



Protection from Sexual Exploitation, Abuse and Harassment (PSEAH) Policy

ECPAT Foundation Thailand

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Scope

This policy applies to all ECPAT Foundation Thailand employees and their representatives. All ECPAT Foundation Thailand staff members have a duty to uphold the principles of the Protection from Sexual Exploitation, Abuse and Harassment (PSEAH) policy and commit to maintaining an environment that prevents any form of violence against children and adults. Any behavior demonstrated by an ECPAT Foundation Thailand representative that contradicts this policy, whether during or outside of working hours, must be reported and will be treated as a violation of this policy. Sexual exploitation, abuse, harassment, and fraternization by ECPAT Foundation Thailand representatives constitute acts of gross misconduct. Anyone found to have engaged in such behavior is subject to disciplinary action, including dismissal and exclusion from any future engagement with ECPAT Foundation Thailand.

Key definitions

Sexual exploitation: any actual or attempted abuse of a position of vulnerability, differential power, trust, or dependency, for sexual or sexualized purposes. This includes the offer or promise of monetary, social, and political benefits as an incentive or form of coercion. Sexual Exploitation can happen anywhere – and it can happen in person and online. Grooming is often a component of sexual exploitation.

Sexual abuse: the threatened or actual physical intrusion of a sexual or sexualized nature, including inappropriate touching, by force or under unequal or coercive conditions, sexual assault, and rape. It may also include threatened or actual non-physical intrusion (unwanted and/or uninvited exposure to pornography, texts, images, and so on, the sharing of images, texts, and so on, demands for sexualized photographs, etc. Sexual abuse can happen anywhere – and it can happen in person or online. Grooming can often lead to sexual abuse being perpetrated.

Sexual harassment: any unwanted and/or uninvited conduct of a sexual or sexualized nature, which has the purpose or effect of violating an individual's dignity, or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that individual. This conduct may or may not be criminal, and it may or may not be direct physical touching.

A person sexually harasses another person if the person makes an unwelcome sexual advance or an unwelcome request for sexual favors, or engages in other unwelcome conduct of a sexual nature, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

¹ This policy draws upon the Preventing Sexual Exploitation, Abuse, and Harassment policy of Save the Children International (SCI) and the Australian Government's Department of Foreign Affairs and Trade (DFAT). By leveraging the principles and guidelines outlined in these established policies, the ECPAT Foundation Thailand has developed a tailored framework that reflects its organizational context and commitment to addressing Sexual Exploitation, Abuse, and Harassment (SEAH).

Sexual harassment can take various forms. It can be obvious or indirect, physical or verbal, repeated or one-off, and perpetrated by any person of any gender towards any person of any gender. Sexual harassment can be perpetrated against beneficiaries, community members, as well as staff and personnel.

1. Responsibilities

1.1. Our commitment to human and child rights is fundamental in creating a safe, equitable organization that reflects the diversity of our global communities and practices inclusivity in all we do. Therefore, all programmatic and operational decisions will reflect our collective commitment to these principles.

1.2. We believe that the principles of this policy require intentional and sustained engagement with children and adults in affected communities. Consequently, we are committed to communicating and socializing this policy with the children and adults in the affected communities where we implement programs and projects. We will listen to and integrate their feedback to ensure our safeguards against SEAH reflect the voices of the communities.

1.3. Our Trustees and Senior Leadership are accountable for this policy and its implementation.

1.4. We are committed to promoting, creating, and maintaining a safe and healthy organizational culture. As ECPAT Foundation Thailand staff and representatives, we are all responsible for preventing and reporting concerns of sexual exploitation, abuse, and harassment.

1.5. Our leaders are accountable for fostering a safe organizational culture. They must ensure that all staff are aware of the contextualized risks associated with SEAH within their respective functions. This awareness-raising and staff commitment will be achieved through SEAH training and annual refresher training for both existing and new staff. Additionally, signing the policy will be a mandatory step in this process. The training will also include testing and evaluation to ensure comprehension.

