

# Code of Conduct

Cuso International's strategic goal is to *work with our partners to address the root causes of inequality and improve the economic and social conditions of marginalized groups*. To help the organization achieve this goal, we align ourselves with the values of **Courage, Inclusion, Sustainability and Accountability**.

While the nature of international cooperation exposes Cuso International (Cuso) to certain risks and challenges, by committing to these values, conducting ourselves according to high ethical standards and creating a healthy workplace, we will make gains in achieving our vision of *an equitable, inclusive and sustainable world where all people are treated with dignity and can participate fully in society*. **Our values form the foundation for the behaviours and actions outlined within the Code of Conduct.**



## Courage

We are committed to taking bold actions in pursuit of our mission, even in the face of adversity or uncertainty. We take informed risks and challenge the status quo to stand up for what is right. This means that we must often step out of our comfort zones and that we cannot let ourselves be guided by fear of failure. In the pursuit of our goals, we demonstrate courage by *championing improvements to existing approaches, speaking up for those who are marginalized, advocating for social justice, and taking calculated risks to achieve positive social impact*.



## Inclusion

We believe inclusion is a foundation for our commitments to feminist principles, anti-racism, diversity, and equity. In our programs and in our workplace, it means *fostering a sense of belonging and creating an environment where all individuals are welcomed, respected, and valued, regardless of their background, identity, or abilities*. This means embracing diverse perspectives, and dismantling systemic barriers to ensure everyone can fully participate and contribute to our mission. Inclusion means actively welcoming marginalized voices wherever we can, pursuing equal opportunities for participation, and fostering a culture of collaboration and empathy where anyone can feel that they belong.



## Sustainability

We embrace sustainability by constantly challenging our own behaviour in ways that emphasize responsible and long-term decision-making, ensuring the well-being of the organization, its stakeholders, partners, and the environment. *Sustainability involves managing resources wisely and considering the social, economic, and environmental impact of our actions*. Our ongoing pursuit of sustainability means adopting practices that minimize our ecological footprint, promote social responsibility, and ensure Cuso International's financial resilience. Our everyday decisions and actions seek to balance immediate needs or priorities with long-term impacts.



## Accountability

For Cuso, accountability means being willing and able to take responsibility for our actions and decisions, and to explain our work honestly and clearly to anyone. *We hold ourselves accountable to our stakeholders, including the communities we serve, our team members, donors, and partners. We are transparent in our processes, communicate openly and honestly, and strive to deliver on our commitments. We maintain the highest ethical standards, fulfilling our commitments, and regularly evaluating and reporting our progress towards achieving our mission. Accountability also means being responsive to feedback, learning from our mistakes, and continuously improving our practices.*

**Purpose** - This Code of Conduct and related policy statements (“Code”) guides how Cuso operates and how we interact with others. It helps define our compliance measures, organizational culture and pursuit of ethical excellence in all we do.

**Application** – The Code applies to all individuals working at or with Cuso (unless otherwise indicated), including but not limited to employees, casual workers, Canadian and international volunteers, members of the Board of Directors, partners, donors, suppliers, agents, contractors or sub-contractors wherever they may be located (“representatives and related personnel”). The Code will be communicated to all individuals at the outset of Cuso's relationship with them, and as appropriate thereafter, and will be the subject of selection and onboarding. It will be part of all contractual agreements.

**Due-Diligence** - Cuso will exercise due diligence when entering contractual relationships with representatives and related personnel which may include use of references and police criminal records checks. In procurement and commercial relations, Cuso will avoid doing business with those who do not commit to the Code.

**Misconduct** - Non-compliance with any of Cuso’s Code provisions by representatives and related personnel will be treated by Cuso as misconduct. Confirmed misconduct will result in disciplinary action up to and including termination of employment, review of Volunteer Status, removal as Board Member, or the ending of a relationship / contract with partner organizations, donors or suppliers.

## Responsibilities & Commitments



**Board of Directors** - Responsible for overall compliance efforts, including the Code, and ensures that appropriate policies and practices are in place to promote ethical conduct throughout the organization; receives reporting on non-compliance and participates in investigations, depending on the nature of alleged misconduct.



**Leadership Team** - Leads by example and actively supports efforts to promote a culture of ethical excellence; oversees Code compliance including developing measures and procedures to control risks of misconduct; investigates alleged misconduct and makes corrective actions when needed.



