

Anti Sexual Exploitation, Abuse, and Harassment (SEAH) Policy

1. Introduction

The Prince Claus Fund (PCF) is dedicated to fostering a safe and respectful environment for all individuals associated with its operations. This policy serves to articulate PCF's unwavering commitment to preventing and addressing incidents of Sexual Exploitation, Abuse, and Harassment (SEAH). It outlines comprehensive guidelines and procedures for reporting, investigation, and response, reflecting our dedication to upholding the highest standards of integrity and accountability.

PCF has zero tolerance for all forms of SEAH in PCF-related activities. SEAH violates human dignity and has always been unacceptable behavior.

PCF recognizes the imperative to prevent and respond effectively to SEAH and to protect persons, especially persons in vulnerable positions and situations, and victims of SEAH in all PCF-related activities. These protections are essential to strengthen integrity and accountability throughout PCF.

This policy forms part of an integrity system, including the Code of Conduct, Speak Up Policy, Confidential Advisor Protocol, and Administrative Organisation Guidelines. These policies provide complementarity and work together to achieve the shared goal of zero tolerance for SEAH at PCF.

PCF works towards promoting transparent, fair, and adequate investigation and sanctions, and to ensure staff and related parties understand appropriate roles, responsibilities, and mechanisms regarding SEAH.

2. Scope and Definitions

This policy sets out PCF's approach to support recipients of SEAH, as well as those who report it, and to ensure accountability of those who perpetrate it and of those who fail to comply with their obligation to report or address it.

This policy is applicable at all times, both during and outside of regular working hours. It applies to all persons working for PCF or on behalf of PCF in any capacity, including employees at all levels (whether permanent, fixed term or temporary), directors, interns, trainees, volunteers, supervisory board members, whether located in the Netherlands or abroad ('PCF employees') and any person or entity performing services on behalf of PCF, acting on behalf of PCF or representing the interests of PCF, including, external consultants, freelancers, mentors, awardees and other beneficiaries when jointly organising an activity with PCF ('associated persons').

In this policy, third-party representative means any individual or organisation who PCF employees or associated persons come into contact with during the course of their work for PCF, and includes actual and potential awardees and other beneficiaries, donors, external advisors, suppliers, distributors, and government and public bodies, including their advisors, representatives and officials, politicians and political parties.

Definitions:

Harassment in general is any unwelcome conduct that makes a person feel offended, humiliated, and/or intimidated. In dealing with allegations of SEAH, the starting point is not the intention or interpretation of the perpetrator but how the recipient experiences the behavior.

It creates an unpleasant working environment for the recipient. Any form of harassment can involve one or more incidents, actions, or behavior that may be physical, verbal, or non-verbal.

Harassment is often based on stereotypes (e.g., gender, racial, ethnic, religious, or LGBTQ+). It may include, but is not limited to:

- Offensive jokes or remarks about a person's appearance, beliefs, behavior, or background.
- Mimicking of speech patterns, behavior, or physical attributes in a way that is meant to demean.
- Exclusion from normal conversation or activities because of gender, ethnic origin, color, nationality, sexual orientation, or beliefs.
- Intentional and systematic difference in treatment based on expectations that come from (negative) stereotypes.
- Threatening behavior that creates a reasonable fear of harm or violence towards another person.

Sexual harassment refers specifically to conduct of a sexual nature. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, contract, or supply of services. Sexual harassment may include, but is not limited to:

- Staring, leering, or unwelcome physical touching.
- Sexual or suggestive comments, jokes or taunts.
- Making or displaying sexually demeaning gestures, offensive pictures, or other materials in the workplace.
- Making remarks with sexual connotations.
- Unwanted persistent invitations to go out on dates.
- Unsolicited demands or requests for sexual favors.
- Intrusive questions about a person's private life or body.
- Unnecessary familiarity such as deliberately brushing up against a person.
- Unsolicited acts of physical intimacy.
- Sexually explicit physical contact.
- Sexually explicit letters, emails, SMS text / Whatsapp messages, or social media expressions.
- Repeatedly asking a person to socialize during off-duty hours when the person is not interested.
- Giving unwanted gifts or any objects that are of a sexual nature.
- Off-duty, unwelcome conduct of a sexual nature that affects the work environment.

