



Rooftops Canada
Abri international

Rooftops Canada – Abri International SEXUAL EXPLOITATION AND ABUSE PREVENTION AND RESPONSE POLICY - November 2023

1. Policy Statement

Rooftops Canada commits to a zero-tolerance policy towards sexual exploitation and abuse (SEA) and considers any such acts a gross misconduct and grounds for dismissal. Rooftops Canada recognizes the unequal power dynamics inherent in international development work and our responsibility to protect the human rights of the communities we serve and provide an environment free of sexual exploitation and abuse.

The policy applies to all employees, volunteers and other related personnel of Rooftops Canada working with project beneficiaries. This policy also affirms Rooftops Canada commitment to the welfare of its project beneficiaries and to a survivor-centred approach.

Any complaints related to SEA will be treated with the utmost confidentiality within the power of the organization. Settling of the complaint will lean toward removing the alleged aggressor rather than the survivor. The survivor's informed consent will be secured before commencing each new step of the response procedures for the reported SEA incident. The survivor may withdraw the complaint or decide to halt further actions at any time, provided it is still within Rooftops' power to comply, and the matter has not yet been referred to police.

All complaints of sexual exploitation and abuse will be investigated and disciplinary sanctions up to and including termination of employment/contract will be applied. Any proven false accusations of SEA will be deemed to constitute a violation of this Policy and Code of Conduct and disciplinary sanctions will be applied, as appropriate.

This Protection from Sexual Exploitation and Abuse Policy (November 2023) replaces all and any Rooftops Canada policies on Sexual Assault, Harassment and Exploitation.

This PSEA Policy is based on:

1. The Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and Non-UN Personnel, August 2008

2. The IASC Six Core Principles to Sexual Exploitation and Abuse, June 2002

2. Scope of Application

This *PSEA Policy* applies to all Rooftops Canada International employees, partners, volunteers, Board members and other related personnel in their conduct with Rooftops Canada project beneficiaries. For this Policy, the term “Employees, Volunteers and other related Personnel” (EVP) includes: all employees of Rooftops at headquarter offices and partner offices; Directors and Officers; national and international staff; Board members, national and international volunteers; national and international interns; and national and international consultants, in addition to individual and corporate contractors of these entities and their related personnel.

The term also includes all Rooftops Canada affiliated entities and their employees and individuals who have entered partner, sub-grant, or sub-recipient agreements, and are operating under the umbrella of Rooftops Canada’s international programs.

Sexual harassment or abuse incidents taking place among project beneficiaries are not within the scope of application of this Policy. For such incidents, Rooftops may assist the beneficiary by referring him/her/they to pre-identified local service providers.

3. Code of Conduct ^[1]

1. Rooftops Canada has zero-tolerance towards all forms of sexual misconduct. Engagement in any such activities by Rooftops Canada employees, volunteers, Board members and other related personnel as well as their respective affiliated entities, will be considered an act of gross misconduct and constitutes grounds for disciplinary sanctions up to and including termination of the employment or collaboration agreement.
2. Sexual activities with children (persons under the age of 18) or vulnerable adults ^[2] are strictly prohibited regardless of the local age of consent or local recognition of the status of a vulnerable adult ^[3]. Ignorance or mistaken belief in the age of the child or the status of the vulnerable adult is not a defence.
3. Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited. This includes the exchange for services to which program participants are entitled.
4. Sexual relationships of Rooftops employees, volunteers, Board members and other related personnel and their respective affiliated entities with direct and indirect project beneficiaries, including all persons receiving services or assistance from Rooftops Canada or its programs, are prohibited since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of Rooftops Canada operations and genuine development program efforts.
5. If any Rooftops employees, volunteers, Board members and other related personnel or their respective affiliated entities have concerns or suspicions regarding a possibility of SEA by another employee, volunteer, or other related personnel, he/she/they must

report such concerns via Rooftops established reporting channels or as a whistleblower (concern@rooftops.ca).

6. Rooftops employees, volunteers, Board members and other related personnel and their respective affiliated entities are obliged to make every reasonable effort to ensure and maintain an environment free of SEA and promote the implementation of this Policy.
7. Rooftops Directors and Leads at all levels have responsibilities to support and develop systems that sustain such an environment.

