BRITISH COUNCIL

Safeguarding Team

Safeguarding from Sexual Exploitation, Abuse and Harassment Guidance

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Introduction

Our commitment

The British Council is a registered charity and is the United Kingdom's international organisation for cultural relations and educational opportunities. Each year, we work with millions of children and adults through face-to-face engagement and digital platforms. Our safeguarding framework which includes our policy, strategy and standards aims to create a safe environment in which no child or adult experiences abuse, harm or exploitation during their contact with us. All documents relating to the safeguarding framework can be found on the safeguarding intranet page.

The British Council has a zero-tolerance to inaction approach for safeguarding which includes Protection from Sexual Exploitation, Abuse and Harassment (PSEAH) . In practice, this means that all necessary efforts must be made to comply with the Safeguarding framework, irrespective of cost implications or operational inconvenience.

Background

Protection from Sexual Exploitation, Abuse and Harassment (PSEAH) is a core safeguarding requirement of the Foreign, Commonwealth and Development Office (FCDO) and other donors who expect organisations that they fund to take all reasonable steps to prevent Sexual Exploitation, Abuse and Harassment (SEAH) to people that they encounter. This guidance has been developed to support the British Council to meet its vision of creating a safe environment for children and adults as well as meeting the obligations set by donors.

Our PSEAH approach and guidance is informed by internationally agreed standards within the aid and development sector, in alignment with our Safeguarding policy. It reflects best practice and our legal duty outlined by The Equality Act 2010 and the international development sector following the Oxfam scandal in 2018 and the recommendations made by the Independent Inquiry into Child Sexual Abuse (IICSA ,2022).

This guidance aims to prevent SEAH by any British Council staff or representative against any person directly or indirectly engaged in our programs, services and wider communities in which we work, both, in the physical and digital spaces.

Definitions

For ease of reading this guidance and to prevent having to repeat lengthy definitions throughout, the following terms are used.

Protection from Sexual Exploitation, Abuse and Harassment (PSEAH)

PSEAH is used to refer to organisational measures taken to protect children and adults from sexual exploitation, abuse, and harassment.

Sexual Exploitation, Abuse and Harassment (SEAH)

SEAH is a broad term that covers the different types of abuse that fall under this category, these types of abuse are outlined in **Appendix 1**.

Staff

The term staff applies to all those working in an individual capacity with the British Council, irrespective of the contract used. This includes paid and unpaid staff and volunteers engaged on a one off, short- or long-term basis. It also covers consultants and contracted temporary personnel. Staff applies equally to national, international and UK personnel.

Partners, Suppliers & Contractors ("Representatives")

The term 'partners, suppliers and contractors' refer to all those who we have a contract or agreement with to provide goods, services, or collaboration. There may be a financial or alternative benefit, but this is not essential. It includes implementing partners who carry out work on our behalf and other stakeholders with whom the British Council may establish a working relationship, such as Ministries and Donors/Funders.

Purpose

This guidance outlines the British Council's approach to PSEAH including our obligations and commitments to taking reasonable steps to reduce incidents of SEAH occurring and respond to SEAH concerns in an efficient and timely manner.

Scope

This guidance applies to all British Council staff and representatives as defined in the section above.

In cases where we are not the lead partner (i.e., where we are not a major or main funding partner), then we will encourage, support and advocate for our partners to either follow the British Council SEAH guidance or develop their own SEAH guidance or policy.

All British Council representatives have in line with the safeguarding policy (partnership agreement) a duty to uphold the principles of this SEAH guidance and commit to maintaining an environment that prevents any form of exploitation, harassment or harm against children and adults.

Any behaviours demonstrated by British Council staff or representative that runs contrary to this Guidance, whether during or outside of working hours, must be promptly reported, and will be regarded as a violation of the Safeguarding policy and Safeguarding Code of Conduct.

Any act involving sexual exploitation, abuse and harassment will be considered an act of gross misconduct under our Safeguarding Code of Conduct, therefore any member of staff found to

have engaged in such behaviour will be subject to a safeguarding high-risk inquiry and potential disciplinary action, which may result in dismissal and exclusion from any future engagement with British Council.

Safeguarding and SEAH

This guidance complements our safeguarding policy and aims to help British Council staff and those who work with us to better understand our role and responsibilities in preventing and responding to incidents involving SEAH.

Who does this guidance apply to?

- British Council staff including trustees.
- Representatives - Our partners, including project/programme delivery partners, suppliers, vendors, consultants, and individuals in other non-permanent roles.

