

# Malaria Consortium Protection from Sexual Exploitation and Abuse (PSEA) Statement of Commitment

## 1. Values and Scope

This Statement of Commitment is concerned with the **Protection from Sexual Exploitation and Abuse (PSEA)** of adults (anyone over the age of 18), and children (anyone below the age of 18). This includes direct or indirect participants of Malaria Consortium’s programmatic activities, adults in the wider communities in which it works and those who come into contact with Malaria Consortium or its representatives.

Malaria Consortium has a “Zero Tolerance” approach to Sexual Exploitation, Harassment and Abuse, in accordance with the [United Nations Protocol On Allegations Of Sexual Exploitation And Abuse Involving Implementing Partners](#) and relevant international standards, including the [UN Secretary-General’s Bulletin on the Prevention of Sexual Exploitation and Abuse \(ST/SGB/2003/13\)](#), the [IASC \(Inter-Agency Standing Committee\) Six Core Principles Relating to Sexual Exploitation and Abuse](#) and the [Core Humanitarian Standard on Quality and Accountability \(CHS\)](#).

All adults have the equal right to protection regardless of any personal characteristic, including their age, gender, ability, culture, racial origin, religious belief, and sexual identity. This Statement applies to all persons working for us or on our behalf in any capacity, including employees at all levels, directors, officers, agency workers, seconded workers, volunteers, interns, agents, contractors, external consultants, third-party representatives, suppliers, and business partners.

Any breaches of the PSEA Statement of Commitment will be taken with the utmost seriousness and will be responded to accordingly. Breaches of the PSEA Statement of Commitment may constitute ground for dismissal and/or termination of engagement with Malaria Consortium. The PSEA Statement of Commitment applies **24 hours a day, 7 days a week and 365 days a year**.

### Related Policies and Procedures

To uphold the highest standards and integrity, Malaria Consortium staff and external representatives must read the PSEA Statement of Commitment in addition to Malaria Consortium [Safeguarding Policy](#). The Policy is accompanied by appendices containing reference information, guidelines, essential forms (e.g., Safeguarding Incident Reporting Form used as well to report sexual exploitation, abuse and harassment incidents), along with the [Code of Conduct](#), [Equal Opportunities Policy](#) and [Dignity at Work Policy](#).

## 2. Definitions

The following definitions will be used throughout this document.

**Child** is defined as anyone under the age of 18 years, irrespective of alternative local definitions.

**Adult in vulnerable circumstances** is defined as someone over the age of 18 unable to take care of themselves / protect themselves from harm or exploitation; or who, due to their gender, mental or physical health, disability, or as a result of disasters and conflicts, are deemed to be at risk of being abused.

**Safeguarding** is the combination of policies and actions undertaken to protect children and adults in vulnerable circumstances by mitigating risks, responding to, and referring cases, to ensure no harm as a result of association with the organisation.

**Sexual exploitation and abuse (SEA)<sup>1</sup>** :

**Sexual Exploitation** is the abuse of vulnerability, differential power, or trust for sexual purposes; This includes, but is not limited to:

- a. Exchanging money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading, or exploitative behaviour;
- b. Sexual activity with commercial sex workers in countries where Malaria Consortium is delivering programming whether or not prostitution is legal in the host country;
- c. Use of a child or adult to procure sex for others<sup>2</sup>

**Sexual Abuse<sup>3</sup>** is actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions. Examples of this include the use of a child for sexual gratification by an adult or significantly older child or adolescent. Sexually abusive behaviours can include physically touching genitals/body, masturbation, or penetration, voyeurism, exhibitionism, and exposing the child to, or involving the child in obscene child abuse material. **Sexual Harassment<sup>5</sup>** is defined as any unwelcomed 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 person.

Further definitions are available on **Appendix I** of the Safeguarding Policy.