4. Rooftops Canada Management Commitments

Rooftops Canada is dedicated to enforcing and observing this PSEA Policy by way of the following commitment to:

1. Foster a positive work environment in which sexual harassment, exploitation or abuse by individuals or groups does not occur; and to lead by example.
2. Develop country level strategies to prevent and respond to SEA.
3. Incorporate the PSEA Policy into onboarding materials and training for all Rooftops Canada employees, volunteers, Board members and other related personnel.
4. Incorporate appropriate job responsibilities in designated PSEA Focal Points' terms of reference to support and ensure effective implementation of the PSEA Policy.
5. Ensure that all individual contracts of Rooftops employees, volunteers Board members and other related personnel working on international programs are annexed with this Policy.
6. In compliance with applicable laws, make reasonable effort to prevent perpetrators of SEA from being rehired or redeployed. Directors, Project Leads and Human Resources Personnel must ensure robust recruitment screening processes according to best practices for all Rooftops employees, volunteers, Board members and other related personnel, particularly for those who will have any direct or indirect contact with children and/or vulnerable adults ^[4].
7. Establish and safeguard accessible complaint mechanisms for reporting SEA by Rooftops employees, volunteers and other related personnel and Rooftops project beneficiaries.
8. Provide training for SEA Focal Points who receive complaints to ensure they understand how to handle and refer such cases.
9. Make available a whistleblower channel for Rooftops employees, volunteers, Board members and other related personnel that guarantees protection from retaliation, and for those who wish to report anonymously.
10. To the best of Rooftops ability, take appropriate action to protect SEA survivors from retaliation when allegations of SEA are made.
11. Investigate allegations of SEA involving Rooftops employees, volunteers, Board members and other related personnel in a timely and professional manner.

12. Treat all incidents of SEA with the utmost confidentiality and share related information only on a need-to-know basis.
13. Take swift and appropriate actions against Rooftops employees, volunteers, Board members and other related personnel who are alleged to have committed acts of SEA.
14. Provide basic referral support to help SEA survivors access relevant community-based services, including medical and psycho-social support.
15. Create and sustain mechanisms to systematically inform Rooftops employees, volunteers, Board members, other related personnel and project beneficiaries on measures taken to prevent and respond to SEA.
16. Integrate SEA prevention and response mechanisms into country operations plans.
17. Encourage Rooftops affiliated entities to develop and institutionalize minimum operating standards for SEA prevention within their respective organization and to mainstream it across their work.
18. Ensure high level oversight and information systems on SEA reports received and actions taken to monitor effectiveness, report progress and improve efforts to prevent and respond to SEA.

5. Commitments of Rooftops Canada Employees, Volunteers, Board Members and Other Related Personnel

Since the relationship between development workers and beneficiaries of development programs is inherently unequal in terms of power relations and levels of authority, all Rooftops employees, volunteers, Board members and other related personnel must be vigilant and rigorously avoid any action (suggested, implied, or perceived) that would suggest or imply that a sexual act might be demanded as a condition for engaging in offered programs and services. Actions of such nature are at odds with the objectives of Rooftops, which is to support women in achieving equal housing and land rights. As such, violation of this Policy undermines the credibility and integrity of Rooftops Canada.

All Rooftops Canada employees, volunteers, Board members and other related personnel must familiarize themselves with this Policy, are required to uphold it, put it into actions, and understand that Rooftops has zero tolerance towards such gross misconduct.

All Rooftops Employees, Volunteers, Board members and other related Personnel must adhere to the following expectations:

- 1 Commit to create and maintain an environment free from sexual abuse, harassment, and exploitation always.
- 2 Refrain from requesting any sexual services or sexual favours from direct or indirect project beneficiaries of Rooftops, in return for Rooftops services.

- 3 Refrain from engaging in any exploitative sexual relationships, including but not limited to sexual favours; exchange of money, employment, goods, or services for sex; or any other forms of humiliating, degrading, or exploitative behaviour.
- 4 Refrain from pursuing services from sex workers always while operating under the umbrella of Rooftops Canada, regardless of the local and national laws of the project country.
- 5 Refrain from any form of sexual activity with direct and indirect Rooftops project beneficiaries because of the inherent conflict of interest and potential for abuse of power in such relationship.
- 6 Refrain from any active or passive sexual activities with a person under the age of 18, of a vulnerable adult – including voyeurism; consuming, producing or distributing child pornography; or child trafficking – regardless of the national and local laws of the country in which Rooftops is operating. Obliviousness or mistaken belief of the child’s age, or the status of the vulnerable adult is not a defense.
- 7 Report any concerns or suspicions regarding possible violations of this Policy by Rooftops employees, volunteers, Board Members or other related personnel or their respective affiliated entities’ employees and related personnel via established Rooftops reporting channels or as a whistleblower.
- 8 Treat any information related to incidents of sexual abuse, harassment or exploitation with utmost confidentiality and share related information only on a need-to-know basis, i.e. only with designated relevant parties.

