3. Develop relationships with children which could in any way be deemed exploitative or abusive.
 4. Use offensive language or imagery that are especially inappropriate for children, including on electronic devices;
 5. Act in ways that may be abusive or may place a child at risk of abuse.

c. ADRA'S Code of Conduct in Protecting Children, *con't.*

6. Use language, make suggestions, or offer advice which is inappropriate, offensive, or abusive.
7. Behave physically in a manner which is inappropriate or sexually provocative.
8. Have a child with whom they are working to stay overnight at their home unsupervised.
9. Sleep in the same room or bed with the child, with whom they are working, on their own and where it would be inappropriate, unless circumstances do not allow any other arrangement (i.e., situations where space is limited or shared).
10. Do things for children of a personal nature that the children can do for themselves.
11. Condone, or participate in, behavior of children which is illegal, unsafe or abusive.
12. Act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse.
13. Ignore cultural differences and sensitivities in their dealings with children.

This is not an exhaustive list. The underlying principle is that the staff should avoid actions which may constitute poor practice or potentially abusive behavior.

- ii. For purposes of protecting the rights of the children, ADRA will utilize the same Dispute Resolution mechanism as outlined under Section VIII above.

IX. IMPLEMENTATION OF THIS POLICY

- a. ADRA will ensure that this policy is widely disseminated to all relevant persons. It will also be included in the staff handbook. All new employees must be trained on the content of this policy as part of their induction into the organization.

X. IMPLEMENTATION OF THIS POLICY, *con't.*

- b. Every year, ADRA will require all employees to attend a refresher training course on the content of this policy.

X. MONITORING AND EVALUATION

- a. ADRA recognizes the importance of monitoring this Sexual Harassment, Abuse, and Protection of the Child Policy. Supervisors, managers, and those responsible for dealing with sexual harassment cases will report on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations made. This will be done on a yearly basis. Based on this report, ADRA will evaluate the effectiveness of this policy and make any changes needed. On an annual basis, ADRA International will receive a report from all ADRA Regional Offices an account of allegations and resolutions for cases relating to this policy.

Annex 1: ADRA Belief Statements and Operating Principles

ADRA Believes . . .

- ▶ That through humanitarian acts we make known the just, merciful, and loving character of God.
- ▶ That to work with those in need is an expression of our love for God.
- ▶ That the compassionate ministry of Jesus is its own abundant motive and reward.
- ▶ That we are an agency of change and an instrument of grace and providence.
- ▶ In expressing concern, compassion, and empathy through our work.
- ▶ That equitable partnership with those in need will result in sustainable change.
- ▶ That differences in age, gender, race, culture, and families enrich the communities in which we work and are assets to be respected and affirmed.
- ▶ In nondiscrimination and in respect for differences, accepting people as equals, regardless of race, ethnicity, gender, and political or religious affiliation.
- ▶ In participatory development that utilizes both men's and women's capabilities and provides equal opportunities to individuals of differing ethnic, religious, and cultural backgrounds.
- ▶ That all people have the fundamental right to basic care, goods, and services.
- ▶ That all persons, especially children, have the right to a life of opportunity and the freedom to choose their own future.
- ▶ In enabling partners to create participatory and sustainable community structures for information sharing and civil engagement.
- ▶ That all resources, opportunities, and advantages are gifts which must be managed responsibly.
- ▶ That all people—in particular, woman and children—have the right to protection and a life free from violence, sexual exploitation, and all other forms of abuse.
- ▶ In demonstrating integrity and transparency in our work at every level.

Operating Principles:

- ▶ ADRA's decisions and strategies are consistent with its beliefs, mission, and vision.
- ▶ ADRA demonstrates respect for diversity, treating people with equality, regardless of race, ethnicity, gender, or economic, political and religious differences.
- ▶ ADRA is active in civil society, engaging in appropriate and empowering partnerships to identify, facilitate, and effect durable solutions to human need.
- ▶ ADRA conducts its operations and delivers its programs with environmental sensitivity.
- ▶ ADRA documents and applies operational learning to enhance individual and organizational effectiveness and innovation.
- ▶ ADRA maintains a work environment and systems that enable staff to achieve professional, personal, and spiritual growth.
- ▶ ADRA practices the highest principles of transparency and integrity, adheres to professional standards and requirements, and demonstrates fiscal and legal responsibility by implementing rigorous control and compliance systems.
- ▶ ADRA enlarges its resource base to meet humanitarian needs in accordance with managerial, technical, and organizational capacities.
- ▶ ADRA shares plans, information, resources, and learning within the ADRA Network, enhancing efficiency, effectiveness, and flexibility.
- ▶ ADRA advocates for the basic rights of the people with whom it works, empowering them to speak for themselves.

