

POLICY ON PROTECTION AGAINST SEXUAL EXPLOITATION, ABUSE AND HARASSMENT (PPSEAH)

POLGOV02EN

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1. INTRODUCTION

1.1. Aim

At Educo we have zero tolerance for harassment, exploitation and sexual abuse. We believe that all people have the right to live their lives free from sexual violence and any kind of abuse of power, regardless of their age, gender, sexual orientation, disability, religion or ethnic origin, but with a particular emphasis on guaranteeing the compliance of these rights for populations who are especially vulnerable. However, we are aware that in all organisations there can be unequal power dynamics both between the people who make up the organisation, and those we assist, therefore the aim of the Policy for Protection against Sexual Exploitation, Abuse and Harassment (PPSEAH) is to establish Educo's approach both for preventing and addressing cases of sexual exploitation, abuse and harassment; whether this involves Educo staff members, the people we assist, or any other body or counterpart of the organisation.

1.2. Scope

This policy is one of the regulatory documents related to Safeguarding and is directly related to the Code of Conduct and, through that, the Ethical Code, establishing the criteria and the institutional position regarding sexual exploitation, abuse and harassment, and establishing the ethical and behavioural framework in relation to this issue, which must be observed in a mandatory manner by all staff of the organisation, as well as by all the partners, counterparts, etc., with whom a relationship is established for the fulfilment of the institutional mission and vision.

1.3. Coverage

The PPSEAH is mandatory in all countries and areas in which Educo is present and it is applicable to all the people who are part of Educo, from the governing bodies to the most operational levels, on an employed or voluntary basis, including:

- (a) **Educo Board of Trustees.**
- (b) **Educo staff:** employees, volunteers and trainees, interns and work experience staff.
- (c) **Educo ambassadors.**
- (d) **Other people related to Educo,** for example:
 - People who collaborate (child sponsors, donors, supporters).
 - Journalists or other staff from media outlets.
 - Photographers.

- People who visit our projects, including anyone who accompanies them.

Similarly, this policy must be brought to the attention of **suppliers, partner organisations and other bodies that Educo has a relationship with for the development of their activities**, establishing in this way the type of conduct expected of them, in relation to preventing sexual violence, as a fundamental condition for the establishment and continuity of their relationship with the organisation.

1.4. Exceptions

No exceptions are applied to this regulatory document.

1.5. Change logs

Version no.	Description of changes	Date of approval
1	Initial version	09/07/2020

1.6. Principles

At Educo we are committed to the six basic principles related to sexual exploitation and abuse, proposed by the United Nations Inter-Agency Standing Committee (IASC) Task Force on Protection from Sexual Exploitation and Abuse and these have been used as the basis for the development of this policy. These principles are taken from the United Nations Secretary-General's Bulletin on *Special measures for protection from sexual exploitation and abuse* (ST/SGB/2003/13).

The Educo principles regarding PSEAH are as follows:

- Exploitation, abuse and sexual harassment by Educo employees or any of the bodies and actors mentioned in previous points are considered to be extremely serious unlawful conduct and are therefore sufficient grounds for the termination of any employment contract, agreement or arrangement.
- Any sexual activity with children or adolescents (persons under the age of 18) is strictly prohibited, regardless of the age of consent or the legal age of majority in the country. Ignorance of a child or adolescent's real age is not a valid defence.
- It is forbidden for any Educo employee, or any other related staff, to make any offer of money, employment, goods or services in exchange for sexual favours or other forms of humiliating, degrading or exploitative behaviour. This includes paying for sex, as well as exchanging it for the assistance that the beneficiaries of the programs are entitled to.
- It is forbidden for Educo staff, and other staff related to the organisation, to establish sexual relations with persons participating in our projects and programmes. Given the contexts in which our organisation operates, such relationships tend to be based on inherently unequal power

dynamics and can therefore undermine the credibility and integrity of all of Educo's aid and development work. Therefore, Educo staff must declare any previously existing personal relationships with beneficiaries to their direct managers or to the person responsible for People and Culture for Educo in the country.

- When someone from Educo suspects a colleague of committing an act of sexual exploitation, abuse or harassment, within the organisation or outside it, he or she must report this suspicion using the established reporting mechanisms within the established timeframe.
- Educo staff are obliged to create and maintain an environment which prevents sexual exploitation and abuse, prevents child abuse, and promotes the implementation of this policy. Educo managers throughout the organisation have a special responsibility when supporting and developing systems which favour the preservation of this environment.

1.7. Responsibilities

BOARD OF TRUSTEES:

- Comply in a mandatory manner with all the provisions of the PSEAH Policy and demonstrate Zero Tolerance for any form of sexual exploitation, abuse or harassment.
- Approve the PSEAH Policy, as well as any updates.

EXECUTIVE DIRECTORS AND MANAGEMENT COMMITTEE

- Hold the ultimate responsibility for compliance of this policy and for its implementation.
- Ensure that the organisation has the resources (financial and human) needed to effectively implement this policy fully and at all levels.
- Guarantee that the country offices and their relevant national management teams apply the guidelines of the PSEAH Policies.

GLOBAL SAFEGUARDING COMMISSION:

- Elaborate plans for the implementation, strengthening and monitoring of compliance with the safeguarding policies, including the PSEAH Policy.
- Coordinate the country directors and management committees about the processes and strategic activities that must be carried out in each country in relation to the safeguarding policies, including the PSEAH Policy.
- Coordinate the safeguarding committees in the country offices both on the work plans and specific activities at an operational level, in accordance with the global plan, as well as the local plans.

COUNTRY DIRECTORS AND MANAGEMENT TEAMS:

- Guarantee that there are country action plans for implementing the PSEAH Policy in order to minimise the risk of any exploitation, harassment or abuse, and ensure that, if something does occur, that there is an adequate response mechanism.
- Guarantee that all staff, especially those who have direct contact with the participants in projects and programs, receive training in PSEAH.

COORDINATORS OF PEOPLE AND CULTURE IN COUNTRY OFFICES:

- Ensure that the recruitment and contracting processes incorporate safeguarding measures, such as reference checks and interviews, and ensure that all Educo staff understand, commit to and sign the letter of commitment to the Code of Conduct, the PSEAH Policy and the Child Safeguarding Policy.
- Guarantee that all the people in the Country Office receive specific training about the PSEAH Policy.
- Apply the necessary measures in the case of non-compliance of the PSEAH Policy and register them appropriately.

SAFEGUARDING FOCAL POINTS AND SAFEGUARDING COMMITTEES IN THE COUNTRY OFFICES:

- Accompany and assess the Country Directors and Management Committee on their responsibilities with regards to the safeguarding policies, in particular the PSEAH Policy.
- Plan and operationalise the actions necessary for implementation of and compliance with the PSEAH Policy by all persons within the Country Office and those it has a relationship with.
- Report on notifications and reports of non-compliance with the PSEAH Policy and coordinate investigation processes, where appropriate.

MANAGERS AND HEADS OF AREA:

- Support and develop work systems that create and maintain safe work environments.