6. Policy Accountability

Directors, Project Leads, PSEA Focal Points and Human Resources personnel bear added responsibility and have a key role to play:

- Ensure that all Rooftops employees, volunteers, Board members and other related personnel are informed of this Policy, understand it, sign it and adhere to it.
- Project Leads and Human Resources personnel are responsible for robust recruitment, onboarding, and training in accordance with the Code of Conduct.
- Directors and Projects Leads are responsible for performance management to mitigate against the occurrence of sexual abuse, harassment, and exploitation, including taking corrective action when needed.
- Focal Points will ensure that all project beneficiaries are aware of SEA complaint mechanisms and will receive and process all SEA complaints.
- Management is responsible for ensuring investigations are conducted for all credible SEA allegations.
- Management will review the implementation of the PSEA Policy on an annual basis. This includes time-bound, measurable indicators ^[5] to assess the appropriateness of the SEA Policy and Procedures.

Definitions

General Terms

Misconduct: Failure by employees, volunteers, Board members and other related personnel to comply with their obligations under the PSEA Policy.

Protection from Sexual Exploitation and Abuse (PSEA): A term used by the United Nations and non-governmental community to refer to measures taken to protect people from sexual exploitation and abuse by their own staff and associated personnel. ^[6]

Sexual Abuse: The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Sexual activities are only legal when both parties consent. ^[7]

Sexual Consent: The voluntary agreement of all parties to engage in sexual activities. Conduct short of a voluntary agreement to engage in sexual activities does not constitute consent. Sexual touching is only lawful if the person affirmatively communicated their consent, whether through words or conduct.

Silence or passivity does not equal consent. No consent is obtained when:

- The agreement is expressed by the words or conduct of a person other than the complainant.
- The complainant is incapable of consenting to the activity – referred to in this Policy as a member of a vulnerable group.
- The accused induces the complainant to engage in the activity by abusing a position of trust, power, or authority.
- The complainant expresses, by words or conduct, a lack of agreement to engage in the activity.
- The complainant, having consented to engage in sexual activity, expresses, by words or conduct, a lack of agreement to continue to engage in the activity.

Sexual Exploitation: Any actual or attempted abuse of position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from sexual exploitation of another. ^[8] This includes acts such as transactional sex, solicitation of transactional sex, unwelcome sexual advances from people in positions of power and exploitative relationships. All sexual activities with children (a person under 18 years of age) are of an exploitative nature.

Sexual Exploitation and Abuse (SEA): Forms of gender-based violence that have been reported in international development and humanitarian assistance contexts, specifically alleged against development and humanitarian aid workers.

Sexual Harassment: Any improper, unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gestures of a sexual nature, or any other behaviour of a sexual nature that

might reasonably be expected or be perceived to cause offence or humiliations to another. Sexual harassment may be deliberate, unsolicited and coercive. Both males and females can either be the victim or offender.

“Survivor-Centred Approach” Rooftops gives the survivor, to the extent possible and safe, control over the decision-making process; provides internal support and arranges support from relevant professional services as needed. Exceptions to the survivor-centered approach will only be made if the survivor’s wishes could place her/him/them or others at risk.

Individuals

Beneficiaries: All persons receiving services and/or assistance from Rooftops Canada, or through its funded programs. This definition precludes Employees, Volunteers, Board members and other related Personnel.

Indirect Beneficiaries: Persons under this category include members of targeted populations, including vulnerable individuals, who do not receive services and/or assistance from Rooftops Canada directly, but who could potentially benefit from project activities via direct beneficiaries.

Child: A person under the age of 18, regardless of the age of majority or age of consent locally.

Development Worker: All persons involved in providing services/assistance/activities to targeted populations under the umbrella of Rooftops Canada’s international assistance programs. This includes all employees, volunteers, and other related personnel, regardless of the type or duration of their contract.

Employees, Volunteers, Board Members, and other related Personnel: All employees of Rooftops Canada at headquarter offices and country offices; Directors and Officers; national and international staff; national and international volunteers; Board members; national and international interns; national and international fellows, and national and international consultants, in addition to individual and corporate contractors of these entities and their related personnel. The term also includes all Rooftops Canada’s affiliated entities and their employees and individuals who have entered partnership, sub-grant or sub-recipient agreements, and operating under the umbrella of Rooftops Canada’s national and international programs.

