**Policy on the Protection from Sexual Exploitation, Abuse and Harassment (SEAH) and on Safeguarding**

This policy on the Protection from Sexual Exploitation, Abuse and Harassment (SEAH) and on Safeguarding is a key tool to ensure that Nyt Europa continuously lives up to the internal values that guide its operations: inclusiveness, democracy, respect, integrity and sustainability. Nyt Europa promotes an inclusive and sustainable world where everyone feels safe.

1. **Purpose and scope**

Nyt Europa is committed to providing a safe environment for its staff, representatives and those participating in its activities. Nyt Europa has zero tolerance for all forms of harm including, but not limited to, sexual exploitation, abuse and harassment (SEAH).

Nyt Europa strives to ensure a safeguarding culture where the rights of people involved in the organization are prioritized over other considerations. Nyt Europa wants everyone to know who to go to with concerns, and that all are confident that they will be listened to and heard without personal or professional repercussions. The duty to safeguard others applies without exception to Nyt Europa staff and representatives.

Nyt Europa often engages directly with people at risk such as young people, informal workers and activists. Nyt Europa is committed to its safeguarding obligations for anyone involved in its activities. Nyt Europas activities are mainly directed at people of the age of 18 or older and will thus rarely work with children and minors. However, should the scope of Nyt Europas work change to directly involve children or minors, the safeguarding policy will be developed further.

Nyt Europas recognizes that it can be distressing for those affected by a sexual harassment disclosure, first and foremost survivors of sexual assault, and this policy thus aims to ensure that all parties are treated with dignity and respect and provided with the appropriate support.

The protection from sexual exploitation, abuse and harassment requires proactive identification and measures taken against all potential risk of harm. It also requires the establishment of accountable and transparent systems for reporting and response should breaches of this policy occur. Safeguarding should be at the heart of these systems, while at the same time protecting the rights of those accused.

The policy is binding on all Nyt Europa staff and representatives (including consultants, interns, and volunteers). All Nyt Europa staff, regardless of their gender, position or status in the organization, have a responsibility to prevent sexual harassment, power abuse and bullying, to discourage and report unacceptable behaviour and to comply with the law and this policy.

1. **Definitions**

The term **“workplace”** refers not only to Nyt Europas offices, but also to locations where work-related tasks are performed such as conferences, events, trainings, work-related trips, social activities, telephone conversations and communications through electronic media as well as cooperation with external service providers.

**Sexual harassment** is defined as any unwanted conduct of a sexual nature with the purpose or effect that the dignity of the person is being violated, especially when a threatening, hostile, insulting, humiliating or offensive situation is being created. Sexual harassment may involve one or more incident, and actions constituting harassment may be physical, verbal and/or nonverbal.

**Physical**: pinching, stroking, kissing, hugging or inappropriate touching as well as the use of job-related threats or rewards to solicit sexual favours (such as threatening to have someone fired if they do not go through with it or tell anyone about the assault) are a form of physical harassment.

**Verbal**: includes sexual comments or comments on somebody’s private life, appearance, clothes or age, sexually charged jokes or patronising or belittling comments. It can be repeated and could constitute unwanted social invitations for dates and physical intimacy or sending sexually explicit messages without the recipient’s consent. It can be promises or threats concerning employment or conditions in exchange for sexual favours. Insults based on the assumed gender or condescending, and paternalistic remarks are a form of verbal harassment.

**Non-verbal**: includes sexually suggestive gestures, the display or distribution of sexually explicit or suggestive material, whistling and leering.

**Abuse of power** is the misuse of authority to take actions in personal interest that negatively impact on a staff member and/or a person involved in the organisation’s activities.

Workplace bullying is verbal, physical, social or psychological abuse by a superior, another person or group of people at work. It can happen to anyone in the organisation. Bullying can take the forms of, for instance, threats of or actual physical violence, unpleasant or repeated jokes about a person or unfair work loading.

1. **Prevention**

To prevent sexual harassment, power abuse and bullying, Nyt Europa will take the following measures:

* Make this policy public on Nyt Europas website.
* Share this policy with all staff members during their introduction, make it accessible to all staff members together with other relevant policies and ensure all staff and representatives understand that there is zero tolerance towards sexual harassment, power abuse and bullying.
* Make everyone aware of their responsibility to prevent any such situation and to address any allegation.
* Ensure everyone knows how to report and incident.
* Offer trainings to prevent harassment and discrimination where necessary.

To prevent sexual harassment, power abuse and bullying where Nyt Europas has a safeguarding obligation, it will take the following measures:

* Design and undertake all activities in a way that protects people from any risks of harm that may arise from contact with Nyt Europa.
* When entering partnerships on projects or activities that involve people at risk ensure that our partnership agreements include safeguards against sexual exploitation, abuse and harassment.
* Make staff members who work on projects with people at risk aware of their responsibility to identity and mitigate any risks and make sure they receive support and training on safeguarding at a level commensurate with their role.
* When people at risk, for instance young people, are part of events or travel for Nyt Europa activities, make sure the responsible staff assess the risk of sexual harassment, power abuse and bullying around participation and to mitigate any such risk.

