



Ntengwe for Community Development Protection from Sexual Harassment, Exploitation, and Abuse (PSHEA) Policy



1. Introduction and Preamble

Ntengwe for Community Development (Ntengwe) places human dignity at the centre of its development work. At the heart of Ntengwe's efforts to impact poverty and social justice is its engagement with marginalized communities, and vulnerable adults and children, especially, women and girls.

Ntengwe has a zero tolerance towards sexual exploitation and abuse and Ntengwe take seriously all concerns and complaints about sexual exploitation and abuse involving Ntengwe employees and related personnel. This policy is also aligned to the Ntengwe Safeguarding Policy and Code of Conduct which are implemented to ensure that Ntengwe is safe for children, youths and adults by promoting awareness and mitigating the risk of or actual harm that may come to children and young people by employees, volunteers, partners, representatives, programming, vendors or operations.

2. Scope and Application

This policy applies to all Ntengwe's employees and related personnel, both during and outside normal working hours; including affiliates, partner organizations and platforms, and must also be followed with guidance from the Ntengwe Safeguarding Team.

This policy sets out Ntengwe's approach to preventing and addressing sexual harassment and sexual exploitation and abuse. This includes our commitments to the protection of vulnerable adults (women, people with disabilities, and children) involving Ntengwe's employees and related personnel.

This includes:

- Our commitments to prevent sexual harassment, exploitation and abuse (SHEA) to ensure effective actions taken when problems occur;
- Principles upon which we will base our decision-making and actions;
- Our expectations of all those who work on behalf of Ntengwe.

3. Policy Statement

Ntengwe for Community development has zero-tolerance policy towards sexual harassment, exploitation, and abuse. At Ntengwe, we believe all people have a right to live their lives free from sexual violence and any abuse of power regardless of age, gender, sexuality, sexual orientation, disability, religion, or ethnic origin. We recognise that there are unequal power dynamics across the organization and in relation to those we serve, and that we face risk of some people exploiting their position of power for personal gain.

Ntengwe will not tolerate its employees, volunteer, consultants, vendors, partners or any other representative associated with the delivery of its work carrying out any form of sexual harassment, sexual exploitation or sexual abuse. Ntengwe commits to supporting survivors,

improving safeguarding capacity, reporting, investigating, responding to, and preventing sexual harassment and sexual exploitation and abuse.

Affiliate Safeguarding Teams will use this Policy in conjunction with relevant employment/labour laws duty of care and relevant criminal laws to make decisions about how to respond to any complaints and concerns raised.

4. Background

Ntengwe for Community Development endorsed the Code of Conduct opposing to wrongdoing, corruption, bribery or illegal acts in any of its activities, including taking prompt and firm corrective action whenever and wherever wrongdoing of any kind is found among its personnel. Then in 2019, Ntengwe made a commitment to the Safeguarding policy to seek to protect all persons involved in Ntengwe's work against risks of exploitation and abuse to ensure that the behaviour of all those working with Ntengwe's programs and projects meet appropriate standards. In formulating this policy, an effort was made to conform with the provisions of the international principles and standards provided for in the Universal Convention for the Elimination of all Forms of Discrimination against Women (CEDAW), Sustainable Development Goal (5) of Promoting Gender Equality, SADC Gender Protocol, National Gender Policy of Zimbabwe and Constitution of Zimbabwe (section 16). In addition to the above, other policies that should be referred to when implementing this policy include the Child Protection Policy, Ntengwe Code of Conduct, HIV and AIDS policy, Protection from Sexual Abuse and Exploitation by staff policy. Ntengwe commits to ensuring that the human rights and their rights to dignity of the programme participants, staff, stakeholders and consultants are prioritized by ensuring that practical steps are followed to prevent their violation and to effectively respond to such cases when they occur.

Then 2020, Ntengwe expanded its policy on Protection from Sexual Harassment, Exploitation, and Abuse. This demonstrates the determination by Ntengwe to prevent and respond to acts of sexual exploitation and abuse by Ntengwe Employees and Related-Personnel. The Core Principles and Statement of Commitment form the basis of this policy.

