



PROTECTION FROM SEXUAL EXPLOITATION & ABUSE POLICY

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1. PURPOSE

The Canadian Association of Midwives (CAM) is committed to creating a safe work culture for its staff, members, volunteers, consultants, partners, and beneficiaries. This policy defines CAM's commitment to the protection from sexual exploitation and abuse (PSEA), involving CAM staff and other representatives.

CAM has a zero tolerance toward sexual exploitation and abuse. CAM takes seriously all concerns and complaints about sexual exploitation and abuse involving CAM staff and other CAM representatives. The purpose of this policy is to detail CAM's approach to preventing sexual exploitation and abuse, our expectations of those representing CAM, and detail our response when an issue arises. This policy is subject to review and revision every two years, or more frequently as circumstances warrant. In all cases, all amendments must be authorized by the Executive Director.

This policy is complementary to other CAM policies including the Employee Handbook and Policy Manual.

2. SCOPE OF APPLICATION

This policy applies to:

The Canadian Association of Midwives'

- Board members,
- Employees,
- Consultants,
- Volunteers,
- Interns,
- Subcontractors, and
- Partners.

3. DEFINITIONS

- i. *Sexual Abuse*: The actual or threatened, intrusion, both physical and non-physical, of a sexual nature, whether by force or under unequal or coercive conditions.
- ii. *Sexual Exploitation*: Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes.
- iii. *Beneficiary*: A person who receives assistance as part of humanitarian relief, development program, or any other recipient of support, whether material or otherwise, through CAM's programs.

- iv. *Child*: Any individual under the age of 18 years, irrespective of local country definitions of when a child reaches adulthood.
- v. *Survivor*: The person who is sexually exploited or sexually abused

CAM recognizes that the terms sexual abuse and sexual exploitation are broad and cover a broad range of behaviors that are not limited strictly to the act of sexual intercourse. Such behaviors also include, without limitation, other sexual acts, attempts to obtain a sexual act, and unwanted sexual comments or advances, among others.

4. ROLES AND RESPONSIBILITIES

CAM Managers, and ultimately the Executive Director, hold accountability for this policy and its implementation. Managers must ensure that all CAM staff and representatives understand and comply with this policy and sign the Standards for CAM Employees and Representatives form. Managers are also responsible for robust recruitment, induction and training, and performance management to prevent sexual exploitation and abuse.

All CAM staff, volunteers, consultants, and other CAM representatives are expected to conduct themselves in accordance with the guidelines outlined in the Protection from Sexual Exploitation and Abuse Policy and report any suspicions of sexual exploitation, abuse, or harassment of others.

5. PREVENTION OF SEXUAL EXPLOITATION AND ABUSE

5.1 Sexual Activity with Children

CAM strictly prohibits staff, volunteers, consultants, or any other person representing CAM in an official capacity from engaging in sexual relationships with children, which is anyone under the age of 18 years (or older if the local law indicates as such). Mistaken belief of age will not be considered a defense.

5.2 Sexual Activity with Colleagues

CAM's policy does not prohibit staff, volunteers, consultants or any other person representing CAM in an official capacity from engaging in intimate relationships with colleagues, except where there is an unequal power dynamic. CAM prohibits staff from engaging in intimate relationships with people who they supervise. All intimate relationships must be immediately reported to CAM's Executive Director, even if the relationship may not continue. All disclosures will be treated confidentially. Staff engaged in a relationship must behave in a professional manner and conduct their relationship in a way that does not impact CAM's projects, and work decisions must not be influenced by the relationship.

CAM reserves the right to request the termination of the relationship or of employment (if termination of the relationship is refused) if the relationship is interfering with CAM's activities.

5.3 Sexual Activity with CAM Beneficiaries and Staff from Partner and Donors

CAM's policy strictly prohibits staff, volunteers, consultants, or any other person representing CAM in an official capacity from engaging in intimate relationships with beneficiaries, colleagues and/or staff from partner and donor organizations.

Any pre-existing intimate relationship must be reported to the Executive Director.

5.4 Buying Sex

CAM strictly prohibits staff, volunteers, consultants, or any other person representing CAM in an official capacity from buying sex or bartering for sex.