Implementing Partners: Entities or organizations that operate at the local or national level, to provide services or deliver development assistance programs under the umbrella of Rooftops Canada programs. All those employed by an implementing partner and involved in delivering activities under Rooftops Canada programs are also considered development workers.

Perpetrator: A person (or group of persons) who commits an act of SEA.

Subject of Complaint: Once a complaint has been filed, the alleged perpetrator of SEA is referred to under this term.

Survivor: A beneficiary of a Rooftops Canada programs who has been subject to sexual exploitation and abuse or an attempt of sexual exploitation and abuse by employees, volunteers, Board members and other related personnel.

Whistleblower: A person other than the survivor who reports SEA concerns or suspicions of misconduct by colleagues.

Witness: A person who observed, or has direct knowledge of, something under investigation.

Vulnerable Adults: All persons over 18 years of age who are unable to take care of themselves or protect themselves from harm or exploitation; or who, due to their gender, mental or physical health, disability, ethnicity, religious identity, sexual orientation, economic or social status, are deemed to be at risk.

Procedures

Assessment of a Complaint: A review of received information to determine if the information amounts to an allegation of misconduct that warrants referral for an investigation.

Case: A situation requiring the attention and possible action of a person who has become aware of it.

Complaint: Information provided, whether by a complainant or any other person (a whistleblower or the survivor), indicating conduct that may be in breach of the SEA Code of Conduct but that has yet to be assessed.

Confidentiality: The disclosure of certain information is restricted and only shared on a need-to-know basis.

Evidence: Information which tends to establish or disprove a fact material to a case. It includes, but is not limited to, oral testimony of witnesses, including experts on technical matters, documents, electronic, audio, video records and photographs, and biological evidence, such as blood, hair, and semen.

False complaint: Intentionally providing false or misleading information.

Incident report: Detailed Information reported (what/how/who/when/where), indicating a conduct that may be in breach of the *Code of Conduct*.

Informed Consent: Signifies the approval by the participant for the information to be used as explained. Consent is often given with limitations. It must therefore be specified whether all the data and information provided can be used, including the identity of the participant, or whether the information may be used on condition that the identity of the participants is kept confidential. The participant may deem some parts of their testimony to be confidential, and

others not: this should also be clarified and recorded. Informed consent is voluntarily and freely given based upon a clear appreciation and understanding of the facts, implications, and future consequences of an action. To give informed consent, the individual concerned must have all relevant facts at the time consent is given and be able to evaluate and understand the consequences of an 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. Children's informed consent should take into consideration their evolving capacities. In the case of a child, informed consent should be voluntary with the informed consent of the child and a parent or guardian. Persons with disabilities may need specific support based on the nature of their impairment whether it be physical, intellectual, or mental, to give consent. Even if informed consent is granted, the information collector has an 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 additional risk to the participants that may be incurred.

Interview: The questioning of a person for the purpose of gathering relevant information related to a SEA matter.

Investigation: An analytical process designed to gather information to determine whether a sexual misconduct occurred and if so, to determine the responsible person or entities.

Whistle Blower Channel: The whistleblower communications channel offers confidentiality and protection from retaliation for reporting a misconduct. Any pertinent issues should be sent to concern@rooftops.ca

Footnotes:

[1] The code of conduct is based on the six Core Principles of the UN Secretary-General's Bulletin (ST/SGB/2003/13).

[2] Vulnerable adults are defined as: those aged over 18 years and who identify themselves as unable to take care of themselves/protect themselves from harm or exploitation; or who, due to their gender, mental or physical health, disability, ethnicity, religious identity, sexual orientation, economic or social status, are deemed to be at risk.

[3] Local and national laws of the country where Rooftops Canada programs are implemented.

[4] This could include use of background and criminal reference/record checks, verbal referee checks, and interview plans that incorporate behavioural-based interview questions.

[5] Quantitative indicators can include number of reported SEA incidents; number of investigated cases, number of survivor/s who received assistance, etc. Qualitative indicators could include elements evoking an unsafe-work environment which resulted in a SEA incident and recommendation for system improvements, reasons for forging a SEA claim, etc.

[6] United Nations (2017), United Nations Glossary on Sexual Exploitation and Abuse (2nd Edition). Prepared by the Task Team on the SEA Glossary for the Special Coordinator on improving the UN response to sexual exploitation and abuse.

[7] UN Secretary-General's Bulletin, Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13).

[8] UN Secretary-General's Bulletin, Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13).