

# Sexual Exploitation, Abuse, and Sexual Harassment, (SEA&SH) at Work Policy

Tourism Diversification and Resilience in The Gambia Project



TOURISM DIVERSIFICATION AND  
RESILIENCE IN THE GAMBIA PROJECT  
BUILDING RESILIENCE AND UNLOCKING THE GAMBIA'S TOURISM POTENTIAL



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# **Sexual Exploitation, Abuse and Sexual Harassment, (SEA&SH) at Work Policy**

**Policy for all PIU and representatives**

Approval Date: 5<sup>th</sup> December, 2023

Approving Body: The Project Steering Committee

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# 1. Introduction

The World Bank is financing the Tourism Diversification, and Resilience in The Gambia Project (P177179) which is being implemented by the Ministry of Tourism and Culture (MoTC) through its Project Implementation Unit. The Project Development Objective (PDO) is to support the diversification and climate resilience of the tourism sector at selected destinations. The project aims to improve the diversification and resilience of the Gambian tourism sector by strengthening institutional and policy frameworks, improving market linkages through technical assistance capabilities and access to funds for tourism related micro, small and medium-size enterprises (MSMEs), and building resilience through the strengthening of sustainable coastal infrastructure and rehabilitation of existing tourism sites. The project will help the long-term promotion of private sector participation, which will help the sector to scale up as per future demands. The Gambia Government is committed to combatting all forms of sexual violence in The Gambia and as such, it has made commitments in various forms to demonstrate this. Such commitments include but are not limited to domestication of international and regional frameworks and enactment of laws such as the Domestic Violence Act 2013, Sexual offences Act 2013, Children Act 2005, establishment of the Ministry of Women, Children, and Social Welfare to name a few. The Gambia government is also committed to creating conducive environments for all employees and such commitments have obligated employers to provide safe work conditions for employees as enshrined in the Labour Act of 2007 and 2023.

Similarly, the World Bank is dedicated to ensuring that every project funded by the Bank brings maximum benefits to both people and the environment without causing harm to either. To uphold this commitment, the Bank has embraced 10 Environmental and Social Standards (ESSs) that Borrowers are required to adhere to during the implementation of projects financed by the Bank. This Policy is in line with those commitments and ensures the PIU serves as a catalyst for nurturing a violence-free workplace for all staff and our representatives.

The policy addresses Sexual Exploitation, Abuse, and Sexual Harassment (SEA/SH) within the workplace, encompassing both office premises and external locations where staff or representatives of the Project Implementation Unit (PIU) carry out their duties. It delineates the definitions of sexual exploitation, abuse, and sexual harassment, outlines reporting procedures, establishes mechanisms for investigating SEA/SH incidents, provides support for complainants, and stipulates sanctions for perpetrators.

At the PIU, we acknowledge our responsibility to ensure that all stakeholders involved in the project align with the commitment and ethical standards set by the Gambian Government and the Banks. It is imperative that we demonstrate our dedication by embodying these principles and guaranteeing the protection of anyone associated with the project from injustice, discrimination,

or abuse. Our commitment is not only in words but is reflected in our actions, creating an environment where integrity and respect prevail.

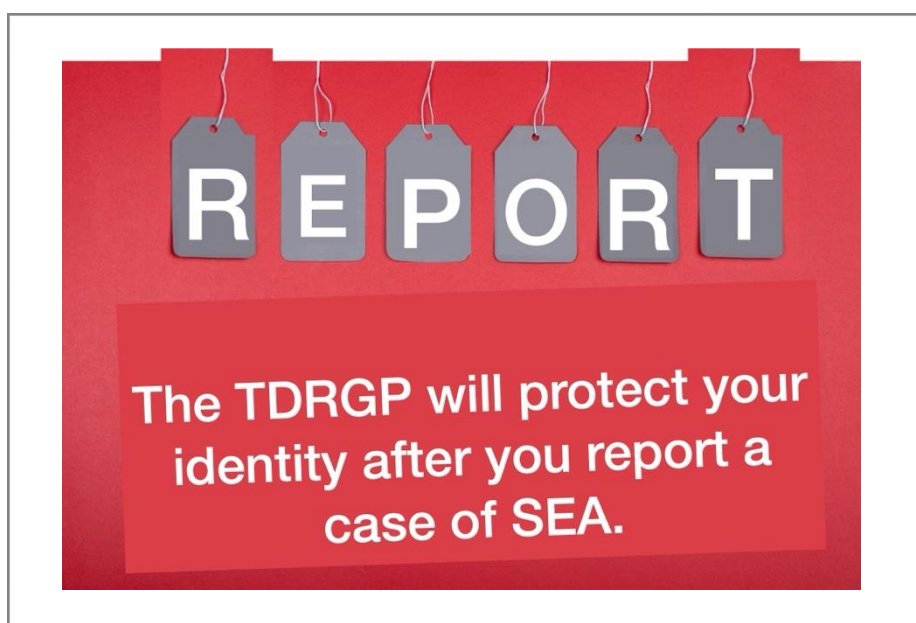
Building upon our corporate and individual Code of Conduct, we are dedicated to preventing any instances of sexual harassment, exploitation, abuse, and child abuse, and to responding appropriately when such incidents occur.

We take all concerns seriously and respond promptly and fittingly to allegations of abuse. Importantly, no one will face victimization for bringing forth a complaint. Our commitment is to collaborate with complainants/survivors, ensuring they play a central role in any response, and guaranteeing they are not further exposed to harm or disempowered during any processes.

It is evident that sexual harassment, sexual exploitation and abuse, violence against women and children, and other social safeguarding concerns are deeply rooted in power imbalances within broader social norms and structures. Consequently, we must establish systems that are attuned to and rectify such power imbalances, ensuring that development projects do not exacerbate existing inequalities and their repercussions.

