



**POLICY ON PROTECTION
FROM SEXUAL
HARASSMENT,
EXPLOITATION AND ABUSE**

Mission :

*We are committed to reaching out with
compassion and respect, empowering each
person to wholeness and full potential*

Vision

One person is of more value than the whole world

Core Values of the organisation

Compassion

Gratitude

Respect

Integrity

Zeal

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INTRODUCTION

Global Shepherds Berhad (hereinafter will be referred to as Global Shepherds in this policy) was incorporated in September 2017 as a non-profit organisation registered with the Companies Commission of Malaysia. In the spirit of co-responsibility for Mission, the board of directors of Global Shepherds comprise mission partners, both Good Shepherds Sisters and lay persons, who collectively contribute their expertise for the growth and continuation of the Good Shepherd Mission through Global Shepherds.

The organisation's mission objective is to provide care, welfare and all forms of intervention to those in poverty, victims of gender-based violence and other forms of abuse, neglect and exploitation. Global Shepherds is mandated to provide services to all women and children regardless of nationality, ethnicity and faith.

The focus of Global Shepherds is to make visible the mercy and forgiving love of God, especially to those who are marginalised and broken, restoring in them their rights, worth and dignity. We reach out and welcome each person with respect and dignity, accompanying each one with care and compassion.

PURPOSE & OBJECTIVE

Global Shepherds recognises its obligation and responsibility to operate in a manner consistent with its core values and the fundamental principles of human rights. Global Shepherds is committed to the prevention of and response to sexual harassment, exploitation and abuse in relation to the beneficiaries (also known as programme participants) of our programmes and communities that we serve.

The purpose of this policy is to prevent the violations of sexual harassment, exploitation and abuse of our employees, women and children who are the beneficiaries of our programmes and communities where we work.

The main objective of this policy is to provide clear guidance on expected standards of behaviour to be adhered by all Global Shepherds employees and related personnel to protect programme participants and communities from all forms of sexual harassment, exploitation and abuse.

This policy should be read in conjunction with the organisation's Child Safeguarding Policy and the Global Shepherds Berhad Employee Handbook in which the Code of Ethics and Conduct are clearly outlined and explained.

In relation to any form of abuse towards a child is reported, the organisation will also refer to the Child Safeguarding Policy.

SCOPE OF APPLICATION

This policy applies to all board members, management team, employees and related personnel of Global Shepherds. Related personnel shall refer to volunteers, consultants, service providers and contractors of Global Shepherds or representatives acting on behalf of Global Shepherds.

DEFINITIONS

Sexual Harassment, Exploitation and Abuse (SHEA) refers to all forms of inappropriate conduct of a sexual nature. Below are definitions.

Beneficiaries

Also referred to as programme participants of the activities, interventions, events and any other services managed by Global Shepherds.

Employees

All individuals hired on a full-time or part-time basis on a contract of employment.

Sexual Harassment

Sexual harassment is any unwanted conduct of a sexual nature that takes the form of verbal, non-verbal (includes emails, text messages or letters depicting sexual content, unwanted attention or harassment that is unsolicited), visual, psychological or physical harassment that might, on reasonable grounds, be perceived by the recipient as placing a condition of a sexual nature on her employment or that might, on reasonable grounds, be perceived by the recipient as an offence or humiliation or a threat to her well-being but has no direct link to her employment.

Example of sexual harassment include (but not limited to)

- Unwelcome sexual advances, propositions or pressure for sexual activity, suggestions for social activity outside of the workplace, offensive flirtations, suggestive remarks, innuendoes or lewd comments.
- Unwanted physical contact ranging from unnecessary touching, patting, pinching, brushing against another employee's body, to assault and coercing sexual intercourse.
- Sending explicit or sexually suggestive emails, text messages, memos, messages or posts on social networking sites;
- Obscene or threatening communications such as phone calls, letters, emails, text messages or posts on social networking sites.
- Displaying or sending images, images or footage which are sexually explicit or pornographic.

Sexual Exploitation

Any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes or the actual or threatened physical intrusion of a sexual nature. This includes, but not limited to, profiting monetarily, socially or politically from the exploitation of someone else.

An example of sexual exploitation is (but not limited to)

- Use of a child or adult to procure sex for others.

Sexual Abuse

The actual or threatened physical intrusion of a sexual nature, whether by force, coercion or under unequal conditions.