5. Core Principles

In order to protect the most vulnerable populations, particularly vulnerable adults, women, girls' people with disabilities to ensure the integrity of Ntengwe's activities, the following six Core Principles must be adhered to:

- a. Sexual exploitation and abuse and child abuse by Ntengwe and Related Personnel constitute acts of gross misconduct and are therefore grounds for termination of employment.
- b. Sexual harassment by Ntengwe Employees and Related Personnel is grounds for disciplinary action up to and including dismissal.

- c. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of the majority or age of consent locally. Mistaken belief in the age of the child is not a defence.
- d. Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour by Ntengwe and Related Personnel is prohibited. This includes the exchange of assistance that is due to program participants.
- e. Sexual relationships between Ntengwe Employees/Related Personnel and program participants are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of Ntengwe's development work.
- f. Where an Ntengwe Employee or Related Personnel develops concerns or suspicions regarding sexual abuse or exploitation or sexual harassment by a fellow worker, whether in Ntengwe or not, he or she must immediately report such concerns via the established reporting mechanisms.
- g. Ntengwe Employees and Related Personnel are obliged to create and maintain an environment that prevents sexual exploitation and abuse and child abuse and promotes the implementation of this Policy.
- h. Ntengwe Management at all levels have particular responsibilities to support and develop systems, capacity build staff and partners which maintain this environment.

6. Commitments

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

- a. Develop organization-specific strategies to prevent and respond to sexual exploitation and abuse, including incorporating appropriate job responsibilities (such as staff training, complaints and response mechanisms, and coordinating high-level oversight and progress reports by management) in specific staff positions to support and ensure effective implementation of organization strategies to prevent and respond to sexual exploitation and abuse.
- b. Undertake risk assessments to identify areas of risks and document steps that are being taken to remove or reduce these risks.
- c. Incorporate Ntengwe's standards on sexual exploitation and abuse and child protection in relevant codes of conduct and in induction materials and training courses for Ntengwe Employees and Related Personnel, including specific provisions for sexual harassment exploitation and abuse.
- d. Ensure that when engaging in partnerships, sub-grant or sub-recipient agreements, these agreements a) incorporate this Policy as an attachment; b) include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers to abide with a Code of Conduct that is pursuant to the standards of this Policy; and c) expressly state that the

failure of those entities or individuals, as appropriate, to take preventive measures against sexual harassment, exploitation and abuse to investigate and report allegations thereof, or to take corrective actions when sexual harassment, exploitation or abuse has occurred, shall constitute grounds for Ntengwe to terminate such agreements.

- e. Regularly inform Ntengwe Employees and Related Personnel and communities on measures taken to prevent and respond to sexual harassment, exploitation and abuse. Such information should be developed and disseminated in cooperation with other relevant agencies and should include details on complaint mechanisms, the status and outcome of investigations in general terms, feedback on actions taken against perpetrators, and follow-up measures taken as well as assistance available to complainants and survivors. Any information that is not of a general nature and concerns specific cases must respect confidentiality for all parties involved, including the survivor and family, employee or related personnel, and the ongoing investigation process, particularly where there are legal implications.
- f. Engage the support of communities and governments to prevent and respond to sexual harassment, exploitation and abuse by Ntengwe Employees and Related Personnel.
- g. Ensure that complaint mechanisms for reporting sexual harassment, exploitation and abuse are accessible and that Ntengwe focal points for receiving complaints understand how to discharge their duties. This should include a documented reporting procedure in a relevant local language for sexual exploitation and abuse, including child abuse allegations and policy for non-compliance in, including available sanctions for breaches.
- h. Provide support and assistance to complainants of sexual harassment, exploitation and abuse or child abuse. This may include medical treatment, legal assistance and psychosocial support as appropriate and according to the wants and needs of the survivor whilst also taking account of confidentiality, cultural sensitivities and survivor safety.
- i. In compliance with applicable laws, prevent perpetrators of sexual harassment, exploitation and abuse and child abuse from being (re)hired or (re)deployed. Managers and Human Resource teams must ensure robust recruitment screening processes for all personnel, particularly for personnel who will have any direct or indirect contact with children and vulnerable adults. This could include use of background and criminal reference/ record checks, verbal referee checks, and interview plans that incorporate behavioural-based interview questions.
- j. Investigate allegations of sexual harassment exploitation and abuse and child abuse in a timely and professional manner. This includes the use of appropriate interviewing practices with complainants and witnesses, particularly with children and vulnerable adults. Engage professional investigators or secure investigative expertise as appropriate.
- k. Take swift and appropriate action, including legal action when required, against Ntengwe Employees and Related-Personnel who commit sexual harassment, exploitation and abuse and child abuse. This may include administrative or