Annex 2: Sphere's Four Protection Principles; IASC's Six Core Principles Regarding SEA

Four Protection Principles (Sphere Handbook, 2011)

- ▶ Avoid exposing people to further harm as a result of your actions.
- ▶ Ensure people's access to impartial assistance—in proportion to need and without discrimination.
- ▶ Protect people from physical and psychological harm arising from violence and coercion.
- ▶ Assist people to claim their rights, access available remedies and recover from the effects of abuse.

Six Core Principles Regarding SEA (IASC, 2002)

- ▶ Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
- ▶ Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a 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, is prohibited. This includes exchange of assistance that is due to beneficiaries.
- ▶ Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.
- ▶ Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, s/he must report such concerns via established agency reporting mechanisms.
- ▶ Humanitarian workers are obliged to create and maintain an environment that prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems that maintain this environment.

Annex 3:

ADRA Code of Ethics for Employees and Related Personnel

ADRA <International>, <Region>, < Country>

Compliance with Laws Rules and Regulations: Employees and related personnel are required to comply with all laws, rules and regulations that govern ADRA<Country> in the conduct of its business. Consult with ADRA <Country> administration for clarification of any legal requirements.

Conflicts of Interest: Employees and related personnel are required to adhere to the organization’s conflict of interest policy and to sign acceptance statements annually.

Respect for Organization-Owned Assets: Employees and related personnel will respect the property of the organization, including any intellectual property that is developed in the course of employment which will remain the property of ADRA unless board approved. Employees and related personnel will use ADRA property, facilities and resources solely for the benefit of the organization mandate.

Efficiency and Attention on the Job: The hours of employment shall be devoted to the work assignment entrusted to employees and related personnel. Employees and related personnel shall not use employer’s time for personal business or for the advancement of personal interests unrelated to ADRA. Employees and related personnel will not enter into other employment or activities which impair their performance for ADRA. Employees and related personnel will aspire for greater efficiency, effectiveness and excellence.

Maintaining an Honest, Courteous and Ethical Environment in the Workplace: Employees and related personnel will not engage in theft or fraud of any kind, including misuse of expense accounts, falsification of time reports, and misapplication of resources. Employees and related personnel accept the obligation of maintaining ethical standards in their personal life and in the workplace. Employees and related personnel accept that it is their personal responsibility to report such acts through established reporting mechanisms, and are accountable for any behavior that is inappropriate or which undermines the ethical and moral environment in the work place. Employees and related personnel shall practice honesty, fairness, courtesy, upholding the highest ethics in dealing with each other and when representing ADRA in dealing with other parties.

Respect for Colleagues: Employees and related personnel will respect and uplift colleagues. They will refrain from intentionally placing another in a position of embarrassment, disrespect, or harassment. Sharp personal criticism, malicious gossip and behavior that may be construed

Respect for Colleagues, con't.

as sexually inappropriate is prohibited. Employees and related personnel will honor the privacy and guard the security of others. Respect for colleagues as outlined in this code does not in any way counteract the requirement for employees and related personnel to report on unethical, dishonest or abusive behavior including suspected or actual sexual exploitation and abuse, through the established reporting mechanism.

Confidentiality: Employees and related personnel shall safeguard confidential or proprietary information of ADRA, individuals and other entities that come into their possession or knowledge by virtue of their ADRA employment duty or association. This includes confidentiality to protect against disclosure or retaliation of any complainants of sexual abuse and exploitation against ADRA employees or related personnel. Unauthorized disclosure of confidential information during the period of employment or association with ADRA or after leaving ADRA employment or association is strictly prohibited.

Accurate and Honest Reporting: Employees and related personnel shall ensure that they record and report accurately on matters pertaining to their respective job duties. Each employee or related personnel has a personal responsibility to carry out his or her job conscientiously, efficiently and honestly.

