

IFRC Secretariat Policy on Prevention and Response to Sexual Exploitation and Abuse

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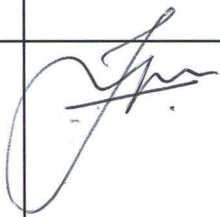
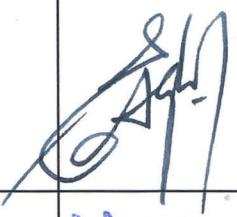
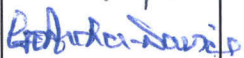



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1. Definitions

For the purposes of the present policy:

- 1.1 **“Affected Persons”** refers to persons who look to or benefit from the IFRC’s protection or assistance. This may include any person in the country or local community where the IFRC is operating.
- 1.2 **“Community-Based Complaints Mechanisms” (CBCM)** refers to trusted channels through which members of an affected community can safely report complaints and seek help. It builds on engagement with the community where individuals are able and encouraged to safely report grievances in a confidential way if needed – including SEA incidents – and those reports are referred to the appropriate entities for follow-up.
- 1.3 **“IFRC Personnel”** refers to any person in the service of the IFRC, including: Employees, National Staff and Seconded Staff (as these terms are defined in the Staff Regulations) as well as to staff-on-loan, surge capacity personnel¹, volunteers, interns and consultants.
- 1.4 **“IFRC’s Internal Rules”** refers to the Staff Rules, the Staff Regulations and its annexes, including the Code of Conduct with the Anti-Harassment guidelines, and any other applicable IFRC rules, regulations and policies adopted.
- 1.5 **“Prevention and Response to Sexual Exploitation and Abuse” (PSEA)** refers to policy, rules and actions intended to prevent IFRC Personnel from engaging in any form of sexual exploitation and abuse and to respond where it has occurred.
- 1.6 **“Retaliation”** refers to any direct or indirect detrimental action recommended, threatened or taken because an individual has been the victim of or reported in good faith a suspicion of alleged misconduct, such as sexual exploitation or abuse, or participated in an authorized audit or investigation. Retaliation may include denial of aid or inequitable allocation of assistance, adverse administrative actions, such as, but not limited to, unwarranted poor performance evaluations, changes in job duties, a hostile work climate or other negative decisions affecting the individual’s terms and conditions of employment. Retaliation may also take the form of verbal abuse or harassment.
- 1.7 **“Sexual Abuse”** refers to the actual or threatened physical or psychological intrusion of a sexual nature, whether by force or under unequal or coercive conditions when committed against Affected Persons.
- 1.8 **“Sexual Exploitation”** refers to any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes with respect to Affected Persons, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. Any payment (through cash or any other commodity or favour) for sexual services is considered to constitute sexual exploitation.

¹ Includes Heads of Emergency Operations (HeOps), Field Assessment and Coordination Team (FACT) members and Emergency Response Unit (ERU) and Regional Disaster Response Team (RDRT) / Regional Intervention Team (RIT) members.

- 1.9 **“Sexual Exploitation and Abuse”** (SEA) is used throughout this policy to refer to the above-defined acts together.
- 1.10 **“Sexual Harassment”** refers to any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature between IFRC Personnel. This is distinct from SEA, which refers to exploitation or abuse of Affected Persons.
- 1.11 **“Third-Party Personnel”** refers to any person who is employed by a third-party and made available to the IFRC, without being an IFRC Personnel, such as by means of a service agreement between the IFRC and a service provider.
- 1.12 **“Whistleblower”** refers to an individual who reports a suspicion of a breach of the IFRC’s Internal Rules. Whistleblowers provide information, based on a reasonably held suspicion that a wrongdoing has occurred.

