



IFRC Secretariat Policy on Prevention and Response to Sexual Exploitation and Abuse (PSEA)

2024

THE FUNDAMENTAL PRINCIPLES OF THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT

Humanity

The International Red Cross and Red Crescent Movement, born of a desire to bring assistance without discrimination to the wounded on the battlefield, endeavours, in its international and national capacity, to prevent and alleviate human suffering wherever it may be found. Its purpose is to protect life and health and to ensure respect for the human being. It promotes mutual understanding, friendship, cooperation and lasting peace amongst all peoples.

Impartiality

It makes no discrimination as to nationality, race, religious beliefs, class or political opinions. It endeavours to relieve the suffering of individuals, being guided solely by their needs, and to give priority to the most urgent cases of distress.

Neutrality

In order to enjoy the confidence of all, the Movement may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.

Independence

The Movement is independent. The National Societies, while auxiliaries in the humanitarian services of their governments and subject to the laws of their respective countries, must always maintain their autonomy so that they may be able at all times to act in accordance with the principles of the Movement.

Voluntary service

It is a voluntary relief movement not prompted in any manner by desire for gain.

Unity

There can be only one Red Cross or Red Crescent Society in any one country. It must be open to all. It must carry on its humanitarian work throughout its territory.

Universality

The International Red Cross and Red Crescent Movement, in which all societies have equal status and share equal responsibilities and duties in helping each other, is worldwide.

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1. Introduction

1.1. As a humanitarian organization the International Federation of Red Cross and Red Crescent Societies (IFRC) has an obligation to do no harm in line with our mandate and Code of Conduct. The Code of Conduct prohibits any act of and all forms of sexual exploitation and abuse (SEA).

1.2. This Policy (“the Policy”) defines IFRC’s commitment to protection from sexual exploitation and abuse (PSEA) of affected people and communities which IFRC serves and of IFRC Personnel and others with whom we work, including by IFRC Personnel, our member National Society personnel implementing programmes with the IFRC, and IFRC partners or contractors engaged in delivering IFRC-funded programming (Partners).

1.3. The IFRC is composed of one Secretariat governed by its own statutes and is a membership and coordinating body of 191 National Societies, that are governed by their own statutes and national laws. This Policy governs the actions of the Secretariat and its Personnel and those delivering IFRC-funded programming, and at the same time aims to guide National Societies on their own obligations around PSEA in line with their own governing documents and national laws.

1.4. Scope of Application: This Policy applies globally to all IFRC Personnel irrespective of the duration or type of their contractual arrangement, both during and outside normal working hours. This includes all IFRC Staff, Seconded Staff, and other persons working for the IFRC, including volunteers, interns, and consultants as well as those working on an IFRC-funded project or programme or based on agreed coordination modalities such as integration and surge, even if contracted through a National Society, and sub-contractors and their staff, (collectively "IFRC Personnel"). To the extent specified in this document, the Policy also applies to our member National Society personnel implementing IFRC funded programmes and Partners. This Policy will apply even in the event that it is more demanding than local legislation, and all IFRC Personnel, covered National Society personnel, and Partners are expected to comply with it.

1.5. IFRC has a global and local presence and as such has a responsibility to operationalise PSEA across all activities and interventions in line with our Fundamental Principles.

1.6. IFRC acknowledges that SEA is behaviour rooted in inequality, discrimination and the misuse of power, rendering some groups, including children, people living with disabilities, minorities, the displaced and lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI), particularly vulnerable to abuse.

1.7 IFRC recognizes that SEA occurs in all contexts and societies and should be presumed to be occurring in situations of risk, including those of IFRC operations, and is committed to prevention, accountability, and supporting those affected by SEA where prevention fails. IFRC acknowledges that there are unequal power dynamics across the IFRC, those we partner and contract with, and above all, between aid providers and those we serve.

1.8 In recognition of the special vulnerability of children to lifelong harm as a consequence of SEA, this Policy also reaffirms IFRC’s commitment to the welfare and protection from SEA of children in line with IFRC’s Child Safeguarding Policy 2021[i] and Protection Gender & Inclusion Policy 2022.[ii]

1.9 In line with resolution 3 of the 32nd International Conference of the Red Cross and Red Crescent (2015)[iii] IFRC has zero tolerance for SEA as well as zero tolerance for inaction by personnel who witness or are made aware of SEA allegations.

1.10 IFRC is committed to promoting a working environment and operational footprint free of SEA. As such IFRC is committed to training and raising awareness with all Personnel and also to reinforcing the accountabilities of managers and leaders to establish a safe environment, immediately escalate any reports they receive of SEA, and assure the safety and well-being of all those immediately affected, with a particular responsibility towards victims/survivors.

1.11 The IFRC has joined partner agencies in the Inter-Agency Standing Committee (IASC) in endorsing the 2015 IASC Principals Statement on PSEA , the Six Core Principles[iv] and the Definition & Principles of a Victim/Survivor-Centered Approach.[v] It is also a signatory of the Misconduct Disclosure Scheme.

1.12 Implementing this Policy represents a significant endeavor that necessitates thoughtful and systematic execution. To ensure accountability and continuous improvement, the implementation of this Policy will be closely monitored, allowing IFRC to make adjustments as necessary and reaffirm IFRCs commitment to safeguarding and ethical conduct.

2. Purpose

The purpose of this Policy is to:

(i) clarify and explicitly extend the protection from SEA to all IFRC Personnel, covered National Society Personnel and our Partners where one or more seek to or actually exploit or abuse their position for sexual purposes;

(ii) update existing standards and protocols for the prevention and protection of affected persons and communities, and others from SEA by IFRC Personnel, covered National Societies Personnel, and our Partners engaged in the delivery of IFRC-funded programming in line with international best practice;

(iii) articulate and systematise a victim/survivor-centred approach to prevent and respond to incidents of SEA;

(iv) articulate principles, commitments and the roles and responsibilities of all staff, recognizing that everyone has a role to play and that a whole-of-Organization approach should be embedded in all programming to ensure an effective prevention of and response to SEA; and

(v) reinforce a culture of accountability and commitment to the upholding of Fundamental Principles and operationalisation of the Code of Conduct and IASC Principles against SEA.

3. Principles of the Policy

The following principles draw and expand upon the IFRC Code of Conduct to protect those we serve and those we work with :

3.1 Any act of sexual exploitation, defined as 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, politically or for individual personal or physical benefit from the sexual exploitation of another is prohibited and will be considered serious misconduct which will result in immediate termination of employment and/or contract in line with IFRC's Internal Rules.

3.2 Any act of sexual abuse, defined as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions, is prohibited and will be considered serious misconduct which will result in immediate termination of employment and/or contract in line with IFRC's Internal Rules.

3.3 Mistaken belief in the provision of consent of the victim/survivor is no defence, particularly in the context of a humanitarian emergency where the individual and/or their family's survival or well-being may be dependent upon IFRC personnel or IFRC-funded operations, or where power imbalances between the victims/survivors and perpetrator are clear. Such circumstances nullify any perceived consent and are automatically deemed to qualify as unequal or coercive conditions.

3.4 All costs incurred by IFRC to support or respond to the needs of victims/survivors as a result of a substantiated incident of SEA, shall be recoverable from the IFRC Personnel identified as the perpetrator in the substantiated allegation.

3.5 Any act of sexual exploitation or sexual abuse shall be regarded as a serious breach of contract and grounds for immediate termination of the contract. All costs incurred by IFRC to support or respond to the needs of the victim/survivor as a consequence of a substantiated incident of SEA shall be recoverable as per contractual arrangements.

3.6 Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of the majority or age of consent locally. Mistaken belief in the age of the child is not a defence.

3.7 Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour constitutes sexual exploitation and is prohibited. This includes the exchange of assistance that is due to programme participants or associated communities and is applicable

regardless of the legal status of transactional sex in the duty station, or originating country of personnel or victim/survivor.

3.8 The generation, production, distribution, storage and/or use (including viewing) of pornographic or sexually explicit materials online, or engagement in online sexual exploitation and abuse in IFRC offices or on IFRC equipment is prohibited.

3.9 Sexual Harassment[vi] by an IFRC personnel is not usually regarded as SEA, but if thresholds for sexual exploitation and/or abuse are reached it can be. This includes the promise of, or threat to withhold employment in exchange for sexual services as well as exploitative relationships or solicitation for transactional sex.

3.10 Where IFRC Personnel develop concerns or suspicions of SEA by a colleague, they must immediately report such concerns via the established reporting mechanisms (see Section 3.4.3). Failure to do so may result in disciplinary action.

