



JESUIT WORLDWIDE LEARNING
HIGHER EDUCATION AT THE MARGINS

Learning Together to Transform the World

Protection from Sexual Exploitation and Abuse (PSEA)

1. Introduction and Preamble

Jesuit Worldwide Learning (JWL) places human dignity at the center of its vision and mission. JWL provides equitable high quality tertiary learning to people and communities at the margins of societies - be it through poverty, location, lack of opportunity, conflict or forced displacement – so all can contribute their knowledge and voices to the global community of learners and together foster hope to create a more peaceful and humane world. JWL believes that tertiary learning and the formation of a global community of learners addresses the root causes of poverty, isolation, despair, conflict and displacement in order to build a more peaceful and humane world. JWL knows education fosters hope.

Vulnerable adults and children are particularly at risk of sexual exploitation and abuse. This policy defines Jesuit Worldwide Learning’s commitment to the protection from sexual exploitation and abuse (PSEA) of vulnerable adults, involving JWL Staff (defined as but not limited to employees, temporary staff, volunteers, tutors, teachers, community learning center coordinators, all third-party contractors and freelancers). This policy also affirms JWL’s commitment to the welfare and protection from sexual exploitation and all forms of abuse of any persons, involving JWL Staff.

Jesuit Worldwide Learning has a zero tolerance toward sexual exploitation and abuse and child abuse. JWL takes seriously all concerns and complaints about sexual exploitation and abuse (SEA) and child abuse involving JWL Staff. JWL will actively prevent and respond to SEA and maintain an organizational culture that prioritizes safeguarding against SEA so that it is safe for those affected to come forward and report incidents and concerns with the assurance they will be handled sensitively and appropriately. JWL initiates rigorous investigation of complaints that indicate a possible violation of this policy and takes appropriate disciplinary action, as warranted.

2. Scope of Policy

This policy applies to all JWL Staff, defined as but not limited to employees, temporary staff, volunteers, tutors, teachers, community learning center coordinators, all third-party contractors and freelancers in contract with JWL. The term “**JWL Staff**” includes all employees of Jesuit Worldwide Learning globally, JWL Members, JWL Affiliates and JWL Country Offices, Subject Matter Experts, Faculty, Contractors, Volunteers and Third Party Vendors. The term also includes board members, volunteers, interns, student workers, and international and local consultants, in addition to individual and corporate contractors of these entities and related personnel. This includes non-JWL entities and their employees and individuals who have entered into partnership, sub-grant or sub-recipient agreements with Jesuit Worldwide Learning in where in the world.

JWL Staff are expected to uphold the highest standards of personal and professional conduct at all times to protect beneficiaries of assistanceⁱ. All JWL Staff are required to behave irreproachably with the beneficiaries or members of the community, using particular care with the most vulnerable classes: minors, women, the elderly and social outcasts.ⁱⁱ JWL commits to create a zero-tolerance organizational culture against

complacency and impunity. JWL's Global Leadership Team and Founding Board, among the others, is expected to create and maintain an environment that prevents sexual exploitation and abuse. JWL Global Leadership Team is required to be familiar with and enforce this policy, being proactive in overseeing their team.

Through the Protection from Sexual Exploitation and Abuse Policy (PSEA), JWL clearly expresses its determination to prevent and combat sexual exploitation and abuse of beneficiaries and members of the community by JWL Staff. JWL's PSEA policy sets minimum standards to be followed to protect beneficiaries and members of the community from sexual exploitation and abuse.

The principles set forth in this policy apply all times, during and outside normal working hours and during the periods of leave, with no exceptions.

3. Background

JWL endorsed the "The Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and Non-UN personnel", including Standards to support progress made towards eliminating sexual exploitation and abuse by personnel. Jesuit Worldwide Learning reaffirmed its goal of achieving full implementation of the six Core Principles adopted in 2002 by the Inter-Agency Standing Committee (IASC) Working Group on Prevention and Response to Sexual Exploitation and Abuse. In January 2017, JWL expanded its policy on protection from sexual exploitation and abuse to specifically incorporate the broader concerns on child abuse.

These affirmations demonstrate the determination by JWL to prevent and respond to acts of sexual exploitation and abuse and child abuse by JWL Employees and Related-Personnel. The Core Principles and Statement of Commitment form the basis of this policy.

