



SEXUAL GENDER BASED VIOLENCE POLICY

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1. INTRODUCTION

- 1.1. This policy has been developed to ensure that the Investee has procedures in place to prevent and respond to forms of sexual and gender-based violence within its premises and in relation to all its operations.
- 1.2. The policy is embedded on the various international legal instruments, regional commitments and local laws dealing with the issues of gender-based violence. The policy affirms good practice and provides guidance in working with survivors of sexual and gender-based violence including children.
- 1.3. The policy gives clarity on procedures for reporting and responding to, cases of sexual and gender-based violence.
- 1.4. This policy articulates the Investee's zero tolerance approach to all forms of gender-based violence. It also formulates a comprehensive protection and response framework for preventing, managing, and reducing sexual gender-based violence risks while delivering our mandate.

2. POLICY / POSITION STATEMENT

- 2.1. The Investee acknowledges that abuse of power has led, and continues to lead, to many forms of gender-based violations. In the course of their work, The Investee is alive to the issue of power dynamics being real between those employed by the Investee, their partners, and the end users of products (goods and services).
- 2.2. Indeed, we acknowledge that the potential exists for those in various positions of authority to abuse their power. Our commitment to protect is inclusive of all staff, contractors and every other person who interacts directly or indirectly with our work, operations, goods, or services.
- 2.3. This policy also affirms that any staff member or third party (volunteer, visitor, consultant, other contracted party) who becomes aware of an incident or an allegation of gender-based violence, has a mandatory duty to report this immediately.
- 2.4. The Investee endeavors to prevent and respond to all forms of gender-based violence and we require that our staff and all our stakeholders demonstrate a similar commitment.

3. GUIDING PRINCIPLES

- 3.1. This policy is guided by several key international legal instruments as set out in the Universal Declaration of Human Rights (UDHR); UN Convention for the Elimination of all forms of Discrimination against Women (CEDAW, 1979), ILO C190 the Violence and harassment Convention, 2019 and the local statutes including but not limited to the Sexual Offences Act 2006, the Protection Against Domestic Violence Act 2015, the Employment Act and the Children's Act.

3.2. Critical considerations of this policy include:

- 3.2.1. Embracing a survivor/victim centered approach.
- 3.2.2. Creating a safe space free from all forms of GBV.
- 3.2.3. Do no harm principle.

4. THE SCOPE OF THE POLICY:

- 4.1. This position statement applies to all those involved with the Investee including paid staff, volunteers, interns, board members, trustees, consultants, other contractors, clients, and visitors to the Investee's premises.
- 4.2. It also covers children who may be living next to any of the Investee's locations of operations and whom we interact with in the course of our work.
- 4.3. This policy covers all the Investee's operations. It also applies to all the actors both in their official and private capacity.
- 4.4. Compliance with this policy is mandatory. Before any operational engagement with the Investee, all parties will sign and acknowledge receipt of this policy indicating that they have read and understood the stipulations captured herein.

5. POLICY OBJECTIVES

- 5.1. To create a working environment which is free from sexual and gender-based violations and where everyone is treated with dignity, courtesy, and respect.
- 5.2. To empower everyone including employees, clients, and all other stakeholders to know their rights and responsibilities in relation to child protection and gender-based violence.
- 5.3. To provide for a gender responsive and functional complaints mechanism based on the principle of natural justice.
- 5.4. To provide a platform that encourages whistleblowing and guarantees confidentiality and protects against victimization.
- 5.5. To promote the highest standards of conduct always, in line with human rights principles.

6. TYPES OF GENDER BASED VIOLATIONS

- 6.1. Gender-based violence is broadly categorized into three main types i.e. physical violence, sexual violence, and emotional violence.
- 6.2. The table below is an example the acts of abuse under each of the three main categories that can easily happen in the workplace or in the course of our operations.