Safeguarding is a broader term used to define the actions taken by the organisation to protect children and adults from abuse and harm. PSEAH is one of the areas covered within safeguarding and this refers to the specific measures taken to protect children and adults from sexual exploitation, abuse, and harm.

Principles of SEAH

This guidance is aligned with the Inter-Agency Standing Committee's (IASC) six core principles relating to SEAH.

	Inter-Agency Standing Committee (IASC) Core Principles relating to SEAH
1	"Sexual exploitation and abuse constitute acts of gross misconduct and are therefore grounds for termination of employment.
2	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.
3	Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited. This includes exchange of assistance that is due to beneficiaries.
4	Any sexual relationship between those providing humanitarian assistance and protection and a person benefitting from such humanitarian assistance and protection that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.

5	Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.
6	Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have responsibilities to support and develop systems which maintain this environment."

The Preventative Duty

The British Council has a positive legal duty to prevent sexual harassment of our employees (this includes employees by third parties ((such as clients and customers)). As outlined in the Equality Act 2010, The British Council must take reasonable steps to prevent sexual harassment of employees in the course of their employment ('The Preventative Duty'). 'The Preventative Duty' is an anticipatory duty. This will ensure our workplace culture takes positive and proactive reasonable steps to prevent sexual harassment of our employees. The British Council has a duty to anticipate scenarios when its workers may be subject to sexual harassment in the course of employment and take action to prevent such harassment taking place. We ensure we are acting in line with the Preventative Duty by following our PSEAH approach. The British Council's anti-harassment procedure is incorporated within our case management process.

Our approach to PSEAH

Our Safeguarding policy, case management process and our safeguarding framework documents, including our Safeguarding code of conduct detail how we respond to safeguarding concerns. This guidance aims to complement those policies by outlining our approach to preventing SEAH and how we will respond to such incidents when they occur.

In line with our Safeguarding policy, our approach to SEAH focuses on:

1. **Preventative action** – implementing measures to mitigate the risk of SEAH to provide a safe and secure environment for all who come into contact with the British Council and to support the organisation to deliver on all its activities. This is inline with the 'Preventative Duty' (The Worker Protection ((Amendment of Equality Act 2010)) Act 2023) where the British Council has a legal duty to anticipate when sexual harassment may occur and take reasonable steps to prevent it in all events, programmes and activities ran by the British Council.
2. **Responsive action -** taking timely action by promptly responding to concerns and allegations of SEAH when reported. This includes ensuring that the survivor is removed from immediate danger, appropriately supported and the risk of further trauma is mitigated. If the alleged perpetrator is a British Council representative, they would also be eligible for support pending the outcome of any investigation.

If any form of SEAH has taken place, the British Council will take action to stop this abuse, exploitation or harassment from happening again. When responding to sexual harassment concerns the British Council follows our anti-harassment procedure which is incorporated within our case management process. If the British Council doesn't take reasonable steps to comply with the 'preventative duty' to prevent sexual harassment, this will be seen as act of gross misconduct under our Safeguarding Code of Conduct and may lead the Equality and Human Rights Commission taking enforcement action against the British Council.

3. **Signposting –** when a reported SEAH incident involves non-British Council representatives (e.g., an incident involving a beneficiary and another member of the community), we will do our best to refer the survivor to a safe and appropriate source of support in the community so that they can get the help and support they need.

We apply a No Harm principle in all cases where there is a need for a referral to an external statutory agency.

See Appendix 2 for examples of preventative and reactive actions and processes.

Responding to SEAH Concerns

A Survivor-centred approach

One of the key principles of our Safeguarding policy is a survivor-centred approach that empowers survivors of abuse to be actively involved in the decisions that will support their care and recovery plan and minimise any risk of re-traumatisation. Our Thresholds in Safeguarding outline the levels and response pathways for safeguarding concerns including PSEAH.

The following guidelines re-emphasise our survivor-centred approach to PSEAH by ensuring that the well-being, wishes, experiences, needs and rights of a survivor are at the centre of all decisions and actions taken to support them.

Safeguard Policy

Empowerment

People are supported and encouraged to make their own decisions and provide informed consent.

"I am asked what I want as the outcomes from the safeguarding process, and this will be considered when making decisions on next steps.

- The British Council is not a statutory authority and therefore where appropriate and where there are functioning services, referrals will be made on a risk-assessed basis to relevant social welfare/statutory and law enforcement agencies.
- The British Council will seek consent to making a referral to external services from the child and their parents/guardians or the adult unless this places them at increased risk of harm. In such cases the decision to refer without consent will be made in conjunction with the Global Safeguarding Team.

