



CAMBODIAN KIDS FOUNDATION

PREVENTION OF SEXUAL EXPLOITATION AND ABUSE (PSEA) POLICY

Version	1
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POLICY AND INTRODUCTION

At Cambodian Kids Foundation (CKF) we often work with children and adults who are powerless and/or in vulnerable situations. We recognise our obligation to do everything possible to respect and protect the children and adults with whom we work. Sexual exploitation and abuse (SEA) is a violation of basic human rights and CKF takes a zero-tolerance approach. This policy articulates CKF's commitment to provide a safe and trusted workplace that safeguards staff, volunteers, contractors, partners, communities, project participants, children and vulnerable adults from SEA. At CKF we seek to ensure that our policies empower survivors to feel more comfortable in reporting incidents.

SCOPE OF PSEA

This Policy applies to all CKF personnel, including staff, Board members, volunteers, contractors, visitors to our Soksan International School (SIS), partners and representatives.

It also applies to community leaders we engage with, who take part in managing our community development activities in the local community we partner with. This policy should be read alongside [CKF's Child Protection Policy](#).

PURPOSE OF PSEA

This policy sets out CKF's obligation to prevent and protect children, women and other vulnerable adults from all forms of SEA. It includes the expectations aimed at preventing sexual exploitation and abuse and the processes and procedures for reporting, investigating and responding to incidents of sexual exploitation and abuse when concerns are raised or incidents are identified.



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This policy ensures that all CKF's board members, staff, volunteers, interns, contractors and partners respect the dignity and basic human rights of all persons. Every person who represents CKF is expected to adhere strictly to this policy in the conduct of CKF's work.

This policy outlines:

What is defined as sexual exploitation and abuse; CKF's approach to preventing SEA and our commitment to the safety of adults and children with whom we work; CKF's expectations of its staff; and reporting and management of identified policy breaches.

DEFINITIONS

Taken from The UN Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse (October 2003);

A Child: Refers to any individual under the age of 18, irrespective of local country definitions of when a child reaches adulthood.

Vulnerable Adults: Refers to those aged over 18 years who, due to their gender, mental or physical health, disability, ethnicity, religious identity, sexual orientation, economic or social status, or as a result of disasters and conflicts, are deemed to be at risk.

Survivor: A person who has SEA perpetrated against them or an attempt to perpetrate SEA against them.

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

Sexual Harassment: Involves the conduct of a sexual or gender-determined nature at the workplace or connected to the workplace that is intended to violate the dignity of a person. This includes unwanted physical, verbal or non-verbal conduct of a sexual nature that can include indecent remarks or sexual demands.

Sexual Abuse: Involves the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.



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Child Sexual Abuse: All forms of physical, mental, emotional or sexual abuse, maltreatment or exploitation directed towards children. Physical abuse includes violence, injury and physical neglect. Mental and emotional abuse includes verbal assaults and bullying. Exploitation includes child labour, child pornography and commercial sexual exploitation. Both boys and girls can be the victims of child abuse. Child abuse can be inflicted on a child by men or women, or by young people themselves.

Fraternisation: Involves any relationship occurring in the course of CKF's activities, that involves — or appears to involve — partiality, preferential treatment or improper use of rank or position including but not limited to voluntary sexual behaviour. It includes sexual behaviour not amounting to intercourse, a close and emotional relationship involving public displays of affection or private intimacy and the public expression of intimate relations.

Transactional Sex: The exchange of money, employment, goods, services or other benefit for sex, including sexual favours.

At CKF we recognise the distinction between sexual exploitation and abuse and sexual harassment (as defined above) in the workplace. Sexual Exploitation and Abuse occurs when a position of power (such as being a staff member of CKF) is used for sexual purposes against a beneficiary or vulnerable member of the community. Sexual harassment occurs when differences in power are abused between staff members and/or volunteers (verbally, through touch, use of inappropriate language or images etc.).

POLICY

We believe in and apply the core principles as defined by the UN Secretary-General.

- Sexual activity with children is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defence.
- 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 any exchange of assistance that is due to community members or program participants. CKF volunteers and staff are typically in a position of power in relation to community members/program participants. Any actual or attempted abuse of this power for sexual purposes is exploitative, undermines the credibility and integrity of the work of CKF and is prohibited.
- Preventing SEA is a shared responsibility of CKF personnel and representatives irrespective of their other roles or responsibilities.



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- Where a CKF staff or volunteer develops concerns or suspicions regarding SEA by someone, whether they are CKF representatives, members from the community or from another NGO, he or she must report such concerns through our established reporting mechanisms.
- CKF holds zero tolerance of inaction on incidents of SEA.
- SEA by CKF representatives is never acceptable and constitutes an act of serious misconduct. Where allegations are substantiated they will be grounds for termination of employment, or termination of program in the case of volunteers, and may require referral to law enforcement agencies and local enforcement authorities.

OUR COMMITMENT

At CKF we prohibit and hold zero tolerance for any actions by our personnel that constitute sexual exploitation, abuse or harassment of children and adults. CKF will take all possible steps to strengthen protection, prevent sexual exploitation and abuse, and to promote the rights of children and other community members with whom we work.

