



ICVA ORGANISATIONAL SAFEGUARDING POLICIES

COMPREHENSIVE CODE OF CONDUCT ON MATTERS RELATING TO SEXUAL EXPLOITATION, ABUSE AND HARASSMENT

December 2018¹

[This policy document is part of the employment contract.](#)

ICVA Secretariat and ICVA members have been reviewing their approach to safeguarding and improving their policies, procedures and practices. Individual action is essential to prevent sexual exploitation, abuse and harassment.

ICVA renewed its commitments to work collectively through sector-wide solutions to deliver systematic change².

Sexual exploitation, abuse and harassment are driven by power imbalances linked to social and gender-related inequalities. A profound effort is needed to ensure systematic and lasting cultural change. The ICVA Human Resource strategy and related plans of action set out approaches to improve the quality and the consistency of the sector's collective safeguarding practices.

ICVA adheres to international minimum standards relating to preventing sexual exploitation, abuse and harassment, namely elements of The Core Humanitarian Standards on Quality and Accountability, the IASC Minimum Operating standards on Prevention of Sexual Exploitation and Abuse and the IASC Six Core Principles Relating to Sexual Exploitation and Abuse (annex. 5). ICVA recognises and advocates for proposed solutions that need to be adaptable to the diverse global contexts and to acknowledge the realities of local resources and capacity constraints.

This Comprehensive Code of Conduct is a document that summarises, restates and refers to the institutional policies and rules that define ICVA's activity (hereinafter, the "**Code**") on Sexual Exploitation and Abuse (SEA) and Sexual Harassment in the Workplace (SHW) matters.

It aims to provide for a coherent, professional and readable framework on the subject. This Code applies to ICVA secretariat staff (hereinafter "**ICVA Staff**"), but is also applicable to ICVA interns, contractors or other parties (hereinafter "**ICVA Associates**"), who, under an ICVA mandate undertake field trips to locations, where they come in contact with persons of concern to ICVA member and partner organisations ("persons of concern") or otherwise assist ICVA in organising events and conferences at national, regional and international level.

All ICVA Staff & Associates are expected to be fully acquainted with the requirements of this Code and to act accordingly. ICVA Board Members are submitted to special vetting requirements as per Annex 1 to this Code.

¹ Board adoption (core part) 14th November. Staff consultation process 1st November to 30th November 2018. Latest version 19th December with management of comments from staff.

² ICVA General Assembly 21st March 2018 - Commitment and motion to action



1. Values and Commitments

Values are enduring beliefs that influence attitudes, actions and the choices made by ICVA Staff and Associates. ICVA Staff and Associates take pride in sharing such values and commit to applying them while working efficiently for the realization of their goals.

ICVA Staff & Associates commit to the principle of Non-Discrimination. In undertaking their ICVA related activities, Staff & Associates do their utmost to promote and practice tolerance, understanding and respect for all, without distinction as to race, ethnicity, religion, colour, national origin, marital status, gender and gender identity, sexual orientation, age, physical disability, political conviction or any other status. Gender equality entails the concept that all human beings are free to develop their personal abilities and make choices without the limitations set by stereotypes, rigid gender roles and prejudices. ICVA Staff & Associates undertake to protect & uphold equality and especially gender equality, both in their internal and external dealings.

ICVA Staff & Associates respect Human Dignity. Human Dignity entails the right to be treated in an ethical, respectful and worthy manner, by virtue of being a human being. That includes also dignity in the workplace, irrespective of the ranking, position, gender, age or any other status. ICVA Staff & Associates undertake to create relations and environments that are respectful to human dignity and integrity and that are protective of any potential abuse.

ICVA Staff & Associates act in Solidarity. Solidarity is a most essential human quality that is indispensable for the success and cohesion of our modern society. It is the main reason behind the existence and everyday endeavour of all the humanitarian and development sector. All activities and actions carried out by Staff & Associates on behalf of ICVA are in the spirit of solidarity and mutual help and understanding with the concerned population.