**Global Talent Team** - Responsible for communicating the Code to representatives and related personnel; providing training on Code contents, policies herein and applicable procedures; building an organizational culture that reflects the contents of the Code; establishing and monitoring reporting mechanisms; receiving and investigating reports of misconduct, facilitating support for those involved in an incident of misconduct; and ensuring the Code’s alignment with legal requirements.



**Managers** – Responsible for leading by example and promoting ethical behaviours; ensuring misconduct does not occur within their teams; ensuring their personnel participate in provided trainings; and addressing misconduct immediately upon becoming aware of it.



**All Cuso representatives and related personnel**, through the Code, commit to core values and related expectations for their behaviour - in both their professional and personal online and in-person interactions.

**Representatives and related personnel** are expected to read and understand the contents of this Code and related policies herein (see list below), as well as complete any and all required trainings as part of onboarding and thereafter. All representatives and related personnel should seek guidance when faced with uncertain behaviour and report any suspected or actual misconduct they observe.

By signing **Cuso’s Code Attestation form**, representatives and related personnel agree to comply with the Code, take responsibility for their actions and understand that *non-compliance will be treated as misconduct*.



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*Representatives and related personnel are also responsible for familiarizing themselves and complying with all other Cuso policies, as found on the Policy Site*

**Approved By**  
**Approval Date(s)**  
**Review Frequency**  
**Department Owner**

Board of Directors  
July 4, 2024  
Annually; Board approved every 5 years  
CEO



**In dealing with questionable or difficult situations, consider the following questions:**

- Is my action consistent with Cuso’s Code of Conduct and related policies?
- Does my action give the impression of impropriety?
- Will the action discredit Cuso, a representative or related personnel if disclosed?
- How could my action be interpreted by donors and the general public?

**Should an individual have any questions as to whether a particular incident constitutes misconduct, they should speak with their line manager, the Global Talent Team, or any member of the Leadership Team (who is not involved in the incident).**

## Complying with Laws and Regulations

Failing to comply with the law or any other requirements in the Code and related policies risks exposing Cuso to serious legal consequences and reputational harm. Cuso representatives and related personnel must:

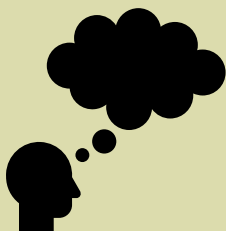
1. Uphold and comply with the law, civil or criminal in all jurisdictions where Cuso works.
2. Not knowingly engage in, facilitate or benefit from any illegal transaction or activity, including fraud and corruption.
3. Act in accordance with contracts to which Cuso is a signatory.
4. When using the Internet, web-based tools and social media, whether for personal use or authorized use on behalf of Cuso, not break any law, make any abusive, inflammatory, racist or sexist comments, or share any hateful, pornographic or harassing material, or any material for which Cuso does not hold the copyright.

## Disclosing Conflicts of Interest

A conflict of interest is a situation in which a Cuso representative or related personnel has a personal interest<sup>1</sup> that may actually, potentially or is perceived to influence the objective performance of their Cuso responsibilities. **A conflict of interest is not a violation of the Code. It is only a violation of the Code if it is not disclosed.**

1. The disclosure of a conflict of interest, whether actual, perceived or potential, must take place as soon as the representative or related personnel becomes aware of the conflict.
2. Cuso will work toward managing and resolving conflict of interest situations that do arise by implementing measures that:
  - 2.1. Encourage representatives or related personnel to self-declare a conflict of interest.
  - 2.2. Enable representatives or related personnel to respectfully raise real, perceived or foreseeable conflicts faced by others in Cuso.
  - 2.3. Disclose and document all pertinent information on the conflict of interest.
  - 2.4. Address the situation according to its nature and severity including restricting the involvement of the individual in the issue, recruiting a third party to assist with managing the situation, having the individual relinquish the private interest that is causing the conflict, or removing the individual completely from duties affected by the conflict
3. To reduce actual, perceived or potential conflict of interest, Cuso representatives or related personnel will not:
  - 3.1. Use their positions to extend special treatment that would advance their own interests or those of any family member, friend, or colleague.
  - 3.2. Accept hospitality, gifts, money, discounts, or favours (including a benefit to any family member, friend or colleague) that create indebtedness on the part of the recipient.
  - 3.3. Use, or permit the use of, Cuso property, facilities, equipment, supplies or other resources for activities not associated with Cuso work without the express permission of the Leadership Team.
  - 3.4. Use confidential information to advance personal or others' interests.
  - 3.5. Disclose confidential or privileged information about Cuso's affairs unless provided for under Cuso's [Reporting Misconduct \(Whistleblowing\)](#)
  - 3.6. Engage in any outside work or business activity that conflicts or potentially conflicts with the representative or related personnel's Cuso duties.

