

BCCIC'S POLICY ON SEXUAL HARASSMENT, EXPLOITATION, AND ABUSE

ABBREVIATED VERSION

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01.

BCCIC'S VISION, MISSION, AND VALUES



This is an abbreviated version of the full Policy on Sexual Harassment, Exploitation, and Abuse (PSEA). BCCIC has a robust and comprehensive policy on sexual harassment, exploitation and abuse which can be accessed online at any time. Those looking for more information on BCCIC's PSEA are encouraged to read the full policy.

Introduction

Sexual Exploitation, Sexual Abuse and Sexual Harassment are serious violations of fundamental human rights and will not be accepted nor tolerated at BCCIC. We believe that everyone has a responsibility to prevent and respond to sex discrimination, sexual exploitation, sexual abuse, sexual harassment, gender-based harassment and a poisoned work environment. At BCCIC, all board members, staff members, contractors, consultants, volunteers and interns are expected to act with tolerance, sensitivity and respect for gender diversity. All employees will be held accountable for failing to conduct themselves in a way that promotes mutual respect and non-discrimination, or for failing to report concerns of misconduct by a fellow worker. In addition, BCCIC is committed to ensuring the privacy and confidentiality of all individuals who report. BCCIC also commits to a response that is survivor-centered, comprehensive and timely.

PSEA Vision

BCCIC aims to cultivate a positive work environment free of sexual exploitation, abuse, harassment and discrimination where everyone, including our Board, staff members, contractors, consultants, volunteers, partners and members, feels safe, supported and respected and are aware of their rights and responsibilities in relation to the prevention and reporting of sexual harassment, exploitation and abuse.

PSEA Mission

To ensure the rights, safety and wellbeing of everyone at BCCIC is prioritized, while leaving no one behind.

PSEA Values

At BCCIC, human rights, dignity for all and respect are at the heart of who we are and what we do. We believe in:

- Gender-Equity
- Social Justice
- Trust
- Integrity
- Accountability
- Transparency
- Co-operation
- Sustainability

PSEA Focal Point

The PSEA Focal Point has appropriate training and the formal responsibility to respond to complaints and reports. Complaints can be filed anonymously using the PSEA email address focalpoint@bccic.ca

02.

DEFINITIONS



Sex discrimination is the act of treating an individual differently than others because of their sex, sexual orientation or gender identification. Sex discrimination includes any form of harassment, abuse of authority, social exclusion, or denial of services, promotion, work benefits or rights.¹

Sexual exploitation occurs when an individual in a position of trust and/or authority attempts to coerce someone else into performing sexual favours or other forms of humiliating, degrading or exploitative behaviour of a sexual nature, in exchange for assistance, money, employment, goods or services. This occurs without permission, consent or invitation.²³ People in a position of trust or authority include:

- BCCIC Board members, staff members, contractors, consultants, volunteers, interns, beneficiaries and civil society partners.
- Employers, coworkers, police officers, doctors, teachers, tutors, counsellors, therapists, coaches, supervisors, lawyers, service providers, religious guides, hosts, guardians, caretakers, landlords, partners, friends and family members.

¹ UNFPA, "Policies and procedures manual: Prohibition of harassment, sexual harassment, abuse of authority and discrimination."

² Based on a standard definition adopted across UN agencies and outlined in the Secretary-General's Bulletin, Special measures for protection from sexual exploitation and sexual abuse, ST/SGB/2003/13, 9 October 2003, Page 1.

³ United Nations (2017), United Nations Glossary on Sexual Exploitation and Abuse (2nd Edition). Prepared by the Task Team on the SEA Glossary for the Special Coordinator on improving the UN response to sexual exploitation and abuse.