ICVA Staff & Associates strive for social justice. All actions undertaken by ICVA Staff & Associates respect international human rights law, humanitarian law, the humanitarian principles, rule of the law and good governance principles, including accountability to persons of concern.

ICVA Staff & Associates demonstrate professional and personal integrity. They share concerns in a constructive and responsible manner. An open organisational culture, ethical awareness and behaviour is promoted through training, communication, policy development and liaison.

ICVA Staff act with independence and impartiality when they handle SEA & SWH matters. This is of paramount importance when we investigate any complaints and reports on SEA & SWH allegations.

ICVA Staff and Associates commit themselves to refrain from abuse of power. The key element defining most of SEA & SWH abusive acts is linked to some form of power relationship. Striving to perform one's duties on behalf of ICVA in full respect of others dignity entails making a conscious effort not to abuse any such power vested on them.



2. Institutional Resources

- 2.1 The adequate implementation and compliance with this Code of Conduct is a high priority for ICVA Board, Staff & Associates and adequate measures proportional to the needs will be invested in this regard.
- 2.2 A **Technical Advisory Panel (TAP)**, composed of independent experts, provides advise to the Board on regular basis and as per need. The terms of reference of the TAP are included as Annex 2 to the Code.
- 2.3 **The Executive Director (ED)** is responsible for promoting the values of the organisation and advising ICVA staff about ethics and codes of conduct, when needed. The ICVA Executive Director reports regularly to the **Board Human Resources Focal Point (HR Focal Point)** and to the Chairperson of the Board on any concerns on the implementation of this Code of Conduct. Reporting on implementation and compliance with the Code and other related Safeguarding issues is a standard point on every ICVA Board meeting.
- 2.4 In line with the ICVA Reserve Policy, a **specific reserve** is agreed to ensure victims' protection and readdress as well as adequate investigation of any complaint.
- 2.5 ICVA will make public in its Annual Report information on the complaints received under this Code and measures undertaken.
- 2.6 Data protection laws are fully respected throughout the implementation of this Code.

3. Bans & Breach Consequences

- 3.1 ICVA bans and prohibits the hereunder defined actions and practices as in flagrant conflict with the above stated Values & Commitments.

Workplace Harassment - Repeated, and over time, offensive behaviour or hostile communication that is directed in a systematic manner by one or more individuals, mainly toward one individual, and that could impact on the self-worth; dignity; emotional and physical well-being; and health of the individual targeted.

Sexual Harassment - is defined as any unwelcome sexual advance; request for sexual favours; or other verbal or physical conduct of a sexual nature or with sexual implications when it interferes with work; is made a condition of employment; or creates an intimidating, hostile, or offensive work environment. It is particularly serious when behaviour of this kind is engaged in by an official who is in a position to influence the productivity, emotional stability, career, or employment conditions (including hiring, assignment, contract renewal, performance evaluation, or promotion) of other staff.

Sexual Abuse - the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Sexual abuse can take place within a work environment or in relation to individuals outside the ICVA work environment. Sexual relations with children (under 18 years of age) constitute Sexual Abuse, irrespective of the existence of consent from the other person or knowledge of the fact that the other person was under 18 years of age. Sexual Abuse comprises also exchange of monetary/material value for sexual favours, including also exchange of humanitarian aid to that extent.

Sexual Exploitation - any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, with the aim of profiting monetarily, socially or politically from the sexual exploitation of another. That includes any actual or attempted blackmail, extortion and any form of coercion due to information of sexual nature on others (whether actual or fictitious).



3.2 Any *proven breach* of such ban entails immediate disciplinary action, ranging from written warning, to temporary suspension from duties up to termination of employment. It is in the ED's discretion, in consultation with the Board Human Resources Focal Point, to select the appropriate disciplinary measure proportionate to the breach committed. Such decision shall be taken rapidly after the completion of the investigation on the matter, as per Section 5 of this Code (Procedure to Investigate Complaint).

3.3 Besides any disciplinary action, ICVA reserves the right upon careful evaluation of the specific circumstances of the relevant case and consequences on the human rights of those involved, *to further report* any allegations on such actions *to competent authorities*.

