

# Safeguarding Policy

## PURPOSE

EDC offices and projects regardless of location have a responsibility to establish and maintain a work environment that is safe, productive, and respectful for colleagues, partners, stakeholders, and program participants. All staff must prevent and respond to physical or sexual abuse or exploitation, harassment, or bullying of the individuals in the communities we serve and the people with whom we work or partner.

The purpose of this policy is to inform EDC staff and associated personnel employees, consultants, independent contractors, agents, and volunteers of their responsibilities in relation to safeguarding.

For concerns related to:

- Sexual harassment in the workplace, refer to the [EDC's Anti-harassment Policy](#)
- For safeguarding concerns in the wider community and not perpetrated by EDC or associated personnel, contact the [Integrity Counts hotline](#).

## I. Scope

This policy applies globally to all EDC staff and associated personnel who work on or visit EDC and EDC subrecipient programs both during and outside normal working hours. This policy applies except in countries where the following policy contravenes local legislation. In these cases, local legislation will only apply where it prescribes stricter measures than the Safeguarding Policy. EDC's policy will apply if it is more stringent than local legislation.

## II. Policy Statement

EDC believes that every person we come into contact with, regardless of race, color, religion, sex, sexual orientation, gender identity and expression, ancestry, national origin, tribal status, age, marital status, genetic information, pregnancy, pregnancy disability, or mental or physical disability or because they are a protected veteran or any other characteristic protected by federal, state or local law, has the right to be protected from all forms of harm, abuse, neglect, and exploitation. EDC will not tolerate abuse and exploitation by staff or associated personnel. This policy will address the following areas of safeguarding:

- Child safeguarding
- Adult safeguarding
- Prevention from sexual exploitation and abuse

EDC commits to addressing safeguarding throughout its work through the three pillars of prevention, reporting, and response (described below).

## III. Core Principles

To protect the most vulnerable populations; adults, youth, and children, and to ensure the integrity of EDC activities, the following six Core Principles must be adhered to:

1. Sexual exploitation and abuse and child abuse by EDC staff and associated personnel constitute acts of gross misconduct and are therefore grounds for termination of employment.<sup>1</sup>
2. Sexual activity with persons under the age of 18 years old is prohibited regardless of the age of the majority or age of consent locally. Mistaken belief in the age of a child is not a defense.
3. The exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading, or exploitative behavior by EDC staff and associated personnel, is prohibited. This includes the exchange of assistance that is due to program participants.
4. Sexual relationships between EDC staff and associated personnel and program participants are prohibited because they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of EDC's work. If there is a current or potential issue with a relationship, EDC staff and associated personnel should report via the EDC reporting mechanisms.
5. When EDC staff members or associated personnel develop concerns or suspicions regarding sexual abuse or exploitation and child abuse by a fellow worker, whether in EDC or not, they must immediately report such concerns via the EDC reporting mechanisms, as noted in [Section VII. External Reporting](#).
6. EDC staff and associated personnel are obliged to create and maintain an environment that prevents sexual exploitation and abuse and child abuse and promotes the implementation of this policy. EDC staff and associated personnel at all levels have responsibilities to support implementation of these principles and overall policy and procedures.

## IV. EDC Personnel Standards

This policy sets the minimum standards to be followed by all EDC staff and associated personnel to protect program participants and communities from sexual exploitation and abuse and child abuse by EDC staff and associated personnel. EDC staff and associated personnel have an obligation to use their power respectfully and must not abuse the power and influence they have over the lives and well-being of the participants of EDC programs and other individuals in the communities where EDC works. Any violation of the standards set forth in this Safeguarding Policy may result in disciplinary action, up to and including dismissal, in accordance with disciplinary procedures and applicable laws.

