



# **Changanacherry Social Service Society (CHASS)**

**P.B. No. 20, Changanacherry- 686101, Kottayam dist., Kerala**

## **Policy for Protection from Sexual Exploitation and Abuse**

### **1. Our Values and Beliefs:**

**About Changanacherry Social Service Society:** Changanacherry Social Service Society (CHASS) is the official organization of the Archdiocese of Changanacherry for Social Apostolate in due witnessing of Christian values and teachings in evangelical context. Established in 1966, the Society has been innovatively engaging in various fields of welfare and development services consistently for the last 54 years with dedication and professionalism, addressing the marginalized and the deprived sections of the population. The range of programs/ undertakings, in this respect, may be noted as Community organizations cum Human Resource Development, Women's Empowerment, Agriculture and Environment, Rural Technology Development, Community Health, Training and Community Based Rehabilitation (CBR) of the Differentially Abled, Micro Finance Development cum People's Banking, Rural Employment and Income Generation, Functional Vocational/ Skills Training, Educational Scholarship, Habitat Development, Family Development & Social Welfare, etc. The direct beneficiary net under the above programs is estimated at 95000 and indirect ones three times. The Society covers five civil districts in general, with particular concentration in the localities where the parishes of the Archdiocese do exist.

CHASS functions on the Biblical Belief that **"The God created all human beings in his own image and all human beings are equal irrespective of one's origin of birth or upbringing."** Further, it values human life based on the Biblical Human Values as written in the Holy Bible **"Though shall Love Thy neighbour as thyself"**. Thus, CHASS's functions are based on God's Love towards human beings and not as charity. Catholic Church Leadership believes that sexual exploitation and abuse are offences against human life, dignity and liberty and child sexual abuse as the canonical crime of adultery and imbalances in power dynamics can be a key factor in sexual abuse.

### **Our Principles**

- Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of contracts of employment, services, supply etc.,
- Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent. Mistaken belief regarding 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 exchange of assistance that is due to beneficiaries.

- Any sexual relationship between those providing humanitarian assistance and protection and a person benefitting from such humanitarian assistance and protection that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.
- Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.
- Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.”

**The principles set forth in this policy apply all times, during and outside the office hours and during the periods of leave, with no exceptions.**

## **2. The Need for Policy for Protection from Sexual Exploitation and Abuse:**

The Catholic Church has been transparent and intolerant towards sexual exploitation and abuse and has been strengthening its Canon Laws from time to time. The recent changes to the Canon Laws announced in the first week of June 2021 related to sexual exploitation and abuse are part of the church’s continued process of seeking to address gaps in its response to the sexual abuse scandal that has devastated the Catholic Church over the last quarter century.

In this context, CHASS realises the need for Policy for Protection from Sexual Exploitation and Abuse in the context of continuing sexual exploitation and abuse in different forms and the emergence of human rights protocols at the United Nations’ level and the enactment of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 by the Parliament of India.

CHASS’s Policy for Protection from Sexual Exploitation and Abuse is based on the urgent need for complying with the UN protocols and The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

## **3. What is Sexual Exploitation and Abuse?**

Sexual Exploitation and Abuse refers to all forms of inappropriate conduct of a sexual nature. This includes, but is not limited to Exchanging money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading, or exploitative behaviour. Sexual exploitation and abuse are a violation of fundamental human rights.

CHASS considers the following will be considered as Sexual Exploitation and Abuse:

**Sexual Abuse:** The threatened or actual physical intrusion of a sexual or sexualised nature, including inappropriate touching, by force or under unequal or coercive conditions, sexual assault and rape. It may also include threatened or actual non-physical intrusion (unwanted and/or uninvited exposure to pornography, texts, images, and so on, the sharing of images, texts and so on, demands for sexualised photographs etc.).



**Sexual Exploitation:** Any actual or attempted abuse of a position of vulnerability, differential power, trust, or dependency, for sexual or sexualised purposes. This includes the offer or promise of monetary, social, political benefits as an incentive or form of coercion.

**Sexual Favours:** Any sexual or sexualised acts, in exchange for something such as money, goods, services, opportunities and so on. Also includes demands for inappropriate photographs, filming, and exposure to pornography and so on.