3.4 ICVA undertakes to make further efforts to limit the ability of the offender to commit similar acts in the future by reserving the *right to require or inform other organisations* through inter alia a Statement of Conduct³ when referenced and/or queried, or otherwise based on any existing agreement.

4. Recruitment of Staff and Associates

4.1 ICVA recruitment process is fair and transparent, aiming at the appointment of the best candidate, based solely on merit and best-fit with the job and ICVA organisational values, goals and policies.

4.2 ICVA's selection process includes rigorous background checks and reflects ICVA's organisational integrity and commitment to make humanitarian action more principled and effective.

4.3 Whenever possible, appointment will be conditional upon presentation of a criminal recording extract and/or Statement of Conduct from previous employees, which will be used only to form an accurate picture of whether a candidate may pose a safeguarding risk in relation to this Code

4.4 While applicable legal and regulatory requirements will be respected, including data privacy regulations (i.e. EU General Data Protection Regulation), ICVA Staff and Associates consent to ICVA issuing a Statement of Conduct related to this Code to support recruitment processes.

4.5 Any induction to newly recruited Staff and Associates will include in depth induction on this Code as other organisational policies, which upon signature form all part of the employment contract.

5. Principles to Handle Complaints & Reports

5.1 Victims or persons duly authorized by victims of banned SEA & SWH acts defined in Section 3 of this Code and carried out by ICVA Staff & Associates, can complain about/report such acts to ICVA as per this procedure.

5.2 ICVA Staff & Associates have an obligation to report any events relating to potential banned SEA & SHW acts listed in Section 3 above and perpetrated on others, when they become aware of the existence of the breaches on the bans.

5.3 ICVA ensures accessible, safe and responsive mechanisms to receive and record complaints and reports. A complaint/report form is attached as Annex 3 to this Code and is also available online at (INSERT WEBSITE ADDRESS -expected December 2018). All Complaints & Reports are duly and timely addressed, and safeguards are in place to ensure full respect for the rights of all those involved, especially alleged victims.

³ As per Inter-Agency Misconduct Disclosure Scheme



5.4 Whistle-blowers are protected: under no circumstances will they be dismissed, demoted or discriminated against for reporting a breach. In the event of malicious complaints, if so proven by the internal investigation instigated by the same complaint, ICVA reserves the right to take disciplinary measures.

5.5 Any complaint against ICVA Staff & Associates is addressed in full confidentiality to the ICVA Finances & Administration manager and ICVA ED. Exceptionally, when concerns exist on how the allegations would be managed, the Complaint should be addressed to the HR Focal Point. (HYPERLINK to the persons in the website - INSERT WEBSITE ADDRESS -expected December 2018)

5.6 The responsibility for the management of the ICVA Procedure to handle complaints under this Code rests with the ED, unless the complaint is against the ED, in which case the HR Focal Point takes over responsibilities, in close consultation with the Chair and the Vice-Chair. To this exception, the ED will act as the key interface with all individuals presenting any complaints, reports, claims and/or counterclaims on SEA & SHW matters. Such communications shall be carried out whether on anonymous or disclosed basis, whichever suits best the needs to clarify any allegations on SEA & SWH. Such function can only be delegated in specific cases.

5.7 The ED/HR Focal Point has the responsibility to initiate and lead/oversee an investigation on an alleged breach, as per details stated under Section 6 of this Code (Procedure to Investigate a Complaint).

5.8 Upon closure of the investigation, ultimate decision-making power on any disciplinary measures based on the findings of the investigation rests on the ED or ICVA Board in case investigations made were against the ED.

5.9 The Director for Finance & Administration and ED shall exercise care in reminding ICVA Staff and Associates of the importance of substantiating any claims made under this Code, in order to avoid any malicious reporting or any attempts and blackmailing which in itself can lead to disciplinary measures under this Code.

5.10 It is a main duty of the Director for Finance & Administration and ED to create an atmosphere of trust especially among the ICVA Staff but also external complainants/reporters of alleged breaches in order to minimize any anonymous reporting, considered to be not very useful/helpful in investigating alleged breaches of banned SEA & SHW acts.

