

Policy for the prevention and contrast of harassment, abuse, and other behaviours harmful to people integrity and dignity

PSEA Policy*

**Prevention of / Protection against sexual exploitation and abuse*

VOLONTARIATO INTERNAZIONALE
PER LO SVILUPPO



Insieme, per un mondo possibile

Organismo Non Governativo - Onlus • Promosso dal CNOS - Centro Nazionale Opere Salesiane
Accreditato presso ECOSOC con Special Consultive Status • Associato al DBN - Don Bosco Network

Via Appia Antica 126, 00179 Roma (Italia) - Tel. +39 06 516291 - Fax +39 06 51629299
vis@volint.it - www.volint.it - CF 97517930018

Foreword

In order to be substantial and effective, the protection of the person and his/her dignity - meant as an intrinsic and universal element of each human being and essential condition for the exercise of individual freedom - must evolve and adapt to the new scenario determined by the socio-economic changes.

In recent years, the need to adopt codes of conduct, regulations and mechanisms aimed at protecting the dignity of the person in the workplace to prevent and combat the phenomenon of mobbing and harassment and sexual abuse has arisen. This is most relevant in the case of VIS, which operates in fragile contexts where there is no effectiveness of the mechanisms for protecting physical and mental integrity and dignity of the person.

This *Policy for the Prevention and contrast of harassment, abuse, mobbing and other behaviours harmful to the integrity and dignity of people*, incorporates the latest guidelines of the international organizations, the governmental agencies and organizations operating in development and humanitarian aid; it integrates and implements the principles and prescriptions of the Code of Conduct (CoC) and the Organizational Model (drawn up pursuant to Legislative Decree 231/2001, aimed at preventing crimes) already adopted by VIS.

Given the sensitivity of the matter, which lends little to a crystallization and a standardization of harmful behaviours, especially in consideration of the different cultural and religious milieus within which VIS operates, primary importance is given to the *person* through a system of dissemination of information and knowledge, as accessible and understandable as possible, aimed at making the preventive, control and contrast moment effective.

To help make the prevention and contrast measures outlined by this Policy effective, VIS considered it appropriate also to introduce the function of the *Councillor of Trust* and - where necessary - of the *Local Councillor* within its organizational structure. The *Councillor of Trust*, a professional now adopted by both private and public entities, is normally an independent third person who has the task of providing information, advice and assistance on matters such as harassment, discrimination, mobbing.

VIS, as a small-medium-sized organization, has decided to adopt this function internally within its structure, appointing a female member of its Human Resources Office (HR) for this purpose, a unit that is central and strategic for staff evaluation and interpersonal dynamics. Likewise, when the size and type of programs and activities carried out by VIS as well as the number of beneficiaries involved, make it appropriate and necessary to have a reference point on these matters also at the country offices level appointed, it has been decided to introduce the *Local Councillor*.

Through the introduction of the role of these mediators between those reporting and the Supervisory Body (SB) (established pursuant to Legislative Decree 231/2001 and the CoC), the intention is to ensure an approach that supports and places the focus on the person in order to encourage the use of reporting mechanisms and information.

1. Introduction

VIS is a non-governmental organisation (NGO) and a civil society organisation (CSO) operating in the field of international cooperation. Established in Italy in 1986, VIS is inspired by the preventive system of Don Bosco and the Salesian educational practice. In addition, VIS is sponsored by the CNOS – Centro Nazionale Opere Salesiane, and as an organisation made up of lay persons supports the traditional social commitment of the Salesians of Don Bosco both in Italy and in the countries of the South of the world. Consistently with its identity, within the Sustainable Development Goals (SDGs, 2015-2030 Agenda) framework defined by the United Nations, and faced with the situations of injustice that deny fundamental rights to a large part of humanity, VIS aim is to foster a concrete commitment to international solidarity and peace.

VIS has the legal status of association with legal personality and is a:

- NGO/CSO officially recognised as such by the Italian Foreign Affairs Ministry, and registered with the List of Civil Society Organisations (CSOs) of the Italian Agency for Cooperation and Development under Decree 2016/337/000285/2, pursuant to art. 26, paragraph 2, of Law 125/2014;
- No-profit organisation (ONLUS), registered with the Registry of ONLUS non-profit organisations kept by the DR Lazio of the Italian Internal Revenue Service, pursuant to art. 32, paragraph 7, of Law 125/2014;
- NGO accredited with *Special Consultative Status* by the *Economic and Social Council* of the United Nations (ECOSOC) with decision no. 226 of 27 July 2009;
- NGO partner of ECHO - European Commission Humanitarian Office: FPA (Framework Partnership Agreement) 2014-305;
- NGO accredited by and/or partner to European and international institutions for the implementation of international development cooperation programmes, and NGO officially recognised by the local Authorities of numerous countries where it operates (Albania, Angola, Bolivia, Burundi, DRC, Ethiopia, Ghana, Palestine, Senegal, etc.).