All sexual activity with a child is considered as sexual abuse. Examples of sexual abuse include (but not limited to) ;

- Inappropriate touching, and harassment of any persons who are beneficiaries of the organisations programmes and activities.
- Attempted rape (which includes attempts to force someone to perform sex); and sexual assault.

Sexual Favours

Any sexual or sensualised acts, in exchange of money, goods, services or opportunities. Also includes demands for inappropriate photographs, filming and exposure to pornography.

Perpetrator

The alleged person(s) who harass, exploit or abuse another person (adult or children).

CORE PRINCIPLES

1. Sexual harassment, exploitation and abuse (SHEA) are a violation of fundamental human rights. It constitutes acts of gross misconduct and are, therefore, grounds for termination of employment or contract.
2. Global Shepherds is committed to acting ethically and with integrity in the provision of our services and to implement effective systems and controls to ensure that SHEA is not taking place in our office premises or in any of our partnerships or collaborations.
3. As an organisation whose role is to uphold the dignity and rights of each person, the organisation has a “zero tolerance” for SHEA.
4. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence.
5. Global Shepherds is committed to preventing SHEA by ensuring that:
 - a) All employees and related personnel are aware of the high standards of behaviour and conduct expected of them to protect them and others from any form of SHEA.

- b) All employees and related personnel, through awareness and good practice, minimise the risks of any form of SHEA, including by conducting relevant background checks as part of the recruitment process.
- c) All employees and related personnel immediately report suspicions or concerns regarding allegations of SHEA in the workplace.
- d) Immediate action is taken to address reports of SHEA and to ensure the safety and wellbeing of the person being sexually harassed, exploited and abused.
- e) Risk assessments are undertaken to identify risks of SHEA and steps are documented to remove or reduce these risks.

EXPECTATIONS OF EMPLOYEES & RELATED PERSONNEL

1. Uphold and promote the highest standards of ethical and professional conduct and abide by all Policies of Global Shepherds including this Policy on Protection from SHEA.
2. Must not abuse the power and influence they have over the lives or well-being of beneficiaries of Global Shepherds programmes and others in the communities where Global Shepherds works.
3. Must not request any service or sexual favour from programme participants or others in the communities in return for protection or assistance and will not engage in sexually exploitative or abusive relationships.
4. Are prohibited from any sexual activity with children (persons under the age of 18) regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence.
5. Are prohibited from exchanging money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This includes the exchange of assistance that is due to beneficiaries.
6. Are prohibited from supporting or taking part in any form of sexual exploitative and abusive activities such as pornography or human trafficking.
7. Must immediately report any suspicions or concerns they have regarding alleged SHEA and possible violations of this Policy by an employee or related personnel of Global Shepherds to the Executive Director or PSHEA Focal Point.
8. Shall only share sensitive information relating to incidents of SHEA with authorities and employees of Global Shepherds who have a need to know such information. Breach of this may put others at risk and will, therefore, result in disciplinary procedures.
9. Create and maintain an environment which prevents SHEA and promote the implementation of this Policy and Code of Ethics and Conduct.

RECRUITMENT PROCEDURES

1. All job vacancies should request for references and candidates should agree to appropriate background screening.
2. All prospective candidates for employment must disclose records of any misconduct, charges, convictions or investigations relating to all forms of SHEA.
3. During the interview process, specific behavioural questions relating to the conduct, accountability and reporting on the prevention of SHEA will be posed to the prospective candidates.

CONTRACTS AND AGREEMENT

1. Global Shepherds contracts and partnership agreements have a standard clause which service providers, suppliers and consultants are to adhere to a zero-tolerance policy on SHEA and to take measures to respond to SHEA.
2. The failure of those entities or individuals to take preventative measures or respond to and investigate SHEA allegations, as well as take action when SHEA has occurred, shall constitute grounds for termination of any contract or agreement.

REPORTING

1. It is the obligation of all employees and related personnel of Global Shepherds to report any concerns or suspicions of SHEA of which they are aware or any breach of this Policy. Employees and related personnel must also report any such concerns even when the person in violation of this policy is not a Global Shepherds employee.
2. The organisation will also have in place awareness-raising material for the purpose of its beneficiaries, programme participants to report any concerns or suspicions of SHEA.
3. All reports of SHEA allegations must be reported promptly to the Executive Director and PSHEA focal point (as identified /renewed in the beginning of each calendar year and duly informed to all); either in person, by telephone or in writing. Allegations of SHEA reported must be recorded in the Incident Report Form for SHEA Allegations (*Appendix 1*).
4. Allegations of SHEA concerning the Executive Director is reported to the Chairperson of Global Shepherds' Board of Directors.
5. Employees and related personnel should not investigate allegations themselves because to do so may involve risks to safety and undermine the integrity of evidence.

