

PFAN¹ Anti-Harassment Policy and *Complaints Procedure*

The Policy Statement

The PFAN Anti-Harassment Policy aims to reiterate the guiding ethical principles and values of the Programme, its personnel, and its network and provide specific guidelines to assist in achieving the Programme's mission, following the principles of the REEEP Anti-Harassment Policy, the REEEP Code of Conduct, the United Nation's Director General's Bulletin on "Prohibition, prevention and resolution of prohibited conduct, including sexual prohibited conduct, discrimination and abuse of authority". In this policy, the term "PFAN personnel" shall mean, unless the context otherwise provides, all REEEP staff and any staff from hosting and/or executing partners associated with PFAN, holders of service agreements, PFAN network members (Advisors, Country Coordinators, Regional Coordinators, Output Leads, Gender Focal Points), members of implementing partners such as Innovación Social y Ambiental, A.C. and any other individuals associated with PFAN.²

At PFAN, we value all personnel as unique individuals, and we welcome the variety of experiences they bring to our network. PFAN is committed to providing a safe environment for all its personnel free from discrimination on any ground³ and from harassment at work, including sexual harassment.

PFAN is committed to providing a safe working environment for all its personnel free from discrimination, harassment, or retaliation, and operates a zero-tolerance policy for any form of prohibited conduct, treat all incidents seriously, and promptly investigate all allegations. Any personnel found to have shown harassing behaviour will face disciplinary action, up to and including dismissal from PFAN support or any other assignments of PFAN services and/or dismissal as a PFAN

¹ For the purpose of this Policy, all references to PFAN are understood to include all PFAN activities including the Private Finance Advisory Network - Latin America and the Caribbean ("PFAN-LAC") program for the Caribbean Climate Investment Program ("CCIP"). All references to PFAN are therefore understood to include PFAN-LAC, mutatis mutandis.

² For incidents entirely between REEEP staff members, REEEP's internal Anti-Harassment and Complaint Procedure prevails.

³ Including but not limited to on the grounds of race, sex, gender identification, sexual orientation, national origin, ethnicity, native language, religion, age, disability, economic status, marital status or other relationship status, citizenship, genetic information, pregnancy, health (including - suspected or confirmed - HIV status) or any other characteristics protected by law.

Network Member. All complaints will be taken seriously and treated with respect and confidence. No one will be victimised for making such a complaint.

This policy describes how we aim to protect our personnel, entrepreneurs, and any other stakeholders⁴ from harassment, including sexual harassment. It encompasses harassment taking place in person, over the phone, via email, through a messaging application, or in any other related manner.

In this policy, we indicate how to recognise harassment and how to report incidents. We also explain how we investigate claims and protect victims/survivors. We will make every reasonable effort to train and inform all personnel regarding these policies.

Definitions of *Key Terms*

The definitions outlined in this policy have been drawn from the United Nations Industrial Development Organizations' Director General's Bulletin on 'Prohibition, prevention, and resolution of harassment, including sexual harassment, discrimination and abuse of authority', and the Renewable Energy and Energy Efficiency Partnership's internal Anti-Harassment Policy and Complaint Procedure.

Complainant

An individual who files a complaint.

Subject

An individual whose conduct is the subject of a complaint or investigation.

Prohibited conduct

Prohibited conduct is the collective term used in this bulletin for harassment, sexual harassment, discrimination, bullying, retaliation and abuse of authority.

Harassment

As stated by the United Nations, harassment is any form of conduct by an individual or group of individuals in the workplace or in connection with work, which can reasonably be seen as creating a demeaning, intimidating, hostile or abusive working environment. It refers to any improper and unwelcome conduct on the part of one of the PFAN personnel that might reasonably be expected or perceived to cause offence or humiliation to another person. Harassment may be communicated in

⁴ Regardless of level, function, seniority, status or other characteristics like race, gender and sexual orientation.

the form of words, gestures, or other actions that annoy, alarm, abuse, demean, intimidate, belittle, or otherwise cause humiliation or embarrassment to another person, or engender an intimidating, hostile, or offensive work environment. Harassment could amount to an abuse of authority when it is engaged in by any PFAN members in a position of influence or power over the recipient of such actions. Harassment may be deliberate, unsolicited, or coercive. Although harassment normally occurs over a period of time and therefore implies a series of incidents, a one-time incident of harassment, depending on its seriousness, could fall within the definition.

