



PADF Protection from Sexual Exploitation, Abuse and Harassment (PSEAH) Policy

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Purpose and scope

This policy forms part of our Safeguarding Policy suite. It is designed to ensure that Pan American Development Foundation provides a safe working environment which is free from any form of sexual harassment, exploitation, and abuse, carried out by any member of the Pan American Development Foundation Federation or other representative. This policy aims to:

- Raise awareness of the different types of sexual exploitation, abuse and harassment that are prohibited.
- Increase understanding of employee rights, roles, and responsibilities in preventing such forms of abuse from occurring in the first instance.
- Ensure that occurrences of sexual exploitation, abuse and harassment are taken seriously and dealt with promptly and with due care and sensitivity.

This policy applies to all PADF Employees and Others in all locations, both during and outside of normal working hours.

- **Employees:** full-time, part-time, international, and national employees engaged by PADF in any location as well as advisers, consultants, interns, volunteers, Board members, and trustees engaged by PADF
- **Others:** employees in partner agencies, sub-grantees or sub-awardees; and any other individuals, groups, or organizations that have a formal or contractual (but not employment) relationship to PADF.

Definitions of Harm

This policy covers all forms of sexual harassment, abuse and exploitation that might take place, or be experienced, by PADF Employees or Others perpetrated by PADF Employees or Others. Definitions of these forms of harm can be found in the Glossary Annex A of the Safeguarding Policy Framework.

Principles for PSEAH

These are as stated in the Safeguarding Policy Framework.

Roles and Responsibilities

These are as stated in the Safeguarding Policy Framework.

Prevention

The Safeguarding Policy Framework states the key measures that are taken to prevent harm and abuse to individuals.

Standards of Behavior

Pan American Development Foundation does not prohibit Personnel from beginning sexual or romantic relationships with each other outside of the unequal power dynamics explained above (e.g. not in the line of management, at a similar job level, or between peers). However, all Personnel engaged in or beginning relationships with other staff or representatives have a responsibility to:

- Behave professionally and conduct their relationships in a way that does not impact on Pan American Development Foundation's work and mission or bring it into disrepute.

- Declare their relationships as soon as possible to their line managers or HR, even if the relationship is at an early stage and may not continue. This will be treated confidentially.
- Avoid Conflict of Interest, and the appearance of Conflict of Interest, and ensure they do not make work decisions based on that relationship. For example, if two staff members in a relationship share the same budget line or decision-making responsibility this could lead to a conflict of interest and impact on Pan American Development Foundation's work.
- Ensure that their relationships do not lead to fraudulent or corrupt behaviors. For example, staff members organizing work travel to the same destination when this is not required for work purposes.

As with the peer relationships above, consensual sexual activity and/or relationships between Pan American Development Foundation Personnel and partner staff is not prohibited if they:

- Behave professionally and conduct their relationships in a way that does not impact on Pan American Development Foundation or the partner's work or mission.
- Declare their relationships as soon as possible to their line managers or HR, even if the relationship is at an early stage and may not continue. This will be treated confidentially.
- Avoid Conflict of Interest, and the appearance of Conflict of Interest, and ensure they do not make work decisions based on that relationship.
- Ensure that their relationships do not lead to fraudulent or corrupt behaviors.

Behaviors which are prohibited under this Policy include but are not limited to:

- Sexual or romantic relationships with people who PADF Employees line manage or supervise or who are in their line of management¹.
- Sexual activity with staff from its partners where this is or could be viewed as an abuse of power.
- Directly or indirectly promising an employee or PADF Third Party a reward based on compliance with a sexually oriented request; directly or indirectly denying an employee (or applicant) an employment-related opportunity if the employee or applicant refuses to comply with a sexually oriented request.
- Unwelcome sexual advances, whether they involve physical touching or not, requests for sexual favors, leering, whistling, brushing against the body, sexual gestures, suggestive comments; sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comment on an individual's body, or comment about an individual's sexual activity, deficiencies, or prowess.
- Making sexual or romantic advances toward any employee or PADF Third Party and persisting despite the employee or PADF Third Party's rejection of such advances.
- Unwelcome and repeated flirtations, propositions, or advances despite the individual's rejection of such advances.
- Whistling, leering, or making improper, sexually explicit gestures.
- Offensive, insulting, derogatory, or degrading remarks of a sexual nature or based on an individual's sex or gender.
- Any and all sexual or romantic activity with children (persons under the age of 18) regardless of the legal age of consent in the country. Mistaken belief in the age of a child is not a defense.
- Use of any computer or other electronic device to view, download, distribute, or create indecent or inappropriate images of children, or in any other way possess or access child pornography.
- Romantic or sexual relationships with program participants. PADF recognizes that certain national team members may come from or be part of communities that participate in PADF programming, and their families may be direct or indirect recipients of or participants in

¹ In the case of the most senior employees at director or leadership team level, this prohibition includes sexual or romantic relationships with any more junior employees.

PADF programs. National team members must exercise caution, always ensure that their relationships with members of the community do not involve any form of sexual exploitation or abuse, and formally disclose any relationship to their country's Human Resources Manager (or equivalent).

Reporting

It is the duty and the responsibility of all staff and other representatives to report any suspicions or incidences of sexual harassment, exploitation, and abuse. This applies to Pan American Development Foundation Employees and Others.

Pan American Development Foundation is committed to creating a working culture in which everyone feels safe to raise a concern. If a staff member or other Pan American Development Foundation representative **does not** report an incident or suspicion, they will be in breach of the Code of Conduct and may face disciplinary proceedings. This does not apply to survivors who can decide if, when, and how to report.

All Personnel are required to report if:

- They become aware that someone is experiencing or at risk of experiencing sexual harassment, exploitation, or abuse.
- A Personnel suspects that someone connected to PADF is or may be about to carry out sexual harassment, exploitation, and abuse towards Personnel or others within the workplace.
- They suspect that someone external to PADF is or may be about to carry out sexual harassment, exploitation, or abuse towards a Personnel.

Reports should be made, or concerns raised, as described in the Safeguarding Policy Framework

Support and care

This is as stated in the Safeguarding Policy Framework.

Response and accountability

If the allegation does not relate to Pan American Development Foundation, then Pan American Development Foundation will look at how best to safely respond (including raising with external agencies better able to support) and will take any action with the best interests of the survivors in mind.

Concerns raised about ex-Pan American Development Foundation Employees or others (e.g. people formally employed by Pan American Development Foundation in any capacity) will be addressed as far as possible, recognizing potential legal challenges to such processes.

Any concerns raised relating to sexual harassment, exploitation, or abuse of Pan American Development Foundation Employees by Pan American Development Foundation Employees will be addressed as a priority, in line with the commitments in the Safeguarding Policy Framework.

In some cases, concerns may fall partially or wholly under other policies. There can be a grey area between sexual harassment (any type of unwanted sexual behavior) and other forms of discrimination (racism, sexism, homophobia, ageism, transphobia, etc).