

| <b>Protection against Sexual Exploitation, Abuse, and Harassment (PSEAH)</b> |                 |
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## **Protection against Sexual Exploitation, Abuse, and Harassment (PSEAH)**

The Endangered Wildlife Trust (EWT) is committed to upholding the rights, safety, and welfare of personnel and all those with whom we work. We acknowledge our duty of care to act appropriately to any allegations, reports, or suspicions of abuse, and actively implements safeguards and procedures to prevent and address all forms of abuse, with particular attention to the protection of at risk or vulnerable individuals.

As per the EWT's Code of Conduct, sexual relationships with beneficiaries, exchange of goods/services for sex, sexual activity with minors, and abuse of power are strictly prohibited.

The EWT has zero tolerance of any form of exploitation, abuse, or sexual harassment and will take immediate and decisive actions to address incidents should they arise, including referral to appropriate law enforcement authorities if necessary, and with the expressed consent of the victim, in accordance with local laws.

Personnel and partners must inform the EWT's HR Manager (Focal Point) of any suspected or reported PSEAH incidents without delay, through appropriate channels. The EWT has zero tolerance to inaction.

The EWT further commits to fostering and maintaining a safe, inclusive organisational culture in which all personnel, partners, and communities are treated with dignity, diverse perspectives are respected, and where all staff are equipped with the necessary training and support to implement PSEAH protocols, safeguards, and other responsible practices.

**Implementation of this policy will be supported through internal guidelines, assessment tools, safeguarding procedures, and programme monitoring frameworks. Non-compliance may result in disciplinary action up to and including dismissal and referral to law enforcement.**

### **PURPOSE**

The purpose of the EWT's Protection against Sexual Exploitation, Abuse and Harassment (PSEAH) Policy is to establish a clear framework to protect our personnel, partners, and any other individuals with whom we work or interact with against sexual or other forms of exploitation. We also provide guidelines, awareness, and training to ensure that our staff and partners are equipped to interact responsibly and recognise and address incidents should they occur.

### **SCOPE**

This policy provides a framework to prevent and address sexual exploitation, abuse and harassment (during and outside working hours).

It includes:

- Definitions and explanations of terms
- PSEAH Principles
- Prevention, reporting, response, and monitoring procedures, including support and care of victims.
- This policy applies regardless of location, including field sites, travel, accommodation, virtual platforms, and social settings connected to the EWT work.

### **LEGISLATION**

This policy aligns with applicable national and international frameworks, including but not limited to:

- The Constitution of South Africa (Act 108 of 1996)
- Protection From Harassment Act (Act 17 of 2011)

- Sexual Offences and Related Matters Act (Act 32 of 2007)
- Children’s Act (Act 38 of 2005)
- Labour Relations Act (Act 66 of 1995)
- Basic Conditions of Employment Act (Act 75 of 1997)
- Protected Disclosures Act (Whistleblowing) (Act 26 of 2000)
- Prevention of Harassment Act (Act 17 of 2011)
- International NGO safeguarding standards
- UN Protection from Sexual Exploitation and Abuse (PSEA)

## DEFINITIONS

**At risk adults**, sometimes referred to as **vulnerable adults**, are in need of care through a mental or other disability or condition that prevents them from being able to care for themselves, and/or they are unable to protect themselves against harm or exploitation<sup>1</sup>.

**Child** Any person under the age of 18. All children are regarded as vulnerable or at risk.

**Complainant** is any person who makes a complaint or reports an alleged PSEAH incident. This person could be the victim or another person who witnesses or becomes aware of the wrongdoing.

**Evidence** refers to any information, testimony, material, or other type of evidence that is collected or used to prove or disprove allegations in a reported case.

**Focal Point** refers to a person or group of persons designated to receive complaints of cases of sexual exploitation and abuse.

