

POLICY ON PROHIBITION OF SEXUAL EXPLOITATION AND SEXUAL ABUSE

This policy should be read and signed by all employees, volunteers, elected officers, contracted and commissioned staff (hereinafter as employees) and adhered to by all times. It is the responsibility of the leader of the congregation (pastor) to ensure that staff members and affiliates of the Evangelical Lutheran Congregation of Budapest-Józsefváros comply with this policy

1. Sexual exploitation and sexual abuse violate universally recognized international legal norms and standards and prohibited conduct for the employees of the Congregation.
Sexual exploitation is defined as 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.
Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force, or under unequal or coercive conditions. It includes sexual slavery, pornography, child abuse and sexual assault.
2. Sexual exploitation and sexual abuse constitute a serious breach of an employment or other legal relationship, which, depending on the seriousness of the offence, may result in immediate dismissal.
3. Sexual activity with children (persons under 18 years of age) is prohibited, regardless of whether the person concerned has reached the age of consent. A mistaken belief or knowledge of the age of consent does not exempt the person from the consequences of the act.
4. Sexual abuse against a child (under 18 years of age) shall be reported to the authorities by the pastor or the lay leader of the Congregation.
5. Prohibited to demand or accept sexual favours, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, in exchange for money, work, goods or services (including grants or assistance to beneficiaries).
6. Sexual relationship between employees of the Congregation and beneficiaries of its programs are prohibited, as they are inherently based on unequal power dynamics.
7. If a member or employee of the Congregation has a concern or suspicion of sexual exploitation or abuse by an employee, he or she must report it to the Congregation's internal PSEA focal point.
8. The leaders of the Congregation, in particular the pastor, the lay leader (supervisor) and the members of the Presbytery are responsible for creating and maintaining an environment that prevents sexual exploitation and abuse. Leaders have a responsibility to support and develop the maintenance of a safe environment through ongoing staff education and training.
9. The Congregation

- defines the organisational framework necessary for the operation of this policy and the procedures for the report and investigation of ethics cases, allegations of harassment and sexual abuse, exploitation, fraud and bribery
 - regulates the procedures for reporting and investigating complaints, including the separation of duties and roles in relation to the
 - o receipt of complaints,
 - o preliminary assessment
 - o investigation,
 - o decision-making and appeals, and
 - o ensures the training of staff and external experts involved in the application of these rules and procedures,
 - guarantees the protection of the victim, the complainant or whistleblower during the whole procedure,
 - ensure confidential, fair and impartial proceedings for all parties involved in a PSEA case.
10. The leaders of the Congregation ensure that cases of suspected sexual exploitation and abuse are investigated in accordance with the principles of due process. In conducting the investigation, the leaders of the Church may call upon outside experts as necessary.
11. The Church shall cooperate with the authorities and NGOs in this field in order to effectively carry out its tasks of victim protection and assistance.
12. Protection of the whistleblower (including, in particular, the victim)
- a) The Congregation will exercise zero tolerance for retaliation against whistleblowers.
 - b) The Congregation will provide appropriate protection and support to anyone who reports a real suspicion.
 - c) The Congregation undertakes to support whistleblowers by:
 - Taking care not to underestimate or ignore the risk to which the whistleblower may be exposed or the level of fear or distress that they may be experiencing.
 - Ensures that the whistleblower's report is handled appropriately and confidentially by the rules of the *Procedure for the report and investigation of ethics cases, allegations of harassment and sexual abuse, exploitation, fraud and bribery*.
 - Answer the whistleblower's questions to the best of his/her knowledge and provide emotional support, but not share confidential information with the whistleblower.
 - Acknowledge reception of each complaints received and of the intended course of action.
 - If the whistleblower experiences or fears retaliation or harassment, take the necessary measures to ensure the safety of the whistleblower, even if this involves costs.
 - During the investigation

- a. provide a confidential hearing for all participants to an investigation procedure;
 - b. provide the victim and the subject of investigation (and, as needed on a case by case basis, other individuals participating in an investigation procedure) with the opportunity to be accompanied by a main (or external) support person or a legal representative;
 - c. provide the information concerning him/her in this Procedure;
 - d. inform the complainant or whistleblower that all documents relating to the procedure will be kept in the confidential archives of the organisation for 5 years and that no other documents will be retained.
13. The Congregation adopts, applies and regularly reviews this policy and the Procedure for the report and investigation of ethics cases, allegations of harassment and sexual abuse, exploitation, fraud and bribery.
14. The Congregation shall ensure that its entry-level employees, contracting partners and volunteers receive training at starting work
- a. on the standards of conduct expected in the Congregation
 - b. unacceptable conduct and its consequences, in particular the prohibition of sexual exploitation and abuse,

The Congregation shall ensure that its employees, long-term contracting partners and volunteers receive refresher training on this policy and the procedures at least once a year. The training shall take the form of lectures, webinar, e-learning courses, training.

Reviewed and approved on 11 26 2023