Beneficiaries are to be Protected and Treated with Dignity and Respect at All Times: Employees and related personnel are obligated to create and maintain an environment that protects and prevents violence and abuse of any type including child abuse, gender-based violence, and sexual abuse and exploitation. Any abuse or perceived abuse of power and authority by employees and related personnel undermines the credibility and integrity of the employee and related personnel and ADRA <Country>. At no time will an employee or related personnel use their position or role of authority to humiliate, degrade or exploit a beneficiary of any age, gender or belief.

- ▶ Sexual exploitation and abuse by ADRA employees or related personnel will result in termination of employment or involvement with ADRA.
- ▶ Sexual contact or activity with a child (person under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defense. Sexual activity with a child by ADRA employees or related personnel will result in termination of employment or involvement with ADRA.

Beneficiaries are to be Protected and Treated with Dignity and Respect at All Times, con't.

- ▶ 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. Such acts by ADRA employees or related personnel will result in termination of employment or involvement with ADRA.
- ▶ Sexual relationships between humanitarian workers and beneficiaries are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work. Sexual relationships between ADRA employees or related personnel and beneficiaries will result in termination of employment or involvement with ADRA.
- ▶ Where an ADRA employee or related personnel develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in ADRA or not, s/he must report such concerns to a designated ADRA focal point person.
- ▶ ADRA employees or related personnel are required to create and maintain an environment that prevents exploitation and abuse and promotes implementation of *ADRA's Code of Ethics*. ADRA managers at all levels have particular responsibilities to support and develop systems that maintain the environment.

ACKNOWLEDGEMENT FORM

I have received and read the *ADRA* <International>, <Regional>, <Country> *Code of Ethics* for employees and related personnel, and I understand its contents. I agree to comply fully with the standards, policies and procedures contained in the *ADRA Code of Ethics* and *ADRA* <International>, <Regional>, <Country> related policies and procedures. I certify that, except as noted below, I am otherwise in full compliance with the *ADRA Code of Ethics* and any related policies and procedures.

Exceptions:

Printed Name _____ Title _____

Signature _____ Date _____

Annex 4: Sources Used in Policy and Guidance Development

The following sources of information available to the public or generously shared have provided valuable background and language in formulating and articulating this policy document:

- ▶ 02-Code of Conduct-Activity-Session Plan-(final)-Save the Children
- ▶ Accord Network: Accord Principles of Practice 2012. (The Accord Network exists to empower the Christian community to end poverty).
- ▶ Action Sheet on Protection
http://www.humanitarianinfo.org/iasc/documents/subsidi/tf_gender/GBV/GBV%20Guidelines%20AS3%20Protection.pdf
- ▶ ADRA Child Protection Policy, ADRA Zimbabwe, revised September 2011
- ▶ At a Glance: 8 Actions Each Agency Should Take at Country Level on PSEA
- ▶ <http://www.un.org/en/pseataaskforce/>
- ▶ Building Safer Organizations (BSO), Guidelines, Receiving and investigating allegations of abuse and exploitation by humanitarian workers, International Council of Voluntary Agencies (ICVA), <http://www.hapinternational.org/pool/files/bso-guidelines.pdf>
- ▶ Building Safer Organizations (BSO) Handbook: Training Materials on Receiving and Investigating Allegations of Abuse and Exploitation by Humanitarian Workers.
<http://www.hapinternational.org/pool/files/bso-handbook.pdf>
- ▶ CARE Emergency Toolkit: PSEA Chapter
- ▶ CARE, Final PSEA Policy, September 2009
- ▶ Child Protection Policy, ADRA Australia-funded overseas projects (2008)
- ▶ Child Protection Working Group <http://cpwg.net/>.
- ▶ Child to Child's Child Protection Policy
- ▶ DFID Guidance Note 3, Guidance on Monitoring and Evaluation for Programming on Violence Against Women and Girls, May 2012
- ▶ Ending Violence Against Women, UNFPA, <http://www.unfpa.org/gender/violence.htm>
- ▶ Fact Sheet: Preventing and Responding to Violence Against Women and Girls Globally <http://www.whitehouse.gov/the-press-office/2012/08/10/fact-sheet-preventing-and-responding-violence-against-women-and-girls-gl> [part of Executive Order: Preventing and Responding to Violence Against Women and Girls Globally, <http://www.usaid.gov/what-we-do/gender-equality-and-womens-empowerment/gender-based-violence>
- ▶ Gender-Based Violence Responders' NETWORK (IRC) <http://gbvresponders.org/>
- ▶ Guidance on GBV Interventions in Humanitarian Settings,
http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-subsidi-tf_gender-gbv