6. Principles to Investigate Complaint

ICVA advocates for reinforced prevention and response measures to SEA and SH based on a victim/survivor centered-approach that are operationalized in a way that is systematic, predictable and resourced accordingly, in line with defined priorities. The reporting and investigative procedures should take a priority a victim/survivor approach.

Upon obtaining a report/complaint on alleged sexual exploitation, abuse or harassment acts, ICVA shall set up a small investigation team – as a rule - led by the ICVA ED. Other individuals that can be considered as beneficial to the aims and needs of the investigation shall be engaged. Such people can be either internal or external to the organisation and should be professionally capable to provide qualified support on the matter.



Main Quality Features of the Investigation:

1. Investigation should be aiming to swiftly collect any physical evidence (medical if available), witness testimonies etc. and record them meticulously.
2. Investigation should be impartial and as objective as possible, showing concern of the interests of the alleged victim, but also respecting the presumption of innocence as a fundamental principle of a fair investigation.
3. Investigation should fully guarantee confidentiality and anonymity while considering that it is not detrimental to its aims and the need to confront different and conflicting versions of the alleged facts.
4. Investigation should be led while being sufficiently informed on the existing legal framework in the concerned jurisdiction about the alleged acts. This includes consideration of any legal duty to report any alleged crimes to the local authorities, but also the right to hold private investigations on such matters and the manner that such investigations are carried out.
5. Investigation should give ample opportunity to any accused person to be heard and to hear and see any and all evidence presented against him/her. If so wished, the concerned individual shall have the right to be advised by a personal advisor.
6. While taking a victim/survivor approach, investigation should be focused on establishing whether a breach of the defined banned actions has taken place based on any collected evidence and testimonies. This should serve solely for establishing whether any internal disciplinary actions listed in point 5.2 of this Code, will be needed.
7. Any definitions and/or categorisations of potential crimes under national law should be prerogative of the national authorities who can be seized by the concerned victim. ICVA shall make that possibility known to the concerned victim. In the event the seriousness of the breach is such that a report is warranted by ICVA Staff, management shall consider and undertake such step-in respect of the rights of all those involved (point 3.3 of this Code).

7. Principles for Victim Assistance⁴

- 7.1 **Victim Assistance Facilitator (VAF)** will be designated by the ED. In the event the ED is involved in the allegation presented by the victim, the HR Focal Point will designate the VAF. Due attention will be paid to conflict of interests, gender considerations and competencies required in the designation of VAF.
- 7.2 VAF shall carry out his/her role in compliance with the following principles:
- uphold the victim's rights, dignity and best interests at all times,
 - maintain confidentiality on a need-to-know basis in all circumstances,
 - act quickly to assist the victim as needed, and
 - be knowledgeable about and use existing referral networks for victims of gender-based violence, where feasible.
- 7.3 In collaboration with other actors, as much as possible in proximity to the alleged victim, the VAF should ensure that:
- the alleged victim is protected from retaliation by being able to refer the victim to specialized services that can provide such support, including safe shelter.
 - basic emergency assistance is provided to the victim, including medical aid and assistance if needed.
 - psycho-social support and legal assistance is available by qualified professionals. The ED ensures that a preliminary short list of experts and services exists beforehand.

⁴ This Procedure is prepared in compliance with the United Nation's victim assistance strategy developed to assist and support victims of sexual exploitation or abuse-General Assembly Resolution 62/214



7.4 Interacting with victims in a careful manner entails the following immediate *actions and duties* for the VAF role:

- Explain to the victim in a clear and sensitive manner the role of the Victim Support Facilitator and what s/he can and cannot offer as well as VAF’s respect for confidentiality duties towards the victim.
- Together with the victim, identify potential security risk for the victim and her/his family as well as work on risk management plan (like retaliation risk).
- Together with the victim, identify the types of care that are needed and refer the victim (and potentially his/her family) to the respective services, as available at national level.
- Facilitate access to such services.
- Act as an interlocutor between the victim and the relevant persons involved in the investigation and help the victim navigate the respective administrative process.
- Maintain contact with the victim before, during and after both the investigation and disciplinary processes to respond to needs.
- Ensure that all queries and concerns of the victim are followed up.
- Ensure that the victim is consulted and informed at all stages of the process.

