

SEXUAL EXPLOITATION AND ABUSE PREVENTION AND RESPONSE POLICY

1. Definitions

For the purposes of this policy:

- 1.1. Retaliatory action means any direct or indirect harmful action recommended, threatened or taken as a result of a person being the victim of suspected abuse, such as sexual exploitation or abuse, or having made a good faith report of suspected abuse or having participated in an investigation. The retaliation may include refusal to provide assistance or incorrect distribution of support, adverse administrative actions such as unjustified poor performance assessments, changes in job responsibilities, hostile working environment or other negative decisions affecting a person's working conditions. Retaliation may also take the form of verbal coercion or harassment.
- 1.2. Community complaints mechanisms are reliable channels through which members of a community affected by a crisis can make complaints and seek help. Such a mechanism shall be based on cooperation with the community where individuals can and are encouraged to submit complaints, including cases of sexual exploitation and abuse, in a secure and, where appropriate, confidential manner and shall be communicated to the relevant actors for further action.
- 1.3. Survivors are persons who rely on or benefit from the protection or assistance of the Lithuanian Red Cross (LRC). This can be anyone in the country or local community where the LRC operates.
- 1.4. Staff of the LRC means any person working for the LRC, including the staff, volunteers, and trainees.
- 1.5. The internal rules of the LRC shall mean the rules of procedure of the LRC, the Code of Ethics and all other applicable rules, regulations and policies of the LRC as adopted.
- 1.6. Service providers are any person employed by a third party who work for the LRC without being an employee of the LRC, for example under a service contract between the LRC and a service provider.
- 1.7. Whistleblower is a person who reports allegations of a breach of the LRC's internal rules. Whistleblowers provide information on the basis of a reasonable suspicion that an infringement has occurred.
- 1.8. Sexual abuse is the actual or threatened physical or psychological treatment of a person in crisis, of a sexual nature, committed by means of coercion or unequal coercive conditions.
- 1.9. Prevention of and response to sexual exploitation and abuse means the policies, rules and actions designed to prevent and respond to any form of sexual exploitation and abuse involving LRC employees.

- 1.10. Sexual exploitation is any attempted or actual abuse of vulnerability, power differentials or trust for sexual purposes, including but not limited to monetary, social or political gain from the sexual exploitation of another person.
- 1.11. Sexual exploitation and abuse for the purposes of this policy includes both of the above defined acts.
- 1.12. Sexual harassment is any unwanted sexual attention or unwanted verbal or physical conduct of a sexual nature between employees of the LRC. This is different from sexual exploitation and abuse because it refers to the sexual exploitation or abuse of people affected by a crisis.

2. Purpose, scope and target audience

2.1. Purpose

- a) The purpose of this policy is to ensure that the LRC takes all appropriate measures to prevent sexual exploitation and abuse by LRC staff and to respond appropriately to those cases that the LRC cannot prevent. To achieve this goal, it is essential to ensure the well-being of the survivor of sexual exploitation and abuse and to ensure fair cooperation and accountability to members of local communities. An integral part of this policy is ensuring fair treatment of employees accused of sexual exploitation and violence in accordance with the internal rules of the LRC.
- b) This policy and the procedure established by it strengthen the systems for the submission, investigation and follow-up of internal reports on possible violations of the internal rules of the LRC related to sexual exploitation and abuse. The appropriate action to take in cases of sexual exploitation and abuse is explained in section 5 “Functions and responsibilities” and section 6 “Reporting procedures” below.
- c) This policy further strengthens and develops accountability systems so that survivors of sexual exploitation and abuse, LRC staff and service providers, or any person who becomes aware of sexual exploitation and abuse, feel safe to report it and are protected from retaliation.
- d) Cooperation with local communities, the promotion of community complaints mechanisms and the provision of assistance to survivors of sexual exploitation and abuse are important elements of this policy. The policy approach is in line with the Red Cross and Red Crescent Handbook on Community Engagement and Accountability (2021). The policy builds on the ideas set out in the IASC's International Standard Operating Procedures on Inter-Agency Cooperation on Community Complaints Mechanisms (2016), including their approach to referring complaints and assisting survivors of sexual exploitation and abuse.

2.2. Scope and target audience

- a) This Policy applies to all employees of the LRC as defined in Section 1.3 of the Policy.
- b) In the case of service providers, a standard clause on the prevention of sexual exploitation and abuse must be included in the agreements between the LRC and the service provider.
- c) This policy does not apply to incidents of sexual harassment and misconduct between the LRC employees. Such cases are dealt with separately in the LRC's internal rules.