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<sup>1</sup> Task Team on the SEA Glossary for the Special Coordinator on improving the United Nations response to sexual exploitation and abuse, 'United Nations Glossary on Sexual Exploitation and Abuse; Thematic Glossary of current terminology related to Sexual Exploitation and Abuse (SEA) in the context of the United Nations-second edition', *HR UN*, 2017, p.6 <https://hr.un.org/> (13/01/2022)

<sup>2</sup> Save the Children, 'SAVE THE CHILDREN'S PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE (PSEA) POLICY', *Save the Children, Help Children Learn*, 2019, p. 1, [\(https://LONDOCS\3548558.05\(savethechildren.net\)](https://LONDOCS\3548558.05(savethechildren.net)) (13/01/2022)

<sup>3</sup> Safeguarding Policy, *Malaria Consortium*, Human Resources Director, August 2020, p. 19.

<sup>5</sup> Task Team on the SEA Glossary for the Special Coordinator on improving the United Nations response to sexual exploitation and abuse, 'United Nations Glossary on Sexual Exploitation and Abuse; Thematic Glossary of current terminology related to Sexual Exploitation and Abuse (SEA) in the context of the United Nations-second edition', *HR UN*, 2017, p. 10 <https://hr.un.org/> (13/01/2022)

### 3. Commitment to PSEA

Malaria Consortium will make every effort to create and maintain a safe environment, free from sexual exploitation, abuse, harassment, any abuse of power and workplace bullying, and shall take appropriate measures for this purpose in the communities where it operates, through a robust PSEA and Safeguarding frameworks, including prevention, reporting and response measures.

This PSEA framework, affirms Malaria Consortium's commitment to the UN Secretary General's Bulletin on Special Measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) and to achieving full, ongoing implementation of the [IASC Six Core Principles relating to SEA](#):

1. SEA by Malaria Consortium employees and related personnel constitute acts of gross misconduct and are therefore grounds for termination of employment.
2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.
3. Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to participants.
4. Any sexual relationship between Malaria Consortium employees or related personnel and participants of assistance or other vulnerable members of the local community that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.
5. Where Malaria Consortium employee or related personnel develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same organization or not, he or she must report such concerns via established reporting mechanisms.
6. All Malaria Consortium employees and related personnel are obliged to create and maintain an environment which prevents SEA and promotes the implementation of this policy. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

Sexual exploitation and abuse are a violation of fundamental human rights. It can also be a criminal act. Malaria Consortium is committed to ensuring our approach is consistent with our national and international disclosure obligations, and shall comply with all applicable laws, statutes, regulations, and codes from time to time in force, including:

- a. All relevant UK laws related to protection from sexual abuse, violence, and harm, and those outlining measures for reporting known or alleged cases of abuse;
- b. Applicable laws in the countries where Malaria Consortium operates; and

- c. *UN Secretary General's Bulletin: Special Measures for Protection from Sexual Exploitation and Abuse*, where the guidance in this policy conflicts with any applicable laws or regulations, the higher standard must be observed at all times.<sup>6</sup>

#### 4. Malaria Consortium's approach to preventing the abuse and exploitation of adults

Malaria Consortium is committed to preventing the sexual exploitation, abuse, and harassment (SEAH) of adults, including through the following means:

**Awareness:** Ensuring that all staff, representatives and third parties connected to Malaria Consortium are aware of the high standards of behaviour and conduct expected of them to protect adults from any form of sexual abuse and exploitation in their private and working lives. Awareness is also raised with members of the communities we serve, by providing clear guidance on safeguarding and PSEA and on ways to report concerns.

**Prevention:** Ensuring, through awareness and good practice, that staff and those who work with Malaria Consortium minimise the risks of any form of sexual exploitation and abuse, including but by no means limited to conducting relevant vetting and background checks of staff as part of their recruitment process. Malaria Consortium will also assess SEAH risks at two levels, one at the role level and the other at programme design level. The organisation includes Safeguarding and PSEA as part of Induction and provides training and re-fresher training for all staff members in order to ensure they are fully aware of their responsibilities to: protect children and adults in vulnerable circumstances; behave appropriately; and report concerns or allegations about exploitation and abuse.