8. Statement of commitment

I, the undersigned, declare that I have received, read and understood ICVA Code of Conduct.

I declare that I am familiar with and accept to work in full accordance with this document and, other ICVA policies and rules referred to. I understand that any failure to comply with the Code of Conduct⁵ may result in my actions being reported to the relevant authorities and the imposition of disciplinary measures, including the immediate termination of my employment contract.

I am made aware that ICVA Secretariat has signed up to work to a common standard to share information between organisations as part of the recruitment process about staff and affiliates who have been found to have committed sexual harassment, sexual abuse or sexual exploitation, while respecting applicable legal and regulatory requirements as per the “inter-Agency Misconduct Disclosure Scheme”⁶.

During the recruitment process, I had the opportunity of explaining my employment history. I confirm that I have never been found to have committed misconduct (sexual exploitation, sexual abuse or sexual harassment) or any other misconduct that would be contrary to the values and commitments outlined in ICVA’s Safeguarding Policies.

Place / Date:

⁵ ICVA Organisational Safeguarding Policies. Comprehensive Code of Conduct on Matters relating to Sexual Exploitation, Abuse and Harassment – Latest revision - November 2018

⁶ Implementation as from 1st January 2019



ANNEX 1 - ICVA Board Candidate Integrity Vetting

Due Diligence Confirmation

ICVA Member Organisation:

ICVA Board member:

Background

The ICVA Board mandates ICVA ED to request to organisations who nominate a **board candidate to be elected at the General Assembly** to certify they have done the due diligence and, amongst others, carried out background checks.

The board members receive a briefing on PSEA and SHW from ICVA Secretariat.

Briefing covers the integrity policies in place at ICVA with a particular focus on recognising and responding to risks and concerns. Board members are asked to sign the ICVA code of conduct.

Attestation

I, undersigned _____⁷ certify that _____⁸ has carried out due diligence checks on _____⁹, nominated by _____¹⁰ and elected on the ICVA Board by the ICVA General Assembly on _____.

Amongst others, the following standard due diligence measures for recruitment have been applied (indicate “YES” or “NO”):

- | | |
|--|----------|
| 1. Gaps in employment history checked during interview. | YES / NO |
| 2. Questions related to Prevention of Sexual Exploitation and Abuse asked during recruitment interview or subsequently in a formal and documented way. | YES / NO |
| 3. At time of recruitment, at least two references were taken from previous employers which include questions on candidate’s conduct, behavior. If not the case, references have been taken and documented subsequently. | YES / NO |
| 4. Recent criminal records check has been conducted
Where not possible, explain reason. | YES/NO |
| 5. Has a code of conduct in place and board member has signed it?
Please attach. | YES / NO |

I hereby declare that the above information is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

I acknowledge that my attestation will be transferred and stored in the Human Resource ICVA server with restricted access. Attestation will be shared with board members and the Independent Advisory Panel on PSEA/SHW.

Full name:

Organisation:

Function:

Date:

Signature:

⁷ Name and function of authorised person at ICVA member organisation

⁸ ICVA member organisation

⁹ Name of ICVA board member

¹⁰ ICVA member organisation



Annex 2: Terms of Reference of the PSEA/SHW Technical Advisory Panel

1. Introduction

The Board, through its decision 19th March 2018, agreed to establish a Technical Advisory Panel (the Panel) composed of experts in order to provide an independent technical assessment of, and advice on, Prevention of Sexual Exploitation and Abuse (PSEA) and Sexual Harassment at Workplace (SHW).

2. ICVA General Assembly 21st March 2018 commitment and motion to action

ICVA members agree and endorse the following commitment and take their responsibilities seriously.

COMMITMENT

Our organisations have a responsibility in relation to men, women and children in the communities in which we work and towards our own employees to protect from sexual harassment, exploitation and abuse which are completely unacceptable.