To ensure the safeguarding of children and minors, Nyt Europa staff and representatives must not:

* Engage in sexual activity with anyone under the age of 18 regardless of the age of majority and legal consent in a country. Mistaken belief in the age of a child or minor is not an adequate or acceptable defence.
* Sexually exploit or abuse children or minors or behave towards a child in a way that is offensive, abusive, sexually provocative, demeaning or culturally inappropriate.
* Use inappropriate language or behaviour when dealing with children or minors.
* Recruit or employ anyone below the national legislated minimum working age.
* Use children’s pictures and/or information in a way that could put them at risk or publish pictures of children without the written consent of their parents or guardians or take pictures of undressed children.

To ensure the safeguarding of adults at risk, Nyt Europa staff and representatives must not:

* Infringe the dignity of an individual by their comments or behaviour or sexually abuse or exploit any adults.
* Engage in any form of forced or unwanted sexual activity.
* Take advantage of an imbalance of power to manipulate or coerce another person to engage in sexual activity for the financial, sexual or political benefit of the abuser, including sexual exploitation taking place in person, online or a combination of both.
* Engage in transactional sex, that is, exchange of money, goods or services for sex, when on duty or linked to any activity of Nyt Europa (e.g., when travelling for Nyt Europa) even in countries where prostitution is legal.
* Engage in any sexual relationships with programme beneficiaries who belong to groups at risk such as such a relationship is inherently based on unequal power dynamics.

1. **Reporting**

Anyone who has experienced, or witnessed, sexual harassment, power abuse or bullying should report any such instance to the organisation. Nyt Europa is committed to making sure all cases are appropriately considered and responded to, and to protect whistle-blowers.

* If anyone suspects or hears of an incident regarding a child or minor, it is mandatory to report the incident.
* Sexual harassment is illegal in Denmark and can constitute a criminal offence. Any person who has experienced violence, assault or stalking is encouraged to also report those to the police. Nyt Europa will collaborate with the police in any such instance.
* Every allegation of harassment, bullying or discrimination will be immediately, thoroughly and impartially investigated and addressed, led or managed by the Head of the Secretariat (unless they are the subject of the complaint).
* The person(s) that reportedly suffered from an incident must consent to further investigation of the matter unless it might be a criminal act. If the person does not consent to investigation of the matter, Nyt Europa is still obliged to do some minimum investigation if possible.
* The Head of Secretariat may include other staff members or members of Nyt Europas board in the process and will ensure confidentiality for all parties concerned, both at the time of reporting and while the complaint is being investigated.
* Nyt Europa commits to ensuring that no staff member will be victimised or subjected to sanctions for making a complaint in good faith. It is also committed to ensuring that those involved in the investigation will make no premature assumptions about the guilt or innocence of the alleged harasser.
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Complaints by staff:

* Any affected staff member has two avenues for complaints: **non-formal**, i.e., reporting internally, or a **formal** complaint, to a board member.
  + Non-formal complaint: Staff should report an incident at the first instance with the Head of Secretariat. Situations of sexual harassment or any situation that may constitute a criminal offense must be brought to the attention of the Head of the Secretariat.
  + Formal complaint: If staff is not comfortable reporting an incident directly to the Head of Secretariat, staff can contact one of the Board members, who will then take on the responsibility of briefing the Head of Secretariat.

Complaints by external persons:

* Any person from outside the organisation is encouraged to use the non-formal complaint or the formal complaint, whichever they are the most comfortable with.

1. **Accountability**

Depending on the outcome of the impartial investigations, Nyt Europa will take appropriate disciplinary action or other measures. The victim or survivor of SEAH will be informed about the measures taken.

Disciplinary measures for Nyt Europa staff members or representatives could include one or more of the following, depending on the severity of the situation: a written warning, the request for an apology to the victim, training, probation 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 staff members or Nyt Europa representatives have experienced alleged sexual misconduct of a person outside of Nyt Europa (for instance during a conference or work-related trip), measures may include a written complaint to the alleged perpetrator’s organisation or the organiser of an event. The exclusion form events or the termination of collaborations may also be adequate responses to prevent a repetition.

If Nyt Europa is made aware of allegations of sexual harassment, power abuse, bullying or the lack of safeguards for vulnerable groups in one of its member organisations or with a project partner, it will ask for clarification of the situation. It may suspend the cooperation until the partner has carried out an investigation and taken appropriate steps. If the member or partner organisation is unwilling or unable to address the situation appropriately or there is proof of misconduct, Nyt Europa will terminate its collaboration (e.g., joint activities or projects) and initiate the expulsion from the cooperation or the network.

Nyt Europa will take action against any staff member or representative who seeks to or caries out any retaliatory action against complainants, whistle-blowers, survivors, witnesses or those who are handling a complaint, including against the person who is the subject of a complaint. Staff who are found to have done so will be subject to disciplinary action, up to and including termination of employment.

If a Nyt Europa staff member is found to have carried out an allegation they know to be false, they will be subject to disciplinary action, up to and including termination of employment.

Support will be offered to survivors of abuse such as offering help to seek specialist psycho-social counselling or other appropriate support. Survivors of abuse can choose if they would like to take up the support options available to them.