- ▶ IASC Gender Marker Tip Sheet: GBV Response and Prevention Projects
(www.oneresponse.org)
- ▶ IACS PCWG Discussion Note on Collection of Good Practices in Protection,
<http://oneresponse.info/GlobalClusters/Protection/Documents/Concept%20Note%20on%20Good%20practices.pdf>
- ▶ June 2010 InterAction Step by Step Guide to Addressing SEA
- ▶ http://www.interaction.org/document-library/search?page=1&keywords=SEA&document_type=&program_area=®ion=&im_cck_field_organization=
- ▶ OCHA on Message Protection
- ▶ People in Aid Code
- ▶ Policy on Prevention of SEA in Oxfam GB (2008)
- ▶ Professional Standards for Protection Work (ICRC, October 2009)
- ▶ Resource Center on Child Protection and Child Rights Governance <http://resourcecentre.savethechildren.se/>
- ▶ Sphere Standards, <http://www.sphereproject.org/silo/files/what-is-new-in-the-sphere-handbook-2011-edition.pdf> (four protection principles)
- ▶ Terms of Reference for in-country Focal Points on Sexual Exploitation and Abuse by UN/ NGO/IGO Personnel. http://www.un.org/en/pseataaskforce/docs/tor_for_in_country_focal_points_on_sea_en.doc
- ▶ USAID Gender Equality and Female Empowerment Policy, March 2012
- ▶ Resource Center on Child Protection and Child Rights Governance
<http://resourcecentre.savethechildren.se/>
- ▶ Sphere Standards, <http://www.sphereproject.org/silo/files/what-is-new-in-the-sphere-handbook-2011-edition.pdf> (four protection principles)
- ▶ Terms of Reference for in-country Focal Points on Sexual Exploitation and Abuse by UN/ NGO/IGO Personnel.
http://www.un.org/en/pseataaskforce/docs/tor_for_in_country_focal_points_on_sea_en.doc
- ▶ USAID Gender Equality and Female Empowerment Policy, March 2012

Annex 5: ADRA Complaints Mechanism

a. The Informal Process

i. Options

1. An informal process can provide individuals with the opportunity to resolve any complaints or grievances in an open, honest, non-threatening and non-contentious manner. The informal options available to complainants are:
 - a. Approaching the alleged offender; or
 - b. Involving a third party.
2. Approaching an Alleged Offender
 - a. An individual may not understand that he or she is being offensive and, if asked, may stop or alter his or her behavior. Complainants who feel that they are being subject to harassment or abuse are encouraged, where possible, and if they feel comfortable, to inform the alleged offender that his or her conduct is unwelcome, and request that such conduct cease.
 - b. Complainants are strongly encouraged to keep notes on their informal discussions with the alleged offender.
3. Involving a Third Party
 - a. Upon request of either the alleged victim or the alleged offender, a third party, who is a staff member, may agree to provide assistance. In such instances, the third party must ensure confidentiality. The third party should also be fully knowledgeable about the present framework outlined herein. The third party should act in the best interests of the parties involved, and should refrain from defaming the parties. When uncertain about what appropriate actions to take, the third party should inform the alleged victim or the alleged offender about the option of the formal process.

Annex 5: ADRA Complaints Mechanism, *con't.*

b. The Formal Process

i. If the complainant is not satisfied with the results of the informal process, he or she may begin the formal process.

ii. Filing a Complaint

1. Any individual, including beneficiaries, may file a formal complaint.
2. The complaint should be submitted to the appropriate designated individual⁵. This individual may be different depending on the organizational structure of the country office.
3. A complaint can be submitted in any form. The complaint shall state the dates and locations of the alleged incident of harassment or abuse. Name of witnesses and/or documentary proof such as recordings, pictures, emails, etc., which may corroborate the allegations, should also be included in the complaint.

iii. The Fact-Finding Process

1. Upon receipt of the formal complaint, the Protections Officer⁶ will decide as to whether this complaint is admissible and should be investigated. The complaint should be investigated if it appears to have been made in good faith.
2. If the complaint is admissible, the Protections Officer will arrange to set up an investigative body, which will investigate the complaint. This investigative body should be composed of a disinterested third party chosen by the Protections Officer (such as a law firm, or an HR firm), and a special effort should be made so that the investigative body is composed of an equal number of men and women.