Recognizing that sexual violence disproportionately affects women and children, we pledge to collaborate with all stakeholders to ensure that no harm befalls anyone as a result of their engagement with the TDRG-P177179 project. Our commitment extends beyond rhetoric, and we are actively working to create an environment where the TDRG-P177179 project contributes to fostering equality and safeguarding all individuals involved.

We also recognise that those working at the PIU have increased power and privilege over community members and we are committed to safeguarding all people who come into contact with PIU staff from abuse of that power and privilege as they execute their duties.



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## 2. Definition of Terms

| TERM                | DEFINITION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sexual abuse        | “Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Sexual abuse is a broad term, which includes a number of acts including rape and sexual assault, among others (UN Glossary on Sexual Exploitation and Abuse 2017, pgs. 5-6)                                                                                                                                                                                                                                                                                                                                                             |
| Sexual favors       | a form of sexual harassment that includes making promises of favorable treatment (e.g., promotion) or threats of unfavorable treatment (e.g., loss of employment) based on sexual acts, or other forms of humiliating, degrading or exploitative behavior                                                                                                                                                                                                                                                                                                                                                                                                      |
| Sexual exploitation | <p>“Any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another (UN Glossary on Sexual Exploitation and Abuse 2017, pg. 6)</p> <p>This can represent a wide spectrum of examples including but not limited to invasion of someone’s sexual privacy, forced transactional sex, non-consensual filming of a sexual act or exposure of genitals, online grooming, or knowingly spreading a sexually transmitted disease or infection with perpetrator economically/socially gaining.</p> |

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## Sexual harassment

It can happen to anyone regardless of gender, race or any other factor. Different forms of discrimination overlap/intersect and that exacerbates the risk of sexual harassment within vulnerable groups such as women, people with disabilities etc. Sexual harassment can occur as a one-off incident or as a pattern of behaviour.

Sexual harassment can be carried out with the effect of creating an intimidating, degrading, or offensive environment and/or to violate the dignity of another person.

An action or behaviour can still be considered sexual harassment even if the alleged harasser didn't intend for it to be harmful. When addressing allegations of sexual harassment, we are concerned with the impact of the behaviours on the complainant, not the intention of the person accused.

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Complainant                 | <p>This is the person making a complaint; it may be the person who experienced what is being reported (the survivor), or it may be another person (a third-party complainant) who becomes aware of an issue and makes the complaint.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Complaint                   | <p>The specific grievance of anyone who has been negatively affected by an individual's action towards them, or who believes that an organisation has failed to meet a stated commitment that is intended to keep them safe from harm.</p> <p>Individuals can make a complaint on behalf of someone else as a third party, even if they were not directly affected by the alleged harm.</p>                                                                                                                                                                                                                                                                                                  |
| Gender-based violence (GBV) | <p>Gender-Based Violence is an umbrella term for any harmful act that is perpetrated against a person's will, and that is based on socially ascribed (gender) differences between males and females"</p> <p>Acts of sexual abuse are forms of gender-based violence and can affect any stakeholder, whether staff, construction worker, or community members etc.</p> <p>They are often carried out by men against women and children (boys&amp; girls) and can be as a result, in part, from the power imbalances that exist between them.</p>                                                                                                                                              |
| Staff/Representatives       | <p>This refers to "staff, volunteers (including Steering committee and technical committee members) consultants, interns, visitors, This is not an exhaustive list and covers anyone who works in relation to the project</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Survivor                    | <p>"...a person who has experienced sexual abuse, exploitation, or harassment.</p> <p>The terms 'victim' and 'survivor' can be used interchangeably.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Survivor-centred approach   | <p>"Originating from feminist analysis of violence against women, a survivor-centred approach puts the survivor of violence or harm at the centre of any response and process. Recognising that violence, particularly sexual violence, is carried out in order to remove the power of the person experiencing the harm, a survivor-centred approach works to place the power back with the survivor."</p> <p>Survivor-centred approaches must consider the rights, choices, dignity, confidentiality, and safety of the survivor. This ensures that the survivor, their family, and their community do not come to any further harm as a result of having chosen to report an incident.</p> |



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## 3. Understanding Sexual Harassment in the Workplace

The key understanding is that Sexual Harassment is evaluated from the perspective of the complainant. Therefore, it is crucial to highlight the impact of the action rather than the intention of the accused, acknowledging that the behaviour is unwelcome to the recipient.

Sexual harassment in the workplace encompasses unwelcome physical, verbal, or non-verbal conduct of a sexual nature. This includes demeaning comments about a person's appearance, indecent remarks, inquiries about a person's sex life, sexual demands from individuals of the same or opposite sex, attempts to penalize refusal to comply with such requests, name-calling with demeaning sexual terminology, sharing jokes with sexual overtones, unwelcome physical contact, and other conduct of a sexual nature that creates an intimidating, hostile, or humiliating work environment, thereby interfering with work performance.

### 3.1 Behaviours/Circumstances that constitute sexual harassment at work

Below are some common examples of circumstances that constitute sexual harassment at work. It is important to note that these examples are not exhaustive and may vary by jurisdiction, and laws and definitions can change over time.

- a) Unwanted Sexual Advances:** Any unwelcome sexual advances, whether they are verbal, written, or physical, can be considered sexual harassment. This includes comments, gestures, or actions of a sexual nature that create a hostile or intimidating work environment.
- b) Sexual Comments or Jokes:** Making sexually explicit comments, jokes, nicknames, gossip about an individual's sexual activity, deficiencies or prowess or suggestions/innuendos in the workplace that create discomfort or offence for others can constitute sexual harassment.
- c) Inappropriate Touching:** Touching, patting, or any physical contact of a sexual nature without consent is a form of sexual harassment. This includes actions like unwanted hugging, touching someone's body, or brushing against them inappropriately.
- d) Display of Explicit Material:** Sharing, displaying, or distributing sexually explicit materials such as images, videos, or written content in the workplace can create a hostile environment and is considered sexual harassment.
- e) Sexual Coercion:** Using one's position of authority to pressure or coerce an employee into engaging in sexual activities or making unwanted sexual advances is a clear example of sexual harassment.