6. Employees and related personnel who report a complaint or who cooperate in the investigation are protected from any form of retaliation when allegations of SHEA are made in good faith.
7. Employees and related personnel of Global Shepherds who fail to report SHEA concerns will be considered to have breached this Policy and appropriate disciplinary action may be taken.
8. Disclosures or reporting of SHEA will be dealt with expeditiously by an internal committee to be selected and approved by the Board.
9. The Reporting Procedure and Flowchart can be found in *Appendix 3 and 4*, respectively.

NON-RETALIATION & CONFIDENTIALITY

1. Global Shepherds maintains a zero tolerance policy for retaliation against anyone reporting SHEA or participating in an investigation.
2. Employees, related parties and individuals including beneficiaries, can raise their concerns without fear of reprisal or unfair treatment as a consequence of lodging such a complaint.
3. Global Shepherds will protect the confidentiality of SHEA allegations to the greatest extent possible in order to protect the integrity of the investigation and prevent embarrassment, further discrimination, harassment or retaliation.
4. The related facts and nature of any complaint, the identities of those involved and the investigations documents will remain confidential and will only be shared on a needs-to-know basis to a limited number of people.
5. Disciplinary action will be taken in cases of breach of confidentiality.

TRAINING & COMMUNICATION

1. All employees and related personnel of Global Shepherds must be informed about this Policy during their induction and receive trainings on the prevention of SHEA which includes prohibition of SHEA and actions that employees and related personnel of Global Shepherds need to take with regard to reporting of SHEA allegations.
2. All employees and related personnel of Global Shepherds are required to participate in the mandatory prevention of SHEA training and regular updates to ensure that all employees and related personnel fully understood the Policy.

DISCIPLINARY & OTHER ACTIONS

1. Failure by employees and related personnel to comply with this Policy may lead to disciplinary action, up to summary dismissal.
2. Acts of SHEA are considered serious misconduct. Any employee and related personnel found guilty of such acts may lead to dismissal or termination of contract.
3. Bad faith, malicious or frivolous allegations of SHEA may lead to appropriate disciplinary action.
4. The alleged perpetrator may be referred to external agencies, such as the Police or Local Authorities as provided by applicable law, for civil action and/or criminal prosecution.

INTERVENTIONS AND VICTIM ASSISTANCE

Subject to consent and the participation of the victim, the organisation will draw up an intervention plan for the victim. Such interventions will include counselling, psychotherapy, case management for reporting to authorities, etc. The Executive Director will assign a social worker to work with the victim.

ATTACHMENTS

- Appendix 1 – Incident Report Form
- Appendix 2 – Referral Form
- Appendix 3 - Reporting Procedure
- Appendix 4 – Reporting Flowchart

RELATED DOCUMENTS FOR REFERENCE

- Child Safeguarding Policy
- Employee Handbook – Section on Code of Conduct and Ethics

APPENDIX 1 - INCIDENT REPORT FORM

The information contained in this Form is confidential. This Form is used for reporting any alleged sexual harassment, exploitation and/or abuse.

Type of Allegation:

- Sexual Harassment Sexual Exploitation Sexual Abuse
 Physical Abuse Emotional Abuse

Name of Alleged Victim / (Age)		
Name of legal guardian (if victim is under 18years old)		Relationship with victim:
DETAILS		
When did the Incident Take Place	Date:	Time:
Place where Incident occurred		
Was this incident suspected or witnessed?		Name of Witness, if any
Is this concern based on first-hand information or information divulged to you by someone else?		Name of person who divulged this incident, if any Contact h/phone -
If the alleged victim divulged this to you, describe in detail what the alleged victim said to you.		

Name of alleged perpetrator		Is the alleged perpetrator a programme participant, employee or visitor?
REMARKS / ACTION		
How did you respond to the alleged victim?		
Your Personal Observations (State observations of the alleged victim in terms of behaviour or physical abnormalities)		
Action taken (if no action taken, please state reason)		
Informed Consent given for interventions?	Yes / No List of interventions	Referred to ?

Report submitted by:	
Name	Job Position
Email	Handphone Number
Signature	Date
Victim's signature	

Confidential: Please restrict access to this document and keep it stored safely. Always use code names when referring to individuals involved in the case, omit information that could reveal identities and keep information on the identity and personal details of persons involved separate from incident reports.

