

# Sexual Misconduct Policy

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## Purpose

The purpose of this Policy is to ensure that all Beneficiaries of Right To Play International (“Right To Play”) have an experience with Right To Play that is safe from any form of Sexual Misconduct. In particular, we recognize that Right To Play operates in situations in which Team Members are in positions of power and trust and that, due to the inherently unequal power dynamics, special care must be taken to uphold the dignity and respect of our Beneficiaries.

## Scope

This Policy has the purpose to protect Beneficiaries and applies to all Team Members and Partners of Right To Play.

For actions or behaviors that are not only sexual in nature and are directed to Beneficiaries, please refer to the Beneficiary Protection Policy or to the Child Safeguarding policy if the Beneficiaries are younger than 18 years. For actions or behaviors directed to Team Members and Partners, please refer to the Workplace Harassment and Violence Policy and Program.

## Statement

Right To Play is committed to providing a Workplace in which all Team Members, Partners and Beneficiaries are treated with respect and dignity. Right To Play prohibits all forms of Sexual Misconduct from any Team Member or Partner, including Sexual Harassment, Sexual Violence, Sexual Abuse and Sexual Exploitation. Examples of Sexual Misconduct include:

- Any sexual act, behavior or verbal action that is unwanted;
- Unwelcome sexual advances, flirtations or propositions;
- Unwanted physical contact such as hugging, patting, blocking normal movement, brushing against the body, grabbing, hitting or pinching;
- Direct or implied invitations or requests for sexual favors in exchange for any kind of benefit;
- Gesturing, leering, whistling or any other behavior that implies a sexual nature;
- Improper comments, questions or discussions about one’s body, sexual experiences or preferences;
- Threat or demand that a person submit to sexual activities or requests as a condition of employment or to avoid other negative consequences;
- Threatening, ridiculing or reprimanding a person for not accepting or submitting to sexual advances or requests;
- Texting, communicating or displaying in any location, including the internet and social media, pictures, objects, images or any content that is sexually suggestive;

The list of examples mentioned above is not exhaustive and discloses only a few forms of conducts that are not accepted by Right To Play. Sexual Misconducts can take on different forms and can occur in a variety of situations, including celebrations or the online environment. In addition, these actions and behaviors can be committed against any person regardless of gender, gender identity, sexual orientation, age or any other characteristics.

This Policy will comply with the local law applicable to each Workplace. Nonetheless, Right To Play may consider a Team Member or Partner's behavior to be in violation of this Policy even if the local law does not consider the given behavior or action to be unlawful.

Any justification for committing Sexual Misconducts such as "I didn't know it was prohibited", "It was a joke" or "I didn't mean it that way" is unacceptable. These conducts can occur regardless of the intention of the person who committed it, as long as the action or behavior corresponds to the definition of Sexual Misconduct and negatively affects Beneficiaries.

Team Members are prohibited from offering or exchanging employment, money, goods or services for sex with a Beneficiary or any other person.

Right To Play does not encourage sexual or romantic relationships between Team Members and Participants. In case these relationships occur, they must be formally disclosed to a representative of People and Culture or to a Manager to avoid any misunderstandings or conflicts of interest. Right To Play will offer alternatives to the Team Members involved in these relationships to solve the situation.

Right To Play recognizes that it takes courage to speak up and report a Sexual Misconduct. For this reason, Right To Play offers the following channels for Team Members, Partners and Beneficiaries to report any incidents or complaints in the most suitable way:

- Any Manager or member of People and Culture;
- Online, through a confidential, anonymous website at [www.clearviewconnects.com](http://www.clearviewconnects.com);
- Canada or USA: over the phone through the **Right To Play Canada/US dedicated toll-free number: 1-866-921-3463**;
- All Other countries: over the phone through the **Right To Play International Collect Call number: +1 905-323-4617**; or
- By mail through the confidential post office box at: **Clearview Connects, P.O. Box 11017, Toronto, Ontario, M1E 1N0.**

Team Members and Beneficiaries must come forward if they know of, witness or suspect that Sexual Misconduct has occurred. Managers have the obligation to report any Sexual Misconduct or claim received from others regarding a Sexual Misconduct within 24 hours from the moment the Manager becomes, or should have become, aware of it. Each and every Team Member and Partner is responsible for working together to create a safe, respectful, and inclusive Workplace. Reporting incidents, suspicions or concerns is essential to maintaining this type of healthy Workplace. When in doubt about whether a particular conduct is prohibited or not, Team Members, Partners and Beneficiaries should always report.

The identities of the individuals who allegedly experienced the misconduct, reported the fact or committed the wrongdoing, as well as the information about the incident, will be kept confidential to the extent possible to still honor the commitment of investigating and ending any unaccepted conduct.

Right To Play takes all complaints seriously and will investigate and deal with all incidents in a fair and timely manner. All Team Members are expected to offer full support to investigations when required. After the investigation process is concluded and based on its results, Right To Play will take immediate action against the person who committed the Sexual Misconduct. Right To Play has zero tolerance for any form of retaliation against people who report an incident or collaborate in investigations in good faith.