1.6. Our organization provides an annual mandatory training to ensure that we are all aware of how to detect, prevent, and report concerns of Sexual Exploitation, Abuse, and Harassment (SEAH). It is the responsibility of our leaders to ensure that staff complete the training and are familiar with this policy.

1.7. We will foster healthy and safe interactions with children, adults in affected populations, and colleagues. Our leaders are responsible for contextualizing the risks associated with SEAH within their teams.

1.8. Leadership will ensure that all reported allegations and investigations are managed in accordance with the reporting and investigation procedures and timelines.

1.9. Our Senior Leadership and Board are responsible for ensuring that the cost of implementing this policy is reflected in operational plans, budgets, and funding proposals.

1.10. We will assess and respond to all credible suspicions, concerns, and allegations of SEAH. Failing to report or take action is not acceptable and may lead to disciplinary and/or other relevant action.

1.11. We will develop and maintain organization-specific safeguarding mechanisms, with appropriate levels of dedicated capacity and allocated resources at all levels of the organization, to prevent and respond to all forms of SEAH.

1.12. Child Protection officers (CPO) are appointed to promote awareness, prevention, and response to safeguarding risks.

2. Principles

2.1. The ECPAT Foundation Thailand has zero tolerance of inaction, sexual exploitation, abuse and harassment.

The ECPAT Foundation Thailand recognizes that achieving a significant reduction in SEAH is a long-term endeavor. Zero tolerance does not mean zero incidents. Reports of incidents may increase as organizations improve safeguards. Increasing reports may indicate growing awareness of SEAH and changing attitudes, with victims/survivors feeling more comfortable reporting and organizations being more likely to take action. Zero tolerance means acting on every allegation in a fair and reasonable way with due regard for procedural fairness.

2.2. Strong leadership accelerates culture change

The ECPAT Foundation Thailand expects leaders to set clear expectations and model respectful behavior in their interactions at work. This will support communities, victims/survivors, and whistleblowers in feeling safe, reporting concerns, and being assured that their allegations are taken seriously. Strong leaders address SEAH by taking measures to improve diversity and inclusion. Diverse and inclusive organizations have lower levels of harassment and discrimination. This can include implementing actionable human resource procedures that embed gender equality and PSEAH, including PSEAH discussions on board meeting agendas, appointing senior champions responsible for PSEAH, and encouraging staff gender equity, particularly in senior roles. Leaders should encourage scrutiny of their own behavior and that of senior management.

2.3. Victim/survivor needs are prioritized

Action to address SEAH should be underpinned by a "do no harm" approach that prioritizes the rights, needs, and wishes of the victim/survivor while ensuring procedural fairness to all parties. This approach:

- Treats the victim/survivor with dignity and respect.
- Involves the victim/survivor in decision-making.
- Provides the victim/survivor with comprehensive information.
- Protects privacy and confidentiality.
- Does not discriminate based on gender, age, race/ethnicity, ability, sexual orientation, or other characteristics.
- Considers the need for counselling and health services to assist the victim/survivor with their recovery by the trained staff of ECPAT Foundation Thailand or refer to relevant agencies in case of emergency and specialized services required.

We believe that all survivors have the right to participate in their care and recovery plan and assist us in determining the best course of action whenever possible and practical. Our survivor-centered approach to SEAH ensures that the survivor's well-being, wishes, experiences, needs, and rights are at the center of all our decisions and actions.

We are committed to providing available support and assistance to survivors should they choose to pursue them. Anyone who experiences sexual exploitation, abuse, and harassment by an ECPAT Foundation Thailand representative or as a direct result of our work is eligible to receive support and assistance that is contextually appropriate and provided in a manner that does not isolate, stigmatize, or re-traumatize the survivor. This may include medical treatment, accessing legal assistance, psychosocial support, relocation, and other protection services.

We are committed to providing survivors access to support regardless of whether they wish to make a complaint or participate in an investigation.

2.4. Preventing Sexual Exploitation, Abuse, and Harassment is a shared responsibility.

Preventing Sexual Exploitation, Abuse, and Harassment is the responsibility of everyone. Real change to reduce SEAH will not occur unless every sector plays a role, including government, business, non-government organizations, institutions, communities, and individuals. The ECPAT Foundation Thailand requires the commitment, support, and investment of its partners for this Policy to be effective. All organizations have a responsibility to build their capacity to sensitively and effectively deal with SEAH that occurs in the course of their work.