This form is used in the event the victim is referred to an external agency for health and any other services.

Referral From :

Department:	Contact:
Phone:	Email:
Location:	

Receiving Agency/Organisation

Agency/Org:	Contact:
Phone:	Email:
Location:	

Survivor Information

Name:		
Phone:	Age:	Gender:
Nationality:	Language:	
Address:		
If survivor is a minor (under 18 years old)		
Name of primary caregiver:		
Phone (caregiver):		
Relationship to child:		
Is child separated or unaccompanied? Yes <input type="checkbox"/> No <input type="checkbox"/>		
Is caregiver informed about referral? Yes <input type="checkbox"/> No <input type="checkbox"/> (If no, please explain)		

Services requested

<input type="checkbox"/> Medical Care	<input type="checkbox"/> Protection services	<input type="checkbox"/> Material assistance
<input type="checkbox"/> Social services	<input type="checkbox"/> Legal Assistance	<input type="checkbox"/> Others, please specify
<input type="checkbox"/> Mental Health Services	<input type="checkbox"/> Shelter	
Please explain any requested services:		

Consent to release information.

(Read with survivor/caregiver and answer any questions before s/he signs below. Sign on behalf of survivor/caregiver if consent is given verbally and survivor/caregiver cannot sign.)

I, _____ (survivor name), understand that the purpose of the referral and of disclosing this information to _____ (name of receiving agency) is to ensure the safety and continuity of care among service providers seeking to serve the client.

The service provider, _____ (name of referring agency), has clearly explained the procedure of the referral to me and has listed the exact information that is to be disclosed. By signing this form, I authorize this exchange of information.

Signature of survivor
(or caregiver/guardian if a child): _____

Date: _____

Details of Referral

Referral delivered via: <input type="checkbox"/> Phone <input type="checkbox"/> Email <input type="checkbox"/> In-person
Follow-up expected via: <input type="checkbox"/> Phone <input type="checkbox"/> Email <input type="checkbox"/> In-person By date (DD/MM/YYYY):
Information agencies agree to exchange in follow up:

Name and signature of recipient:

Date received: _____



CONFIDENTIAL: Please restrict access to this document and keep it stored safely.
Note: Please share copies of filled out referral forms with the survivor and receiving agency and keep a copy for the organization’s internal records and follow-up.

APPENDIX 3 - REPORTING PROCEDURE

This procedure applies to all Global Shepherds board members, employees, (full-time and part-time), volunteers, service providers or anyone providing services to the organisation.

Who can report?

Any person, (victim, board members, employees, volunteers, service providers, visitors) who have concerns or have witnessed incidents relating to PSHEA within the organisation or in any of its programmes.

What to report?

Any suspicion or disclosure of PSHEA must be reported immediately. The following are situations that would constitute reasonable grounds for concern and should be reported:

- a) Direct - A disclosure of an alleged incident from the victim.
- b) Indirect - An account by a person who witnessed the abuse, or who has reasonable cause to suspect there is sexual harassment, exploitation and/or abuse within the organisation or any of its programmes.

Details of the alleged incident are required to be documented in the Incident Report Form (see *Appendix 1*). Information documented in this Form is to be kept confidential. Only those who are directly involved are allowed to have or have access to the relevant information.

Who to report to?

The completed and signed Incident Report Form must be submitted to the PSHEA focal point with a copy given to the Executive Director of Global Shepherds.

Global Shepherds will respond with the appropriate action to any report that has been made towards/by any board member, employee, volunteer, service provider or visitor within 24 hours on receipt of the complaint/disclosure. All reports will be properly considered and treated seriously with care, discretion and in a timely manner.

If the victim is a non-Malaysian citizen, the relevant Embassy/High Commission/Consular Office will be notified.

What happens next?

The PSHEA Focal Point, Executive Director and a Director of the Global Shepherds' Board will convene to discuss the case and the follow up actions to be taken. (Refer to flowchart for details).

This will be followed by an internal investigation (committee to be decided by the Board of Directors) involving the victim, the alleged abuser and/or witness to the abuse.

The investigating committee will decide on the next course of action based on the outcome of the investigation.

In the event, the victim decides to make a police report, the PSHEA focal point will accompany the victim (with consent) to ensure that she/he is supported during the process. If the victim is a child, the relevant welfare department will also be informed. The Focal

Point will refer to the Child Safeguarding Policy to ensure the necessary steps are taken to ensure the child victim and parent/guardian are receive the supported required.

