

Summary:

This Policy sets out Oxfam America’s approach to preventing and addressing sexual exploitation, abuse, and harassment (PSEAH). This includes:

- Our commitments to prevent SEAH and to ensure effective action is taken when problems occur;
- Principles upon which we will base our decision making and actions; and
- Our expectations of all those who work on behalf of Oxfam America.

Scope:

The Policy applies to all Oxfam America Employees and Related Personnel² as well as visitors both during and outside normal working hours.^{3, 4}

Policy:

Oxfam America⁵ has a zero-tolerance policy towards inaction against sexual harassment, exploitation, and abuse. At Oxfam, we believe all people have a right to live their lives free from sexual violence and any abuse of power regardless of age, gender, sexuality, sexual orientation, disability, religion or ethnic origin. We recognize that there are unequal power dynamics across the organization and in relation to those we serve, and that we face risk of some people exploiting their position of power for personal gain. Oxfam will not tolerate its employees, volunteers, consultants, partners, or any other representative associated with the delivery of its work carrying out any form of sexual harassment, sexual exploitation or sexual abuse. Oxfam commits to supporting survivors, improving safeguarding capacity, reporting, investigating, responding to, and preventing sexual harassment and sexual exploitation and abuse.

Oxfam America will use this Policy in conjunction with relevant laws (including criminal, employment and privacy for example), duty of care and to make decisions about how to respond to any complaints and concerns raised.

Oxfam America is committed to achieving full, ongoing implementation of the Six Core Principles relating to Sexual Exploitation and Abuse by the Inter-Agency Standing Committee (IASC) Working Group on Prevention and Response to Sexual Exploitation and Abuse, the Inter-Agency Standing Committee Minimum Operating Standards on PSEA and the Core Humanitarian Standard on Quality and Accountability.

Personnel constitute acts of gross misconduct and are, therefore, grounds for termination of employment or contract/agreement. Sexual harassment by Oxfam America Employees and Related Personnel is grounds for disciplinary action up to and including dismissal.

2. 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 an excuse.
3. Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior by Oxfam America Employees and Related Personnel is prohibited at all times. This includes buying sex or the exchange of assistance that is due to program participants.
4. Sexual relationships between Oxfam America Employees or Related Personnel and community members we work with are forbidden. Given the contexts where Oxfam operates, such relationships may be based on inherently unequal power dynamics and may undermine the credibility and integrity of Oxfam's relief and development work. Oxfam America Employees and Related Personnel must declare any previously existing relationships with community members we work with to their line managers or HR focal point.
5. Where an Oxfam America Employee or Related Personnel develops concerns or suspicions regarding sexual abuse or exploitation or sexual harassment by a fellow worker, whether in Oxfam or not, they must immediately report such concerns via the established reporting mechanisms.
6. Oxfam America Employees and Related Personnel are obliged to create and maintain an environment that prevents sexual exploitation, abuse and harassment and any form of child abuse⁴ and promotes the implementation of this Policy. Oxfam Managers at all levels have particular responsibilities to support and develop systems, which maintain this environment.

Oxfam's Commitments

Oxfam America is dedicated to fulfilling the following commitments to prevent and respond to sexual exploitation, abuse, and harassment (SEAH) as highlighted in the six Core Principles above.

a) Safe, Respectful and Inclusive Organizational Culture:

Oxfam America will make every effort to create and maintain a safe, equitable, and inclusive organizational culture where all those who work for and with Oxfam

¹ The six Core Principles are from the UN Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13). They have been modified by Oxfam to refer to sexual harassment and "Oxfam Employees and Related Personnel"

² "Oxfam America Employees and Related Personnel" includes all employees, board members, volunteers, interns, and international and local consultants, day laborers, in addition to individual and corporate contractors of these entities and related personnel. This includes non-Oxfam entities and their employees and individuals who have entered into partnership, sub-grant or sub-recipient agreements with Oxfam America. 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, and donors. When the term "Oxfam America Employees and Related Personnel" is used in this Policy it includes visitors unless stated otherwise.