PROGRAM TEAMS:

- Ensure that the principles established in the safeguarding policies, specifically the PSEAH Policy, are taken into account throughout the project cycle, from their design to their evaluation and closure.
- Share the PSEAH Policy with staff from partner organisations, suppliers and other counterparts involved in the implementation of the projects and programs, and, where necessary, coordinate training about it.
- Ensure that the participants of the projects and programs know about and understand the PSEAH Policy, as well as the mechanisms for raising concerns or reporting issues.

THE WHOLE EDUCO STAFF TEAM:

- Comply with the PSEAH Policy and sign the letter of commitment¹.
- Participate in training about the PSEAH Policy.
- Report any incident or suspicion² involving sexual exploitation, harassment or abuse, following the procedures and timeframes established for this purpose³.
- Collaborate in investigation processes when required.

1.8. Glossary

- a) Abuse of power:** or abuse of authority are social exchange practices involving behaviour based on power, hierarchy and inequality. In other words, it is a situation where the authority of individual who has power over others due to social status, hierarchy, knowledge or wealth uses this power for their own benefit.
- b) Sexual abuse:** Any physical intrusion of a sexual nature committed or threatened, whether by force, under unequal conditions or under duress. Included in this category are forced marriage and sexual slavery, as well as sexual activities with children or adolescents (anyone under the age of 18).
- c) Sexual abuse of children and adolescents:** Occurs when a child is used by another child, adolescent or adult for sexual stimulation or gratification. This type of sexual abuse includes both contact and non-contact activities, covering all forms of sexual activity involving anyone under 18, either by showing them sexually exploitative material online or by taking images of children for sexual exploitation.
- d) Sexual harassment:** Sexual harassment is any unwanted and annoying behaviour of a sexual nature, request for sexual favours, verbal or physical conduct, gesture, or any other behaviour of a sexual nature which may reasonably be interpreted or perceived as offensive and humiliating to another person. Such conduct will also be considered sexual harassment when it interferes with work, is a condition for obtaining work, or creates an intimidating, hostile or offensive work environment. Although they are often part of a pattern of behaviour, they can also take place in the form of an isolated incident. Sexual harassment can occur between people of opposite sexes or the same sex. Both men and women can be victims or aggressors.

¹ This is the Letter of Commitment for the Code of Conduct, the Child Safeguarding Policy and the Protection Policy against Sexual Exploitation, Abuse and Harassment (PPSEAH).

² Although people who have been or are victims of this type of incident are encouraged to take action to prevent others from suffering the same situation, they are not obliged to report it.

³ Not reporting this kind of issue to the relevant bodies, is a breach of Educo's PSEAH Policy and will lead to the adoption of disciplinary measures against the breaching person or parties, which will be considered according to the seriousness of the incident, ranging from a reprimand to the termination of their contractual relationship or relationship with Educo.

- e) **Accusation of inadequate conduct:** If the case meeting or panel decides to investigate the suspected misconduct, it is considered an "allegation of misconduct".
- f) **Allegation:** An assertion of facts intended to be proved at trial or during an internal investigation procedure.
- g) **Code of conduct:** A series of rules about the behaviour which staff from an organisation is obliged to follow.
- h) **Informed consent:** To make a free decision to accept or refuse to participate in a process or activity having received sufficient and clear information and having understood it.
- i) **Reported incident or concern:** To report possible misconduct, or illegal or negligent behaviour.
- j) **Complainant:** The person who reports something (does not have to be the victim).
- k) **Victim-based approach:** an approach in which support for rights, dignity and the needs and security of the victim is prioritised in all issues and procedures.
- l) **Sexual exploitation:** Any abuse committed or threatened in a situation of vulnerability, unequal power or trust, for sexual purposes, including but not limited to profiting materially, socially or politically from the sexual exploitation of another.
- m) **Case management:** investigation methodology which follows the policies and procedures appropriate for determining the result of a SEAH report.
- n) **Child:** Any individual under 18 years of age, regardless of the local definitions in the country about when a child reaches adulthood. At Educo we prefer the term Child or Adolescent.
- o) **Local partner organisation:** Any institution a relationship is established with for which an official agreement is signed for the shared or delegated implementation of a project, program or other activity that is in line with the institutional mission and vision.
- p) **Participant:** A person (holder of rights or responsibilities) who is part of the activities carried out by the organisation to develop capacities (individual or community) and rights fulfilment.
- q) **Accused:** Person about whom a concern has been conveyed or against whom an accusation or report has been made.
- r) **Child protection:** Prevent and respond to violence, exploitation and abuse against children - including [but not limited to] commercial sexual exploitation, trafficking, child labour and harmful traditional practices
- s) **Result of the investigation:** Once the accusation has been investigated and the investigation report has been reviewed, the resulting recommendations are called "result of the investigation".
- t) **Suspicion of improper conduct:** Any concerns reported through any of the reporting channels or routes. This suspicion should be immediately assessed by an initial case meeting or by an expert panel.

- u) Zero Tolerance:** A public security policy approach that is based on severely punishing any legal infraction regardless of the seriousness of the offence committed, minimising the delay between the commission of the crime and the judicial response. This concept has been extended to other issues, such as rights violations in general.
- v) Victim/survivor:** A person who has allegedly been sexually harassed, exploited or abused.
- w) Gender-based violence:** Refers to harmful acts directed against a person or group of persons because of their gender. It is rooted in gender inequality, abuse of power and harmful norms.

1.9. Related documents

CODGOV04EN – Ethical Code v2

CODGOV01EN – Code of Conduct v1

REGGOV02EN – Regulations for the Whistleblowing Channel v2

2. COMMITMENTS

At Educo we have the following commitments for preventing and responding to sexual exploitation, abuse and harassment:

2.1. Integrating protection against sexual exploitation, abuse and harassment in all of our work.

We will make an effort to create and preserve a safe organisational and programmatic culture for all the people who work for and with the organisation, as well as for the people in the communities we work in, by carrying out solid work in prevention and response, offering support to survivors and demanding responsibility from the people responsible for sexual harassment, exploitation and abuse.

2.2. Adopting a victim-centred approach.

Educo will integrate a victim-centred approach, which means adopting a fundamental role in the support for the rights, dignity, needs and concerns of the victim or survivor, empowering them as participants committed to the process.

Our organisation will seek to minimise re-victimisation (associated with criminal justice processes) and provide the necessary support to victims/survivors, respecting their needs in a sensitive and non-judgmental manner.

2.3. Implement safe channels for reporting incidents or suspicions of sexual exploitation, abuse and harassment.

We must ensure that we have efficient channels so that Educo employees and related staff, project participants and other people can report cases of sexual exploitation, abuse and harassment safely. These channels must be designed, where possible, in consultation with local communities and with staff to ensure that they are safe and accessible.

We must also ensure that all staff who work in the name of Educo, as well as all program participants, have adequate information about how to access these safe reporting channels. To do this it will be necessary to share these reporting channels in various languages and formats, suited to local sensibilities.

