

ICRW Prevention of Sexual Exploitation and Abuse Policy

Introduction And Purpose

The International Center for Research on Women's (ICRW) mission is to advance gender equity, social inclusion, and shared prosperity. To accomplish this, ICRW works with partners to conduct empirical research, build capacity and advocate for evidence-based, practical ways to change policies and programs.

The purpose of this policy is to declare **zero tolerance** for sexual exploitation and abuse (SEA) for all ICRW employees and related personnel and ensure that roles, responsibilities and expected standards of conduct in relation to SEA are known throughout ICRW. This policy aims to create and maintain a safe environment, free from SEA, by taking appropriate measures, internally and in the communities, we work with, through robust prevention and response work.

This policy supersedes all previous policies related to preventing and responding to sexual abuse and exploitation and is utilized **in addition** to the ICRW Child Safeguarding Policy, the Harassment and Discrimination Policy, and Anti-Trafficking Policies.

SCOPE

This policy is binding for all offices and working locations of ICRW, and at the organizational, project and community level. Policies created at national office levels will include all elements of this policy and may only differ to ensure alignment with national legislation. Should this policy demand a higher standard than the local laws, this policy will prevail. This policy is binding for all ICRW staff members, whether full-time, part time or engaged on fixed-term contracts. In line with ICRW's Code of Conduct, this policy is binding both in and outside of working hours and in all aspects of a staff member's life. It is also binding for other representatives working with ICRW, including (but not limited to) partners, Global and Country Board members, consultants, community members, contractors/suppliers/vendors, interns, visitors, donors, dependents accompanying staff while working for ICRW, and other individuals acting as representatives of the organization. All staff and representatives named above can raise a complaint via the procedures outlined in this policy.

ICRW's CEO, COO, Regional Directors/ Senior Leadership, and members of the Board of Directors hold overall accountability for this Policy and its implementation. They are

responsible for ensuring the policy is reviewed and updated every two years. Updates to the policy will be recommended through the Global PSEA Safeguarding Task Force to the Board of Directors.

This policy sets out ICRW's approach to prevent and respond to PSEA. All staff at every level are prohibited from engaging in sexually harassing, abusive and/or exploitative behavior and will be subject to discipline, up to and including termination of employment, for any violation of this policy.

KEY DEFINITIONS

Sexual Abuse: Sexual abuse, or assault, is actual or threatened physical intrusion of a sexual nature, including inappropriate touching, whether by force or under unequal or coercive conditions. An example of sexual abuse is if an employee uses force or coercion to physically engage in sexual acts with a supervisee. Sexual harassment and sexual exploitation can rise to the level of sexual abuse.

Sexual Exploitation: Any abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially, or politically from the sexual exploitation of another. An example of sexual exploitation is if an employee uses his/her authority to solicit sexual favors in exchange for project benefits.

Sexual Harassment: Any unwelcomed sexual advance, request for sexual favor, and all other verbal or physical conduct that creates and intimidating, hostile, or offensive environment in a workplace or other situations. Examples include but are not limited to requests for sexual favors in exchange for promotion; sexually oriented kidding; inappropriate teasing or jokes; repeated offensive sexual flirtations or advances; obscene or sexually oriented language or gestures; display or circulation of obscene or sexually oriented images; and offensive physical contact, such as grabbing, patting, pinching, or brushing against another's body.

POLICY STATEMENT

In order to protect the most vulnerable populations, particularly vulnerable adults, and children, and ensure the integrity of ICRW's global activities, ICRW will uphold the following safeguarding and well-being measures:

- **Create a safe working culture**, free of any exploitation, abuse, or harassment, for all those whom the organization serves and those working for and representing the organization.

- **Ensure that all concerns or allegations** of sexual harassment, abuse or exploitation are responded to in a timely and appropriate manner and that multiple channels exist through which employees and other stakeholders can report concerns.
- **Ensure zero tolerance** of sexual exploitation and abuse in the organization through robust prevention and response work, offering support to survivors and victims and holding those responsible to account.
- **Always adopt a survivor centered approach** that respects the confidentiality and decision-making rights of survivors where possible and appropriate to do so.
- **Create a culture** where all those whom the organization serves and who work for the organization feel empowered to insist on non-discriminatory and respectful behavior from each other, where poor behavior is not accepted, and where power is not abused.
- **Be transparent** about safeguarding issues occurring within the organization, be sensitive in our communications about our practices and open to learning and improving.
- **Support the creation of a unified organizational** approach to safeguarding where there is equal capacity to safeguard properly.
- **All reported incidents of SEA** will be handled impartially and independently by neutral parties who are not directly involved and have no conflict of interest in the case.
- **The organization will ensure** that the reporting informant is not retaliated against following any reported incident.
- **The organization will commit** to protecting the rights of persons to live in safety, free from abuse and neglect including in the workplace and the stakeholders and their families which they work with.
- **The organization will protect** children and vulnerable adults from mistreatment, prevent impairment of health or development and ensure they are involved in circumstances consistent with the provision of safe and effective care in any interactions related to organizational program delivery.