**Grooming:** The cultivation of emotional relationships with those in positions of vulnerability or inequitable power, with the intention of manipulating these relationships into sexualised dynamics in the future.

**Examples:**

- Actual physical aggression, including but not limited to: rape, forcible sodomy, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling (e.g., unwanted touching or kissing);
- Threats of physical aggression;
- Emotional coercion; and/or
- Psychological blackmailing.
- Unwanted touching of a sexual nature.
- Demanding sex in any context
- Making sex a condition for assistance.
- Forcing sex, forcing someone to have sex with anyone.
- Forcing a person to engage in prostitution or pornography
- Videotaping or photographing sexual acts and posting it without permission.
- Alleging or threatening to allege that anyone already has a history of prostitution on legal papers
- Name-calling with sexual epithets.
- Insisting on anything sexual, including jokes that may be uncomfortable, frightening or hurtful
- Telling someone that they or anyone else are obliged to have sex as a condition for anything

#### **4. CHASS's Approach and Commitment to preventing Sexual Exploitation and Abuse**

**Approach:**

CHASS is committed to acting ethically and with integrity in all our decision making process, planning, functioning, monitoring, reporting and relationships and to implementing and enforcing effective systems and controls to ensure the exploitation and abuse of adults or children is not taking place anywhere in our functioning or in any of our collaborating organizations or partnerships.

CHASS is committed to ensuring there is transparency in our own functioning and in our approach to preventing and responding to any safeguarding violations against adults and children throughout our collaborating organizations or partnerships and relationship with third parties.

**Commitment:**

- CHASS is dedicated to fulfilling the core principles through the implementation of the following commitments:
- To prevent and mitigate the risk of sexual exploitation and abuse by CHASS employees and related personnel:
- Managers and Human Resource team must ensure robust recruitment screening process for all the personnel, particularly for person who will have any direct or indirect contact with children;
- A Code of Conduct that establishes, at a minimum, the obligation all the employees and collaborators not to exploit, abuse or otherwise discriminate against people is in place and duly known to the intended recipients;
- The Ethical Code containing the mission, the vision, the declaration of values and principles, the set of rights, duties and responsibilities that it holds with whoever collaborates with CHASS or benefits from its projects or programs is prepared and disseminated widely to all the stakeholders;
- CHASS is responsible to engage the support of communities and governments to prevent and respond to sexual exploitation and abuse. Local communities shall be involved in developing and approving the Compliant Handling Mechanism so that the structure is both culturally and gender-sensitive;
- A Compliant Handling Mechanism for reporting sexual exploitation, abuse is in place and accessible. Compliant Handling Mechanism should not be a separate, parallel system to other complaints and feedback structures in a given area, but rather link to and build on existing structures to create one system for handling feedback and complaint;
- Employee and related personnel are completely aware of the Core Principles contained in this Policy, and the related principles included in CHASS Staff Code of Conduct, Ethical Code.
- To identify and act upon potential or actual sexual exploitation and abuse by staff in a timely and systematic manner. In order to do so:
  - CHASS ensures to set protocols to process complaints of sexual exploitation and abuse in a timely manner, including the immediate suspension of the alleged perpetrator from all the activities with a direct impact on beneficiaries and communities until the investigation is ended;
  - CHASS ensures to set protocols to properly inform the appropriate authority which is responsible for conducting investigations for sexual exploitation and abuse allegations in respect of national and foreign legislation;



