

OXFAM GB

Protection from Sexual Exploitation and Abuse (PSEA) Policy

May 2018

Title:	Protection from Sexual Exploitation and Abuse (PSEA) Policy
Authors:	Oxfam's Safeguarding Team
LT Sponsor:	Mark Goldring (Chief Executive of Oxfam GB)
Area of Governance:	Safeguarding Steering Group
Date for Renewal:	March 2019
Approved by:	Oxfam GB's Council
Geographical Scope:	Worldwide, except in countries where the following policy contravenes local legislation. In these cases, local legislation must be followed with guidance from the Safeguarding Team and the People Director. Oxfam policy will apply in the event that it is more stringent than local legislation.
Confidentiality:	Public. Additional guidelines and materials are available internally

Policy Statement

At Oxfam, we believe all people have a right to live their lives free from sexual violence. We recognise that there are unequal power dynamics across the organisation and in relation to those we serve, and that we face an ***inherent risk*** of some staff exploiting their position of power for personal gain.

Oxfam ***will not*** tolerate its employees, volunteers, consultants, partners or any other representatives associated with the delivery of its work carrying out ***any form of sexual harassment, sexual abuse or sexual exploitation***.

It is the responsibility of all representatives of Oxfam to raise any concerns you have or those which are reported to you according to this policy. It is not your responsibility to decide whether or not sexual harassment, abuse, or exploitation has occurred.

It is the responsibility of all Oxfam GB managers to ensure the delivery of this policy and to promote it as relevant in all aspects of their work, to hold themselves and others to account and to help create a safe environment for all.

This policy will automatically apply in the UK and in all geographies where Oxfam GB is the Executing Affiliate and must be used in conjunction with Oxfam's *PSEA Procedures*.

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.

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Useful Links

These links will be reviewed on a regular basis to ensure consistency across documents and with consideration for users accessing both KARL and COMPASS.

Procedures

- PSEA Procedures (2018)

Related Policy

- [Oxfam International Code of Conduct \(2017\)](#)
- [Recruitment Policy \(2017\)](#)
- [Safeguarding Children Policy \(2018\)](#)
- [Safeguarding Adults Policy \(2018\)](#)

If in doubt about anything in this policy, **please seek further advice** from Oxfam's Safeguarding Team (safeguarding@oxfam.org.uk or +44 (0)1865 473813).

1. Purpose of this Policy

This policy sets out Oxfam GB's approach to preventing sexual exploitation and abuse. It sets out:

- the principles upon which we will base our decision making and actions,
- our expectations of all who represent Oxfam GB and
- our commitments to ensure effective action is taken when problems occur.

All staff will be familiar with this policy.

It is accompanied by the Oxfam GB Safeguarding Strategy (2018 – 2021) which details the actions we will take to strengthen our approach to safeguarding.

Both this policy and our strategy will be updated by March 2019.

2. Oxfam GB PSEA Principles

At Oxfam we believe all people have a right to live their lives free from, sexual harassment and abuse, sexual violence, bullying, exploitation and any abuse of power regardless of age, gender, sexuality, disability, religion or ethnic origin. Oxfam will not tolerate its employees, volunteers, consultants, partners or any other representatives associated with the delivery of its work carrying out any form of sexual harassment, abuse or exploitation. Such behaviour goes against the very beliefs, values and mission of our organisation. Safeguarding is a priority for Oxfam.

Sexual harassment, violence, exploitation and abuse, as well as a range of non-sexual abuses of power, take various forms and can happen to anybody at any time during their lives, but are more likely when one person is in a position of power over another. Oxfam recognises that this can

happen in workplaces and that organisations working with vulnerable populations face an inherent risk of some staff exploiting positions of power.