disciplinary action, and/or referral to the relevant authorities for appropriate action, including criminal prosecution.

- I. Take appropriate actions to the best of Ntengwe's abilities to protect persons from retaliation where allegations of sexual harassment, exploitation and abuse or child abuse are reported involving Ntengwe Employees or Related Personnel.
- m. Ensure high-level oversight and information systems on sexual harassment, exploitation and abuse and child abuse reports received and actions taken, in order to monitor effectiveness, report progress and improve efforts to prevent and respond to sexual harassment, exploitation and abuse and child abuse.

7. Ntengwe Employee and Related personnel Standards

Ntengwe's capacity to achieve its vision and mission depends upon the individual and collaborative efforts of all Ntengwe's Employees and Related Personnel. To this end, all Ntengwe Employees and Related Personnel must uphold and promote the highest standards of ethical and professional conduct and abide by Ntengwe's policies. This policy sets the minimum standards to be followed by all Ntengwe Employees and Related Personnel to protect program participants and communities from sexual harassment, exploitation and abuse by Ntengwe Employees and Related Personnel.

The need for this policy flows from a recognition that our work often puts Ntengwe Employees and Related Personnel in positions of power in relation to the communities we work with, especially vulnerable adults and children. Ntengwe Employees and Related Personnel have an obligation to use their power respectfully and must not abuse the power and influence they have over the lives and well-being of the participants of Ntengwe's programs and others in the communities where Ntengwe works.

These Standards apply to all Ntengwe Employees and Related Personnel and are intended to provide an illustrative guide for employees and related personnel to make decisions that exemplify Ntengwe's Code of Conduct and Safeguarding Policy and core values in their professional and personal lives. Any violation of these Standards is a serious concern and may result in disciplinary action, up to and including dismissal, in accordance with disciplinary procedures of each Ntengwe International Member or Affiliate and applicable laws. All Ntengwe Employees and Related Personnel must sign these standards. Employees and individuals of non-Ntengwe entities that have entered into partnership with Ntengwe may instead sign their employer's code of conduct and standards if they are consistent with these standards.

- a. Ntengwe Employees and Related Personnel will not request any service or sexual favour from participants of Ntengwe programs, children or others in the communities in which Ntengwe works, in return for protection or assistance, and will not engage in sexually harassing exploitative or abusive relationships.
- b. Ntengwe Employees and Related Personnel will not exchange money, employment, goods or services for sex, including sexual favours or other forms of

humiliating, degrading or exploitative behaviour. This prohibition against exchange of money for sex means Ntengwe Employees and Related Personnel may not engage the services of sex workers.

- c. Ntengwe Employees and Related Personnel are strongly discouraged from having sex or engaging in sexual activities with program participants because there is an inherent conflict of interest and potential for abuse of power in such a relationship. If an employee engages in sex or sexual activities with a program participant, the employee must disclose this conduct to his /her supervisor for appropriate guidance. Failure to report such conduct may lead to disciplinary action pursuant to Ntengwe's policies and procedures.
- d. Ntengwe Employees and Related Personnel will not support or take part in any form of sexual harassment, exploitative or abusive activities, including, for example, pornography or trafficking of human beings.
- e. Ntengwe Employees and Related Personnel will treat all women, children and people with disabilities with respect and not use language or behaviour towards them that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- f. Ntengwe Employees and Related Personnel will not hire children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities or which places them at significant risk of injury.
- g. Ntengwe Employees and Related Personnel will protect, manage and utilise Ntengwe human, financial and material resources appropriately and will never use Ntengwe resources, including the use of computers, cameras, mobile phones or social media, to exploit or harass participants of Ntengwe programs, women, children or others in the communities in which Ntengwe works.
- h. When photographing or filming for work-related purposes, Ntengwe Employees and Related Personnel will:
 - comply with local traditions or restrictions for reproducing personal images,
 - obtain informed consent from the parent or guardian of the child, before photographing or filming a child, explaining how the photograph or film will be used,
 - ensure photographs, films, videos and DVDs present women, children and people with disabilities in a dignified and respectful manner and not in a vulnerable or submissive manner,
 - ensure women, children and people with disabilities are adequately clothed and not in poses that could be seen as sexually suggestive,
 - ensure images are honest representations of the context and the facts, and
 - ensure file labels do not reveal identifying information about a child or an adult.
 - ensure that in doing all this work, we Do No Harm to the beneficiaries of the work which we want to serve and help communities