- CHASS ensures that beneficiaries and members of the community know to whom they should report and what sort of assistance they can expect to receive. All potential and actual survivors of Sexual Exploitation and Abuse must be fully informed about how the complaint mechanism works, including the reporting process;
- Complainants and survivors have the right to receive feedback on the development and outcome of their case and the Complaints Handling Mechanism will make every effort to maintain lines of communication;
- CHASS ensures to take appropriate disciplinary actions including immediate termination of employment and referral for criminal prosecution and legal action, where appropriate, against the person who committed sexual exploitation and abuse, in accordance with the national law reporting and responding system.
- CHASS ensure the protection of the victim, the complainant and the whistle-blower of Sexual Exploitation and Abuse after having verified and confirmed the reported facts either by internal investigation or by external investigation.
- CHASS undertakes to provide assistance, psychosocial counselling, medical treatment, legal assistance to any victims of sexual exploitation and abuse, if identified as not specious, unfounded or false, perpetrated by one of its staff members or related personnel;
- CHASS is responsible to ensure that all the thirdly party, included partners and suppliers are committed to respect the principles included in the SEA Policy, in addition to those explained in CHASS Ethical Code and Code of Conduct.
- The acceptance of the SEA Policy by signature of a declaration form is a condition for undertaking any relation with CHASS.
- For Partners, collaborators in case of missing of its own Protection to Sexual Exploitation and Abuse Policy, the following Policy must be incorporated into the contract and accepted by the Partner.

In addition, we are committed to ensuring our approach is consistent with our national and international disclosure obligations, and shall comply with all applicable laws, statutes, regulations and codes from time to time in force.

## **5. Practices and Mechanisms for Protection from Sexual Exploitation and Abuse in CHASS**

### **Practices:**

CHASS is committed to preventing the sexual exploitation and abuse of adults, including through the following means:

**Awareness:** Ensuring that all staff, representatives and third parties connected to CHASS are aware of the high standards of behavior and conduct expected of them to protect adults from any form of sexual abuse and exploitation in their private and working lives.

**Training:** Ensuring that all staff, partners, collaborators are trained on the PSEA from time to time so that they can play their role to prevent sexual exploitation and abuse in their purview.

**Prevention:** Ensuring, through awareness and good practice, that staff and those who work with CHASS minimize the risks of any form of sexual exploitation and abuse, including but by no means limited to conducting relevant vetting and background checks of staff as part of their recruitment process.

**Reporting:** Ensuring that all staff and those who work with CHASS are clear on what steps to take where suspicions or concerns arise regarding allegations of sexual exploitation or abuse of adults in vulnerable populations where we work.

**Responding:** Ensuring that immediate action is taken to identify and address reports of sexual exploitation and abuse and ensure the safety and well-being of the person being sexually exploited or abused.

## **Mechanisms**

CHASS will have the following mechanisms are meant to recognise and response to any incidents of SEA:

### **Investigation**

CHASS will initiate its own fact-finding investigation into reports of SEA as a priority. Based on the gravity of the situation and the evidence available, CHASS will refer the matter to national authorities for criminal proceedings as appropriate, and will collaborate with national authorities, including by waiving immunity. Upon conclusion of the investigation, the president//Executive Director will make a decision on the appropriate course of action in CHASS. This will be without prejudice to criminal proceedings at the national level.

### **Disciplinary measures against staff members**

Based on the gravity of proven cases of SEA involving CHASS staff members, and in addition to any criminal verdict that may result from legal proceeding for cases that are referred to national authorities for criminal prosecution, or other measures taken against the staff member concerned, CHASS will apply disciplinary measures including as applicable summary dismissal.

Disciplinary sanctions will also apply to staff members who are proven to have failed to report SEA or to have encouraged or condoned SEA to happen.

Malicious reporting of SEA without evidence or reasonable suspicions with the intention of harming another person's integrity or reputation amounts to misconduct and is subject to disciplinary action. This is distinct from reports of suspected wrongdoing made in good faith based on the judgment and information available at the time of the report, which may not be confirmed by an investigation.



## **Measures in case of violation of this Policy by CHASS collaborators:**

In the case of SEA involving individual collaborators, CHASS will take measures on a case-by-case basis to respond to SEA. Where SEA is found to have occurred, CHASS shall be entitled to take the following measures:

- Immediate termination of contractual relationship (non- staff or other collaboration agreement);
- Note in CHASS records with a view to excluding individuals found to have engaged in, encouraged or condoned acts of SEA from participating in future tenders and entering into future contractual relationships with CHASS.
- CHASS reserves the right to share information concerning the measures taken as a result of acts of SEA committed by individual collaborators with other stakeholders.
- Relevant standard contracts and Request for Proposals (RFP) templates will be amended to include a clause requiring CHASS's contractors to take all appropriate measures to prevent and respond to sexual exploitation or abuse by its employees or any other persons engaged by the contractor to perform any services under the contract. Any breach of the provision by a contractor shall entitle CHASS to terminate the contract with immediate effect.