EDC staff and associated personnel:

- Will not request any service or sexual favor from participants of EDC programs, children, vulnerable adults, or others in the communities where EDC works in return for protection or assistance, and they will not engage in sexually exploitative or abusive relationships.
- Will not exchange or withhold money, employment, goods, or services, such as transportation, for sex, including sexual favors or other forms of humiliating, degrading, or exploitative behavior.
- May not engage the services of sex workers. This is irrespective of any local law that permits such activity.
- Are prohibited from having sex or engaging in sexual activities with program participants because there is a potential for abuse of power in such a relationship.
- Must refrain from sexual activity with any person under the age of 18 years, regardless of the local age of consent that is the local or national laws of the country in which the employee works. Ignorance or mistaken belief of the person's age is not a defense.

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<sup>1</sup> The six Core Principles are from the UN Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13). They have been modified by EDC to refer to child abuse and "EDC employees and Associated Personnel."

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- Will not support or take part in any form of sexual exploitative or abusive activities, including, but not limited to, child pornography or the trafficking of human beings.
  - Will treat all children with respect and not use any language or behavior toward children that is inappropriate, harassing, abusive, sexually provocative, demeaning, or culturally inappropriate.
  - Will not use children for domestic or other labor, which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury. This standard includes those contexts where such labor is viewed as culturally permissible or acceptable.
  - Will appropriately protect, manage, and use EDC's financial and material resources and will never use EDC resources, including the use of computers, cameras, mobile phones, or social media, to exploit or harass participants of EDC programs, children, or others in the communities where EDC works. This includes sharing emails or group texts (including jokes) containing explicit images.
  - Must immediately report any concerns they have regarding possible violations of this policy via EDC's reporting mechanisms. EDC staff and associated personnel must report any such concerns even when the person who may be in violation of this policy is not an EDC employee, such as implementing partners, donors, vendors, or other associated personnel.
  - Will prevent, oppose, and combat suspected or known abuse, exploitation, or neglect by wherever possible, EDC staff and associated personnel are strongly encouraged to have an adult present when working with children.
  - Must immediately disclose charges, convictions, and other outcomes that relate to suspected or known abuse, exploitation, or neglect. Disclosure does not preclude employment, but it will be reviewed by the Office of Legal Affairs.

Directors, managers, and supervisors at all levels have responsibilities to support and develop systems that maintain an environment that facilitates implementation of this policy, and one which is free of suspected or known abuse, exploitation, or neglect,

When photographing or filming a child for work-related purposes, EDC staff and associated personnel will comply with all of the following standards:

- Comply with local traditions or restrictions for reproducing personal images.
- Obtain informed consent from the parent or guardian of the child before photographing or filming a child and explain how the photograph or film will be used.
- Ensure photographs, films, videos, and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner.
- Ensure children are adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure images are honest representations of the context and the facts.
- Ensure file labels do not reveal identifying information about a child.

If you are unsure about whether a behavior constitutes a violation of these standards, you should contact EDC's Human Resources Department or the Office of Legal Affairs.

## **V. Responsibilities**

### **EDC Staff and Associated Personnel**

All EDC personnel share an obligation to prevent and respond to sexual exploitation and abuse and child abuse. It is the responsibility of all EDC personnel to uphold the core principles of this policy along with the standards for EDC personnel. All EDC personnel must sign the standards. Employees and individuals of non-EDC entities who

have entered into partnerships or subgrant or subrecipient agreements with EDC may instead sign their employer's code of conduct and standards if those code and standards are consistent with the standards of this policy.

### **Senior Managers, Supervisors, and Human Resources Managers**

Senior Managers, Supervisors, and Human Resources Managers must ensure that all EDC staff and associated personnel understand and comply with this policy and sign the standards for EDC staff and associated personnel. Managers and Supervisors are also responsible for robust recruitment, induction, and training, and performance management to prevent sexual exploitation and abuse and child abuse.