CAM does not make a judgement against individuals who participate in selling sex in exchange for money or other material support. However, CAM has banned this activity to prevent sexual exploitation and abuse from occurring.

6. RAISING A COMPLAINT OR CONCERN

All CAM staff, volunteers, consultants, or any other person representing CAM in an official capacity are expected to report any suspicions of sexual exploitation, abuse, or harassment of others.

A complaint or concern raised by CAM staff, volunteers, or consultants can be directed to their immediate supervisor, or if their supervisor is implicated CAM's Executive Director verbally, or in writing to director@canadianmidwives.org. Additionally, a complaint or concern may be sent directly to CAM's President at president@canadianmidwives.org, particularly if the Executive Director is implicated.

A complaint or concern raised by a member of CAM's Board of Directors can be brought directly to CAM's President, or in the case where the President is implicated, another board member.

Staff from partner and donor organizations may report a complaint or concern in the same manner.

7. PROCEDURE FOR HANDLING COMPLAINTS OR CONCERNS

Confidentiality will be maintained throughout the process by all staff and witnesses. Staff members who breach confidentiality will be subject to disciplinary action.

Complainants must be able to lodge their concerns without fear of reprisals or unfair treatment. CAM will do its utmost to ensure that complaints are handled confidentially. CAM will do everything it can to protect the privacy of the individuals involved in any report of alleged violence, including alleged sexual violence and harassment, and to ensure that complainants and respondents are treated fairly and respectfully. CAM will protect this privacy so long as doing so remains consistent with the enforcement of this policy and adherence to the law.

- i. When a complaint or concern is raised, an e-mail will be sent to the complainant acknowledging receipt as soon as possible. All suspected cases of child abuse will be immediately reported to the local authorities.

- ii. Within three (3) days of receiving a complaint, the Executive Director will convene a case conference with CAM's management team to determine the best course of action. The person who is the subject of the abuse will make the decision whether the event is to be reported to the local authorities. If someone's life is in danger, then the decision to report may need to be made by CAM's Executive Director.

Note that if the Executive Director is implicated in the complaint or concern, CAM's President will be responsible for leading the case conference and decision-making process.

8. RESPONSE TO MISCONDUCT

CAM is committed to ensuring that immediate action is taken to identify and address report of sexual exploitation and abuse and ensuring the safety and well-being of the person being sexually exploited or abused. CAM's Executive Director is responsible for determining the best course of action in each situation, which may include reparation or support for the survivor.

Failure of staff, volunteers, consultants, or any other person representing CAM in an official capacity to follow CAM's Protection from Sexual Exploitation and Abuse Policy will result in disciplinary action, up to and including termination. Failure to report suspected sexual exploitation and/or abuse is considered a breach of policy and could lead to disciplinary action being taken.

Failure of partners and subcontractors to follow CAM's Protection from Sexual Exploitation and Abuse Policy will result in termination of the agreement or contract. Failure to report suspected sexual exploitation and/or abuse is considered a breach of policy and could lead to termination of the agreement or contract.

If CAM receives a complaint about a partner organization, CAM will expect the partner to respond safely, quickly, and appropriately. CAM will assist the partner to ascertain its reporting obligations.

Where appropriate, CAM will work with the partner to address the issue through an appropriate independent investigation. If the outcome is that abuse has occurred, ongoing work with the partner cannot involve the individual(s) concerned. If there is reason to believe that an allegation of abuse has been dealt with inappropriately by a partner, then they risk withdrawal of funding or ending the relationship.

9. AWARENESS RAISING FOR STAFF, VOLUNTEERS AND CONSULTANTS

Training will be provided for all staff, volunteers and consultants on CAM's Sexual Exploitation and Abuse Policy. Staff, volunteers, and consultants are expected to understand this policy, and are encouraged to bring questions or concerns forward to their supervisor.

As a condition of employment, CAM requires that its staff, volunteers, and consultants read, agree to and sign CAM's Protection from sexual exploitation and abuse policy.

CAM will ensure that all its employees, volunteers and consultants are aware of the PSEA policy, that they understand what it means in concrete behavioral terms and how it applies to their work.