³ This Policy applies except in countries where it contravenes local legislation. In these cases, local legislation will only apply where it prescribes stricter measures than this Policy, in line with Oxfam's adherence to a Human Rights standards and with guidance from Oxfam America's Safeguarding and People, Culture and Human Resources teams. Oxfam policy will apply in the event that it is more stringent than local legislation.

⁴ Please visit the [Safeguarding Compass Community](#) for the current Safeguarding policies and procedures and other related documents.

⁵ The terms "Oxfam" and "Oxfam America" are used interchangeably throughout this policy. The Oxfam America PSEAH Policy is a localized version of the One Oxfam PSEAH Policy, published on 11 March 2021.

as well as those in the communities where Oxfam operates are treated with dignity and their rights and voices are heard and respected. This entails applying Oxfam's gender justice and feminist working principles that include power sharing. This will present us with opportunities to discuss and reflect on emerging themes with a diverse pool of stakeholders ("nothing about us without us"), that will lead to robust prevention and response work to SEAH, offering support to survivors, and holding those responsible for sexual exploitation abuse or harassment, to account.

b) Reporting SEAH:

- Ensure that we have multiple channels for Oxfam America Employees, Related Personnel, community members we work with, and others to safely report sexual exploitation and abuse and sexual harassment. These channels should be designed in consultation with local communities and staff to ensure that they are safe and accessible.
- Ensure that everyone who works on behalf of Oxfam and those we serve have information about how to access these safe reporting channels, including messaging that is suitable for children and people of other diversities. This should include posting reporting procedures in local languages and regularly explaining these channels.
- Provide training and information to all Oxfam America Employees and Related Personnel, particularly focal points for receiving complaints, to ensure they understand their obligations and how to discharge their duties should they receive a complaint. A particular emphasis should be made on confidentiality.
- Abide by the external reporting requirement of the [Standard Operating Procedure for Misconduct Reporting](#). Only staff with delegated authority can report to external donor and regulatory authorities. Survivors/Victims have the right to report directly to regulatory authorities within their country. Oxfam will assist survivors/victims in making a report if they request this.

c) Responding to SEAH Reports:

Oxfam America will respond in a professional and timely manner to all concerns or allegations of sexual exploitation, abuse or harassment. For more information on this, please refer to the [One Oxfam Case Management SOP](#).⁶ All concerns or allegations will always be taken seriously, and investigated and acted upon where appropriate, in line with our safeguarding principles listed below.

- **Survivor Centered Approach:** A survivor-centered approach creates a supportive environment in which the survivor's rights and wishes are respected, prioritized, their safety is ensured, and they are treated with dignity and respect. A survivor-centered approach is based on the following guiding principles:
 - **Safety:** The safety and security of the survivor and her/his children is the primary consideration.
 - **Confidentiality:** Survivors have the right to choose to whom they will or will not tell their story, and information should only be shared with the informed consent of the survivor. Although there may be instances where an imminent threat of harm to a child or someone else may override confidentiality.
 - **Respect:** All actions taken should be guided by respect for the choices,

⁶ This is an internal link to Oxfam employees. For a copy of these procedures, please contact Oxfam America's Safeguarding Advisor (speakup@oxfamamerica.org).

wishes, rights and dignity of the survivor. The role of safeguarding teams is to facilitate recovery and provide resources to aid the survivor.