3. Basic principles and rules of conduct

- 3.1. The LRC has zero tolerance for sexual exploitation and abuse. This means that all violators must be held accountable.

- 3.2. In order to prevent sexual exploitation and abuse, the LRC follows a person-centered approach to sexual exploitation and abuse. This means that the following principles are respected:
- a) No harm: No action should be taken that would worsen the situation of the person who has been sexually exploited or abused.
 - b) Respect: all actions taken are based on respect for the choices, wishes, rights and dignity of the person who has been sexually exploited or abused.
 - c) Security: the safety and protection of the person who has been sexually exploited or abused is the first priority for all involved.
 - d) Confidentiality: confidentiality regarding the identity and other identifying information of the person who has been sexually exploited or abused must be strictly respected in every aspect of the proceedings. All steps must be taken to ensure that any case is dealt with in complete confidence.
 - e) Non-discrimination: The LRC ensures equal and fair treatment of all those who need help as a result of a case of sexual exploitation and abuse involving LRC staff.
 - f) Child protection: Children who have been sexually exploited or abused must be given special attention and have their specific needs taken into account. Childcare is subject to consultation with child protection specialists.
- 3.3. The internal investigation of cases of sexual exploitation and abuse within an organisation must be fair and respect the rights of all parties involved.
- 3.4. Prevention of sexual exploitation and abuse requires a community engagement and accountability approach to place communities at the heart of our activities.
- 3.5. LRC staff:
- a) do not engage in any acts of sexual exploitation or abuse;
 - b) may not have any sexual relations that involve all forms of sexual activity and abuse, with or without physical contact and regardless of whether either party is aware of such abuse, with:
 - under the age of 18, regardless of the age of majority or consent in the local community (ignorance or mistaken belief about the child's age is no excuse);
 - adults who are seeking or already using the protection or assistance of the LRC.
 - c) not exchange money, work, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour;
 - d) may not produce, acquire, distribute or use pornographic material in the offices or on the facilities of the LRC, including reading and/or browsing pornographic websites or bulletin boards or sending or replying to pornographic e-mails.
- 3.6. The LRC has zero tolerance for retaliation of any kind against a person who reports a reasonable suspicion of a violation of the LRC's internal rules or who cooperates with an internal investigation within the organisation.
- 3.7. Anyone reporting suspected misconduct must act in good faith and have reasonable grounds to believe that the information disclosed constitutes a possible violation of the LRC's internal rules.

4. Functions and responsibilities

4.1. Responsibilities of managers

- 4.1.1. Managers of LRC divisions and other structural units shall be fully responsible for the implementation of this policy in respect of the LRC staff under their supervision.

4.1.2. The general responsibilities of the heads of all LRC divisions and other structural units are as follows:

- a) Ensure that all employees of the LRC are informed of the content of this policy and are regularly reminded of it;
- b) setting a model and making every reasonable effort to create and maintain an environment conducive to preventing sexual exploitation and abuse;
- c) take prompt and appropriate action as outlined in this policy in the event of any report or complaint of allegations or suspicions of sexual exploitation and abuse, concerns or retaliation related to sexual exploitation and abuse;
- d) Ensure that all LRC staff receive regular and mandatory training in the prevention of sexual exploitation and abuse.

4.1.3. The additional responsibilities of Heads of Unit are as follows:

- a) systematically include the issue of sexual exploitation and abuse in awareness-raising campaigns, trainings and meetings with the communities we serve, with a particular focus on vulnerable groups,
- b) Promote cooperation with local communities, such as women's associations and groups representing marginalised people, such as disabled people's organisations, to raise awareness of zero tolerance of sexual exploitation and abuse and, where appropriate, in a gender-sensitive manner, to co-develop community-based complaints mechanisms focusing on the rights, capacities and needs of survivors of sexual exploitation and abuse.

4.2. Responsibility of all staff

4.2.1. In addition to the above duties, all LRC staff must:

- a) read and understand this policy;
- b) complete training on preventing sexual exploitation and abuse;
- c) report any cases of sexual exploitation and abuse they have witnessed, heard about or suspect;
- d) cooperate fully with those conducting internal investigations within the organisation;
- e) ensure the confidentiality of any reported case.