**Reporting and Responding:** Ensuring that all staff and those who work with Malaria Consortium are clear on what steps to take where suspicions or concerns arise regarding allegations of sexual exploitation or abuse of adults in vulnerable populations where we work. Malaria Consortium will also ensure that immediate action is taken to identify and address reports of sexual exploitation and abuse and ensure the safety and well-being of the person being sexually exploited or abused.

#### How to report

It is mandatory for any allegation, belief about or suspicion of, abuse, neglect or exploitation of a child or adult in vulnerable circumstances by a Malaria Consortium staff member or partner to be reported immediately to either the respective in-country Safeguarding Focal Point, the Country Director, the HR Director, or the Chief Executive in the absence of the HR Director. This should be done, ideally within 24 hours of the occurrence of the incident or report of the incident. Matters can also be raised directly through the **concern@malariaconsortium.org** email. Each country office where Malaria Consortium delivers its activities has also available allocated phone numbers (and other applicable means of communication) for the purpose of reporting allegations. Whoever receives the report must complete an incident reporting form (**Appendix VII** in the Safeguarding Policy), outlining the details. The line manager

<sup>6</sup> Save the Children, 'SAVE THE CHILDREN'S PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE (PSEA) POLICY', *Save the Children, Help Children Learn*, 2019, p. 2, [https://LONDOCS\3548558.05 \(savethechildren.net\) \(13/01/2022\)](https://LONDOCS\3548558.05 (savethechildren.net) (13/01/2022))

of any accused staff member should be kept informed, though full confidentiality should be maintained as appropriate – only those who need to know should be informed.

Once an allegation is made there should be an immediate response that protects them from further potential abuse or victimisation. Where appropriate, the family/carers of the survivor should be informed of the allegation and action proposed and they should be consulted where possible as to the process to be followed. This process will be led by the Country or Regional Director, in close liaison with the HR Director.

The procedure for reporting concerns can be found in **section 6 of Malaria Consortium Safeguarding policy and as Appendix I** to this Statement. Programme’s participants should report their concern to a representative of the organisation and this employee will follow the internal procedure as stated in **section 6/Appendix I**. The organisation will adopt a survivor centered approach in dealing with allegations of SEA and referral pathways will be provided to the survivor(s) according to their needs.

### Confidentiality of reporting

Reported breaches to the Safeguarding Policy will be kept confidential, and information shared only with relevant individuals. For internal cases, the following parties will be informed: the HR Director, Internal Audit Manager, Chief Executive, and the Board of Trustees. Donors will be informed where there is a mandate to do so and, Trustees will report serious incidents to the Charity Commission. The name of the reporting staff member will be protected under Malaria Consortium's Whistleblowing Policy, the name of the child or adult in vulnerable circumstances, their family, and community involved will be kept strictly confidential, and divulged only when absolutely necessary, and then only to relevant individuals.

### External incidents

There may be cases when Malaria Consortium staff, volunteers and others come across incidents of sexual abuse or exploitation which may be committed by someone not connected with Malaria Consortium, at times within communities participating to our programmes and at other times in the broader community. Such incidents do not constitute a breach of the Safeguarding Policy or of the PSEA Statement of Commitment, as they have not been perpetrated by a Malaria Consortium staff member or other person or entity associated with Malaria Consortium. However, as children and adults in vulnerable circumstances are parts of the communities in which Malaria Consortium works, and the health and wellbeing are of paramount concern, staff members have a moral obligation not to ignore external cases, but report to the Country Director. The Country Director will be responsible for referral to an external agency or service provider as appropriate and will also notify the Human Resources Director and Chief Executive. The Human Resources Director will inform the Charity Commission and relevant donors as per their requirements.

### Breaches

Any reported breaches of the Safeguarding policy and/or the PSEA Statement of Commitment will be ultimately reported to the Chief Executive who will then inform the Board of Trustees.

**Effective Date: 28/07/2022**

**Mandatory Revision Date: 28/07/2024**

**Signature: Madeline Rende (Signed online)**

**Signed on (date): 28/07/2022**

## Appendix I: Procedure for reporting Safeguarding concerns