Survivor Care

Anyone who experiences sexual exploitation, abuse and harassment perpetrated by British Council staff or as a direct result of our work should receive an appropriate level of support that meets their needs and which does not isolate, stigmatise, or re-traumatise them.

We have a duty of care to provide appropriate support to British Council staff whether as a victim/survivor or alleged perpetrator/Subject of Concern. We are also committed to providing survivors who are non-British Council staff or representatives with advice and signposting to appropriate and safe external professional support providers.

Overview of the survivor support principles for the British Council

- ***Survivor Single Point of Contact (SPOC)***: All victims/survivors will be allocated a SPOC, to act as liaison between them and all other relevant parties. This is to ensure that the flow

of communication and information to and from the survivor is streamlined and handled in a confidential and safe manner that aims to prevent further traumatisation.

- ***Safety and protection plan:*** This involves the development of an immediate safety and protection risk assessment plan to address the possible risks of retaliation, breaches of confidentiality or other further violence against the survivor. The safety and protection plan should clearly set out roles and responsibilities.
- ***Medical care:*** Medical care includes the provision of necessary treatment for conditions directly arising from sexual exploitation and abuse. In cases of sexual abuse, this includes informing survivors about the importance of seeking medical care within 72 hours and providing the necessary referral to services, including HIV post-exposure treatment, post-exposure prophylaxis (PEP), and reproductive and sexual health care as needed and desired.
- ***Psychosocial support:*** This comprises the provision of basic psychosocial support, including psychological first aid, and psychosocial counselling to assist survivors, in addition to evidence-based, focused mental health and psychosocial support network (MHPSS) interventions and facilitating referrals to more specialized mental health care, as needed. Support may also include facilitating access to basic services, peer-to-peer support, enhanced social support through reconnecting survivors with family members, friends and neighbours, and/or fostering social connections and interactions through existing community networks.
- ***Legal services:*** This entails the referral to providers of legal assistance if desired by the survivor. In cases involving alleged perpetrators who are not nationals or permanent residents of the host country, legal service providers should be capable of handling cases that may involve multiple jurisdictions.
- ***Survivors needs****:* The views and needs of the survivor are important in the decision-making process and will be considered a significant factor in the process. .

Additional support for Staff

Employees will have access to available British Council support services such as:

- Employee Assistance Programme: This is a free 24/7 confidential counselling and support service with qualified clinicians and professionals and can be accessed online, by phone or via email. Their clinicians can assess whether the individual needs counselling and may offer short-term counselling (up to 6 sessions).
- Mental Health First Aid: Mental health first aiders are trained colleagues who can offer some reassurance in a non-judgemental way and, in some cases, provide information of other support available internally or externally.

- If the employee/survivor of PSEAH is in immediate danger, the Safeguarding team will liaise with Human Resources and Safety, Security & Continuity teams to ensure the safety of the employee.

Special considerations for children (under 18s)

Children, including adolescent girls and boys, are particularly vulnerable to sexual exploitation and abuse because of their age, gender, and dependency on others such as older children or adult. In responding to child victims, British Council and their partners will adopt a child-sensitive approach that considers the vulnerabilities and capacities of the child, in a manner consistent with the United Nations Convention on the Rights of the Child (UNCRC): non-discrimination, best interests of the child, the right to life, survival and development, the evolving capacity of the child and their right to express one's views and have them considered.

- As a primary consideration, a determination of the best interests of the child involves an ongoing assessment as to what would best protect a child's physical, psychological, and emotional safety, security, and well-being, and applies to decisions which affect the child as an individual, as a member of a specific group, and in general.
- It is essential that those who interact with child survivors have the necessary professional expertise and training. This is because child survivors of sexual exploitation and abuse may have special assistance needs, support should be provided by, or in coordination with, qualified child protection professionals.
- This guidance recognizes that adults who were abused as children may also require specialist support and appropriate measures will be considered.
- In cases involving children, informed consent includes the informed consent of the child, according to their evolving capacities, and the child's parent, legal guardian or person acting as legal representative of a child, except when informing the parents or caregivers could put the child at risk (of retaliation, violence, abuse and/or neglect). Consent should be explained at the outset and obtained prior to, or in conjunction, with the provision of assistance to child victims.
- During any internal safeguarding inquiry that may ensue, a child survivor should be provided with appropriate assistance, which include the accompaniment by a trained professional throughout the process if this is in the child's best interests. As in the case of any victim of sexual exploitation and abuse, children should be informed of the process and provided with clear information as to what to expect. This should include the provision of psychosocial support during information collection and internal inquiries. Interviews with children should be conducted in a way that is sensitive to their developmental stage and by persons who are properly trained in interviewing in a child-sensitive manner.
- The views of the child are important in the decision-making process and will be considered a significant factor in the settlement of the issue concerned.