4.3. Duties of the Internal Investigation Commission

4.3.1. The Internal Investigation Commission, set up by order of the Secretary-General, has the mandate and duty to ensure proper investigation of possible cases of sexual exploitation and abuse within the organisation.

4.3.2. All allegations, irrespective of the manner in which the information was obtained, must be reported immediately to the Internal Investigation Commission and to the head of the Internal Investigation Commission, as specified in the Secretary-General's Order. Reports of possible sexual exploitation and abuse can be made anonymously and must be kept confidential.

4.3.3. Following the notification, the Internal Investigation Commission carries out a preliminary assessment of the situation. If the preliminary assessment of the situation shows that there are reasonable grounds to believe that possible sexual exploitation and abuse has been committed, an administrative investigation shall be initiated in accordance with the internal rules of the LRC.

- 4.3.4. All parties involved must respect the obligation of confidentiality with regard to the activities of the Internal Investigation Commission. During the preliminary assessment and the internal investigation, the person who may have committed the acts of sexual exploitation and abuse is presumed innocent. During an internal investigation, the potential offender must be given the opportunity to be heard.
- 4.3.5. Upon completion of the internal investigation, the Internal Investigation Commission shall prepare an investigation report setting out the results, conclusions and recommendations of the investigation.
- 4.3.6. Taking into account the nature and gravity of the suspicion and the applicable rules of law, the Secretary-General may decide to refer the case to a law enforcement authority.

4.4. Responsibilities of the Head of Human Resources

- 4.4.1. The Internal Investigation Committee shall, where appropriate, inform the Head of Human Resources of the opening of an internal investigation, who shall inform the LRC staff member whose conduct is under investigation.
- 4.4.2. On the basis of the research report, the Human Resources Manager shall, if necessary after consulting a lawyer: 1) decides whether there are legitimate grounds to charge a person with sexual exploitation and abuse; 2) if charges have been brought, take note of the person's explanations; 3) may recommend to the Secretary-General, in accordance with the internal rules of the LRC, the imposition of appropriate disciplinary measures and shall inform the LRC staff member of the final decision.
- 4.4.3. Both the LRC employee suspected of sexual exploitation and abuse and any LRC employee questioned during an internal investigation must be given appropriate assistance. This could include access to psychosocial support services, such as psychological counselling.
- 4.4.4. The head of human resources also:
 - a) Conducts background checks on all new recruits,
 - b) Checks on LRC staff who work with children,
 - c) monitors training attendance and draws the attention of the heads of LRC divisions and other structural units to LRC staff under their direct authority who have not received training.

5. Reporting procedures

- 5.1. An employee of the LRC, as defined in paragraph 1.4, who witnesses, learns of or suspects that another employee of the LRC has been involved in sexual exploitation and abuse shall report it to any of the following entities:
 - a) Internal Investigation Commission,
 - b) reporting person's line manager or any other head of a division or other structural unit of the LRC,
 - c) Head of Human Resources,
- 5.2. Any of the above-mentioned recipients shall immediately forward the information to the Internal Investigation Commission.
- 5.3. External partners and people affected by the crisis who wish to report suspicions about the LRC employee's behaviour may also report to any of the above entities.

5.4. External partners and people affected by the crisis who wish to report suspicions concerning staff of other institutions or organisations may also report to any of the above entities.

5.5. Messages can be transmitted:

- a) For the Internal Investigation Commission – by email complaint@redcross.lt;
- b) For managers, the emails listed on the LRC website <https://redcross.lt/kontaktai/>;
- c) On the LRC General Telephone +370 659 71 598;
- d) By completing the general enquiry form on the LRC website <https://redcross.lt/kontaktai/>.

6. Monitoring and evaluation

- 6.1. The Head of Human Resources is responsible for promoting and monitoring the implementation of this policy.
- 6.2. The LRC Leadership Committee reviews progress in the implementation of this policy annually.
- 6.3. In accordance with this policy, the duties of the heads of the LRC divisions and other structural units related to the prevention of sexual exploitation and violence should be reflected in their job descriptions.
- 6.4. The Internal Investigation Commission shall annually submit to the LRC Committee of Directors and the Board reports on the number of complaints submitted regarding sexual exploitation and abuse, data on cases and their resolution.
- 6.5. The report is also made publicly available on the LRC website <https://redcross.lt>, together with information on the preventive measures taken.