
Summary: The purpose of this policy is to ensure that program participants are treated with dignity and respect and that certain standards of behavior are observed.

Policy: Oxfam America is committed to ensure that it carries out its duty of care and protection towards all participants of its programs anywhere in the world. Oxfam America holds itself and its partner Organizations accountable to prevent cases of sexual exploitation and abuse by employees or others associated with its programs.

Oxfam America recognizes that the goods and services provided through its relief and development programs can create a power differential between community members and program participants and Oxfam America employees as well as its partners' employees. Therefore Oxfam America will take all possible measures and steps to prevent cases of sexual exploitation and abuse and will respond to concerns and allegations wherever they might occur.

Oxfam America prohibits sexual exploitation and abuse of program participants- children, women and men perpetrated by Oxfam America staff, Oxfam America partner organizations and other parties officially and formally affiliated with Oxfam America, including official visitors, contractors, board members, visiting donors, volunteers, interns, journalists etc. Oxfam America expects these same individuals to treat program participants with dignity, integrity and respect.

Definition:

Oxfam America complies with the United Nations definition of exploitation and abuse described as follows:

Sexual Abuse is actual or threatened physical intrusion of a sexual nature by force or under unequal or coercive conditions;

Sexual Exploitation is any abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the sexual exploitation of another.

Core Principles Relating to Sexual Exploitation and Abuse (according to UN Inter-Agency Standing Committee):

1. Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.
3. Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.
4. Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.

5. Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.
6. Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes Oxfam America's Code of Conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment, and each should ensure that all employees and Oxfam America affiliated parties are acquainted with the requirements of the policy.

Rights of program participants:

Oxfam America protects and upholds the rights of its program participants to be free from any kind of exploitation. Such rights are embedded in the Universal Declaration of Human Rights, the UN Convention on the Rights of the Child (CRC) which is not ratified by US and Somalia, the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the International Humanitarian Law and in the national laws of most countries.

Partner organizations:

Oxfam America implements its development and relief and rehabilitation programs through its local partners, NGOs, civil society organizations, community-based organizations and other local governmental and private institutions. Oxfam America's policy for preventing sexual exploitation and abuse requires Partner Organizations to adhere to the principles contained in this policy document. Acceptance of this policy by the Partner Organization is a requirement of any partnership agreement that Oxfam America enters into with other organizations. Oxfam America needs to be assured that the practical and management arrangements of its partners reflect this commitment to the protection of vulnerable people and respond to issues of abuse.

Local culture and context:

Oxfam America works with communities with a very diverse cultural and religious background. Therefore it is important that cultural and religious practices and beliefs be taken into consideration for the protection of the program participants affected by sexual assault and abuse. However, cultural misunderstanding can never be an excuse or a motive for inappropriate behavior.

Relationships with program participants:

Oxfam America employees must never take advantage of their position at Oxfam America to pressure program participants for any type of exchange of goods or services.

Oxfam America recognizes that employees may also be members of the program participants' community, and therefore may be married or have long-established relationships in the program participant community. Such marriages or relationships must be disclosed to Oxfam America Management. Apart from this, Oxfam America strongly discourages staff from engaging in sexual relationships with members of communities with whom they are working directly and reserves the right to take action where Oxfam America deems it appropriate, which may involve disciplinary action, including termination of employment or other relationship with Oxfam America.

All employees must declare any potential conflicts of interest, exercise discretion,

professionalism and good judgment when there is a relationship between Oxfam America employees and the program participants. Employees must also declare potential conflicts of interest between themselves and potential program participants, sub-contractors and applicants for positions within Oxfam America.

Reporting requirements:

All staff is required to report internally any concerns, complaints or rumors, regarding possible sexual exploitation and abuse by an Oxfam America employee or any other party officially associated with Oxfam America. No action will be taken against any staff member who reports in good faith, however, if a staff member knowingly and willfully reports or spreads false or malicious information regarding another staff member, his/her behavior will constitute misconduct.

It is not the responsibility of the employee reporting the complaint to ascertain whether or not the complaint is true. It is his/her responsibility to report the concern via the mechanism outlined in this policy.

The concerns that must be reported include, but are not limited to:

- A practice or behavior suggesting that a staff member has abused the power invested in him/her, by virtue of his/her post, to sexually exploit or abuse a program participant;
- an allegation that a staff member has breached Oxfam America’s policy and rules regarding sexual exploitation and abuse outside the work environment by engaging in a sexual relationship with a person under the age of 18;
- concerns that cover a wide range of issues involving the exploitation of women and or children ranging from inappropriate behavior to possible criminal offenses; concerns regarding the past behavior of an employee or affiliated staff.

Oxfam America will treat complaints of sexual exploitation and abuse very seriously irrespective of whether they constitute illegal or prohibited acts in the country where they were allegedly committed. Oxfam America will make every effort to ensure the confidentiality of all parties and information shared.

Alleged cases of sexual exploitation or abuse may also be reported on [EthicsPoint – Ethics Violation Reporting](#), a comprehensive and confidential reporting tool available in English, Spanish and French.

Investigation procedure:

Once a complaint is received, Oxfam America senior management will take appropriate actions which may include the initiation of a preliminary inquiry or a full investigation. Any information given or discovered will be shared on a “need to know” basis and will be assessed case by case.

The investigation procedure is an administrative procedure and should not be seen as a substitute for a criminal investigation when this is warranted.

Employee assistance:

An employee who is concerned about a potential case of exploitation, or has witnessed or heard about an incident of exploitation in the workplace, may contact a trained counselor in confidence through Oxfam’s Employee Assistance Program at:

Victims' assistance:

Oxfam America takes all allegations of sexual exploitation and abuse seriously and will make every effort to ensure confidentiality and anonymity of all parties involved in the case. Oxfam America will assist victims and complainants by giving them support based on local customs and in the line with the wishes and needs of the victims and complainants.

Applies to: This policy applies to all Oxfam America employees, interns, volunteers, contractors, consultants, Board members, partners and external community members.

For the purpose of this policy, the term "visitor" is any individual who visits Oxfam America programs and comes into contact with program participants. This includes journalists, consultants, donors and Board members.

Responsible Department: Human Resources, Executive Leadership Team

Associated Policies: Child Protection Policy, Code of Conduct

Date: March 2018