We must also provide training and information to the whole Educo team, to ensure that they are aware of their related obligations and know how to manage a report if they receive one. It is important to insist in particular on the confidentiality of the whole process.

Reports of possible cases of sexual exploitation, abuse and harassment received through SCC mechanisms will be referred to the appropriate reporting channels, these being the focal points of the PSEAH Policy, both globally and nationally – or locally, if they exist - as well as the Global Safeguarding Commission or the Safeguarding committees in each country office⁴.

2.4. Responding efficiently to reported SEAH.

At all times, all allegations of sexual exploitation, abuse and harassment will be taken seriously, investigated and the results of the investigation will be acted upon, consistent with our protection and safeguarding principles set out below:

- **Solid and transparent case management:** All SEAH reports and their follow-up monitoring will be documented in a safe, confidential database to ensure accountability. All reports will receive official confirmation of their receipt within 24 hours and the immediate risks and the following steps to be taken will be evaluated in the following 72 hours.
- **Investigations:** At Educo we will carry out independent, safe and confidential investigations with support from competent staff who will coordinate and collaborate with our safeguarding teams, and always recognising the rights and duties of assistance for all of the people involved, including the people who report them, the victim/survivor, witnesses and the accused.
- **Transparent decision-making:** At Educo we will adopt fast and appropriate measures against all employees of the organisation or related staff who have committed any act of SEAH or other type of abuse. These actions could include administrative or disciplinary measures, as well as referral to the relevant local authorities, if appropriate and safe. To ensure impartiality, transparency and accountability in each investigation, an independent panel will be created.
- **Support for victims/survivors of SEAH:** SEAH victims/survivors have the right to receive specialised support services. At Educo we are committed to referring them to competent services, in accordance with their preferences and needs. These can include psychosocial support services, counselling, medical assistance, legal advice and assistance programmes for Educo staff (where this is available).

⁴ For more detailed information about the reporting or notification channels, see Annex 3 of this document.

2.5. Ensuring the implementation of safe programs.

Our employees and other related staff must adopt proactive measures for prevention to avoid involuntarily provoking harm to civilians, to actively contribute to reducing existing threats and to ensure that the projects and programs are sensitive to these aspects. This includes adopting good practice and prevention measures for SEAH throughout the program or project cycle, from the design, to the elaboration of funding proposals, the analysis, the reporting mechanisms, and throughout the evaluation and monitoring processes, and taking special measures for especially vulnerable populations, which in principle include all children and adolescents we work with, but even more so when they have a disability, belong to a minority population or are at higher risk, as well as adults with these characteristics.


2.6. Monitoring our partnership agreements.

At Educo we must ensure that any partnership agreement, secondary grant agreement or agreement between affiliates contains the following points:

- (i) inclusion of this policy as an annex;
- (ii) inclusion of a letter of commitment so that the organisations and people contracted, as well as their staff and volunteers, adhere to our code of conduct, which is consistent with the approaches in this policy;
- (iii) expressly stipulate that the failure of these organisations and individuals to take appropriate preventive measures against sexual exploitation, abuse and harassment, and to investigate and report allegations in this regard, or to apply corrective measures once SEAH conduct has been detected, constitutes sufficient grounds for Educo to terminate such agreements;
- (iv) awareness-raising for employees and partner organisations, and beneficiaries to the extent possible.

2.7. Strengthening recruitment, contracting and management of staff.

At Educo we must reflect the organisation's commitment to this policy throughout the human resources management cycle, particularly during the recruitment process, by carrying out identity

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checks, reference checks and checking criminal records and/or police records⁵, thus verifying the suitability of candidates to work with children, adolescents and vulnerable populations.

Educo will collaborate with other agencies to prevent people who have committed SEAH from being employed (or re-employed) or collaborated with, by seeking to participate in networks or other initiatives that facilitate the exchange of information on this issue.

2.8. Guaranteeing awareness-raising and training in PSEAH.

All the people included in the scope of this policy must receive training about it in accordance with his or her responsibilities within the organisation.

As part of their initial training when joining our organisation, staff will receive specific mandatory and assessable training on our Code of Conduct and safeguarding policies, one of these being the PSEAH Policy, as well as information on how to report suspicions, incidents or concerns. This training will be strengthened subsequently on a regular basis.

The country offices must develop training plans adapted to each context and each local regulatory framework.

The people with specific responsibilities in relation to safeguarding will receive additional training (for example, how to receive and manage reports in a safe and confidential way).

Similarly, extensive work must be done to share the policy with the other interest groups concerned, especially with beneficiaries. This requires appropriate support material, such as translations of the policy into local languages and user-friendly versions of the policy.

2.9. Promoting Accountability in PSEAH.

At Educo we promote a culture of accountability in everything we do. We base this on the recognition of the inherent imbalance of power in the relationships with the people we work with and for and the commitment to address PSEAH issues by:

- (i) always being transparent about the programs, activities and services offered to beneficiaries;
- (ii) increasing awareness about our Code of Conduct, safeguarding policies and reporting channels;
- (iii) actively asking for the opinions of the communities about Educo's work and personal conduct, and taking their contributions into account;

⁵ If this is not permitted by country-specific legislation, a self-declaration of antecedents will be required from the applicant.

- (iv) having a continuous, relevant and meaningful dialogue with our stakeholders, especially with the children and adolescents, families and communities who participate in our programmes and projects in order to work together towards the fulfilment of our mission.

3. IMPLEMENTATION AND MONITORING

The PSEAH Policy must be shared at all levels of the organisation, but in particular with the members of the Country Offices, because it is through these that direct contact is made with partners, allies and other counterparts, such as the people who participate in the projects and programs. Therefore, the official sending of this normative document will be accompanied by a small implementation strategy to ensure that the provisions of this policy, as well as the reporting mechanisms, are known, understood and fully applied by all members of the organisation.

As a first step, the final approved version, formatted and available in the three official languages of the organisation (English, French and Spanish) will be officially sent to all area directors at Head Office, and to all SMTs in the country offices, together with the implementation strategy, so that they can adapt it to their context, resources, etc., and apply it in a timely manner. On the other hand, the final version of the policy will be uploaded to the Educo website, in the relevant place, so that all external staff can have access to the document when they require it.

Each Country Office will be asked to draw up a plan for the sharing and implementation of the PSEAH Policy aimed, in the first instance, at the staff in the offices and the staff of local partner organisations, as well as other allies and counterparts with whom Educo has contact or has established an agreement or arrangement with in the country; and subsequently, at the people participating in the programs and projects, so that they are aware of its existence and content, in order to prevent any violation of the rules. However, a special emphasis will also be made on sharing the reporting channels provided by the organisation globally and for each country⁶, as well as the mechanisms developed and implemented locally by each country office. With regards to the latter, the countries will be encouraged to generate these local mechanisms so that they can respond better to the particularities of the context, the characteristics of the country office, the resources available, etc., and therefore be more accessible to the participants of our projects and programs.