Abuse of power is the misuse of authority to take actions in personal interest that negatively impacts a staff member and person involved in PCF's activities or PCF itself.

Sexual exploitation: Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes, but is not limited to, profiting monetarily, socially, or politically

from sexual exploitation of another.

Sexual abuse: The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Safeguarding: Protecting people's physical and mental health, wellbeing and human rights, and enabling them to live free from harm, abuse and harassment in line with our agreed values. It specifically addresses the need to prevent and respond to harm from any potential, attempted, or de facto abuse of power, trust or vulnerability, especially for sexual purposes.

3. Policy Statement

PCF guides itself by the following principles:

Prohibition of Harassment: Explicitly prohibits all forms of SEAH, emphasizing that the impact on the recipient, rather than the intent of the perpetrator, is paramount.

Zero-Tolerance Approach: Adopts a zero-tolerance approach to SEAH, prioritizing the safety, dignity, and well-being of all individuals associated with the organization and committing to act on any allegation given the established procedures. SEAH is based on unequal relations and power dynamics resulting in a culture of discrimination and privilege. It creates hostile interpersonal relationships and work-related environments, which limit the ability of affected persons to thrive and PCF to achieve its mission. SEAH in any form is not acceptable at PCF. There is also zero tolerance at PCF for any form of retaliation against victims or bystanders who disclose, report or submit a complaint of SEAH or who participate in an investigation of allegations of SEAH.

Victim-centred Approach: PCF adopts a victim-centred approach in preventing and responding to SEAH, where the victim's wishes, safety, and well-being remain a priority in all matters and procedures. Any other person who reports shall be deemed a 'whistleblower', 'complainant', or as a 'witness', and shall be entitled to all the related protections.

Commitment to Support: PCF affirms its commitment to supporting individuals who experience harassment or inappropriate behavior, regardless of the perpetrator's affiliation. PCF shall take all appropriate measures to protect actual or suspected victims such as ensuring their anonymity, physical safety, and removal from proximity to suspected perpetrators. PCF prohibits any form of retaliation because of a report of actual or suspected SEAH perpetrated by individuals.

Protection of Third Parties: Recognizes that third-party stakeholders can also be victims of inappropriate behavior and commits to developing procedures to address such instances in the future. PCF communicates to its stakeholders of its position and policy regarding SEAH, as well as mechanisms for reporting, and will encourage them to follow the same guidelines.

Focus on Prevention: PCF focuses on preventing harassment in any related activity, acting through ensuring the existence, availability, and awareness of procedures and measures in place.

Accountability and Transparency: PCF assures its commitment to adequately investigate all allegations of SEAH, apply the necessary sanctions, and communicate to interested parties the cases.

Prohibitions

SEAH by PCF Employees, associated persons, and third-party representatives is a serious offence and, as such, provides grounds for disciplinary measures, including summary dismissal, or termination of contract, and inclusion in relevant screening databases, as well as other action as deemed necessary and appropriate.

PCF Employees, associated persons, and third-party representatives should not:

- Condone, encourage, participate in, or engage in any form of forced or unwanted sexual activity.
- Take advantage of an imbalance of power to manipulate or coerce another person into sexual activity for personal gain, whether financial, sexual, or political, including exploitation in person, online, or both.
- Engage in transactional sex, defined as the exchange of money, goods, or services for sex, when on duty or associated with any activity of PCF, even in countries where prostitution is legal.
- Procure sex for others, and/or use a third party to do so.
- Engage in sexual activity with a child under any circumstance. Even in a country where the age of majority or the age of consent is lower than 18 years, PCF employees, associated persons and third-party representatives are forbidden to have sexual activity with anyone under the age of 18 years when on duty or associated with any activity of PCF. Mistaken belief regarding the age of a child is not a defense.

The prohibitions set out above are not intended to be an exhaustive list. Other types of SEAH or misconduct may also be grounds for administrative action, disciplinary measures, including summary dismissal or termination of contract, inclusion of relevant screening databases, and/or referral to national or local authorities.