Training will be provided to all new staff as part of their onboarding and/or on an annual basis. For volunteers and consultants, PSEA training will be provided as part of their pre-departure training.

10. AWARENESS RAISING FOR PARTNERS AND SUBCONTRACTORS

CAM requires that its partners and subcontractors, especially those working directly with beneficiaries, read, agree to and sign CAM's Protection from sexual exploitation and abuse policy.

CAM will include in all Memorandums of Understanding, Funding Agreements and/or Contracts with partners and subcontractors a clause that stipulates that partners:

- commit to prevention of sexual exploitation and abuse,
- establish accessible, transparent, and confidential complaints handling mechanism processes within their own organizations and programs,
- ensure that all their employees and volunteers are trained on PSEA and identify and mitigate potential risks of SEA, and
- raise beneficiary awareness and community-level confidential mechanisms for reporting SEA.

APPENDIX 1

Sample of Complaints Form

Name of Complainant: _____ Nationality: _____

Address/Contact details: _____

Age: _____ Sex: _____

Name of SEA survivor (if different from Complainant): _____

Nationality: _____

Address/Contact details: _____

Age: _____ Sex: _____

Name(s) and address of Parents, if under 18: _____

Has the SEA survivor given consent to the completion of this form? Yes No

Date of the Incident(s): _____ Time of the Incident: _____ Location: _____

Physical & Emotional State of the SEA survivor (Describe any cuts, bruises, lacerations, behaviour and mood):

Witnesses' Name and Contact Information: _____

Brief Description of Incident(s) (attach extra pages if necessary): _____

Name of Accused person(s): _____ Job Title of Accused person(s): _____

Organization Accused person(s) Works for: _____

Address of Accused person(s) (if you know): _____

Age: _____ Sex: _____

Physical Description of Accused person(s): _____

Have the police been contacted by the SEA survivor? Yes No If yes, what happened?

Has the –SEA survivor been informed about available medical treatment? Yes No

If Yes, has the SEA survivor sought Medical Treatment for the incident) Yes No

If Yes, who provided treatment? What is the diagnosis and prognosis? _____

What immediate security measures have been undertaken for the SEA survivor?

Who is responsible for ensuring safety plan (Name, Title, Organization): _____

Any other pertinent information provided in interview (including contact made with other Organizations, if any):

Details of referrals and advice on health, psychosocial, legal needs of SEA survivor made by person completing report:

Report completed by: _____

Name Position/Organization Date/Time/Location

Has the Complainant been informed about CAM/Partner/Agent's procedures for dealing with complaints? Yes
 No

Signature/thumb print of the Complainant signaling consent for form to be shared with relevant management structure?

Complainant's consent for data to be shared with other entities (check any that apply): _____

Police Team Leader (name) _____ Supervisor (name) _____

Health Centre (name) _____ Other (specify) _____

Date Report forwarded to relevant management structure:

Date received by relevant management structure: _____ Name: _____ Position: _____

Signature: _____

All information must be held securely and handled strictly in accordance with applicable reporting and investigation procedures

APPENDIX 2

Resources

Below are recommended resources that provide more information pertaining to PSEA:

- Sexual exploitation and Abuse in international assistance (Global Affairs Canada) https://www.international.gc.ca/world-monde/issues_development-enjeux_developpement/sexual_exploitation-exploitation_sexuels/index.aspx?lang=eng
- Digna PSEA Toolkits for addressing PSEA (Canadian Council for International Co-operation - CCIC) <https://ccic.ca/centre-of-expertise-on-the-prevention-of-sexual-exploitation-and-abuse-serving-canadian-international-development-and-humanitarian-aid-organizations%e2%80%af/>
- Fact sheets on sexual violence in the international development sector (Association québécoise des organisations de coopération internationale – AQOCI) <https://www.aqoci.qc.ca/?sexual-violence-in-the-international-development-sector>
- PSEA Implementation Quick Reference Handbook (CHS Alliance, 2017) <https://www.chsalliance.org/get-support/resource/psea-implementation-quick-reference-handbook/>

Videos:

- No Excuse for Abuse: Preventing Sexual Exploitation and Abuse in Humanitarian Action (InterAction) <https://www.youtube.com/watch?v=48MCG22FqrE>