*Conflicts of interest must be disclosed to an individual's line manager, the Chief Operations Officer (COO) or the Chief Executive Officer (CEO)*



**If in doubt as to whether a matter constitutes a conflict of interest, consider the following questions:**

- Would I, a family member or friend benefit or be negatively impacted by the decision or action? (either present or future)
- Could the decision or action cast doubt on my objectivity?
- How could my action be interpreted by donors and the general public?

**Should an individual have any questions as to whether a particular matter constitutes a conflict of interest, they should speak with the Global Talent Team or any member of the Leadership Team.**

<sup>1</sup> Refers to an individual's self-interest or the interests of the individual's immediate family, friends or professional colleagues; or the interests of another organization in which the individual holds a paid or voluntary position.

## Anti-Corruption & Fraud Prevention

Cuso has zero-tolerance for fraud and corruption, including bribery, theft and the facilitation of payments (*“fraud and corruption”*). Cuso defines these forms of misconduct accordingly:

- **Fraud:** An intentional act, a misrepresentation or the concealment of a dishonest or illegal act, including the embezzlement of funds, forgery, extortion, conspiracy, misappropriation, false representation, concealment of material facts and collusion. It involves the act of deceit against Cuso in order to obtain a personal or collective advantage, avoid an obligation or cause a loss.
- **Corruption:** An act of dishonesty or criminal offence committed by a person or organization entrusted with a position of authority, to acquire illicit benefit or abuse power for private gain. Corruption may include many activities including bribery and embezzlement, though it may also involve practices that are legal in many countries.
- **Bribery:** The offering, promising, giving, accepting or soliciting an advantage as an inducement for action that is illegal or a breach of trust. A bribe is an inducement, kickback or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage. To the extent that Cuso conducts activities outside of Canada, either directly or through third-party agents or representatives, the activities must be conducted within the meaning of Canada’s Corruption of Foreign Public Officials Act<sup>2</sup>, and other applicable Canadian and foreign anti-corruption laws.
  - **Facilitation of payments:** The payment of small bribes to speed up a service, sometimes called facilitation payments. Some organizations work in areas where such payments are the norm in the local contexts, often where charitable need is extreme. Notwithstanding the small amounts usually involved, they are still bribery payments. Therefore, an unacceptable use of Cuso funds.
- **Theft:** An act of dishonestly acquiring, using or disposing of physical or intellectual property belonging to Cuso or its beneficiaries. Theft may include many activities including but not limited to: theft from a partner, customer, donor or supplier; the theft or misuse of proprietary data; theft of assets or misuse of Cuso assets privately without permission; theft of intellectual property; theft of time; theft or misuse of goods or materials intended for project participants

### Cuso is committed to:

1. Having an organizational culture of zero-tolerance for fraud and corruption ensuring that representatives and related personnel:
  - 1.1. Understand various forms of fraud and corruption, and their obligations to report any actual or suspected incidents of this misconduct
  - 1.2. Do not (either directly or indirectly) offer payment, consideration, or benefit of any kind, as an inducement or reward in relation to the tendering, the award of contract, or the execution of any project.
  - 1.3. Do not make any unauthorized payments or enter into unauthorized commitments.
2. Implementing effective systems, procedures and controls in place to prevent fraud and corruption.
  - 2.1. Where donor regulations are more restrictive, those regulations must be complied with
  - 2.2. Strictly adhering to the provisions of Canada’s Corruption of Foreign Public Officials Act which prohibits bribing a foreign public official and makes such an action a criminal offence.

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<sup>2</sup> <https://laws-lois.justice.gc.ca/eng/acts/C-45.2/>

3. Receiving all reports of fraud and corruption seriously and investigating them. Reporting and investigating allegations of misconduct related to fraud and corruption incidents will follow Cuso's policy on [Reporting Misconduct \(Whistleblowing\)](#)
4. Actual or suspected incidents of fraud or corruption are promptly and appropriately reported to the CEO, the Board and to Cuso donors according to their specific regulations (or immediately, if there is no specified donor regulation).
5. Integrating recommendations and adjusting policies and internal controls following any investigations.