Responsibilities:

PCF employees, associated persons, and third-party representatives should:

- Champion good practice and maintain an organisational culture prioritizing safeguarding against sexual exploitation, abuse, and harassment.
- Create a safe environment for reporting allegations or concerns of sexual exploitation, abuse, and harassment, ensuring understanding from workers and partners.
- Report any suspected instances of sexual exploitation, abuse, or harassment in fund-related activities promptly to the appropriate channels and cooperate with investigations.

4. Reporting and Investigation Procedures

PCF ensures accessible and confidential reporting mechanisms for individuals to report SEAH concerns. Any person or entity may report actual or suspected SEAH as defined by this Policy and are strongly encouraged to report such information to PCF. Confidentiality is an important means of protection to those who have disclosed, reported, or submitted a complaint of SEAH. It is also an important element of due process for the subject of allegations of SEAH.

Persons or entities reporting actual or suspected SEAH shall do so in good faith and provide where possible any information or evidence in their possession that would support a reasonable belief that SEAH may have occurred. Prior to making a report, complainants are not required to evaluate or to determine whether a report that they intend to make meets any threshold of seriousness or gravity. Reporting persons or entities are not required to prove the suspected SEAH or to meet any evidentiary requirements. PCF maintains a zero-tolerance policy towards malicious reporting, false accusations, or vexatious complaints.

PCF strongly encourages confidential and anonymous reporting of actual or suspected SEAH. This

can be done through various channels, as outlined in the Speak Up policy.

PCF advocates for self-help as an initial recourse. This entails an individual directly addressing the perpetrator to cease unwelcome, inappropriate, or offensive behavior. Such an approach can swiftly resolve the issue in a discreet manner, particularly if the complainant does not feel significantly harmed or threatened. In cases where intervention is required, the alleged victim has the option to seek mediation from the Integrity Officers (Operations Manager and Director).

When not possible, upon reporting, the Integrity Officers will evaluate the admissibility of it and, if positive, will detail an investigation plan. During the investigations, the victim-centred approach is key, prioritizing the views and preferences of the victim regarding desired outcomes and next steps.

Reports of actual or suspected SEAH shall be investigated by the designated responsible, in accordance with the Speak Up policy. The Fund shall treat seriously and thoroughly investigate reports of suspected SEAH in a manner that is responsive, victim-centred, independent, and objective by conducting investigations, free of control or influence by any person or entity, and with scrupulous adherence to the principles of do-no-harm, fairness, and due process.

PCF recognizes that certain forms of SEAH may constitute criminal offenses and commits to cooperating with law enforcement authorities in such cases. Additionally, PCF is dedicated to reporting cases/allegations to the Dutch Ministry of Foreign Affairs where applicable per their regulations.

5. Accountability and Support

Depending on the outcome of the investigations, PCF will take appropriate disciplinary action or other measures. The victim of SEAH will be informed about the measures taken. The Integrity Officers are responsible for ensuring the principles of confidentiality and anonymity. All documents and information related to reporting, investigation and sanctions are to be accessed by and disclosed only to those involved in the process. Any information to be shared out of this scope shall be formally approved (written or by email) by the complainant.

Disciplinary measures for a PCF Employee or associated person could include one or more of the following (but not limited to), depending on the severity of the situation: a written warning, the request for an apology to the victim, training, probation, summary dismissal or termination of the contract.

If found to be a serious abuse, the matter will be reported to the police or other statutory authorities for criminal investigation unless to do so would cause the survivor further harm.

Where PCF Employees, associated persons or third-party representatives have experienced alleged sexual misconduct of a person who is not a PCF Employee (for instance, during an event or work-related trip), measures may include a written complaint to the alleged perpetrator's organization or the organizer of an event. The exclusion from events or the termination of collaboration may also be adequate responses to prevent a repetition.

If PCF is made aware of allegations of sexual harassment, power abuse, bullying, or the lack of safeguards for vulnerable groups in one of its associated persons or third-party representatives, such as project partners, it will ask for clarification of the situation. It may suspend support to projects until the member carried out an investigation and takes appropriate steps. If the member or partner organization is unwilling or unable to address the situation appropriately or there is proof of misconduct, PCF may terminate its collaboration, (e.g., joint activities or projects).

