

TRAFFIC



**PROTECTION FROM SEXUAL
EXPLOITATION, SEXUAL ABUSE
AND SEXUAL HARASSMENT
POLICY**

VERSION 1 - AUGUST 2024

VERSION CONTROL

Title	Protection from sexual exploitation, sexual abuse and sexual Harassment Policy
Developed By	Global Human Resources
Date Approved	August 2024
Subject	Sexual Harassment
Applicable to	All TRAFFIC staff worldwide, Board trustees, volunteers, exceptional consultants and seconded individuals.
Related Documents	Conditions of Service, Code of Conduct, Global Human Resources Manual
Distribution	Available on TRAFFIC's Intranet under Key policies

DOCUMENT HISTORY

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1. SCOPE

This policy is applicable to all staff employed directly or on behalf of TRAFFIC, irrespective of location, length of service or position within the organisation. It includes any individual that serves as a board trustee of a TRAFFIC entity, any volunteers or consultant working for TRAFFIC and any seconded staff to TRAFFIC. All individuals will be collectively referred to as "TRAFFIC staff" for the purpose of this policy.

This Policy complements the general principles established in the Code of Conduct and clarifies the expected standards of conduct and professional ethics, including the respect for other people's dignity and integrity. In particular, it sets clear obligations for TRAFFIC Staff, volunteers and exceptional consultants to prevent and respond to Sexual Exploitation, Sexual Abuse, and Sexual Harassment (SEAH) and to refrain from condoning, encouraging, participating in, or engaging in Sexual Harassment. This may go beyond the physical premises and normal business hours of TRAFFIC, such as conduct at meetings, events, workshops, training, or on social media.

This Policy documents the approach and steps TRAFFIC will take to provide a safe environment free from sexual harassment and violence. TRAFFIC recognises the need to challenge any tacit or explicit acceptance of sexual harassment or sexual violence to prevent escalation. TRAFFIC also undertakes to improve the understanding of SEAH across TRAFFIC's community to prevent it from occurring, as well as providing a supportive culture, which encourages reporting of incidents and ensures that they are dealt with sensitively and appropriately. It is recognised that it can be distressing for all those affected by a SEAH disclosure; this Policy aims to ensure that all parties are treated with dignity and respect and provided with appropriate support.

2. BACKGROUND

TRAFFIC International is a global, multicultural and multilingual organization that strives to ensure best practice in its everyday operations and adherence to the Inter-Agency Standing Committee core principles ([IASC Six Core Principles](#)). By agreeing to work for TRAFFIC, staff members undertake to uphold the highest standards of professional behaviour and to ensure that TRAFFIC's integrity and reputation shall at all times be safeguarded by their actions. Therefore, the highest standards of conduct and professional ethics are expected from its Staff in their conduct when performing their work for TRAFFIC.

SEAH violates human dignity and universally recognized international legal norms and standards and have always been unacceptable behaviour. Sexual Harassment results from a culture of discrimination and privilege, based on unequal relations and power dynamics. It creates hostile work and work-related environments, which limit the ability of affected persons to thrive and TRAFFIC to achieve its mission.

As TRAFFIC is a legally registered UK Charity, all staff, branches and subsidiaries of TRAFFIC must comply with the UK Equality Act 2010 which states Sexual harassment is a form of unlawful discrimination.

TRAFFIC is committed to providing a safe environment for its community, free from discrimination on any ground and from harassment at work including sexual harassment.

TRAFFIC has zero tolerance for all forms of sexual wrongdoing including Sexual Exploitation, Sexual Abuse, and Sexual Harassment (SEAH) in all its activities.

SEAH has no place at TRAFFIC and TRAFFIC recognises the imperative to prevent and respond effectively to SEAH and to protect persons, especially vulnerable individuals, and survivors of SEAH in related activities. These protections are essential to strengthen integrity throughout TRAFFIC.

3. DEFINITIONS

Sexual Harassment is any unwelcome sexual advance, request for sexual favour, or other verbal, non-verbal, or physical conduct of a sexual nature, that interferes with work, is made a condition of employment, or creates an intimidating, hostile, or offensive environment in connection with a TRAFFIC-related activity, and, for the avoidance of doubt, Sexual Harassment may occur between or amongst persons of different sexes or genders or of the same sex or gender, and may be initiated by any gender or sex.

Sexual harassment can be a one-off incident or an ongoing pattern of behaviour. It can happen in person or in other ways, for example online through things like email, social media or messaging tools.