- **Non-discrimination:** Survivors should receive equal and fair treatment regardless of their age, gender, race, religion, nationality, ethnicity, sexual orientation or any other characteristic.
- **Robust and accountable case management:** All allegations of SEAH, and subsequent follow-up, will be documented in a secure and confidential database to ensure accountability. The report will be officially acknowledged within 24 hours, and a safeguarding team will convene a case conference to assess immediate risks and next steps within 72 hours.
- **Investigations:** Oxfam will carry out independent, safe, and discreet investigations, through trained investigators working with Oxfam's Safeguarding Teams, recognizing the rights of and duty of care to everyone involved, including complainant and/or survivor, witnesses, and subject of complaint (SoC).
- **Accountable decision-making:** Oxfam will take swift and appropriate action against Oxfam Employees and Related Personnel who are found to have committed SEAH. This may include administrative or disciplinary action, and/or referral to the relevant local authorities if appropriate and safe to do so. An independent and gender representative decision making panel will be assigned in every investigation to ensure impartiality, transparency, and accountability (e.g. for country cases the panel may include people from outside of country). The decision-making process will be subject to scrutiny by relevant SG leads and/or advisors.
- **Survivor Support:** Survivors of SEAH are entitled to specialized support services. Oxfam commits to refer survivors to competent support services as appropriate and available and according to the wants and the needs of the survivor. Support may include specialist psychosocial support such as counselling, medical assistance, legal counselling and access to Oxfam's Employee Assistance Programs (where available). Assistance will be made available regardless of whether a formal internal response is carried out (such as an internal investigation).

d) Embedding PSEAH into Oxfam work

- **Safer Recruitment:** In compliance with applicable laws, Oxfam America is committed to prevent perpetrators of SEAH from being hired, (re)hired or (re)deployed. People and Culture and Human Resources will ensure robust recruitment screening processes (e.g. pre-screening using Criminal History Checks or similar) for all personnel, including employees, volunteers, consultants and other representatives. As part of this, all application forms, interviews, and references must address safeguarding and equality requirements and attitudes.
 - **Safe Partnership Agreements:** Oxfam will ensure that, when engaging in partnerships, sub-grant or sub-recipient agreements, these agreements: (i) incorporate this Policy as an attachment; (ii) include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers to abide by a Code of Conduct that is pursuant to the standards of this Policy; and (iii) expressly state that the failure of those entities or individuals, as appropriate, to take preventive measures against sexual exploitation and abuse and sexual harassment, to investigate and report allegations thereof, or to take corrective actions when SEAH has occurred,
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shall constitute grounds for Oxfam to terminate such agreements. (iv) Oxfam will include assessments on partner capacity including existing Safeguarding policies, procedures and training and where not in place, will provide the capacity building and support as part of entering into any new partnership.

- **Staff and partner training⁶:** Oxfam America Employees and Related Personnel must receive as part of their induction trainings on safeguarding when they join Oxfam, including a briefing on Oxfam's policies and values, the Code of Conduct, information about how to report concerns, and advice about where to seek further information about safeguarding and safer practices across the organization. Anyone working directly with community members on behalf of Oxfam must receive additional training on how to receive complaints and handle them in a safe and confidential manner.
 - **Accountability to the Communities we work with:** Oxfam commits to promoting accountability towards individuals and the communities where we work by: (i) being transparent about Oxfam programming, activities, and services they are entitled to; (ii) raising awareness about Oxfam's Code of Conduct, safeguarding policies, and reporting channels; (iii) actively seeking feedback from communities on Oxfam's work, individual behaviors, and complaints; and (iv) presenting feedback to communities on what changes have been made resulting from community feedback – ideally by a senior Oxfam representative. The above steps should occur regularly throughout the lifecycle of the program or activity.
 - **Safe Programming:** Oxfam Employees and Related Personnel are required to take proactive measures to avoid causing inadvertent harm to civilians, contribute to actively reduce existing threats and ensure program are conflict sensitive. This includes embedding good practice and SEAH prevention measures throughout the program and project cycle, including project design, grant proposals, assessments, complaints and feedback mechanisms, and monitoring and evaluation.
 - **All Oxfam Employees and Related-Personnel:** Everyone who works on behalf of Oxfam America is required to report any suspicions or incidences of SEAH of others (see section 5 below). Failure to report to a relevant person suspicion of SEAH relating to someone else is a breach of Oxfam's policy and could lead to disciplinary action being taken against employees and the termination of Oxfam's relationship with non-employees. There is no obligation for an individual to report any incident that has happened to them.
 - **Trustees and Directors:** Oxfam Directors and Board Members hold overall accountability for this policy and its implementation.
 - **Oxfam Affiliate's Executive Director:** Each Oxfam America's President and CEO is responsible for the application of this policy within Oxfam America.
 - **Safeguarding (SG) Focal Points:** Provide support to prevent and respond to SEAH alongside their substantive roles. Raising awareness and promoting best practices by receiving concerns, supporting survivors and reporting concerns in a confidential manner within Oxfam America's Affiliate channel.
 - **SG Advisors:** Provide support to Focal Points, staff, and programmes to prevent and respond to SEAH. Raising awareness, conducting training, and promoting best practices, as well as receiving concerns, conducting referrals
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to specialized services and supporting investigations. SG Advisors and senior management should offer further support to help implement this Policy.