GENDER-BASED VIOLENCE IN THE WORKPLACE:

Physical	Sexual	Emotional
Hitting	Rape	Verbal abuse
Shaking	Defilement	Threats of violence (physical and sexual)
Choking	Indecent assault	Comments or jokes; inappropriate invitations to go out on dates.
Smothering	Sexual harassment	Intrusive offensive questions about private life; intrusive, offensive comments about a woman's physical appearance.
Throwing	Transactional sex	Intimidation
Burning	Harassment: sexually suggestive, offensive,	Inappropriate, intimidating staring or leering.
Biting	Being made to watch or look at pornographic material against one's wishes.	Receiving or being shown offensive, sexually explicit pictures, photos, or gifts; indecent exposure.
Poisoning		
Using Physical Restraints.		
Bullying from work colleagues, supervisors, or managers.	Cyber harassment: receiving unwanted, offensive, sexually explicit emails or SMS messages;	
Unwelcome Touching, Fondling, Hugging or Kissing.	inappropriate, offensive advances on social networking websites or in internet chat rooms.	

7. PREVENTION OF SEXUAL AND GENDER BASED VIOLENCE

- 7.1. We acknowledge that more often than not, the short term and long-term support given to survivors of sexual and gender-based violence is not always adequate especially in resource constrained settings.
- 7.2. We also acknowledge even with the best support system in place, the experiences of a person who is a survivor of sexual and gender-based violence remains traumatizing for a very long time.

7.3. With this reality in mind, we will proactively enhance mechanisms to prevent all forms of gender base violence from occurring within our establishments. We therefore commit to do the following:

Have a sensitization and awareness program for staff every 6 months.

Have a mandatory training for all line managers on issues of gender-based violence.

Develop and avail from other agencies' Information Education and Communication (IEC) materials educating staff on the issues of sexual and gender-based violence.

Enhance an open channel for communication on issues of gender-based violence.

Appoint a person as a GBV prevention Champion.

8. RESPONDING TO GENDER BASED VIOLENCE

Appreciating that violations do occur and can occur within our sphere of influence, we commit to ensure that our responses are lawful, appropriate, professional and limits any further possible stress or impact. We are therefore committed to doing the following.

- Take all complaints and concerns seriously and document them
- All actions and decisions made regarding children MUST be in the best Interest of the child
- Continuously conduct risk assessments and proactively mitigate those risks.
- Respect confidentiality in relation to all complaints and concerns
- Consider support for all parties within and outside The Investee's establishment who have raised a concern
- Follow-up and act on all investigation recommendations
- Report all cases of SGBV to the UNHCR through the CASA system
- Continuously conduct risk assessment and proactively mitigate these risks
- Link with other agencies to enhance our knowledge and capacity to deal with issues of gender-based violence.
- Appoint someone who is trained; passionate and available to be the GBV focal person/designated officer.
- Perform due diligence during recruitment to reduce the risk of hiring persons who are known abusers.

8.1. DUTY TO REPORT

- 8.1.1. All employees and contractors have a duty to report any suspected incident of sexual and gender-based violence and child abuse to assigned focal person and/or the senior member of the management team. Failure to report such matters will be considered a serious dereliction of duty.
- 8.1.2. There are no time constraints for reporting child abuse and gender-based violations. This policy, however, encourages all persons to report as soon as knowledge, or suspicion, of an act of child abuse or gender-based violence occurs.
- 8.1.3. Malicious complaints made against an individual, if these are proven, will result in appropriate corrective action including dismissal.

8.2. RECRUITMENT PROCEDURES

- 8.2.1. During recruitment, The Investee will ensure stringent measures when onboarding new members of staff or as they engage interns, volunteers, and consultants. Some of the critical deliverables for the recruiting panel/ team are:
 - 8.2.2. That the candidates avail a certificate of good conduct from the police department.
 - 8.2.3. Ensure they get recommendation letters from referees.
 - 8.2.4. Informed of the SGBV policy.
 - 8.2.5. The Investee will reserve the right not to hire or contract any applicant if the background check reveals that the person is not suitable to work with children.