**Gender** refers to the “social attributes and opportunities associated with being male and female and the relationships between women and men and girls and boys, as well as the relations between women and those between men. These attributes, opportunities and relationships are socially constructed and learned through socialization processes. They are context / time-specific and changeable. Gender determines what is expected, allowed and valued in a woman or a man in a given context. In most societies there are differences and inequalities between women and men in responsibilities assigned, activities undertaken, access to and control over resources, as well as decision-making opportunities. Gender is part of the broader socio-cultural context. Other important criteria for socio-cultural analysis include class, race, poverty level, ethnic group and age”.

**Gender Based Violence** is violence perpetrated against a person because of their gender, or violence that affects people of a certain gender disproportionately.

**Harms** encompass a wide range of activities that could arise through the actions of personnel, media and communications, or programmes and operations.

These include but are not limited to:

- **Physical:** violence or deliberate injury of a person, including but not limited to hitting, slapping, pushing, kicking, misuse of medication, unlawful or inappropriate restraint.
- **Neglect:** including but not limited to persistent failure to meet a person’s basic physical and/or psychosocial needs and neglecting to care for personal hygiene or health;
- **Psychosocial:** including but not limited to behaviour which adversely affects a person’s self-esteem, harassment and emotional abuse which causes distress, whether verbal or non-verbal;
- **Financial and Material:** including but not limited to theft, fraud, exploitation and pressure in connection to wills, property, inheritance and financial transactions, or inciting a person at risk to do any of these things on another individual’s behalf, the misuse or misappropriation of property, possessions and benefits of a person;



- **Sexual:** including but not limited to placing a person in an exploitative situation or harming them through unwanted sexual advances or behaviour.

**Harassment** is any unwanted conduct or behaviour that violates a person's dignity or safety often creating a degrading, hostile, offensive, or intimidating environment. This can occur through unwanted and inappropriate verbal or physical advances

**IPLC:** Indigenous peoples and local communities. The term IPLC has not been defined by most international organisations and, in South Africa, is subject to debate. The IPBES describes indigenous peoples as, typically, "ethnic groups who are descended from and identify with the original inhabitants of a given region", in contrast to groups that settled, occupied or colonized the area later. In South Africa, there has been widespread debate on "indigenous" versus "local" peoples given our complex and turbulent history, and the terms need to be used judiciously.

**Personnel** refer to all individuals engaged by the organisation — either directly or indirectly — who contribute to its operations, programs, or services, regardless of location or employment type. This includes full-time and part-time employees, individual or private sector contractors, interns and volunteers.

**Psychosocial** is a term used to describe the interaction between psychological and social factors, and how they influence a person's mental health and behaviour, including responses to circumstances or events. The psychological dimension includes worldview, thoughts, emotions, personality, mental health, and cognitive functioning while the social dimension incorporates culture, community, relationships, and socioeconomic and environmental factors.

**Reporter** refers to any personnel member who becomes aware of, suspects, or receives information regarding potential PSEAH misconduct. It is mandatory that all incidents are reported through the EWT's designated

**Safeguards** includes all the measures that an organisation takes to protect people from harm, including sexual abuse and harassment, that may be caused by the organisation, its personnel, or persons to individuals or communities who interact with the organisation.

This includes policies, procedures, guidelines, and processes to assess and mitigate risk, provide early warning systems, and ensure effective action if incidents occur. Safeguards adhere to human rights and gender equity principles, environmental justice, diversity and inclusion, the rights of IPLCs, displacement (physical, social and economic), and other global standards.

**Sexual abuse** constitutes non-consensual sexual acts or threats. Any sexual contact with a child is considered sexual abuse.

**Sexual exploitation** arises through the abuse of power or trust for sexual gain, typically targeting at risk or vulnerable individuals.

#### **Acts of SEAH include:**

##### *Sexual Exploitation*

- Abuse of power, vulnerability, or trust for sexual purposes
- Requesting sexual favours in exchange for goods, services, money, employment, or protection
- Offering assistance or opportunities (housing, food, programme benefits, etc.) in exchange for sexual activity
- Any sexual relationship involving unequal power dynamics, including with beneficiaries, clients, or people in vulnerable positions
- Demanding or accepting sexual acts as a condition for support or access to services

##### *Sexual Abuse*

- Any non-consensual sexual act
- Sexual activity with someone unable to give informed consent (including due to age, disability, intoxication, or dependency)
- Attempted sexual assault or attempted rape



- Coercive or forced sexual acts
- Taking advantage of someone who is incapacitated or unable to refuse.