VIS is one of the founding members of the *Don Bosco Network*, an international network of Salesian-inspired NGOs, of CINI - *Coordinamento Italiano Network Internazionali*, of the *Italian Committee for the Promotion and Protection of Human Rights*. Furthermore, VIS is member of ASVIS – *Alleanza Italiana per lo Sviluppo Sostenibile*, FRA – *Fundamental Rights Agency Civil Society Platform* and *EU Civil Society Platform Against Trafficking in Human Beings*.

2. Function of the Policy and interested individuals

- 2.1 The Policy has as main purpose prevention and contrast of any behaviour attributable to the following cases: sexual abuse, sexual exploitation, sexual or moral harassment, mobbing as well as any other behaviour that harms the dignity and honour of the person.
- 2.2 Such behaviours can be enacted by:
- A VIS staff member, a collaborator and/or consultant, expatriate and/or local;
 - Volunteers, trainees, Civil service staff abroad, Peace Corps staff, and any other person collaborating with VIS under any type of work, training, research, philanthropic, religious, etc. engagement.;
 - Individual members of VIS partner organizations (national and/or international, *implementing* and/or *funding* partners) and any other person working or collaborating with them;
 - People connected with CSOs, institutions, associations and other stakeholders, operating/collaborating in any capacity with VIS.
- 2.3 For the purposes of this Policy, likewise the behaviour enacted by the above specified subjects towards:
- a VIS staff member, a collaborator and/or consultant, expatriate and/or local;
 - volunteers, trainees, Civil service staff abroad, Peace Corps staff, and any other person collaborating with VIS under any type of work, training, research, philanthropic, religious, etc. engagement.;
 - beneficiaries/recipients of programmes and institutional activities promoted and implemented by VIS and/or in which it is involved.
- 2.4 This Policy is integral part of the CoC, which comprises the set of values on which the action of the organization is based upon and the principles of compliance with which are deemed of fundamental importance for VIS regular functioning, management reliability, credibility and image.

- 2.5 All relationships and activities carried out in the name and on behalf of VIS and/or in its interest and/or, in any case, in any way referable to it, implemented both internally and externally, must be in compliance with the provisions of this Policy. The compliance with the provisions of this Policy constitutes an integral and essential part of the contractual obligations connected to any activity, of the employment contracts (of any type) and of other contractual norms/provisions or deriving from agreements.
- 2.6 The Policy is prepared by the Directors in collaboration with the Human Resources Office (HR) and the Program Coordination Unit and is approved by the Executive Committee (EC). The Policy is subject to review and - for this purpose - will take into consideration suggestions and observations from all its recipients, as well as any regulatory development and any changes to the most common national and international standards and procedures, as well as the experience acquired in the application and practice of these provisions.
- 2.7 All interested parties (i.e. Board members, presidia, volunteers-participants, volunteers, staff members and collaborators, donors, purveyors, partners, etc.) will be made acquainted with the present Policy through the direct dissemination to the main stakeholders and publication and/or promotion through VIS information channels, as per ad hoc indications received from the EC.
- 2.8 The inspiring principles of the activities implemented by VIS and by those who are part of its operating structure in different ways, in Italy and in partner countries, are defined by VIS Constitutive Act and Statute. In addition, they are also specified and detailed in the decisions of the Board of Members and, at operational level, in the Social Report (annually drawn up) and in the Policies.

3. Glossary

Staff: staff members and collaborators under contract with VIS in Italy and abroad, volunteers in Civil service abroad or Peace Corps staff, trainees, researchers and any other person collaborating with VIS under any type of work.

Beneficiary: any person who, within a development or humanitarian aid project, receives goods or services pro bono i.e. however recipient of activities and outputs at this aimed.

Partner: organizations and social entities promoting, funding and/or implementing activities in collaboration with the organization.

Victim: any person that has suffered acts attributable to behaviours indicated within this Policy.

Whistleblower: subject referring to VIS or to one of his partners who, having known about one of the behaviours indicated in this Policy, reports the fact to another colleagues, superior and/or Head Office or to the SB.

Sexual abuse: every behaviour or threat consisting of a physical intrusion of a sexual nature, perpetrated by force or in any case under coercive or inequality conditions.

