

Kenoli Foundation

Policy Regarding Sexual Harassment, Exploitation and Abuse (PSEA)

Kenoli Foundation maintains zero tolerance of any form of sexual harassment, exploitation, or abuse by any volunteer, staff, contractor or any representative of the Foundation.

Definitions¹

1. **Discrimination** is defined by the UNHRC as: “any unfair treatment or arbitrary distinction based on a person’s race, sex, religion, nationality, ethnic origin, sexual orientation, disability, age, language, social origin or other status. Discrimination may be an isolated event affecting one person or a group of persons similarly situated, or may manifest itself through harassment or abuse of authority.”
2. **Harassment** is any improper and unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person. Harassment may take the form of words, gestures or actions which tend to annoy, alarm, abuse, demean, intimidate, belittle, humiliate or embarrass another or which create an intimidating, hostile or offensive work environment. Harassment normally implies a series of incidents.
3. **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, when such conduct 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.
4. **Sexual exploitation** is any actual or attempted abuse of 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. It includes, but is not limited to, engaging in human trafficking or soliciting the services of a sex worker.
5. **Sexual abuse** is defined as forceful or coercive sexual actions, both actual and threatened. It includes, but is not limited to, sexual assault, engaging in human trafficking or exploiting under age children.
6. **Work performance** - Disagreement on work performance or other work-related issues is not considered harassment and is not dealt with under the provisions of this policy but in the context of performance management.

¹ <https://www.un.org/womenwatch/uncoordinated/antiharassment.html>

Standards of Conduct

All Kenoli contractors, staff and volunteers are expected to:

- Treat each other with respect in all forms of verbal and written communication, dignity and equality regardless of their age, sex, level of education, profession, physical condition, language, religion, opinion, nationality, ethnic, social status, sexual orientation or any other personal characteristics;
- Create and maintain an environment that prevents discrimination, sexual exploitation, harassment and abuse;
- Adhere to zero tolerance of any form of physical or psychological harassment, discrimination, abuse of power or intimidation, including derogatory comments or adopting a demeaning attitude;
- Always behave in a professional way with partners, contractors, colleagues, and volunteers avoiding spreading rumors and false allegations and refraining from any comment based on gender, sexual orientation among other, which may be considered as harassment;
- Never have sexual relations with partners, contractors, colleagues, or volunteers in exchange for money, a gift of any kind, work or any form of assistance;
- Treat all children with respect and not use language or behavior towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Inform the Executive Director of any suspicions, information, rumours or doubts concerning possible abuse.

Focal Point - Reporting

The Executive Director is designated as the Focal Point to receive and process any complaints or reports of any incidents and respond in a professional and timely manner to all concerns or allegations of sexual harassment, exploitation or abuse. All concerns or allegations will always be taken seriously, and investigated and acted upon as appropriate.

Any allegations of abuse must follow the appropriate process for that country.

If the complaint is against the Executive Director, the complaint should be taken to a Board member.

Process

The Focal Point is responsible for investigating the allegation. She may call upon the assistance of another Kenoli team member or any other person she deems appropriate. The Focal Point is responsible for documenting the initial report made, how it was investigated, and what actions were taken. Her response to reports must be victim or survivor-centred. This involves acting promptly on reports, maintaining the anonymity and confidentiality of the victim or survivor, and updating the complainant on the results of her report. Where possible, Kenoli will seek to provide support to victims or survivors of sexual harassment, exploitation, or abuse.

The Executive Director is authorized to take appropriate measures. These measures may include corrective action, termination of contract, or reporting to relevant authorities where the misconduct may be criminal in nature.

The Executive Director will inform the Board of Directors of the complaint, how it was investigated and what measures were taken.

If the complaint is against the Executive Director, the Board will take appropriate measures.

Awareness of the policy

Kenoli partners, contractors, staff and volunteers will be made aware of this policy, the code of conduct and the reporting mechanisms.

Policy review

The policy will be reviewed every five years during the development of the organization's strategic plan.

Approved by Kenoli Board
October 23, 2020