#### *Sexual Harassment*

- Unwelcome sexual advances (verbal, non-verbal, or physical)
- Requests for sexual favours in the workplace or programme environment
- Sexually suggestive comments, jokes, or gestures
- Displaying or sharing sexual content (images, messages, etc.) in professional settings
- Inappropriate or unwanted touching
- Stalking or repeatedly contacting someone with sexual intent
- Creating a hostile or intimidating environment through sexualised behaviour
- Child Sexual Exploitation and Abuse
- (Always prohibited and criminal.)
- Any sexual activity involving a child (under 18), regardless of consent.
- Grooming or online exploitation
- Using children for sexual purposes or exchange of goods/money/favours
- Related Misconduct
- Failure to report known or suspected SEAH.
- Retaliation against someone who reports SEAH.
- Interfering with or obstructing investigations
- Possessing or distributing sexual content involving minors

**Victim** refers to a person who has been abused or exploited.

**Personnel** include all individuals working for the EWT or at any of the EWT's premises or on any of the EWT's projects irrespective of their status, level or grade. This includes but is not limited to all employees, trustees, volunteers, consultants, contractors, and interns.

**Victim-centred approaches** put the needs, wants, experiences and rights of the victim at the centre of SEAH reporting, investigations, and response systems. Special consideration needs to be taken to meet the needs of children or other vulnerable groups.

**Whistleblower** is any person who reports suspected misconduct or a safeguarding concern in good faith, whether anonymously or openly.

**Vulnerable individual or groups** include children as well as adults who may be excluded from participating in projects, consultations, or other processes, or who are more susceptible to being adversely affected by harmful impacts of interventions, or who may be excluded or limited from accessing opportunities and benefits. This could be due to age, gender, physical or mental capacities, socioeconomic circumstances, cultural or social status, or other factors.

#### **PSEAH PRINCIPLES**

- **Human Rights** the EWT subscribes to the rights enshrined in the Universal Declaration of Human Rights and South Africa's Bill of Rights, enshrined in the Constitution. All people have the right to live without fear of abuse, harassment, or harm based on their gender, age, sexual orientation, religion, disability, or ethnic origin.
- **SEAH is prohibited.** Any sexual exploitation and harassment constitutes gross misconduct and is grounds for termination of contract, and potential prosecution under criminal or civil law.
- **Tailored, victim-centred** PSEAH approaches in handling cases. All actions must prioritise victim safety and confidentiality.
- **Confidentiality and non-retaliation** for whistleblowers.



- **Mandatory reporting** of suspected or actual incidents. All personnel are legally and contractually required to report suspected incidents within 24 hours.

Concerns or allegations of abuse must always be taken seriously, investigated properly and acted on urgently and appropriately.

## **SAFEGUARDING PROCEDURES**

Safeguarding entails the implementation of three pillars to reduce and respond to PSEAH risks: (i) Prevention, (ii) Reporting; (iii) Response; and (iv) Monitoring.

In the case of multi-agency projects, all personnel must be made aware of the EWT's (or other appropriate) PSEAH policy, and that systems are established to prevent and manage incidents should they occur. In this instance, an inter-agency PSEAH needs to be established.

Tailored, victim-centred approaches need to be developed to prevent and address potential SEAH acts. This should include consultation with communities. Strengthen community and national mechanisms when assessing risk and designing PSEAH approaches.

The rights, safety, needs, wellbeing and dignity of victims and their communities must be prioritised at all times.