Team Members are required to adhere to this Policy and will be held responsible by Right To Play for committing or attempting to commit Sexual Misconducts. Disciplinary actions for violations of this Policy will take into consideration the nature and severity of the violation and may include a verbal or written reprimand, suspension or termination.

All Partners of Right To Play must formally acknowledge, agree and comply with this Policy as a pre-condition for any partnership with Right To Play. Partners who fail to comply with the terms of this Policy will be subject to disciplinary action, up to and including withdrawal of funding and termination of partnership agreements.

## Responsibility

### Responsibility of Team Members:

- (a) Understand and comply with this Policy and related procedures;
- (b) Participate in training programs related to this Policy;
- (c) Promptly report any incidents or complaints regarding Sexual Misconducts;
- (d) Fully cooperate in an investigation of incidents or complaints related to this Policy;
- (e) Keep confidential any information regarding the claims, reports or the investigation process; and
- (f) Be aware of main cultural differences before travelling to any new country or region.

### Responsibility of Managers:

- (a) Provide information and instruction on the contents of this Policy through completion of applicable training;
- (b) Report any Sexual Misconduct or claim received from others regarding a Sexual Misconduct within 24 hours from the moment the Manager becomes or should have become aware of it;
- (c) Ensure that Team Members comply with the terms and procedures of this Policy;
- (d) Encourage Team Members to report incidents and complaints related to this Policy; and
- (e) Keep confidential any information regarding the claims, reports or the investigation process.

### Responsibility of Right To Play:

- (a) Communicate and provide training on this Policy to all Team Members;
- (b) Review and evaluate this Policy every year;
- (c) Develop and maintain a program to implement this Policy;
- (d) Track, monitor, investigate and deal with all incidents or complaints of Sexual Misconduct in a fair and timely manner;
- (e) Prepare an annual accountability report regarding incidents or complaints related to this Policy to be shared with the International Board of Directors, donors and the public; and
- (f) Keep confidential any information regarding the claims, reports or the investigation process.

### Responsibility of Partners:

- (a) Comply with this Policy and with all related processes and procedures of Right To Play; and
- (b) Provide full collaboration to investigation processes, including providing all relevant information and participating in interviews.

## Questions

Please contact People and Culture at [HQHR@righttoplay.com](mailto:HQHR@righttoplay.com) if you require additional information in relation to this Policy.

- a. **“Beneficiary”**: A person, 18 years or older, who is either directly or indirectly engaged in a Right To Play program and who benefits from the activities of the program (e.g. parents, teachers,

community members). Please refer to the Child Safeguarding policy for rules and procedures regarding individuals who are younger than 18 years.

- b. **“Manager”**: A Team Member who has direct reports or whose position is Manager or higher;
- c. **“Participants”**: Beneficiaries who directly benefit from Right To Play programs, such as teachers participating in training initiatives.
- d. **“Partner”**: A person or organization that provides services, has partnerships or engages with Right To Play, including consultants, volunteers who are part of another organization, athlete ambassadors and implementing partners.
- e. **“Sexual Harassment”**: Means any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another.
- f. **“Sexual Misconduct”**: any form of Sexual Harassment, Sexual Violence, Sexual Abuse or Sexual Exploitation
- g. **“Team Member”**: A person who works or volunteers for Right To Play and reports directly to this organization. Includes employees, board members, interns and volunteers.
- h. **“Workplace”**: Any land, premises, location or thing in which Team Members work or interact as part of a professional context. The Workplace includes circumstances and conducts that have work-related implications, repercussions or have the potential to affect the reputation of Right To Play regardless of whether it occurred during or after work hours (e.g. field trips, holiday parties, texting, and social media posts).

The following definitions were extracted from the United Nations Glossary on Sexual Exploitation and Abuse:

- i. **“Sexual Abuse”**: Means any actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
- j. **“Sexual Exploitation”**: Means any actual or attempted abuse of 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. It includes Transactional Sex and solicitation of Transactional Sex.
- k. **“Sexual Violence”**: Acts of a sexual nature against one or more persons or that cause such person or persons to engage in an act of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, or by taking advantage of a coercive environment or such person’s or persons’ incapacity to give genuine consent. Forms of sexual violence include rape, attempted rape, forced prostitution, sexual exploitation and abuse, trafficking for the purpose of sexual exploitation, child pornography, child prostitution, sexual slavery, forced marriage, forced pregnancy, forced public nudity, forced virginity testing, etc.
- l. **“Transactional Sex”**: Means any exchange of money, employment, goods or services for sex, including sexual favors and other forms of humiliating, degrading or exploitative behavior. This includes any exchange of assistance that is due to beneficiaries of assistance.

## References

- Code of Conduct
- Whistleblower Policy
- Child Safeguarding Policy
- Gender Equality Policy
- Beneficiary Protection Policy
- Harassment and Violence Policy and Program
- United Nations Glossary on Sexual Exploitation and Abuse