Examples include:

- Flirting, gesturing or making sexual remarks about someone's body, clothing or appearance;
- Asking questions about someone's sex life;
- Telling sexually offensive jokes
- Making sexual comments or jokes about someone's sexual orientation or gender reassignment;
- Displaying or sharing pornographic or sexual images, or other sexual content;
- Touching someone against their will, for example hugging them;
- Sexual assault or rape.

What some people might consider as joking, 'banter' or part of their workplace culture is still sexual harassment if:

- The behaviour is of a sexual nature
- It's unwanted
- It violates someone's dignity or creates a hostile environment for them

Sexual harassment is usually directed at an individual, but it's not always the case. Sometimes there can be a culture of sexual harassment that's not specifically aimed at one person – such as sharing sexual images.

Sexual Abuse: means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual Exploitation: means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, threatening or profiting monetarily, socially, or politically from the sexual exploitation of another.

SEAH: means Sexual Exploitation, Sexual Abuse, and Sexual Harassment.

Consent: is providing permission for something to happen or agreement to do something with a full understanding of the facts and without coercion. In cases of sexual activity, consent cannot be presumed but must be explicitly given, verbally or non-verbally. Consent cannot be deemed to have been given if it is provided under pressure or in situations where someone is not capable of providing it. Consent can be withdrawn at any time.

False or Malicious Report: means an inaccurate or misleading report that is made recklessly, or

knowingly or deliberately for the purpose of gaining undue advantage or causing harm to a person or entity.

Implementing Party/Partner: is, for the purposes of this Policy, any party that contributes to, executes, implements, bids for, or in any way participates in TRAFFIC-related Activities, including any form of financing or support from TRAFFIC.

TRAFFIC Staff: means any individual who employed directly or on behalf of TRAFFIC regardless of location. This includes staff members of TRAFFIC and volunteers and individuals seconded and/or hosted by other organisations. For this policy, board trustees and consultants are included under the definition of TRAFFIC staff,

TRAFFIC Individuals: means TRAFFIC Staff

TRAFFIC-related activity: means any activity which is financed, administered, or supported by TRAFFIC, either with its own resources or those of others, any activity that materially affects or may affect or otherwise be relevant to TRAFFIC or any activity undertaken under the name of TRAFFIC or using the TRAFFIC logo.

Partners: means implementing partners, consultants or any other type of partners involved in TRAFFIC-related activities.

SEAH Check: means a recruitment practice whereby job applicants are required to provide a SEAH Declaration and whereby the information contained in the Declaration is checked, as far as possible, through Reference Checks;

Policy or SEAH Policy: means Policy on the Prevention and Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment.

Reference Checks: mean the part of a selection and employment process whereby checks are performed to verify the accuracy and authenticity of references, statements, or declarations made by external job applicants on their educational, professional, and other background.

Survivor: means the person who is, or has been, sexually exploited, abused, or harassed.

4. PRINCIPLES

TRAFFIC will not tolerate any form of Sexual Exploitation, Sexual Abuse, or Sexual Harassment (SEAH).

TRAFFIC will take all available measures to prevent, mitigate, investigate and remedy SEAH in TRAFFIC-related activities. TRAFFIC will actively promote equality in order to provide a collegiate, lawful and harmonious working and learning environment.

TRAFFIC will endeavour to raise awareness of SEAH among TRAFFIC Individuals and its implementing partners, consultants or any other type of partners ("Partners") involved in TRAFFIC-related activities.

All the Leadership Team Members, with the support of Human Resources, will play a leading role in organizing such awareness raising through meetings, workshops, posters, town halls, etc.

TRAFFIC will take steps to encourage its Partners involved in TRAFFIC-related activities, to abide by this Policy or adopt policies and procedures that are consistent with this Policy, with the purpose of safeguarding against SEAH in TRAFFIC-related activities.

a) Partners must have policies and/or procedures designed to ensure prevention to those set

out in this SEAH Policy.

- b) Partners must have policies and/or procedures designed to ensure prevention, detection, investigation, remedial action and, where appropriate, sanctions and reports to state agencies with authority over criminal prosecution over SEAH offences in TRAFFIC-related activities. This includes protection against retaliation for actual and apparent survivors of SEAH, witnesses of and whistle-blowers with respect to SEAH; and procedures to identify risks related to SEAH and to prevent, report, investigate and remedy SEAH in TRAFFIC-related activities.

Partners must have carried out all due diligence as necessary or desirable in accordance with their own internal rules and usual practice when dealing with funds for which they have management or investment responsibility in relation to TRAFFIC-related activities of risks of SEAH and the establishment, as necessary, of SEAH protection plans and procedures.