In order to make processes more agile and reduce bureaucracy, a single Letter of Commitment for the PSEAH Policy, the Code of Conduct and the Safeguarding Policy has been elaborated, which 100% of the people who are part of Educo will be asked to sign, as well as suppliers, partners, etc., once they have received the relevant training. This letter will be incorporated as part of the supporting

⁶ The mechanisms for reporting suspicions, concerns and incidents, as well as for investigation at the global level, are described in REGGOV02EN- Regulations for the Whistleblowing Channel v1, the main channels for reporting being a) WhistleB, a channel accessible via the organisation's website (www.educo.org); b) a letter sent by post to the Educo offices in the area or country, addressed to the Compliance Committee; c) by email, phone or personal communication to the local or country focal points for the current institutional policies and; d) SCC committees in each Country Office. The protocols for reporting suspicions, concerns or incidents, as well as those for investigation in the country are described in Annex 3.



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documents for the recruitment of staff, the procurement of goods and services, and the signing of agreements with local partner organisations.

The monitoring and implementation of the PSEAH Policy globally is carried out by the Global Safeguarding Commission, and in each country, by the Safeguarding Committee in each Country Office.

4. ANNEXES

Annex 1. Classification and measures suggested for cases of non-compliance with the PSEAH Policy.

According to what is established in the REGGOV02EN - Regulations for the Whistleblowing Channel v1, any suspicion, concern or incident involving non-compliance with the PSEAH Policy must be reported, using either the globally available mechanisms in place in all country offices or those implemented in the country specifically. However, depending on the severity of the non-compliance, either it should be reported only at the country level or it should also be brought to the attention of Head Office⁷, and the level of severity will also determine whether the investigation process will be handled only at country level or will also involve Head Office staff.

This annex provides both a classification of non-compliance with the PSEAH Policy and suggested actions to be taken in the event that non-compliance has been confirmed through an investigation process.

1.1. Classification of non-compliance with the PSEAH Policy.

a) Minor non-compliance: This involves a violation of another person's rights due to negligence, omission or negative cultural patterns that can be overcome through restorative actions. The following is a non-exhaustive list of possible behaviours covered by this level:

- Making comments about a colleague's body, behaviour or dress, especially when the other person has previously expressed disagreement or displeasure with these comments.
- Making offensive or degrading comments about a colleague's body, conduct or dress.
- Making comments about the sexual identity or orientation of work colleagues, project and program participants, and in general, anyone related to Educo's work.
- Using gender-based discriminatory language or actions towards colleagues and/or project or program participants, whether they are children, adolescents or adults.
- Using IT equipment assigned by the organisation for viewing, downloading or sharing pornography or other material with sexual content.

b) Severe non-compliance: This involves an infringement of another person's rights that may result in psychological or material harm to that person or to third parties and is the result of a lack of

⁷ Compliance Committee and Global Safeguarding Focal Point.

consideration for the wellbeing of the other person. The following is a non-exhaustive list of possible behaviours included in this classification:

- Requesting sexual favours in exchange for money or the provision of any goods, services or benefits related to the requesting person's job position.
- Requesting sexual favours to obtain or maintain a position within the organisation, or in an Educo partner organisation.
- Maintaining a sexual relationship with an adult who is a family member of a participant in an Educo project or program⁸.
- Knowing about sexual harassment, abuse or exploitation by a colleague or staff member of a partner organisation and failing to report it.
- Using institutional assets to favour a person - member of the organisation or not - with whom you have a sentimental and/or sexual relationship.
- Repeatedly making advances or proposals of a sentimental and/or sexual nature to a colleague, when the person has previously rejected these proposals.
- Threatening orally or in writing to emotionally, physically or sexually assault another person.

c) Very severe non-compliance: This involves actions that, in addition to violating the rights of others, are very likely to be against the law and may cause physical, psychological and sexual harm that is difficult to overcome for the persons or third parties concerned. The following is a non-exhaustive list of actions that are included under this classification:

- Maintaining sexual relationships with children and adolescents, whether they are participants in Educo and its partner organisations or not⁹.
- Engaging in non-consensual sexual relations with a work colleague.
- Maintaining a sexual relationship with an adult who is a participant in an Educo project or program¹⁰.
- Using IT equipment assigned by the organisation to view, download or share child pornography.
- Engaging in or performing socio-cultural practices that go against the rights of people, especially children and adolescents, such as forced marriage, child marriage and female genital mutilation, among others.
- Engaging at any level in activities related to sexual exploitation of any nature, e.g. people trafficking and/or smuggling, prostitution, pornography, among others.

⁸ In the event of a previous relationship between an Educo staff member and a community member participating in an Educo project or program, this must be reported to the P&C area.

⁹ In all cases, when an adult has a sexual relationship with a child, it is considered statutory rape, sexual abuse or rape, depending on the local legislation. There are no consensual sexual relations between children and adults. Arguing that the age of the child was not known is not a valid argument to avoid moral or criminal responsibility.

¹⁰ In the event of a previous relationship between an Educo staff member and a community member participating in an Educo project or program, this must be reported to the P&C area.

- Making a false - with prior knowledge of its falsity - or malicious report of sexual harassment, abuse or exploitation against another person, whether or not they are a member of Educo.
- Concealing information related to previous allegations, prosecutions or convictions of sexual harassment, abuse or exploitation during the recruitment process or avoiding reporting them if they occur during the employment relationship with Educo.

As is made clear in all cases, the above lists are not exhaustive, but provide guidance for possible situations that may occur in the different contexts and situations in which Educo implements its projects and programs.

1.2. Measures suggested for those who fail to comply with the PSEAH Policy.

a) Minor non-compliance: Below are possible measures for **proven** cases of minor non-compliance with the PSEAH Policy, taking into account the possible different instances of non-compliance. The list of measures below is not exhaustive and other actions may be considered as appropriate on a case-by-case basis. The measures listed, as well as others that may be defined, can be applied individually or as a combination, depending on the characteristics of the situation and the context.

Members of the Educo Board of Trustees and the Educo staff team.

- Support measures, information and specific training related to the issue of non-compliance with the aim of preventing the reoccurrence of the offence or similar offences.
- Written warning (the accumulation of 3 written warnings will be considered as serious misconduct).
- Suspension from work without pay for a maximum period of 2 weeks. The period must be defined according to the seriousness of the non-compliance.

Staff from local partner organisations.

- Support measures, information and specific training related to the issue of non-compliance with the aim of preventing the reoccurrence of the offence. These measures must be accompanied by relevant monitoring.
- Consider continuing the relationship with the partner organisation in the future.

Suppliers¹¹

- Support measures, information and specific training related to the issue of non-compliance with the aim of preventing the reoccurrence of the offence. These measures must be accompanied by relevant monitoring.

¹¹Whether they are individuals or legal entities, individuals or groups, and including but not limited to consultants, ambassadors, journalists or others who come into temporary contact with Educo and may have contact with both staff and participants in the organisation's projects and programmes.