### **Chief of Party and EDC Senior Leadership in Any Country or Region**

Chiefs of Party (COPs) internationally and Project Directors in the United States or representatives must provide clear guidance and demonstrate how the organization, across its operations, will ensure that vulnerable adults and children are protected from sexual exploitation and abuse in the delivery of projects and programs. The COP or Project Director must ensure that culturally appropriate community-based complaint mechanisms are developed, implemented, monitored, and reviewed for effectiveness. This includes raising awareness with program participants and EDC personnel about protection from sexual exploitation and abuse and child abuse and how to use the complaints mechanism. The COP or Project Director will work with Human Resources to also ensure that complaints are handled appropriately, and investigation procedures are enacted, along with appropriate employee disciplinary procedures as necessary. The COP or Project Director along with Human Resources is responsible for the provision of appropriate survivor assistance, as noted later in [Section IX. Sanction and Discipline of Organization Personnel](#).

## **VI. Reporting and Handling of Complaints**

EDC personnel who observe, suspect, or receive allegations of suspected or known abuse, exploitation, or neglect related to EDC's work, staff, program participants, or partners, or any other conduct prohibited by this policy, must report the conduct immediately, either orally or in writing, by contacting one of the following:

- Their immediate supervisor or, if the conduct involves the immediate supervisor, any other supervisor within their department.
- Their local Human Resources (HR) representative for our international projects
- Chief Human Resources Officer, Director, International Human Resources Michele Millard ([mmillard@edc.org](mailto:mmillard@edc.org)) or Director, Human Resources Kate Hughes ([khughes@edc.org](mailto:khughes@edc.org))
- Senior Vice President, General Counsel Christine Filosa ([cfilosa@edc.org](mailto:cfilosa@edc.org)), Office of Legal Affairs
- Report online to IntegrityCounts at <https://app.integritycounts.ca/org/edc>

You have the option to either report using your name or anonymously. However, anonymous reports are more difficult to investigate due to limited information. EDC personnel are urged to provide as much detailed information as possible about the conduct, including, if possible, identifying people who were involved or who witnessed the conduct, so long as this will not put the persons identified at risk of immediate harm.

EDC personnel are expected to promptly notify the Human Resources Department or the Office of Legal Affairs of any actual, suspected, or known abuse, exploitation, neglect, or other violations of this policy that is reported to them, that they observe, or that they otherwise become aware of. However, supervisors, directors, and above are required to do so within 24 hours. Failure to do so is a violation of this policy and could lead to disciplinary action, up to and including immediate termination of employment.

EDC will investigate all reports of suspected sexual abuse, exploitation, child abuse, or neglect and take appropriate remedial action, including, but not limited to, notifying law enforcement, and cooperating with criminal investigation and prosecution where appropriate.

## **Confidentiality**

EDC staff and associated personnel shall ensure all information related to a report of suspected or known abuse, exploitation, or neglect is kept confidential and only shared with the appropriate staff people (i.e., General Counsel or HR contact). No information, especially information that could identify the survivor, shall be shared with the media (including press or any form of social media), other EDC personnel, or the survivor's family or friends. EDC shall maintain the confidentiality of all information, records, reports, correspondence, and similar documents relating to the incident to the extent possible.

## **Complaints Mechanisms**

EDC is committed to ensuring that program participants have culturally appropriate, safe, confidential, and accessible ways to report safeguarding misconduct claims.

Each international or project office must determine if a community reporting mechanism is necessary based on project activities, noting that the following do require one:

- Any direct service provision to our activities distributing items to program participants.
- Projects interacting with vulnerable populations that have an actual or perceived higher risk of threat of safeguarding misconduct (i.e., women, girls, children, and at-risk or vulnerable adults or groups).

Best practice requires that complaint mechanisms be developed, implemented, monitored, and reviewed for effectiveness, including raising awareness with (1) program participants, (2) communities where programs are implemented, and (3) employees and related personnel about how to use the complaints mechanism.

Once received by EDC, safeguarding complaints filed by program participants via any mechanism must be routed and handled in the same fashion as complaints filed via the avenues noted earlier in this section ([VI. Reporting and Handling of Complaints](#)).