TRAFFIC will reserve its right to terminate a contractual relationship with a partner in case of breach of those policies and procedures. TRAFFIC will apply sanctions, disciplinary, or other remedial measures if this Policy is violated.

5. OBLIGATIONS

TRAFFIC will uphold the guiding principles of this SEAH Policy and contribute to creating and maintaining an environment which prevents SEAH.

Staff members should not condone, encourage, participate in, or engage in SEAH in TRAFFIC-related activities. In particular, they must not:

- a) Use their position to sexually abuse, exploit, or harass any person implementing, engaged in, or benefiting from TRAFFIC-related activities; or
- b) Engage in sexual activity with a child (as defined in Article 1 of the United Nations Convention on the Rights of the Child). Mistaken belief regarding the age of a child is not a defence. Any such activity will be deemed to constitute Sexual Exploitation and/or Sexual Abuse.

Subject to the availability of protections against retaliation, TRAFFIC Staff have a duty to report any suspected SEAH in TRAFFIC-related activities as soon as possible after becoming aware of it to the Global Human Resources and to cooperate with Global Human Resources in the context of an investigation, proactive integrity review, or other inquiry in accordance with TRAFFIC's policies on protection against retaliation and whistle-blowers.

Any manager, supervisor or other such person of TRAFFIC who receives a report of suspected SEAH which is made in good faith, is obligated to transmit such report without delay to Global Human Resources.

TRAFFIC Individuals should not engage with any third-party that condones, encourages, participates in, or engages in SEAH.

TRAFFIC's partners should not directly or indirectly condone, encourage or tolerate participation or engagement in SEAH or any conduct substantially equivalent to SEAH;

- a) To the extent permitted by any national law applicable to it, inform TRAFFIC through established channels, without delay, of SEAH or any conduct substantially equivalent to SEAH, suspected or alleged in connection with TRAFFIC-related activities;

- b) To the extent permitted by any national law applicable to it, cooperate with TRAFFIC in any investigation by any donor of reports of suspected SEAH or any conduct substantially equivalent to SEAH, and take all appropriate measures to ensure the cooperation of relevant persons and entities within their control that are subject to such investigation; and
- c) Contractually require all its partners including subcontractors implementing TRAFFIC-related activities to comply with this paragraphs and act accordingly.

TRAFFIC's management commits to ensure that this Policy is widely available for all TRAFFIC staff and that supporting materials are provided to assist with the implementation of awareness raising. Training will be made available for all staff and managers will embrace, promote and act according with the content of the policy, making the necessary arrangements for its application through their teams, locations, contractors etc.

All TRAFFIC Staff members will embrace, promote and act according with the statements of this policy.

6. **REPORTING**

Any person or entity should report to Global Human Resources any actual or suspected SEAH.

Persons with information concerning suspected SEAH, particularly when it involves TRAFFIC Individuals in TRAFFIC-related activities, are strongly encouraged to also report such information to Global Human Resources. If the report is not related to a TRAFFIC Staff, Global Human Resources will advise if the report should be transmitted to the TRAFFIC partner concerned, or relevant individual subject to the agreement of the person concerned.

Reports of actual or suspected SEAH from or against a TRAFFIC Staff shall be sent to the Global Human Resources through any of the following points of contact on the provision that any changes regarding the contact details shall be communicated and disseminated appropriately:

Additional contact details within TRAFFIC are:

Email: accountability@traffic.org

HR phone: +44 (0)1223 331931 (voice mail)

Mailing Address: Global Human Resources, TRAFFIC, David Attenborough Building, Pembroke Street, Cambridge, CB2 3QA, United Kingdom

Persons or entities reporting actual or suspected SEAH shall do so in good faith and provide where possible any information or evidence in their possession that would support a reasonable belief that SEAH may have occurred. Prior to making a report, such persons or entities are not required to evaluate or to determine whether a report that they intend to make meets any threshold of seriousness or gravity.

Reports of actual or suspected SEAH against TRAFFIC Staff by an implementing partner should be investigated by the Global Human Resources in view of the responsibility for the duty of care that TRAFFIC has to its staff and in accordance with the relevant TRAFFIC policies and standards. The Global Human Resources will treat this seriously and thoroughly investigate reports of suspected SEAH.

Detailed steps for reporting and investigations can be found in the Bullying and Harassment Policy.