4. Core Principlesⁱⁱⁱ

PSEA are a violation of JWL Safeguarding Policy and Code of Conduct.

JWL does not tolerate any form of sexual exploitation and abuse, as well as bullying and a range of non-sexual abuse of power perpetrated by JWL Staff against any individual regardless of age, gender, sexuality, disability, religion or ethnic origin.

JWL commits to do all the needful for preventing programs having any negative effects such as PSEA by JWL Staff against beneficiaries and members of the community. JWL takes seriously all the complaints and concerns about sexual exploitation and abuse and it initiates rigorous investigation of complaints that indicates a possible violation of this policy.

In order to protect the most vulnerable populations, particularly vulnerable adults and children, and to ensure the integrity of Jesuit Worldwide Learning activities, the following six Core Principles must be adhered to:

- 4.1 Sexual exploitation and abuse and child abuse by JWL Staff constitute acts of gross misconduct and are therefore grounds for termination of employment.
- 4.2 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 defense.

- 4.3 Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior by JWL Staff is prohibited. This includes the exchange of assistance that is due to program participants.
- 4.4 Sexual relationships between JWL Staff and program participants are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of JWL's vision and mission.
- 4.5 Where a JWL Staff develops concerns or suspicions regarding sexual abuse or exploitation and child abuse by a fellow worker, whether in JWL or not, he or she must immediately report such concerns via the established agency reporting mechanisms.^{iv}
- 4.6 JWL Staff are obliged to create and maintain an environment that prevents sexual exploitation and abuse and child abuse and promotes the implementation of this Policy. JWL Global Leadership Team and Managers at all levels have particular responsibilities to support and develop systems, which maintain this environment.

5. Commitments^v

JWL is dedicated to fulfilling the six Core Principles through implementation of the following Commitments. This includes time-bound, measurable indicators of progress to enable all entities of JWL, and others, to monitor JWL's performance.

- 5.1 Develop organization-specific strategies to prevent and respond to sexual exploitation and abuse and child abuse, including incorporating appropriate job responsibilities (such as staff training, complaints and response mechanisms, and coordinating high-level oversight and progress reports by directors) in specific staff positions to support and ensure effective implementation of organization strategies to prevent and respond to sexual exploitation and abuse.
- 5.2 Undertake risk assessments to identify areas of risks and document steps that are being taken to remove or reduce these risks.
- 5.3 Incorporate JWL's standards on sexual exploitation and abuse and child protection in relevant Safeguarding Policy and in induction materials and training courses for JWL Staff.
- 5.4 Ensure that when engaging in partnerships, sub-grant or sub-recipient agreements, these agreements a) incorporate this Policy; b) include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers to abide with a Safeguarding Policy 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 exploitation and abuse and child abuse, to investigate and report allegations thereof, or to take corrective actions when sexual exploitation or abuse or child abuse has occurred, shall constitute grounds for JWL to terminate such agreements.
- 5.5 Regularly inform JWL Staff and communities on measures taken to prevent and respond to sexual exploitation and abuse and child abuse. Such information should be developed and disseminated in-country 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.

- 5.6 Engage the support of communities and governments to prevent and respond to sexual exploitation and abuse and child abuse by JWL Staff.
- 5.7 Ensure that complaint mechanisms for reporting sexual exploitation and abuse and child abuse are accessible and that JWL 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 and child abuse allegations and policy for non-compliance in, including available sanctions for breaches.
- 5.8 Provide support and assistance to complainants of sexual exploitation and abuse or child abuse. This may, but not always, include medical 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.
- 5.9 In compliance with applicable laws, prevent perpetrators of sexual exploitation and abuse and child abuse from being (re)hired or (re)deployed. Human Resources must ensure robust recruitment screening processes for all personnel, *particularly for personnel who will have any direct or indirect contact with children*. This could include use of background and criminal reference/ record checks, verbal referee checks, and interview plans that incorporate behavioral-based interview questions.
- 5.10 Investigate allegations of sexual exploitation and abuse and child abuse in a timely and professional manner. This includes the use of appropriate interviewing practices with complainants and witnesses. Engage professional investigators or secure investigative expertise as appropriate.
- 5.11 Take swift and appropriate action, including legal action when required, against JWL Staff who commit sexual 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, in the abuser's country of origin as well as the host country.
- 5.12 Take appropriate actions to the best of JWL's abilities to protect persons from retaliation where allegations of sexual exploitation and abuse or child abuse are reported involving JWL Staff.
- 5.13 Ensure high-level oversight and information systems on sexual 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 exploitation and abuse and child abuse.
- 5.14 Additional Commitment, dedicated to further fulfilling the core principles by implementing the following:
 - I. To prevent and mitigate the risk of sexual exploitation and abuse by JWL Staff:
 - a) Managers and Human Resources must ensure robust recruitment screening