**f) Sexual Discrimination:** Treating an employee unfairly or differently based on their sex or gender, such as promoting or demoting individuals solely based on their gender, can be a form of sexual harassment.

**g) Online Harassment:** Sending sexually explicit messages or images via email, text, or social media to a colleague, even if they are not physically present in the workplace, can still constitute sexual harassment if it is work-related or creates a hostile work environment.

**h) Cyberbullying:** Using online platforms to engage in harassment or cyberbullying of a sexual nature targeting a co-worker can also be considered sexual harassment.

**i) Retaliation:** Retaliating against an employee for reporting sexual harassment, participating in an investigation or due to refusal of sexual favours is considered a form of sexual harassment. This may include limiting opportunities for the complainant and generating hostile work environment.

**j) Creating a Hostile Work Environment:** When the workplace atmosphere becomes hostile, intimidating, or offensive due to persistent sexual comments, actions, or behaviour, it can be deemed sexual harassment.

**k) Recurring** acts which may have a cumulative effect or a single severe incident would be considered enough to establish sexual harassment.

## 3.2 Manifestations of Sexual Harassment in the workplace

There are two significant manifestations of sexual harassment in the workplace, which are important to describe:

### **a) Abuse of authority (Quid Pro Quo)**

A demand by a person in authority, for sexual favours in exchange for work related benefits (e.g. promotion, salary increment, training opportunity, a transfer to place of choice, travels etc).

### **b) Creating a hostile environment**

Any unwelcome sexual advance, request for sexual favours, or other verbal or physical conduct of a sexual nature that disrupts an individual's work performance or generates an intimidating, hostile, abusive, or offensive work environment. This includes intimidating behaviour or actions by a person in authority who has control over the complainant's employment conditions or by a co-worker who, through intimidation, renders the work environment hostile for the complainant.

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## 4.Purpose

This policy provides guidance and direction to anyone associated with the PIU. The purpose of the Policy is to:

- Create safe spaces free of sexual harassment for all employees, and to foster a culture of zero tolerance for sexual harassment and all forms of sexualized abuse directed towards a PIU staff, project workers, community members or any other stakeholder associated with the TDRG project.
- To outline PIU's zero tolerance approach to gender-based violence, sexual exploitation, abuse and harassment.
- Provide reasonable level of assurance, controls and leadership for SEA/SH risk mitigation and case management.
- To set out the reporting requirements and investigation processes for allegations of SEA/SH and all forms of sexualized abuse.
- The policy is also expected to nurture an organisational culture that sets a standard of behaviour.

*Specifically, the purpose of this policy is to ensure that:*

- **All PIU staff, stakeholders & representatives** understand the importance of social safeguards in achieving project goals and The Government of The Gambia's and World Bank's commitments to preventing sexual harassment, exploitation, and abuse. It is their responsibility to ensure that they and their work do not deliberately or involuntarily cause harm to staff and other stakeholders/representatives.
- **All PIU staff, stakeholders & representatives** understand their responsibility to report any concerns relating to SEA/SH&VAC and to serve as clear guidelines on how to report actual or suspected cases.
- **All PIU staff, stakeholders & representatives** understand their role in preventing sexual harassment, exploitation, and abuse, and the consequences of breaching this policy.
  - To nurture a culture of self-care and care for others
  - To act as a catalyst for other GG-WB projects to follow suit, with staff upholding the highest standards of personal and professional conduct, ensuring a steadfast zero-tolerance stance against all forms of sexual harassment, exploitation, abuse, and violence against children.

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## 5. The Scope

5.1 This Policy serves as a guide for the prevention of sexual harassment in the work environment.

Its application extends, but is not limited, to the following:

- a) All PIU Staff
- b) Consultants/Firms providing services to the PIU or on behalf of the PIU
- c) GAMWORKS/other partners associated with this project
- d) Suppliers/vendors
- f ) Visitors
- g) Volunteers
- h) All Members of Committees and Technical Working Groups
- i) Job applicants
- j) Interns, any other person having dealings with the PIU

5.2 Applies within physical office premises and extends beyond, encompassing community/offsite meetings, business travel, office-sanctioned social events, electronic communications and digital spaces, as well as construction sites.

5.3 A non-employee who is a victim of sexual harassment may lodge a grievance with the Project Director/GBV Specialist or any other staff as deemed comfortable by the complainant.

5.4 Aligned with both the company and individual Code of Conduct, this policy applies to all PIU staff and individuals employed in connection with the project. In instances where this policy sets a higher standard than the national laws, it shall take precedence.

5.5 Sexual relationships between PIU staff and other: The PIU prohibits staff from having a sexual relationship with people who they line manage.

The PIU does not prohibit staff from beginning relationships with each other outside of the unequal power dynamics explained above (supervisor/supervisee relationship) however, all staff and other representatives engaged in or beginning relationships with other staff or representatives must:

- (I) Declare their relationships as soon as possible to their line manager or a member of the team even if the relationship is at an early stage and may not continue. This will be treated with the highest level of confidentiality. Behave professionally and conduct their relationship in a way that does not impact on PIU's Code of conduct and work or pose reputational risks to the integrity of the PIU.