7. PROTECTION

Any survivor who reports, attempts to report, is believed to be about to report, or is believed to have reported suspected or actual SEAH (including concerns of suspected SEAH) in TRAFFIC-related activities will be entitled to all the protections (which include anonymity), confidentiality, and protection from retaliation), and remedies afforded to whistle blowers as set out in the Whistleblowing policy, protection against retaliation.

Any other person who reports, attempts to report, is believed to be about to report, or is believed to have reported actual or suspected SEAH in TRAFFIC-related activities, or cooperates, attempts to cooperate, is believed to be about to cooperate, or is believed to have cooperated with a TRAFFIC investigation concerning a report of suspected SEAH, will be deemed a whistle blower or as a witness, as appropriate, and will be entitled to all the related protections (which includes anonymity, confidentiality, and protection from retaliation), and remedies, as set out in TRAFFIC's policies.

Any TRAFFIC Individual who is a survivor of an act of SEAH perpetrated by a TRAFFIC Staff or any Staff member who is survivor of an act of SEAH perpetrated by any TRAFFIC Individual (i.e., another Staff member), or a Partner in connection with a TRAFFIC-related activity and regarding whom a report of SEAH has been made in accordance with Reporting and Investigation Section of this Policy, may request that TRAFFIC provide the following guidance and support:

- a) In emergency situations, any TRAFFIC Staff who is a survivor of Sexual Exploitation or Sexual Abuse perpetrated by another TRAFFIC Individual or Partner in connection with TRAFFIC-related Activity may request interim medical relief or other support services as required to address the immediate harm.
- b) Any person who is a survivor of SEAH perpetrated by a TRAFFIC Individual on TRAFFIC premises or during an activity or event hosted or facilitated by TRAFFIC, regarding whom a report of SEAH has been made in accordance with the Reporting and Investigation Section of this Policy, may request that TRAFFIC provide the protections provided in this policy.
- c) Any TRAFFIC Staff who is a survivor of Sexual Exploitation or Sexual Abuse perpetrated by another TRAFFIC Individual or Partner in connection with TRAFFIC-related Activity may request help through a local Employment Assistance Program. Details of the relevant scheme for each office can be requested from HR.
- d) Any TRAFFIC Staff who is a survivor of Sexual Exploitation or Sexual Abuse perpetrated by another TRAFFIC Individual or Partner in connection with TRAFFIC-related Activity may request paid time off to get help with any resulting physical or mental health problems. The amount of time will depend on the circumstances and will need approval from the HR Director.

Acts of SEAH or retaliation against an actual or suspected SEAH survivor committed by TRAFFIC Staff or Partners will amount to misconduct or breach of contract and will be subject to disciplinary or other remedial measures as provided in the relevant TRAFFIC policies, rules, and procedures.

Where an act of SEAH or retaliation against an actual or suspected survivor has been found in a TRAFFIC-related activity, TRAFFIC will endeavour to provide protection and to employ reasonable measures for the survivor.

Where an act of SEAH or retaliation against an actual or suspected survivor is perpetrated by a Partner against a TRAFFIC Staff in a TRAFFIC-related activity has been substantiated through an investigation conducted by TRAFFIC, and corrective or disciplinary measures have been imposed

against the Partner, or sanctions have been imposed against the Partner, the Global Human Resources, may recommend that TRAFFIC or the Partner take appropriate remedies for the benefit of the survivor. For acts of SEAH committed by a TRAFFIC Staff against a Partner, TRAFFIC must ensure that such remedies are implemented without undue delay. However, in the event that TRAFFIC is unable to implement the recommended remedies, the Global Human Resources will promptly seek guidance from professionals to help determine the appropriate course of action.

8. IMPLEMENTATION, MONITORING AND REVIEW

TRAFFIC is responsible for the effective implementation, monitoring, and reporting obligations under this Policy. Global Human Resources will develop/update guidelines and procedures, to operationalise and implement this Policy and ensure training is available for all staff. Senior Leaders are responsible to take the necessary measures to communicate clearly the expectations of TRAFFIC and the intolerance of SEAH.

Global Human Resources will continue to develop supporting procedures and controls and provide training for TRAFFIC staff to mitigate opportunities for SEAH in TRAFFIC. A case registry of reports filed regarding SEAH will also be maintained and closely monitored to ensure procedures are followed and identify any points that can be learnt and changes applied.

It is the responsibility of all TRAFFIC staff to ensure compliance with the above Policy.

This Policy will be reviewed at least every 3 years in line with TRAFFIC's Policy Register commitment.