



WCC – Prevention of Sexual Exploitation and Abuse (PSEA) Policy

Policy Owner:	Human Resources
Authorized By:	Board of Directors
Effective Date:	April 2024
Next Review:	April 2027

Position Statement

War Child Canada is committed to maintaining programs and a workplace free from sexual exploitation and abuse (SEA). This policy is one component of War Child Canada’s overall approach to maintaining an inclusive work and programming environment that is free of harassment, discrimination, and bullying. It aligns with the Principles under War Child Canada’s Code of Conduct and reflects the organization’s commitment to support the Universal Declaration of Human Rights, UN Convention on the Rights of the Child, and UN Convention on the Elimination on All Forms of Discrimination Against Women, among others. Additionally, this policy reflects the organization’s commitment to:

- a) Protect participants of War Child Canada programs from SEA by War Child Canada’s employees or its partners.
- b) Protect employees, volunteers, interns, consultants, and representatives as well as employees of its implementing partners and grantees from SEA.

This Prevention of Sexual Exploitation and Abuse (PSEA) Policy has been created as a guiding document to ensure War Child Canada’s staff and its partners understand the concept of sexual exploitation and abuse, reporting protocols and procedures in the event of a case and responsibilities as a War Child Canada staff member or partner. War Child Canada has zero tolerance towards any form of SEA by any of its employees, volunteers, interns, consultants, and partners. This policy is aligned with and reinforced by War Child Canada’s Code of Conduct, Child Safeguarding Policy, Accountability to Affected Persons Policy, and Gender and Inclusion Policy.

Scope

This policy applies to all War Child Canada employees, volunteers, interns, contractors, consultants, Board members and ambassadors (collectively referred to as “representatives”). This policy also applies to partners, CSO grantees, funders and vendors/suppliers working with War Child Canada as part of a partnership or vendor agreement.

Responsibility & Authority

Staff and management alike are responsible to adhere to and actively support the implementation of this policy.

Definitions and Explanations

War Child Canada adheres to the Inter-Agency Standing Committee (IASC) definition of the terms abuse and exploitation:

The term “**sexual exploitation**” means 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 Secretary-General’s Bulletin on protection from sexual exploitation and abuse (PSEA) (ST/SGB/2003/13))

The term “**sexual abuse**” means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. (UN Secretary-General’s Bulletin on protection from sexual exploitation and abuse [ST/SGB/2003/13])

Sexual Exploitation and Abuse also includes sexual relations with a child, who is defined in any context as a person below the age of 18 years. In the case of sexual exploitation or abuse towards a child, the Child Safeguarding Policy is operative and shall take precedence over this Policy.

The term “**complainant**” means the person making the complaint, including the alleged survivor of the sexual exploitation and abuse or another person who becomes aware of the wrongdoing.¹

The term “**survivor**” means the person who is, or has been, sexually exploited or abused.² It includes employees, volunteers, interns, consultants, representatives, and participants.

The term “**respondent**” means the person against whom an accusation of SEA is made.

Importance of PSEA to our work

Actively preventing and responding to sexual abuse and exploitation is a critical priority for War Child Canada. This reflects the organization’s commitment to “Do No Harm”³ to communities through its programs. In practice, this means that War Child Canada will safeguard the well-being of participants through its programming approaches and adherence to and implementation of the PSEA Policy. War Child Canada has mainstreamed this commitment with staff, partners, and communities, integrating the principles of PSEA into its hiring practices, operations, and program cycle, from the design of programs to implementation.

¹ Ref: InterAction Guidelines to Implement the IASC MOS - 2013.

² Ref: InterAction Guidelines to Implement the IASC MOS - 2013.