The principles that guide the organization's safeguarding approach include:

- **Survivor centered:** The organization is committed to listening to survivors and being led by the wishes of the survivor where possible and appropriate to do so.
- **Non-directive:** The organization will aim to empower survivors and complainants by helping them explore their options in safe ways without imposing our own opinions.
- **Non-judgmental:** The organization will never judge survivors or complainants for their actions or decisions.
- **Confidentiality:** The organization is committed to confidentiality when carrying out its work. Information will not be shared outside the PSEA TASK FORCE of the ICRW Regional Office in or the organization unless we believe that someone is in danger, or a vulnerable adult/child has been or may be harmed.
- **Independent investigations:** The organization will carry out independent and discrete investigations, recognizing the rights and duty of care to everyone involved, including the complainant or survivor, witnesses and the person accused.
- **Commitment to good practice:** The organization will always strive to offer the best service possible and is open to feedback and continual learning. The organization acknowledges that safeguarding does not encompass only the prevention of physical abuse but also the protection of people from harm generally, including neglect, emotional abuse, exploitation, and the consequences of the misuse of personal data.

ORGANIZATIONAL MANAGEMENT

As part of the institution's commitment to protect all vulnerable populations, ICRW has established a comprehensive process to ensure that all staff, consultants, vendors, partners, and any person involved in ICRW related activities is aware of, and has agreed to, the ICRW PSEA Policy and understands the consequences should any portion of the policy not be followed. Internal policy oversight and adherence will be managed by a PSEA Task Force which includes leaders from each ICRW Office:

ICRW Africa: Regional Director, Director Operations, HR Manager, Focal Point

ICRW Asia: Regional Director, Director Operations, HR Manager, Focal Point

ICRW DC: CEO, COO, Sr. HR Manager, Focal Point

A Global PSEA Task Force includes the CEO, COO, Regional Directors, HR Managers and Focal Points. This will allow for a cohesive and integrated policy across the institution when updates are required to the policy and trainings or if a major institutional review is required.

To provide careful organizational oversight and management of the policy, ICRW offices will apply the following measures:

Screen all applicants: Screening of all applicants for employment will include background checks to determine if a person has any known criminal history. Additional screening measures may include working with “children or vulnerable adults” checks, identity checks, verbal reference checks and targeted behavioral interview questions.

Identify PSEA Focal Points: A SEA Focal point will be identified within each office of the organization to ensure the proper implementation of the policy. This person will be independent of the project/s in question. The TOR for the focal points has been clearly spelled out and is attached to this policy. The focal points will act as the first line of contact for any victim or witness to any form of SEA. Specifically, the Focal Points will:

- Engage with and provide support to the complainant.
- Ensure institutional compliance with PSEA policy and procedures
- Review and support response and reporting mechanisms
- Ensure training of all staff is regularly conducted and identify any gaps in training.

Incorporate the policy into organizational affiliation avenues: As part of the process, to make clear that ICRW holds a zero-tolerance policy towards any form of SEA, along with the full policy attached as part of the documentation, the institution has incorporated the following language into external communications and contracting mechanisms including but not limited to contracts, agreements, purchase orders, hire letters, recruitment announcements, institutional website, IRB consent forms, etc.

“ICRW has zero tolerance for any form of sexual exploitation and abuse and harassment. Any person working with or affiliated with any ICRW activity or office must abide by and commit to all clauses of the ICRW PSEA policy (attached). Noncompliance can result in termination of employment or contractual relationship and referral to law enforcement as deemed appropriate”.

Require a Declaration of Commitment to Adhere: Any and all persons or institutions will be required to sign a declaration of commitment to adhere to the institutional PSEA policy. This will include but not be limited to employees, contractors, vendors, interns, Board members and any person involved in ICRW related activities. **Employees** will be required to sign the commitment on a yearly basis during the open enrollment period in the Employee Navigator system (DC) and manually in Asia and Africa; **Board members** will renew their commitment at the annual Board meeting held in November/December of each year. **Contractors, vendors, and others** will sign the commitment upon receiving a contract/agreement from the institution.

Conduct Training: As part of the new hire orientation globally and in order to maintain staff compliance with PSEA, comprehensive training will be provided to all ICRW staff. Training will be provided by a combination of properly trained staff and external experts. Training will be conducted annually, and staff will be required to sign a declaration of attendance. Untrained staff will not be allowed to participate in activities with vulnerable populations until training is completed.

Reporting: The following avenues are available to report any incidences of SEA

- **Focal Points:** Each ICRW office has an identified focal point to receive any report of SEA. Any person who has either been the victim of or witnessed an act of SEA should immediately report it to the focal point of their office or email focalpoint@icrw.org. The focal point will ensure that the proper steps are taken to report the incident and conduct a proper investigation of the alleged act.
- **Ethics (whistleblower) Hotline:** ICRW has an ethics policy to ensure that all staff and any affiliated contractors, partners, etc. have the ability to report any acts of SEA. All staff and affiliated parties have access to the hotline and can make an anonymous report if preferred. A link to the hotline information is included in the contracting materials. The policy is attached for your information.

