

## POLICY AND PROCEDURES CONCERNING SEXUAL HARASSMENT

1. CWY will not tolerate any form of harassment and/or sexual assault within the programs context. By sexual harassment is understood: comments, propositions and contacts of a sexual nature repeated and not desired which any person may find unacceptable or offensive and which is a hindrance in carrying out the roles in the CWY programs. By sexual assault is understood: any aggression on the integrity of a person with sexual intention accompanied or not by physical violence.
2. Any complaints related to such a form of harassment or assault will be treated with the utmost confidentiality possible. Settling of the complaint will lean towards removing the aggressor rather than the person being harassed. The participant communicates with the Project Supervisor accompanying his or her group and the Project Supervisor communicates with his or her supervisor.

### **Policy concerning sexual harassment**

It is the Program Manager's responsibility to present this policy to exchange country and Canadian field staff at the session they attend **together** which is intended to inform exchange country field staff re life in Canada. Field staff (Canadian and exchange country) must then discuss together in order to identify their perceptions as regards harassment and to agree on the steps to take regarding harassment cases (within the policies and procedures set forth by CWY). In addition, they must agree on a way of presenting the harassment issue to participants, by integrating this in a study of female-male role issues, one of the themes of the Canada World Youth programs.

### **Implementing and enforcing the CWY policy against sexual harassment**

#### **a) Preventive steps**

1. Partner organization(s): CWY undertakes, through discussion with our partner(s), to raise their awareness of harassment, its prevalence, and its pernicious effects.
2. Documentation from CWY for the preparation of EC FS: CWY undertakes to incorporate the Policy and Procedures against harassment into the appropriate program documents, copies of which are routinely furnished each year to our EC partners for the use particularly of their staff in preparing for their role.
3. Field staff training: The Research and Programming Department will inform field staff of this policy during the national orientation. Training will be carried out by the PM during RPT.
4. Role of the Program Managers (PM): CWY undertakes to continue the practice whereby the PM presents the anti-harassment policy to the Canadian and EC FS together, in the greater context of a presentation on entry to life in Canada and working in the CWY programs. The presentation will be more focused in terms of enforcement procedures and the PM will ask for a report a) on previous discussions and conclusions from the FS on this question and b) on the way that this matter was presented to the participants. In addition, the PM will be involved in the resolution of certain types of harassment situations (see below).
5. Role of Project Supervisors: The Canadian PS must take the lead in working with their counterpart to arrive at a mutual understanding concerning the harassment issue, even if it is only to agree to disagree: the crux is that the counterpart understands the definition of harassment agreed upon, and is aware of the potential

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consequences to an alleged aggressor; and, further, that the PS make an appropriate presentation to the participants.

Some principles for working as a FS and for dealing with the issue in the context of communities and young people in CWY are as follows:

- procedures for enforcement and potential consequences must be clearly understood by all parties;
- in the community preparation phase the issue should be raised with the families and work people among others raised at the same time, in the context of the particular cross-cultural nature of a given programme; in addition, some community resources to help deal with situations should be identified, i.e. counsellors, Rape Crisis Centre, etc.;
- Within the team discuss early identification of harassment situations and first steps to take;
- make participants comfortable from the Participant orientation in rejecting harassment, saying **no**, and in establishing their individual "bottom line" of what behaviour they will tolerate;
- the preparation of participants with respect to this issue should include sensitization to people from other cultures in order to be aware of what might be interpreted as provocative;
- Field staff should check regularly with participants for harassment situations as well as the other aspects of the participants' program experience;
- Both victim and offender are entitled to confidentiality in all discussions with them, and equality in the CWY process of dealing with situations which way arise.

### **N.B.**

As with all other procedures involving participants' health or security, all communications in such cases are confidential.

### **Suggested process for dealing with harassment situations**

- a) In Canada: harassment within exchange team, i.e. among/between participants and FS as a case comes to the attention of a staff member:
1. **Support for the victim:**
    - provide support to victim, active listening, same sex support/counselling, professional resource person as seems necessary;
    - victim's feelings should be validated, emotional support given;
    - determine risk factor, security of victim and explore possible action to take;
    - establish counterpart support as possible.
  2. **Action to take:**
    - advise Project Supervisors or Program Manager depending on what people are involved in the harassment situation;
    - Document the case using the Incident Report Form (Prog-11): background info, nature, frequency (actual times and dates) and impact of incidents, statements of victim and alleged offender;

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- ascertain need of professional medical care, make report concerning this;
  - discuss victim feelings and preferences re potential courses of action to be taken; decision re action must keep victim's safety as principal consideration, as well as confidentiality;
  - the alleged offender is seen, and is advised to stop the behaviour which has been found offensive; such advice must include a thorough discussion of the cross-cultural implications of the situation and of the perceptions of the individuals concerned;
  - the guiding principle is to stop offending behaviour and bring about learning;
  - the second guiding principle is to remove the confirmed offender rather than the victim;
  - a recommendation to remove an alleged aggressor must go to the PM, who in consultation with his or her supervisor will make a decision. This is done only after the PS and the PM have been kept abreast of a given case by means of fully documented reports;
  - if offending behaviour stops right away when offender is advised, the "case" is closed, i.e. no further procedure.
- b) In Canada: harassment of community persons by staff members, or harassment of staff members by community persons as a case comes to the attention of a staff member:
1. **Support for the victim:**
    - If victim is in program, same as described above in a) 1.
    - if victim is a community person, the proper community resources should be contacted, i.e. counselling, medical, rape Crisis Centre, and legal if necessary.
  2. **Actions to take:**
    - Document incident in writing; interview with victim and alleged offender;
    - Advise PS or PM immediately. The PM will advise his or her supervisor immediately;
    - If victim is in program consider action to change proximity of victim and alleged aggressor;
    - If victim is community person consider action to isolate alleged aggressor from victim (this could go so far as to be expelled from community, and/or from the program);
    - All the other principles in a) 2. Above apply also.
- N.B.:** If a sexual assault takes place, the first concern is the health and safety of the victim; during the period of inquiry victim and alleged aggressor must be apart - the nature of the "inquiry" would be determined by victim's wishes and CWY legal opinion.
- c) In the Exchange Country: harassment in team or community as a case comes to the attention of staff member:
1. **Support for the victim:**
    - As in a) 1. Above.
  2. **Actions to take:**
    - as in a) 2. Above, as far as possible under the circumstances;
    - If harassment cannot be stopped, PM is contacted as well as the partner organization, with recommendations for how to resolve situation, e.g.:
    - remove aggressor

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- remove group
- All other points in a) 2. Above apply also.

### **Legal recourse**

In a program such as CWY it is obvious that legal action is not desirable, either in Canada or the EC.

However, FS must bear in mind that they are in fact responsible for participants' safety, and that they themselves are neither lawyers, policemen nor judges.

If a criminal act takes place in the CWY program, it should be dealt with by due process of the law where the act took place. While we as an organization stress the preventive aspects of sexual harassment, it is not unlikely that harassment leads to sexual assault.

In such a case the treatment of the victim, medical and psychological should include the option of redress under the law. Advice, information and informed counsel should be provided to the victim. CWY may, depending on the facts of a given situation, back up the efforts of our FS to do this should cases arise; this could include legal aid to the victim. (Note that any such possible financial commitment can only take place with the approval of Canada World Youth's Director of Programming and Development, Director of Research and Programming or President - it is not an automatic process.)

*Revised April 2008*