## **6. Scope and Expectations of CHASS's Policy for PSEA**

### **Scope**

Humanitarian aid workers are expected to uphold the highest standards of personal and professional conduct at all times to protect beneficiaries of assistance. Sexual exploitation and abuse by humanitarian aid workers directly contradicts the principles upon which humanitarian action is based and represents a protection failure on the part of the aid community. SEA inflicts harm on those whom the humanitarian community is obligated to protect, as well as jeopardizes the credibility of all assistance agencies.

All CHASS employees and related personnel are required to behave irreproachably with the project beneficiaries or members of the community, using particular care with the most vulnerable classes: minors, women, the elderly and social outcasts. CHASS commits to create a zero-tolerance organizational culture against complacency and impunity. CHASS's Management, among the others, is expected to create and maintain an environment that prevents sexual exploitation and abuse. CHASS management staff must be familiar with and enforce this policy, being proactive in overseeing their team.

Through the Protection from Sexual Exploitation and Abuse Policy, CHASS clearly expresses its determination to prevent and combat sexual exploitation and abuse of beneficiaries and members of the community by CHASS employee and all related personnel.

CHASS's Policy for Protection from Sexual Exploitation and Abuse sets minimum standards to be followed to protect beneficiaries and members of the community from sexual exploitation and abuse.

The policy is principally addressed all CHASS's employee and related personnel including the following categories:

- Members of Governing Body and General Body of CHASS.
- All the employees and collaborators in all CHASS structures and projects.
- Entities and their employees and individuals other than CHASS who have entered into partnership, sub-grant or sub-recipients agreement with CHASS, committees, associations of any sort – including their members and staff – supported, financially or otherwise.

- Consultants and other freelance persons who act on behalf of CHASS on the basis of service contracts (understood as consultants and providers of intellectual services);
- All persons acting voluntarily on behalf of CHASS.
- Suppliers of any sort of goods, services, or works, including current and potential suppliers.
- All the other people not included in the above-mentioned categories who have signed a contract with CHASS

## Expectations

CHASS expects the same high standards from all of our partners, contractors, suppliers and all third parties working with or for CHASS, including taking measures to prohibit their staff and representatives from engaging in any sexual exploitation and abuse in their working.

- Must have a zero-tolerance policy on sexual exploitation and abuse and take all measures available to prevent and respond to any actual, attempted or threatened of sexual exploitation or abuse involving CHASS staff or representatives, or your organisation's employees or representatives that arises during performance of the terms of this Agreement.
- Must ensure that staff members and those working with CHASS under your control are fully aware of this policy and encourage them to report incidents of suspected, or actual, concerns of sexual exploitation and sexual abuse involving CHASS staff or representatives, or your organisation's employees or representatives that arises during performance of the terms of this Agreement.
- Must immediately report any suspicion or incident of sexual exploitation or abuse occurring in CHASS, or sub-contractor in relation to your business partnership with CHASS. Failure to report will be treated as serious and may result in termination of any agreement with CHASS.
- When any staff working for CHASS suspect or become aware of a safeguarding concern in relation to work for CHASS, staff are obliged to:-
  - Act quickly and immediately report suspicions or knowledge of a safeguarding concern or incident to a relevant contact at CHASS (which could include the PSEA Focal Point, the CHASS Patron or President or Secretary).
  - Keep any information confidential between you and the person you report this to.
- Must cooperate with CHASS in any investigations of concerns reported under this Agreement, and keep CHASS promptly updated on any concerns reported under this Agreement, including but not limited to actions taken by you in response.

## 7. Policy Review

The CHASS's Policy for Protection from Sexual Exploitation and Abuse will be reviewed once in a year keeping the changes in the Canon Laws of Catholic Church, Kerala Catholic Bishops Council, United Nations' conventions and protocols of human rights in general and prevention of sexual exploitation and abuse in particular

or

Whenever there is urgent need to for policy review and amendments.