3.11 Sexual relationships between IFRC Personnel, covered National Society Personnel and Partners, on the one hand, and IFRC-funded programme participants or associated communities, on the other hand, are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of IFRC's relief and development work. IFRC Personnel must declare any previously existing relationships with IFRC programme participants or associated communities to their line managers or HR focal point immediately.

3.12 IFRC will take a victim-centered approach (see Section 5.2), prioritizing the well-being, protection and security of the victim/survivor first and foremost wherever IFRC prevention efforts fail and SEA incidents occur. Such an approach does not, in any way, derogate from IFRC's commitment to due process.

3.13 All IFRC Personnel are expected to create and maintain an environment that prevents SEA and promotes the implementation of this Policy. IFRC managers at all levels have particular responsibilities to support and develop systems, which maintain this environment. This includes a responsibility to escalate any report regarding SEA to Integrity Line within 48 hours of receipt and initiation of safety and referral processes for victims/survivors. Failure to do so may result in disciplinary action.

3.14 IFRC reserves the right to refer matters regarding SEA-related incidents to national authorities, with the consent of adult victim/survivors where it is safe to do so.

3.15 Reporting or providing information that is intentionally false or misleading, or known to be so, or is made with reckless disregard as to the accuracy of the information, may also result in appropriate disciplinary action.

4. Whole of Organization Approach

4.1 IFRC is committed to operationalising the Policy through the implementation of a whole of organization approach to establish safe organizational systems, promote a zero tolerance culture, and embed PSEA across IFRC-funded programming.

4.2 Such an approach builds upon IFRC's commitment to addressing issues of protection, gender and inclusion (PGI) by preventing, mitigating, and responding to violence, discrimination, and exclusion, and through Community Engagement and Accountability (CEA). IFRC will promote the dignity, participation and safety of communities and individuals through access to SEA-inclusive complaint mechanisms and victim/survivor-centered response. The Policy's approach aligns with the [Red Cross Red Crescent Guide on Community Engagement and Accountability \(2017\)](#), the [IFRC Minimum Standards to Protection, Gender and Inclusion in Emergencies \(2018\)](#), and the [IFRC Protection, Gender and Inclusion Policy \(2022\)](#).

4.3 Recognizing that institutional commitment to zero tolerance requires a structural approach aimed at ensuring prevention, accountability and protection, this Policy outlines a series of key commitments to operationalise the Policy. These include:

5. IFRC Core Commitments

5.1 Safe Organizational Culture:

5.1.1 Leadership and organizational culture are critical components of ensuring effective PSEA and the establishment of a speak up culture where personnel are empowered to report SEA incidents without fear of retaliation. A PSEA Champion (see Annex 1: Summary of Roles and Responsibilities) is appointed from the Senior Leadership Team by the Secretary General to provide institutional oversight of the operationalisation of this Policy. The Champion will provide an Annual Report, on behalf of the Secretary General, to the IFRC Governing Board on organizational progress and lessons learned.

A programme of training and support will be provided to managers and Heads of Delegation to enable them to fulfil their additional responsibilities and duties to create an environment free of SEA and escalate and refer reports where prevention fails.

5.2 Victim/Survivor-Centred Approach and Response

5.2.1 A victim/survivor-centred approach entails prioritizing the well-being, protection and security of the the victim/survivor first and foremost. IFRC will seek to ensure that assistance provided to victim/survivors adheres to the principles of “do no harm” and non-discrimination and is provided in a manner which seeks to uphold the victim/survivor's rights, dignity, safety and confidentiality. This may entail provision of safety measures to protect against retaliation, re-victimisation and re-traumatisation.

Assistance and support will also be made available to all SEA victim/survivors, irrespective of whether the victim/survivor participates in or cooperates with an investigation or any other accountability procedure.

IFRC is committed to the provision of assistance and support in a manner that is victim/survivor-centred, rights-based, age, disability and gender sensitive, non-discriminatory and culturally appropriate. The rights and best interests of victim/survivors shall guide how assistance and support are designed and provided.

Victim/survivors shall have a right to a centrally agreed IFRC-approved package of assistance and support, which will be provided free of charge to them. Victims/survivors should not accrue any costs, including transportation and accommodation to access the immediate assistance they need. Essential victim/survivor-related services include but are not limited to:

- Immediate medical response to injuries, administering of medication to prevent or treat infections, and prevent unwanted pregnancies.
- Immediate safety or protection measures for victim/survivors, (witnesses and complainants, including whistleblowers), to address the risk of retaliation or further violence, such as safety planning, safe shelter and relocation support as required;
- Mental health care, psychological, emotional and practical support, either individually (by trained social workers) or community-based. This also includes counselling and case management, assessment of service needs, provision of information, and referral of victim/survivors to other relevant services to meet their needs.

The rights of victim/survivors to privacy, confidentiality and sufficient information to enable informed consent in regards to assistance shall be respected. IFRC recognizes and strives to ensure that adult victim/survivors have the right to make their own choices. This includes the option of refusing assistance or support at any time, including after they have begun to receive it. They also have the right to access support at a later stage if/when they choose to do so. Victim/survivors are entitled to pursue available accountability measures, including but not limited to legal redress, at any time where desired.

Victims/survivors will also be informed on a regular and accessible basis of the progress and outcome of actions or processes that concern them, including the outcome of investigations. Persons with disabilities will be provided with additional support based on the nature of their impairment, whether it be physical, intellectual, or mental, to enable them to give appropriate consent. Children and their parents or trusted adult will receive additional specialist support to enable them to give consent (or assent depending on capacity), in line with and informed by a best interests assessment (see Section 6: Special Provisions for Children).

IFRC will cooperate with national governments to hold perpetrators of SEA accountable, where it deems it safe and appropriate to do so, and with the informed consent of the victim/survivor. The IFRC is committed to respecting due process, confidentiality, and safety for all parties involved. Where state laws and policies mandate certain agencies and/or persons in helping professions [vii], to report actual or suspected forms of interpersonal violence [viii], IFRC affirms that the best interests of victim/survivors, particularly child victim/survivors, including considerations regarding their immediate safety and protection and their own wishes, should always be the primary consideration.

5.3 Reporting:

a. Mandatory Duty of IFRC Personnel to Report: In line with the IFRC Code of Conduct, IFRC Personnel who suspect or have witnessed a breach of this Policy by IFRC Personnel, covered National Society Personnel, and Partners, are under a mandatory duty to immediately report it, preferably directly to the Office of Internal Audit and Investigations (OIAI) through Integrity Line, which prioritizes any such case or, alternatively, to their locally designated PSEA focal point, Human Resources Management Department or Head of Delegation. Reports received via any channel other than Integrity Line must be escalated immediately to Integrity Line without further investigation within 48 hours of receipt of the report. Failure to do so risks harm to those affected and shall be deemed a breach of this Policy which may result in disciplinary action.

b. How to Report: Safe, anonymous, confidential, accessible and inclusive complaint mechanisms shall be made available across IFRC operations globally and prioritized for reporting SEA in high-risk areas, including at community level, in line with Movement-wide commitments for Community Engagement and Accountability [ix]. These mechanisms, in addition to existing reporting mechanisms provided by OIAI, may include phone hotlines, SMS services, designated focal persons, Protection Incident Monitoring Systems, Security Incident Reporting Procedures, and feedback and complaint boxes at project or programme level. Wherever appropriate and/or possible, IFRC will join with partner agencies in the common establishment or provision of complaint mechanisms and accessible victim/survivor-centred services. Complaint mechanisms will be tailored to the local context and actively include input from affected populations to address any barriers to reporting SEA.

IFRC recognises that confidentiality can be life-saving, both for victim/survivors and all those implicated in an SEA-related report, including whistleblowers, witnesses and subjects of concern who are entitled to due process. All sensitive information related to incidents of SEA shall be shared only with OIAI, other IFRC agents or personnel of appropriate seniority or function who have a need to know such information, and/or with local authorities as appropriate where it is safe to do so. Breach of the obligation of confidentiality may put others at risk and may therefore result in disciplinary action.

