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

Policy summary

This policy describes PATH's commitment to protecting against exploitation and abuse, 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. Safeguarding against these harms—often referenced as Protection Against Sexual Exploitation and Abuse (PSEA)—refers to PATH's practice of implementing measures to mitigate risk and respond to harms when they occur. PATH has a zero-tolerance policy for any conduct violating this policy, particularly child or vulnerable adult exploitation, abuse, or neglect as defined below.

Policy statement

PATH strictly prohibits all PATH personnel from engaging in any form of exploitation, including sexual exploitation; abuse, including sexual, physical, and emotional abuse; and child or vulnerable adult abuse and neglect, as these terms are defined in this document. PATH is committed to creating and maintaining an environment free of these harms, particularly with respect to children and vulnerable adults. PATH is also 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 individuals 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.

PATH takes seriously all reports of violation of this policy and will respond to and investigate any alleged harms. Substantiated allegations will result in appropriate

Definitions

Child
A child or children are defined as persons who have not attained 18 years of age, regardless of the legal age of consent.

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.

Exploitation
Any actual or attempted abuse of a position of vulnerability, differential power, or trust, including for the purposes of profiting monetarily, socially, or politically. When carried out for sexual purposes, this constitutes sexual exploitation.

Child or vulnerable adult abuse
Child or vulnerable adult abuse is any form of physical abuse; emotional ill-treatment; 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 an individual's health or welfare, or death. Such acts may include, but are not limited to, punching, beating, kicking, biting, shaking, throwing,
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 will consider safeguarding in project design, planning, and implementation to determine and mitigate potential risks, particularly to children and vulnerable adults associated with project activities and operations.

PATH will 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 enact safe recruitment and screening measures for personnel, particularly personnel whose work brings them into direct or indirect contact with children and vulnerable adults. PATH leverages safeguarding screening measures during the application process, interviews (e.g., behavioral-based interview questions), candidate reference checks, and criminal background checks, in accordance with applicable law, taking all reasonable steps to prevent perpetrators of sexual exploitation and abuse from being hired or rehired at PATH.

PATH is committed to a survivor-centered approach, which means it will consistently and continuously center the voiced priorities of the survivor to ensure the needs, rights, and agency of the survivor are realized in all aspects of prevention, support, recovery, response, and accountability. When responding to alleged violations, PATH will ensure the survivor’s dignity, experiences, considerations, needs, and resiliencies are placed at the center of the process.

PATH will include a protection from sexual exploitation and abuse provision in all consulting/supplier contracts and partnership agreements. PATH requires that partners uphold the principles of this Protection from Sexual Exploitation and Abuse and Child Safeguarding policy. Personnel who witness behavior that they believe to be prohibited conduct must report using one of the methods described in the procedures accompanying this policy.

Duty to report

PATH personnel who observe, suspect, or receive an allegation of exploitation, including sexual exploitation; abuse, including sexual, physical, and emotional abuse;
and child or vulnerable adult abuse and 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. PATH will evaluate and respond to all reported violations of this policy and will investigate claims pursuant to its institutional allegations management process.

PATH managers have a particular responsibility to support and abide by this policy, and managers who observe or receive a report of alleged violations must immediately route 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 protects against the harms described in this policy.

**Consequences of violations**

PATH personnel who violate this policy or fail to report or forward reports of alleged violations of this policy will be subject to disciplinary action, up to and including termination of employment or contract.

**Retaliation prohibited**

This policy prohibits PATH personnel from retaliation (such as threats, intimidations, reprisals, and adverse actions related to employment, a contract, or otherwise) against any person who reports an alleged violation of this policy in good faith, assists someone with a report of an alleged violation of this policy in good faith, or participates in an investigation or resolution of a complaint.

**Training and awareness**

PATH has implemented a custom-designed mandatory Safeguarding at PATH online course addressing how to recognize, prevent, and respond to violations of this policy and contribute to a positive culture in which these violations are unlikely to occur. All employees are required to complete this training upon hire and every two years thereafter. Mandatory training compliance is tracked and reported on to the Executive Team and Board on a quarterly basis. 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.