### **Prevention**

The EWT actively takes measures to ensure that:

- The organisation and partners regularly conduct assessments of risks that could lead to PSEAH and other harms to personnel, IPLCs, partners and other affiliates, as well as further 'downstream' risks to whistleblowers, family members or others through the reporting of an incident.
- All personnel receive training on EWT's PSEAH and related policies and procedures and are equipped with practical measures to uphold professional boundaries, recognise high-risk situations, and avoid situations that could be perceived as inappropriate.
- Gender analyses and risk assessments are conducted prior to the implementation of projects, and with updated assessments during annual or biannual project reviews, depending on the project and local sociocultural context (Link to the EWT's GEDSI Analysis and Risk Assessment toolkit).
- Integrate the knowledge and experiences of IPLCs into PSEAH risk assessments **HR066A** (including the identification of vulnerable groups), and reporting mechanisms responses.
- Empower IPLCs through engagement with civil society on women's and human rights to ensure All personnel are familiar with this policy and its procedures, and that training on our PSEAH policy is incorporated into induction, with regular follow ups conducted at least annually.
  - During the appointment and induction process, personnel members are required to sign a acknowledgement of the EWT's Code of Conduct which includes explicit prohibition on sexual relationships with beneficiaries or vulnerable persons and adherence to the EWT's PSEAH and related policies.
  - Personnel will also be required to attend annual PSEAH training sessions and submit an annual declaration of compliance acknowledging participation in the annual training session and confirming adherence to this policy.
- Partners and other affiliates are apprised of the EWT's PSEAH safeguarding policy and other related policies, including safeguards to reduce and mitigate risks of harm to IPLCs.
- Every person, and particularly, vulnerable people, are treated fairly and equitably, with professionalism, dignity and respect.
- IPLCs are consulted on safeguarding mechanisms and empowered through engagement with civil society on women's and human rights. Reporting mechanisms tailored to local context and culture, and are accessible to all, particularly the most vulnerable.
- Any concerns or suspicion of abuse, harm, or mistreatment are reported without delay through the appropriate channels set out in this and related policies.



- All incidents are treated in confidence, unless the EWT is obliged by law or any other regulation to disclose such incidents.

## Reporting

- Personnel and partners must inform the EWT's HR Manager (Focal Point) of any suspected or reported PSEAH incidents without delay, through appropriate channels. This is mandatory.
- Personnel and partners are required to report any incident within 24 hours of first becoming aware of it.
- Multiple, safe reporting channels must be developed, maintained, and updated with inputs from personnel to ensure that they are appropriate and accessible in the EWT's different areas of operation. These must be regularly communicated to staff, partners, and communities.
- Reporting mechanisms include anonymous hotlines (including WhatsApp or other locally appropriate social media), email, and reporting through designated safeguarding officers or project managers. Information and links to reporting channels must be provided on the EWT's website. The HR Manager is accountable for setting up, maintaining, and monitoring all incident-reporting channels, including a register of reports on the internal HR channel.
- Reporting mechanisms must be communicated to IPLCs and other partners, with special attention to accessibility. In addition to physical barriers, many people may not have ready access to internet technologies or data, or they may fear intimidation or other barriers. Locally appropriate reporting mechanisms need to be developed in each project site. These must be reviewed and updated in each project area annually.
- Community-based complaint management systems must ensure confidentiality and safety at all levels, including protection from retaliation. Confidentiality extends to online, reporting, and monitoring systems.

## Response

- The EWT's PSEAH Safeguarding Focal Point (HR Manager), Senior Management, and Unit/Department Managers must receive training to ensure they are equipped to respond to allegations effectively. Training should include victim- and trauma-informed approaches, and legal obligations,
- Upon receipt of a report, the Focal Point must notify senior management of the incident.
- An initial risk assessment must be conducted to determine:
  - Immediate safeguarding needs of the complainant or others
  - Whether interim protective measures are required, for example, temporary separation of parties, suspension, relocation, etc
  - Whether the allegation constitutes a potential criminal offence
- Where the allegation indicates that a criminal offence may have been committed, the Focal Point shall refer the matter to the appropriate external law enforcement authority, with the expressed consent of the victim, according to local law. In South Africa and some other countries, all acts of sexual violence against a minor must be reported by law.
- Since it is not always safe for a SEAH victim to report a potential crime, referral to law enforcement will take place with the expressed consent of the victim, according to local law. In some countries, all acts of sexual violence against a minor must be reported to law enforcement authorities.
- An initial review and follow up action must be conducted immediately on receipt of a report of an incident.
- Where the allegation indicates that a criminal offence may have been committed, the Focal Point shall also refer the matter to the appropriate external law enforcement authority.
- The complainant must be contacted as soon as possible and provided with an appropriate level of support and care, including medical, psychosocial, legal, and physical protection. Physical protection includes temporary protective measures for the victim and reporter if there is a risk of intimidation and other forms of violence, and/or other forms of care.
- All communication must be victim-centred, including consideration of safety, confidentiality, and dignity.
- Procedures for an internal investigation are provided in Addendum I.
- Investigations must be timely, impartial and conducted by trained personnel. preliminary assessment within 48 hours.