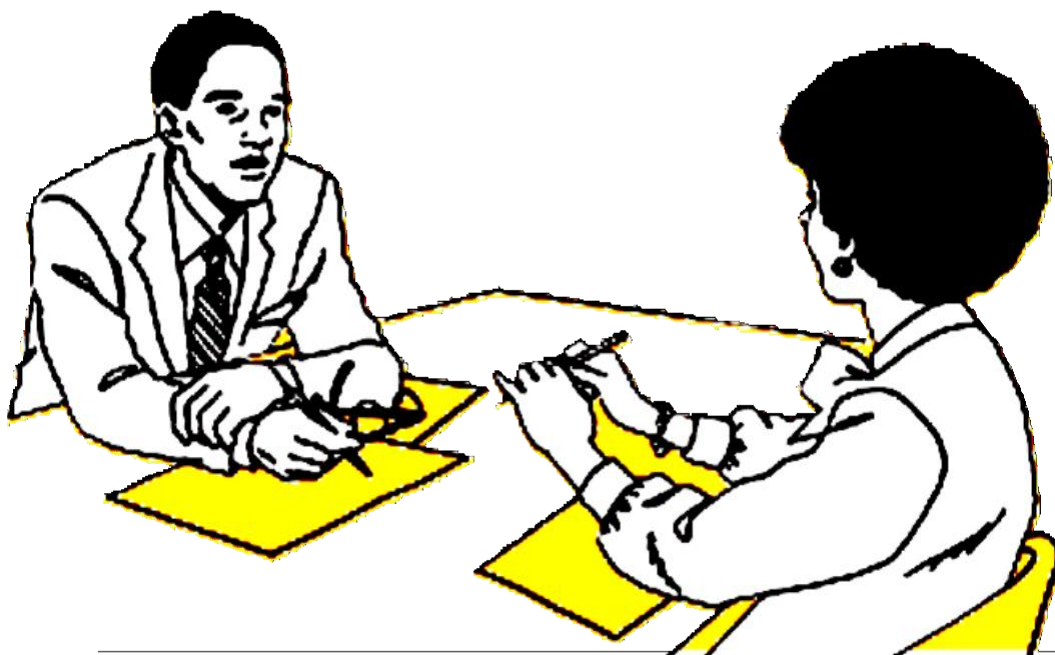
- (II) Avoid Conflict of Interest and ensure they do not make work decisions based on their relationship. For example, making decisions to travel together even when it is not necessary.
- (III) Ensure that their relationships do not lead to fraudulent or corrupt behaviours and practices or aiding and abetting such behaviours.

5.6 Sexual activity with non-PIU Staff: Recognising the imbalance of power between project staff and community members, or funding agents and funded entities, and the potential for that power to be exploited, the PIU prohibits staff from engaging in sexual activity with project community members and direct beneficiaries, for example the MSMEs, hotel workers especially junior staff, street vendors around the tourism value chain and their children, community members etc. The exchange of sex for project benefits is totally prohibited.

Consensual sexual activity and/or relationships between PIU staff and categories mentioned above is not prohibited if they:

- (I) Declare their relationships as soon as possible to their line manager or a member of the occupational safety team even if the relationship is at an early stage, and even if it may not continue. This will be treated with the highest level of confidentiality.
- (II) Behave professionally and conduct their relationship in a way that does not impact on PIU's Code of Conduct and work or pose reputational risks to the integrity of the PIU .
- (III) Avoid Conflict of Interest and ensure he/she does not make work decisions based on their relationship. For example, making decisions to travel with a project beneficiary even when it is not necessary.

Ensure that their relationships do not lead to fraudulent or corrupt behaviours and practices or aiding an abetting such behaviours.



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## 6 Confidentiality

### 6.1. General Principle:

The PIU is committed to maintaining the confidentiality of all reports and complaints of all parties related to sexual harassment to the extent allowed by the laws of the Gambia such as the 1997 Constitution of The Gambia, Domestic Violence Act, 2013, Sexual Offences Act, 2013, Labour Act, 2007, Criminal Code, Act 25 of 1933 (as amended) and relevant international and relevant instruments and standards, including international human rights instruments The Gambia is party to and The World Bank SEA/SH Good practice note.

It is essential for all PIU employees, including complainants, witnesses, and those involved in the investigation process, to treat all information related to sexual exploitation, abuse and sexual harassment with due diligence, utmost discretion and confidentiality.

### 6.2. Disclosure:

While we strive to maintain confidentiality, it is important to note that, in certain circumstances, we may be obligated to disclose information as required by law, during legal proceedings, or when necessary to conduct a thorough and fair investigation.



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## 7. Reporting Mechanism

### 7.1. Designated Reporting Channels:

The PIU adopts a survivor-centered approach and acknowledges the right of complainants to choose whether or not to report and to take actions they find comfortable. This policy is in place to ensure a proactive response to SEA/SH in the context of this project and within the workplace.

Employees/Workers and community members are encouraged to report incidents of SEA/SH promptly and through designated reporting channels. At the PIU, the GBV SEA/SH Compliance Team (SSCT) is responsible for handling such reports/incidences. The SSCT is constituted by:

- a) The PIU GBV Specialist
- b) A GBV Service Provider,
- c) A GBV subject matter specialist from a local NGO
- d) A legal subject matter specialist.
- e) Any other person the complainant feels comfortable to report to who can be able to report to designated SSCT members on the complaint's consent.

The reports can also be done through in person walk-ins or via the Project  
Toll free line 1031

Email [queries@piumotc.gm](mailto:queries@piumotc.gm) or

National GBV hotline 1313/1025 for adults and 199 for children which ever makes the survivor  
comfortable.

### 7.2. Confidentiality of Reporting:

All reports of SEA/SH will be handled with diligence and the utmost confidentiality, prioritizing the necessity for a fair and thorough investigation. Information will only be shared on a "need-to-know" basis, ensuring disclosure solely to those directly involved in the investigation process.

All members of the SSCT members will take an oath of secrecy and a serious breach of this will be violation of this policy and could lead to up to and including removal from the SSCT and or legal actions.



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## 8. Prohibition of Retribution:

8.1. Protection from retribution: The PIU strictly prohibits any retaliation against individuals who report SEA/SH in good faith. Such retaliation is considered a severe violation of this policy, the project and individual code of conduct, and may lead to disciplinary actions, including termination.