Sexual exploitation: every behaviour, even only attempted, of abuse of positions of vulnerability, of unbalance in terms of power or trust for sexual purposes including behaviours intended to profit momentarily, socially or politically from the sexual exploitation of others.

Sexual harassment: repeated, unwanted and unacceptable sexual behaviours and practices, including invitations, questions, requests for sexual favours, verbal or physical behaviours or gestures, which can reasonably be perceived as offensive or humiliating.

Moral harassment: repeated hostile behaviours against an individual, with physically or psychologically persecutory intent, protracted and systematic, likely to create an environment that is not respectful, humiliating or harmful to the person's psychophysical integrity or dignity.

4. Behaviours subject to prevention and contrast measures

- 4.1 All acts that can be traced back to the cases of sexual abuse, sexual exploitation, sexual harassment and moral harassment, as above defined, constitute behaviours subject to the prevention and contrast measures adopted by this Policy.
- 4.2 The prevention and contrast measures apply to all internal relationships between VIS staff, both local and expatriate, as well as between the staff members of the organization and the beneficiaries. VIS also implements this Policy with respect to partners, to whom therefore the prevention and contrast measures are extended.

5. Prevention measures

- 5.1 To prevent the behaviours above indicated, VIS through the HR, during the recruitment, selection and training of expatriate staff, adopts specific and particularly careful control measures on those who will work in the partner countries.
- 5.1 The HR on one hand assesses the suitability of the staff to carry out activities in particularly fragile contexts and, on the other hand, the capability to prevent and contrast any behaviour and abuse that may occur. For this purpose, during the selection phase, a precise analysis is carried out of the references indicated by the staff being selected and/or those that can be inferred indirectly from the training and professional path of the candidates. The issue of harassment and sexual abuse is analysed and discussed during the interviews, in order to carry out an assessment of the understanding of the candidates about the issues of abuse and violence. The selection criteria and methods adopted by the HR at Headquarters, focused on the prevention of the behaviours covered by this Policy, must also be followed in the recruitment of local staff at country offices level. To this end, the HR of the Headquarters will give the country offices and the RPL indications and instructions on the matter
- 5.3 Staff and collaborators are obliged to submit a self-declaration attesting the absence of previous cases of harassment and/or abuse, involvement in cases of sexual exploitation, as well as the assumption of the obligation to respect the principle of "zero tolerance" established by the CoC and by this Policy.
- 5.4 VIS provides specific modules for staff training to instruct the staff on the procedures envisaged by the CoC, this Policy and the CRM Policy, as well as on the internal bodies responsible for their implementation. The training will focus on the phenomenon of harassment and abuse and its case studies, through practical examples that simplify understanding. Without prejudice to the application of this Policy, staff who will go to work in partner countries will also receive information about the Italian and national legislation governing sexual exploitation, abuse and harassment.
- 5.5 The prevention action is also ensured by constant communication established between the HR at Headquarters and the in loco staff through individual and confidential interviews, carried out in such a way as to guarantee the equanimity of the people probably involved and safeguard their honour.

6. Contrast measures and timing

- 6.1 In order to contrast and ensure that conduct in conflict with the CoC and with this Policy ceases as soon as possible, VIS first adopts the whistleblowing procedure as governed by the CoC itself.
- 6.2 The SB must be informed, through specific reporting made by the *Councillor of Trust*, the managers, the employees and all VIS staff, regarding facts, actions or omissions attributable to the behaviour covered by this Policy. It will be the responsibility of the SB to investigate the violation and adopt the appropriate measures not to compromise the safety and dignity of the people involved, also considering the cultural aspects to avoid any social stigma. Once the necessary investigations have been carried out, the SB adopts the measures it deems necessary.

- 6.3 . The contents of this Policy also integrate the provisions of the CRM Policy, focused on the management of complaints and reporting coming mainly from the beneficiaries/recipients of VIS interventions. In this case, the illegal conduct reporting is carried out through email, letter or direct interviews to/with the contacts indicated in loco, and in any case always in a strictly confidential form.
- 6.4 Usually, from the moment of reporting to the resolution of the complaint, no more than 60 days must elapse, unless there are causes of force majeure or other type of extraordinary circumstances which delay the normal performance of the work of the competent bodies. In the event of serious and sufficiently proven facts, the resolution of the complaint must take place as soon as possible and - in any case - no later than 15 days from the reporting.