- After receiving a report of concern, the safeguarding team will assess any requirements to report the case to relevant statutory agencies and ensure that the survivor's views and safety are carefully considered.

Supporting Beneficiaries, Non-permanent workers, and Partners

- All survivors have the right to participate in their care and recovery plan and assist in determining the best course of action whenever possible and practical. Our survivor-centred approach to SEAH will ensure that the survivor's well-being, wishes, experiences, needs and rights are at the centre of our decisions and actions.
- We are committed to providing available support and assistance, should survivors choose to pursue them. Anyone who experiences sexual exploitation, abuse and harassment by British Council staff or as a direct result of our work is eligible to receive support and assistance that is contextually appropriate and in a manner that does not isolate, stigmatise or re-traumatise the survivor. This may include medical treatment, accessing legal assistance, psychosocial support, and other protection services.
- We are committed to providing survivors access to support regardless of whether they wish to make a complaint or participate in an internal investigation.

The British Council will identify and signpost survivors to appropriate services within the locality in which they live. In addition, a mapping exercise of survivor-centred services in the localities in which British Council work will be made available.

Robust and Accountable Case Management Process

Reporting and Case Management

All SEAH concerns and incidents must be reported to the Global Safeguarding Team and will be handled as per the British Council's safeguarding case management process.

Report any Safeguarding concern via one of the following channels:

- British Council Safeguarding reporting platform,
- Global Safeguarding email,
- Country Safeguarding Focal Point,
- National Safeguarding Manager or
- Regional Safeguarding Manager

Safeguarding concerns can also be reported anonymously via NAVEX

Triage of reported concern: Assessed by Duty Manager as SEAH concern– classed as High risk

Safeguarding Serious Case Panel (SSCP) process triggered – meeting chaired by Head of Safeguarding with key reps from country, business, HR and legal advice

Speak Up and Safeguarding Senior Responsible Officer Alerted

Safeguarding Inquiry team and manager agreed - inquiry and victim support plan, agreed. Inquiry will follow best practice as outlined in the CHS SEAH Investigation Guidance

Safeguarding Inquiry proceeds, assessment of actions at regular intervals by SSCP and day to day management by Inquiry Manager.

Safeguarding Inquiry outcome shared at final SSCP, decisions made regarding outcomes & Speak Up and Safeguarding SRO altered.

Note: The steps above are a summarised overview of the British Council Safeguarding Case management process for all Safeguarding Serious cases.

Accountability

The British Council is committed to fully assessing the risks associated with SEAH allegations against a Subject of Concern or Complainant (the person that is being complained about). If findings are concluded in the inquiry that allegations have been substantiated, appropriate disciplinary measures will be taken.

Organisational learning

The British Council will implement recommendations and or lessons learned from SEAH incidents in order to:

- reduce the risk or re-occurrence of incidents.
- influence policy, procedures, and practice across all functions to strengthen any systemic weaknesses or gaps in safeguarding practice across the organisation and to improve systems and mechanisms to safeguard children and adults.
- create a better understanding and awareness of the risks and impact of SEAH on individuals, organisations and the communities we support.

Internal Controls and Requirements

Where a close personal or intimate relationship already exists between a staff member, Trustee, Volunteer or Representative and beneficiary (staff, partner staff, beneficiary), staff have an obligation to declare the relationship to enable British Council to assess whether any potential or actual conflict of interest exists. This should be done through the appropriate Conflict of Interest Policy.

Anyone that suspects a member of staff to have contravened the Safeguarding policy or acted inappropriately towards any beneficiary or service user, whether a child or an adult, should report the concern by using one of the safeguarding reporting mechanisms. More information on reporting procedures can be found on the Global Safeguarding Intranet site.

British Council staff and representatives should adhere to the following:

- Sexual activity with children (persons under the age of 18) is prohibited, regardless of the age of consent locally. Mistaken belief regarding the age of a child is not a defence.
- Exchange of money, employment, goods or services for sex is prohibited, including sexual favours or other forms of humiliating, degrading or exploitative behaviour.
- Any sexual relationship between those providing our services and a person benefitting from such services that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of the British Council's work.
- If a British Council representative becomes concerned or suspects that another representative may be engaged in activity involving sexual abuse and exploitation, they

should immediately report such concern or suspicion through the referenced reporting mechanisms.