## Protecting Privacy & Confidentiality

**Confidential Information** refers to information that, if disclosed without authorization, could have adverse effects on Cuso and/or individuals or communities associated with Cuso. Confidential information includes but is not limited to personal information (defined below), Board minutes or other minutes marked 'Confidential', incoming and outgoing digital or hard copy communications marked 'Private' or 'Confidential'; documents marked 'Internal' or that contain proprietary information, intellectual property or information on the affairs of Cuso<sup>3</sup> such that the sharing of the information could benefit or assist a competitor(s).

**Personal Information**<sup>4</sup> is any factual or subjective information, recorded or not, about an individual that includes race, ethnic background, colour, age, gender, income, marital status, family status, religion, political opinions, education, trade union membership, sexual orientation, health information and medical history, photographs, criminal record, employment history, financial status, donation records, address, telephone number(s) and any numerical identification such as Social Insurance Number. Personal information also includes information that may relate to the work performance of an individual, as well as any allegations, investigations or findings of misconduct or discipline.

Misuse, unauthorized disclosure or dissemination of any confidential information which was acquired through employment or as part of a relationship with Cuso will be considered misconduct. Cuso representatives and personnel, and those designated or contracted to act on Cuso's behalf, are responsible for the protection of personal and confidential information under their control as follows:

1. Knowledge and consent of the individual is required before collection, use or disclosure of information, subject to some exceptions (i.e. to satisfy legal requirements or in serious emergency situations).
2. Collection of personal information should be limited to that which is necessary for the purposes identified and must only be collected by fair and lawful means, also ensuring that it is as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used.
3. Personal information may only be used for identified reasons. Information collected for one purpose should not be used or disclosed for another purpose without the consent of the individual involved, or as required by law. It should not be retained any longer than necessary for the specified purposes.
4. Individuals have a right to know what information Cuso has about them and how it has been used or disclosed. They have the right to have access to the information and to challenge its accuracy and completeness.
5. In certain circumstances, Cuso may be entitled to provide personal information to a designate or external party acting as an agent of Cuso.
6. Confidential information must be protected in a manner appropriate to its sensitivity.
7. Authorized access to confidential information is based only on a representative's or related personnel's need to deal with the information and for the reason(s) for which it was collected.
8. Representatives and related personnel must consult and clarify with the appropriate manager if there is a request to release information outside of the terms of this policy.

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<sup>3</sup> Other than published material already in the public domain

<sup>4</sup> Personal information does not include employee names, work titles, business email, business address, business telephone



9. Representatives or related personnel who receive unsolicited information, misdirected communications, or who have access to confidential information without authorization must notify their line manager immediately.
10. The obligation to retain the confidentiality of information continues beyond the termination of employment or a relationship. At the conclusion of employment or a relationship, representatives and related personnel must return all proprietary and intellectual property, such as files and documents (hard copy or electronic) and other materials in their possession or control that relate to the affairs of Cuso. Cuso will have the right to seek legal remedies against anyone who fails to comply with this policy following termination of employment or a relationship.

## Safe & Respectful Workplace

This policy addresses **Violence, Harassment and Discrimination** (See also [Cuso's Protection from SEA Policy](#)).

Cuso seeks to provide a safe and respectful environment, where all individuals are treated with respect and dignity. Cuso will take all reasonable and practical measures to prevent and protect against misconduct on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion), sex, age, record of offences, marital status, family status, pregnancy, breast feeding, sexual orientation, gender expression and gender identity, and disability, or on the intersection of any of the above.

Cuso has zero-tolerance for any threat or act of violence, harassment or discrimination towards its representatives and related personnel in the workplace (including in work-related situations such as business travel, off-site meetings or functions) or within the programs and related services it provides (including towards suppliers, service providers, participants or partner organizations and their respective personnel). Cuso defines these forms of misconduct accordingly:

- **Violence** is the exercise of physical force that causes or could cause physical injury; an attempt to exercise physical force that could cause physical injury; or a statement or behaviour that it is reasonably interpreted as a threat to exercise physical force that could cause physical injury. This includes sexual violence. Violence may be conveyed verbally, in writing, or through behaviour.
- **Discrimination** means any form\*, intentional or not, of unequal treatment on the grounds identified in this policy, which has the effect of withholding or limiting full, equal and meaningful access or participation. It may involve rules, practices or procedures that appear neutral, but disadvantage or deny certain groups of people.