- During investigations, EWT may need to:
  - Separate parties
  - Place someone on suspension
  - Adjust reporting lines
  - Relocate staff temporarily

The Focal Point of contact provides oversight that procedures are followed and complied with, and communicates progress to the complainant, Senior Management and other parties.

- The complainant must be updated on progress and outcomes when safe and appropriate to do so.
- Appropriate sanctions depend on the nature and gravity of misconduct, ranging from informal resolution and remedial training for minor breaches, to formal disciplinary procedures, suspension, termination of contract, and referral to legal authorities for serious violations.

### Monitoring

The Focal Point or alternative appointed delegate shall conduct an annual review and audit of the PSEAH policy and associated procedures and processes, benchmarking against international standards and best practice.

### ROLES AND RESPONSIBILITIES

Each individual has a personal responsibility to ensure that they comply with PSEAH standards and immediately report any incidents or concerns through the appropriate channels.

The following table sets out specific roles and responsibilities of different roleplayers.

| <b>Responsible Party</b>                         | <b>Role and Responsibilities</b>   |
|--|--|
| <b>Senior Leadership &amp; Middle Management</b> | <ul style="list-style-type: none"> <li>• Sets the tone for zero tolerance.</li> <li>• Ensures policy implementation and oversight.</li> </ul>  |
| <b>PSEAH Focal Point</b>                         | <ul style="list-style-type: none"> <li>• The EWT's Focal Point is the HR Manager or designate if unavailable. They act as the primary contact for PSEAH concerns or incident reports and manage response processes, including reporting, follow up, monitoring, and maintenance of a confidential case register. The Focal Point is responsible for ensuring that response mechanisms are implemented timeously, and that processes are completed within the stipulated time frame.</li> </ul> |
| <b>HR Department</b>                             | <ul style="list-style-type: none"> <li>• Drafts, reviews and integrates PSEAH policies annually with inputs from colleagues who collaborate with communities and other partners to implement projects or other EWT activities.</li> <li>• Ensures that training is integrated into recruitment and onboarding and that ongoing training and awareness is provided.</li> <li>• Handles disciplinary actions.</li> </ul>   |
| <b>All Personnel and Volunteers</b>              | <ul style="list-style-type: none"> <li>• Uphold ethical behaviour</li> <li>• Report any concerns or breaches immediately</li> <li>• Ensure partners and service providers are aware of PSEAH and other ethical standards</li> </ul>  |
| <b>Partners and Suppliers</b>                    | <ul style="list-style-type: none"> <li>• Comply with PSEAH standards</li> <li>• Participate in training and monitoring</li> </ul>  |
| <b>Investigation Team</b>                        | <ul style="list-style-type: none"> <li>• Oversight provided by HOO &amp; Board/Social Ethics Committee (SEC)</li> <li>• Team conducts impartial investigations</li> <li>• Ensure victim protection and due process</li> </ul>  |

## Addendum I: Internal Investigation Procedures for PSEAH Incidents

This addendum outlines the procedures for conducting internal investigations into allegations of Protection against Sexual Exploitation, Abuse, and Harassment (PSEAH) within the organisation. It ensures investigations are victim-centred, impartial, and compliant with legal and ethical standards.