8.2. Confidentiality of Complainants: Information about complainants will be protected to the extent allowed by laws of The Gambia. All efforts will be made to ensure that those who report SEA/SH are not subjected to further harm or discrimination due to their reporting.

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## 9. Need-to-Know Basis

9.1. Access to Information: Details concerning reports of sexual exploitation, abuse, and sexual harassment will only be disclosed to individuals with a legitimate need to know for the purpose of conducting investigations, implementing corrective actions, or ensuring compliance with legal requirements.

9.2. Witnesses and Accused Individuals: Witnesses and individuals accused of sexual harassment will be informed of the necessity to maintain confidentiality during the investigation process.

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## 10. Record keeping

10.1. Documentation: Records related to SEA/SH reports and investigations will be maintained securely and in accordance with applicable laws and regulations of The Gambia. Access to these records will be restricted to those with a legitimate need to access them.

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## 11. Training and Awareness

11.1. Training: Every PIU employee will undergo training covering broader Gender-Based Violence (GBV), as well as specific training on Sexual Exploitation, Abuse, and Sexual Harassment (SEA/SH). This training will particularly emphasize the significance of confidentiality in SEA/SH matters and the corresponding obligations outlined in this policy. The policy will be disseminated to all PIU staff to ensure comprehension and facilitate its implementation. Additionally, all other representatives will receive sensitization on the policy and it will be incorporated as an integral part of all contracts from the date of approval.



It is the duty and responsibility of all staff and other representatives to report any suspicions or incidents of sexual harassment, exploitation, and abuse. Failure to report to an appropriate person is a violation of this policy, the project's Code of Conduct, and individual Code of Conduct, and may result in disciplinary action, including dismissal.

### **PIU Staff**

*The Staff of the PIU must always:*

- Adhere to this policy and the Code of Conduct, ensuring that their behavior fosters a safe environment free from discrimination and harassment.
- Actively promote and raise awareness of this policy to everyone they encounter in their work.
- Be knowledgeable about how and where to report suspected and actual incidents of SEA/SH.
- Ensure that their behaviour and all relationships consistently align with the code of conduct and provisions outlined in this policy at all times.
- Report any suspicions, concerns, or behaviours that violate this policy to the appropriate person(s) – initially to the GBV Specialist or as outlined in section 7.1 based on the survivor's preference/choice.

*PIU Staff must never:*

- Sexually harass, exploit or abuse anyone they come into contact with through their work
- Abuse their position of power to exploit or harm others including community members/other representatives.
- Create a working environment which violates the dignity and rights of others.
- Engage in any kind of exploitative or harmful behaviour towards PIU staff, other representatives, or anyone they come into contact with through their work.
- Raise malicious complaints or use the policy for purposes other than what it is intended for.

### **The Project Director**

*The Project Director must always:*

- Create a secure environment where staff and others feel empowered to voice concerns without fear of reprisal.
- Conduct regular reviews and revisions of the PIU's sexual harassment policy.
- Implement relevant disciplinary procedures for staff members who violate this policy.
- Ensure comprehensive sensitization for all staff and other representatives on this policy, providing training on GBV, SEA/SH, recognition of various forms of abuse, exploitation, and harassment, and guidance on how to raise concerns through appropriate channels.

- Establish a clear and confidential reporting mechanism for employees who experience or witness sexual exploitation, abuse, and harassment.
- Expedite the resolution of complaints within 7 days, adhering to the guidelines outlined in the Labour Management Plan (LMP).
- Ensure investigation processes align with laws and respect the rights of victims.
- Provide support to all victims and collaborate with the HR focal person to enforce disciplinary actions against individuals found guilty of sexual exploitation, abuse, and harassment, following the policy and applicable laws.
- Set a positive example both on and off duty.
- Facilitate conflict resolution and mediation when appropriate, aiming to resolve issues before they escalate into formal complaints.

### **The GBV Specialist**

*The GBV Specialist is responsible for:*

- Serving as the GBV and SEA/SH focal point within the PIU.
- Acting as the Coordinator for the SSCT.
- Conducting training sessions on GBV and SEA/SH for PIU staff and project stakeholders.
- Fostering an open and friendly environment where staff can freely raise concerns without fear of retribution.
- Ensuring the widespread rollout and prominent display of this policy within the office, both physically and online, making it accessible to all staff members and the community.
- Incorporating discussions on this policy in all stakeholder engagements.
- Collaborating with others to embed the values, commitments, and procedures outlined in this policy throughout PIU activities and those of our stakeholders with whom we have contracts.
- Ensuring that SEA/SH concerns are promptly raised with the Bank within 24 hours.
- Leading the SEA/SH Compliance Team and working with the Bank focal point to address concerns related to sexual harassment, exploitation, and abuse, ensuring incident management aligns with the PIU's approach.
- Setting a positive example both on and off duty.
- Ensuring appropriate support and referrals are available to victims of sexual exploitation, abuse, and harassment, such as counselling services, legal assistance, medical services, or time off if needed.
- Collecting and analyzing data related to SEA/SH complaints and resolutions to identify trends and areas for improvement.
- Ensuring that all SEA/SH-related documentation, including complaints, investigations, and outcomes, is properly recorded and retained in compliance with legal requirements.