2. Introduction

- 2.1. As a humanitarian organisation and pursuant to our mandate, the International Federation of Red Cross and Red Crescent Societies (IFRC) has an obligation to respect and protect vulnerable people at risk. IFRC as part of the International Red Cross Red Crescent Movement has a global and local presence.
- 2.2. Sexual exploitation and abuse of the people IFRC aims to assist is one of the most grievous ways in which the IFRC can fail in its mission. Despite decades of attention in the humanitarian sector, new cases continue to be reported and many remain unreported for fear of retribution. It is crucial, therefore, that IFRC takes every step to prevent any such cases arising in the IFRC and to respond adequately to those that nevertheless occurred. While this policy covers only SEA by IFRC Personnel, it also may be a reference for National Societies' PSEA policy development.
- 2.3. The IFRC Code of Conduct prohibits SEA of anyone, including people who "look to or benefit from the Federation's protection or assistance". Prohibitions also cover the use of abusive material and any exchange of "money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior." Prohibitions extend to engagement with sex trade workers.
- 2.4. In 2015, the 32nd International Conference of the Red Cross and Red Crescent adopted Resolution 3, which condemns sexual and gender-based violence in all circumstances, particularly in armed conflict, disasters and other emergencies. Resolution 3 also calls upon all components of the Movement "to adopt and enforce zero-tolerance policies on sexual exploitation and abuse of beneficiaries by their staff and volunteers, and subject these individuals to sanctions for their actions".
- 2.5. Moreover, the IFRC has joined partner agencies in the Inter-Agency Standing Committee (IASC) in endorsing the 2015 IASC Principals Statement on PSEA.

3. Purpose, scope and audience

3.1. Purpose

- a) The aim of this policy is to ensure that the IFRC takes every necessary step to prevent sexual exploitation and abuse by IFRC Personnel and to respond adequately to those incidents it cannot prevent. Ensuring the well-being of the survivor and accountability and integrity of our engagement with members of local communities is inherent to this aim. Ensuring fair treatment of personnel accused of SEA in accordance with the IFRC Internal Rules is inherent to this policy.
- b) Existing internal reporting, investigation and follow-up systems regarding possible SEA-related violations of the Code of Conduct and Staff Rules and Regulations are being strengthened via this policy and its procedures. Appropriate steps to take regarding SEA cases are explained below in Sections 5 on “Roles and responsibilities” and 6 on “Procedures for reporting”. An Action Plan supporting the implementation of this policy seeks to further address awareness raising and training to be provided that will increase the capacity to handle cases in line with international standards.
- c) This policy further strengthens and develops accountability systems in order for sexual exploitation and abuse survivors and IFRC and Third-Party Personnel or anyone who becomes aware of SEA to feel comfortable to report and be protected from retaliation.
- d) Engaging with local communities, promoting community-based complaint mechanisms and providing assistance to survivors are important components of this policy’s spirit, procedures and Action Plan. The policy’s approach aligns with *the Red Cross Red Crescent Guide on Community Engagement and Accountability* (2017). The policy draws on ideas elaborated in the *IASC’s Global Standard Operating Procedures on inter-agency cooperation in CBCMs* (2016), including their approach to complaint referral and survivor assistance. In developing and enforcing our own PSEA policy, the IFRC has drawn on best practices of National Societies and stands ready to support those in need of developing and strengthening their PSEA policy.

3.2. Scope of application

- a) The present policy applies to all IFRC Personnel.
- b) For Third-Party-Personnel, a standard PSEA clause is to be included in the relevant agreements between the IFRC and the third-party. A similar clause is to be included in IFRC’s grant agreements with implementing partners, including National Societies.
- c) Complaints concerning National Society staff or volunteers or others are handled as described in 6.3.1.

- d) This policy does not apply to cases of harassment and sexual misconduct between IFRC Personnel. Such cases are addressed separately in the Staff Regulations, Code of Conduct and the Anti-Harassment Guidelines.

4. Key principles and rules of conduct

- 4.1. The IFRC has zero tolerance for sexual exploitation and abuse. This means that any perpetrators are to be held to account.
- 4.2. The IFRC applies a survivor-oriented approach to PSEA². This entails the following principles:
 - a) **Do no harm:** no action should be taken that would worsen the situation of a survivor of sexual exploitation or abuse.
 - b) **Respect:** all actions taken are guided by respect for the choices, wishes, rights and dignity of the survivor.
 - c) **Safety:** the safety and security of the survivor is the number one priority for all actors.
 - d) **Confidentiality:** There must be strict adherence to confidentiality regarding the survivor's identity and other identifying information in every aspect of case handling. All actions are to be taken to ensure that any matter is handled in full confidentiality.
 - e) **Non-discrimination:** IFRC provides equal and fair treatment to anyone in need of help due to an SEA incident involving IFRC Personnel.
 - f) **Child protection:** Children survivors are to benefit from a particular attention and their specific needs must be addressed. Child protection specialists are consulted regarding the care for children.
- 4.3. Investigations of sexual exploitation and abuse incidents are to be fair and respect the rights of all parties involved.
- 4.4. PSEA efforts are to use the Community Engagement and Accountability (CEA) approach, which helps put communities at the center of what we do.
- 4.5. As stated in the Code of Conduct, IFRC Personnel shall:
 - a) Not commit any act of sexual exploitation or abuse.
 - b) Not engage in any sexual activity with:
 - Persons under the age of 18 years, regardless of the age of majority or consent locally (ignorance of or mistaken belief in the age of a child is not a defense).
 - Adults who look to benefit or already benefit from IFRC's protection or assistance.

