

# Heart-Links Code of Conduct Policy on the Prevention of Sexual Exploitation and Abuse

## Our Commitment

Heart-Links is committed to improving our collective ability to recognize and tackle **power imbalances and gender inequalities** that can enable sexual violence, including **intersecting forms of discrimination**.

We are committed to establishing a **culture of zero tolerance** to all forms of sexual violence in all the work that we do.

We are committed to creating a work **environment free from sexual violence** for staff, volunteers, partners and local populations within our organizations and the countries in which we operate.

We are committed to **protecting people** involved in our programs and the **communities we serve** from sexual exploitation and sexual abuse, especially children.

We are committed to building knowledge and capacity around **survivor-/victim-centred approaches**.

This Code of Conduct meets the following Global Affairs Canada requirements outlined in sub-section 22.6 of the Contribution agreement, entitled Sexual Misconduct:

*a) Accountability processes integrated throughout the Organization, including **roles and responsibilities** to ensure monitoring of, and compliance with, the Code of Conduct;*

## Individual Responsibilities

Volunteers, staff, board members and partner organizations must

- ✓ Familiarize themselves with this Code of Conduct and uphold it
- ✓ Make every reasonable effort to ensure and maintain an environment free of sexual violence
- ✓ Raise concerns regarding risks or possibilities of sexual violence
- ✓ Report incidents of sexual violence
- ✓ Treat any information related to sexual violence with utmost confidentiality and share related information only on a “need-to-know” basis, i.e., only with designated relevant parties.

## Board Member Responsibilities

Board members have a key role to play and bear added responsibilities to

- ✓ Ensure staff and volunteers under their supervision are informed, understand and comply with the Code of Conduct.
- ✓ Ensure training on sexual violence is provided
- ✓ Set an example for appropriate behaviour
- ✓ Address concerns and respond to incidents and disclosures according to organizational standards
- ✓ Protect individuals from retaliation
- ✓ Use appropriate sanctions when lack of compliance is established

### Organizational Leadership Responsibilities

Staff, committee chairs and board members are expected to ensure every effort is being made to prevent sexual violence from occurring, and to verify that an adequate response and protective measures are implemented once they become aware of an incident by

- ✓ Ensuring sufficient human and financial resources are available for the organization to follow through on its commitment,
- ✓ Ensuring the implementation of best practices in recruitment and onboarding in accordance with the Code of Conduct,
- ✓ Ensuring that all volunteers and staff understand, sign and comply with the Code of Conduct,
- ✓ Ensuring that every partner organization either signs this Code, or develops or has their own Code of Conduct,
- ✓ Ensuring protection from retaliation to individuals raising concerns or reporting incidents,
- ✓ Ensuring performance management to mitigate against the occurrence of sexual violence, including taking corrective action when needed, and
- ✓ Reviewing the Code of Conduct and its implementation on a biannual basis or whenever there is a significant change in the legislation.

*b) A mechanism for anonymous and confidential reporting and fair and confidential investigative procedures to respond to all allegations of sexual exploitation and abuse;*

- The complainant (staff/volunteer/board member/member of the public) can report anonymously to a member of the Executive Committee via written format (email/letter shall suffice).
- Whoever receives the information will bring it to the attention of the Executive Committee, with no identifying information being shared.
- The Chair or appointed other member of the Executive Committee will appoint two impartial investigators from the Board. Information will be disclosed to the respondent and the respondent will have an opportunity to respond. The investigation will take place in a timely fashion. Once the investigation is complete, a written report, including recommendations, will be provided to the

Executive Committee. The recommendations and decisions will be shared with the complainant and the respondent;

- While investigating, the rights of both the complainant and the respondent will be protected. Investigations will be conducted **factually** and **fairly** and will uphold **confidentiality** measures. The investigators will maintain independence between investigation process and provision of assistance. Heart-Links recognizes the importance of identifying competent, skilled and experienced individuals to run investigations.
- If the incident is deemed criminal in nature, the Chair or appointed other member of the Executive Committee will report to the police and appropriate authorities.
- Both the complainant's and the respondent's rights to confidentiality will be upheld by Heart-Links to the fullest extent that the law provides.
- All written records will be kept in a locked file cabinet in Heart-Links' office. Only the Chair and staff will have access. No electronic copy will be kept.

*c) Training on prevention of sexual exploitation and abuse and remedial measures when misconduct is found;*

- All board members during their initial orientation will receive training on prevention of sexual exploitation and abuse and receive a **written copy** of the CoC.
- Board members who miss this training during their orientation will be expected to participate in training organized by Heart-Links on this topic within 12 months of joining the board.

*d) Measures including disciplinary action in cases of serious misconduct.*

- Recommendations may range from remedial in nature, such as education, to dispelling the person from Heart-Links.

*e) Provision of a written copy of its CoC to all Personnel, Local Partners and Ultimate Recipients, and promotion of protection from sexual exploitation and abuse.*

Heart-Links shall:

- Provide a **written copy of its CoC in both English and Spanish** to all staff, board, volunteers and partner organizations in Peru;
- Ask all partner organizations in Peru to a) sign an attestation stating that they shall respect Heart-Links' CoC; or b) adopt their own policies and procedures to prevent sexual exploitation and abuse that shall be in keeping with the goals and objectives of the Heart-Links' Code of Conduct. These policies must include a reporting mechanism for any incidents of sexual misconduct that occur involving participants, staff, or volunteers while in program.
- Have all staff, board and volunteers in Canada sign an attestation stating they shall respect Heart-Links' CoC.

Subsection 22.6 of Global Affairs' Contribution agreement, entitled Sexual Misconduct, applies the following definitions:

- Sexual abuse: Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. All sexual activity with a child is considered as sexual abuse.
- Sexual exploitation: Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another
- Protection from sexual exploitation and abuse (PSEA): The term used by the United Nations and non-governmental community to refer to measures taken to protect vulnerable people from sexual exploitation and abuse by their own staff and associated personnel.

Please refer also to the following resources:

<http://www.ohrc.on.ca/en/policy-preventing-sexual-and-gender-based-harassment/2-identifying-sexual-harassment>

<https://www.ohchr.org/en/professionalinterest/pages/violenceagainstwomen.aspx>

## Declaration of Adherence

I understand that I can significantly contribute to risk mitigation and prevention of sexual violence by translating this Code of Conduct into actions in my work.

I understand that I must uphold our collective commitments to colleagues, partners and the communities we serve by adhering to the standards of behaviour outlined in the Code of Conduct.

I, undersigned, \_\_\_\_\_, hereby declare that I have read, understood, and will comply with this Code of Conduct.

I understand that breach of any provision of the Code may result in disciplinary action up to and including termination of the contract.

**SIGNATURE:**

**DATE:**