- process for all the personnel;
- b) The obligation all the employees and collaborators not to exploit, abuse or otherwise discriminate against people is in place and duly known to the intended recipients;
- c) The Safeguarding Policy is published and is distributed and duly known to everyone who collaborates in any way with JWL. This Policy contains the declaration of values and principles, the set of rights, duties and responsibilities that it holds with whoever collaborates with JWL or benefits from its projects or programs;
- d) JWL is responsible to engage the support of communities and governments to prevent and respond to sexual exploitation and abuse;
- e) A Compliant Handling Mechanism (CHM) for reporting sexual exploitation, abuse is in place and accessible. CHM should not be a separate, parallel system to other complaints and feedback structures in a given area, but rather link to and build on existing structures to create one system for handling feedback and complaint;
- f) JWL Staff are completely aware of the Core Principles contained in this Policy, and the related principles included in JWL Safeguarding Policy.

II. To identify and act upon potential or actual sexual exploitation and abuse by staff in a timely and systematic manner. In order to do so:

- a) JWL ensures to set protocols to process complaints of sexual exploitation and abuse in a timely manner, including the immediate suspension of the alleged perpetrator from all the activities with a direct impact on beneficiaries and communities until the investigation is ended;
- b) JWL ensures to set protocols to properly inform the appropriate authority which is responsible for conducting investigations for sexual exploitation and abuse allegations in respect of national and foreign legislation;
- c) JWL ensures that beneficiaries and members of the community know to whom they should report and what sort of assistance they can expect to receive. All potential and actual survivors of PSEA must be fully informed about how the complaint mechanism works, including the reporting process;
- d) Complainants and survivors have the right to receive feedback on the development and outcome of their case, and the CHM will make every effort to maintain lines of communication;
- e) JWL ensures to take appropriate disciplinary actions including immediate termination of employment and referral for criminal prosecution and legal action, where appropriate, against the person who committed sexual exploitation and abuse, in accordance with the national law reporting and responding system;
- f) JWL ensure the protection of the victim, the complainant and the whistleblower of PSEA after having verified and confirmed the reported facts either by internal investigation or by external investigation. JWL undertakes to provide assistance, psychosocial counselling, medical treatment, legal assistance to any victims of sexual exploitation and abuse, if identified as not specious, unfounded or false, perpetrated by one of its staff members or related personnel;
- g) JWL is responsible to ensure that all the thirdly party, included partners and suppliers are committed to respect the principles included in the PSEA Policy, in addition to those explained in JWL Safeguarding Policy. The acceptance of the PSEA Policy by signature of a declaration form is a condition for undertaking any relation with JWL. For Partners, in case of missing of its own Protection to Sexual Exploitation and Abuse Policy, the following Policy must be incorporated into the contract and accepted by the Partner.

6. JWL Staff Standards

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

The need for this policy flows from a recognition that our work often puts JWL Staff in positions of power in relation to the communities we work with, especially vulnerable adults and children. JWL Staff 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 JWL Staff and others in the communities where JWL works.

These Standards apply to all JWL Staff and are intended to provide an illustrative guide for employees and related personnel to make decisions that exemplify JWL's 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 JWL Member or Affiliate and applicable laws. All JWL Staff must sign these standards. Employees and individuals of non- JWL entities that have entered into partnership, sub-grant or sub-recipient agreements with JWL may instead sign their employer's code of conduct and standards if they are consistent with these standards.