- **Managers:** Responsible for promoting awareness of this Policy with people they manage and for supporting/developing systems that create and maintain a safe working environment. This also includes the responsibility for ensuring that all staff and Related Personnel receive regular PSEAH trainings, with a particular emphasis on staff who are in direct contact with the people we serve. Managers should prioritize PSEAH awareness raising for themselves and their divisions, individual departments or teams, and provide budget lines for some activities.
- **Program Teams:** Consult with communities with whom we work (*in a safe, accessible, and culturally appropriate way*), to ensure that community members and those working on behalf of Oxfam are familiar with Oxfam's Code of Conduct, how to raise complaints and concerns, and that Oxfam will take action when this happens. Program Teams should also clearly explain what goods and/or services the community members are entitled to and how they are selected.

SG leads from Oxfam affiliates and OI Safeguarding Director are responsible for reviewing and updating this policy annually. This will be in line with legislative and organizational developments, feedback and lessons learned.

TO REPORT A SAFEGUARDING CONCERN, YOU CAN:

1. Visit <https://oxfam.clue-webforms.co.uk/webform/misconduct/en>
2. Contact Oxfam America's Safeguarding Advisor or the Safeguarding Lead or Focal Point in your office or Affiliate.
3. Visit your Oxfam affiliate website or the [Safeguarding Compass Community](#) for up to date contact details of your closest safeguarding team.

Roles and Responsibilities:

Oxfam America Employees and Related Personnel have a responsibility to report any suspicion or concern of SEAH. Any individual can raise a concern/complaint to Oxfam about an incident they have experienced, witnessed, or heard about concerning an Oxfam staff member or partner (suppliers, partners, contractor, etc.) without fear of retribution. The relevant Affiliate's Safeguarding Lead will then take the complaint forward, in line with the One Oxfam Case Management SOP.

Unless specifically requested to confidentially support investigations led by qualified Safeguarding investigators, Oxfam America Employees and Related Personnel *must not* investigate allegations or suspicions themselves. Investigations are carried out by professional / trained investigators with experience in the field of SEAH. Decisions about a case concerning a child should be made in conjunction with their parent/ guardian wherever possible.

a) Reporting Channels:

Anyone (including members of the community Oxfam works with) can raise a

concern or make a complaint to Oxfam about something they have experienced or witnessed without fear of retribution. You can do this verbally or in writing to your country team or Executing/Home Affiliate's Safeguarding Focal Point, Safeguarding Team or using the whistleblowing helpline service.

If your Employing Affiliate does not have a Safeguarding Team, a dedicated whistleblowing helpline, if you do not wish to use the online webform for reporting, or if you simply prefer, you can write to speakup@oxfamamerica.org, which is available to all Oxfam Affiliates and country teams.

Employees can also choose to raise concerns with their Line Manager or Human Resources team member.

b) Confidentiality:

Complaints can be made anonymously. Every effort will be made to maintain confidentiality throughout the complaints process. Information that identifies individuals involved in a complaint will be limited to personnel with the absolute need to have such information and will not be shared further without obtaining the informed consent of the survivor, except if someone's life is at risk, a child is at risk, or as required by law in consultation with legal counsel and where safe to do so.