PCF prohibits any form of retaliation against anyone participating in good faith complaints, reports, or inquiries under this policy, extending protection even if allegations are mistaken. PCF is dedicated to supporting reporting individuals by acknowledging and addressing the risks they may face, assuring

them that concerns are taken seriously, explaining that identities will be protected to the extent possible, answering questions, and providing emotional support.

PCF commits to informing individuals of investigation decisions, outcomes, and appropriate actions, while also taking necessary steps to ensure the safety of any reporting person, even in cases involving potential cost implications. In alignment with these principles, PCF is committed to fostering openness and supporting those who raise genuine concerns, even if later found to be mistaken, ensuring that no one suffers detrimental treatment for reporting SEAH. If individuals believe they have faced such treatment, they are encouraged to use the appropriate formal procedures.

PCF commits to providing support and assistance to victims of SEAH, including referrals to medical, psychosocial, and legal services, and ongoing support throughout the resolution process. In emergency situations, anyone who is a victim of SEAH by another person in connection with a PCF-related activity may request that PCF provides interim medical relief or other support services as required to address the immediate harm.

6. Prevention Measures

PCF recognizes that prevention of SEAH is of paramount importance and invests appropriate resources to enable effective prevention and mitigation of SEAH and to address underlying drivers of SEAH. PCF will ensure all staff and representatives understand the zero-tolerance approach towards SEAH. PCF focuses on prevention of cases through the following actions:

Risk Assessment: PCF will assess the risks of SEAH in its activities, including when individuals participate in events or travel for organization activities, and take steps to mitigate such risks.

Safeguarding

- Design and undertake all activities to protect individuals from potential harm arising from contact with PCF.
- Ensure that partnership agreements for projects or activities involving people at risk include safeguards against sexual exploitation, abuse, and harassment.
- Ensure staff members working on projects with third-party representatives are aware of their responsibility to identify and mitigate risks, providing appropriate support and training based on their role.
- Treat failure to disclose or provide false, inaccurate or incomplete information regarding SEAH acts as misconduct or breach of contract, with the right to withdraw offers or terminate engagements if untruthful information is discovered.
- Require PCF employees and associated persons to disclose intimate personal relationships in cases (a) When a management reporting relationship exists between the persons; or (b) When two persons have unequal positions at PCF, and it could reasonably be perceived that a Conflict of Interest may exist (e.g. that a person in a superior position may be exerting their influence to unfairly benefit or disadvantage a person in a subordinate position); (c) An employee or associated person has intimate or sexual relations with a third-party representative (i.e., awardees), which could represent a Conflict of Interest.
- Emphasize cultural sensitivity and context in addressing SEAH, respecting diverse perspectives while upholding universal human rights standards.

Comprehensive Training:

- Conduct regular training programs to increase awareness, promote understanding of acceptable behavior, and ensure compliance with the SEAH policy.
- Share the policy with all new staff members during their induction, making it accessible alongside other relevant policies, and ensure all staff and representatives understand the zero-tolerance approach towards SEAH.
- Offer training to prevent harassment and discrimination as necessary.

Robust Recruitment Practices:

- Ensure that recruitment, procurement, employment, or onboarding processes include SEAH Checks.
- Require all PCF Employees and associated persons to submit SEAH declarations.
- Conduct Reference Checks following the submission of SEAH Declarations to verify the accuracy and authenticity of provided information.

7. Communication and Implementation

This policy and the adequate procedures are to be informed through all available internal and external channels, such as in the onboarding training for new employees, and widely available on PCF's website and intranet.

Furthermore, The Operations Manager and Director will take the lead in implementing, monitoring, and reporting on the obligations outlined in the policy. It should also update operational guidelines in consultation with relevant colleagues to ensure the swift communication of this policy.

The Operations Manager will collaborate to recommend improvements and maintain a transparent case registry, within established confidentiality standards, to track reports related to SEAH. Additionally, periodic reviews by the Supervisory Board will ensure ongoing evaluation and alignment with emerging best practices in SEAH prevention and response, contributing to a robust and adaptive policy framework.

