

INDEPENDENT HIGH-LEVEL COMMISSION ON SEXUAL MISCONDUCT, ACCOUNTABILITY AND CULTURE CHANGE AT OXFAM

Oxfam is an organization that rejects discrimination and fights for justice and for women's rights. To sexually harass, exploit or abuse others is a gross violation of Oxfam's purpose and completely unacceptable – as is any form of abuse of power, harassment or interpersonal misconduct.

Cases of abuse by Oxfam staff, and shortcomings in Oxfam's response to some of them, have led the Board of Supervisors and Executive Board of Oxfam to mandate the Oxfam International Executive Director to form a High-Level Independent Commission on Sexual Misconduct, Accountability and Culture Change.

The High-Level Independent Commission is asked to help ensure Oxfam is doing everything it can to be a place of safety and dignity for all women and men who interact with the organization.

The Commission's findings and recommendations will help Oxfam build on progress made in safeguarding since 2011 and identify further improvements that must be made now, as Oxfam seeks to rebuild broken trust and establish new relationships of respect. Oxfam's hope is that the Commission's findings and recommendations will contribute to a broader and more fundamental transformation across the humanitarian and development sector, ensuring a clear leadership role for local and national actors in this change.

The Commission's findings and recommendations, and the action that Oxfam takes as a result will not only constitute corrective action. They will be part of lasting and wide-reaching organizational change that will lead Oxfam to be more accountable, more accessible and more committed than ever to our mission of fighting the injustice of poverty.

OBJECTIVES

The High-Level Commission will operate independently of Oxfam. It will be comprised of women's rights and human rights leaders of the highest caliber, integrity and standing from across the world, with experience in organizational ethics and safeguarding. It will be led by two Co-Chairs and supported by a dedicated Chief of staff and support functions as required. The membership of the commission will be diverse - representative of the different regions, people and disciplines with whom Oxfam works.

The Commission will agree its own approach and draw on such research, materials and evidence as it considers necessary and appropriate.

The High-Level Independent Commission has four objectives:

- 1. On culture:** propose how Oxfam can change its culture to ensure it never tolerates any kind of abuse of power, harassment, interpersonal misconduct, including sexual misconduct, by anyone, to anyone, and encourage people to feel safe and speak up and that this is consistent in practice within the Oxfam member organizations.
- 2. On policies, procedures and practices:** question the extent to which Oxfam's policies, procedures and practices are fit for purpose, and that they support an ethical culture representing values and behaviours universally accepted within the Oxfam network; and propose actionable recommendations for improvement.
- 3. For cases:** Review and make recommendations for Oxfam culture, policies, procedures and practices taking into consideration the findings of the External Investigator. The External Investigation will cover past cases and new cases that will not be covered by other investigations conducted by affiliates or statutory or public bodies. The Commission may, as appropriate, advise on restorative justice.
- 4. Sector-wide change:** Make recommendations to Oxfam on how it could contribute to a fundamental transformation of the humanitarian and development sector, ensuring a clear leadership role for local and national actors in this change.

FUNCTIONS OF THE COMMISSION

The Commission will:

1. Make recommendations on how to strengthen policies, processes and practices relating to prevention of and, response to all forms of abuse of power, harassment, interpersonal misconduct, including sexual misconduct, by anyone involved with Oxfam, to anyone. Recommendations will address issues related to organizational culture and enabling environments, including identifying trends and patterns in behavior and systems that need to change. The assessment and recommendations should, where appropriate, distinguish between those recommendations that address internal abuse (staff, contractors, partners) and those that address abuse of people served by Oxfam. The Commission will take into account parallel external reviews, including that being conducted by the United Kingdom Charity Commission which covers Oxfam Great Britain, as well

as any other reviews being or to be conducted by national regulators who cover operations of other Oxfam affiliates. Given that the scope of the Independent Commission extends to cover all affiliates, the results of these assessments will be examined to consider the applicability to the broader Oxfam International and all of its affiliates.

2. Make recommendations on how Oxfam could contribute to a fundamental transformation of the humanitarian and development sector, together with ensuring high sector-wide, global standards to tackling sexual harassment, exploitation and abuse, ensuring that the sector is a place of safety and dignity for all women and men for all it interacts with. The Commission will take into account parallel external policy development exercises, such as that being undertaken under the leadership of DFID, and by the UK Parliamentary Enquiry, or by other national or international bodies conducting work in this arena.

More specifically, key activities of the Commission would include:

- Assess the **organizational culture change**, rooted in power imbalances, that is needed to answer the questions of why abuse is ever tolerated within Oxfam? Why the silence? Critically, this will include Oxfam's approach to safeguarding, but the remit can be much broader than this, and include fundraising; partnerships; relationships with allies; how people served by Oxfam shape and feedback on Oxfam's work; HR practices (including Oxfam's approach to hiring, salaries, career development and other HR practices); and programming approach, including Oxfam's role and responsibilities in the countries where it works.
- Assess **Oxfam's safeguarding policies, procedures and practices** - ensuring best practice and legal compliance in all the jurisdictions where Oxfam works. This will include an assessment of how Oxfam conducts investigations and provides support to victims and survivors. The Independent Commission will not investigate cases, nor re-investigate past cases. Instead, an External Investigator will conduct an independent investigation lasting between three and five months to review past cases, investigate new cases, map risks and propose recommendations. The first report from the External Investigator will be expected within five months. This report will be an input into the High-Level Independent Commission's work.
- Support survivors and victims, staff, volunteers, people served by Oxfam, partners and allies to come forward to share their experiences with Oxfam, in particular in relation to the all forms of abuse of power, harassment, interpersonal misconduct, including sexual misconduct, by anyone, to anyone; and listen, document, and acknowledge experiences, impacts and

consequences caused by abuse of power and sexual misconduct. This should be a **holistic, culturally relevant, inclusive and safe space**.

Recommendations will be informed by a review of Oxfam's own policies, processes and practices, as well as a review of examples of best practice elsewhere in the aid sector or more widely.

Oxfam will make public the Commission's findings and recommendations, and Oxfam's response to it. Oxfam is fully committed to implementing the Commission's recommendations.

Modus Operandi

The Commission will have a 12-month tenure from 14 May 2018 and will aim to submit its final report within 12 months to the Executive Director, who will share the report with the Executive Board and the Board of Supervisors. The Executive Board will present its response to the findings and recommendations of the report, to the Board of Supervisors, within 60 days of receipt.

The Commission will publish an interim report which will be delivered within 6 months, which in turn will inform Oxfam's commitments to immediate action.

- The Co-Chairs will lead a team of up to 9 commissioners and will determine their ways of working.
- The Co-Chairs of the Commission retain the right of direct access to the Chair of the Board of Supervisors at any time that they deem necessary.
- The Commission will meet virtually as needed and up to three times face to face
- Commissioners will conduct or commission field visits as they deem necessary.
- Commissioners will listen to communities, survivors, people served by Oxfam, staff and people working across the sector using multiple communication platforms and respecting confidentiality and privacy.
- The Commission will be supported by a Chief of Staff, who reports to the Co-Chairs.
- Technical support will be provided to the Commission by the Oxfam International Secretariat.

ENDS