*\*includes actions, words/commentary or opinions expressed by representatives and related personnel - in their personal or professional lives - which are contrary to Cuso's value of Inclusion and commitment to Gender Equality and Social Inclusion programming and partnerships wherever Cuso operates. This also includes statements that may cause reputational harm or damage to Cuso or the partner organizations with whom Cuso works.*

- **Harassment** means a single significant incident or series of incidents that are known, or ought reasonably to be known, to be unwelcome and creates a hostile or offensive environment. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome, based on a grounds identified by this policy. This includes sexual harassment. This can include inappropriate digital communications and/or display and distribution of offensive materials. *Note: Harassment should not be confused with a personality conflict, or with the normal exercise of a manager's right to manage, such as assigning tasks, evaluating productivity, and applying disciplinary measures.*
- **Psychological or Personal harassment** is unwelcome behaviour that ought to be reasonably known to be painful, insulting, intimidating, demeaning or embarrassing but is not based on the grounds identified in this policy.
- **Poisoned environment** is an indirect form of discrimination or harassment created by comments or conduct that create a discriminatory and intolerable work environment and conditions. The comments or conduct need not be directed at a specific person, and may be from any person, regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned environment.

**Cuso is committed to:**

1. Promoting workplaces free of violence, harassment and discrimination, wherever Cuso operates.
2. Reviewing policies and practices for potential barriers that may have the effect of discrimination, and creating plans to remove them where they exist.
3. Implementing measures to control risks and the conditions that support these forms of misconduct.
  - 3.1. Managers and the Joint Health and Safety Committee (JHSC), where applicable, will proactively assess and document the risks that may arise from the nature of its workplaces, the type of work or the conditions of work, and make recommendations to control risks.
  - 3.2. Provide personnel with information and trainings on the contents of this policy and related procedures
  - 3.3. Provide information to personnel about a risk of workplace violence from a person with a history of violent behaviour (if the personnel can expect to encounter that person in the course of work) and if the personnel may be at risk of physical injury. Personal information may be disclosed, but only what is reasonably necessary to protect the worker from physical injury.
  - 3.4. Make personnel aware of any domestic violence situation that would likely expose representatives and related personnel to physical violence in the workplace and take all reasonable precaution to safeguard representatives and related personnel from domestic violence in the workplace.
    - 3.4.1. Personnel who are aware, or ought reasonably to be aware, that domestic violence may occur in the workplace must take every precaution reasonable in the circumstances to protect other personnel at risk of physical injury.
    - 3.4.2. An individual safety plan will be developed for personnel at risk of domestic violence in the workplace.
4. Responding to and managing any incidents in a prompt, professional, fair and respectful manner. Reporting and investigating misconduct will follow Cuso's policy on [Reporting Misconduct \(Whistleblowing\)](#), including procedures for emergency situations when violence occurs or is likely to occur.
  - 4.1. Support will not depend on an individual's decision to report the incident. Individuals do not need to complete a formal report prior to obtaining support from the organization which, for personnel, may include but is not limited to the Employee Assistance Program (EAP).
  - 4.2. Individuals can be accompanied by a support person of their choice (i.e. colleague, friend) at any time during the complaint process, including accompanying the individual to meetings. This person's role is not to act or speak on behalf of individual. The support person must also agree in writing to maintain confidentiality in accordance with this policy.
  - 4.3. If a respondent to an incident chooses not to participate in any part of the process, Cuso International may proceed without the respondent's participation. Respondents will be held accountable for any outcomes issued, even if they decline to participate and will be advised as such.
  - 4.4. Cuso may need to break confidentiality if an individual is at risk of harming themselves or others and/or the investigation or reporting to authorities is required by law. See [Privacy & Confidentiality Policy](#). If a complainant requests that Cuso not act on a report, Cuso will weigh that person's request against our legal obligation to take action.
  - 4.5. Ensuring the safety and security of affected parties and implementing any necessary interim measures to ensure their safety and security while a report is being investigated or resolved.
5. In cases of serious and immediate threat, providing personnel with information and instructions, and depending on the nature of the incident, call the appropriate authorities.
6. Jointly review and, if necessary, update this policy annually with Managers and the JHSC Committee and after any critical incident.

