

Protection from Sexual Exploitation and Abuse (PSEA) and Child Safeguarding Policy



Policy Summary

This policy describes PATH's commitment to deterring all activities that would facilitate or condone sexual abuse and exploitation and, particularly, sexual exploitation, abuse or neglect of children and vulnerable adults who are served by PATH programs or who come into contact with PATH personnel implementing those programs. PATH has a zero-tolerance policy for any child or vulnerable adult abuse, exploitation, or neglect as defined below.

PATH is committed to lawful, responsible, and ethical behavior in all of our activities. While such behaviors are broadly covered in PATH's Code of Ethics, Governance, and Responsibility, this policy provides specific guidance on preventing any form of sexual abuse, exploitation, or neglect by PATH personnel or in PATH programming.

Use of the term "sexual exploitation and abuse" throughout this policy refers to children as well as vulnerable adults.

Policy Statement

PATH strictly prohibits all PATH personnel from engaging in any form of child or vulnerable adult abuse, exploitation, or neglect. PATH is committed to creating and maintaining an environment which prevents sexual exploitation and abuse, particularly with respect to children and vulnerable adults. PATH is committed to following the IASC's (Inter-Agency Standing Committee) six core principles relating to sexual exploitation and abuse.

PATH has a responsibility to protect the children and vulnerable adults we work with or who are affected by our work or projects. Children and vulnerable adults are particularly vulnerable to violence, abuse, exploitation, and neglect due to their lack of power and agency. PATH is committed to child safeguarding, which is the process of preventing and protecting children from harm and enabling them to have the best outcomes, regardless of sex, age, disability, sexual orientation, race, religion, gender identity or expression, or any other characteristic. There are contexts in which children are at greater safeguarding risk and this can be perpetuated due to gender and social imbalances. PATH will ensure that all PATH personnel involved in PATH projects and activities "do no harm" to children and vulnerable adults, taking appropriate action to prevent harm and to respond appropriately when it does occur.

Definitions

Child

A child or children are defined as persons who have not attained 18 years of age.

Vulnerable adult

Vulnerable adults are all individuals aged 18 years and over who are more likely to be targeted by perpetrators because of their race, gender identity or expression, ethnicity, age, mental or physical health, disability, religious identity, sexual orientation, economic or social status, or other power differential.

Child or vulnerable adult abuse, exploitation, or neglect

Child or vulnerable adult abuse, exploitation, or neglect is any form of physical abuse; emotional ill-treatment; sexual abuse; neglect or insufficient supervision; trafficking; or commercial, transactional, labor, or other exploitation resulting in actual or potential harm to the child or vulnerable adult's health, well-being, survival, development, or dignity. It includes, but is not limited to, any act or failure to act which results in death, serious physical or emotional harm to a child or vulnerable adult, or an act or failure to act which presents an imminent risk of serious harm to a child or vulnerable adult.

Physical abuse

Physical abuse is acts or failures to act resulting in injury (not necessarily visible), unnecessary or unjustified pain or suffering causing injury, harm, or risk of harm to a child's or vulnerable adult's health or welfare, or death. Such acts may include, but are not limited to, punching, beating, kicking, biting, shaking, throwing, stabbing, choking, hitting (regardless of object used), or burning. These acts are considered abuse regardless of whether they were intended to hurt the child or vulnerable adult.

Sexual abuse

Sexual abuse is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. All sexual activity

Prohibited Activity

All PATH personnel must comply fully with host country and local child and vulnerable adult welfare and protection laws or with international standards, whichever gives greater protection, and must comply with US law where applicable. Sexual activity with children is prohibited regardless of the age of consent locally. Mistaken belief regarding the age of a child is not a defense.

Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading, or exploitative behavior, is prohibited.

PATH personnel are strongly discouraged from having any sexual relations with participants in PATH's programming because there is an inherent conflict of interest, a potential for abuse of power in that relationship or activity, and such activity may undermine the credibility and integrity of PATH's programming. If any PATH personnel are engaged in sexual activities with a program participant, the PATH personnel must disclose the conduct to his/her supervisor for appropriate guidance. Failure to report such conduct may lead to disciplinary action which may include the consequences for violation of this policy described below.

PATH Commitments

PATH personnel must consider child and vulnerable adult safeguarding in project design, planning, and implementation to determine and mitigate potential risks to children and vulnerable adults that are associated with project activities and operations.

PATH personnel implementing projects must take measures to reduce the risk of child and vulnerable adult abuse, exploitation, or neglect, including, but not limited to, limiting unsupervised interactions with children; prohibiting exposure to pornography; and complying with applicable laws, regulations, or customs regarding the photographing, filming, or other image-generating activities of children.

PATH will maintain a procedure to ensure survivors of sexual exploitation and abuse, including children and vulnerable adults, receive professional assistance, and referral options to qualified service providers.

Duty to report

PATH personnel are obliged to create and maintain an environment that prevents sexual exploitation and abuse of children and vulnerable adults.

PATH personnel who observe, suspect, or receive an allegation of child or vulnerable adult abuse, exploitation or neglect, or other violation of this policy, must immediately report it to PATH following PATH's Procedures for Protection from Sexual Exploitation and Abuse and Child Safeguarding. All concerns and allegations will be taken seriously and investigated and will be acted upon when appropriate. Employees who report suspected wrongdoing in good faith are protected against any retaliation as a result of this reporting.

with a child (under 18 years of age) is considered sexual abuse. This includes fondling a child's genitals, penetration, incest, rape, sodomy, indecent exposure, and exploitation through prostitution or the production of pornographic materials.

Sexual exploitation

Sexual exploitation is any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes and some form of remuneration or benefit for the perpetrator, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. Sexual exploitation represents a form of coercion and violence that is detrimental to the victim's physical or mental health, development, education, or well-being.

Emotional abuse or ill treatment

Emotional abuse or ill treatment constitutes injury to the psychological capacity or emotional stability of the child or vulnerable adult caused by acts, threats of acts, or coercive tactics. Emotional abuse may include, but is not limited to humiliation, control, isolation, withholding of information, or any other deliberate activity that makes the child or vulnerable adult feel diminished or embarrassed.

Neglect

Neglect is the failure to provide a child or vulnerable adult (where personnel are in a position to do so) with the conditions that are culturally accepted as being essential for their physical or emotional development and well-being.

PATH managers have a particular responsibility to support and abide by this policy, and managers who observe or receive a report of sexual exploitation or abuse must immediately report it to PATH following PATH's Procedures for Protection from Sexual Exploitation and Abuse and Child Safeguarding. Managers are also expected to support and maintain an environment that prevents sexual exploitation and abuse.

Consequences of Violations

PATH personnel who commit child or vulnerable adult abuse, exploitation, or neglect; fail to report or forward reports of suspected child or vulnerable adult abuse, exploitation or neglect; or otherwise violate this policy or related procedures will be subject to disciplinary action, up to and including termination of employment or contract.

Retaliation Prohibited

This policy prohibits retaliation (such as threats, intimidations, reprisals, and adverse actions related to employment) against

and abuse. PATH will regularly evaluate such training to ensure that it continues to provide effective guidance and awareness-raising for inappropriate behavior in violation of this policy, and develops skills for personnel to detect, prevent, and report any form of conduct in violation of this policy. PATH has avenues for beneficiary awareness and accessibility relative to this policy, and it, including reporting mechanisms, is accessible to beneficiaries on our website, path.org.

PATH is developing an organization-wide training in 2021 for all PATH staff relating to sexual exploitation