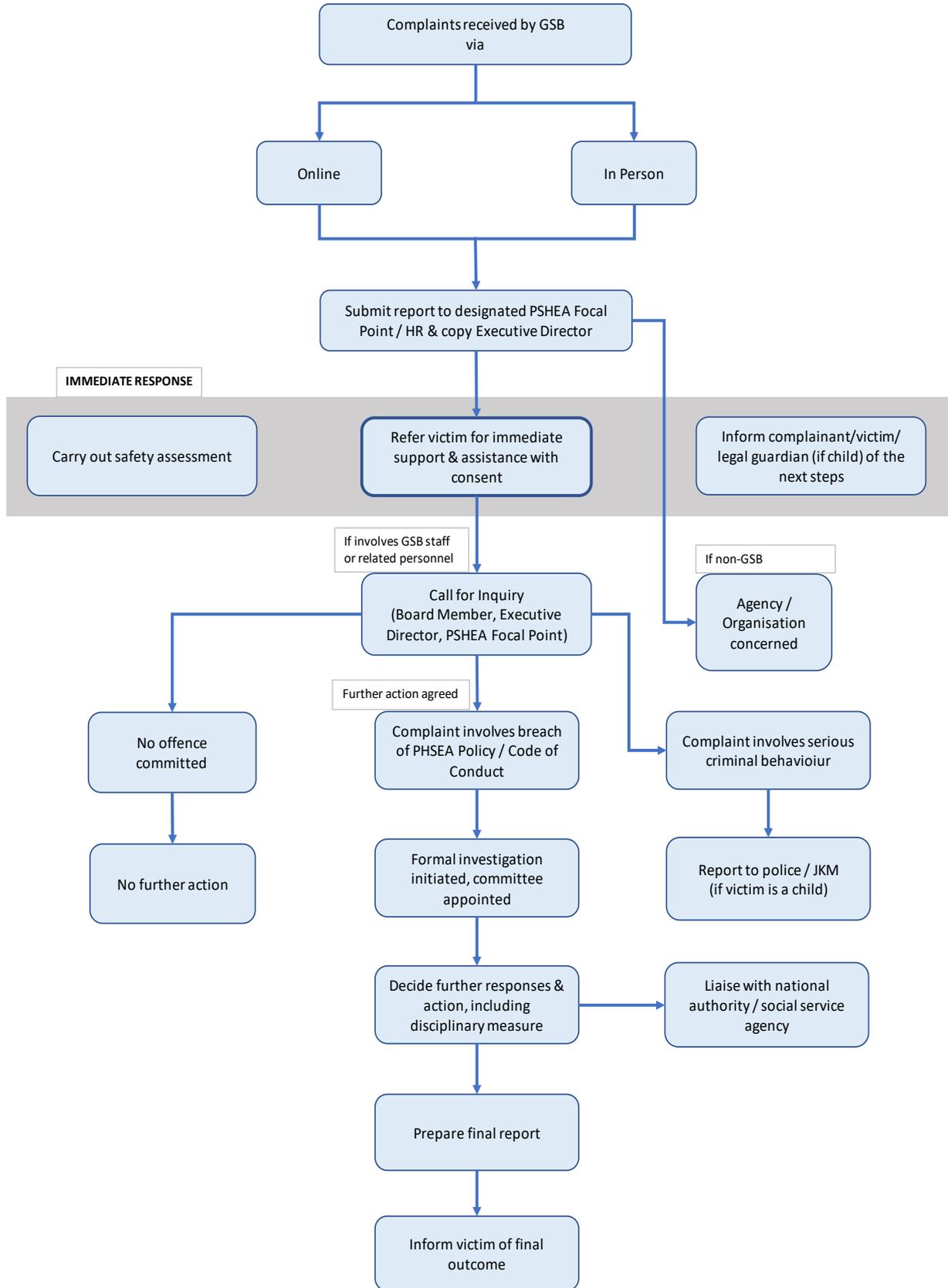
All facts and evidence related to the investigation and allegation will be recorded carefully, chronologically and confidentially filed by the organisation's headquarters.

Follow-Up

The Focal Point will follow up with the victim (or child and parents/guardian) if further support and counselling are required.

The reporting process flowchart is given in *Appendix 4*.

APPENDIX 4 – REPORTING FLOWCHART



This policy is subject to a review every two years. Review will be done together with the review of the following two policies;

1. Employment Policies & Guidelines
2. Child Safeguarding Policy