Harassment may take different forms, including:

- Threats, whether verbal or physical;
- Aggressive conduct such as yelling or screaming;
- Intimidation, coercion, or retaliation;
- Humiliating, derogatory, offensive, or abusive personal comments;
- Undermining or isolating conduct that interferes with the ability of an individual to discharge his or her official duties;
- Malicious and unfounded reports or allegations against an individual;
- Starting or spreading rumours about a person's personal life;
- Ridiculing someone in front of others; and
- Singling somebody out to perform tasks unrelated to their job against their will;
- Commenting derogatorily on a person's ethnic heritage or religious beliefs

Sexual Harassment

Sexual harassment is harassment containing a sexual element. PFAN recognises that sexual harassment may also occur between people of the same sex. It includes any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that has caused, or that might reasonably be expected or perceived to cause, offence, or humiliation to another colleague. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, provision of services and advancements, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient.

Sexual prohibited conduct includes but is not limited:

- to unwelcome physical contact such as patting, pinching, stroking, kissing, hugging, fondling, inappropriate touching
- physical violence;

- the use of job-related threats or rewards to solicit sexual favours, suggestive compliments;
- comments on a worker's appearance, age, private life, sexual comments, stories and jokes;
- sexual advances;
- repeated and unwanted social invitations for dates, or private meetings, particularly after working hours;
- unwanted requests for physical intimacy;
- insults based on the sex or sexual orientation of the worker;
- condescending or paternalistic remarks;
- sending sexually explicit messages (by phone, email, or any other related manner);
- display of sexually explicit or suggestive material, sexually suggestive gestures, whistling, and leering;
- circulating pornographic images or images displaying nudity;

PFAN recognises that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace. All sexual harassment is prohibited whether it takes place within the PFAN headquarters, the offices of PFAN personnel and network members, or outside, including at social events, business trips, training sessions, or conferences sponsored or organised by PFAN.

Discrimination

Discrimination is any unfair treatment or arbitrary distinction that is made for any reason whatsoever, including, but not limited to, gender, race, religion or belief, nationality, ethnic or social origin, age, sexual orientation, marital status, disability, or other aspects of personal status. Discrimination includes actions, made either directly or indirectly, based on unwarranted distinctions or prejudices that have the purpose or effect of treating individuals or groups unfairly or unjustly. It may include a series of events or a one-time incident.

Personnel is expected to know that discrimination may take subtle forms and conceal itself under condescending remarks, treatment based on stereotypes, or overbearing behaviour. Special measures aimed at improving gender or geographical representation within the organisation, variations in entitlements based on marital status, and specific physical requirements necessary for a particular job or assignment are not regarded as discriminatory.

Bullying

Bullying is the use of force, threat, or coercion, often repeated and habitual, to abuse, intimidate, or dominate others. This includes ostracism which can lead to emotional stress on the part of a colleague or collaborator and/or hinder a satisfactory and collegial working environment. Behaviours used to assert domination may include but are not limited to, verbal harassment or threat and physical assault or coercion.

Retaliation

Retaliation is an action taken directly or indirectly against someone for having: i) made a report in good faith of harassment under the terms of this policy; ii) cooperated in good faith with an investigation or disciplinary procedure related to an allegation of prohibited conduct under the terms of this policy; or iii) participated in good faith in any other investigative or disciplinary proceedings initiated per this policy.

Abuse of authority

Abuse of authority refers to the threat or use of a position of power or influence, driven by personal or other improper motives, in a way that negatively impacts the recipient's career or professional circumstances. Abuse of authority can be, for example, improperly preventing an individual from reporting breaches of the regulations or rules, blocking an individual's career development for improper reasons, over-monitoring with malicious intent, tasking an individual to handle personal or private matters, etc.

Definition of *Key Stakeholders*

PFAN Team

PFAN Head of Programme, PFAN Senior Advisor, PFAN Senior Analysts, Analysts.

PFAN Regional Teams

Coordinators, Output Leads, Director of CCIP PPF, and Key Personnel under PFAN-LAC.

PFAN Network Member

Any PFAN Network Member (e.g. PFAN Advisor, PFAN Country Coordinator) who has joined the network according to the PFAN Charter or as part of PFAN-LAC.