Oxfam GB's commitment is to:

- Create a safe working culture for all those whom Oxfam serves and those working for and representing the organisation.
- Ensure that all concerns or allegations of sexual harassment, abuse or exploitation are responded to in a timely and appropriate manner and there are multiple channels through which staff and other stakeholders can raise concerns.
- Ensure zero tolerance of sexual exploitation and abuse in the organisation through robust prevention and response work, offering support to survivors and victims and holding those responsible to account.
- Always adopt a survivor centric approach, that respects the confidentiality and decision making rights of survivors where possible and appropriate to do so.
- Build a culture where all those whom Oxfam serves and who work for Oxfam GB feel empowered to insist on non- discriminatory and respectful behaviour from each other, where poor behaviour is not accepted, and where power is not abused.
- Be transparent about safeguarding issues occurring within Oxfam, sensitive in our communications about our practices and open to learning and improving.
- Support the creation of a unified Oxfam approach to safeguarding where there is equal capacity to safeguard properly throughout the confederation.

Oxfam GB adopts the following principles to guide our safeguarding work:

- Survivor led: we are committed to listening to survivors and being led by the wishes of the survivor where possible and appropriate to do so
- Non-directive: we aim to empower survivors and complainants by helping them explore their options in safe ways without imposing our own opinions
- Non-judgemental: we never judge survivors or complainants for their actions or decisions
- Confidentiality: we are committed to confidentiality when carrying out our work. Information will not be shared outside the team or the organisation unless we believe that someone is in danger or a child has been or may be harmed
- Independent investigations: through our safeguarding team we carry out independent and discrete investigations, recognising the rights and duty of care to everyone involved, including the complainant or survivor, witnesses and the person accused
- Commitment to good practice: we always strive to offer the best service possible, and are open to feedback and continual learning

Oxfam GB will ensure that:

- a) All staff, volunteers, partners and other representatives will have access to information about how to report concerns or allegations of sexual harassment, abuse and exploitation
- b) Concerns or allegations of sexual harassment, abuse or exploitation will always be taken seriously, investigated and acted on if appropriate, in line with our safeguarding principles set out above

- c) All managers, employees, volunteers and other representatives will have access to, and be familiar with this policy and know their responsibilities within it
- d) All staff will receive training in relation to PSEA. In addition, staff with specific responsibilities (eg managers) will receive additional training commensurate with their role;
- e) All managers are responsible for promoting awareness of this policy within their divisions, individual departments or teams.

This Policy will be used in conjunction with employment/labour, duty of care and relevant criminal laws to make decisions about how to respond to complaints and concerns raised by staff, volunteers and other representatives;

3. Roles and Responsibilities

Creating a safe working environment at Oxfam is everyone's responsibility and failure to act on concerns or disclosures relating to sexual harassment, abuse and exploitation is not an option.

Oxfam Managers, and ultimately Directors, hold overall accountability for this Policy and its implementation.

Oxfam GB's Directors and Council of Trustees are responsible for reviewing and updating this Policy annually, and in line with legislative and organisational developments and hold overall accountability for Oxfam GB's PSEA work.

All staff, volunteers, partners and other representatives of Oxfam are required to adhere to this Policy and Oxfam's Code of Conduct at all times.

All Oxfam GB employees are obliged to report any suspicions of sexual exploitation, abuse or harassment of others. This can be done without sharing details of cases where information has been shared in confidence. Failure to report to a relevant person suspicion of abuse relating to someone else is a breach of Oxfam GB's policy, and could lead to disciplinary action being taken. For the avoidance of doubt, there is no obligation placed on any individual to report any incident that has happened to them.

Oxfam GB's Safeguarding Team and senior management teams can offer further support to help staff, volunteers and other representatives on implementing this Policy.

4. Support for Survivors and Victims

Support will be offered to survivors and victims, regardless of whether a formal internal response is carried out (such as an internal investigation). Support can include specialist psycho-social counselling, access to Oxfam's Employee Assistance Programmes and/or access to other specialist and appropriate support as needed. Survivors and victims can choose if and when they would like to take up the support options available to them.

5. Policy Guidance

All Oxfam staff, volunteers, partners and other representatives are expected to conduct themselves in accordance with the following core policies relating to their sexual and personal conduct. This is not an exhaustive list and further details can be provided by Oxfam's Safeguarding or People teams.