7. Bodies and subjects expected to guarantee prevention and contrast measures

- 7.1 The HR at the Headquarters and those responsible for the recruitment of local staff in the country offices perform fundamental functions with great relevance to the subject of this Policy, as they are responsible for assessing the suitability of the staff during the identification, selection, insertion and training phases. Staff control and evaluation are constant even during the employment relationship and carried out through individual interviews and follow-up activities conducted in collaboration with the other staff members (in loco and at Headquarters). As already specified, criteria and methods for selection, management and follow up of staff aimed at preventing the behaviours covered by this Policy, must be followed consistently both at Headquarters and country offices.
- 7.2 Those responsible for the management of the CRM, at the Headquarters and country offices, receive and evaluate the reporting and complaints as foreseen in the CRM Policy. If the contents of the information relates to serious violations of the CoC and to the behaviours envisaged in this Policy, the reporting must be immediately transmitted by competence to the SB, to set up an investigation on the occurrence, coordinate the investigation and refer the outputs and urge the appropriate measures to the EC and to the President, which has investigative and decision-making powers, to instruct an investigation into the reported facts , both for the facts to be exposed to the competent authorities and the measures to be indicated to the country offices. .
- 7.3 The *Councillor of Trust* is appointed by the EC, she is the selected contact person for the implementation of this Policy, she collaborates in the definition and revision of the prevention and contrast measures and acts as a SB, desks and CRP and RPL. In performing her assignment, the *Councillor of Trust* can receive reports from the expatriate staff, she guarantees the due privacy and proceeds with the information for the SB.
- 7.4 Where deemed appropriate, in consideration of the number of beneficiaries involved as well as the size and type of programs and activities carried out, the Directors - in agreement with the *Councillor of Trust* and on the indication of the CRP and the RPL - may appoint a *Local Councillor* at country office level. The *Local Councillor* supervises the correct fulfilment of the preventive measures, she receives eventual reporting and she reports directly to the *Councillor of Trust* and the SB.
- 7.5 Pursuant to the CoC and Mod. 231/2001 adopted by VIS, the SB is the terminal point of the whistleblowing system and any other information mechanism concerning the behaviours taken into consideration by this Policy. The SB is responsible for instructing and investigating violations and to formulate the findings for the EC to adopt any appropriate measure. . For performing its functions, the SB can avail itself of all the components of VIS organizational structure, may request additional tools to support its action and report to the EC on the outcomes.

8. Sanctions

- 8.1 After having investigated the reported facts, the SB, if it verifies that the behaviour was committed which can be integrated to the cases of abuse and/or moral abuse and/or sexual and/or moral harassment as well as practices related to sexual exploitation, it immediately reports such behaviours. to the EC so that they are submitted to the competent authorities (Italian and/or national).
- 8.2 In the event the SB ascertains that these behaviours have been committed by VIS staff, in line with the provisions of the zero-tolerance policy adopted by the CoC, it reports to the EC so that it can order the immediate termination of the employment contract or of the collaboration relationship based on any other title.

9. Compensation for the victim

- 9.1 If the behaviours harmful to the dignity of the person and/or the physical safety covered by this Policy are ascertained, VIS ensures compensation for the victim by taking charge of any judicial expense and compensation for the needs of the victim and his family.
- 9.2 The extent and form of compensation will be established by the EC upon indication of the SB and the *Councillor of Trust*, after consulting with the victim.

10. Fraudulent reporting

In the event that, at the end of the investigations conducted by the SB or the competent authorities, the SB has ascertained that the reported behaviours have never occurred and that the information has been carried out in bad faith by the person who forwarded the report, i.e. with the intention of obtaining compensation and/or harming the person indicated as responsible for the acts, it will report the outputs to the EC so that it can adopt the measures deemed necessary according to a "case by case" assessment, up to including the termination of the working or professional relationship, reporting to the competent authorities for slander or other configurable crime.

11. Information

- 11.1 In order to ensure the effectiveness and efficacy of the measures provided for in this Policy, VIS will make it available to all its recipients, delivering it and/or integrating it into the management system accessible to all staff via cloud, publishing it on its website and including in contracts and agreements with third parties ad hoc notes referring to a specific link. With the same means the contact of the *Councillor of Trust* will be notified (fiducia@volint.it). Finally, this Policy, as already specified, will be subject to specific staff training activities.
- 11.2 In the country offices, in the context of activities involving the beneficiaries, through the dissemination tools for the CRM Policy, the contents of this Policy and the contacts of any *Local Councillor* appointed to this purpose must be notified. The communication to the beneficiaries/recipients must be in the local language and adapted in order to be easily understandable. In any case, VIS staff must be available to receive and listen to complaints and reporting from beneficiaries without offending or denigrating and guaranteeing the protection of the person's honour.

This document was elaborated with the contribution of Irene Zanella, *Master in International Cooperation and Development*, University of Pavia & IUSS, internship *Torno Subito* Lazio Region.