⁵ In the absence of a certified, qualified and trained Protections Officer, a suitable disinterested person will be appointed as the Protections Officer.

⁶ We will keep referring to this person as the Protections Officer for convenience. As stated previously, this may be a different position depending on the country office.

b. The Formal Process, con't.

3. The main task of the investigating body is to collect evidence, establish the facts, and compile a report with appropriate findings and recommendations.
4. The investigating body must remain neutral throughout the investigation. Due process is essential to the integrity of the process. The investigating body should not presume the guilt of any party.
5. The investigation should begin as soon as possible, but not later than two weeks after the complaint has been formally filed.
6. The goal of the investigation is to find facts which will, for the most part, be obtained by interviewing the victim, the alleged offender and other witnesses as deemed relevant by the investigating body. The facts should establish the time, sequence and nature of the occurrence.
7. No investigative findings should be reported in an investigation report before the accused has been afforded the opportunity to respond to the allegation made against him/her. The accused will be afforded such opportunity as soon as possible with due regard to the interests of all parties concerned, the interests of ADRA, and the integrity of the investigation process. The fact that a staff member is under investigation should not be used against him or her. Nonetheless, depending on the seriousness of the allegations, the accused may be put on administrative leave until the investigation is completed. Administrative leave might be paid or unpaid according to the prevailing employment legislation and/or intricacies of the case.
8. Both parties may suggest a list of persons to be interviewed by the Investigating Body.
9. The Investigating Body should submit its findings and recommendations in a confidential report to the Protections Officer. This report should be based on written and oral statements, physical or any other evidence such as emails, photographs, tape recordings, etc.

b. The Formal Process, *con't.*

10. Upon reviewing the investigative findings, if it is determined that the allegations of misconduct are unfounded, have not been sufficiently established, or that the facts alleged do not amount to misconduct, the case may be closed by the Protections Officer. In such a case, the Protections Officer should send a clearance letter to the accused, and upon the accused's request, shall put a copy of the letter in his or her individual file. The Protections Officer should also inform the complainant of the decision.
11. If the alleged offender is no longer employed by ADRA International at the start of the investigation, the fact-finding process should still be carried out to a conclusion, in coordination with the alleged offender's new employer or the local authorities as applicable. ADRA International will record and retain relevant information for further review and action should the alleged offender be re-employed by the ADRA Network.

iv. Disciplinary Phase

1. Staff Members

- a. After the disinterested third party completes its investigation, it will present its findings to the Protections Officer. The Protections Officer will then proceed as follows:
 - i. If, based on the findings, the facts indicate that a misconduct has not occurred, the Protections Officer will close the case, and inform the staff member thereof in writing.
 - ii. If, based on the findings, the facts indicate that a misconduct may have occurred, the Protections Officer shall inform, in writing, the accused of the contents of the allegations against him or her, and of his or her right to reply to the allegations and to obtain legal counsel. All related documentary evidence will be shared with the staff member.

b. The Formal Process, *con't.*

1. Based on the response of the staff member, or in the absence of a response from the staff member, the Protections Officer, in consultation with senior offices, HR or appropriate person tasked with managing the staff member, will take the following actions:

- a. Close the case;
- b. Take a disciplinary measure, such as verbal or written warning, adverse performance evaluation, suspension without pay, demotion, or dismissal of the staff member.