- 6.1 JWL Staff will not request any service or sexual favor from participants of JWL programs, children or others in the communities in which JWL works, in return for protection or assistance, and will not engage in sexually exploitative or abusive relationships.
- 6.2 JWL Staff will not exchange money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior. This prohibition against exchange of money for sex means JWL Staff may not engage the services of sex workers.
- 6.3 JWL Staff 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 JWL's policies and procedures.
- 6.4 JWL Staff must refrain from sexual activity with any person under the age of 18, regardless of the local age of consent, i.e. the local or national laws of the country in which the employee works. Ignorance or mistaken belief of the child's age is not a defense. Failure to report such a relationship may lead to disciplinary action pursuant to JWL's policies and procedures.
- 6.5 JWL Staff will not support or take part in any form of sexual exploitative or abusive activities, including, for example, child pornography or trafficking of human beings.
- 6.6 JWL Staff will treat all children with respect and not use language or behavior towards children that is inappropriate, harassing, abusive, sexually provocative,

demeaning or culturally inappropriate.

- 6.7** JWL Staff will not hire children for domestic or other labor 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.
- 6.8** JWL Staff will protect, manage and utilize JWL human, financial and material resources appropriately and will never use JWL resources, including the use of computers, cameras, mobile phones or social media, to exploit or harass participants of JWL programs, children or others in the communities in which JWL works.
- 6.9** When photographing or filming a child for work-related purposes, JWL Staff will:
- Comply with JWL's Media Policy and 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 children in a dignified and respectful manner and not in a vulnerable or submissive manner,
 - ensure children 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.
- 6.10** JWL Staff must immediately report any concerns or suspicions they have regarding possible violations of this Policy by a JWL Staff via JWL's reporting mechanism. JWL Staff must report any such concerns even when the person who may be in violation of this Policy is Related Personnel, as previously defined, and not a JWL Staff.
- 6.11** JWL Staff will prevent, oppose and combat all exploitation and abuse of children.
- 6.12** Wherever possible, JWL Staff should work with another adult present when working with children.
- 6.13** JWL Staff must immediately disclose charges, convictions and other outcomes of an offence that relates to child exploitation and abuse including those under traditional law.
- 6.14** Sensitive information related to incidents of sexual exploitation and abuse or child abuse whether involving colleagues, program participants or others in the communities in which JWL works shall be shared only with enforcement authorities and JWL agents and employees of the appropriate seniority or function who have a need to know such information. Breach of this policy may put others at risk and will therefore result in disciplinary procedures.
- 6.15** JWL Staff must undertake to create and maintain an environment that promotes implementation of this policy.

- 6.16 Directors, managers and supervisors at all levels have particular responsibilities to support and develop systems that maintain an environment that facilitates implementation of this policy and which is free of sexual exploitation and abuse and child abuse.

7. Definitions

I. Sexual Exploitation and Abuse (SEA): Particular forms of gender-based violence that have been reported in humanitarian contexts, specifically alleged against humanitarian workers.

a) 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

b) Sexual Abuse: “The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

II. Sexual Harassment: SEA occurs against a beneficiary or member of the community. Sexual harassment occurs between personnel/staff, and involves any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature.

III. Survivor: A person who has SEA perpetrated against him/her or an attempt to perpetrate SEA against him/her.^{vi} For the purposes of these, persons who report SEA committed against themselves are treated as survivors for the purposes of security and needs assessments

IV. Beneficiaries of Humanitarian Assistance: A person who receives assistance as part of either emergency relief or development aid through assistance programmers. Persons under this title include members of affected populations including refugees, internally displaced persons and other vulnerable individuals, as well as host community members. Sexual exploitation or abuse of a beneficiary is SEA, however the individual need not be in a vulnerable position; a differential power or trust relationship is sufficient to establish SEA.

V. Humanitarian Worker: all persons involved in providing protection and/or assistance to affected populations and who have a contractual relationship with the participating organization/partners, including incentive workers^{vii} from target communities. It refers to all staff of humanitarian agencies and organizations, including UN agencies, IGOs, NGOs, implementing partners, including paid staff, volunteers, contractors, incentive workers, and anyone performing a task on behalf of any humanitarian agency or organization, regardless of the type or duration of their contract.^{viii}

VI. Complainant: a person who brings an allegation of SEA to the CBCM in accordance with established procedures. This person may be an SEA survivor or another person who is aware of the wrongdoing. Both the survivor and the complainant, if different from the survivor, should be protected from retaliation for reporting SEA. Where there is any conflict of interest between the survivor and another interested party, the survivor’s wishes must be the principle consideration in case handling, particularly when there is a risk of additional physical and/or emotional harm.