5.1. Sexual Activity with Children

Oxfam strictly prohibits staff and other representatives from having sexual relationships with children, which is anyone under the age of 18 years (or older if the local law indicates as such). Mistaken belief of age is no defence. Staff and other representatives must make a reasonable effort to alert all applicants of this policy position before employment of staff who are married to children.

5.2. Sexual Activity with Oxfam Beneficiaries

Oxfam strictly prohibits staff, volunteers and other representatives of the organisation from engaging in any form of sexual activity with Oxfam's beneficiaries.

5.3. Sexual Activity with Staff from Oxfam's Partners and Donors

Oxfam is clear that any partnerships we go into with others are based on mutual respect for values and beliefs (please see [Partnership Principles](#)). Oxfam strictly prohibits staff from engaging in sexual activity with staff from its partners where this is an abuse of power. All staff and other representatives engaged in relationships with partners of Oxfam must

- Declare their relationships as soon as possible to their line managers or HR, even if the relationship is at an early stage and may not continue. As long as relationships are conducted appropriately such disclosures will be treated confidentially.
- Behave professionally and conduct their relationships in a way that does not impact on Oxfam business.
- Ensure they do not make work decisions based on that relationship.

Ensure that their relationships do not lead to fraudulent or corrupt behaviours.

5.4. Buying Sex

Oxfam's Code of Conduct strictly prohibits staff, volunteers and other representatives from buying sex.

Oxfam does not make a judgement against individuals who participate in selling sex in exchange for money or something else such as gifts or material support ("transactional sex"). However, in line with the *IASC Core Principles on PSEA*, Oxfam has banned this activity in order to prevent sexual exploitation and abuse from occurring.

5.5. Sexual Activity with other Oxfam Colleagues

Oxfam strictly prohibits staff and volunteers from having a sexual relationship with people who they line manage or supervise and, in the case of the most senior managers, any more junior staff in their direct management line.

Oxfam's policy does not prohibit staff from beginning relationships with each other outside of the unequal power dynamics explained above, but **all staff and other representatives engaged in or beginning relationships with other staff or representatives must:**

- Declare their relationships as soon as possible to their line managers or HR, even if the relationship is at an early stage and may not continue. As long as relationships are conducted appropriately such disclosures will be treated confidentially;
- Behave professionally and conduct their relationships in a way that does not impact on Oxfam business;
- Ensure they do not make work decisions based on that relationship. This may include staff who share responsibility for sign off on the same budget lines; or are involved in carrying out joint decision-making relating to resourcing or programme issues; or are carrying out or acting as decision makers for internal investigative processes;

- Ensure that their relationships do not lead to fraudulent or corrupt behaviours. For example, if staff members choose to conduct travel at the same time as each other without having a valid business need for such travel, they will be committing fraud.

5.6. Failure to Act upon Suspected or Reported Sexual Harassment, Abuse or Exploitation

The *Code of Conduct* and the *IASC Core Principles on PSEA* state that it is the duty and the responsibility of all managers, employees and representatives to report in line with this policy any suspicions or incidences of inappropriate behaviour. All Oxfam GB employees are obliged to report any suspicions or incidences of inappropriate behaviour towards others. This can be done without sharing details of cases where information has been shared in confidence. Failure to report to a relevant person suspicion of abuse relating to someone else is a breach of Oxfam GB's policy, and could lead to disciplinary action being taken. For the avoidance of doubt, there is no obligation placed on any individual to report any incident that has happened to them.

5.7. Responsibility of Managers for Creating and Maintaining an Environment that Prevents Sexual Harassment, Abuse or Exploitation

Oxfam's *Code of Conduct* states that managers at all levels have a particular responsibility to support and develop systems that maintain an environment in which beneficiaries, volunteers, staff, contractors and other representatives know how Oxfam expects them to behave, how they can raise complaints and concerns, and that Oxfam will take action when they do.