## Child Protection

Cuso is committed to furthering the rights of children (persons under the age of 18) throughout the world as set out in the United Nations Convention on the Rights of the Child. Cuso has zero-tolerance for all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, sexual abuse, maltreatment or exploitation of children, including child labour and behaviours that could be misinterpreted by children, their families, or other adults as constituting, or leading to, abuse. Sexual activity with children is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of the child is not a defence.

1. Cuso will implement measures to help ensure that its operations, representatives and related personnel do not intentionally or unintentionally harm a child.
  - 1.1. Even if Cuso's projects do not specifically target children, we acknowledge that this does not eliminate impacts on children, whether directly or indirectly.
  - 1.2. Cuso will mainstream child protection into its procedures throughout the organization, including, but not limited to, hiring and recruitment practices (i.e. screening), awareness-raising (i.e. onboarding and training), partner and contractor selection and review, and monitoring and evaluation.
  - 1.3. When appropriate and applicable, Cuso will consult with children to ensure our projects are delivered in a child safe environment, child protection measures are in place, and reporting mechanisms are child-friendly.
2. It is the responsibility of all Cuso representatives and related personnel to report any suspicions of child harm or abuse. Failure to act on concerns or disclosures relating to child abuse or harm will be considered misconduct.
  - 1.1. Reporting and investigating allegations of misconduct related to child protection incidents will follow Cuso's policy on [Reporting Misconduct \(Whistleblowing\)](#)
3. Cuso policy will apply in the event it is more stringent than local legislation.

## Protecting from Sexual Exploitation & Abuse (PSEA)

Cuso recognizes that Sexual Exploitation and Abuse (SEA) violate universally recognized international legal norms and standards and operates with a zero-tolerance approach, meaning that inaction towards SEA is also unacceptable (See also [Child Protection Policy](#)). Cuso aligns with the [core principles of the United Nation's Inter-Agency Standing Committee \(IASC\) Task Force on Prevention and Response to SEA](#) and defines these key terms as follows:

- **Consent:** Sexual activity is only legal when both parties' consent. Consent is defined as the voluntary agreement to engage in the sexual activity in question. The law focuses on what the person was thinking and feeling at the time of the sexual activity. Sexual touching is only lawful if the person affirmatively communicated their consent, whether through words or conduct. Silence or passivity does not equal consent.
- **Sexual misconduct:** is an umbrella term covering a variety of problematic behaviours of a sexual nature, including criminal and non-criminal conduct.
- **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.
- **Sexual abuse:** Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
- **Sexual and gender-based harassment:** is a single significant incident or series of incidents because of sex, sexual orientation, gender identity or gender expression that is known, or ought reasonably to be known, to be unwelcome and creates a hostile or offensive environment. Sexual harassment includes any conduct, comment, gesture, or contact of a sexual nature that is likely to cause offence or humiliation; or that might, on reasonable grounds, be perceived as placing a condition of a sexual nature on a benefit or advancement.
- **Sexual violence:** Sexual violence is the expression of a relationship of domination of one individual over another through a sexual act, committed without consent. Any sexual act, attempt to obtain a sexual act, comment or advance of a sexual nature, or acts aimed at trafficking or otherwise directed against the sexuality of a person using coercion, committed by a person regardless of their relationship with the victim, in any context, including, but not limited to, home and work. *Sexual violence encompasses a range of acts including sexual harassment, sexual exploitation, sexual assault and sexual abuse*
- **Sexual assault:** Sexual assault is a legal term and constitutes a criminal offence. The act of sexual assault does not depend solely on contact with any specific part of the human anatomy but rather the act of a sexual nature that violates the sexual integrity of an individual. It includes being exposed to pornography or behaviors of a sexual nature (without consent) or being filmed during intercourse (without consent).

### Cuso is committed to:

1. Maintaining standards of conduct to prevent SEA in the first instance, establishing a culture of zero tolerance for SEA in all the work that we do, including raising awareness on SEA and building capacity on survivor centred approaches to SEA.
  - a. A survivor-centered approach means that if a sexual violence incident happens, the wishes of the person who suffered the incident guides our response. We will treat them with dignity and respect, responding

to their needs, what they want to happen, and addressing our response on a case-by-case basis. The survivor's safety and security is our priority.

