

# PREVENTION FROM SEXUAL EXPLOITATION ABUSE & HARASSMENT POLICY

## 1. Purpose

To ensure staff, contractors, clients, and beneficiaries are protected from sexual exploitation, abuse, and harassment (PSEAH). GAP is determined to prevent and combat sexual exploitation and abuse of programme beneficiaries and members of the community by GAP employees and all related personnel including contractors and partners.

Our priority is the prevention and effective response to prevent SEAH and requires this from our delivery partners.

GAP takes seriously all complaints and concerns about sexual exploitation, abuse and harassment, and will initiate an investigation of all complaints that indicate a possible violation of this policy.

## 2. Applicability

The policy applies to all staff members, consultants and partners of GAP in both New Zealand and overseas, including:

- Trustees
- Staff
- Volunteers
- Consultants
- Programme partners
- Suppliers

## 3. Scope

This is a GAP-wide policy that applies to all GAP operations, onshore and offshore. It applies to the programmes we develop and implement, to our communication, and to the environment we create to effectively reach our goals. This environment includes our organisational structure and culture and the partnerships we engage in.

### Definitions

PSEAH stands for 'Prevention of sexual exploitation, abuse, and harassment and includes bullying and a range of non-sexual abuse of power. The term used by the UN and NGO community to refer to measures taken to protect any category of person from sexual exploitation, abuse and harassment by staff and associated personnel. (CHS Alliance)

**What is Sexual Exploitation** - is any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from sexual exploitation of another.

**What is Sexual Abuse** - is the physical act or threat of, unwanted sexual comments or advances, or acts to traffic, or other behaviour directed against a person's sexuality using coercion.

**What is Sexual Harassment** - when a person makes any unwelcome sexual advance or unwelcome request for sexual favours or engages in other unwelcome conduct of a sexual nature. This would leave the receiver feeling harassed, offended, humiliated, or intimidated.

**What are Non-criminal behaviours and power imbalance risk** -where the risk of SEAH is exacerbated when unequal power dynamics exist and where inequalities based on gender identity, sexual orientation, ethnicity, age, health, religion, disability and poverty occur.

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**Serious misconduct** is conduct so severe it undermines the trust and confidence essential to the employment relationship. Serious misconduct can justify dismissal after a fair investigation.<sup>1</sup>

**Misconduct** covers employee behaviour that breaches expectations and may lead to disciplinary action. Misconduct usually leads to formal warnings first; reconciliation, retraining and other ways to address the issue.

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<sup>1</sup> Make sure you distinguish between misconduct and serious misconduct and follow a fair disciplinary process. Expected behaviours are in employment agreements. Investigate issues properly, give the employee a chance to respond, and only consider dismissal for serious misconduct, after due process when trust and confidence is clearly undermined.

## 4. Guiding Principles

- GAP aims to build capacity to deal sensitively and effectively with sexual exploitation, abuse and harassment for all employees and related personnel.
- GAP has a zero tolerance towards any act of sexual exploitation, abuse, and harassment, SEAH, and requires delivery partners to do the same. All allegations will be responded to in a fair and reasonable way with sensitivities to the impacts of inequalities with gender, youth and the vulnerable. Perpetrators will be held to account. Accountability and transparency to stakeholders is maintained by reporting incidents and responses in a timely manner.
- GAP prioritises the needs of the victim/survivor by considering their rights and wishes. These are: immediate protection from further harm, support in a timely manner, treat with dignity, not to discriminate by gender, age, ethnicity, or sexual orientation, support given to their decision-making, keep them informed, access to counselling or other support services, confidentiality, and privacy to be a priority.
- GAP supports a healthy working environment by having an open and informed workplace with respectful relationships between staff and managers. This encourages people to speak up as they feel safe and supported to do so. This includes the workplace showing respect for gender diversity.
- When a GAP employee or related personnel develops a concern(s) or suspicions or a complaint is made, he or she must report such concerns. Careful consideration needs to be given to the incident if it appears to have a criminal aspect. Here safety of the victim/survivor and others is a priority. Local legislation advice may need to be sought.
- GAP strictly prohibits retaliation against any individual who raises a concern or participates in a SEAH complaint or investigation in good faith. This protection applies to staff, contractors, volunteers, partners, beneficiaries, and community members and is reinforced through GAP's Whistleblowing Policy.