In recognition of such risks, reports of historic or current SEA concerns should be made primarily, in any language, anonymously or otherwise to the IFRC's dedicated Integrity Line via one of the following:

- Online: ifrc.integrityline.org
- Email: speakup@ifrc.integrityline.org
- Free hotline Telephone: +41 800 437 272 (see ifrc.integrityline.org for other free hotline numbers in other countries)

c. Whistleblower Protection: In line with IFRC's Whistleblower Protection Policy, IFRC has a zero-tolerance approach to any form of retaliation against a person who reports witnessing or, in good faith, reports reasonably held suspicions of SEA. IFRC also does not tolerate any form of retaliation towards those who participate in any preliminary assessment or investigation undertaken with regard to SEA allegations. If established, such retaliation will be subject to appropriate disciplinary action.

d. Local authorities: Reporting to the IFRC does not prevent reporting to competent national authorities, whether such reporting is required locally or not. IFRC Personnel who have questions on the topic are encouraged to raise them with OIAI. In accordance with the IFRC's Internal Rules, IFRC reserves the right to assess and where deemed appropriate and safe to do so, and in line with the victim/survivor's wishes, refer violations of this Policy that may constitute a criminal offence under national or international laws to law enforcement authorities, and waive any privileges and immunities.

5.4 Embedding PSEA into IFRC systems

5.4.1 Awareness Raising & Information Sharing: The IFRC will ensure that its Personnel, covered National Society Personnel and Partners are aware both of their own responsibilities and obligations to prevent SEA under this Policy and of the appropriate action to be taken if SEA is suspected, observed or reported.

The ability of all affected persons, including children, to raise concerns and report suspected violations is an important element of the IFRC's commitment under the Policy. Programmes and communications shall reflect the standards and duty of care articulated in this Policy and provide information on where and how to raise related allegations or concerns in an accessible, inclusive manner through available complaint mechanisms, including those specifically provided by IFRC.

5.4.2 Annual Staff Training: The commitments and responsibilities set out in this Policy will be integrated into staff and role-specific institutional training material. IFRC Personnel shall be required to complete minimum mandatory and refresher trainings related to SEA on an annual basis and shall not be deployed to emergency contexts without completing such trainings. In all training related to SEA issues, the IFRC will adopt a victim/survivor-centred approach to ensure the principles of

safety, confidentiality, respect, informed consent, and non-discrimination are upheld, and include core protection, and gender-based violence competency elements for all IFRC Personnel.

Additional training shall be provided to managers, Heads of Delegation, and to those whose responsibilities include the intake, support, and management of SEA incidents and cases, such as PSEA focal points.

5.4.3 Safe Programming: Safe programming is about strengthening and building protective environments in which IFRC programmes and projects take place through careful risk assessment, designing programmes, and management of activities in a way that creates and contributes to a safer environment. Designing programming that is safe from the start reduces or eliminates opportunities for SEA and includes assuring access to inclusive and confidential complaint mechanisms. IFRC is committed to effectively mainstream consideration of PSEA throughout the programme and project cycle phases including assessment, planning, resource mobilization, implementation and monitoring and evaluation.

IFRC will ensure SEA risk assessments are included as an integral part of project and programme assessment, and that SEA mitigation strategies are elaborated at the country level. Lessons learned will inform the design and delivery of IFRC-funded programmes and training of personnel to make our operations and organizational footprint safer.

5.4.4 Safe Recruitment: IFRC is committed to preventing perpetrators of SEA from being (re)hired or (re)deployed. As a signatory to the Inter-Agency Misconduct Disclosure Scheme, IFRC has committed to ensuring it has performed relevant background checks such as references and police checks when available for all Personnel (irrespective of the nature or duration of the contract) before engagement to ensure that they have not previously committed misconduct of a sexual nature, including SEA and sexual harassment. IFRC Personnel are required to disclose any substantiated misconduct, disciplinary or criminal charges, convictions or other outcomes of an administrative or criminal investigation that relates to SEA, including those under traditional law. Failure to disclose such misconduct or criminal offence provides grounds for disciplinary action, including immediate dismissal.

As part of this, all application forms and advertisements, interviews and references shall ask about prior misconduct of a sexual nature and clearly define Safeguarding and equality requirements. Managers and Human Resource Management teams will ensure relevant background checks, such as reference checks and police checks, are completed when available for all potential hires, including for the deployment of rapid response teams. Periodic recertification and verifications will support the maintenance of safety standards.

5.4.5 Safe Partnerships: IFRC will ensure that an SEA risk assessment is part of due diligence processes.

All contracts with the IFRC shall include a clause setting out the latter's obligation to take measures to prevent and prohibit all forms of SEA, inform the IFRC of any allegations received, investigate allegations relating to their personnel using a victim/survivor-centred approach, and take appropriate corrective action and response when SEA of affected persons, communities and the personnel of their own and other agencies has occurred.

Sample indicative model clauses are contained in Annex 2. If the standard clause cannot be used, prior written approval for an alternative indicative clause must be sought from the IFRC Legal Department, which will consult with the Head of Safeguarding as appropriate.

IFRC reserves the right to investigate any SEA allegation where Personnel from a National Society acting on behalf of IFRC or involved in an IFRC-funded programme or project - whether seconded, surge or other - are suspected. Where such investigations are substantiated, the IFRC will inform the relevant National Society and the individual shall be automatically excluded from working with the IFRC and also from any future participation in IFRC programming or projects. The IFRC expects the National Society to take appropriate corrective action, including disciplinary action and possible referral to local authorities where safe to do so and with the consent of the victim/survivor.

Complaints received against National Society personnel or volunteers where IFRC is not funding programmes or projects shall usually be referred to the relevant National Society to investigate. The National Society will be requested to inform IFRC of the outcome of any such investigation and to provide access to victim-centred services and support to those affected.

However, where the IFRC receives a report of sexual misconduct where victim/survivors expressly request that a referral not be made to the National Society and/or OIAI assess that a National Society has insufficient capacity to safely and independently investigate a report of SEA, or a National Society staff member has brought or will potentially bring the IFRC Network into disrepute, IFRC reserves the right to investigate to fulfil its duty of care.

5.4.6 Obligation of Partners and Contractors to Report: In line with the standard model clauses in Annex 2, Partners shall be obliged to notify OIAI within 72 hours when they have reason to believe that an affected person, member of their own personnel or that of IFRC or another agency has been sexually exploited or abused by a member of IFRC Personnel, or by their own personnel or another party in connection with an IFRC programme or project.

5.5 Confidential Information & Data Protection: Confidentiality of information is of critical importance to SEA victim/survivors and breaches of confidentiality may threaten victim/survivors' physical safety as well as compromise the IFRC's ability to investigate and take appropriate action. IFRC is committed to ensuring confidentiality and to explaining what this means to victim/survivors at the outset and throughout the process and to ensuring informed consent to any course of action following an incident of SEA.

Identifying information related to SEA incident reports will be shared on a strictly need to know basis and only to essential IFRC Personnel and will not be shared further without obtaining the informed consent of those involved, unless there is a risk of immediate harm. Non-identifying information regarding SEA cases will be shared as per reporting requirements.

In order to give informed consent, the individual(s) concerned must have all relevant facts at the time consent is given and be able to evaluate and understand the consequences of a proposed course of action. They also must be aware of and have the power to exercise their right to refuse to engage in an action and/or to not be coerced. Victim/survivors (or their parents or their trusted adult where appropriate) have the right to decide on the assistance they need, and information should be provided on the full range of options available.

Victim/survivors should always be informed that there are limits to confidentiality, i.e., related to ensuring due process and any mandatory legal reporting requirements, as soon as they come forward with an allegation. This should be explained in their own language and in such a way that it is easy to understand the information and level of detail that will be reported, who will have access to information provided, and what form follow-up actions might take. This will support the victims/survivors to understand whether they wish to participate in the proposed action(s) - including accessing victim-centred services or a proposed investigation.

Even where informed consent is granted, IFRC recognizes its obligation to assess the potential implications of the use of that information on the safety of the person providing it, and on others involved, and to minimize any risk(s) to them.

Information about a victim/survivor's experience of SEA shall be collected, used, shared and stored in a confidential manner. This means ensuring:

- (i) the confidential collection of information during interviews;
- (ii) that sharing information happens in line with IFRC policies and any applicable local laws, on a need-to-know basis, and only with consent from the victim/survivor (or their parent or trusted adult as appropriate); and
- (iii) that the case information is stored securely within the IFRC, including but not limited to password-protected computer files.

All IFRC Personnel will ensure that information related to SEA complaints is handled in accordance with IFRC's Policy on the Protection of Personal Data. IFRC Personnel shall be required to make their best efforts to ensure that victim/survivors and whistleblowers are shielded from harm or adverse consequence as a result of any reports made or participation in subsequent processes. Failure to preserve confidentiality may result in disciplinary action.