## **Responding to a Complaint or Report**

When responding to a report or a complaint of abuse or exploitation, EDC will use a survivor-centered trauma-informed approach, which includes the following measures:

- Protect the survivor when a report or a complaint of abuse is made.
- Respect the survivor's rights and the local laws.
- Ensure that EDC's actions do not cause the survivor additional harm.
- Work with local service providers; specialists; parents, legal guardians, or caregivers; legal authorities; and others as appropriate and necessary to the survivor's well-being and the resolution of the report or complaint.

In the event of a report of abuse concerning children and/or youth, EDC will do the following:

- When a child is involved, require a "best interest of the child determination" for responding to alleged violations of the prohibitions. This determination considers the best possible outcome for a vulnerable child who has been exposed to violence, abuse, exploitation, or neglect.
- Notify EDC's liability insurance provider of the complaint of abuse and retain records of any such reports as appropriate.
- Notify the relevant donor, sponsor, or funder of the project in which there was a complaint of abuse, either in writing or by e-mail.

## Non-Retaliation

EDC prohibits any retaliation against EDC staff, associated personnel, or program participants who make a formal complaint about sexual abuse; sexual exploitation; child abuse, exploitation, or neglect; or other violations of this policy or related procedures, or who participate in a related investigation.

In addition to this Safeguarding Policy, EDC's [Whistleblower](#) policy also prohibits retaliation.

Suspected retaliation should be promptly reported via the reporting mechanisms identified at the beginning of this section ([VI. Reporting and Handling of Complaints](#)). EDC personnel who engage in retaliation will be subject to disciplinary action up to and including separation of employment or other relationship with EDC.

## VII. External Reporting

EDC and its partners must comply with all relevant requirements related to mandatory reporting of alleged or confirmed safeguarding misconduct to local authorities according to local jurisdiction. Additionally, there may be circumstances due to contractual, legal, or donor obligations where it is required that EDC report alleged or confirmed safeguarding misconduct. Wherever possible, information will be presented in a way that protects the survivor's anonymity for confidentiality and security reasons (except where relevant law might require disclosure).

When the incident involves a child under the age of 18 years old, EDC personnel should notify local law enforcement, social services, or child protection authorities in compliance with local mandatory reporting laws and take such other action deemed necessary to ensure the child's safety or prevent future harm, so long as this will not put the child(ren) at risk of immediate harm. Notification of relevant local authorities must be done in close consultation with EDC's Office of Legal Affairs and local legal counsel as applicable. A risk assessment must be done prior to notification to determine the level of risk reporting the incident to local authorities could have on the survivor.

## VIII. Protocols for Alleged Survivor Assistance

When an EDC staff member or associated personnel is alleged to have committed a violation of the EDC Safeguarding policy and a survivor is participating in the reporting process, survivor support assistance is of immediate concern and priority. Support assistance should be provided at the time a survivor reports the allegation, and there are specific immediate needs for support resulting from the alleged conduct. The provision of this assistance is not dependent on the survivor's participation in any EDC-related investigation.

In those cases that involve reporting by a witness, other community member, or a staff member against a specific staff member or associated personnel, and there is no identified survivor participating in the reporting process, the survivor is not actively sought out at the local level. Rather, it is the role of the investigation process, which is led or overseen by the investigations team at EDC headquarters, to identify potential survivors and to do so in a way that does not expose survivors to additional harm. When the investigation process has identified survivors, survivor support assistance can then be offered.

If a survivor chooses to remain anonymous, the options for referral support or funded support may be limited, although general information on referral services may be shared with anonymous reporting survivors.

Three types of immediate survivor support assistance services may include:

1. Immediate material care: Direct and/or funding support to provide temporary needs, such as trauma-informed medical care, food, clothing, or emergency safe shelter as needed and deemed necessary.
2. Psychosocial support: Referrals and funding support to obtain appropriate psychosocial services through a local counseling organization. For example, EDC's staff have access to such counseling through EDC's program with Konterra. Comparable services or alternative culturally sensitive psychosocial support will be made available to survivors through appropriate local service providers.