2.5. Addressing gender inequality and other power imbalances.

Available data indicates that the majority of SEAH victims/survivors are female and the majority of perpetrators are male. However, other power imbalances also contribute to SEAH. Inequalities based on worker/beneficiary distinctions, ability/disability, ethnic and Indigenous status, religion, gender identity and sexual orientation, age, health, and poverty can also result in SEAH. The intersection of gender with other forms of inequality can further increase the likelihood of SEAH occurring. Engagement with intended beneficiaries should be based on respect for diversity, promotion of gender equality and social inclusion, accountability, and a strong "do no harm" focus. Although they are not in scope for this Policy, children are at high risk of SEAH, particularly children with disabilities, children living in residential or institutional care, children who have experienced previous trauma or abuse, trafficked children, and gender diverse children and young people. Please refer to the ECPAT Foundation's organizational child protection policy.

2.6. Stronger reporting to enhance accountability and transparency.

Stronger reporting allows the ECPAT Foundation Thailand to better monitor SEAH, understand risks, improve assurance, and work with organizations to improve systems and safeguards accordingly. Reporting also helps focus organizations on the issue by providing a regular prompt that PSEAH is a core obligation of their work.

2.6.1. Raising Concerns

Board members, staff, consultants, interns, volunteers, or others must inform the ECPAT Foundation Thailand when they have a reasonable belief that anyone (child, adult, staff) has been harmed or is at risk of harm in the following situations:

- When it is due to the actions or inactions of ECPAT Foundation Thailand board members, staff, consultants, interns, volunteers, or others representing the organization.
- When it is due to the actions or inactions of staff or representatives of ECPAT Foundation Thailand network member organizations.

Concerns that must be raised include:

- An observation or disclosure (by an adult or child) of actual harm or abuse to victim/survivor (child, adult, staff)
- A suggestion or indication of potential harm or abuse against victim/survivor (child, adult, staff).
- A breach of the Code of Conduct.
- A breach of the Child Safeguarding Policy or Child Safeguarding Procedures.
- Adult or Child sexual abuse material received through ECPAT Foundation Thailand electronic equipment.
- A child or adult unconnected to ECPAT Foundation Thailand presents credible evidence that a victim/survivor (child, adult, staff) is being abused or exploited.
- Within 24 hours of becoming aware of the concern, you must inform Child Protection Officer.²

Reporting can be done to Anongluckruttana Phothachai, Child Protection Officer (CPO) at luck@ecpatthailand.org, Mobile; 062 2608485. Verbal methods should be followed up in writing as soon as possible.

3. Information, Communication & Digital Technology

3.1. We understand that data misuse, sharing, or imagery can put children and adults in affected populations at a greater risk of experiencing SEAH. We are committed to ensuring that all information systems and communication technologies, including the internet, social networking sites, and the use of digital imagery, are assessed for SEAH risks, and adequate mitigation strategies are in place.

3.2. With the introduction and increasing use of digital technology in our programming work, we recognize the importance of protecting children and adults in affected communities by addressing those risks and ensuring that protective measures have been taken.

3.3. We will not use any personally identifiable information (PII) of survivors within our communications, publicity, or fundraising materials. This includes but is not limited to names, images, and geographical locations, or any information that may be triangulated to identify a survivor through multiple small pieces of information. INFORMED CONSENT to use a survivor's words or story will not be confused with consent to use any aspect of their identity.

3.4. We will comply with all data protection laws and policies when managing children's and adults' personal data. All of our Representatives collecting child or adult data on our organization's behalf or in relation to any of our work must adhere to ECPAT Foundation Thailand policies, procedures, and practices or ensure their own mechanisms comply with legal requirements for Data Retention Protection.