5.6 Investigations: Effective investigations ensure perpetrators of SEA are held accountable for their actions, are prevented from reoffending including through their dismissal from IFRC, and may provide some form of redress to victim/survivors. In addition, investigations act as a strong deterrent for potential perpetrators and are vital to prevent further SEA. IFRC's institutional response to SEA shall be victim/survivor-centered and will be premised upon the principles of non-discrimination.

All parties to an investigation, including victims/survivors and the Subject of Concern, have a right to be heard and to present any evidence, to be assured of due process, and to the provision of a minimum package of support.

Upon receipt of a complaint ("SEA report"), IFRC will review the matter in accordance with the Staff Regulations and any other applicable rules, policies, or procedures and determine whether there are sufficient grounds to warrant an investigation.

The investigation of an SEA report will be conducted in line with the OIAI Internal operating procedures or Manual. An initial security and protection assessment for the victim/survivor and those immediately affected by the SEA Report, including the Subject of Concern, witnesses and/or whistleblowers, will be prioritized to prevent and mitigate harm before proceeding further.

OIAI is the sole office responsible for investigating complaints involving SEA committed by IFRC Personnel or to report on the outcomes. Heads of Delegation, Human Resources Management Department or Safeguarding focal points or other individual involved in the receipt of a SEA complaint are not authorized to take any investigative action in relation to the information received, in order to avoid compromising the integrity of the investigation, confidentiality, and the victim/survivor's rights.

5.6.1 Substantiated Investigations: In the event of an investigative conclusion that SEA has occurred, IFRC will:

- initiate disciplinary proceedings against the Subject of Concern;
- where disciplinary proceedings substantiate the charges, impose disciplinary measures;
- ensure the matter is adequately documented in the substantiated staff member's personnel file;

- refer the matter to national authorities as deemed appropriate where it is safe to do so and with the victim/survivor's consent; and
- ensure such other reporting as is required including in relation to the Misconduct Disclosure Scheme.

6. Special Provisions Regarding Children

Children, including adolescents who may be regarded as adults by their own communities whilst still under 18, and unaccompanied and separated children, are particularly vulnerable to SEA because of their age, size, and dependency on others, including upon humanitarian aid workers. Because child victim/survivors of SEA may have particular assistance needs and additional vulnerabilities because of their age and developmental stage, it is important that assistance and support be provided by, or in coordination with, providers with the necessary knowledge, understanding and professional expertise to support child victims/survivors appropriately [x].

It is expected that, in responding and providing assistance and support to child victim/survivors, a child-centered approach will be adopted that takes into account the vulnerabilities and coping capacities of the child, in a manner consistent with the UN Convention on the Rights of the Child and IFRC's Child Safeguarding Policy.

This includes the provision of information and other communication in a child friendly and compassionate way, appropriate to their age and development. Child victims/survivors and their care givers will be supported to feel safe, actively included in decision making and additional child-sensitive efforts and child-centred tools and techniques [xi] utilised to avoid further (re)traumatisation.

A determination of the best interests of the child should be undertaken as a priority to determine what would best protect a child's physical, psychological and emotional safety, security, and well-being following an incident of SEA. Such determination of the child's best interests should be undertaken by the designated case manager appointed by the Secretary General and shall inform all decisions related to the provision of assistance to children, including where children may be involved in accountability processes including investigation or referral to local authorities [xii]. Child victim/survivors should be provided with assistance from trained professionals who can provide child-focused care. This includes health, psychosocial, educational, and legal services, in a child-friendly environment which is appropriate to the age and developmental stage of the child [xiii].

Any assessment of a child's capacity to provide informed consent should take into consideration their evolving capacities [xiv]. IFRC acknowledges that, unless locally and professionally assessed otherwise, children under 5 years are not in position to provide consent or assent. Children between the age of 6 and 14 years can give assent along with consent from a family member or trusted adult. Children between the age of 15

and 17 years are generally in a position to give consent, depending on their educational and developmental capacity. The views of the child are important in the decision-making process and will be considered a significant factor in any decision taken, particularly any decision which directly affects the child. IFRC will assess the safety of the child when informing the parents or trusted adult. In situations where a child's health or safety is at risk, limits to confidentiality may be required in order to protect the child.

In some places where service providers are required under local law to report child abuse to the local authorities, this should be communicated to the child and their parent, legal guardian or trusted person at the beginning of their first contact or interview to support their understanding and provision of informed consent.

7. Policy Review

This Policy is effective as of 1 December 2024 and supersedes the IFRC Secretariat Policy on Prevention and Response to Sexual Exploitation and Abuse (2018). This Policy will be reviewed approximately every five years or as needed.

Annex 1 - Summary of Roles and Responsibilities

Preventing and responding to SEA is a shared responsibility of each individual and all IFRC Personnel. All IFRC Personnel must clearly understand their roles and responsibilities and understand standards and behaviours expected of them. In the event of any doubts or questions, they should seek clarification from their line managers. As detailed in this Policy, IFRC Personnel must complete all mandatory IFRC training courses, keep themselves informed of new policies, and immediately report concerns or allegations related to SEA.

The table below specifies the responsibilities of IFRC Personnel:

<u>Position and Responsibilities</u>
<p>All IFRC personnel, which includes all IFRC Staff, Seconded Staff, and other persons working for the IFRC, including volunteers, interns, and consultants as well as those working on an IFRC-funded project or programme or based on agreed coordination modalities such as integration and surge, even if contracted through a National Society, and sub-contractors and their staff</p> <ul style="list-style-type: none">• Understand and adhere to this Policy• Complete all mandatory, refresher and other trainings related to PSEA• Report any actual or suspected breaches of this Policy to Integrity line, OIAI, locally designated PSEAH focal point, Human Resources Management Department or Head of Delegation so that any harm is stopped and prevented in the future and that appropriate action is taken• Know how and where to safely and appropriately refer victims/survivors to victim/survivor-centered services locally• Cooperate with any investigations into suspected breaches of this Policy• Seek guidance, where necessary, from PGI, OIAI and/or managers
<p>Heads of Delegation & all Managers</p> <ul style="list-style-type: none">• Establish a safe operating environment free from SEA and actively promote a speak up culture where people feel free to report sexual misconduct without fear of retaliation• Provide respectful and inclusive leadership which embodies IFRC values & Principles and clearly signals that SEA will not be tolerated• Provide regular information, reminders and updates regarding the contents of this Policy• Build the knowledge and understanding of personnel under their supervision of the Policy

- Identify and mitigate SEA risks within their area of responsibility
- Operationalise this Policy in planning, delivery, monitoring, budgeting, and resource allocation
- Ensure that information about this Policy – including reporting and referral pathways for staff and local communities – is prepared, distributed and updated as necessary for use in their delegations, sub-delegations and offices or departments
- Inform all personnel under their supervision of their reporting obligations and potential disciplinary action for failure to report
- Upon receiving allegations or concerns pertaining to misconduct, escalate the matter to OIAI via Integrity Line without delay and no later than 48 hours of becoming aware of an SEA report to ensure that harm is immediately stopped
- Make National Societies and Partners aware of this Policy, and work with them to ensure compliance
- Ensure through information campaigns that the communities the IFRC works with are informed of this Policy and of the behaviours expected from IFRC Personnel working with affected people and communities
- Support monitoring of and compliance with this policy
- Seek guidance, where necessary, from OIAI

PSEA Champion

- Act as the organizational focal point for issues or concerns related to or arising from SEA at a Senior Leadership level
- Convene and coordinate the expertise and accountabilities of the Global Management Team and associated divisions, departments and regions within IFRC to assure a coordinated organizational approach to PSEA
- Provide leadership support and oversight towards the development coordination and operationalisation of an integrated IFRC PSEA Strategy
- Ensure that the implementation and monitoring of this Policy and its compliance is budgeted for and appropriate operationalisation and accountability mechanisms are in place
- Provide regular updates to Senior Leadership and an Annual Report to the Governing Board regarding the implementation of this Policy

Director of Human Resources Management Department

- Ensure that all recruitment advertisements reference this Policy and explicitly articulate expected standards of behaviour and zero tolerance for SEA
- Implement the relevant background checks such as references and police checks when available and recruitment provisions of this Policy including through implementing checks for all prospective and current IFRC Personnel, including under the Misconduct Disclosure Scheme