6. Safe Programming

We recognise there is always a possibility of inflicting unintended harm, particularly in relation to vulnerable populations. For this reason, we have ***minimum standards in place intended to minimise this risk in our work***. These are published in Oxfam's *PSEA Procedures*.

Responsibility for ensuring these programme standards are applied lies with Oxfam's Country Directors and Programme Managers. However, all Oxfam staff and partners must take personal responsibility for upholding these minimum standards.

7. How to raise a Complaint or Concern

Anyone can raise a concern or make a complaint to Oxfam about something they have experienced or witnessed. You can do this verbally or in writing to your Safeguarding Focal Point or the Safeguarding Team (all details on [KARL](#) and [COMPASS](#)), your Line Manager, HR or via Oxfam's Whistleblowing Service.

You can contact the Safeguarding Team confidentially on safeguarding@oxfam.org.uk or telephone +44 (0)1865 473813

Those who work with or for Oxfam (including Oxfam's beneficiaries) can also raise a concern without fear of retribution to Oxfam's Whistleblowing Service by emailing whistleblowing@oxfam.org.uk, or phoning:

English	00441 86547 2120
Arabic	00441 86547 2121
French	00441 86547 2122
Spanish	00441 86547 2123
Portuguese	00441 86547 2124

Oxfam has also set up a confidential, 3rd party, independent Whistleblowing hotline, available online at www.oxfam.ethicspoint.com and by phone (UK number 0808 234 9797, country specific numbers all available online). This is available to anyone who wishes to report a concern.

Please refer to Oxfam's [Disclosure of Malpractice in the Workplace \(Whistleblowing\) Policy](#) for further details.

If an allegation is made against you, then you must inform your manager immediately. You should create a signed and dated record of the details as you know them and send a copy of this to HR. All those accused will be treated with respect and all allegations are treated confidentially. You may wish to seek support from your Union or Staff Representative.

8. Procedure for Handling Complaints and Concerns

Oxfam is committed to responding to all complaints and concerns of abuse. Oxfam's Safeguarding Team are responsible for this work, and have specialist expertise in prevention, carrying out investigations, and delivering support to survivors of and victims.

When a complaint or concern has been raised, it must be referred within 24 hours to Oxfam's Safeguarding Team. This can be done on behalf of somebody else, and may only involve a suspicion.

Internal Response

Within 72 hours of receiving a complaint or concern, Oxfam's Safeguarding Team must convene a case conference. An email must be sent to the complainant acknowledging the complaint as soon as possible. Oxfam must refer suspected cases of child or vulnerable adult abuse to local statutory authorities where possible. The decision about whether to refer to local police or statutory authorities in other cases is made by the person who it is alleged has been the subject of abuse ("the victim/survivor" - who may or may not be the complainant). The Safeguarding Team will support the victim/survivor and/or complainant regardless of whether they wish to report to local police / statutory authorities or not. (See "support for survivors and victims" above.) Our approach will always be to comply with reporting obligations under local law, as long as we have the victim's consent to do so. If someone's life is in danger or the matter relates in any way to a child or adult at risk, then some decisions may have to be taken by Oxfam (for example, to contact the Police). This recognises that the principle of being survivor led must be balanced against risk and protection of vulnerable groups in every instance. If the victim/survivor is a child or adult at risk, then decisions about their welfare may have to be made by others. However, as far as is possible and appropriate they will be engaged in the conversation about their own welfare.

The process for addressing complaints is outlined in Oxfam's *PSEA Procedures*.

Confidentiality must be maintained throughout the complaints process by all staff and witnesses. Staff members who breach confidentiality will be subject to disciplinary action up to and including termination of employment. In some cases, such breaches constitute breaking the law.

Retaliation Against Complainants, Victims and Witnesses

Oxfam will take action against any staff, volunteers or other representatives, whether they are the subject of a complaint or not, who seek or carry out retaliatory action against complainants, victims or other witnesses. Staff who are found to do this will be subject to disciplinary action, up to and including termination of employment.