³ The term “Do No Harm” is an approach used by aid organizations to prevent the provision of aid that inadvertently causes harm by increasing resource or power imbalances between communities that receive aid and those that do not, especially in conflict-related situations. The concept is enshrined in War Child Canada’s Code of Conduct and Child Safeguarding Policy. However, we have adopted the more focused concept of “do no harm” under the UNCRC to actively prevent violence, abuse or exploitation in our projects. Under our Child Safeguarding Policy, it means that War Child Canada under its duty of care, has an obligation to the children and young people it works with to do no harm and actively prevent violence, abuse or exploitation from occurring in its projects.

Policy Statements

1. PSEA Minimum Operating Standards:

The Organization abides by the **IASC Minimum Operating Standards** for Protection from Sexual Exploitation and Abuse⁴ for UN and non-UN staff and the core IASC principles as follows:

- a) Sexual exploitation and abuse by War Child Canada's representatives constitute acts of gross misconduct and are grounds for immediate termination of employment. The Organization has a zero-tolerance approach to sexual exploitation and abuse.
- b) Sexual activity with children (persons under the age of 18) is prohibited regardless of the local age of majority or age of consent. Mistaken belief in the age of a child is not a defense, as per War Child Canada's Child Safeguarding Policy.
- c) Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, is prohibited. This includes exchange of assistance that is due to participants.
- d) Sexual relationships between the Organization's representatives and participants are prohibited since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.
- e) Where a representative develops concerns or suspicions regarding sexual abuse or exploitation by a fellow employee, whether employed by the Organization or not, s/he must report such concerns via the Organization's reporting channels.
- f) Representatives are obliged to create and maintain an environment that prevents sexual exploitation and abuse and promotes the implementation of this Policy. Managers at all levels have responsibilities to support and develop systems that maintain this environment.
- g) The Organization will not, under any circumstances, condone or tolerate any representative engaging in a course of harassment, whether or not of a sexual nature, such harassment being defined as (but not necessarily limited to) vexatious comments or conduct towards another employee, director, volunteer, or individual otherwise affiliated with the Organization that is known or ought reasonably to be known to be unwelcome.

2. Hiring practices

During staff recruitment, War Child Canada conducts due diligence through PSEA and safeguarding practices. This due diligence process includes asking a question related to PSEA as part of every job interview including a question related to SEA and conducting a detailed reference check for the final candidate. This process also requires successful candidates to submit to a police check and complete a Confidential Declaration of Criminal Convictions as a condition of employment. Every new staff member is required to sign the Code of Conduct (which includes a section on PSEA) as well as the PSEA Policy as part of the required documentation with their contract and reviewed with new employees as part of the onboarding process.

3. Operations

War Child Canada provides this policy to all Employees and its representatives as part of its efforts to prevent SEA in the workplace and in its programs. War Child Canada takes all reasonable measures to protect employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services from SEA in the workplace. Staff are entitled to work in an environment free of SEA and without fear of reprisal for adhering to and/or implementing this policy, including the reporting of SEA.

To ensure this, the following are in place:

1. Provide the policy to all Employees or representatives and should be easily accessible in all work locations to the extent practicable (for example, posted in a main office, not an offsite work location). In jurisdictions where it is required by law to post this policy for the information of all employees, that should be complied with.
2. War Child Canada will ensure that all Employees or its representatives understand War Child Canada's commitment to PSEA. This will include orientations on the topic, training opportunities, etc.

⁴ Ref: IASC – MOS-PSEA: <https://interagencystandingcommittee.org/inter-agency-standing-committee/iasc-six-core-principles-relating-sexual-exploitation-and-abuse> The Minimum Operating Standards are intended to protect beneficiaries (affected populations).

The organization holds individuals in breach of this policy strictly accountable for their actions. Employees or its representatives who engage in SEA, including managers and supervisors who engage in SEA or who allow such behavior to continue, are subject to termination of employment for such misconduct.

4. Program Locations

War Child Canada is committed to providing services and programs in locations that are safe, free from the risk of SEA or other forms of violence, discrimination, harassment, or other forms of negative behavior from a War Child Canada representative. All participants of War Child Canada's services or programs are entitled to clear, confidential access to secure feedback mechanisms, enabling communication through text message, phone call, email, secure written complaint, or a direct meeting with a responsible and neutral female or male representative to which an incident or case of concern may be reported.