- Consider continuing the relationship with the partner organisation in the future.

b) Severe non-compliance: The following is a list of possible measures for **proven** cases of serious non-compliance with the PPSEAH, taking into account the possible different instances of non-compliance. The list of measures below is not exhaustive and other actions may be considered as appropriate on a case-by-case basis. The measures listed, as well as others that may be defined, can be applied individually or in combination, considering the characteristics of the situation and the context.

Members of the Board of Trustees and the Educo staff team.

- Temporary suspension from employment and pay for a period not exceeding 30 days or termination of employment with the organisation, depending on the seriousness of the breach.
- Ineligibility for internal promotions for a period not exceeding 1 year.
- Opening of disciplinary proceedings and/or disciplinary dismissal.
- Report and/or other legal action before the competent authorities, depending on whether the offence is not only in breach of internal regulations but also against the law¹².

Staff from local partner organisations.

- Formal request for the withdrawal of the person or persons who have breached these regulations from the project/program team that is being implemented in partnership or with Educo funds.
- Possible termination of the relationship with the partner organisation.
- Report and/or other legal action before the competent authorities, depending on whether the offence is not only in breach of these regulations but also against the law¹³.

Suppliers

- Formal request for the withdrawal of the person(s) who have breached the regulations from the work team that is providing Educo with a service.
- In the case of an individual supplier, e.g. a consultant, termination of the contract is recommended.
- Report and/or other legal action before the competent authorities, depending on whether the offence is not only in breach of these regulations but also against the law¹⁴.

c) Very severe non-compliance: The following is a list of possible measures for **proven** cases of very serious non-compliance with the PPSEAH, taking into account the possible different instances of non-compliance. Given the different contexts and circumstances in which the organisation works, it is difficult to establish all the measures to be taken in each case, however,

¹² In these cases, termination of the relationship with the organisation is mandatory.

¹³ In these cases, termination of the relationship with the organisation is mandatory.

¹⁴ In these cases, termination of the relationship with the organisation is mandatory.

when the non-compliance is very severe, it will generally also be at odds with the law, so that, for these situations, there is little chance that the measures taken will be anything other than the termination of the relationship with the organisation, and legal action may also be taken.

Members of the Board of Trustees and the Educo staff team.

- Termination of the relationship with the organisation.
- Opening of disciplinary proceedings and disciplinary dismissal.
- Report and/or other legal action before the competent authorities, if the offence is not just in breach of internal regulations but also against the law.

Staff from local partner organisations.

- Formal request for the withdrawal of the person or persons who committed the non-compliance.
- Termination of the relationship with the partner organisation.
- Report and/or other legal action before the competent authorities, if the offence is not just in breach of internal regulations but also against the law.

Suppliers


- Formal request for the withdrawal of the person or persons who committed the non-compliance.
- Termination of the relationship with the partner organisation.
- Report and/or other legal action before the competent authorities, if the offence is not just in breach of internal regulations but also against the law.

IMPORTANT: *In all cases, it is of utmost importance that these measures are defined taking into account the employment legislation in the country in which the incident of non-compliance with the policy occurs. This takes precedence over institutional regulations in all cases.*

1.3. Measures suggested for those who are victims/survivors of non-compliance with the PPSEAH.

This set of measures is intended to protect and restore the rights of persons who may be victims/survivors of different acts of proven non-compliance with the PPSEAH, because while it is important to have guidance on how to deal with offenders, it is even more important to ensure the wellbeing of the person who has been harmed by these actions.

In this case, the measures are not distributed according to the situation of the person concerned, because regardless of whether or not he/she is a member of the organisation, his/her position, age, sex, etc., he/she is entitled to any of the suggested measures, as well as others that better respond to

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the specificities of the situation and the individual needs of those who have been victims of the non-compliance.

a) Minor non-compliance: Some of the suggested measures for people who have been affected by **proven** cases of minor non-compliance with the PPSEAH are listed below, however, it is important to consider that this is not an exhaustive list and the measures should be defined taking into account the level of affectation of the person as well as the socio-cultural characteristics of the context. These measures must also be agreed with the person affected, and have their total agreement and acceptance.

- Psychological support services. The duration of the support must be defined in coordination with the person affected and be based on the recommendations by the professional treating the case.
- Guarantee the stability of the employment of the person affected if they are employed by Educo, and recommend the application of this measure in the event that it is a person employed by a local partner organisation or a supplier.
- Application of restorative mechanisms. Sessions that would ideally take place once the offender has gone through a process of awareness-raising, information and training, which has enabled him or her to understand and accept that the way he or she acted has been harmful to another person. Similarly, these measures must have the acceptance and agreement from the person affected.
- Change of workplace. This measure can be considered mainly if they shared the same workplace as the offender and there is no possibility of applying a restorative mechanism or, a restorative mechanism has not concluded successfully. This should also be considered taking into account the opinion of the person affected and the infrastructure conditions of the country office or head office involved.

b) Severe or very severe non-compliance: For proven cases of severe or very severe non-compliance with the PPSEAH, the following measures are suggested and is not, as in the previous section, an exhaustive list, but can be used as a guide for making decisions about how to care for the wellbeing and restore the rights of the person who has been assaulted:

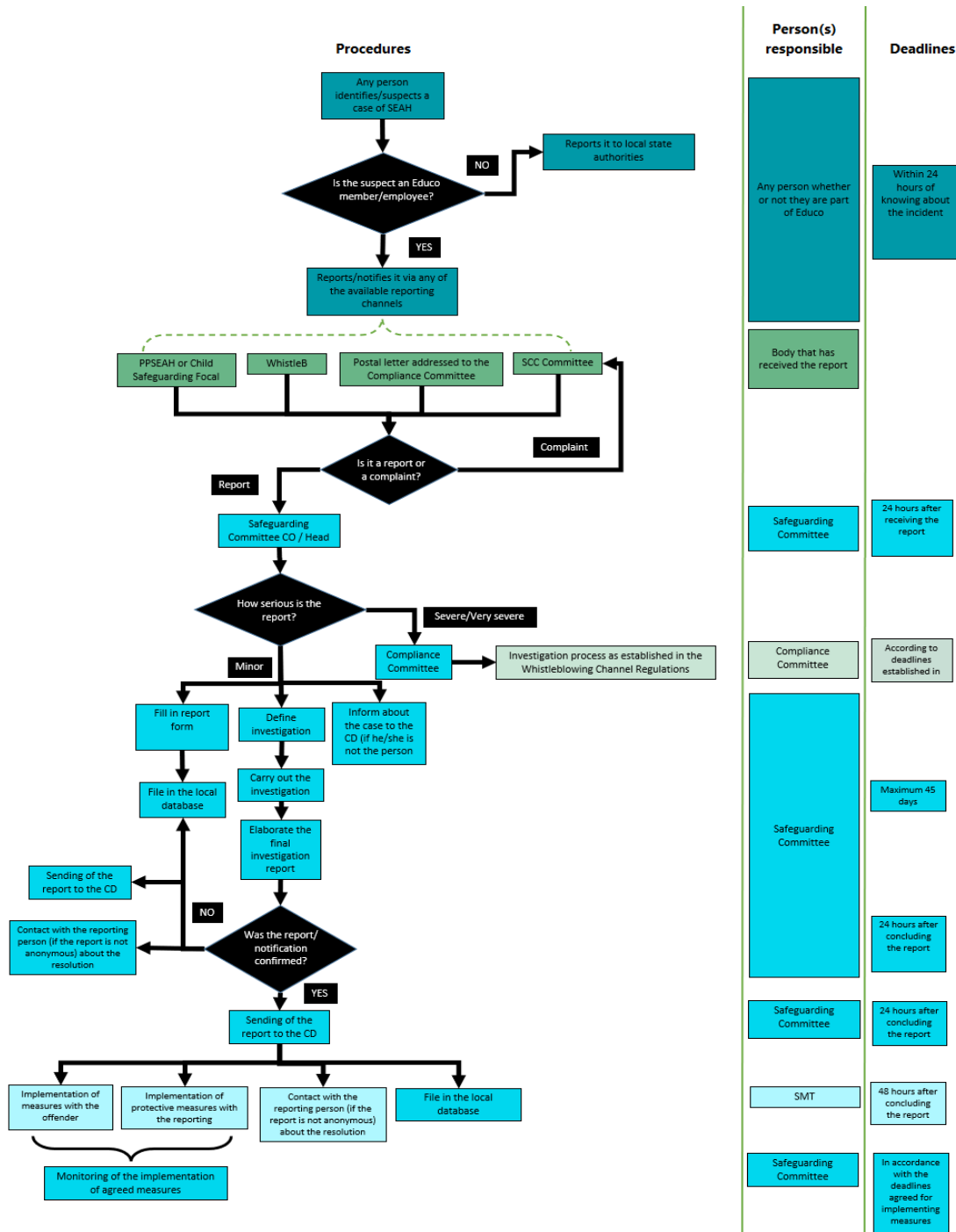
- Psychological support services. The duration of the support must be defined in coordination with the person affected and be based on the recommendations by the professional treating the case.
- Legal support services. In the event that the person wants to take measures at a personal level, he or she must be supported, whether it be with references that enable access to good free or low-cost legal advice, or have some funds to support, albeit partially, the legal action that the person wishes to take against his or her aggressor.
- Guarantee the stability of the employment of the person affected if they are employed by Educo, and recommend the application of this measure in the event that it is a person employed by a local partner organisation or a supplier.


- Provide safe temporary home for the person affected and his or her family, in the event that he or she fears for his or her personal security and/or that of his or her family. This must be considered mainly in cases in which the non-compliance is related to threats and/or physical aggression.
- Application of restorative mechanisms. Although these mechanisms are very positive for the victims/survivors, in cases of more serious aggressions like those which are included in this section, the relevance of their application must be carefully considered and must be accepted and agreed by the person affected.
- Change of workplace. In the event that it is decided not to terminate the work relationship with the offender, the application of this measure should definitely be considered¹⁵.

¹⁵ IMPORTANT: This measure only applies to severe cases, because in very severe cases, terminating the relationship is practically mandatory.

Annex 2. Flow charts and guides

Flow chart 1. Reports/notifications of internal cases of suspected non-compliance with the PSEAH Policy.



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Guide 1. Flow chart for reports/notifications of *internal cases* of suspected non-compliance with the PSEAH Policy.

The flow chart for reports/notifications of internal cases of suspected non-compliance with the PPSEAH includes all of the procedures that must be followed from the moment a person - be they a member of Educo or not - identifies a possible non-compliance of the PPSEAH up to the monitoring of the measures defined for the case, once it has been proven. In this guide the aim is to provide more information about each of the procedures included in the flow chart.

❖ **Any person identifies/suspects a case of SEAH.** Once any person has been a victim, witness or has known about a case or has a suspicion about something that could be non-compliance of the PPSEAH, they should first identify if the suspect is member or employee of Educo:

- In the event that he or she is NOT a member or employee of Educo, the person reporting must report the case to the relevant local authorities.
- In the event that the person IS a member or employee of Educo, the person reporting must carry out the report/notification using any of the channels the organisation has made available for this purpose, these are:
 - Safeguarding Focal Points (for the Safeguarding Policy and the PPSEAH). These focal points are named in each country office and local offices, as well as in Head Office. All staff have access to these people via email, post, telephone and in person. It is not necessary to inform the direct manager or any other authority from the office to contact these focal points. In the event that any of these focal points is the person being reported, the report can be made directly to the WhistleB channel, so that it doesn't go via the country office, at least at first.
 - Whistle B, the official mechanism of the organisation for receiving reports related to possible non-compliance of the organisational regulations in general. This mechanism can be accessed through the Educo website, in the part related to the Reporting Channel (<https://report.whistleb.com/es/educoco>). The reports can be made either by giving the details of the person reporting or anonymously. All information will be managed confidentially.
 - By post, addressed to the Compliance Committee, which can be left in any of the country offices or local offices, so that it can be sent to the Compliance Committee at Head Office.
 - SCC Committee (Suggestions, Complaints and Commendations), using the mechanism established in each country office and local offices for the reception of these types of communications.

The reporting/notification process must be made **within 24 hours of the person reporting identifying the situation.**

❖ **Report or complaint?** The next step is to determine whether it is a report or a complaint. This classification must be made by the body that has received the communication **within 24 hours of receiving the communication**, this being:

- If it is a COMPLAINT, it must be sent to the relevant SCC Committee - in the country office or Head Office - for handling. If the Safeguarding Committee or the Compliance Committee receives a complaint, they must also send it to the SCC Committee in the country office or at Head Office, as relevant.
 - If it is a REPORT, it must be sent by the body who has received it to the Safeguarding Committee in the country office or Head Office, as relevant in order to continue with the process.
- ❖ **How serious is the report?** In order to define who should handle the report, once the Safeguarding Committee has received the report, it must first classify the level of severity, for which it must consult Annex 1 of this document, which contains, on the one hand, the classification of reports and, on the other hand, the suggested measures for both the offenders and the victims/survivors of the aggression. This classification must **be made 24 hours after receiving the report**. Therefore:
- When it is a report of a non-compliance that is SEVERE or VERY SEVERE, the Safeguarding Committee from the country office must send it to the Compliance Committee. This should be done using WhistleB, specifying that the report is not being presented by accusers or victims, but by a member of the Safeguarding Committee who is sending the report that has been received and attaching any supporting document that has been received, for example, emails, letters, SMS, WhatsApp, etc., and in cases in which there is no supporting documentation because the report was received verbally, this must be mentioned. Additionally, the name of the person reporting, if it is known, must be provided. In these cases, the report will be handled by the Compliance Committee in accordance with the procedure and timeframes established in the Regulations for the Whistleblowing Channel, therefore this process is not included in the flow chart and can be found in detail in the aforementioned document.
Important note: If a SEVERE or VERY SEVERE report arrives via the WhistleB or another channel to the Compliance Committee, it will handle the case and may or may not notify the Country Office to manage the case in a coordinated manner, depending on the characteristics of the report and the possible risks involved in reporting the issue for the whistle-blower.
 - When it is a report of a MINOR non-compliance, it will be handled directly by the Safeguarding Committee in the country office, and **the process must not take more than 45 days**.
Important note: If the MINOR report is received directly by the Compliance Committee, it will send the case to the Safeguarding Committee in the country office for handling, with support from the Compliance Committee is whatever is necessary, including handling the investigation together.