² Further information on the support to survivors, please see the accompanying procedure on Response to Survivors.

- Sexual activity includes all forms of activity and abuse of a sexual nature, with or without physical contact and whether either party is aware of such abuse.
- c) Not exchange money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This applies regardless of the legal status of prostitution in the laws of the IFRC staff members' home country or duty stations.
 - d) Not produce, procure, distribute or use pornographic material in IFRC offices or on IFRC equipment, including reading/surfing pornographic websites or message boards or sending or engaging with pornographic emails.
- 4.6. *Whistleblower protection:* As stated in the IFRC Whistleblower Protection Policy (2015), "The Federation has a zero-tolerance policy to any form of retaliation against a person who either reports reasonably held suspicions of a breach of the Federation's Internal Rules or who cooperates in an audit or investigation process carried out under the authority of the Secretary General."
- 4.7. Further, the IFRC Whistleblower Protection Policy states: "Anyone reporting a suspicion of alleged misconduct must be acting in good faith and have reasonable grounds for believing the information disclosed constitutes a potential breach of the Federation's Internal Rules."

5. Roles and responsibilities

5.1 Responsibilities of senior managers

- 5.1.1 Under-Secretaries General, Directors of Regional Offices, Heads of Country and Country Cluster Offices, Heads of Response Operations and other IFRC deployments³ have the overall responsibility for implementation of the policy with regard to IFRC Personnel under their supervision. At the Geneva Headquarters, the PSEA Senior Focal Point provides support as needed.
- 5.1.2 *The common responsibilities of all senior managers include:*
- a) Ensuring that all IFRC Personnel are informed and regularly reminded of the contents of the present policy.

³ Including Heads of Emergency Operations (HeOps), FACT Leaders, ERU/RDRT/RIT Team Leaders.

- b) Acting as role models by making every reasonable effort to create and maintain an environment that assists in preventing SEA.
- c) Taking immediate and appropriate action upon receipt of any report or complaint about SEA allegations, concerns or suspicions or retaliation related to SEA, as stated in the present policy and in the accompanying procedure "Response to Survivors".
- d) Ensuring, with support from the PSEA Senior Focal Point that all IFRC Personnel undertake regular, mandatory PSEA training sessions.

5.1.3 Senior managers at the field level are additionally responsible to:

- a) Integrate the issue of sexual exploitation and abuse systematically into information campaigns, training and meetings with affected people, with particular attention given to vulnerable groups, and
- b) establish a mechanism for reporting SEA incidents as further described below in section 6.1.1.
- c) promote engagement with local groups such as women's associations and those representing marginalised people, such as disabled peoples' organisations, with the aim of awareness raising on zero tolerance for SEA and, where appropriate, working jointly to set up gender-sensitive community-based complaint mechanisms that put the rights, capacities and needs of survivors at the centre.
- d) and in the case of Heads of Country Offices or Country/Clusters, supporting and encouraging National Societies to develop their own PSEA policies, according to their needs, and in cooperation with the PSEA Senior Focal Point at Headquarters.

5.2 Responsibilities of all Personnel

5.2.1. In addition to those set out in section 4.5 above, all IFRC Personnel have the following responsibilities:

- a) Read and understand this policy
- b) Complete mandatory PSEA training
- c) Report any SEA incidents that they have witnessed, heard about or suspect (pursuant to section 6.2.1)
- d) Cooperate fully with those responsible for investigation
- e) Ensure the confidentiality of any reported incident (subject to the rights set out in the IFRC Whistleblower Protection Policy)