5. Protection from Retaliation

War Child Canada commits to ensuring the confidentiality of any individual who reports an incidence of SEA or assists in the implementation and maintenance of this policy. Even if the alleged SEA does not turn out to rise to the level of a violation of the Policy/the law, War Child Canada will take all reasonable steps to protect the individual from retaliation if the person had a good faith belief that an incidence of SEA had occurred. Individuals who have undertaken any one of the following will be protected under this policy:

- made a complaint of SEA, either internally or with any external agencies such as the local police normally after going through internal channels first;
- testified or assisted in a proceeding involving SEA;
- opposed a case of SEA by making a verbal or informal complaint to management, or by informing a supervisor or manager of SEA;
- reported that another employee or War Child Canada affiliate has been a victim of SEA; and
- encouraged a fellow employee to report an incidence of SEA.

6. Investigations and Inquiries

Reported SEA violations are promptly investigated in an impartial and professional manner using War Child Canada's Incident and Accident Investigation Policy. The person reporting the violation should not conduct an investigation or inquiry. Employees and directors are required to cooperate fully with any investigation made by the Organization or any of its representatives. The need for confidentiality and discretion is respected to the extent possible, recognizing that for a matter to be properly investigated, individuals may need to be formally interviewed and further dialogue or feedback provided to the complainant. Effective corrective action will be taken whenever SEA is found to have occurred, including termination of employment. The investigation should be conducted in the language known to the survivor, respondent, and witnesses. If this is not possible, a reliable, vetted external interpreter should be present during the investigation proceedings. All investigation materials should be stored confidentially, separate from personnel records.

7. Partnerships

As part of the partner vetting process, the organization will ensure partner organizations have PSEA policies in place (or adapt and incorporate this Policy).

8. Training

War Child Canada's training workshops will include a module on PSEA when appropriate. For example, teacher training includes an expectation that teachers report information they receive from children that may be a case of SEA; a training for legal actors will include the legal frameworks in place to support and protect SEA complainants and survivors including recourse and services available to them; orientation to all new staff includes training on behavioral expectations standards with regard to the ways they interact with the communities where they work.

9. Support and Assistance

For those who are survivors of SEA, War Child Canada will provide confidential assistance to a SEA survivor including support and protection from further harm to the extent possible, where capacity and ability to do so allows. Depending on circumstances, assistance may come from referrals to relevant service providers. In other cases, War Child Canada programs may provide support and assistance with the rehabilitation process including legal services, psychological and social services.

10. Recognizing SEA Risks

Where the workplace is located in an insecure area or when the employee is required to work alone, the risk of SEA increases, particularly for female representatives of the organization. War Child Canada's risk-assessment process (at the country level or HQ) was created to identify and plan for the potential for SEA risks either for participants, its employees, or other representatives of the organization. A risk assessment should be particular to the workplace in question and should include considerations of previous incidents of SEA in the workplace, incidents of violence in similar workplaces, the location of the work being performed, the type of work being performed, and the working conditions where work is performed.

Risk assessment information can be gathered from various sources:

- Input from employees about concerns they perceive or have experienced helps identify and mitigate against particular risks.
- Locations where employees are concerned about potential violence.
- Existing workplace information such as past incident reports and/or security assessments that may have already identified certain types of SEA risk.
- External available information, such as workplace violence material distributed by security alerts and levels of violence within the geographic area, will assist in determining the types of SEA risks.

Risk assessment information can also be gathered from the general physical environment and specific job duties:

- To determine the potential for SEA, the risk assessment should review the physical layout of the workplace, as well as the nature of the work being performed.
- An increased risk of violence may exist for certain positions (for example, community outreach employees).
- Physical aspects of the workplace, such as areas that are not lit at night or do not have security surveillance, buildings where access is not controlled, or areas out of line of sight, such as stairwells, bathrooms, meeting rooms.
- Access to cell phone networks or other means of communications, mobile workplaces, evening work.