VII. Whistleblower: For the purposes of PSEA Policy a whistleblower is a type of complainant, not the survivor, who is a humanitarian aid worker making a report of SEA. Organizational whistleblowing policies encourage staff to report concerns or suspicions of misconduct by colleagues by offering protection from retaliation for reporting, and clarify the rules and procedures for reporting and addressing such

cases. Therefore, the definition, scope, and protection measures may differ between organizations. CHM principles (e.g. confidentiality) apply to whistleblowers as they would to any complainant, and internal agency policies shall protect whistleblowers on SEA from retaliation, so long as the report is made in good faith and in compliance with internal agency policies.

8. Responsibilities

8.1. All JWL Staff

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

8.2. Directors, Country Representatives, Supervisors and Human Resources

Directors, Country Representatives, Supervisors and Human Resources must ensure that all JWL Staff understand and comply with this policy and sign the Standards for JWL Staff. Human Resources are also responsible for robust recruitment, induction and training, whilst Directors, Country Representatives and Supervisors are responsible for performance management to prevent sexual exploitation and abuse and child abuse.

Directors, Country Representative and Supervisors 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 JWL Staff about protection from sexual exploitation and abuse and child abuse and how to use the complaints mechanism. Directors, Country Representative and Supervisors will also ensure that complaints handling and investigation procedures are enacted, along with appropriate employee disciplinary procedures as necessary.

8.3. JWL Global Leadership Team

Global Leadership Team must provide clear guidance and demonstrate how the organization, across its operations, will ensure that vulnerable adults and children are protected from sexual exploitation and abuse in the delivery of projects and programs in-country. Global Leadership Team 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 JWL Staff about protection from sexual exploitation and abuse and child abuse and how to use the complaints mechanism. Global Leadership Team will also ensure that complaints handling and investigation procedures are enacted, along with appropriate employee disciplinary procedures as necessary. Global Leadership Team members are responsible for the provision of appropriate survivor assistance.

8.4. Jesuit Worldwide Learning Members, Partners and Affiliates

JWL Members, Partners and Affiliates will ensure this policy is reflected in their own codes of conduct.

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

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

8.5. Jesuit Worldwide Learning Chief of Staff

The JWL Chief of Staff will coordinate oversight of this policy in collaboration with JWL Member focal points, and review and update according to the timeframe specified in the policy. The JWL Chief of Staff will monitor and report against this policy utilizing standardized data for global accountability.

9. Breach of Policy

Sexual exploitation and abuse by JWL Staff constitute acts of gross misconduct and are therefore grounds for termination of employment, assignment or contract. Disciplinary actions/possible outcomes for breach of the AVI Prevention of Sexual Exploitation and Abuse Policy:

- Referral to local law enforcement authorities (as per national and any mandatory reporting laws), where appropriate
- Referral to Federal Police, where appropriate
- JWL internal investigation
- Suspension pending investigation
- Performance management
- Formal warning and monitoring
- Termination

10. Reporting and Investigation

Reporting Procedures

JWL provides a safe, supportive and secure environment to report SEA. JWL will take all concerns seriously and respond immediately. All reports of SEA will be recorded, regardless of whether substantiated or full investigation required. The principles of natural justice will apply to all investigations.

JWL staff, program participants and accompanying adult dependents must immediately report any concerns, suspicions or allegations of SEA or breach of the JWL Prevention of Sexual Exploitation and Abuse Policy. A report should be made to one of the following people as applicable:

Program participants and accompanying adult dependents may report a concern regarding sexual exploitation and abuse to any of the following people:

- The relevant Director or Country Representative: if he/she feels comfortable doing so, and if the Director/Representative is not directly or indirectly implicated in the alleged report
- Chief of Staff Officer
- Chief Operations Officer

JWL Staff may report a concern regarding sexual exploitation and abuse to any of the following people:

- Their Line Manager: if the Staff member feels comfortable doing so, and if he/she is not directly or indirectly implicated in the alleged report
- The Chief of Staff
- A member of the Operations team
- A member of the JWL Global Leadership Team

In situations where a person prefers to place an anonymous report in confidence, they are encouraged to use JWL's third party hotline provider, **EthicsPoint**. Persons are encouraged to submit reports relating to violations stated in this policy or JWL Greater Good Principles policies or any other JWL policy. The information provided will be sent to JWL by **EthicsPoint** on a totally confidential and anonymous basis if this should be chosen.

www.jwl.ethicspoint.com

Any person reporting a case of SEA, in good faith, or any person who has cooperated with an investigation into a report of SEA, will be protected by this Policy. Malicious reporting of SEA with the intention of harming another person's integrity or reputation amounts to misconduct and is subject to disciplinary action. This is distinct from reports made in good faith based on the judgment and information available at the time of the report, which may not be confirmed by an investigation.