## **The Permanent Secretary MOTC**

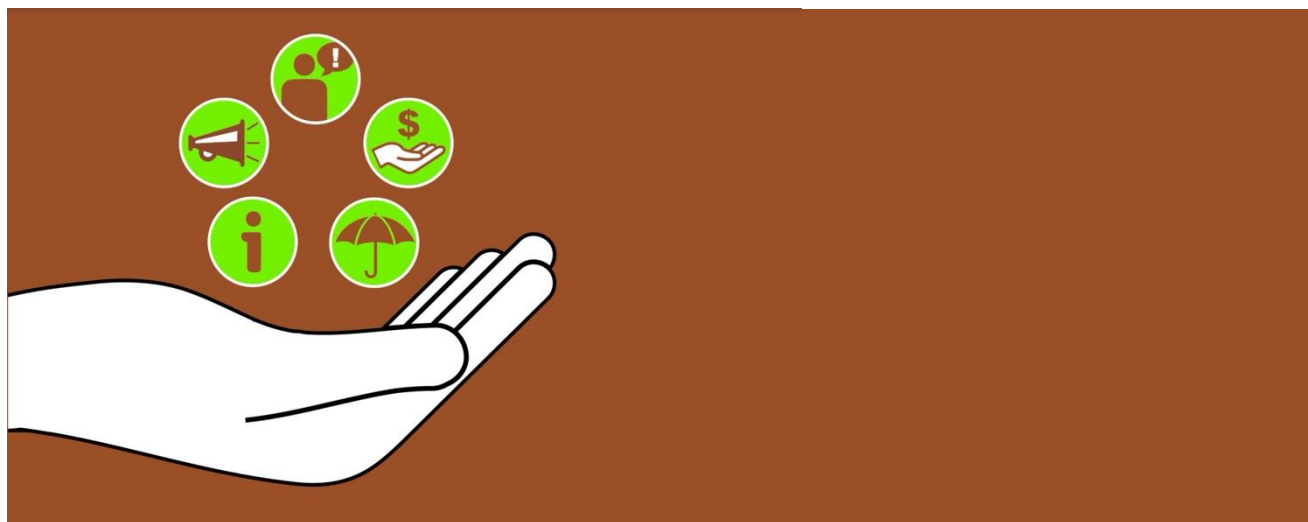
### **The PS Must Always**

- Ensure overall compliance with this policy and relevant national laws.
- Ensure he/she is updated on level of compliance.
- Receive cases of SEA/SH that are escalated to his/her level.
- Ensure there is a mechanism to manage cases escalated to his/her level.
- Serve as the Coordinator for the Appeal Panel.
- Set a positive example both on and off duty.

## **Stakeholders/partners**

### **Stakeholders/partners and other PIU representatives must**

- Abide by the PIU Code of Conduct and adhere to this policy. All contracts with stakeholder organizations and consultancy agreements with consultants and suppliers will include this policy as an appendix, forming an integral part of the contract at the project's commencement. Breaches to this policy by a partner or consultant may result in the termination of contractual and/or partnership agreements.
- Willingly receive training on GBV, SEA/SH, and this policy to ensure the creation of spaces for knowledge sharing on best practices to address sexual harassment, exploitation, and abuse at work.
- Include SEA/SH risk assessments in their overall risk assessments and propose mitigation measures.
- Report concerns regarding partner staff members in relation to this project immediately to the GBV Specialist. In the event that the PIU receives a complaint about a staff member at a partner organization/contractor/consultant in relation to this project, the PIU will collaborate with the partner to ensure a swift and appropriate response, using the project GM.



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## 13. Safer Stakeholder Engagements

SEA/SH and VAC are identified risks in the Project Appraisal Document and the Environmental and Social Management Framework (ESMF). Acknowledging the potential for any of our staff, representatives, and stakeholders to encounter SEA/SH, we are committed to ensuring that all project structures robustly prevent and respond to SEA/SH & VAC. This commitment strengthens our zero-tolerance approach to SEA/SH and motivates us to incorporate responses to SEA/SH & VAC as integral components of all stakeholder engagements.

Our approach includes the following:

**Empowering Stakeholder Engagements:** Conducting all stakeholder engagements in a manner that empowers all parties involved.

**Creating Safe Spaces:** Establishing safe spaces for all staff and stakeholders to raise concerns and share ideas during stakeholder engagements.

**Mitigating Risks:** Ensuring that project activities do not expose participants to risks of SEA/SH & VAC. For residential engagements, training, or retreats, we will select secure venues and rooms with adequate lighting, separate toilets for men and women, and accessibility for participants with disabilities.

**Policy Integration:** Ensuring that a copy of this policy accompanies all contracts and discussions held with partners/stakeholders to enhance understanding and compliance.

**Incident Response:** In the event of an incident, ensuring that assistance is provided to those affected through our survivor-centered approach.



## 14. SEA/SH Grievance Complaints Mechanism

As outlined in the project ESMP, a GBV-SEA/SH Compliance Team (SSCT) will be set up to manage cases of SEA/SH as well as issues related to violence against children (VAC).

| PIU/Project Level<br>Compliance Team (SSCT)               | Project Level - The Appeals<br>Pannel                        | Contractor/Management<br>Firm/community level                                                                                                                                                                  |
|-----------------------------------------------------------|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. GBV Specialist                                         | 1. PS                                                        | 1. A GBV/SEA/SH Focal                                                                                                                                                                                          |
| 2. A GBV Service Provider                                 | 2. Project Director                                          | person. This could be the                                                                                                                                                                                      |
| 3. A GBV subject Matter<br>Specialist from a Local<br>NGO | 3. Coopted expert member<br>as deemed necessary by<br>the PS | OHS Manager or Person<br>responsible for HR, or<br>Community GBV, SEA/SH<br>grievance committee<br>members, that have<br>experience in GBV case<br>management, who will<br>work with the PIU GBV<br>Specialist |
| 4. A Legal Subject Matter<br>specialist                   |                                                              |                                                                                                                                                                                                                |

### Comprehensive Procedures for SEA/SH Grievance Uptake and Survivor Support

#### Step 1: Uptake

A complainant seeking to lodge an SEA/SH-related grievance has the flexibility to utilize any trusted channel provided by the project, ensuring confidentiality, security, and accessibility. The project offers multiple secure entry points, allowing survivors to choose the method that makes them feel safe and comfortable when reporting or filing a complaint. These channels include self-walk-ins at the PIU Office, direct reporting to the GBV Specialist, utilization of an anonymous complaint box, toll-free telephone, GBV service providers, involvement of community-based structures, or coordination with focal points at the contractor level, among others.