9. COMPLAINTS PROCEDURES

- 9.1. The Investee will institute a specific complaints procedure to deal with sexual and gender-based violence to respond better to the needs of survivors and to ensure that investigations are carried out properly. This will include the appointment of a person(s) to be the SGBV focal point.
- 9.2. Individuals who deal with sexual harassment complaints should be trained specifically on this issue and on the nature of sexual harassment.
- 9.3. The survivors of sexual and gender-based violence should be respected and should be fully involved in the resolution of the matter and all options open to them should be clear. Some may be satisfied with an informal resolution and others may want more formal measures. In cases where the allegation is serious or where the harasser is also the victim's supervisor, informal resolutions should be discouraged.

- 9.4. Anyone who is subject to sexual and gender-based violence should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. This policy is however cognizant of the fact that it may not always be possible for the survivor to inform the alleged perpetrator.
- 9.5. If approaching a perpetrator of gender-based violence is a challenge, they are encouraged to approach the person designated to deal with the issues of gender-based violence. If this is still a challenge, the staff member is encouraged to utilize all other existing mechanisms outside the Investee including logging the complaint with UNHCR through the CASA system.
- 9.6. After a report has been made, the designated person will follow the case management protocol and algorithm. It will include:
- Reporting the incident on the UNHCR CASA system.
 - Ensuring that the immediate needs of the survivor are taken care of (the needs may include medical, counselling, legal, etc.). These will be facilitated by UNHCR.
 - Immediately record the dates, times, and facts of the incident(s).
 - Ensuring that the victim understands The Investee’s policy for dealing with the complaint.
 - Ascertaining the views of the victim as to what outcome he/she wants.
 - Discussing and agreeing on the next steps: either informal or formal complaint.
 - Explicitly explain that on the choice to deal with the issue informally does not bar the survivor from instituting a formal complaint if the outcome arrived at is not satisfactory.
 - Documenting and keeping a confidential record of all discussions.
 - Respecting the choice of the survivor.
 - Always reminding the survivor of their right to seek legal redress with the country criminal justice system.

10. Protocols for dealing with informal complaints

- 10.1. Give an opportunity to the alleged perpetrator to respond to the complaint.
- 10.2. Ensure that the alleged perpetrator understands the complaints mechanism.
- 10.3. Facilitate and moderate a dialogue between both parties to achieve an informal resolution which is acceptable to the complainant.
- 10.4. Maintain a confidential record of the proceedings and ensure you communicate to both parties the seriousness of the matter being dealt with.
- 10.5. Do a follow-up to ascertain if there is progress in adherence to the agreements arrived at during the session.

11. PROTOCOLS IN DEALING WITH FORMAL COMPLAINTS

- 11.1. The survivor has the right to make a formal complaint at any time and they can also make it if they are not satisfied with the outcome of the informal process, and or if the perpetrator has continued with the vice.
- 11.2. The complaint will be referred or reported to the Human Resource Department. Upon receipt of the complaint a committee of three people will be constituted to investigate the matter. They will document the findings and share the same with the Executive Director.
- 11.3. Disciplinary action will be taken for all cases where the veracity of the allegations have been ascertained. This will not preclude the survivor from seeking further redress from the criminal justice systems.
- 11.4. All false allegations will be dismissed, but the complainant will be informed of their right to seek further redress from the criminal justice system.

12. MONITORING AND REVIEW OF THE POLICY

- 12.1. This policy acknowledgement of the ever-changing face of gender-based violence and thus a need to always keep it updated.
- 12.2. This policy will be monitored by the HR department and where possible an independent consultant to ensure that it anonymously collects relevant data check on its utility, but most importantly on its relevance and effectiveness.
- 12.3. Monitoring will also check compliance i.e., Supervisors, managers and those responsible for dealing with sexual harassment cases will report on compliance with this policy.
- 12.4. Monitoring will be participatory (involving all governance structures, management, staff, interns etc.). It will be done annually, and the findings and recommendations being shared with both the management and the board.