- Ensure all prospective and current personnel are made aware of this Policy and agree to abide by it as part of their contract
- Ensure all relevant personnel are trained on the Policy and are held accountable to following the Policy
- Ensure that additional responsibilities and accountabilities of Managers including Heads of Delegations as articulated in this Policy are included within Job descriptions
- Ensure that performance management processes for all personnel include standards of behaviour and accountabilities articulated in the Policy
- Support the implementation of Whistleblower and witness protection
- Where investigations substantiate allegations of SEA, recommend disciplinary measures to the SG, initiate disciplinary processes and ensure accountability for any wrongdoing

Head of Safeguarding

- Design of Safeguarding framework, policies and procedures and support implementation and operationalisation of this Policy
- Support the development and systematic operationalisation of PSEA training and awareness raising materials for all IFRC Personnel
- Support the development of specific safeguarding training packages for Managers and Heads of Delegation, Human Resources Management Department and other personnel with specific or additional PSEA responsibilities
- Support the development of communication strategies in conjunction with the Communications Department to support the provision of information and skills to prevent and address SEA for IFRC Personnel, Partners, and affected persons and communities
- Develop guidelines and an essential care package to support victims/survivors for headquarters and delegations, to establish a minimum standard of care and support for victim/survivors subjected to harm by IFRC Personnel
- Working closely with Staff Health and related staff support the development of guidelines and systems to ensure the provision and coordination of immediate medical, psychosocial and other support to victims/survivors and subjects of concern
- Establish a network of Safeguarding focal points

Director of Legal and Data Protection Department

- Advise on all legal issues related to SEA
- Advise on any legal issues related to the investigation and any subsequent disciplinary process for IFRC Personnel suspected of breaching this Policy
- Advise the Secretary General on the possible waiver of immunity in case of cooperation with or referral to competent local authorities is deemed appropriate and coordinate such action

Director of the Office of Internal Audit and Investigations (OIAI)

- Oversee the intake of SEA complaints/reports
- Manage all preliminary assessments and any subsequent investigations related to the Policy
- Notify donors and relevant third parties of the initiation of an investigation related to the Policy
- Ensure accessible and confidential helplines are available to affected populations serviced by IFRC Personnel implementing or other humanitarian partners, and contractors in connection with IFRC programmes and projects
- Support the safety and well-being of those who report concerns and make recommendations on appropriate interim measures to protect those reporting and participating in investigations, including subjects of concern
- Forward to National Societies and Partners any allegations concerning their staff related to the Policy to prevent harm and ensure accountability
- On a case by case basis and to the extent required undertake risk and capacity assessments regarding the investigative capacity, policy and procedures of National Societies to assess the safety of any proposed investigation and/or risk to the IFRC Network

Director of Communications

- Make available this Policy and related documents and messages in all IFRC communication channels for affected populations, wider public and for partners
- Lead the development of communication strategies and materials to support the provision of information and skills to support the prevention, mitigation and response to SEA for IFRC Personnel, Partners, and affected persons and communities

Director of Supply Chain Management

- Ensure that contractors including suppliers fully understand and adhere to the standards of the Policy
- Assist in the adequate relevant background checks such as references and police checks when available of contractors with regard to PSEA

Director for National Society Development Services

- Make available technical support and/or trainings as required to support the understanding and operationalisation of this Policy amongst National Societies

Secretary General

- Provide global leadership, which embodies IFRC values and Fundamental Principles and clearly signals that SEA will not be tolerated
- Set the organizational tone clearly and regularly communicating IFRC's zero tolerance for SEA and actively promoting a speak up culture where people feel free to report sexual misconduct without fear of retaliation
- Ensure that PSEA is mainstreamed across IFRC programming
- Hold all personnel accountable to this Policy
- Ensure appropriate accountability for anyone found to have committed SEA
- Review and approve this Policy
- Promote the Policy and its principles



Annex 2 - Definitions

For the purposes of the present Policy:

“Accountability to Affected Populations” (AAP) is a person-centred approach, sensitive to the dignity of all human beings, the varying needs of different segments within a community, and the importance of ensuring that all persons can equally access and benefit from assistance.

“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.

“Best Interests Determination”: refers to the well-being of a child [xv]. It is determined by a variety of individual circumstances (e.g., age, level of maturity, the presence or absence of parents, the child's environment and experiences). There are three aspects to the Best Interests concept:

- A child’s basic right: children have a right to have their best interests assessed and taken as a primary consideration.
- A legal principle: if a legal provision is open to more than one interpretation, the interpretation which most effectively serves the child’s Best Interests should be chosen;
- A rule of procedure: whenever a decision will affect a child, a group of children or children in general, the decision-making process must (a) evaluate the possible impact of the decision on the child(ren) concerned and (b) show that the right of children to have their Best Interests assessed and taken as a primary consideration has been explicitly taken into account.

A best interests determination process should only ever be undertaken by a suitably qualified and trained social worker, child Protection specialist or PGI delegate.

“Child” is a person under the age of 18, regardless of the age of majority or age of consent in national legal systems.

“Child-Centred Approach” takes children’s needs into account in all interventions allowing children the opportunity to meaningfully participate in decisions that affect them, including decisions about victim/survivor assistance, and places the child’s best interest at the core of all actions and decisions taken on their behalf.

“Complainant” is a person or entity who brings an allegation of sexual exploitation and abuse to the attention of IFRC in accordance with established procedures [xvi]. This person may be a SEA victim/ survivor or another person who is aware of or suspects the wrongdoing.

“Confidentiality” is the responsibility to protect the information that someone else has shared and their choices about disclosure. Victim/survivors have the right to choose to whom they will or will not tell their story, and any information about them should only be shared with their informed consent [xvii].

“Contractor” is an any person or entity which is in a contractual relationship with the IFRC or any of its Partner(s) to provide goods and/or services.

“End-to-end Approach” in organizational policy refers to a comprehensive strategy or methodology that encompasses all stages or components of a process, operation, or system. It emphasizes continuity, integration, and efficiency from the beginning to the end of a particular process or workflow within the organization.

“Exploitative Relationship” refers to a relationship that constitutes sexual exploitation, i.e. 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.

“IFRC Personnel” refers to all IFRC Staff, Seconded Staff, and other persons working for the IFRC, including volunteers, interns, and consultants as well as those working on an IFRC-funded project or programme or based on agreed coordination modalities such as integration and surge, even if contracted through a National Society, and sub-contractors and their staff.

“Feedback and Complaints Mechanisms” (FCMs) refers to trusted channels through which IFRC Personnel, Partners, third parties and members of an affected community can safely report complaints and seek help. For IFRC Personnel, this is likely to be the formal Integrity Line mechanism available to each delegation globally, whilst for affected community members it may be Integrity Line or other channels established, including a more informal community-based mechanism.

“IFRC’s Internal Rules” refers to the Staff Rules, the Staff Regulations and its annexes, including the Code of Conduct, core policies signed off by personnel with the Core Policies, and any other applicable IFRC rules, regulations and policies adopted.

“Informed Consent” is voluntarily and freely given consent from a person, based upon a clear appreciation and understanding of the facts, implications, and future consequences of an action [xviii]. Consent cannot be deemed to be informed or voluntary in coercive circumstances where the victim/survivor is an affected person or the differential in power is such that the victim/survivor cannot be regarded as having a meaningful choice.

“Online Sexual Exploitation & Abuse” : The use of technology or the internet to facilitate sexual exploitation or sexual abuse, including accessing, receipt, generation, or causing the generation, production, access, receipt and sharing of sexual abuse material online.

“Covered National Society personnel”: Member National Society personnel implementing IFRC funded programmes.

“Partner”: an entity to which the IFRC has provided funding or resources to in whole or in part, along with the assumption of responsibility and accountability for the effective use of resources and the delivery of such programme and/or project or a portion thereof. Partners include, but are not limited to, government institutions and entities, international organizations, non-governmental organizations, and any other type of public or private entity.

For the purpose of this Policy, the term Partner includes any sub- partner, i.e. any entity that supports a Partner in the delivery of a programme and/or project in whole or in part. Each Partner must ensure that its sub- partner(s) commit to, and comply with, the same obligations as those applicable to the Partner.

“Prevention, protection and response to Sexual Exploitation and Abuse” (PSEA) includes policy, rules and actions intended to prevent IFRC personnel or our partners from engaging in any form of sexual exploitation and abuse and to respond where it has occurred.

“Retaliation” refers to any direct or indirect detrimental action recommended, threatened or taken because an individual has been a victim/survivor 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.

“Sexual Abuse” [xix] is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

“Sexual Exploitation” is the 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.

“Sexual Exploitation and Abuse” (SEA) refers to all forms of inappropriate conduct of a sexual nature committed by IFRC Personnel against recipients of assistance and other members of affected communities.