Once the risk of SEA has been identified, the level of risk should be reviewed. Where the risks form the regular part of a position or has the potential for serious risk, the risk factor may be high. The potential violence risks, combined with the likely safety risk, is then used to develop the necessary controls to prevent, eliminate, or minimize the risk of SEA in the specific workplace.

Procedures

Principles

The best interests and welfare of SEA survivors should be paramount and the following procedures are to be followed:

- It is the responsibility of Human Resources/SEA Focal Point/Designate in each country of War Child Canada's operations to ensure that representatives and participants of War Child Canada projects are made aware of what to do if they feel uncomfortable and want to report anything related to SEA.
- The reporting of suspected or actual SEA is a professional and legal obligation for all staff members and representatives of War Child Canada. For participants, the reporting of SEA is to ensure their own protection, prevent further harm and is a moral obligation aligned to the values of War Child Canada and is therefore strongly encouraged.
- There is no time limit for reporting of SEA. However, keeping in mind the practical aspects of resources available, gathering of evidence, availability of witnesses, reliability of recall, etc., the sooner SEA is reported, the better the organization can deal with it.
- In reacting to SEA issues, War Child Canada recognizes that it may not always be best placed to ascertain whether a person has been abused – in which case referral to relevant competent authorities/agencies may take place.
- War Child Canada staff are not expected to determine if a person has been abused or not. Actions in response to a reported case of SEA should focus on the safety of those involved, the prevention of further incidents, ensuring that senior management is informed of all concerns, determining if the concern is valid, who has been involved, and the level of risk to others who might be vulnerable.

- The Crisis Management Team (CMT) at HQ will be informed confidentially and communications should be made by email to safeguarding@warchild.ca. CMT members will handle their respective responsibilities as per the Crisis Response Plan.
- Unless there are mitigating circumstances, all confidential information relating to SEA incidents must be retained by the CMT, to mitigate the risk of a respondent being re-engaged by the Organization.
- Staff responsible for developing budgets should make every effort to include budget provisions for PSEA training for War Child Canada and partner staff in all budgets.

For local partners

- If an alleged incident is reported which involves a staff member from War Child Canada's local implementing partners, the War Child Canada SEA Focal Point must work with the Country Director, or senior field staff person, to report the incident to the organization's senior management, and follow up on the issue.
- Local partners should receive a copy of War Child Canada's PSEA Policy.
- It is the responsibility of the in-country War Child Canada SEA Focal Point to induct local partner organizations in War Child Canada's PSEA Policy.
- Local partners including CSO grantees who do not have their own operational PSEA policies will be required to adapt War Child Canada's PSEA Policy for their own usage, as a condition of any partnership arrangement with War Child Canada.
- Where necessary, training in PSEA will be offered to local implementing partners and CSO grantees in developing their own PSEA policies. This training will be delivered by a qualified party, such as War Child Canada's PSEA Focal Point or an external specialist.