If a staff member or volunteer acts in a way that is sexually exploitative or abusive, immediate steps will be taken to protect and support those affected, and to impose disciplinary action as outlined in this policy and related procedures. Where appropriate, action will include referral to law enforcement agencies, while taking into account risks to those who have been affected.

OUR PSEA CODE OF CONDUCT

At CKF we believe in not taking advantage of unequal power relationships that exist between CKF and our community. Our foundation believes in acting with honesty, integrity, ethically and in a fair way. We respect and give priority to community needs and uphold respectful relationships with our staff and community we serve.

Expectations concerning the prevention and reporting of SEA of CKF personnel, staff, board members and volunteers include:

- Will treat all beneficiaries with respect and not use language or behave towards them in an abusive, sexually provocative, demeaning or culturally inappropriate manner.



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- Will not exchange money, employment, goods or services, protection or assistance for sex, including sexual favours or other forms of degrading or exploitative behaviour.
- Will not engage in transactional sex in the course of CKF activities. Local staff are prohibited from fraternisation while engaged in CKF activities and work.
- Will not participate in or support any form of SEA activity including, for example, people trafficking, or pornography.
- Will be aware that sexual behaviour is an area of particular sensitivity, where conduct may be more easily seen as offensive or be misinterpreted.
- Will immediately (within 48 hours) report any concerns or suspicions regarding possible violations of this policy. Failure to report such conduct could lead to disciplinary action.
- Will treat any complaints received seriously, based on the presumption that survivors/complainants should be believed.
- Will disclose charges, convictions and other outcomes of an offence that relates to SEA, including those that may be acceptable under traditional law.
- Will take all reasonable steps within their role to create and maintain a safe and trusted environment that promotes the implementation of this policy and safeguards everyone from SEA.

Any substantiated violation of this code of conduct is regarded as a serious breach of policy and will result in disciplinary action which may include termination for our staff, volunteers, Board members, and contractors. Any criminal behaviour will be reported to law enforcement agencies.

RESPONDING TO EXPLOITATION AND ABUSE

All reports or concerns relating to SEA will be treated as serious under this policy and be reported immediately to the Operations Manager (Socheat Touch) or Principal (Ieng Sok).

Instances of SEA raised under this policy will be treated confidentially, on the exception if it may be necessary for those managing an incident to reveal information to other CKF staff. This may include external persons involved in the investigation process or law enforcement agencies. Reports to local authorities and/or actions or referrals by CKF will be done subject to the wishes and welfare of the survivor/complainant.



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Where there is a reasonable belief that a criminal offence has occurred, the matter will be reported to the appropriate law enforcement agency while ensuring that the welfare, rights and agency of the survivor/complainant are prioritised. When a referral is made to law enforcement, any action by CKF will be guided by such an agency. Any decision to refer or not refer to law enforcement requires the approval of the Operations Manager/Principal or PSEA focal person (Donna Cooper), and the reasons for the decision will be documented.

CKF will take reasonable precautions to store any records or files relating to a matter of SEA securely and to permit access by authorised persons only. Unauthorised disclosure of information relating to a matter will be taken seriously and may result in disciplinary action, which may include dismissal.

REPORTING PROCEDURES

- CKF staff, volunteers and personnel having reasonable grounds to suspect that SEA has occurred, are required to report the matter immediately (within 48 hours) to the Operations Manager or school principal. They then will fill out an [incident report form](#). This includes any notifications received from complaints and any alleged incidents that pose a significant reputational risk to CKF or risk to a vulnerable member of the community . Any allegation of SEA that a CKF representative becomes aware of should be taken seriously.
- Community members or other external persons can notify a concern or incident by informing any CKF representative at any time in person or phone, text, email or other communication.
- Anyone wishing to make a report anonymously can do so outlined in [CKF's Whistleblowers policy](#).
- Any CKF personnel requiring advice can contact the foundation's PSEA focal person (Donna Cooper).
- Reporters are not required to confirm their suspicions or provide solid proof before making a report.
- Any person reporting a case of SEA, in good faith, or any person who has cooperated with an investigation into a report of SEA, will be protected from retaliation by this policy.



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- Malicious reporting of SEA with the intention of harming another person's integrity or reputation will be considered serious misconduct and will be subject to disciplinary action. This is distinct from reports made in good faith based on the judgement and information available at the time of the report, which may not be confirmed by an investigation.
- The PSEA focal person, on advice, will determine appropriate action which may include; referral of the matter to civil authorities such as local police (with consideration of the wishes and welfare of the complainant/survivor);
- All documents relating to reports of SEA will be retained by CKF for a period of seven years.

WORKING WITH OUR LOCAL COMMUNITY TO PREVENT SEXUAL EXPLOITATION AND ABUSE

Information on prevention of SEA will be provided to our community alongside information on our Child Protection Policy and Whistleblowers Policy.

CKF will ensure that community leaders and/or stakeholders are aware of CKF's expectations in regard to this policy.

Our risk management processes for future community partnerships and/or projects will include consideration of risks of sexual exploitation and abuse of children and vulnerable adults.

PUBLICISING OUR POSITION ON SEXUAL EXPLOITATION AND ABUSE

CKF will make this Policy available on our website and ensure it is understood by all our staff, representatives and the communities we work with. A copy of the policy will be included in employment contracts and application forms for staff and CKF MISHCAM volunteers.