



SEXUAL EXPLOITATION AND SEXUAL ABUSE (SEA) POLICY

1. Introduction

All CPAR permanent and temporary staff, contractual workers and volunteers, partners and subcontractors (“CPAR staff and associates”) must uphold the highest standards of professional and personal conduct. At all times CPAR staff and associates must treat each other and those we serve with respect and dignity. This policy will automatically apply in Canada and all countries of operation.

Sexual exploitation and sexual abuse (SEA) are acts of unacceptable behaviour and prohibited conduct for CPAR staff and associates. All CPAR staff and associates must contribute to an environment that prevents SEA and any violation of the Code will be considered as serious misconduct.

CPAR recognises that there are unequal power dynamics across the organisation in all countries of operation, and in relation to those we serve, and therefore there is an inherent risk of some staff and associates exploiting their position of power for personal gain. SEA, as well as a range of non-sexual abuses of power are more likely when one person is in a position of power over another.

At CPAR we believe that all people have a right to live their lives free from SEA and we will not tolerate CPAR staff and associates or any other representatives associated with the delivery of CPAR’s work carrying out any form of SEA.

Key terms and definitions:

“Complainant”: the person making the complaint, including the alleged survivor of the misconduct or another person who becomes aware of possible misconduct. CPAR staff and associates have an obligation to report any knowledge, suspicions, or concerns of breaches of this Code of Conduct through appropriate channels within CPAR (Whistleblowing Policy). This includes any suspicion of SEA.

“Exploitation”: using one’s position of authority, influence or control over resources, to pressure, force or manipulate someone by threatening or coercing them with negative repercussions such as withholding project assistance, not giving due consideration to staff member’s work support requests, threatening to make false claims about a staff member in public, etc.

“Informed consent”: permission given with reasonable knowledge of the risks involved, potential consequences and available alternatives.

“Misconduct”: any breach by CPAR staff and associates of applicable national or international law or policies including this Code of Conduct.

“Protection”: ensuring that individual basic human rights, welfare and physical security are recognized, safeguarded and protected in accordance with international standards.

“Sexual abuse”: the actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions.

“Sexual exploitation”: any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, sexually or politically from the sexual exploitation of another.

CPAR Staff and Associates: Refers to but is not limited to all permanent and temporary staff, volunteers, interns, consultants, partners, sub-contractors and all individuals working for or representing CPAR.

Prohibited Behaviours

CPAR recognises that the terms sexual abuse and exploitation represent a wide spectrum of behaviours and is not limited to the act of sexual intercourse. It is strictly prohibited for all CPAR staff and associates to engage in:

- Any acts of sexual abuse and sexual exploitation as defined previously;
- Any type of sexual activities with persons under the age of 18 years (or older if the local law indicates as such), unless a legally recognized spouse. Mistaken belief in the age of a person is not a defence; CPAR strictly prohibits staff and associates and other representatives from having sexual relationships with children, which is anyone under the age of 18 years (or older if the local law indicates as such);
- Use of children or adults to procure sexual services for others;
- Sexual activity with CPAR beneficiaries;
- Exchange of money, employment, good or services for sex;
- Any sexual favour in exchange of assistance provided to the beneficiaries of such assistance;
- Visits to bars, restaurants or other premises where individuals, especially minors, are exposed sexually.
- Unwanted sexual comments or advances that are directed against a person’s sexuality using coercion by anyone, regardless of their relationship to the victim, in any setting, including at home and at work.
- Sexual activity with staff from partners where this is an abuse of power.
- Use IT technology for inappropriate professional or private use.

2. Objective

This policy sets out CPAR's approach to preventing SEA. It sets out the principles upon which we will base our decision making and actions and our commitment to ensure effective action is taken when problems occur.

All CPAR staff and associates will be familiar with this policy.

CPAR will not tolerate its employees, volunteers, consultants, partners, sub-contractors or any other representatives associated with the delivery of its work carrying out any form of SEA.

It is the responsibility of all CPAR leaders to ensure the delivery of this policy and to promote it as relevant in all aspects of their work, to hold themselves and others to account and to help create a safe environment for all.

All staff, volunteers, partners, sub-contractors and other representatives of CPAR are required to adhere to this Policy and all other associated policies (including but not limited to the Gender Policy, Human Rights Policy, Harassment and Discrimination Policy, Anti-Corruption Policy, Whistleblower Policy) at all times and this policy will be included in each agreement or contract with all CPAR partners and sub-contractors.