6.1 Internal Reporting by Employees or other Representatives of War Child Canada

- At all times, War Child Canada and its staff will take all reasonable measures to create an environment in which employees feel comfortable and able to report incidences of SEA.
- Incidents may be reported verbally or in writing.
- If the complainant has information regarding actual or suspected violations, they should first report that information to the designated PSEA Focal Point, a member of Senior Management, or any female or male supervisor to whom the complainant is comfortable making the disclosure. If the complainant is unable to report information to an individual, they may use the secure reporting tool at www.warchild.ca/securereporting
 - For country-specific reporting contact options, see Annex 1.
- All individuals working for the Organization have the right to approach a higher authority about abuses of this Policy, whether that authority is at the Organization's countries of operation or at Head Office. The Organization will not tolerate retaliation of any kind against employees who in good faith report suspected violations. The Organization understands the complainant may face safety or security considerations which must be outlined when communicating the disclosure to take any appropriate measures.
- All incidents of SEA are required to be documented using the Employee Incident Reporting Form (Annex 2).
- The report of the incident should include the following information:
 - Name of the employee or other representative who has allegedly experienced SEA and contact information.
 - Name of the alleged harasser, position, and contact information if known.
 - Names of any witnesses or other person with relevant information to provide about the incident and contact information (if known).
 - Details of what happened including dates, frequency, and locations of the alleged incident(s).
 - Any supporting documents the employee who complains of harassment may have in her/his possession that is relevant to the complaint.
 - List any documents or evidence a witness, another person, or the alleged harasser may have in their possession that is relevant to the complaint.
- An incident or a complaint of SEA should be reported as soon as possible after experiencing or witnessing an incident. The incident report and subsequent investigation process must be clearly documented in a confidential manner, in a clear, legible, and accurate fashion.
- If the employee's supervisor, or the reporting contact, is the person engaging with SEA, the employee should contact the Country Director/Representative at the country level.
- All incidents or complaints of SEA shall be kept confidential except to the extent necessary to protect employees, to investigate the complaint or incident, to take corrective action, or otherwise as required by law.

- Employees who feel their safety or the safety of others, including complainants, is in serious and immediate jeopardy should contact the appropriate external authorities. Such cases are to be communicated to the PSEA Focal Point, immediate manager, or Human Resources representative as soon as it is safe to do so.
- It is a violation of this policy for any employee to communicate a report claiming an occurrence of SEA or conduct that the employee knows to be without foundation.

6.2 Reporting by Participants

- Reporting on SEA issues by participants and communities is communicated to the affected population through community sensitization and education sessions and as well as through the Complaint Response Mechanism (CRM) system.
- Participants of War Child Canada's programs who have experienced an incidence of SEA by one of War Child Canada's representatives are strongly urged to report the case to War Child Canada's PSEA Focal Point or any other female or male representative of the organization to whom the survivor is comfortable reporting the matter. A case may be reported verbally using the survivor's preferred language. War Child Canada will arrange for confidential interpretation services if required.
- If the complainant is unable to report information to an individual, they may use the secure reporting tool at www.warchild.ca/securereporting or by sending an email to reporting@warchild.ca

6.3 Responsibilities after Receiving a Report

- All representatives who receive a complaint or information about suspected sexual harassment, or observe what may be SEA, or for any reason suspect that SEA is occurring, **are required** to report the complaint or information to the designated PSEA Focal Point or a member of Senior Management.
- In addition to being subject to disciplinary action if they engage in SEA themselves, supervisors and managers will be subject to discipline for failing to report suspected SEA, failing to create an environment conducive to the reporting SEA, or otherwise knowingly allowing SEA to continue.
- Supervisors and managers will also be subject to discipline for engaging in or failing to report any retaliation against those who report SEA in good faith based on a reasonable belief that SEA has occurred.
- It is the responsibility of all senior managers at the country level and managers at headquarters to ensure that the HQ Crisis Management Team is aware and informed of all allegations of SEA.