² ECPAT International Child Safeguarding Policy 2019



In conclusion, the prevention of Sexual Exploitation, Abuse, and Harassment (SEAH) requires a collective effort and shared responsibility from all sectors of society. This policy underscores the importance of addressing gender inequality and other power imbalances that contribute to SEAH, while recognizing that children, especially those vulnerable due to disabilities, previous trauma, or diverse gender identities, require special attention and protection.

To ensure accountability and transparency, stronger reporting mechanisms have been established, emphasizing the responsibility of organizations and individuals in reporting incidents of SEAH promptly. By actively monitoring and understanding the risks associated with SEAH, the ECPAT Foundation Thailand aims to improve systems and safeguards while encouraging organizations to prioritize their obligations in combating SEAH.

Raising concerns is a critical aspect of this policy, emphasizing the need for immediate reporting when harm or potential harm to a child is observed or disclosed. This includes breaches of the Code of Conduct, Child Safeguarding Policy, or Child Safeguarding Procedures. By promptly reporting such concerns to designated individuals within the organization, we can ensure swift action is taken to address the issue and protect vulnerable children.

Additionally, recognizing the impact of information, communication, and digital technology on SEAH risks, this policy highlights the need to assess and mitigate such risks. Measures are put in place to safeguard the privacy and dignity of survivors by refraining from using personally identifiable information without informed consent. Compliance with data protection laws and policies ensures the responsible management of personal data related to children and adults involved in our work.

In embracing these principles and guidelines, the ECPAT Foundation Thailand and its partners demonstrate their commitment to combating SEAH and creating a safe environment for all. Through collaboration, awareness, and proactive measures, we can work towards a future free from sexual exploitation, abuse, and harassment, where the rights and well-being of all individuals, especially children, are protected.

I (full name) _____ have read the Protection from Sexual Exploitation, Abuse and Harassment (PSEAH) Policy of ECPAT Foundation Thailand.

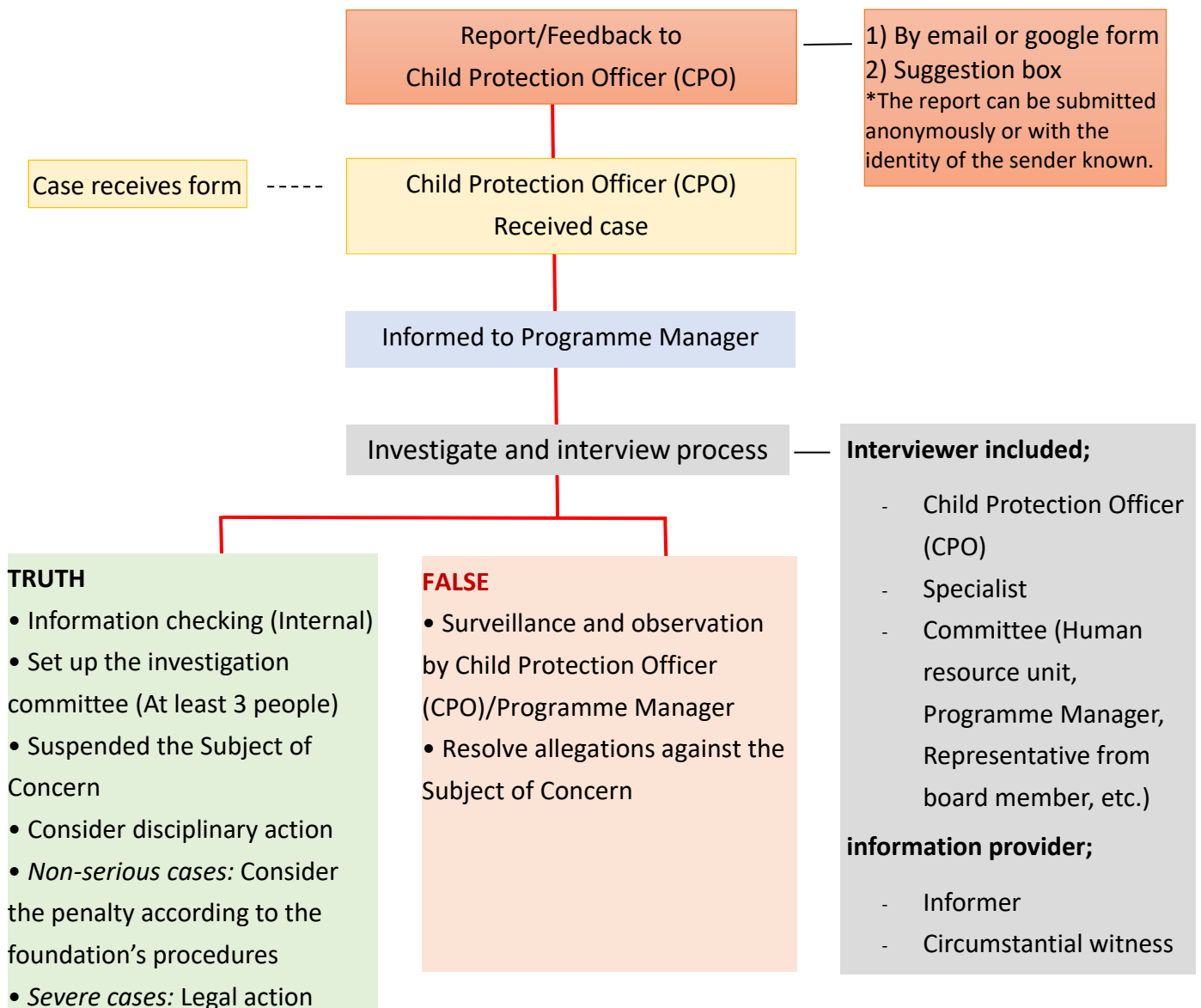
I agree with all principles, including the importance of enforcing policies to protect children and adults from sexual exploitation, abuse, and harassment, and I will seriously comply with the Policy throughout my employment with the ECPAT Foundation.