2. Responding to and managing any allegations in a prompt, professional, fair and respectful manner. Reporting and investigating allegations of misconduct related to PSEA incidents will follow Cuso's policy on [Reporting Misconduct \(Whistleblowing\)](#)
  - a. Support will not depend on an individual's decision to report the incident. Individuals do not need to complete a formal report prior to obtaining support from the organization which, for personnel, may include but is not limited to the Employee Assistance Program (EAP).
  - b. Individuals can be accompanied by a support person of their choice (i.e. colleague, friend) at any time during the complaint process, including accompanying the individual to meetings. This person's role is not to act or speak on behalf of individual. The support person must also agree in writing to maintain confidentiality in accordance with this policy.
  - c. If a respondent to an incident chooses not to participate in any part of the process, Cuso International may proceed without the respondent's participation. Respondents will be held accountable for any outcomes issued, even if they decline to participate and will be advised as such.
  - d. Cuso may need to break confidentiality if an individual is at risk of harming themselves or others and/or the investigation or reporting to authorities is required by law. See [Privacy & Confidentiality Policy](#). If a complainant requests that Cuso not act on a report of SEA, Cuso will weigh that person's request against our legal obligation to take action.
  - e. Ensuring the safety and security of all involved or affected parties and implementing any necessary interim measures to ensure their safety and security while a report is being investigated or resolved.
3. Being transparent about any SEA issues the organization may face, while remaining sensitive to how we communicate such issues and to be open to continuous learning and improvement.
4. Working with the development sector to ensure we are contributing to the collective/shared responsibility to eliminate SEA.
5. Informing funders and the general public<sup>5</sup> without providing information that can contribute directly or indirectly to survivor identification. Cuso will notify donors of any credible allegation of SEA within 48 hours after determining that an allegation is credible and according to contractual obligations.

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<sup>5</sup> Included in Letter from Minister Bibeau to Canadian Partners in May 2018: "annual reporting to the public of the number of alleged and confirmed cases of sexual exploitation and abuse, including measures taken"

# Reporting Misconduct (Whistleblowing)

Cuso's Code is supported by a robust process relating to any situation where there is actual or reasonable suspicion of misconduct within Cuso's programs or operations:

## Reporting Allegations

1. All representatives and related personnel who witness or become aware of actual or suspected incidents which violate the Code are required to report it through the appropriate reporting mechanism.
2. Not reporting when there are clear grounds for doing so could result in disciplinary action or other sanctions.
3. Cuso uses the following terms throughout this policy:

**Complainant** is used to identify the person that formulates a formal complaint of misconduct.

**Respondent** is used to identify the person receiving the complaint of alleged misconduct.

## Reporting in Good Faith

4. Complainants must act in good faith and have reasonable grounds for believing the information disclosed indicates a valid incident of misconduct.
5. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to have been false, will be viewed itself as misconduct and constitute disciplinary action.
6. Any allegations that are made in good faith, even if the concern is not upheld, will not be subject to disciplinary action or retaliation.

## No Retaliation

7. No complainant, in good faith, who discloses an incident of misconduct will suffer any adverse consequences, including but not limited to harassment, discrimination, retaliation, threats, or adverse employment consequences (including but not limited to discharge, demotion or suspension).
8. A representative or related personnel who retaliates against someone who, in good faith, has disclosed an incident of misconduct, will be subject to disciplinary action.
9. Reports of retaliation should also use the reporting mechanism as found in this policy.

## Reporting Mechanisms

### In cases of misconduct resulting in an immediate danger to health and safety

1. When there appears to be immediate danger, personnel should call emergency services and immediately alert their line manager.
  - a. Once the immediate threat has been addressed, complete the Incident Form and submit it to their line manager.
  - b. Make detailed notes of the incident as soon as possible; including date, time, and nature of incident(s) and names of any witnesses and include this information on the Incident Form.
2. Non-emergencies that may include threats or threatening behaviours must also be reported.
  - a. The Incident Form must be completed as soon as possible and provided to the line manager or the Global Talent Team.