Complainants may also opt to use contractor grievance processes to file SEA/SH claims. However, once filed with the contractor, these claims should be referred to the SEA/SH GM operator of the project, i.e., the GBV Specialist, for verification, given their specific role in handling sensitive complaints like SEA/SH.

Upon receipt of a complaint, an appropriate person will complete a complaint intake form after obtaining the survivor's written consent to proceed with the grievance. If the survivor has not yet been referred for services, the GBV Specialist or the intake person at the contractor level will confirm the survivor's wishes and consent to receive support. If consent is granted, the survivor will be referred for appropriate care, and the GBV Specialist will connect them with locally available service providers or arrange for virtual/remote support where necessary and feasible. Services that survivors might be referred to include medical, psychosocial, and legal aid services, security or shelter, and other short, medium, and long-term solutions, such as socioeconomic empowerment.

For community-based uptake, all members of the community grievance management committee will undergo training on receiving and referring SEA/SH cases in line with survivor care principles. This training includes critical skills in grievance redress and the application of active listening techniques.

If a survivor opts to be referred for services only without filing a complaint, their wishes must be respected. In such cases, the service provider may inquire if the survivor consents to share basic case information to assist the project in tracking cases that choose not to access the grievance mechanism. Regardless of whether a link is established between the project and the incident in question, the survivor retains the right to be referred for services. Any information collected about a survivor, or the alleged perpetrator must be recorded and maintained separately from other grievance documentation, in a secure and lockable space, with strictly limited access.

## **Step 2: Sort and process:**

Once the complaint has been formally received by the GBV Specialist and with survivor's informed consent, the GBV Specialist should verify that the complainant/survivor has been offered the opportunity to receive services, and if not, ensure that the survivor is referred for necessary services upon obtaining her/his informed consent. The complaint should then be triaged as a SEA/SH complaint and the SSCT members notified that a SEA/SH complaint has been received and will need review.

If a complaint is received at the community or contractor level, the PIU, through the GBV Specialist, should be notified within 24 hours. The GBV Specialist will then inform the World Bank project lead within the same timeframe that a SEA/SH complaint has been received. The information to be shared includes the nature of the case, the age and sex of the complainant (if known), whether there is a link with the project (if known), and whether the survivor has been

referred for services. However, no detailed information about the survivor or the alleged perpetrator will be disclosed to the World Bank.

### **Step 3: Acknowledge receipt:**

The SEA/SH GM focal point should ensure that the complainant receives a document acknowledging formal receipt of the SEA/SH grievance within 3 days of the complaint being filed. Delivery of the acknowledgement to the complaint will depend upon how the complaint was initially received; for example, if the complaint was received through a service provider, then all communication with the survivor can be done through the service provider.

### **Step 4: Verification/investigation process:**

The verification process for a SEA/SH grievance will be handled by the SEA/SH Compliance Team (SSCT). Once convened by the SSCT coordinator, the other members of the SSCT will review available information about the SEA/SH claim in question, the nature of the claim, and whether there is a link with the project. The SSCT will also make its recommendations to the alleged perpetrator's employer or manager as to appropriate disciplinary sanctions per the code of conduct, type of incident, and the appropriate labor laws and regulations. Before the recommendations are transmitted to the employer, the SEA/SH survivors will be informed (see step 6), by the GBV service provider/Specialist/focal point, about the outcomes of verification process and the recommendations to the employer and potential sanctions to the alleged perpetrator so the survivors can confirm their consent to proceed and develop a security plan in case of retaliations. Potential disciplinary sanctions for alleged perpetrators can include, but are not limited to, informal or formal warnings, loss of salary, and suspension or termination/dismissal from employment. The SSCT must complete the verification process and render its decision within 10 days of receipt of the complaint.

It should be noted that the objective of the verification process is to examine only whether there is a link between the project and the reported SEA/SH incident and to assure accountability by recommending appropriate disciplinary measures. The verification process establishes neither the innocence nor the guilt of the alleged perpetrator as only the judicial system has that capacity and responsibility (the survivors can, if they so wish to, access the judicial system at any time including as last recourse) however the cost of judicial service will not be borne by the project. In addition, all final decisions regarding disciplinary actions will rest solely with the employer or manager of the alleged perpetrator; the SSCT can only make its recommendations.

**Step 5: Monitor and evaluate:**

Monitoring of the SEA/SH complaints is important to ensure that all complainants are offered appropriate service referrals, that informed consent is obtained in all cases for both filing and managing of grievances, and referrals to GBV services, and that all grievances are handled safely and confidentially, and in a timely manner. Any information shared by the GM operator with the PIU or World Bank will be limited as noted above under Step 2. The project SEA/SH GM operator i.e. the GBV Specialist will establish information-sharing protocols with GBV service providers in order to ensure safe and confidential sharing of case data as well as appropriate closures of SEA/SH cases.

**Step 6: Feedback to involved parties:**

Once the verification process has been concluded and before any action is taken by the employer of the alleged perpetrator, the result of the process shall be communicated first to the survivor within fourteen days, ideally through the service provider, to allow the survivor and relevant advocates the appropriate amount of time to ensure adequate safety planning as needed. Once the survivor has been informed and is comfortable, the alleged perpetrator can be informed of the result.

If either party disagrees with the result, they have the right to appeal the SSCT decision through the SEA/SH GM appeals process. The appeal must be filed within fourteen days of receiving the verification result. The appeal will be submitted to the Permanent Secretary, who will establish an appeal panel or committee. This panel will consist of the Project Director of the PIU and any other subject matter specialist, chosen based on the complexity and sensitivity of the case. The Permanent Secretary will determine the composition of the committee, ensuring a survivor-centered approach is maintained.