2. Non-Staff Personnel

- a. The Protections Officer must determine whether the nature of the investigated conduct constitutes a breach of the standards of conduct expected of non-staff personnel based on the arrangement governing his or her work with ADRA. Following that determination, the Protections Officer must decide whether to pursue remedial action in accordance with the said arrangement.
- b. If the Protections Officer decides that a breach has occurred, the same procedure under VIII(b) Formal Process will be followed.
- c. If the accused is not found to have been engaged in the alleged activity, ADRA will close the case.
- d. If the accused is found to have been engaged in the alleged activity, then ADRA will:
 - i. Contact the employer of the non-staff personnel and request dismissal of the accused, or
 - ii. Dismiss the accused if he or she is an independent contractor.

b. The Formal Process, *con't.*

3. Wrongful Accusations

- a. When the facts appear to substantiate the conclusion that the victim has intentionally made false statements in connection with the lodging of a formal complaint, the Protections Officer should take the appropriate action against the complainant. Such appropriate action could include disciplinary action, or termination of employment.

v. Appeal

1. Staff members and former staff members may appeal the disciplinary measure imposed.

- a. Both the employee and the appropriate supervisory and administrative personnel must adhere to the time limits set forth in the appeal procedure unless extended for good cause by the a senior officer, HR and/or appropriate person.
 - i. The employee may present a written appeal to the department head or equivalent within five (5) working days from the date of the disciplinary action. The appeal shall contain a clear and concise statement of why the disciplinary action is inappropriate. Within ten (10) working days of the date of the appeal, a written decision shall be mailed to the employee.
 - ii. If the employee is not satisfied with the outcome of the appeal, within five (5) working days after receipt of the decision, the employee may present a written request for a hearing before the a senior officer, HR and/or appropriate person. The request for a hearing must state with particularity why the disciplinary action was inappropriate and/or why the decision should be changed. The senior officer, HR and/or appropriate person, in his or her discretion, shall either hear the appeal in person or appoint a single delegate, or multiple delegates, to hear the appeal. The hearing shall be conducted no later than twenty (20) working days following the date of the appeal.

b. The Formal Process, *con't.*

iii. If the employee is not satisfied with the outcome after the hearing, he or she may make a written appeal to the next higher up ADRA body and/or ADRA International within five (5) working days after the decision pursuant to the hearing, and must state why such a decision is incorrect. The review by the next higher up ADRA body and/or ADRA International shall be based solely upon the evidence on the record, without including any new issue or evidence. A written decision shall be mailed to the employee within thirty (30) days after the written appeal. This decision is final.

vi. Referral to Local Authorities

1. At any time during the formal or the informal process, if it becomes apparent that the alleged act of harassment, sexual harassment, or abuse of authority constitutes a breach of local laws, the Investigative Body shall inform the Protections Officer, and will follow the principles of mandatory reporting with relevant country authorities (police, government, child protection authorities, etc.)
2. If the alleged harassment takes place in an office which receives any external funding, the Protections Officer must also inform the Agreement Officer or the Agreement Officer's Representative, or the relevant funding body, of the alleged misconduct, and inform him or her of the steps being taken to resolve the issue.