### In all other cases of misconduct

1. Incident reporting can be made through the following mechanisms:
  - a. The submission of an Incident Form to the Chief Executive Officer (CEO), Leadership Team member, line manager or the Global Talent Team, so long as they are not involved in the incident being reported.
  - b. Email [allegations@cusointernational.org](mailto:allegations@cusointernational.org)
  - c. When confidentiality is required, filing through Cuso's Third-party confidential reporting platform, Clearview Connects
2. Incident reports, through any mechanism, should clearly outline all of the information known regarding the incident (including who, what, when, where, why, how) to allow for proper investigation.
3. Cuso encourages complainants to provide their name to enable investigators to address the concern thoroughly and to contact them when additional information is needed, or to help protect them from retaliation for making a good faith report. However, anonymous complaints will be treated just as seriously.
4. The person receiving the incident report will ensure that the complainant is advised that their report has been received and that it will be confidentially shared with the appropriate investigators.



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**Use whichever option is most comfortable for you:**

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Go to [www.clearviewconnects.com](http://www.clearviewconnects.com)

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Call and speak to a ClearView live operator or leave a voicemail message containing your report

- Canada/US: 1-866-885-0753
  - Peru: 0800-78428
  - Colombia: 01800-518-9364
  - Other regions (call collect): +1 416-386-7940
  - Skype (audio-only) contact: clearview-connects
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Mail: P.O. Box 11017, Toronto, Ontario, Canada, M1E 1N0

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## Investigations

10. Any reported allegation will be investigated as quickly as possible when enough information is available
11. A respondent is presumed innocent until proven otherwise.
  - 11.1. The respondent will not be penalized until an investigation has been completed and a decision on the validity of the allegation has been made.
  - 11.2. Placing a Complainant or Respondent on administrative leave with pay may be considered necessary during the period of investigation and does not constitute a penalty or reprisal.
12. Investigations may involve internal or external investigation, where required.
  - 12.1. Regardless of whether an investigation is conducted by external or internal parties, representatives and related personnel are expected to cooperate fully with investigators.
13. Complainants may be asked for further information over the course of the investigation.

14. Reported allegations will be confidentially shared with the Chief Operations Officer (COO), Director of Program Quality and Impact (DPQI), the Head, Global Talent Team (GT) or Chief Executive Officer (CEO) for review, depending on the [categorization of the incident \(See Annex 1\)](#).
15. The reviewer will conduct an initial assessment to determine whether the complainant's allegation constitutes a potential violation of the Code and, if so, they will assign the investigation to a trained investigator, either internal or external.
16. *In the case that a reported allegation involves the Head GT, the COO and CEO will identify an investigator.*
17. *In the case that an allegation involves the CEO, the Board Co-Chairs will identify an investigator.*
18. *In the case that an allegation involves a Board Co-Chair, the alternate Co-Chair or Board officer will identify an investigator.*

19. Details of the investigation will be kept confidential as per the [Privacy & Confidentiality Policy](#), subject to applicable laws and consistent with the need to conduct an adequate investigation that respects procedural fairness.
20. All representatives and related personnel will be responsible to keep all pertinent information strictly confidential as per the [Privacy & Confidentiality Policy](#) and refrain from discussing any incident or their involvement, except if required for the purposes of investigation or resolution.
21. Incidents will be disclosed to the CEO. Disclosure to the Board will be by the CEO.
22. On completion of an investigation and appropriate actions taken to resolve the issue, the complainant will be informed that the issue is resolved. Cuso is not required to disclose its response or resulting actions.
23. Complaints over the resolution of an investigation should be directed to the CEO and/or Co-Chairs of the Board.

## Record Keeping

24. The documents corresponding to any investigation will be kept on file in a secure location, separate from any representative or related personnel files, for as long as necessary.
25. Records of any disciplinary action taken will be placed in the appropriate representative or related personnel file.

## Annex 1 – Report Reviewers by Category of Misconduct

Categorization of Misconduct	Master Reviewer	Authorized Reviewer
Theft Fraud Financial Management Data Security & Privacy Local, National or Int'l laws or regulations Cuso International Policies & Procedures	COO	Head GT, DPQI
Unethical Conduct & Conflict of Interest	Head GT	DPQI
Code of Conduct Child Protection PSEA Discrimination Workplace Violence Safety and Security Harm to People, Environment and Property not specific to Safeguarding	DPQI	Head GT
Workplace Harassment	DPQI, CEO	Head GT
Report involving Head GT	COO	CEO
Sensitive (including reports involving CEO)	Head GT	Board Members
Undefined	DPQI	Head GT