3. Legal and advocacy support: Support to obtain victim advocacy services or legal counseling to make an informed decision about whether to pursue legal recourse. (Note: EDC's General Counsel cannot directly represent a survivor as such an activity poses an inherent conflict of interest.)

## IX. Sanction and Discipline of Organization Personnel

### Allegation

If an allegation of a safeguarding violation is substantiated, disciplinary action will be determined which may include termination. In some cases, a safeguarding violation allegation made against an EDC staff member or associated personnel may necessitate the alleged individual being immediately suspended from working on the project until an investigation can be conducted. This action is to protect the survivor from further potential harm. However, there may be instances where placing the individual targeted by the allegation on suspension may create additional risk or harm to the survivor. This determination will then be made by EDC's Human Resources Department in close consultation with the Office of Legal Affairs and Global Security in consultation with the COP or Project Director.

Use of this policy for malicious purposes or to conceal prohibited behaviors outlined within this policy will also be subjected to disciplinary action as noted above.

### Conviction

If an EDC staff member or associated personnel is convicted of abuse, they will be immediately terminated with cause from their position. These same consequences will also apply to EDC subcontractors, subawardees, or project participants. Upon termination, the convicted person will not be permitted to enter the premises of any EDC office—domestic or international—or to participate in any EDC activities.

## X. Recordkeeping

EDC will file and retain all written records of any incident of abuse and/or exploitation in accordance with applicable law. Written records should include, but not be limited to, the following information:

- Date of the report
- Date of the alleged abuse
- Name, address, and contact information of the survivor and if applicable their parent(s), legal guardian(s), or caregivers.
- Name of the individual who reported the incident.
- Name and contact information of the governmental contact to whom the report was made.

## XI. Associated Policies

This policy is complementary to the set of standards of behavior that all EDC staff and associated personnel are required to adhere to in the EDC's Code of Business Conduct, Anti-Harassment and Discrimination policies.

## XII. Definitions

**Abuse:** Infliction of injury, unreasonable confinement, intimidation, or cruel punishment that causes or is likely to cause physical harm or pain or mental anguish; sexual abuse or sexual exploitation; financial exploitation; or the

intentional, knowing, or reckless deprivation of essential needs. “Abuse” includes both acts of commission and omission.

**Abuse symptoms:** Symptoms that may indicate abuse can include, but are not limited to, the following:

**Physical signs**, such as:

- Lacerations and bruises
- Nightmares
- Irritation, pain, or injury in the genital area
- Difficulty with urination
- Discomfort when sitting
- Torn or bloody underclothing
- Venereal disease

**Behavioral signs**, such as:

- Anxiety when approaching EDC’s premises or a room used for EDC programs.
- Nervous or hostile behavior toward adults
- Sexual self-consciousness
- Acting out of sexual behavior
- Withdrawal from activities and friends

**Verbal signs**, such as the following statements:

- I don’t like (insert name).
- (Insert name) does things to me when we are alone.
- I don’t like to be alone with (insert name).
- (Insert name) fooled around with me.

Age groups:

- **Adult** is defined as any person who is 25 years of age or older.
- **Youth** is defined as any person who is 18–24 years of age.
- **Child** (or **Children**) is defined as any person who is younger than 18 years old—unless the national laws in which EDC is carrying out the children’s program defines a lower age of majority.

**Aid worker:** Any individual who may be working for or acting on behalf of a humanitarian and development organization, whether on a voluntary or paid basis. “Aid worker” includes all international and national staff, as well as all staff, employees, or individuals who have entered into a cooperative agreement with these organizations, including interns, volunteers, international and local consultants, and contractors as well as day laborers.