Outcomes of Misconduct

Employees who are found to contravene Oxfam's clearly stated expectations of their sexual conduct will be subject to disciplinary action that may result in dismissal. Volunteers, contractors and other representatives will have their relationship with Oxfam terminated.

False Allegations

It is extremely rare that staff or other stakeholders are found to have raised allegations which they knew to be false. If a member of staff from Oxfam is found to have made an allegation that they knew to be false they will be subject to disciplinary action, up to and including termination of employment.

Complaints about Oxfam's Partners

If Oxfam receives a complaint about a partner organisation, Oxfam will expect the partner to respond quickly and appropriately. Oxfam should assist the partner to ascertain its obligations under local law to refer the matter to the police or other statutory authorities for criminal investigation.

Where appropriate, Oxfam should 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 External Complaints and Concerns

Complaints raised from outside the organisation must be referred to Oxfam's Safeguarding Team and must adhere to Oxfam's policy and procedures as outlined in this document.

9. Further Guidance for embedding PSEA across Oxfam

9.1. Safeguarding Focal Points

Oxfam's global network of Safeguarding Focal Points support the Safeguarding Team to prevent and respond to sexual harassment, abuse and exploitation by receiving concerns and forwarding these to the team, raising awareness and promoting best practice.

9.2. Inductions

All staff must receive inductions on PSEA and Safeguarding when they join Oxfam, including a briefing on Oxfam's policies and values, information about how to report concerns and advice about where to seek further information about safeguarding and safer practices across the organisation.

9.3. Training / Awareness Raising for Staff, Volunteers, Partners

Training on PSEA and Safeguarding at Oxfam will be mandatory for all staff. This training will be carried out on a regular basis.

Overall responsibility for ensuring that staff receive regular training and awareness raising activities lies with managers. Managers will need to prioritise PSEA training for themselves and their staff, and provide budget lines for some activities.

9.4. Awareness Raising for Beneficiaries

Oxfam's PSEA and wider Safeguarding policies should be promoted throughout our engagement work with beneficiaries.

Feedback from communities on Oxfam’s role, staff behaviours, and complaints should be actively sought. Designated, and ideally senior, Oxfam staff should present feedback to communities on what changes have been made resulting from complaints.

Staff working directly with beneficiaries must receive training on how to receive complaints and disclosures.

9.5. Safer Recruitment

Oxfam is committed to recruiting staff, volunteers, consultants and other representatives safely. As part of this all application forms, interviews and references must address Safeguarding and equality requirements and attitudes, and follow Oxfam’s *Recruitment Policy*.

9.6. Discrimination and PSEA

In some countries, homosexuality is illegal and LGBTI people face significant discrimination. Oxfam does not discriminate on the basis of sexuality or gender, and recognises its duty of care to provide support to manage the risks which can be associated with being openly non-heterosexual in some parts of the world. For further information, please review Oxfam’s [Sexual Diversity and Gender Identity Rights](#) policy.

Oxfam does not have a dress code and is clear that what somebody is wearing will never be considered justification for carrying out sexually exploitative or abusive acts towards them.

10. Definitions

10.1. Sexual Abuse

The term “sexual abuse” means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.¹

10.2. Sexual Exploitation

The term “sexual exploitation” means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.²

Oxfam recognises that the terms sexual abuse and exploitation represent a wide spectrum of behaviours and is not limited to the act of sexual intercourse. It is in recognition of this that Oxfam works to a more detailed set of definitions (set out below) to guide work carried out to address and prevent ‘sexual violence’ in all its forms.

10.3. Sexual Violence

Sexual violence is³:

- any sexual act or attempt to obtain a sexual act
- unwanted sexual comments or advances or acts to traffic

that are directed against a person’s sexuality using coercion by anyone, regardless of their relationship to the victim, in any setting, including at home and at work.

¹ [Secretary-General’s Bulletin: Special Measures for Protection from Sexual Exploitation and Sexual Abuse](#) (2003)

² Ibid.