**Step 7: Completion or termination of the complaint:**

The procedure will be closed by the SSCT if the outcome of the verification is agreed by all parties involved and agreed actions implemented, and if after fourteen days there is no appeal filed against the decision. In such a case, the complainant is required to confirm agreement/satisfaction of the resolution in writing. There and then the case file will be closed and then be documented and carefully recorded for the project.



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## 15. Other response options

In certain instances, a survivor or complainant may opt not to initiate a formal complaint or proceed with a formal response process. In such cases, the PIU recommends alternative options for addressing concerns related to SEA/SH. These may include:

- The GBV Specialist or Line Manager engaging in a conversation with the individual accused of inappropriate behavior. All discussions and subsequent actions resulting from this conversation should be documented to monitor behaviour and assess any changes.
- Conducting a broader team, office, or program discussion on acceptable and unacceptable behaviors, using case stories and examples as references.
- Utilizing the insights shared by the survivor or complainant to enhance our knowledge, skills, and improve our policies and procedures.

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## 16. False or Malicious Complaints

While instances of false or malicious allegations of sexual exploitation, abuse, and harassment are extremely rare, any PIU staff member or representative found to have knowingly made a false allegation will be subject to disciplinary action, including possible dismissal or termination of their contract.

It is essential to acknowledge that a case not being upheld does not necessarily imply that the complaint was false. Instead, it may indicate insufficient evidence or that, even if the complaint does not meet the threshold for sexual harassment, it could still represent harassment or behavior contrary to the PIU Code of Conduct.

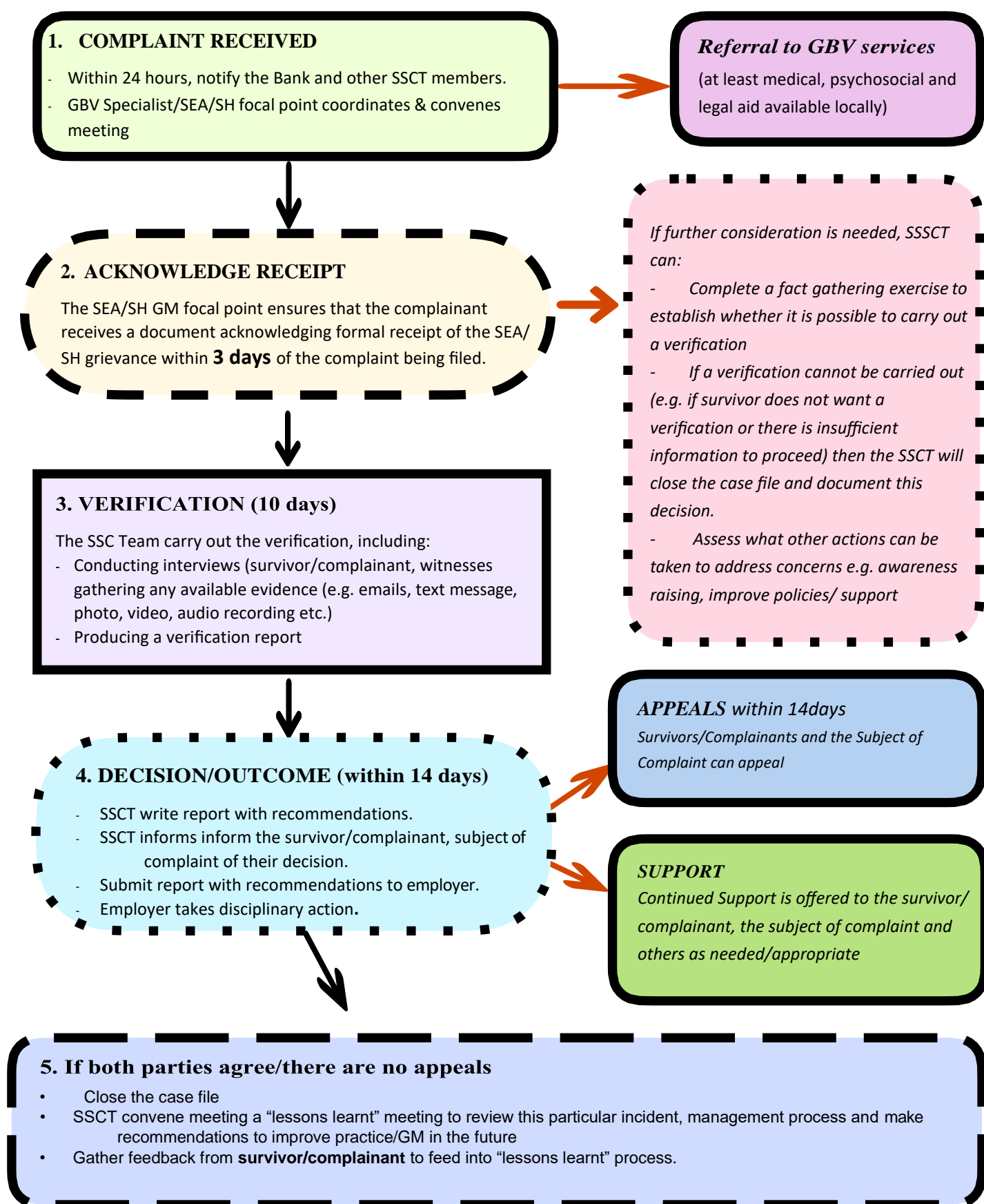
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## 17. Support Options

Support will be offered to survivors/complainants regardless of whether a formal GM response is carried out (e.g. a verification). Support will also be offered as appropriate to others involved in an incident management process, recognising the impact this can have, for example on witnesses and those accused of carrying out inappropriate or harmful behaviours. This can include psycho-social counselling and/or access to other specialist and appropriate support as needed.

Survivors and complainants can choose if and when they would like to take up the support options available to them.

## Appendix 1 – Case Management Flowchart





**TOURISMDIVERSIFICATIONAND  
RESILIENCEINTHEGAMBIAPROJECT**

**Project Implementation Unit**

Ministry of Tourism and Culture

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