We are fully committed to being transparent and accountable towards the people we serve, our partners, supporters and the public at large.

We expect the ICVA secretariat and the ICVA members to strengthen the humanitarian community's fight for integrity in engaging in inter-agency cooperation.

We require ICVA secretariat and the ICVA members to have systems in place for preventing, detecting, and responding to abuse and misconduct.

ICVA General Assembly, Geneva 21st March 2018

MOTION TO ACTION

ICVA is acting on victims' rights advocacy on sexual exploitation and abuse.

ICVA is to document and voice the challenges of all ICVA members in complying to safeguarding standards and engage with their governments when appropriate.

ICVA Secretariat is engaged in dialogue with UN Permanent Missions in Geneva.

ICVA General Assembly, Geneva 21st March 2018

3. Scope of the mandate

The Panel will provide an independent technical assessment of, and advice on, PSEA/SHW for the Board.



4. Role and mandate

The Board's role is to "Monitor implementation of ICVA's Strategic and Annual Plans" and its role includes "To establish terms of reference, composition, and time limits for any other necessary committees, working group or task forces" – The "PSEA/SHW Technical Advisory Panel" falls under the ICVA status Article XIII cited above.

The Panel assesses the performance of the Secretariat and the Board independently against activity-specific criteria (the Secretariat Plan of Action).

Once a semester or upon request by the board or the secretariat, the Panel advises and assesses the performance of the Secretariat and the Board independently. Assessment includes management of allegations.

In recognition of the lessons learned from the experience of PSEA/SHW, the Panel should also be engaged more strategically. The strategic model of Panel engagement would enable more efficient processes for all humanitarian actors. Every Panel session agenda should encourage the valued strategic reflection.

5. Reporting

Pursuant to this mandate, the Panel's advice will be submitted to the Board by the Secretariat as part of the documentation pertaining to the PSEA/SHW reporting. The advice provided by the Panel will consist of the outcome of its independent technical assessment. The Board will include the Advisor Panel's activities in its report to the General Assembly.

6. Composition and structure

The Panel will comprise four members: two from the Global South and two from the Global North. On a case-by-case basis, members of the Panel may call additional experts if the need for specialized knowledge arises, as deemed necessary and in consultation with the Secretariat. When this occurs, the required expert will be procured and selected by the Secretariat in consultation with the Panel and the Board Human Resources focal point.

The Panel's collective expertise will cover a range of specialties related to PSEA/SHW.

Each Panel member will have to have demonstrated unquestionable personal reputation, integrity and ethical behavior throughout his or her professional career.

Members of the Panel will be procured, selected and nominated by the Secretariat, for endorsement by the Board soon thereafter.

The endorsed Panel members will serve on a voluntary basis and are entitled to have approved travels costs covered by the Secretariat.

7. Modalities of work

The Panel's mandate is framed by the duration of the ICVA Strategic Plan (3 years) ending at the ICVA General Assembly.

The Panel will conduct its mandate remotely, unless exceptional circumstances necessitate physical meetings.



The Secretariat will provide the necessary operational and administrative support to the Panel.

The time required per year for the mandate will be determined in consultation with the Secretariat. Minimum requirement is:

- one teleconference of two hours every semester (June and January);
- the review of Secretariat's yearly plan of work;
- drafting of short yearly report (max. 2 pages)

8. Conflict of interest and confidentiality

A conflict of interest arises when a Panel member has an interest, or could be deemed to, improperly influence the performance of his or her duties or responsibilities as a Panel member.

When an actual or potential conflict of interest exists, the Panel member shall not participate in the matter that has given rise to the conflict.

Furthermore, at the time of appointment, all Panel members will sign the ICVA code of conduct and fully collaborate for the ICVA due diligence procedures.

Panel members shall adhere to the *ICVA Conflict of Interest Policy* and sign the *ICVA Code of Conduct in relation to Sexual Abuse and Exploitation*.