Investigations

Investigations of SEA will be carried out in a manner that is timely, fair, objective and as far as is practicable, confidential. This includes the use of appropriate interviewing practice with complainants and witnesses. All information and documented evidence will be held securely and in the strictest confidence as far as is appropriate. The name of the complainant will not be revealed to the person(s) potentially implicated in the allegation or to any other person unless the individual personally authorizes the disclosure of their identity. This may become a requirement in subsequent investigative processes.

Sensitive information related to reports of SEA whether involving JWL Staff, program participants, accompanying adult dependents or others in the communities in which JWL works shall be shared only with local law enforcement authorities, when a notification to police or appropriate

11. Associated Policies

This policy is complementary to the set of standards of behavior that all JWL Staff are required to adhere to in the JWL Safeguarding Policy and any further codes or related policies defined by JWL's Greater Good Principles .

This Policy is also a response to JWL's accountability to the communities it works with and is therefore to be operationalized as part of the broader Jesuit Worldwide Learning Operational Framework and its accountability structure. ^{ix}

ⁱ Protection against Sexual Exploitation and Abuse (PSEA). Inter-agency cooperation in community-based complaint mechanisms. Global Standard Operating Procedures, May 2016

ⁱⁱ JWL Safeguarding Policy January 2017/2020

ⁱⁱⁱ The six Core Principles are from the UN Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13).

^{iv} The established complaints mechanism may at times be an internal JWL mechanism however JWL is also committed to participating in inter-agency community based complaints mechanisms in humanitarian contexts and therefore inter-agency complaints mechanisms may be the established system in some contexts.

^v The Commitments are based on the Statement of Commitment Relating to Sexual Exploitation and Abuse by UN and non-UN Personnel, August 2008.

^{vi} The person who is, or has been, sexually exploited or abused. This term implies strength, resilience, and the capacity to survive. "The terms 'victim' and 'survivor' can be used interchangeably. 'Victim' is a term often used in the legal and medical sectors, while the term 'survivor' is generally preferred in the psychological and social support sectors because it implies resiliency." See Inter-Agency Standing Committee's Task Force on Protection from Sexual Exploitation and Abuse, "Guidelines to implement the Minimum Operating Standards for Protection from Sexual Exploitation and Abuse by UN and non-UN Personnel" (March 2013) [hereinafter IASC Guidelines to Implement the MOS-PSEA (2013)], and IASC GBV Guidelines (2015), Part I - Introduction p. 1.

^{vii} Incentive workers are individuals who receive non-monetary compensation for work or representation for an organization, and are frequently members of the beneficiary community. See the Sexual Exploitation and Abuse Glossary at www.interaction.org/document/sea-glossary.

^{viii} International Council of Voluntary Agencies, "Building Safer Organizations Guidelines: Receiving and Investigating Allegations of Abuse and Exploitation by Humanitarian Workers" (2007).

^{ix} **References**

- Jesuit Worldwide Learning Safeguarding Policy for the Protection of Children and Adults at Risk January 2020 (Safeguarding Policy)
- CPWG, The Child Protection Working Group, Minimum Standard for Child Protection in Humanitarian Action. 2012
- Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, Lanzarote Convention, 25th April 2007
- Protection against Sexual Exploitation and Abuse (PSEA). Inter-agency cooperation in community-based complaint mechanisms. Global Standard Operating Procedures, May 2016
- Secretary General's Bulletin on SEA ST/SGB/2003/13, 2003.
- Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and Non-UN Personnel, 4 December 2006
- UN Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13).
- IASC PSEA Global Standard operating procedures, June 2016
- Protection against Sexual Exploitation and Abuse Statement by the Inter-Agency Standing Committee (IASC) Principals 2015
- UN Office of High Commissioner for Human Rights, CRC - Convention on the Rights of the Child, 1989