British Council staff, delivery partners and those we collaborate with must follow our Safeguarding standards and Safeguarding Code of Conduct by creating and maintain an environment that prevents sexual exploitation and abuse and promotes safeguarding best practice.

Appendices

Appendix 1

Definition of SEAH

Type of abuse	Definition
Sexual Exploitation	Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting momentarily, socially, or politically from sexual exploitation of another. Under UN regulations, it includes transactional sex, solicitation of transactional sex and exploitative relationships. CHS Alliance SEAH Investigation Guide
Sexual Abuse	Is any actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It covers sexual assault (attempted rape, kissing/touching, forcing someone to perform oral sex/touching) as well as rape. Under UN regulations, all sexual activity with a child (under the age of 18 years) is considered to be sexual abuse. CHS Alliance SEAH Investigation Guide
Sexual harassment	Sexual harassment occurs when an employee is subjected to unwanted conduct which is of a sexual nature. The conduct need not be sexually motivated, only sexual in nature. It can happen to any gender and be physical (e.g. touching), verbal (e.g. offensive comments or phone calls) or non-verbal (e.g. display of offensive materials). It can involve a pattern of behaviour or a single incident. CHS Alliance SEAH Investigation Guide
Grooming	Sexual grooming can be defined as a process by which a person gains the confidence of another person in order to manipulate them or those they care for (such as children) into doing acts that they might otherwise be uncomfortable doing or preparing them for sexual abuse, exploitation and or harassment. This includes sexually abusive or exploitative acts perpetrated by the groomer.
Abuse of power & Position of Trust:	Abuse of power is where someone uses their position of power or authority in a manner that disadvantages an individual or group of people under their responsibility or care. Abuse of power can take various forms and may include but is not limited

	to, grooming, manipulation, coercion, putting pressure on others to engage in conduct they do not feel comfortable with. • If a person has more power, they have more opportunity to exploit, abuse and harass others. If a person has less power, they are more likely to be targeted for exploitation, abuse and harassment. The amount of power someone has is closely linked to different factors: • Structural inequalities linked to, e.g., gender, race, ethnicity, disability status, gender identity, sexual orientation, class, caste. • Hierarchies within organisations, e.g., between senior and junior staff and international and national staff. • Situational factors, e.g., a humanitarian/international development worker having the power to determine access to humanitarian assistance, such as food, cash or vouchers employment, business contracts or grant funding.
• **Online abuse**	Online abuse is a type of abuse that happens on the internet, facilitated by technology including computers, tablets, mobile phones and other internet-enabled devices. (Keeping Children Safe 2023)

Appendix 2

Examples of Preventive and Reactive approaches to safeguarding

Preventative	Reactive
1. Building an organizational culture that promotes safeguarding and challenges inequality. 2. Creating policies, procedures, and a code of conduct 3. Raise awareness about safeguarding policy, code of conduct, and guidance on PSEAH for staff, partners, vendors, and those whom we work with.	**Reporting** 1. Report any Safeguarding concern via one of the following channels: • system via British Council Safeguarding reporting platform, • via the Global Safeguarding email, • to the Country Safeguarding Focal Point, • to the National Safeguarding Manager or • to the Regional Safeguarding Manager. • Safeguarding concerns can also be reported anonymously via NAVEX. • External reporting form

4. Safeguarding risk management incorporates SEAH risks 5. Safe recruitment procedures· 6. Information and training · 7. Roles and defined responsibilities to support corporate strategy, and risk management and ensure effective implementation of Safeguarding Policies and Procedures. 8. Designing and delivering safe activities with children and adults in physical and digital spaces 9. Safe communications	2. Raise awareness about the reporting mechanisms among staff, partners, and those who we work with. 3. Create and promote accessible reporting mechanisms among children and adults we work with. **Response** 1. No Harm principle 2. Clear response and case management procedures 3. Timely and proportionate response to reports 4. Assess risk to survivors/victims and those involved in investigations. 5. Provide immediate response to an incident of abuse where necessary, this can include immediate support, helping a victim or survivor access medical or other urgent facilities. 6. Delivering investigations where trained staff are in place.

Appendix 3

Related Documents (policies, procedures, forms, guidelines and resources)

British Council Statement of Risk Appetite	Student/Staff Relationship Policy
Safeguarding Code of Conduct	Equality, Diversity and Inclusion
Safeguarding policy	E-Safety
Bullying and Harassment Policy	Data Protection.
Conflict of Interest Policy	Thresholds in Safeguarding
Disciplinary Policy and Procedures	Safeguarding Case Management Process
Grievance Policy	Safeguarding Standards
British Council Code of Conduct	
The Equality Act 2010	