c. Anonymous Complaints Mechanism

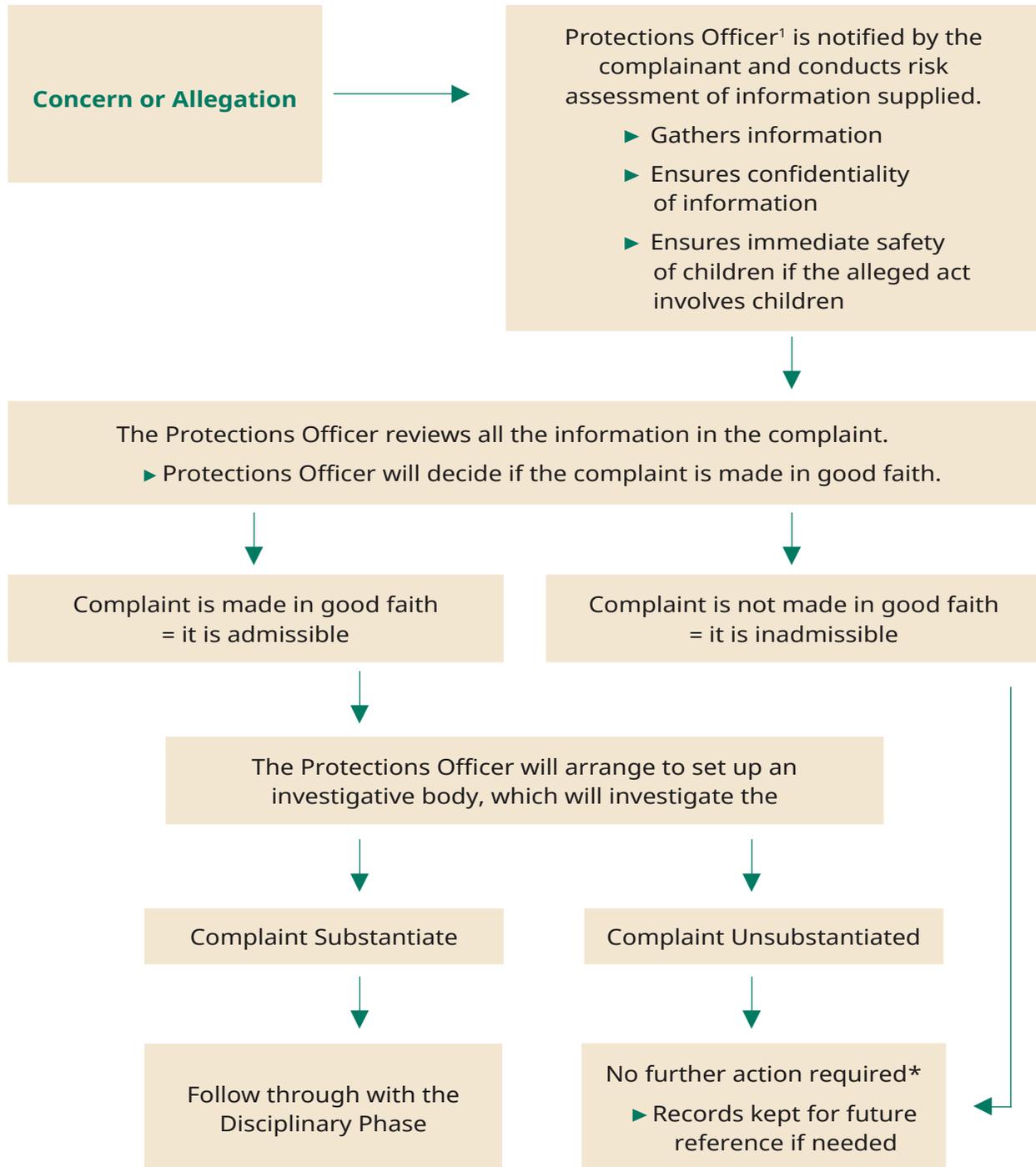
ADRA understands that there may be instances where a party may wish to make an anonymous complaint. In these circumstances, ADRA allows such parties to use the Silent Whistle process to make a complaint. Under Silent Whistle, the process is as follows:

1. Connect to the Internet from a computer outside of work.
2. Type "www.silentwhistle.com" into the address bar and hit "Enter."
3. Click on "Click Here" under "Wish to file and ethics/compliance incident report."

c. Anonymous Complaints Mechanism, *con't.*

4. Search for your company's name by inputting the first three letters of the name of the company (i.e., for ADRA, enter ADR).
5. Select your company from the list provided.
6. Select your method of anonymous communication. a. Select:
 - i. "Report a Concern," or
 - ii. "Follow Up on a Reported Concern."
7. As an alternative to the aforementioned online process:
 - a. Call **877.874.8416** to speak with a live hotline operator.

Annex 6: Flow Chart of the Formal Reporting Process



¹ In the absence of a certified, qualified and trained Protections Officer, a suitable disinterested person will be appointed as the Protections Officer.

Annex 7: Dissemination of the Policy to the Beneficiaries

- ▶ ADRA International will disseminate the Policy to all Country Offices through the Regional Offices.
- ▶ Donor/Supporting office Program Managers will disseminate the Policy to their country office implementing partner, and from the Country Office to the regional and local field program managers.
 - ▶ Project launch and Start-Up Meeting—Distribute a copy of the Policy to the attendees during each project Start-Up Meeting; also describe the Policy to the attendees.
 - ▶ Regional/field office representative to take and distribute in the field office staff.
- ▶ Quarterly review meetings of the project with the staff. – All project managers will make sure that the Policy is being adhered to by the staff and any volunteers, and that it has been communicated to the beneficiaries.
- ▶ Program Managers/Field coordinators will communicate the Policy to the beneficiaries in their own language. Local town hall meeting, or communication as simple as under the local tree, in a school, etc.
- ▶ Annual/Biannual Meeting—Remind all participants during the meeting.
- ▶ Country office administration should check and monitor the process during any field visit.