8. Responsibilities

a. All Ntengwe Employees and Related Personnel

All Ntengwe Employees and Related Personnel share an obligation to prevent and respond to sexual harassment, exploitation and abuse and child abuse. It is the responsibility of all Ntengwe Employees and Related Personnel to uphold the Core Principles and Commitments of this policy along with the Standards for Ntengwe Employees and Related Personnel. All Ntengwe Employees and Related Personnel must sign the Standards. Ntengwe Employees and Related Personnel, who work with communities concerned, will also contribute to regular monitoring by seeking feedback from programme participants.

b. Management, Supervisors and Human Resource Manager

Senior Managers, Supervisors and Human Resource Manager must ensure that all Ntengwe Employees and Related Personnel understand and comply with this policy and sign the Standards for Ntengwe Employees and Related Personnel. The Human Resource Manager is also responsible for robust recruitment, induction and training, whilst Management and Supervisors especially the Safeguarding Focal Persons (both management and junior staff) are responsible for performance management to prevent sexual harassment exploitation and abuse.

c. Executive Director

The Executive Director must provide clear guidance and demonstrate how the organization, across its operations, will ensure that vulnerable adults and children are protected from sexual harassment, exploitation and abuse in the delivery of projects and programs. The Executive Director must ensure that culturally appropriate community-based complaint mechanisms are developed, implemented, and monitored and reviewed for effectiveness. This includes awareness-raising with program participants and Ntengwe Employees and Related Personnel about protection from sexual harassment, exploitation and abuse and how to use the complaints mechanism. The Executive Director will also ensure that complaints handling and investigation procedures are enacted, along with appropriate employee disciplinary procedures as necessary. The Executive Director is responsible for the provision of appropriate survivor assistance.

d. Ntengwe Partners and Affiliates

Ntengwe partners and Affiliates will ensure this policy is reflected in their own codes of conduct.

Ntengwe Partners and Affiliates are responsible for defining workplans and procedures to uphold and operationalize this policy. Partners and Affiliates must have in place complaints and investigation procedures and employee disciplinary procedures which complement and support Office procedures.

Ntengwe will provide the necessary support to Partners to ensure their Offices have in place complaints mechanisms, investigations procedures, survivor assistance support, and guidelines for monitoring, review and reporting against this policy.

9. Associated Policies

This policy is complementary to the set of standards of behaviour that all Ntengwe employees are required to adhere to in the Ntengwe Code of Conduct and Code, the Safeguarding policy, the Complaint Handling policy, the Child protection policy. Working with Persons with Disability Guidelines as well as the Human Resource Recruitment and Selection Standards.