Examples of sexual exploitation include:

- Demanding sex from someone or encouraging someone to perform sexual acts that make them uncomfortable.
- Making sex a condition for assistance, money, employment, goods or services
- Forcing or implicating an individual to engage in sexual acts without consent. This includes but is not limited to: forced prostitution and/or pornography; distribution of sexual photographs or content without knowledge, permission or invitation; observing another individual's nudity or sexual activity; allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved; videotaping, photographing and distributing sexual pictures of someone online without their knowledge or consent for money or to harm them in any way; knowingly exposing another individual to a sexually transmitted disease or virus without that individual's knowledge; refusing to use safe sex practices; inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

Sexual abuse is sexual behaviour or a sexual act threatened or forced upon a person without their explicit permission, consent or invitation.⁴ Consent must be verbal: silence or passivity as a response to this behaviour does not equal consent. Sexual abuse is an act of violence that negatively affects a person's mental, physical and psychological wellbeing for the rest of their life. It is a serious offence

⁴ Secretary-General's Bulletin, Special measures for protection from sexual exploitation and sexual abuse, ST/SGB/2003/13, 9 October 2003, Page 1.

that is punishable under the Criminal Code of Canada.⁵ Sexual abuse includes all unwanted sexual touching, grabbing, kissing, fondling, rape, sodomy and stalking.

Sexual harassment is any unwanted physical or verbal sexual behaviour that makes a person feel embarrassed, offended, humiliated, intimidated or unsafe. It often involves someone from a position of power being hostile, rejecting or bullying a person they perceive as weaker than them and it should not be ignored.⁶ Examples of sexual harassment include, but are not limited to:

- Demanding or making any unwanted physical contact, such as hugs, dates or sexual favours, touching, kissing, fondling or grabbing.
- Making unwanted remarks or displaying unwanted behaviours towards an individual, such as staring or leering; telling sexual jokes; using harsh language, vulgar names; making comments that are sexual in nature and put people down; showing or sending unwanted sexual pictures and images; asking questions or talking about someone's sexuality, sex life or body; spreading sexual rumors; threats, taunting or bragging of a sexual nature; stalking (a behaviour that includes unwanted visits, phone calls, texts, email or letters, leaving gifts or watching someone's home/school/workplace).
- Requiring employees to dress or behave in a sexualized and/or gender-specific way, and threatening to punish if they don't accept sexual advances.⁷

5 Criminal Code (R.S.C., 1985, c. C-46). S.272.

6 BC Human Rights Tribunal, "Human rights in British Columbia: Sex Discrimination and Sexual Harassment fact sheet".

7 BC Human Rights Tribunal, "Human rights in British Columbia: Sex Discrimination and Sexual Harassment fact sheet".

Gender-based harassment is a type of bullying used to force masculine and feminine stereotypes on people who do not conform to traditional gender norms.⁸ Its purpose is to make the target feel unwelcome or ridiculed because of their sexual orientation, gender identity or gender expression. Examples of gender-based harassment include social exclusion, sexist jokes, pranks, unwelcome and humiliating comments/slurs and unsolicited advice or advances.

A "**poisoned work environment**" is created when a workplace no longer feels welcoming or safe for an individual who has been sexually abused, harassed or bullied.⁹ BCCIC has a legal obligation to provide a work environment that is free from discrimination and harassment. Failure to take immediate steps to prevent or resolve sexual harassment in the workplace will not be tolerated.¹⁰ Examples of a poisoned work environment include:

- An 'intimidating, hostile or offensive work environment,'¹¹ which includes office gossip, sexually abusive and unwelcome behaviour, comments or gestures
- Any discrimination based on identity marks, such as race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offense, marital status, family status or disability.

8 Ontario Human Rights Commission (OHRC) (2011), Policy on preventing sexual and gender-based harassment, p.20-21.

9 Cited in Ontario Human Rights Commission (OHRC) (2011), Policy on preventing sexual and gender-based harassment, p. 17-19.

10 Ibid., 17.

11 United Nations (2017), United Nations Glossary on Sexual Exploitation and Abuse (2nd Edition). Prepared by the Task Team on the SEA Glossary for the Special Coordinator on improving the UN response to sexual exploitation and abuse. UNFPA, "Policies and procedures manual: Prohibition of harassment, sexual harassment, abuse of authority and discrimination"

03.