### Scope

The procedures apply to all PSEAH allegations involving staff, volunteers, contractors, or partners affiliated with the organisation, including Indigenous Peoples and Local Communities (IPLCs).

### Composition of Investigation Team

The investigation is led by the PSEAH Safeguarding Focal Point or a designated investigator, and includes representatives from HR, Legal, Senior Management and Landscape or Unit Managers. External investigators may be appointed in cases involving skewed power dynamics or potential conflicts of interest.

### Investigation Principles

|                 |  |
|-----------------|--|
| Confidentiality | All information must be handled with strict confidentiality.   |
| Impartiality    | Investigators must be free from conflicts of interest.   |
| Timeliness      | Investigations must begin within five working days of referral and conclude within 30 days, unless there are valid reasons for a delay or extension. |
| Victim-centred  | The complainant's safety, dignity, and preferences are prioritized throughout.   |

### Investigation Procedures

#### I. Preliminary Assessment

Upon receipt of a report, the PSEAH Focal Point (HR Manager) must acknowledge receipt of the allegation within 48 hours and immediately notify the Senior Management where appropriate. Determine whether the case warrants internal investigation, external investigation, or referral to authorities.

An initial risk assessment must be conducted to determine:

- Immediate safeguarding needs of the complainant or others
- Whether interim protective measures are required, for example, temporary separation of parties, suspension, relocation, etc
- Whether the allegation constitutes a potential criminal offence

During investigations, EWT may need to:

- separate parties
- place someone on suspension
- adjust reporting lines
- relocate staff temporarily

Based on the preliminary assessment, the Focal Point will determine whether the matter should proceed to internal investigation and/or referral to relevant authorities. Where allegations involve senior leadership, trustees, or the PSEAH Focal Point, the matter must be escalated directly to the CEO or Social Ethics Committee (SEC).

## 2. Planning

Assess the scope, timeline, and investigative teams required to address the incident, together with roles. Procedures must already be in place but may need to be adapted, depending on the nature and severity of the allegation.

The PSEAH Focal Point, in consultation with Senior Management, must establish an investigation plan which includes:

- Appointment of the investigation team or investigator
- Scope of the investigation
- Roles and responsibilities of investigators Investigation timeline
- Required resources and documentation

Investigations should commence within three (3) working days of the preliminary assessment unless circumstances require immediate action.

Ensure that relevant documentation and evidence is secured.

## 3. Information Gathering

Investigators must collect and document all relevant information including interviews with the complainant, respondent, witnesses, and any other relevant parties.

Evidence may include but are not limited to:

- Written or verbal statements
- Digital communications, for example, emails, messages, social media, etc
- Physical or documentary evidence
- Programme or operational records

## 4. Assess

The investigation team will review all available evidence against the organisation's policies, Code of Conduct, Disciplinary Code, and applicable legal requirements to determine whether there is cause for misconduct. This should take place within two (2) working days after information gathering.

## 5. Findings and Recommendations

Based on the assessment, the findings will indicate if further disciplinary measures need to be taken or not. Should the recommendation be that misconduct has occurred, a formal disciplinary hearing or disciplinary interview will be scheduled, where the applicable allegations and charges will be discussed with the complainant, the respondent and any witnesses. HR will attend the session as an observer to ensure that procedural fairness has been achieved. Evidence from the information gathering will be presented at this session. The outcome of the hearing/interview will lead to sanction/s based on the disciplinary code. This should take place within three (3) working days after assessment, dependent on stakeholder availability.

Findings will be documented in a formal report.

## 6. Closure and Follow-up

The outcome of the investigation will be communicated to the complainant and respondent in a manner that respects confidentiality and legal limitations.

EWT will ensure that:

- Victim support services remain available where required



- Appropriate disciplinary or corrective actions are implemented
- Preventative measures are introduced where necessary to mitigate future risks

All investigation records must be securely stored for a minimum of 5 years.

Access is restricted to authorised personnel only.

## 7. Appeals and Review

Parties may request a review of the investigation outcome within five (5) days of notification. Appeals will be reviewed by an independent panel or senior leadership not involved in the original investigation.