8. Review and Monitoring

This policy will undergo annual review to ensure effectiveness, relevance, and compliance with legal and ethical standards. The Operations Manager and Director are responsible for annually reviewing this policy and for implementing mechanisms to identify areas for improvement.

Document Control

Document name	Anti Sexual Exploitation, Abuse, and Harassment (SEAH) Policy
Approved by	Director (Marcus Desando)
Responsible Owner	Office Manager (Kitty Schoenmaker)

Document Control

Date approved	01 May 2024
Next review	May 2025
Version number	1.0

Please note that this policy has a complementary character: any applicable local laws or regulations remain valid. This policy may not conflict with any local laws or regulations and if such would be the case the law or regulation would prevail. Where the terms of this policy are stricter than the applicable legislation or provide additional safeguards, rights or remedies, the terms of this policy will prevail.

Related policies and procedures

Administrative Organisation (AO)

Code of Conduct

Confidential Advisor Protocol

Speak Up Policy

Annex I – Complaint Form

1. Do you wish to identify yourself?

Yes No – If yes, please provide your contact details

Anonymous notifications: You are able to make this notification anonymously by sending a printed copy of this completed form, addressed to the Director, to the Prince Claus Fund office mail. If the complainant is about the Director, please address it to the Chair of the Supervisory Board.

Please note that if you do make the notification anonymously, we may be unable to fully investigate the circumstances you have reported or confirm key details if you have not provided sufficient information.

Name

Address

Phone number

E-mail address

2. Please provide a brief overview of the allegation(s). A couple of sentences that briefly describe the allegation(s). Who were the perpetrators, what was the fraudulent actions taken, and what does it relate to? (e.g., “Programme coordinator offered to select a grantee in exchange for a part of the grant”; “Awardee tried to forcedly kiss an employee)

Brief description

Date/Range

Date which you became aware of the fact

Person(s) alleged to have breached the Code and Policies

Position of suspected offender

Are there any witnesses?
If yes, please provide the
details (name, position
and title) of any witnesses
involved.

What information may
the above witness
be able to provide/
substantiate?

What is the financial
amount involved? (if
applicable)

3. Please provide a chronological account of the facts of the allegation(s). Use the following prompts to capture all the relevant information.

-
- Who is involved?
 - What did they do?
 - Where was it done?
 - When was it done? Is it ongoing?
 - Why was it done?
 - How was it done?
 - Who else knows about it?
 - Actions taken to date.
-

4. NOTIFICATION HISTORY

Are you aware of whether this allegation of misconduct has been notified previously?

Yes No

If yes, please advise if anyone has received this notification or has been advised of this matter:

Contact details

5. RESPONSE

Upon receipt of this notification, further information will be gathered and assessed to determine

whether there are sufficient grounds to warrant a full investigation. This will be undertaken in accordance with the Fraud and Corruption Policy and related procedures. This initial fact-gathering exercise will be confidential to the investigation team.

6. PROTECTIONS FOR REPORTING PERSONS

The Prince Claus Fund prohibits any form of retaliation against anyone participating in good faith complaints, reports, or inquiries under this policy, extending protection even if allegations are mistaken. The Fund is dedicated to supporting reporting individuals by acknowledging and addressing the risks they may face, assuring them that concerns are taken seriously, explaining that identities will be protected to the extent possible, answering questions, and providing emotional support.

The organization commits to informing individuals of investigation decisions, outcomes, and appropriate actions, while also taking necessary steps to ensure the safety of any reporting person, even in cases involving potential cost implications.

SUBMITTING THIS FORM

In submitting this form, you declare that the information you have provided is accurate and true to the best of your knowledge.

Misuse of this form to raise meritless or unwarranted claims against another employee will not be tolerated.

You can submit your form to info@princeclausfund.nl with reference to the operations manager. Or send your complaint form to:

Prince Claus Fund
Attn. Operations Manager
Kingsfordweg 151
1043 GR Amsterdam
The Netherlands