Once the Safeguarding Committee has received the report - directly or through another body - about a MINOR non-compliance, the procedures to follow are:

- One of the members of the Safeguarding Committee must fill out the report registration form - which is attached to this document - with all the information available at that time, as well as any possible supporting documentation. Once complete, the form must be filed by the person and in accordance with the procedures approved locally to guarantee the adequate custody of these documents.
- The Safeguarding Committee - preferably, the PPSEAH Focal Point - must send the Country Director a communication informing him/her of the receipt of the report and the decision to proceed with the investigation process.

Important note: In no case can the Country Director overrule the decision of the Safeguarding Committee to carry out an investigation, but he/she can request that one be carried out if it has not been considered.

- The members of the Safeguarding Committee must meet to define who will make up the investigation team and what the steps and timings will be. Ideally, a plan with activities, deadlines and responsible parties should be established, given that the maximum time to close the investigation is 45 days. In order to carry out the investigation, support can be requested from the Global Safeguarding Focal Point or the Compliance Committee. Once the investigation is complete, the Safeguarding Committee, alongside the people who have participated in the investigation process and on the basis of the inputs that have been successfully obtained, the final investigation report must be written, which will have to be carried out using the final investigation report format for reports/notifications of suspected non-compliance with the PPSEAH - attached to the PPSEAH -, and which must include an analysis of the information obtained, conclusions as to whether or not the allegation is true and, finally, recommendations for action to be taken.

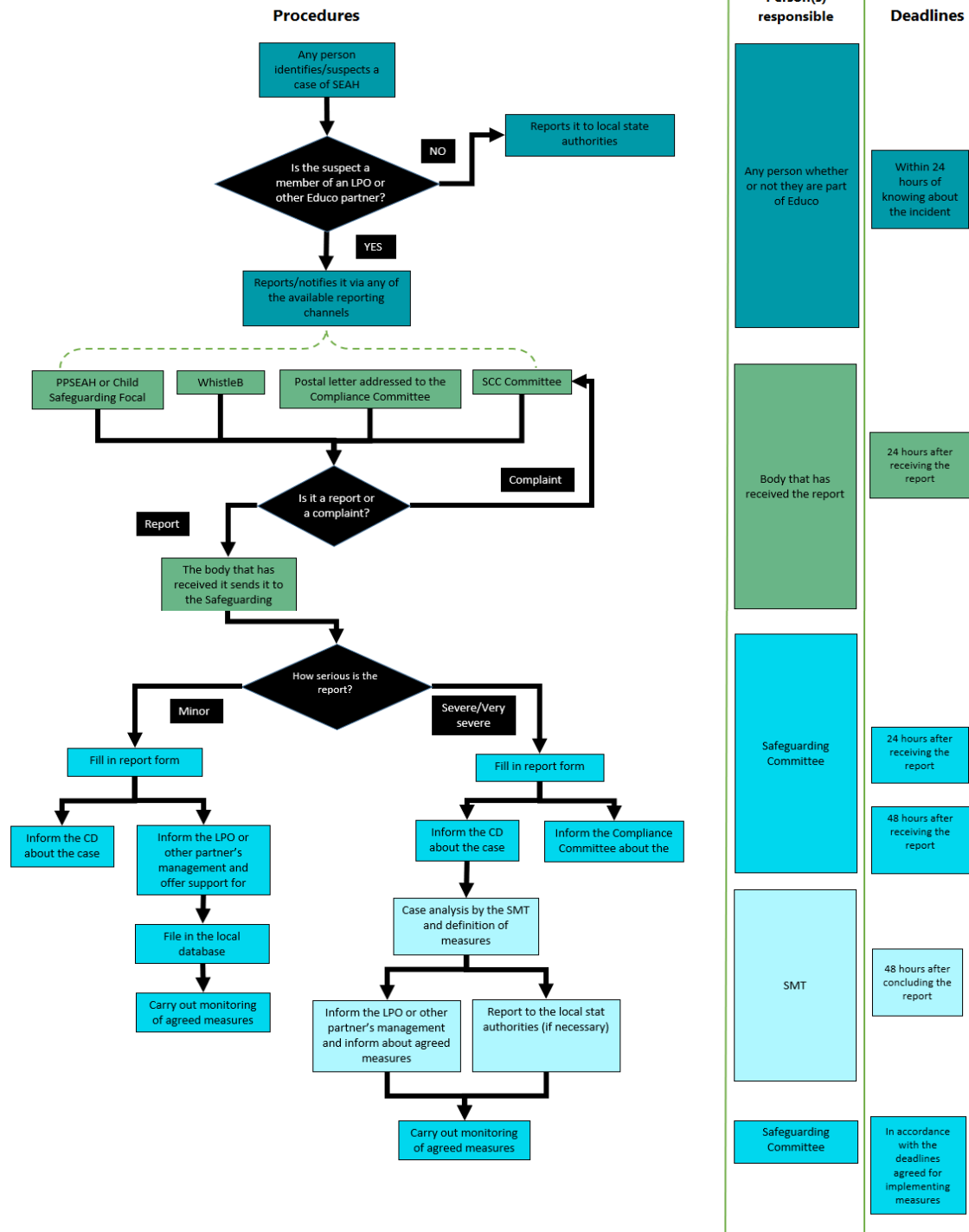
❖ ***Was the report/notification confirmed?*** The report carried out by the Safeguarding Committee must establish if there is sufficient evidence or not, to determine whether or not the alleged facts took place. Therefore:


- If the report determines that there is sufficient evidence to conclude that the report IS confirmed, the report must be sent to the Country Director and the SMT, **within 24 hours of the conclusion**, including measures for:
 - The person who has committed the non-compliance with the regulations.
 - The person reporting and the victim, when they are not the same person, in a way that protects them from possible reprisals and seeks to restore the violated rights.
 - Contact should be made with the person reporting and/or the victim and he/she should be informed that the investigation has been concluded and that measures have been defined to remedy the situation, however, it is not recommended that the measures defined should be reported in detail.

- The Safeguarding Committee must register the case in the relevant database, and file all the supporting documentation from the process.
- On the other hand, once the measures to be taken have been defined and the responsibilities for their application have been distributed, the Safeguarding Committee must be aware of them and follow up on their fulfilment as agreed.
- When the report establishes that there is NOT sufficient evidence to confirm that the reported incident(s) occurred, the report will only be sent to the Country Director - **within 24 hours of its conclusion** - and the measures must include suggestions for:
 - Contacting the person reporting and telling him/her that the investigation process has been completed and evidence has not been found to confirm that what was reported happened. This contact should always include a thank you to the individual for participating in the institution's accountability system and contributing to the improvement of the organisational culture, the only exception to this is in cases where, as a result of the investigation, it has been concluded that the report was malicious.
- When the process concludes this, as in the previous case, the Safeguarding Committee must register it in the relevant database, and file all the supporting documentation from the process.