Non-identifying information will be shared as per donor and regulatory body reporting requirements.

Staff involved in the complaints process will be made aware of the importance of maintaining confidentiality and may be asked to sign a confidentiality agreement. Employees who breach confidentiality may be subject to disciplinary action up to and including termination of employment, and others who work with Oxfam may have their relationship with Oxfam terminated. In some cases, such breaches may constitute breaking the law.

c) Retaliation against Complainants, Survivors, and Witnesses:

Oxfam will take action against anyone, whether they are the subject of a complaint or not, who seek or carry out retaliatory action against complainants, survivors, other witnesses or the subject of complaint. Employees may be subject to disciplinary action, up to and including termination of employment. Others who work with Oxfam may have their relationship with Oxfam terminated.

d) Complaints about Oxfam America's Partners:

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

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

e) Receiving Complaints about External Organizations/Bodies:

Safeguarding complaints raised to Oxfam America about other organizations/bodies should be referred to the affiliate safeguarding teams, who will report cases to the relevant organizations involved where safe to do so. Referrals will need to consider circumstances that could indicate a potential risk of

**Raising a
Complaint or
Concern:**

harm to an individual or others in the future. Complaints should be referred to local PSEAH working groups, networks, and/or the charity commission/police/donors where appropriate and safe to do so and/or in circumstances that could indicate a potential risk of harm to an individual or others in the future. Oxfam will not investigate cases related to other organizations, but does have an obligation to report.

Annex I:

Definitions:

Oxfam Employees and Related Personnel: The term “Oxfam Employees and Related Personnel” includes all employees of Oxfam International, Oxfam Affiliates and Oxfam Country Offices. The term also includes board members, volunteers, interns, and international and local consultants, day laborer, in addition to individual and corporate contractors of these entities and related personnel. This includes non-Oxfam entities and their employees and individuals who have entered into partnership, sub-grant or sub-recipient agreements with Oxfam.

Sexual Harassment: Sexual harassment is any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another. Such conduct will also be considered sexual harassment when it interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. While typically involving a pattern of behavior, it can take the form of a single incident. Sexual harassment may occur between persons of the opposite or same sex. Both males and females can be either the victims or the offenders.

Sexual Exploitation: Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. Oxfam recognizes that the terms sexual abuse and exploitation represent a wide spectrum of behaviors and is not limited to the act of sexual intercourse.

Sexual Abuse: The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. This would include forced marriage and sexual slavery and also includes sexual activity with a child (any person under the age of 18),

Sexual Relationship: Includes but is not limited to staff member or related personnel having a physically intimate relationship, or an online sexually related relationship via social media, text or telephone.

Child Sexual Abuse: When a child is used by another child, adolescent or adult for his or her own sexual stimulation or gratification. Sexual abuse involves contact and non-contact activities which encompasses all forms of sexual activity involving children, including exposing a child to online child sexual exploitation material, or taking sexually exploitative images of children.

Survivor: The person who it is alleged has been the subject of sexual harassment, abuse or exploitation.

Complainant: The person who raises a complaint (this may or may not be the

survivor).

Subject of Complaint/Subject of Concern/SoC: The person against whom the allegation, complaint or concern has been raised.

Suspicion of misconduct: A concern that has been raised through any of the reporting pathways. This suspicion is assessed at an initial case conference / stakeholder panel.

Allegation of misconduct: If, at case conference / stakeholder panel stage there is a decision to investigate the suspicion of misconduct then it is treated as an 'allegation of misconduct'.

Outcome of Investigation: Once an allegation is investigated and the investigation report is reviewed, the resulting recommendations are referred to as the 'outcome of investigation'.

Responsible Dept:	People, Culture & Human Resources, Safeguarding Advisor/Executive Office
Associated Policies and Forms:	Code of Conduct Child Safeguarding Policy Youth Safeguarding Policy Digital Safeguarding Policy
Approval Date	Rev. 8/21