Annex 1: Definitions

- **Employees and Related Personnel:** The term “Ntengwe Ntengwe’s Employees and Related Personnel” includes all employees of Ntengwe, Ntengwe Affiliates and Sub-Offices. The term also includes board members, volunteers, interns, and international and local consultants, day labourers, in addition to individual and corporate contractors of these entities and related personnel. This includes non-Ntengwe entities and their employees and individuals who have entered into partnership, consortium partners or recipient agreements with Ntengwe
- **Sexual Harassment:** Sexual harassment is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another. Such conduct will be also be considered sexual harassment when it interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. While typically involving a pattern of behaviour, it can take the form of a single incident. Sexual harassment may occur between persons of the opposite or same sex. Both males and females can be either the victims or the offenders.
- **Sexual Exploitation:** Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. Ntengwe recognises that the terms sexual abuse and exploitation represent a wide spectrum of behaviours and is not limited to the act of sexual intercourse.
- **Sexual Abuse:** The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. This would include forced marriage and sexual slavery and also includes sexual activity with a child (any person under the age of 18)
- **Child Sexual Abuse:** When a child is used by another child, adolescent or adult for his or her own sexual stimulation or gratification. Sexual abuse involves contact and non-contact activities which encompasses all forms of sexual activity involving children, including exposing a child to online child sexual exploitation material, or taking sexually exploitative images of children.
- **Survivor:** The person who it is alleged has been the subject of sexual harassment, abuse or exploitation.
- **Complainant:** The person who raises a complaint (this may or may not be the survivor).
- **Subject of Complaint/Subject of Concern/ SoC:** The person against whom the allegation, complaint or concern has been raised.-**Suspicion of misconduct:** A concern that has been raised through any of the reporting pathways. This suspicion is assessed at an initial case conference / stakeholder panel.
- **Allegation of misconduct:** If, at case conference / stakeholder panel stage there is a decision to investigate the suspicion of misconduct then it is treated as an' allegation of misconduct'

- Outcome of Investigation: Once an allegation is investigated and the investigation report is reviewed, the resulting recommendations are referred to as the 'outcome of investigation'.

Annex 2: Speak-Up Channels

<p>Ntengwe for Community Development And anyone from another sub-office who wishes to report via another channel</p>	<p>safeguarding@ntengwe-dev.org</p> <p>Mr Innocent Isaac: 0774871130 Email: innocent.isaac@ntengwe-dev.org</p> <p>Mrs Siphathisiwe Ndlovu: 0773246735 Email: siphathisiwe.ndlovu@ntengwe-dev.org</p>
<p>Whistleblowing</p>	<p>whistleblowing@ntengwe-dev.org</p> <p>Mrs Meliga Kuseka 0772621718 Email: meliga.kuseka@ntengwe-dev.org</p>

Annex 3: Statement of Commitment to the Ntengwe for Community Development Protection from Sexual Harassment, Exploitation, and Abuse (PSHEA) Policy

I, _____, have read and understood the standards and procedures outlined in this Protection from Sexual Harassment, Exploitation, and Abuse (PSHEA) Policy . I agree with the provisions contained therein and accept the importance of implementing Protection from Sexual Harassment, Exploitation, and Abuse (PSHEA) Policy and practices while undertaking contractual obligations associated with Ntengwe for Community Development. I further understand and accept that complying to the Ntengwe for Community Development Protection from Sexual Harassment, Exploitation, and Abuse (PSHEA) Policy will involve undergoing a Police record checks, signing a Character reference form stating any criminal convictions, declaring any previous investigations or allegations against me with respect to sexual harassment, exploitation and abuse issues and providing two-character references.

Full name and Surname

I.D/Passport Number

Contact Numbers

Job Title/Role

Signature

Date

Annex 4: Character Reference Form

Please provide the name, address and contact details of two-character references you have known professionally for no less than 2 years excluding your family members.

Referee Name: Organization/Department Capacity in which you know referee Address Contact Numbers Email address	Referee Name: Organization/Department Capacity in which you know referee Address Contact Numbers Email address
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Declaration of Criminal Convictions

Have you ever been convicted of a crime? Yes _____ No _____

If yes, please provide details of all criminal convictions including those considered you have already completely served sentence, and declare any previous investigations or allegations made against you. These will be kept confidential by Ntengwe for Community Development but will be assessed to see if they pose any risk or not in relation to Sexual Harassment, Exploitation, and Abuse.

Annex 5: Approval

Approved By:

Board Chairperson: **Executive Director:**

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(Please Print Name)

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(Please Print Name)

Date:

Date:

Effective from: 1 July 2020

Review date: 1. July 2022

Effective from: 1 July 2020

Review date: 1. July 2022