Important note: This entire process must be carried out in **strict observation of the confidentiality principle**, which means that the only people who need to know this information are those who have received the report, ideally only the members of the SCC and/or Safeguarding Committee, and subsequently, the Country Director or the SMT, all of whom must observe the aforementioned principle.

Flow chart 2. Reports/notifications of external cases of suspected non-compliance with the PSEAH Policy.



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Guide 2. Flow chart for reports/notifications of external cases of suspected non-compliance with the PSEAH Policy.

The flow chart for reports/notifications of external cases of suspected non-compliance with the PPSEAH includes all of the procedures that must be followed from the moment a person - be they a member of Educo or not - identifies a possible non-compliance of the PPSEAH up to the monitoring of the measures defined for the case, once it has been proven. In this guide the aim is to provide more information about each of the procedures included in the flow chart.

❖ **Any person identifies/suspects a case of SEAH.** Once any person has been a victim, witness or has known about a case or has a suspicion about something that could be non-compliance of the PPSEAH, they should first identify if the suspect is a member of staff from a LPO (Local Partner Organisation) or other partner or ally of Educo:

- In the event that he or she is NOT a member of staff from a LPO or other partner or ally of Educo, the person reporting must report the case to the relevant local authorities.
- In the event that the person IS a member of staff from a LPO or other partner or ally of Educo, the person reporting must carry out the report/notification using any of the channels the organisation has made available for this purpose, these are:
 - Safeguarding Focal Points (for the Safeguarding Policy and the PPSEAH). These focal points are named in each country office and local offices, as well as in Head Office. All staff have access to these people via email, post, telephone and in person. It is not necessary to inform the direct manager or any other authority from the office to contact these focal points.
 - Whistle B, the official mechanism of the organisation for receiving reports related to possible non-compliance of the organisational regulations in general. This mechanism can be accessed through the Educo website, in the part related to the Reporting Channel (<https://report.whistleb.com/es/educoco>). The reports can be made either by giving the details of the person reporting or anonymously. All information will be managed confidentially.
 - By post, addressed to the Compliance Committee, which can be left in any of the country offices or local offices, so that it can be sent to the Compliance Committee at Head Office.
 - SCC Committee (Suggestions, Complaints and Commendations), using the mechanism established in each country office and local offices for the reception of these types of communications.

It is important to clarify that in this case, the person reporting can notify the LPO through its reporting channels -if it has them-, which does not imply that he/she cannot also do so in Educo. If the LPO has a system in place to receive and deal with these types of notifications or reports, coordination between the two institutions will take place in order to carry out an agreed process that, while complying with Educo's policy, also complies with what the LPO's policy establishes.

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The reporting/notification process must be made **within 24 hours of the person reporting identifying the situation.**

❖ **Report or complaint?** The next step is to determine whether it is a report or a complaint. This classification must be made by the body that has received the communication **within 24 hours of receiving the communication**, this being:

- If it is a COMPLAINT, it must be sent to the relevant SCC Committee - in other words in the country office or Head Office - for handling. If the Safeguarding Committee or the Compliance Committee receives a complaint, they must also send it to the SCC Committee in the country office or at Head Office, as relevant, so that this committee can handle the issue with the LPO.
- If it is a REPORT, it must be sent by the body who has received it to the Safeguarding Committee in the country office or Head Office, as relevant in order to continue with the process.

❖ **How serious is the report?** In order to define who should handle the report, once the Safeguarding Committee has received the report, it must first classify the level of severity, for which it must consult Annex 1 of this document, which contains, on the one hand, the classification of reports and, on the other hand, the suggested measures for both the offenders and the victims/survivors of the aggression. This classification must **be made 24 hours after receiving the report**. Therefore:

- When it is a report about a MINOR non-compliance, it will be handled directly by the Safeguarding Committee in the country office, **within 48 hours of receiving the report**, the first task being the filling in of the relevant report form.
- The next step is for a member of the Safeguarding Committee - ideally the PPSEAH Focal Point - must report the case to the Country Director and tell them what the next steps are.
- In addition, the management of the LPO or other partner should be informed, ideally in coordination with the Educo staff member in charge of monitoring or the project/program coordinator. Communication about receiving the report must be done by email, however care must be taken not to share details and it would be better if an inter-institutional meeting were set up to analyse the case and agree corrective measures - taking into account what is established in Annex 1 of the PPSEAH - whose application can be supported.
- Once the measures to be followed have been agreed, the case must be registered in the relevant database, and any supporting documentation that exists must be filed.

- Lastly, the Safeguarding Committee must monitor the agreed corrective measures to ensure they are carried out as planned.
- When it is a report about a possible SEVERE or VERY SEVERE non-compliance, the case will be handled in coordination with the Country Director initially, and subsequently with the SMT. For Head Office, it will be coordinated with the director of the functional area and the Management Committee.
- Initially, as in the previous case, one of the members of the Safeguarding Committee - preferably the PPSEAH Focal Point - informs the Country Director about the report, but at the same time also informs the Compliance Committee, given the seriousness of the case. To do this, they have **48 hours from the moment they receive the report**, as the seriousness of the issue calls for immediate action.
- The Country Director convenes the SMT to inform them about the case and analyse it. Based on what is established in Annex 1 of the PPSEAH, the measures to be taken are defined. In this meeting the Focal Point for the PPSEAH can also participate, as well as other members of the Safeguarding Committee as advisors.
- Once the measures have been defined, the Country Director informs the management of the relevant LPO about the report received, its severity and the measures they have decided to take. For better coordination and in order to observe the confidentiality with which these processes should be conducted, where possible, a meeting should be requested with the LPO management to discuss the issue and report on the measures to be taken, as well as to coordinate their implementation. This procedure must be concluded **48 hours after the Country Director has been informed about the report**.
- If the report received involves not only a breach of Educo regulations, but also a breach of the law, it is necessary to consider making a report to the appropriate authorities. In the event that it is decided that it will not be reported, this decision must be specifically justified in writing, so that it can be filed as part of the process.
- Lastly, it will be the responsibility of the Safeguarding Committee to monitor the fulfilment of the measures agreed.

Annex 3. List of forms

- 3.1. REGGOV02EN-FOR02EN Confidentiality and no conflict-of-interest document model
- 3.2. POLGOV02EN-FOR01EN Form for registering reports/notifications of possible non-compliance with the PPSEAH.
- 3.3. POLGOV02EN-FOR02EN Form for the final investigation report for reports/notifications of possible non-compliance with the PPSEAH.
- 3.4. POLGOV02EN-FOR03EN Form for registering the measures agreed for cases of non-compliance with the PPSEAH.