

Policy on Prevention and Protection from Sexual Exploitation and Abuse

1. Introduction

The Polish Women Can Foundation (the “**Foundation**”) was established to carry out long-term assistance programmes that may contribute to measurable and sustainable improvement of its clients’ difficult circumstances. The Foundation’s clients are persons in need, which may make them particularly vulnerable to sexual exploitation and abuse. It is the Foundation’s responsibility to provide special protection for its clients, including protection from all forms of sexual exploitation and abuse (SEA).

The Foundation has a “zero tolerance policy on all forms of sexual exploitation and abuse” and is committed to taking all necessary measures to prevent sexual exploitation and abuse by its staff members and to appropriately respond to incidents that cannot be prevented. Any reported concerns shall be thoroughly examined and if they are confirmed, the Foundation shall take adequate disciplinary measures, which may even include termination of employment or collaboration. Apart from taking disciplinary measures, the Foundation shall report any such incidents to appropriate state authorities.

The Foundation commits itself to providing care for the person affected by a violation and for those who contributed to the concern being reported.

The current Policy, together with the Child Protection Policy, constitute the Foundation’s mechanism to protect its clients, staff members, associates, and volunteers.

2. Applicability

The Policy on the Prevention and Protection from Sexual Exploitation and Abuse (the „**Policy**”) shall apply to all of the Foundation’s employees, associates, and volunteers, as well as to its partners and grant recipients.

All of the Foundation’s employees, associates, and volunteers are obliged to know the current Policy and to apply it in practice, both during and outside of working hours.

3. Definitions

The Foundation's clients: all persons using, directly or indirectly, the Foundation's services.

Sexual exploitation: actual or attempted abuse of a position of vulnerability, power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual abuse: actual or threatened physical intrusion of a sexual nature (i.e., sexual intercourse or another sexual activity), whether by force or under unequal or coercive conditions.

Sexual harassment: a form of sex discrimination, which refers to "any unwanted conduct of a sexual nature or other conduct related to the sex of a person, occurring with the purpose or effect of violating the dignity of the person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment; the conduct may comprise physical, verbal and non-verbal components". Apart from that, for any such conduct to be considered sexual harassment, it must be unwelcome or unaccepted by the target. Sexual harassment occurs whenever there is no clear consent.

Whistleblower: a person who has reported an actual or suspected violation of the Policy.

4. Core Principles

The Foundation's employees, associates, and volunteers shall be subject to disciplinary action, up to and including discharge, for prohibited sexual conduct, in particular for violating the following core principles:

- 1) It is prohibited to have sexual contact with persons under the age of 18, even if such contact is legal in their country. A mistaken belief regarding the person's age is not a sufficient defence.
- 2) It is prohibited to pay for sex with money, an offer of employment, or any goods or services, including goods and services intended as assistance for the Foundation's clients.
- 3) It is prohibited to use such incentives to make another person accept any behaviour that is degrading or exploitative. This includes paying or offering money in exchange for having sexual intercourse with a person who provides sexual services.
- 4) Persons related to the Foundation, who may have influence on who will receive the goods and services intended as assistance for the beneficiaries, are not allowed to have sexual relationships with anyone who could use and benefit from such assistance. Such relationships undermine the credibility of providers' work.
- 5) Any concerns or suspicions regarding violations of the sexual conduct principles listed herein by anyone related to the Foundation or to another assistance organisation, must be reported via the procedure established by the Foundation in the current Policy.
- 6) All persons employed by and collaborating with the Foundation, including volunteers, are obliged to create and maintain an environment which prevents prohibited sexual conduct and promotes behaviour consistent with the Foundation's code of conduct. Managers are responsible for supporting and developing systems which maintain this environment.

5. Responsibilities

Prior to undertaking any activity in cooperation with the Foundation, all employees, associates, and volunteers must become familiar with the current Policy and commit themselves to complying with it. They should also make sure they know who performs the role of the Coordinator for the Prevention and Protection from Sexual Exploitation and Abuse (the "**Coordinator**"), and turn to this person if they have any doubts about the provisions of

the current Policy or find them unclear. All persons employed by or collaborating with the Foundation are also obliged to report any suspected sexual misconduct.

The Foundation's Managers have particular responsibilities to support and develop systems that maintain an environment which facilitates the implementation of the current policy and is free of any form of sexual exploitation and abuse.

Coordinating, supporting and advising on the development of the Foundation's policy and practice in the protection against sexual exploitation and abuse, have been entrusted to the Coordinator. The Coordinator's responsibilities include:

- 1) Conducting training and other awareness-raising activities within the Foundation on the protection against sexual exploitation and abuse;
- 2) Coordinating activities with the Foundation's management and staff to ensure that the current Policy is effectively implemented;
- 3) Assessing SEA risks and developing prevention measures;
- 4) Handling reports of violations of the current Policy.

6. Prevention

The Foundation pledges to take appropriate measures to prevent and counteract sexual exploitation and abuse, in particular through:

- 1) Safe recruitment process. The Foundation shall thoroughly check all candidates for employees, associates, and volunteers, as described in section 9 of the Child Protection Policy; the Foundation shall include clauses on its policy of "ZERO tolerance for any form of sexual exploitation and abuse" in job advertisements, ask appropriate questions during job interviews, or conduct interviews to elicit relevant information, and conduct reference checks with the former employer;
- 2) SEA prevention and protection training conducted immediately after a new employee or associate starts working for or collaborating with the Foundation; each person is given training on topics covered by the current Policy; refresher training should be conducted at least once a year.

7. Response

The Foundation has safe, confidential, and easily accessible mechanisms for reporting SEA concerns. Depending on the reporter's preference, it can be done in the following ways:

- 1) By email, to the Coordinator: compliance@fpmw.pl, Management Board, or a trusted manager;
- 2) By phone, to the Coordinator: +48 22 416 99 97;
- 3) By speaking to the Coordinator, the Management Board, or a trusted manager;
- 4) By dropping a written report in a special box placed in a discreet place at the Foundation's premises.

Each way of reporting is appropriate and each person who receives a report is obliged to maintain confidentiality. Reports can be signed or anonymous, and each one will be considered and action will be taken without undue delay. However, an anonymous report with no direct access to the whistleblower may substantially hinder the processing of the report.

The Foundation shall provide appropriate support, including medical and/or mental health assistance, and protection from the perpetrator's potential revenge, for each person who has been sexually abused by the Foundation's employees, associates, or volunteers.

All reported SEA concerns shall be investigated by the Coordinator or, if needed, e.g., if the case is exceptionally complex or the range of violations is extremely wide, by a team appointed by the Foundation's Management Board. The investigations shall focus on the persons who have experienced abuse, with proper respect for their rights, including their right to safety, confidentiality, dignity, respect, and non-discrimination. If the risk to the abused person's safety is considerable, the Foundation shall immediately notify appropriate services, and can force the alleged perpetrators to go on leave while the investigation is pending.



When SEA allegations are substantiated, the perpetrator shall be subject to disciplinary action, which may result in immediate discharge or termination of the collaboration agreement.

Apart from taking disciplinary action, where appropriate, the Foundation shall also notify relevant state authorities.

Final Provisions

The current Policy enters into force on the 8th of March 2023, and should be revised not later than within three years from the date of adoption.