PREVENTION AND RESPONSE



Prevention

BCCIC recognizes its responsibility in maintaining an environment free from sexual harassment, exploitation and abuse. Gender equality and a culture of prevention and deterrence will be promoted by the leadership and staff of BCCIC, but it is expected that all staff, contractors, volunteers and partners uphold a high standard of conduct that is respectful and promotes a positive poison-free work environment. All staff and volunteers will be expected to participate in training on this policy, and will be held accountable for failing to comply with it. BCCIC members will be supported to develop their own PSEA strategies in relation to prevention, reporting and response. Mutual respect and non-discrimination will form the basis of all community engagement activities and an open-door policy will be maintained.

Rights

The rights of the complainant are to: submit a credible report (although all complaints will be accepted and acted upon) of an incident of misconduct without fear or threat of reprisal, insist on confidentiality, receive updates on the status of investigation, refuse to engage with the person against whom the complaint has been made, request a third party's presence, request leave to receive support and to receive timely, appropriate and comprehensive survivor-centered support.

The rights of the respondent are to: be notified that a report has been filed (minus

the complainant's name or specific details), be informed of the BCCIC process for the investigation, have accompaniment at meetings, be treated fairly and as innocent until proven guilty, and have access to other forms of corrective support when deemed appropriate and necessary. All staff are obligated to report any suspicions of sexual exploitation, abuse or harassment of others. Failure to do so is a breach of BCCIC's policy and could lead to disciplinary action.¹²

Reporting

There are two internal responses to address complaints: informal resolution and formal reporting.

1. *Informal Resolution:* If affected individuals feel comfortable doing so, they may, on a voluntary basis, approach the alleged offender (respondent) and request that the alleged behavior cease. They may also inform their supervisor, although this triggers a formal process.
2. *Formal Reporting:* Complaints can be filed anonymously using the PSEA email address **focalpoint@bccic.ca**. The complaint is filed anonymously. The PSEA Focal Point has appropriate training and the formal responsibility to respond to complaints and reports. Complaints can also be lodged with the Executive Director. If the complaint involves the Executive Director, reports should be submitted to the PSEA Focal Point. The complaint must provide

¹² Oxfam, "One Oxfam Policy on Protection from Sexual Exploitation and Abuse".

as much information as possible regarding the allegation so that the matter can be investigated and pursued responsibly.¹³

- Relevant documents (emails, notes, photographs or physical evidence such as vandalized personal belongings) can be submitted directly to the PSEA Focal Point and the Executive Director.
 - All reports, information and documents will be secure with only the Executive Director and the PSEA Focal Point having access.
 - Upon receipt of the report, the PSEA Focal Point will officially acknowledge receipt within 24 hours and a meeting will be convened with the Executive Director within 72 hours to assess immediate risks and agree upon next steps.
 - Anyone filing a complaint will be informed of his/her rights under this policy and under the relevant human rights or criminal codes. If the complaint involves an alleged violation of the Criminal Code, the Executive Director will pursue legal proceedings and will contact local police authorities to lead the investigation.
3. *Whistleblowing*: If a complaint is to be made against the PSEA Focal Point or the Executive Director, it can be submitted directly to the BCCIC Board. If certain Board members are implicated in the complaint, sub-committees will be convened to respond to the complaint. Complainants are fully within their rights to submit reports directly to external authorities.
4. *External Reporting*: All BCCIC employees are protected under federal and provincial laws that protect and promote their human

rights. Using an internal mechanism does not replace their right to file a human rights complaint externally. If an employee, volunteer, contractor, consultant, or intern opts to use an external option, the PSEA Focal Point will provide basic information about the options available through this policy, but an internal investigation will also be undertaken.

Investigation

Investigations will be undertaken promptly, diligently and thoroughly; be fair and impartial for both the complainant and the respondent; be sensitive to the interests of all parties; maintain confidentiality to the extent possible; focus on finding facts and evidence; and aim to prevent further trauma.¹⁴ The Executive Director will convene an investigative panel or contract an experienced, independent and impartial third party when appropriate and necessary, but all parties will be required to cooperate during an investigation. If the Criminal Code has been contravened, the case will be referred to authorities who have a legal mandate to investigate such cases.