**At-risk youth and adult:** Sometimes also referred to as “vulnerable adult.” Those individuals over 18 years old who are unable to receive and evaluate information or to make or communicate informed decisions to such an extent that the adult lacks the ability to (1) meet the essential requirements for physical health, (2) protect themselves from harm or exploitation, or (3) perform self-care, even with reasonably available appropriate technological assistance. A vulnerable adult can also be someone who is deemed to be at risk due to their race, color, religion, sex, sexual orientation, gender identity and expression, ancestry, national origin, age, marital status, genetic information, pregnancy, pregnancy disability, or mental or physical disability or because they are a protected veteran or any other characteristic protected by federal, state or local law, or as a result of disasters and conflicts.



**Best interests of the child:** The principle of best interest applies to all actions concerning children and requires active measures to protect their rights. These measures should (1) promote children’s survival, growth, and well-being and (2) support and assist parents, legal guardians, or other caregivers to realize children’s rights. These measures include child participation to ensure that the opinions of children are heard in matters affecting them.

**Best interests of youth:** The principle of best interests applies to all actions concerning youth and requires active measures to protect their rights. These measures should promote (1) youth safety; (2) youth physical, emotional, and developmental needs; and (3) youth well-being. These measures should also support and assist youth to realize youth rights, including youth participation to ensure that the opinions of youth are heard in matters affecting them.

**Child exploitation and abuse** involve one or more of the following:

- **Child sexual abuse:** The involvement of a child in a sexual activity that they do not fully comprehend or give informed consent to or for which they are not developmentally prepared and cannot give consent or that violates the laws or social taboos of society. It is evidenced by an activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust, or power, and the activity is intended to gratify or satisfy the needs of the other person. It may include, but is not limited to, the inducement or coercion of a child to engage in any unlawful sexual activity, the exploitative use of a child in prostitution or other lawful sexual practices, or the exploitative use of pornographic performances and materials.
- **Emotional abuse:** Emotional abuse is inappropriate verbal or symbolic acts toward a child or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts have a high probability of damaging a child’s self-esteem or social competence.
- **Grooming:** Generally, refers to behavior that makes it easier for an offender to procure a child for sexual activity. It often involves the act of building the trust of children and/or their caregivers to gain access to the children for the purpose of sexually abusing them. For example, grooming includes encouraging romantic feelings or exposing the child to sexual concepts through pornography.
- **Online grooming:** The act of sending an electronic message with indecent content to a recipient whom the sender believes to be less than 18 years of age, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.
- **Neglect:** Failure to provide a child (where they can do so) with conditions that are culturally accepted as being essential for their physical and emotional development and well-being.
- **Physical abuse:** Physical abuse occurs when a person purposefully injures or threatens to injure a child or young person. This abuse may take the form of slapping, punching, shaking, kicking, burning, shoving, or grabbing. The injury may take the form of bruises, cuts, burns, or fractures.

**Child and youth protection:** The responsibility, actions, and measures taken to prevent and respond to abuse, exploitation, and violence against children and youth.

**EDC staff and associated personnel:** The term “EDC staff and associated personnel” includes all employees of EDC and EDC project offices. The term also includes board members, volunteers, interns, and international and local consultants, in addition to individual and corporate contractors of these entities and related personnel. This includes non-EDC entities and their employees and individuals who have entered into partnerships, subgrants, or subrecipient agreements with EDC regardless of the funding source.

**Emotional abuse:** Acts or omissions that cause or could cause serious behavioral, cognitive, emotional, or mental disorders. Emotional maltreatment may include verbal threats, social isolation, intimidation, exploitation, terrorizing, or routinely making unreasonable demands.

**Gender-based violence (GBV):** An umbrella term for any harmful act that is perpetrated against a person’s will and that is based on socially ascribed (gender) differences between males and females.

**Harm:** Psychological, physical, and any other infringement of an individual's rights.

**Misconduct:** An umbrella term that captures a wide range of behavior that is inappropriate. Misconduct may include, but is not limited to, sexual exploitation and abuse, trafficking in persons, child exploitation, abuse, neglect, fraud, waste, and abuse.