5.3 Responsibilities of the Office of Internal Audit and Investigations

- 5.3.1 The Director of the Office of Internal Audit and Investigations (OIAI) has the authority and responsibility to ensure an appropriate investigation of possible instances of sexual exploitation and abuse within IFRC⁴. The assessment and/or investigation may be outsourced according to the resources and skills needed.
- 5.3.2 All allegations, regardless of their communication channel, should be communicated to the Director of OIAI without delay. Reports of possible sexual exploitation and abuse may be submitted anonymously and shall be kept confidential.
- 5.3.3 Upon receipt of an allegation, a preliminary assessment of the allegation will be performed by OIAI. If the preliminary assessment of the allegation shows that there are legitimate grounds to believe that possible sexual exploitation and abuse has occurred, an administrative investigation shall be opened in line with the IFRC investigation procedures and applicable staff rules and regulations.
- 5.3.4 Confidentiality is to be maintained in relation to OIAI's investigative activities by all parties involved. The person who is the subject of an allegation is presumed innocent during the preliminary assessment and the investigation. During an investigation the alleged perpetrator are to have an opportunity to be heard.
- 5.3.5 Once the investigation is concluded, OIAI drafts an Investigation Report setting forth its findings, conclusions and recommendations.
- 5.3.6 Based on the nature and severity of the allegation and the applicable legal framework, the Secretary General may decide to refer the case to the local authority and may waive immunities for the individuals concerned.

5.4 Responsibilities of the Human Resources Department

- 5.4.1 OIAI shall inform the Director of Human Resources, where appropriate, of the opening of an investigation, who shall notify the IFRC Personnel whose conduct is under investigation.
- 5.4.2 On the basis of the Investigation Report, the Director of Human Resources, in consultation with Legal Affairs, shall decide on (1) whether or not there are legitimate grounds to charge the individual with sexual exploitation and abuse, (2) if charges are issued, review responses to charges, (3) recommend appropriate disciplinary measures, if any, to be

⁴ In the case of a SEA allegation against a seconded staff member the investigation might be undertaken by the organisation that has seconded the person. In this case the IFRC will request National Societies to report back on the outcome of case.

determined by the Secretary General in line with the IFRC Staff Regulation⁵, and convey the final decision to the concerned individual.

5.4.3 Both the alleged perpetrator, and any IFRC Personnel interviewed during the course of the investigation are to be offered appropriate support. This could include access to psychosocial support services such as counselling.

5.4.4 The Global Human Resources team also:

- a) performs background checks of all new hires
- b) screens IFRC personnel who interact with children
- c) monitors compliance with mandatory training

6. Procedures for reporting

6.1 *Reporting by Affected Persons*

6.1.1 In every country where IFRC operates, an appropriate mechanism for Affected Persons to report SEA by IFRC Personnel shall be developed and information about it effectively disseminated. These may include creation of a community-based complaint mechanism in collaboration with the community, use of the IFRC whistle-blower hotline system (“currently known as Safecall”) and/or designation of a focal point for receiving complaints.

6.2 *Reporting by IFRC Personnel*

6.2.1 IFRC Personnel who witness, are aware of, or suspect that other IFRC Personnel have engaged in SEA shall report through any of the following current channels:

- a) The Office of Internal Audit and Investigations,
- b) The locally designated PSEA focal point (if applicable),
- c) The reporting individual’s line manager or any other manager, including senior managers,
- d) Human Resources, in Geneva or the Regions,
- e) IFRC’s whistle-blower hotline system (currently known as “Safecall”).

6.2.2 Any of the above recipients of such complaints shall refer the case to the Office of the Internal Audit and Investigation without delay.

6.2.3 External partners, including National Societies, who wish to report allegations against IFRC Personnel may also use any of the above channels.

⁵ In the case of seconded staff, the IFRC may terminate the contract, but sanctions shall be determined by the seconding organisation. In the case of consultants, the action will be determined according to the consultancy agreement.

6.3 *Reporting concerning persons other than IFRC Personnel*

- 6.3.1 Complaints received against National Society staff or volunteers shall be referred to the National Society by OIAI, in consultation with Governance Support if needed. The IFRC requests National Societies to report back on the outcome of cases and on steps taken to ensure that any immediate medical, psychosocial or other needs of the SEA survivor related to the alleged incident are addressed.
- 6.3.2 Complaints received against Third-Party Personnel or external organisation employees shall be referred to the employer of the person concerned by OIAI.