## 5. Prevention & Awareness

- Staff are trained in PSEAH and are obliged to report any incident reported to them, witnessed, suspected or alleged that breaches the PSEAH policy
- Thorough reference and background checks during all recruitments: staff, volunteers, consultants, partners and contractors.
- Proper introduction of the PSEAH policy, relevant forms, and GAP Code of Conduct during employee's induction.
- PSEAH is embedded in all contracts with all staff, consultants, partners, and contractors.

- GAP works with partners to ensure that beneficiaries and community members are informed of safe and appropriate ways to raise concerns, including verbal reporting through trusted focal points, partner organisations, or community leaders, with clear escalation pathways to GAP.
- If a staff member or partner will be working independently, avoid working with any vulnerable person without a support person or another colleague.
- Training will be implemented annually, to training staff in risk assessment and their obligations when working with vulnerable adults and children.
- All staff complete a post survey for offshore activities. This will be completed by the Safeguarding lead -PSEAH coordinator.

## 6. Reporting & Investigation Procedures

### 6.1 Reporting Channels

This policy should be read in conjunction with GAP's Complaints Response Mechanism (SPS OP 723) and Whistleblowing Policy (SPS OP 724), which together provide multiple, complementary reporting pathways and protections for individuals raising concerns.

Concerns or complaints related to sexual exploitation, abuse, or harassment may be raised through any of the following channels:

- Directly to GAP management through established internal reporting mechanisms;
- Through GAP's Complaints Response Mechanism;
- Via GAP's Whistleblowing Policy, including use of the externally accessible reporting channel (CID);
- Through community-level reporting pathways facilitated by partners or designated focal points, where applicable.

Individuals may choose the reporting channel they consider most appropriate or safest and are not required to exhaust internal mechanisms before using alternative or external reporting options.

### 6.2 Investigation Procedures

Identify and act upon all potential or actual sexual exploitation and abuse by staff in a timely and systematic manner.

- All reports of alleged sexual exploitation and abuse are investigated within 2 working days and reported to the contracting donor. Use the PSEAH reporting template SPS OP 712B.

- The alleged perpetrator is immediately removed from the activity until the investigation is completed.
- GAP ensures the protection of the victim, the complainant, and the whistleblower of sexual exploitation, abuse, or harassment whilst verifying and confirming the reported facts either by internal investigation or by external investigation.
- PSEAH requirements are integrated into recruitment, contracting, and training processes, including reference checks, contractual clauses, induction, and refresher training.
- GAP ensures that complainants and victims receive feedback on the development and outcome of their case.
- GAP takes appropriate disciplinary actions which may include immediate termination of employment and referral for criminal prosecution and legal action, where appropriate, against the person who committed sexual exploitation, abuse and harassment, in accordance with the national law reporting and responding systems.
- GAP will inform the appropriate authority which is responsible for conducting investigations into sexual exploitation and abuse allegations in respect of national and foreign legislation.
- GAP undertakes to provide assistance, psychosocial counselling, medical treatment, legal assistance to any victims of sexual exploitation and abuse, and to staff falsely accused or with unfounded allegation.

Detailed procedures for responding to SEAH incidents involving adult survivors are set out in *Annex 1 SEAH Incidents Response Procedures* and operate alongside the child safeguarding procedures.

## 7. Governance & Oversight

GAP designates a Safeguarding Lead responsible for oversight of PSEAH implementation, reporting, and continuous improvement. Serious SEAH matters and safeguarding risks are reported to the Board of Trustees as part of GAP's governance and risk management processes.

## 8. Associated documents

- SPS OP 297 Code of Conduct (Personnel Behaviour Standard).
- SPS OP 701 GAP International Policy
- SPS OP 712A GAP PSEAH Training Module for Safe Practice.
- SPS OP 712B GAP PSEAH Reporting Template

- SPS OP 713 GAP Child Protection Policy
- SPS OP 716A GAP Partner Due Diligence Assessment Tool
- SPS OP 723 GAP Complaints Response Mechanism
- SPS OP 724 GAP Whistleblowing Policy