6.4 Investigation

- War Child Canada will ensure that an investigation appropriate in the circumstances is conducted when the organization, human resources, a manager, or supervisor becomes aware of an incident of workplace harassment or receives a complaint of SEA.
- The Country Director, together with the Crisis Management Team at Head Office, will determine who will conduct the investigation into the incident or complaint of SEA.
- If the incident or complaint involves the Country Director, Executive Team, or Board of Directors, an external person qualified to conduct an investigation who has knowledge of the relevant SEA laws will be retained to conduct the investigation.
- The investigation must be completed in a timely manner and generally within 90 days or less unless there are extenuating circumstances (i.e., illness, complex investigation) warranting a longer investigation.
- The person conducting the investigation whether internal or external to the workplace will, at minimum, complete the following:
 - The investigator must ensure the investigation is kept confidential and identifying information is not disclosed unless necessary to conduct the investigation. The investigator should remind the parties of this confidentiality obligation at the beginning of the investigation.
 - The investigator must thoroughly interview the employee who allegedly experienced the SEA incident and the alleged harasser(s) if the alleged harasser is an employee of the organization. If the alleged harasser is not an employee, the investigator should make reasonable efforts to interview the alleged harasser.
 - The alleged harasser(s) must be given the opportunity to respond to the specific allegations raised by the employee. In some circumstances, the employee who allegedly experienced the workplace harassment should be given a reasonable opportunity to reply.
 - The investigator must interview any relevant witnesses employed by the Organization who may be identified by either the employee who allegedly experienced the case of SEA, the alleged harasser(s), or as necessary to conduct a thorough investigation. The investigator must make reasonable efforts to interview any relevant witnesses who are not employed by the Organization if there are any identified.
 - The investigator must collect and review any relevant documents.

- The investigator must take appropriate notes and statements during interviews with the employee who allegedly experienced workplace harassment, the alleged harasser, and any witnesses.
- The investigator must prepare a written report summarizing the steps taken during the investigation, the complaint, the allegations of the employee who allegedly experienced the workplace harassment, the response from the alleged harasser, the evidence of any witnesses, and the evidence gathered. The report must set out findings of fact and come to a conclusion about whether workplace harassment was found or not.
- Within 10 days of the investigation being completed, the employee who allegedly experienced the workplace harassment and the alleged harasser, if he or she is an employee of the Organization, will be informed in writing of the results of the investigation and any corrective action taken or that will be taken by the Organization to address workplace harassment.
- Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect employees, to investigate the complaint or incident, to take corrective action, or otherwise as required by law.
- While the investigation is on-going, the employee who has allegedly experienced harassment, the alleged harasser(s), and any witnesses should not discuss the incident or complaint or the investigation with each other or other employees or witnesses unless necessary to obtain advice about their rights. The investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation.
- All records of the investigation will be kept confidential in line with War Child Canada's data retention requirements.
- If reasonable evidence or likelihood that the complaint is valid has been determined, Senior Management in consultation with the CMT will take immediate steps to proceed with disciplinary action up to and including termination of the alleged harasser(s).

Confidentiality

The reporting and investigation process will be confidential, and information limited only to those who need to know (for example, the PSEA Focal Point, the HQ Crisis Management Team, Country Directors). All parties involved will be required to keep all information relating to the case confidential and documentation will be securely filed.

Violation/Breach of Policy

Violation of this policy is a fundamental breach of the employment relationship and is subject to disciplinary action and termination of employment/other relationship with the organization.

External Principles and Legislation

PSEA Task Force Principles (Inter-Agency Standing Committee on PSEA)
 Universal Declaration of Human Rights and related legislation/codes as applicable
 UN Convention on the Rights of the Child
 UN Convention on the Elimination of All Forms of Discrimination Against Women
 Employment legislation of countries of operation
 Criminal Codes of countries of operation

Statement of Commitment - Employee Acknowledgement

I have read, understand, and agree to abide by the **Prevention of Sexual Exploitation and Abuse (PSEA) Policy**. Such adherence is a condition of my employment and I understand that a violation of the Policy may be grounds for termination as a volunteer or in the case of an employee immediate dismissal for just cause without notice or pay in lieu of notice.

Signed

Date

Print Name

Statement of Commitment - Partner / Consultant / Vendor Acknowledgement

I have read, understand, and agree on behalf of my company / organization to abide by the standards outlined in War Child Canada's **Prevention of Sexual Exploitation and Abuse (PSEA) Policy**. Compliance with this policy is a condition of my relationship with War Child Canada. I understand that a violation of the Policy may be grounds for termination of my contractual relationship with the Organization as applicable.

Signed

Date

Print Name

On Behalf Of (Name of Company / Organization)