Signature:.....

Full Name.....

Date.....

Flowchart of Report Mechanism



Annex;**Behaviors that are undesirable due to harassment or sexual harassment in the workplace;**

Sexual harassment or Harassment is a wide-ranging subject that cannot be comprehensively identified for all behaviors. However, be aware that sexual acts that the victim does not want, feel annoyed, uncomfortable, embarrassed, and insulted that considered to be harassment or sexual harassment, such as;

1. Visual Conduct, such as staring at a body that is suggestive of sex, looking at the crotch, looking under a skirt, looking at your breasts, or staring down at the collar of your shirt makes the person look uncomfortable, embarrassed, or others in the area have the same feelings, etc.

2. Verbal Conduct, such as;

2.1 Criticism of body shape, or clothing.

2.2 Inducement to perform any sexual acts in secret that the victim does not want.

2.3 Courtship, flirtatious talk, obscene talk, obscene phone calls, calling in sexually explicit terms, and grouping criticizes the sexual behavior of individuals in the workplace.

2.4 Discussions about sex, commenting on sexual orientation or gender identity, sexually suggestive speech, making jokes about sex, telling lewd jokes about sex, asking about experiences or preference for sex, making up lies, or spreading rumors about another people's sex lives.

3. Physical Conduct, such as;

3.1 Touching another person's body, stroking, rubbing the body of others with sexual implication, opportunistic caress, kisses, teasing by touching the body, pulling someone into a lap seat, and any other unwanted physical contact.

3.2 Passive chasing without the other party's consent, deliberately standing too close, cornering or blocking the aisle, winking, provocative whistling, kissing, lip licking salivating, showing sexually suggestive behavior using hands or body movements, etc.

4. Other actions such as

4.1 Display images, objects and text in a sexual manner, including viewing pornographic images or clips at work and on their computers.

4.2 Sexual expressions such as porn calendar shows, writing or drawing sexual images in public, the use of symbols depicting the genitals or having sex, the transmission of messages, images, and symbols that represent sex on the Internet, such as Facebook, Line, Twitter, Instagram, email, etc.

5. Sexual acts with the exchange of benefits

5.1 Making a contract that will give benefits such as job positions, work trip visits, salary, or position promotion, and work contract renewal. If the harassed or harassed person agrees to have sex, for example, asking them to stay overnight have sex with or ask to do something related to sex, etc.