SEA may also occur between one IFRC Personnel towards another IFRC Personnel or between an IFRC Personnel and the personnel of a National Society or Partner where IFRC personnel seek to or actually exploit or abuse their position for sexual purposes.

Sexual misconduct against affected persons or communities **always** qualifies as SEA, and any sexual misconduct **involving a child** also qualifies as **abuse** regardless of apparent or implied consent.

“Sexual Harassment”: Sexual harassment is not SEA but if thresholds for sexual exploitation and/or abuse are reached, it can be.

Sexual harassment refers to prohibited conduct in the work context and is primarily committed by an IFRC Personnel member against another IFRC Personnel member. It is defined in the IFRC Secretariat Policy on the Prevention and Response to Workplace Harassment and Discrimination and involves any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment.

Conduct or behaviour of a sexual nature is considered SEA when this conduct or behaviour amounts to either sexual exploitation or sexual abuse as defined above. This includes the promise of or threat to employment in exchange for sexual services or involves an exploitative relationship or solicitation for transactional sex.

“Sexual Misconduct”: Sexual misconduct includes but is not limited to sexual exploitation and abuse and constitutes serious misconduct which may lead to the institution of a disciplinary process and the imposition of disciplinary measures. It may arise through the failure by IFRC Personnel to comply with their obligations under the IFRC Code of Conduct, the Staff Regulations and Staff Rules or other relevant administrative issuances or to observe the standards of conduct expected of an international humanitarian.

“Subject of Concern”: A person or entity who/that is the focus of an investigation.

“Third-Party Personnel” refers to any person who is employed by a third-party without being an IFRC Personnel, such as by means of a service agreement between the IFRC and a service provider.

“Transactional Sex”: The exchange of money, employment, goods or services for sex, including sexual favours other forms of humiliating, degrading or exploitative behaviour. This includes any exchange of assistance that is due to recipients of assistance.

“Solicitation of Transactional Sex”: Requesting transactional sex.

“Victim/Survivor” is a person who is, or has been, sexually exploited or abused by IFRC Personnel, the personnel of a Partner, or an IFRC related third party.

‘Victim’ is a term often used in the legal and medical sectors, while the term ‘survivor’ is generally preferred in the psychological and social support sectors to a person who has experienced sexual or gender-based violence because it implies resilience, although a number of victims groups have challenged this. Victim/survivor may be used interchangeably within the context of this Policy.

“Victim/Survivor-Centred Approach” is a way of engaging with victim/survivor(s) that prioritizes listening to the victim/survivor(s), avoids re-traumatization, and systematically focuses on their safety, rights, well-being, expressed needs and choices, thereby giving back as much control to victim/survivor(s) as feasible and ensuring the empathetic and sensitive delivery of services and accompaniment in a non-judgmental manner.

“Whistleblower” in line with the Whistleblower Policy, refers to an individual who reports a suspicion of a breach of the IFRC’s Internal Rules and provides information, based on a reasonably held suspicion that a wrongdoing has occurred.

"Whole of Organization Approach" is a comprehensive and inclusive strategy that involves every level, department, and individual within the organization in achieving a particular objective or addressing a specific issue. This approach emphasizes the importance of collective effort, collaboration, and alignment across all facets of the organization to effectively implement the policy and achieve desired outcomes.

“Witness”: A person who observed, or has direct knowledge of, a matter under investigation.



Annex 3 - Model Clauses (For indicative purposes only)

A. AGREEMENTS

SAFEGUARDING

1.1 General Principles

1.1.1 XXX shall prevent, report and respond to harm or abuse of the persons and communities we serve and work with, including all forms of sexual exploitation, abuse, and harassment (SEAH), when committed by its employees, consultants, interns, volunteers, suppliers and all third Parties with which it will work in implementing this Agreement (“Safeguarding”). Safeguarding violations include SEAH; physical or mental violence of any nature; abuse or exploitation of children (including of a sexual nature); discrimination; and generation, production, distribution, storage, and/or use of pornography or any other sexually explicit material.

1.1.2 XXX acknowledges and agrees that it shall comply with the guiding principles and definitions set forth in the following IFRC Policies (“IFRC Safeguarding Policies”):

- a)** Section 2.3 of the IFRC Secretariat Policy on Child Safeguarding (the “Child Safeguarding Policy”),
- b)** Sections 3.1 to 3.15 of the IFRC Secretariat Policy on Prevention and Response to Sexual Exploitation and Abuse (the “PSEA Policy”), and
- c)** Sections 1.2-1.4 of the IFRC Secretariat Policy on the Prevention and Response to Workplace Harassment and Discrimination (the “Harassment and Discrimination Policy”).

1.1.3 XXX accepts that the following constitutes sexual misconduct and is strictly prohibited:

- a)** Sexual activity with any person under the age of 18 years, regardless of the age of majority or consent locally.
- b)** Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour.
- c)** Any sexual relationship between those providing humanitarian assistance and/or protection and a person benefiting from such humanitarian assistance and/or protection that involves improper use of rank or position.
- d)** Generation, production, distribution, storage, and/or use (such as accessing or viewing) of pornography or any other sexually explicit material (including but not limited to images, photographs, and videos).

1.1.4 XXX must not require its employees, consultants, interns, volunteers, suppliers and all third Parties with which it will work in implementing this Agreement (hereinafter “Personnel and those of Associated Parties”) to sign

confidentiality agreements which prevent them from reporting allegations of Safeguarding violations.

1.2 Implementation

1.2.1 XXX shall ensure that it has adequate:

- a) rules, policies, and procedures in place to promote Safeguarding and enhance the protection of fundamental rights of persons and communities we serve and work with, including but not limited to women and children; and
- b) rules, policies, procedures, reporting mechanisms, and systems in place to address allegations of Safeguarding violations.

1.2.2 XXX shall take all necessary steps to ensure that its Personnel and those of Associated Parties are aware of and comply with all provisions in this Section related to Safeguarding.

1.2.3 XXX shall conduct background checks on its Personnel and those of Associated Parties to ensure none have a prior record of Safeguarding violations and shall keep records of these checks, including a list of the specific checks done and the dates of such checks. XXX accepts that the checks are valid for a period of two years and must thereafter be renewed.

1.2.4 XXX shall notify the IFRC, within 72 hours of receipt, of any credible allegation of Safeguarding violation related to IFRC funding, IFRC staff and/or which could have a high reputational risk for XXX, the IFRC, or the International Red Cross and Red Crescent Movement. Such notification shall be done through the IFRC's Integrity Line (<https://ifrc.integrityline.org>), or by sending an email to speakup@ifrc.integrityline.org. The notification should indicate, as available and applicable, the following: nature, date, and location of the alleged misconduct; date of first report to XXX; age and gender of the victim/survivor; alleged involvement of its Personnel and those of Associated Parties; current status of the investigation; actions taken to support the victim/survivor; interim or mitigating measures; actions that will be taken by XXX; and whether the case has been referred to local authorities. XXX shall thereafter provide regular updates on the status of the case.

1.2.5 In response to the allegations, the IFRC reserves the right, in its sole discretion, to decide how to carry out the investigation by: i) delegating it to XXX, which shall investigate using fair and proper procedures and a victim/survivor-centred approach; ii) jointly investigating the allegations in coordination with XXX; or iii) directly conducting the investigation.

1.2.6 XXX shall take interim protective measures in response to any credible allegation of Safeguarding violation by any member of its Personnel and/or those of Associated Parties, in accordance with applicable rules, regulations, policies and laws and/or may, with the consent of the survivor or victim, refer the case to local authorities.

1.2.7 XXX shall provide its full and timely cooperation with any investigation. Cooperation shall include, but shall not be limited to, XXX's obligation to make available its Personnel and those of Associated Parties, as well as any relevant documentation and/or equipment used on IFRC-funded projects for such purposes at reasonable times and under reasonable conditions and to grant to the IFRC access to XXX's premises at reasonable times and under reasonable conditions.

1.2.8 The IFRC will treat any personal, sensitive and/or confidential data with the utmost care, in accordance its [Policy on the Protection of Personal Data](#).

1.2.9 If a Safeguarding violation is established by the investigation, XXX shall inform the IFRC of all action and/or measures taken, including the findings of the investigation(s), any subsequent disciplinary process, and any imposed sanction(s).

1.2.10 XXX acknowledges that all provisions related to Safeguarding constitute an essential element of this Agreement and any breach entitles the IFRC to terminate immediately this Agreement, without any liability.