³ World Health Organization definition 2012

Three types of sexual violence are commonly distinguished: sexual violence involving intercourse (i.e. rape), contact sexual violence (i.e. unwanted touching, but excluding intercourse) and non-contact sexual violence (i.e. threatened sexual violence, exhibitionism and verbal sexual harassment). While coerced sex may result in sexual gratification for the perpetrator, its underlying purpose is to express power and dominance over the other person.⁴

10.4. Sexual Harassment

Sexual harassment is unwanted conduct of a sexual nature. It can be directed towards one person, groups of people or towards everyone and can occur as a one-off incident or be a pattern of harmful behaviour. Anyone can experience sexual harassment, and Oxfam recognises the specific and varied challenges faced by women, men, transgender people and others when experiencing it.

The effect of sexual harassment is to violate the dignity of another person, and to create an intimidating, hostile, degrading, humiliating or offensive environment for them and others.

Sexual harassment can take many forms, including (but not limited to):

- Verbal comments of a sexual nature, such as remarks about an employee's appearance, questions about their sex life or offensive jokes
- Non-verbal such as displaying pornographic or explicit images, staring, sexual gestures or written comments of a sexual nature such as offensive or inappropriate
- Physical such as unwanted physical contact, touching, and assault (this includes attempts and threats to do these things)

When addressing allegations of sexual harassment, Oxfam is concerned with the impact of the behaviours on the complainant, not the intention of the person accused. An action or behaviour can still be considered sexual harassment even if the alleged harasser didn't intend for it to be harmful.

All workers are protected from sexual harassment in the workplace. This protection comes from both employment law and criminal law.⁵

10.5. Coercion

Coercion covers a whole spectrum of degrees of force. Apart from physical force, it may involve psychological intimidation, blackmail or other threats. For instance, threats of being dismissed from a job or of not obtaining a job that is sought. It may also occur when a person is unable to give consent. For example, while drunk, drugged, asleep or mentally incapable of understanding the situation.⁶

10.6. Child Abuse

A child is defined as **anyone under 18 years old**. The five most commonly defined types of child abuse are neglect and physical, sexual, emotional abuse and child sexual exploitation. Please refer to Oxfam GB's *Safeguarding Children Policy* (2018).

10.7. Vulnerable Adult Abuse

A Vulnerable Adult is defined as someone "who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation"⁷. Vulnerable Adult Abuse can take many forms including: physical, sexual, psychological, financial/ material, discriminatory, domestic abuse and self-neglect. Please refer to Oxfam GB's *Safeguarding Adults Policy* (2018).

⁴ World Health Organization [Global Status Report on Violence Prevention](#) (2014)

⁵ [ACAS](#)

⁶ World Health Organization [World Report on Violence and Health](#) (2002)

⁷ Department of Health and Social Care [No Secrets: guidance on protecting vulnerable adults in care](#)

10.8. Child Marriage

The custom of marrying off young children, particularly girls, is found in many parts of the world. This practice – legal in many countries – is a form of sexual violence, since the children involved are unable to give or withhold their consent.

10.9. Domestic Abuse

Domestic Abuse “is any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality.”⁸ This may include psychological, physical, sexual, financial and emotional abuse, so called ‘honour’ based violence, forced marriage and female genital mutilation (“procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons”⁹).

10.10. Modern Slavery

Slavery is a situation where a person exercises (perceived) power of ownership over another person. Related terms include forced labour, which covers work or services that people are not doing voluntarily but under threat of punishment; human trafficking, which involves deceptive recruitment and coercion; and bonded labour, which is demanded in repayment of a debt or loan. Modern slavery encompasses a spectrum of labour exploitation, ranging from the mistreatment of vulnerable workers to human trafficking to child labour and forced sexual exploitation.

⁸ Home Office [Guidance: Domestic Violence and Abuse](#)

⁹ World Health Organization [factsheet on Female Genital Mutilation](#)