7. Monitoring and Evaluation

- 7.1 The Senior Focal Point on PSEA at IFRC Headquarters in Geneva has the overall responsibility for promoting and monitoring the implementation of this policy.
- 7.2 The Global Leadership Team shall review progress of implementation of this policy on annual basis, with support from the Senior Focal Point on PSEA.
- 7.3 As consistent with this policy, the responsibilities of senior managers with regard to PSEA should be reflected in their job description (or Terms of Reference as appropriate) and their performance reviews.
- 7.4 The OIAI reports annually the number of complaints of sexual exploitation and abuse filed and among them the actual number of proven cases and their resolution to the Global Leadership Team and the Governing Board.
- 7.5 A report is also to be made available to the public, accompanied by a statement about measures in place to handle allegations, what is being done proactively in terms of prevention, and how managers are held accountable for sharing and upholding the policy.
- 7.6 IFRC shall collaborate with other international, inter-governmental and non-governmental organizations, including National Societies in reviewing the implementation and impact of collective efforts to eliminate SEA and related abuse of power.
- 7.7 An evaluation of this policy's utility and results will be undertaken two years after its adoption.

10. Abbreviations/acronyms

Abbreviation	Meaning
CEA	Community engagement and accountability
OIAI	Office for Internal Audit and Investigations
PSEA	Protection from sexual exploitation and abuse
SEA	Sexual exploitation and abuse

11. Related documents

File number	Name	Version
109	Code of Conduct	2007
205	Whistleblower Protection Policy	2015
193	Child Protection Policy	2013
122	Anti-harassment guidelines	2007
112	Staff Rules	
111	Staff Regulations	
	A Red Cross Red Crescent Guide on Community Engagement and Accountability	2017
085	Standards of Investigation	
086	Internal Audit Charter	

	IFRC Child Protection Action Plan	2015-2020
	CHS Alliance guidelines for investigations	2015
	Challenges and options in improving recruitment processes in the context of Protection from Sexual Exploitation and Abuse (PSEA) by our own staff, report by IASC	2013
	Inter-agency cooperation in community-based complaint mechanisms - Global Standard Operating Procedures	2016

12. Document revision history

Version	Date	Details
Draft	1 July 2017	First draft shared with the Task Force for comments
Draft	31 August 2017	Slightly modified version shared with the Task Force (integrating some of the Task Force members comments)
Draft	29 November 2017	Revised draft shared with the Task Force for comments. Draft also shared with the Gender and Diversity network for comments and discussed with ICRC.
Draft	19 April 2018	Feedback collected during the beginning of the year from the Gender and Diversity Network and Task Force writeshops organised during March 2018 (reviewing the draft line by line and reviewing new issues arising from additional feedback). Final draft shared with the extended Task Force.
Final Draft	June 2018	Last modifications incorporated from the Task Force and final review by Task Force and Management.

Appendix 1: Sample Confidential Report of SEA

(All fields need not be filled – the record can still be made with only limited information)

To PSEA Focal Points and supervisors: please complete this form to the best of your knowledge and ability and ensure that it is submitted in a timely way.

I. Information about Complainant or Reporter

- Name of Complainant or Reporter:
- Contact details (including address, phone and email):
- Age: Sex or gender identity:

II. Incident of SEA or retaliation

- Date and time of incident (start/most recent dates):
- Location of incident:
- Detailed description of incident:
- Witnesses (names and contact details) and facts witnessed:
- Ask the complainant how they are feeling:

III. Information about alleged offender

- Name:
- Employer and job title:
- Contact details (including address, phone and email):
- Age: Sex:
- Physical description:

IV. Complainant assistance

- Ensure survivor-centred approach, which has the following guiding principles for the care of survivors of sexual and gender-based violence: 1. Consent 2. Confidentiality 3. Safety 4. Respect 5. Non-discrimination.
- Does the Complainant need and want medical assistance or has s/he sought treatment and, if so, where and from whom?
- Which other services has the Complainant already received assistance from or would need help accessing?
- Who is responsible for ensuring a safety plan for the Complainant?
- Describe any security measures put in place for the Complainant
- Describe any referrals and advice about assistance, provided to the Complainant, including health, psychosocial, police and safe house.

V. Additional information

- Date complaint/report first received and by whom:
- Does the Complainant/Reporter know about IFRC's process for handling complaints?
- Has the Complainant consented to sharing the complaint with the alleged offender?
- Complaints, whether made by the survivor or a third-party, need to be anonymised to the extent possible when shared with the alleged perpetrator. Only information required for ensuring due process will be shared with the alleged perpetrator.

- SEA Report completed by:

VI. Provide any other relevant information

- Only as needed and appropriate
-

Name, date and location