1.2.11 The IFRC reserves the right to institute legal proceedings, including assignment of claims to its donors and/or referral to relevant local authorities, in connection with any allegation of Safeguarding violation.

B. IN CONTRACTS WITH SERVICE PROVIDERS

1. SAFEGUARDING

1.1 General Principles

1.1.1 The Service Provider shall prevent, report and respond to harm or abuse, including all forms of sexual exploitation, abuse, and harassment (SEAH) of the persons and communities the IFRC serves and works with and take appropriate remedial action in the event of allegations and/or harm incidents are committed by its employees, contractors, suppliers and all third Parties with which it will work in implementing this Agreement ("Safeguarding"). Safeguarding violations include SEAH; physical or mental violence of any nature; abuse or exploitation of children (including of a sexual nature); discrimination; and generation, production, distribution, storage, and/or use of pornography or any other sexually explicit material.

1.1.2 The Service Provider acknowledges and agrees that it shall comply with the guiding principles set forth in the following IFRC Policies (“IFRC Safeguarding Policies”):

- a)** Section 2.3 of the IFRC Secretariat Policy on Child Safeguarding (the “Child Safeguarding Policy”),
- b)** Sections 3.1 to 3.15 of the IFRC Secretariat Policy on Prevention and Response to Sexual Exploitation and Abuse (the “PSEA Policy”), and
- c)** Sections 1.2-1.4 of the IFRC Secretariat Policy on the Prevention and Response to Workplace Harassment and Discrimination (the “Harassment and Discrimination Policy”).

1.1.3 The Service Provider accepts that the following constitutes sexual misconduct and is strictly prohibited:

- a)** Sexual activity with any person under the age of 18 years, regardless of the age of majority or consent locally.
- b)** Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour.
- c)** Any sexual relationship between those providing humanitarian assistance and/or protection and a person benefiting from such humanitarian assistance and/or protection that involves improper use of rank or position.
- d)** Generation, production, distribution, storage, and/or use (such as accessing or viewing) of pornography or any other sexually explicit material (including but not limited to images, photographs, and videos).

1.1.4 The Service Provider must not require its employees, consultants, interns, volunteers, suppliers and all third Parties with which it will work in implementing this Agreement (hereinafter “Personnel and those of Associated Parties”) to sign confidentiality agreements which prevent them from reporting allegations of Safeguarding violation.

1.2 Implementation

The Service Provider shall:

- a)** ensure that it has adequate rules, policies, and procedures in place to promote Safeguarding and enhance the protection of fundamental rights of persons and communities the IFRC serves and works with, including but not limited to women and children;
- b)** not exploit child labour and shall respect basic social rights and applicable labour laws (including around working conditions) in all countries in which it works. The Service Provider shall follow local and international standards for harmful, exploitative and dangerous work involving children. If the local and international standards are not the same in the country in which the services are being provided, whichever standard has a higher age of employment shall be used;
- c)** ensure that it has adequate rules and systems in place to address allegations of Safeguarding violations;

- d)** take all necessary steps to ensure that its Personnel and those of Associated Parties are aware of and comply with all provisions in this section related to Safeguarding;
- e)** investigate or contract with a third party to investigate and, using fair and proper procedures and a victim/survivor-centred approach, take appropriate action where it has reasonable grounds to believe that any member of its Personnel and/or those of Associated Parties providing services in connection with this Framework Agreement may be in breach of its own Safeguarding policies or the Principles set out in the IFRC Safeguarding Policies. The Service Provider may take interim protective measures in response to any credible Safeguarding allegation and/or may, with the consent of the survivor or victim, refer the case to local authorities;
- f)** notify the IFRC, within 72 hours of receipt, of any credible allegation of Safeguarding violation involving its Personnel and/or those of Associated Parties where the matter has the potential to materially affect the relationship between the Parties, relates to IFRC funding or projects, or presents a high reputational risk for either the IFRC or the International Red Cross and Red Crescent Movement. Such notification shall be done through the IFRC's Integrity Line (<https://ifrc.integrityline.org>), or by sending an email to speakup@ifrc.integrityline.org. The notification should indicate, as available and applicable, the following: nature, date, and location of the alleged misconduct; date of first report to the Service Provider; age and gender of the victim/survivor; alleged involvement of its Personnel and those of Associated Parties; current status of the investigation; actions related to support the victim/survivor; interim or mitigating measures; actions that will be taken by the Service Provider; and whether the case has been referred to local authorities. The Service Provider shall thereafter provide regular updates on the status of the case; and
- g)** inform the IFRC of all action and/or measures taken, including the findings of the investigation(s), any subsequent disciplinary process, and any imposed sanction(s).

1.3 The IFRC reserves the right to carry out its own investigation concerning such allegations. The Service Provider shall provide its full and timely cooperation with any investigation. Such cooperation shall include, but shall not be limited to, the Service Provider's obligation to make available its personnel and any relevant documentation for such purposes at reasonable times and under reasonable conditions and to grant to the IFRC access to the Service Provider's premises at reasonable times and under reasonable conditions. The IFRC will treat any personal, sensitive and/or confidential data with the utmost care, in accordance its [Policy on the Protection of Personal Data](#).

1.4 The Service Provider acknowledges that all provisions related to Safeguarding constitute an essential element of this Framework Agreement and any breach entitles the IFRC to terminate immediately this Framework Agreement, without any liability.

1.5 The IFRC reserves the right to institute legal proceedings, including assignment of claims to its donors and/or referral to relevant local authorities, in connection with any allegation of Safeguarding violation.

C. IN CONSULTANCY CONTRACTS

1. SAFEGUARDING

1.1 The Consultant shall prevent and report harm or abuse, and shall not engage in any form of sexual exploitation, abuse, or harassment (SEAH) of the persons and communities the IFRC serves and works with (“Safeguarding”). The Consultant shall refrain from any other Safeguarding violations, which also include physical or mental violence of any nature; abuse or exploitation of children (including of a sexual nature); discrimination; and generation, production, distribution, storage, and/or use of pornography or any other sexually explicit material.

1.2 The Consultant acknowledges and agrees that the Consultant shall comply with the following mandatory IFRC policies (“IFRC Safeguarding Policies”):

- Code of Conduct,
- IFRC Secretariat Policy on Child Safeguarding (the “Child Safeguarding Policy”),
- IFRC Secretariat Policy on Prevention and Response to Sexual Exploitation and Abuse (the “PSEA Policy”), and
- IFRC Secretariat Policy on the Prevention and Response to Workplace Harassment and Discrimination (the “Harassment and Discrimination Policy”).

1.3 The Consultant consents to the IFRC carrying out any and all background, criminal, conduct, and other reference checks it deems appropriate to ensure that the engagement of the Consultant does not pose a Safeguarding risk. The Consultant understands that the IFRC participates in the Inter-Agency Misconduct Disclosure Scheme, which requires the IFRC to seek a statement of conduct affirming that the Consultant has not been found to have committed any sexual misconduct from current and prior employers for a period of at least five years and requires the IFRC to provide similar references regarding the Consultant in the future upon request from any prospective employers.

1.4 The Consultant accepts that the following constitutes sexual misconduct and is strictly prohibited:

- a)** Sexual activity with any person under the age of 18 years, regardless of the age of majority or consent locally.
- b)** Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour.
- c)** Any sexual relationship between those providing humanitarian assistance and/or protection and a person benefiting from such humanitarian assistance and/or protection that involves improper use of rank or position.
- d)** Generation, production, distribution, storage, and/or use (such as accessing or viewing) of pornography or any other sexually explicit material (including but not limited to images, photographs, and videos).

1.5 In case the Consultant is a witness to or is made aware of a Safeguarding incident in the course of working with the IFRC and/or involving any IFRC staff or in connection with any IFRC projects, the Consultant shall immediately notify the IFRC through the Integrity Line (<https://ifrc.integrityline.org>), by sending an email to speakup@ifrc.integrityline.org, or by calling +41 (0) 800 437 272. The Consultant commits to cooperating with any such investigation.

1.6 The Consultant acknowledges that the provisions related to Safeguarding constitute an essential element of this Agreement and any breach entitles the IFRC to terminate immediately this Agreement, without any liability. If, in the course of this Agreement, a credible allegation of Safeguarding violation is raised against the Consultant, the IFRC may, without any liability suspend the Agreement and any further payments until a fact-finding investigation is concluded. The Consultant agrees to provide full cooperation with such investigation.