Reporting Responsibilities:

Employees

If an employee feels that they are subject to SEA, they should immediately inform the perpetrator that the conduct is unwelcome and must stop. If the inappropriate conduct does not stop, or if the employee is unable to or uncomfortable addressing the perpetrator directly, they should report the incident to their own manager/supervisor, human resources and/or ICRW Focal Point. It is helpful to provide a written record of the date, time, and nature of the incident(s), as well as the names of any witnesses. An incident reporting form is attached.

It is important to report all concerns of inappropriate sexual conduct and/or harassment to the manager/supervisor or Human Resources director as soon as possible. SEA Task Force must be aware of the situation so it may conduct an immediate and impartial investigation and take appropriate action to remediate or prevent the prohibited conduct from continuing.

Supervisors

Supervisors must respond immediately when they have knowledge of SEA within their departments, whether there exists a written or formal complaint or not. They must:

- Take all complaints or concerns of alleged or possible harassment seriously, no matter how minor or who is involved
- Report all incidents to the SEA Focal Point and/or Human Resources immediately for a prompt investigation.
- Take appropriate action to prevent retaliation or a recurrence of prohibited conduct during and after investigations or complaints

Supervisors who knowingly allow or tolerate SEA or retaliation, including the failure to immediately report such misconduct to the Focal Point and/or Human Resources, are in violation of this policy and subject to discipline.

Human Resources

The Human Resources Director/Senior Human Resources manager(s) is responsible for:

- Ensuring that the individual filing the complaint (complainant) and the accused individual (respondent) are aware of the seriousness of a SEA complaint.
- Reporting the complaint to the PSEA Task Force in the office in question.
- Explaining ICRW's PSEA policy and investigation procedures to all parties involved.
- Exploring informal means of resolving SEA complaints, if appropriate.
- Notifying the police if criminal activities are alleged.
- Arranging for an investigation of the alleged misconduct and preparation of a written report.
- Submitting a written report summarizing the results of the investigation to the PSEA Task Force.
- Notifying the complainant and respondent of the corrective actions to be taken, if any, and administering those actions

The Human Resources Director/Senior Human Resources Manager(s) together with the PSEA Task Force will determine whether an in-house investigation will be conducted, or a third party will be hired. All complaints involving senior management will be handled by an external third party.

Reporting Procedures

All personnel affiliated with ICRW must uphold the highest standards of conduct. ICRW takes all reports of wrongdoing by its staff or affiliated personnel seriously. Sexual exploitation and abuse violate universally recognized international standards and harms the victim(s). Acts of sexual exploitation and sexual abuse are prohibited.

You are strongly encouraged to report, in good faith, any instances of sexual exploitation and abuse of which you become aware. Reports may be submitted anonymously, and information provided will be treated confidentially and will only be disclosed to those who have a legitimate need to know.

ICRW mandates that all staff members or affiliated personnel report sexual exploitation and abuse. If you believe that you have experienced retaliation for reporting a concern about sexual exploitation and sexual abuse, this should also be reported.

ICRW has several avenues for reporting SEA:

- Human Resources
- Focal Points: assigned in each ICRW Regional Office (including DC) or via focalpoint@icrw.org
- Integrity Hotline

Report of SEA should be made as soon as possible after an incident has occurred. The human resources director/senior human resources manager of the office in question may assist the complainant in completing a written statement or, in the event an employee refuses to provide information in writing, the human resource director/manager(s) will dictate the verbal complaint.

To ensure the prompt and thorough investigation of a SEA report, the complainant should provide as much of the following information as possible:

- The name, department, and position of the person or persons allegedly committing harassment
- A description of the incident(s), including the date(s), location(s), and the presence of any witnesses
- The effect of the incident(s) on the complainant's ability to perform his or her job, or on other terms or conditions of his or her employment
- The names of other individuals who might have been subject to the same or similar harassment
- What, if any, steps the complainant has taken to try to stop the harassment

- Any other information the complainant believes to be relevant to the complaint

An incident reporting protocol and form are attached.

Discipline

Employees who violate this policy are subject to appropriate discipline. If an investigation finds that this policy has been violated, the mandatory minimum discipline is a written warning yet employees who violate this policy may also be subject to termination and/or civil damages or criminal penalties.

Confidentiality

All reports and investigations of SEA are treated confidentially. All information regarding the incident may be shared on a need-to-know basis. Need-to-know means that only information about the incident that is relevant to someone's performance of the official functions of their job shall be shared. All personally identifiable information about the complainant and respondent is revealed only to those conducting the investigation and the senior human resources manager. All information regarding SEA reports and investigation is maintained in secure files in the human resources department.

Retaliation

Retaliation will not be tolerated and is considered a negative action taken against the complainant for reporting harassing behavior. Examples of retaliatory action include demotion, discipline, termination, salary reduction, or reassignment. The senior human resources manager and those conducting the investigation will take steps to ensure that the complainant is protected from retaliation during and after the investigation. Engaging in retaliatory behavior is grounds for termination.

Administration

This policy will be administered through ICRW's PSEA Focal Points, Human Resources director and/or manager located in each ICRW office globally and will be enforced by each member of the Senior Leadership (CEO, COO, Regional Directors) team globally.