**Partner:** An entity to which EDC has entrusted the implementation of a program and/or project specified in a signed document, along with the assumption of responsibility and accountability for the effective use of resources and the delivery of outputs. Implementing partners' subcontractors are subsumed within this definition.

**Personally identifiable information (PII):** Information that could be used to identify a survivor following an incident. Submission of PII can be used to re-identify an individual and therefore increases the risk to those individuals involved in an allegation. When submitting incident information to donors, funders, or sponsors, EDC will take steps to not share any PII unless specifically requested.

**Physical abuse:** The deliberate application of force that results in or may result in non-accidental harm or injury. Physical abuse may include beating, shaking, choking, biting, kicking, burning, poisoning, or any other harmful or dangerous use of force or restraint.

**Prevention from sexual exploitation and abuse (PSEA):** The term used by the humanitarian and development community to refer to the prevention of sexual exploitation and abuse of affected populations by staff or associated personnel. The term derives from the United Nations Secretary General's Bulletin: Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13).

**Project participants:** Someone who directly receives goods or services from EDC's program or has contact with EDC personnel, suppliers, or supplier personnel in connection with or because of EDC's programs or business activities.

**Psychological harm:** Emotional or psychological abuse, including, but not limited to, humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement, and isolation.

**Retaliation:** Taking an action that might deter a reasonable person from participating in an activity protected by antidiscrimination and/or whistleblower laws. A protected activity includes complaining about discriminatory or harassing behavior; disclosing or reporting violations of law, rule, procedure, fraud, waste, or abuse; and participating in discrimination or whistleblower proceedings (such as an investigation or a lawsuit). Retaliatory actions are not limited to formal personnel actions, such as termination, demotion, non-promotion, or non-selection.

**Safeguarding:** Taking all reasonable steps to prevent harm, particularly sexual exploitation, abuse, and harassment, from occurring; to protect people, especially at-risk or vulnerable adults and children, from that harm; and to respond appropriately when harm does occur.

**Sexual abuse:** The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. When carried out against a child by an adult, such conduct is considered sexual abuse even in the absence of force or unequal or coercive conditions. Sexual abuse includes fondling, intercourse, incest, sodomy, exhibitionism, or commercial exploitation through prostitution or the production of pornographic materials. Sexual abuse may include, but is not limited to, permitting, encouraging, or requiring a person to engage in any of the following activities:

- Using or engaging in sexually provocative language, acts, or conduct
- Rough-housing or engaging in conduct that involves physical contact and which is sexually suggestive in nature.
- Kissing, fondling, caressing, patting, or pinching
- Engaging in sexual intercourse or other sexual conduct designed to sexually stimulate the person (adult or youth) or the person in question or both.

- Using sexual remarks, jokes, innuendo, or taunting about an individual's body or sexual orientation
- Speaking or writing invitations, requests, or sexually suggestive remarks
- Displaying pornographic or sexually suggestive material
- Behaving in a sexual nature for the stimulation, gratification, profit, or self-interest of a person who is in a position of trust or authority or with whom the person is in a relationship of dependency.
- Using someone regardless of gender and/or sexual orientation for prostitution or production of material of a pornographic nature

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

**Survivor:** The person who has been abused or exploited. The term "survivor" is often used in preference to "victim" as it implies strength, resilience, and the capacity to survive. However, it is the individual's choice of how they wish to identify themselves.

**Vulnerable adult:** Sometimes referred to as an at-risk adult. A "vulnerable adult" means a person 18 years of age or older who is unable to meet their own needs or to seek help without assistance due to incapacity, mental illness, mental deficiency, physical illness or disability, advanced age, chronic use of drugs, chronic intoxication, fraud, confinement, or disappearance.

### XIII. References

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**POL-HR-23-Safeguarding Policy**

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