1.7 The IFRC reserves the right to institute legal proceedings, including assignment of claims to its donors and/or referral to relevant local authorities, in connection with any allegation of Safeguarding violation involving the Consultant.



Annex 4: Supporting Tools

Sample Confidential Intake and Referral Report of SEA

CONFIDENTIAL: Send completed form to Integrity Line speakup@ifrc.integrityline.org and ensure that victim/survivors have access to confidential victim centred services. If in doubt, contact Head of Safeguarding.

SEA Complaint Intake and Referral Form

GUIDANCE FOR RECEIVING, RECORDING & REFERRALS: In the event you have been approached by a community member or colleague (whether from the same organization or not) with information regarding an incident of Sexual Exploitation and Abuse (SEA), **pay attention to the following while receiving the report:**

- For female survivors, always try to conduct interviews with female staff, including translators. For male survivors able to indicate preferences, it is best to ask if he prefers a man or a woman to conduct the interview.
- For Child survivors wherever possible ensure a parent, carer or other adult known to the child is present. Adapt your language, allow the child to speak without interruption or too many questions and endeavour to ensure access to child sensitive services.
- Treat the complainant with respect and make him/her as comfortable as possible.
- React calmly and listen carefully to what is being said.
- Reassure the complainant that he or she has right to raise the concern.
- Seek consent and address issues of confidentiality, staff members are obliged to report complaints, while reassuring the complainant that information will be kept confidential and only be shared on a strictly “need to know” basis including referral to the Office for Internal Audit & Investigations (OIAI) via Integrity Line, via [EQS Integrity Line](#) or speakup@ifrc.integrityline.org.
- Ask only relevant questions required to gain a clear understanding of the complaint so that it can be passed on via IFRC’s reporting procedures. For example, the status of the virginity of the survivor is not relevant and should not be discussed.
- **The safety of the survivor should be a primary consideration at all times during reporting, investigation, and thereafter.** Complaint mechanisms must consider potential dangers and risks to all parties (including the victim/survivor/survivor, the complainant if different, the Subject of the Complaint, and the organizations involved), and incorporate ways to prevent additional harm. This includes offering

physical protection and relocation when necessary and with the informed consent of the victim/survivor/survivor, and pre-emptively addressing potential retaliation against all complainants.

- Consider and prioritise the victim/survivor/survivor's immediate needs regarding services **including medical attention and use available GBV referral pathways** if accessible or seek advice from a GBV specialist.
- **The victim/survivor/survivor is never to blame for SEA.** Frequently, both humanitarian actors and members of the affected community will categorize certain types of exploitation or abuse as 'harmful coping mechanisms' (for example, engaging in transactional sex), dismissing the harm inflicted upon the victim/survivor. **This label should never be used to undermine the responsibility of the humanitarian staff person who committed the act, or diminish the survivor's need for assistance services.**
- Recording of information, suspicions or concerns needs to be as clear as possible, as it may be used in subsequent disciplinary or legal action. i.e., Correct names of all involved, identity numbers of witnesses, victim/survivors, and if possible photo records of the subject.
- The nature of the complaint. An accurate account of what was said by the complainant in her/his own words. A description of any visible sign of abuse or other injuries including a body map, maybe helpful and with complainants' permission non identifying photographs of injuries where possible **(Note: A Focal Point does not conduct an exam, this is strictly performed by a medical clinic).**
- Key observations while receiving the complaint: Times, locations, dates given, whether anyone else knows or has been given information, whether survivor has accessed services.
- Inform the complainant of the next steps in the procedure.

Report the complaint (using the form on the next page), as per the agency reporting procedure, at the earliest opportunity.

PLEASE NOTE THIS INFORMATION SHOULD BE KEPT CONFIDENTIAL

SEA Complaint Intake and Referral Form

Name of Complainant:	Nationality:
Address/Contact Details:	Position/Identity Number:
Age:	Sex:
Name (s) & address of parents/legal guardian, if under 18:	Has survivor given consent for completion of this form? YES: NO: I DON'T KNOW
Name of victim/survivor/survivor (if not the complainant):	Nationality:
Address/Contact Details	Identity No.
Age:	Sex:
Is the victim/survivor/survivor receiving any type of humanitarian assistance? Name the organization/agency providing assistance):	How does complainant prefer to be contacted? (Give details)

Date of incident(s):	Time of incident(s):
Location of incident(s):	Brief description of incident(s) in the words of the survivor / complainant:
Briefly describe service (s) provided to survivor	<p>Is the perpetrator a continuing threat to the safety of the survivor, complainant, staff or any affected person?</p> <p>Please explain any safety concerns:</p>
Name of accused person(s):	Position / Job title of person(s):
Agency accused person(s) works for	Address or location where accused person(s) works:

Agency receiving complaint:	
Name of person completing form:	Position / Job title:
Signature:	Date:
Referral to Agency of Concern PSEA Focal Point	
Name of agency/name of person (PSEA Focal Point) report forwarded to:	Date of referral:
Acknowledgment of receipt	
Name & Position/Job title:	Agency:
Signature:	Date received:

Related Documents

File Number	Name	Version
109	<u>Code of Conduct</u>	2007
205	<u>Whistleblower Protection Policy</u>	2015
	<u>IFRC Secretariat Policy on Child Safeguarding</u>	2021
122	<u>Anti-Harassment Guidelines</u>	2007
112	<u>Staff Rules</u>	
111	<u>Staff Regulations</u>	
	<u>IFRC Protection, Gender and Inclusion Policy</u>	2022
085	Standards of Investigation	
	<u>Gender and Diversity Policy</u>	2020

References

- [i] Child Safeguarding Policy | IFRC
- [ii] the Protection, Gender and Inclusion Policy
- [iii] In 2015, adopted Resolution 3: Sexual and Gender-Based Violence: Joint Action on Prevention and Response. 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”.
- [iv] IASC Minimum Operating Standards – Protection from Sexual Exploitation and Abuse by own Personnel
- [v] <https://interagencystandingcommittee.org/iasc-champion-protection-sexual-exploitation-and-abuse-and-sexual-harassment/iasc-definition-principles-victim-survivor-centered-approach-0>
- [vi] Sexual harassment refers to prohibited conduct in the work context. It is defined in the IFRC Secretariat Policy on the Prevention and Response to Workplace Harassment and Discrimination and involves any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment.
- [vii] e.g. teachers, social workers, health staff, etc.
- [viii] e.g., Intimate Partner Violence (IPV) usually consists of a pattern or assaultive and coercive behaviours, including physical, sexual and psychological attacks, as well as economic coercion, by a current or former intimate partner
- [ix] https://rcrcconference.org/app/uploads/2019/12/190024_en-CD19-R1-Movement-wide-commitments-for-CEA-CLEAN_ADOPTED_en.pdf
- [x] Including being trained on key guidelines such as UNICEF/IRC Caring for Child Survivors of Sexual Abuse Guidelines; Minimum Standards for Child Protection in Humanitarian Action ; IASC Guidelines on Mental Health and Psychological Support in Emergency Settings.
- [xi] E.g. using child-centred non-verbal techniques like art, drawing, using dolls, etc. to facilitate information sharing throughout all stages of the child’s care and treatment process.
- [xii] United Nations Guidelines on Justice Matters involving Child Victim and Witnesses of Crimes (“UN Guidelines”), para. 30.
- [xiii] For further information, see UNICEF Guidance on child interview monitoring and conducting child interviews.
- [xiv] Article 5 Convention on the Rights of the Child. Children 0-5 are not in position to provide consent or assent. Children 6-14 can give assent along with consent from a family member / trusted adult. Children 15-17 are generally in a position to give consent depending on their educational and developmental capacity.
- [xv] Article 3 UN Convention on the Rights of the Child .
- [xvi] United Nations Glossary on Sexual Exploitation and Abuse (2017).
- [xvii] Technical Note on the Implementation of the United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse (2021).
- [xviii] Ibid note 6.
- [xix] Definition of Sexual Exploitation & Abuse from UN Secretary General’s Bulletin ST/SGB/2003/13 – See also AC 2013/27- Protection from Sexual Exploitation and Abuse



The International Federation of Red Cross and Red Crescent Societies (IFRC) is the world's largest humanitarian network, with 191 National Red Cross and Red Crescent Societies and more than 16 million volunteers. Our volunteers are present in communities before, during and after a crisis or disaster. We work in the most hard to reach and complex settings in the world, saving lives and promoting human dignity. We support communities to become stronger and more resilient places where people can live safe and healthy lives, and have opportunities to thrive.



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