Survivor-centered response

BCCIC is committed to a survivor-centered response. BCCIC will refer survivors to support services that can provide comprehensive quality assistance and support, including protection from retaliation, medical care, psychosocial support, legal assistance and reintegration support, even if the investigation process has not been concluded yet. BCCIC will not penalize anyone for understandable reactions to sexual discrimination, harassment, physical or sexual assault, and the PSEA Focal Point will follow up with survivors to ensure that the support has been comprehensive, effective and timely. Staff who have been indirectly affected by harassment, discrimination and exploitation will also be informed of sources of support.

¹³ BCCIC will encourage complainants to provide as much information as possible to support the investigation of credible complaints, but all complaints will be accepted as relevant and will be acted upon regardless. BCCIC recognizes how difficult it is for survivors to speak out about discrimination, harassment and violence. It will, therefore, remove all institutional, attitudinal and cultural barriers that discourage reporting within its sphere of influence. BCCIC also recognizes that, statistically, the incidence of false reporting is extremely low and is often inflated due to inconsistent definitions and protocols, according to the National Sexual Violence Resource Center.

¹⁴ WorkSafeBC, "Toward a respectful workplace: A handbook on preventing and addressing workplace bullying and harassment (2013: 12).

04.

RESOURCES



This information has been summarized from the BCCIC Policy to Prevent and Respond to Sexual Exploitation, Abuse, Harassment and Discrimination.

Support Agencies for Victims of Sexual Assault

AMS Sexual Assault Support Centre
(604) 822-3475
Email: sasc@ams.ubc.ca

Vancouver Aboriginal Child and Family Services Society
(604) 872-6723 or toll-free 1 (877) 982-2377
Email: info@vacfss.com

Vancouver Aboriginal Community Policing Centre Society
(604) 678-3790
Email: executivedirector@vacpc.org

BC Society for Male Survivors of Sexual Abuse
(604) 682-6482
Email: victimservices@bc-malesurvivors.com

Battered Women's Support Services
(604) 687-1868 or toll free 1 (855) 687-1868
Email: information@bwss.org

WISH Drop in Centre Society
(604) 669-WISH (9474)
Email: wishdropincentre@shaw.ca

Ministry of Children and Family Development
1 (877) 387-7027
Email: mcf.info@gov.bc.ca

Vancouver Police Department Victim Services
(604) 717-2737
Email: vpd.vsu@vpd.ca

BC Women's Hospital and Health Centre
(604) 875-2424 or toll-free in BC 1 (888) 300-3088
Email: comm@cw.bc.ca

Cyber Tip Online Reporting for Child Exploitation
1 (866) 658-9022

Vancouver Rape Relief & Women's Shelter
(604) 872-8212
Email: info@rapereliefshelter.bc.ca

WAVAW Rape Crisis Centre 24-Hour Crisis and Information Line:
Lower Mainland: 604-255-6344; National Toll-free: 1-877-392-7583

Kids Help Phone
1 (800) 668-6868
Email: bc@kidshelpphone.ca

Victim Link BC
1 (800) 563-0808 or TTY (604) 875-0885
Email: VictimLinkBC@bc211.ca

National Center for Missing and Exploited Children
1 (800) 843-5678

Family Services of Greater Vancouver
(604) 731-4951

The British Columbia Council for International Cooperation (BCCIC) is a coalition of over 140 individuals and civil society organizations that has engaged in sustainable development and environmental issues for 30 years.

BCCIC supports its members in becoming more effective agents of change in their sustainable development efforts by disseminating knowledge gained through collaborative projects, building relationships across sectors and networks, and developing the capacity of sustainable development practitioners. BCCIC also represents members' interests and advances civil society policy recommendations on municipal, provincial, national, and international issues.

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www.bccic.ca