3. Implementation

All CPAR staff and associates and other representatives will have access to, and be familiar with this policy and know their responsibilities within it.

All CPAR staff and associates have an individual responsibility to familiarize themselves with this Policy and its purpose.

The Policy will be a mandatory element during induction and all other relevant trainings and briefings. This document automatically forms part of all contracts of employment and all agreements with partners or sub-contractors. The Policy is valid until the staff member ceases to represent or work for the CPAR and/or the partner or sub-contractor agreement or contract expires.

All CPAR staff and associates will receive training in relation to this Policy on SEA. In addition, CPAR staff and associates with specific leadership responsibilities will receive additional training commensurate with their role.

All CPAR leaders are responsible for promoting awareness of this policy with CPAR staff and associates.

It is the responsibility of all representatives of CPAR to raise any concerns you have or those which are reported to you according to this policy. It is not your

responsibility to decide whether or not sexual harassment, abuse, or exploitation has occurred.

All CPAR staff are obliged to report any suspicions of sexual exploitation, abuse or harassment of others. This can be done without sharing details of cases where information has been shared in confidence. Failure to report to a relevant person suspicion of abuse relating to someone else is a breach of CPAR's Policy, and could lead to disciplinary action being taken.

Any violation of the Code of Conduct will be considered a serious misconduct. SEA activities will be investigated and may lead to drastic disciplinary measures, including suspension or dismissal.

CPAR will ensure that all staff, volunteers, partners, sub-contractors and other representatives will have access to information about how to report concerns or allegations of SEA as per our Whistleblower Policy.

Concerns or allegations of SEA will always be taken seriously, investigated and acted on if appropriate

Support will be offered to survivors and victims, regardless of whether a formal internal response is carried out (such as an internal investigation). Support can include specialist psycho-social counselling or other specialist and appropriate support as needed. Survivors and victims can choose if and when they would like to take up the support options available to them.

For the avoidance of doubt, there is no obligation placed on any individual to report any incident that has happened to them.

This Policy will be used in conjunction with employment/labour, duty of care and relevant criminal laws to make decisions about how to respond to complaints and concerns raised by staff, volunteers and other representatives.

4. Monitoring and Review

CPAR commits to have its Board of Directors and leaders review and recommend amendments, additions or other pertinent changes on a regular basis, not exceeding five years. Alternatively, in cases where a deficiency or gap in the policy is identified, the policy may be altered – and approved – at any stage as deemed appropriate. Needed revisions, additions or other changes may be identified and proposed by any member of the CPAR Board of Directors or any member of CPAR staff (their inclusion into new versions of the policy will be managed by CPAR's leadership team).

The approved Policy represents a component of the overall CPAR suite of policies and its implementation therefore falls within the normal purview of CPAR's management structure (i.e. line managers are responsible to maintain policy adherence as an element of their

normal job duties and this represents one aspect of their regular performance reviews). In cases where managers believe they lack the resources or capacity to institute this or any other CPAR policy, they may raise this issue in writing with their direct supervisor and a plan for corrective action will be pursued.

All CPAR staff and associates must contribute to an environment that prevents sexual exploitation and abuse. Leaders have a particular responsibility to ensure compliance with the Code of Conduct. CPAR staff and associates are obligated to report any concerns regarding sexual exploitation and abuse by a fellow worker through the established reporting mechanisms (Whistleblower Policy).

5. Roles and Responsibilities

CPAR's Executive Director is ultimately responsible for the implementation of the Policy across the organization. The Chair and the Board of Directors are responsible for oversight of the Executive Director's actions. CPAR staff and associates are responsible for the elements of the Policy that relate directly to their work.

Status: Approved October 2019

Annex

The signatory below has read, understood and is in agreement with the content of the CPAR Code of Conduct on Sexual Exploitation and Sexual Abuse Policy as described above. This Code of Conduct is valid until the CPAR staff member or associate ceases to represent or work for/with CPAR. This Code of Conduct shall be subject to periodic revision and review. The signatory accepts the consequences of any violation of any of the above provisions under this Code of Conduct. All CPAR staff and associates are required to sign this Code of Conduct.

Name: _____

Position: _____

Signature: _____

Date: _____

Place: _____