9. Revision and termination of the terms of reference of the Panel

The Board may revise these Terms of Reference as necessary, and upon the advice of the Secretariat or the Advisory Panel, in order to incorporate lessons learned and to reflect the evolving environment.

The mandate of the Panel may be revised or terminated by the Board, if deemed necessary. Revision or termination of the Board should be reported to the ICVA General Assembly.



ANNEX 3 - CONFIDENTIAL COMPLAINT OR REPORT FORM

Please complete this form to report any suspicion or knowledge of breach to this Code. Staff members and others submitting such reports in good faith have the right to be protected against retaliation.

Information about you (the complainant or reporter)

Name _____

Title _____

Email Address _____

Telephone No _____

Information about the person(s) committing the alleged misconduct

Name _____

Title _____

Email Address _____

Telephone No _____

ICVA Staff have the right to remain anonymous. However, remaining anonymous or refusing to give names of people who can corroborate their story may make it difficult to actually do anything.

Please state the alleged misconduct and provide a detailed description, including where and when it occurred.

Provide the names of any witnesses and their contact information

Please state if you have taken any other action regarding the alleged misconduct

Please attach any documents that have information supporting the alleged misconduct

In signing, I acknowledge that the information I have provided is accurate to the best of my knowledge. *

Name _____ Date and Location _____



Annex 4: ICVA BOARD HUMAN RESOURCES FOCAL POINT TERMS OF REFERENCE

Revision May 2015.

Approved as part of Staff Rules and Regulations at ICVA Board meeting 5-6 October 2017

Revision July 2018

Authority and Responsibility

On behalf of the Board, one board member assumes the specific responsibility to act as the focal point for members of staff from the ICVA Secretariat on human resources related issues. This specific role is in addition to the Board member's regular responsibilities.

Background

The Executive Director is responsible for the successful leadership and management of the organization and its staff. The Executive Director oversees the work of staff. The Director of Finance and Administration coordinates the administrative functions for human resource management.

The Board HR Focal Point offers advice and support on matters relating to human resources in particular on strategic staffing plans, benefits, training and development, budget, and labour relations.

The HR focal point has a specific responsibility with regards to the *Procedure for Dealing with Offensive, Harassing, and Discriminatory Behaviour*, to the Staff Rules & Regulations and *Code of Conduct in relation to Sexual Abuse and Exploitation*.

Responsibilities

- Support the Director of Finance and Administration in key HR related matters at his/her request, including the interviewing and hiring of senior ICVA staff; reviewing staff policies; and other human resources issues.
- Act as a focal point for ICVA Secretariat staff members in accordance with the *Procedure for Dealing with Offensive, Harassing, and Discriminatory Behaviour* and *Code of Conduct in relation to Sexual Abuse and Exploitation*. The HR Focal Point does not have responsibility to resolve matters brought to his/her attention but rather serves as a liaison and conduit for engaging the appropriate parties such as the Executive Director and the Board Chair, or the full Board.
- The HR Focal Point should ensure confidentiality of the contact(s) with ICVA Secretariat staff and information brought to his/her attention and protect the privacy of all individuals as appropriate. The HR focal point may choose to inform the Executive Director and/or the Director of Finance and Administration that s/he has received a staff complaint in accordance with ICVA safeguarding procedures;
- The HR Focal Point should remind staff members who bring information to his/her attention of their responsibility to explain their expectations with regards to follow up on the information. This follow up could include actions such as the HR Focal Point referring the information to the Chair, or by dealing with it in another appropriate manner, as agreed between the HR Focal Point and staff member.
- The HR Focal point is a permanent member of ICVA Finance and Administration Committee.



Requirements

- The Focal Point should, preferably, be Geneva-based in order to facilitate contacts with ICVA Secretariat staff members based primarily in Geneva. S/He serves for the duration of the Board (i.e. three years) and should be appointed by the Board at its first session of the Board's three-year term.
- S/He should have experience in a management position, including human resources management, or have a specific background or experience in human resources.



Annex 5: IASC Six Core Principles Relating to Sexual Exploitation and Abuse

1. “Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence.
3. 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.
4. Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.
5. 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.
6. 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.”