PFAN Holder of Service Agreements

Any PFAN external service provider contracted for specific activities defined in their service agreements.

PFAN Entrepreneur

Any corporation, association, or other legal entity representing the PFAN project that can enter into an Agreement with REEEP. Any reference to the Entrepreneur may include the individual representing the PFAN project (e.g. primary signatory of the corporation, Chief Executive Officer, Senior Executive Manager).

External Parties

Any persons in contact with the PFAN Team, PFAN Network Members, PFAN holders of service agreements, or PFAN Entrepreneurs at PFAN related events and/or where the PFAN individual is representing PFAN.

Core Principles Pertaining to *Sexual Harassment*

We take all allegations of sexual harassment and sexual assault extremely seriously. We uphold the following principles in this regard:

- No one has the right to sexually harass PFAN personnel. This includes entrepreneurs, customers, network members or any other related stakeholders.
- Sexual harassment is never too minor to be dealt with. All complaints will be taken seriously, promptly investigated, and treated with respect and in confidence.
- Sexual harassment is about how we make others feel. Many do not consider behaviours like flirting or sexual comments to be sexual harassment, thinking they are too innocent to be labelled that way. This doesn't make the alleged subject any less responsible for their actions. If something you do makes someone else uncomfortable, or makes them feel unsafe, you must stop.
- We take every claim seriously and listen to victims/survivors of sexual harassment and always conduct our investigations properly.
- Harassed personnel will not be further victimised or penalised. We will fully support personnel who were sexually harassed and will not take any adverse action against them. For example, we will not deprive them of advisory services or projects or allow others to retaliate against them.
- Enablers of sexual harassment also carry responsibility. Personnel are obliged to prevent sexual harassment and act when they have suspicions or receive reports. Anyone who witnesses or suspects an incident of sexual harassment should report it. Notwithstanding the informal and formal complaints procedure as described below, incidents can also be reported anonymously.

Complaints *Procedures*⁵

Anyone who is subject to any form of prohibited conduct under the terms of this policy should, if possible, inform the alleged subject that the conduct is unwanted and unwelcome. PFAN recognises that prohibited conduct may occur in unequal relationships and that it may not be possible for the complainant to inform the alleged subject. If a complainant cannot directly approach an alleged subject, they can approach a trusted person. The trusted person can be anyone, ideally higher up in the hierarchy, who the complainant feels comfortable to entrust the incident, e.g. the PFAN Coordinator responsible for the respective region. The trusted person may seek advice from the PFAN Senior Advisor as well as the REEEP Ombudsman with the consent of the complainant.

The trusted person may decline dealing with the matter on personal grounds. The complainant can then choose to approach the PFAN Head of Programme or a different trusted person.

When a trusted person receives a complaint of prohibited conduct, they will:

- immediately record the dates, times and facts of the incident(s)
- ascertain the views of the complainant as to what outcome they want
- ensure that the complainant understands the programme's procedures for dealing with the complaint
- discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the complainant from pursuing a formal complaint if they are not satisfied with the outcome
- keep a confidential record of all discussions
- respect the choice of the complainant
- ensure that the complainant knows that they can lodge the complaint outside of PFAN through the relevant country/legal framework.
- A complaint should be filed as soon as possible after the alleged unprofessional behaviour takes place. In all cases the legal regulations as set by the relevant Austrian laws at the time in force are applicable.

⁵ Examples of complaint procedures and reporting lines can be found in Annex A of this document.

If an external party files a complaint to their reporting body, upon notice to PFAN, PFAN will be obliged to conduct its own investigation by following the complaint procedure under the terms of this policy. PFAN further commits to supporting the complainants' reporting body and adhering to its anti-harassment policy and reporting requirements.

Informal complaints mechanism / consensual resolution

An informal procedure provides an opportunity to resolve any complaints or grievances in an open, honest, non-threatening, and non-contentious manner. Consensual resolution includes voluntary processes, such as negotiation, facilitation and mediation, which enable personnel to seek settlement of the matter in a fair, constructive and respectful manner through communication and cooperation. If the complainant wishes to deal with the matter informally, the trusted person will:

- give an opportunity to the alleged subject to respond to the complaint
- ensure that the alleged subject understands the complaints mechanism
- facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant
- ensure that a confidential record is kept of what happens
- follow up after the outcome of the complaints mechanism to ensure that the behaviour has stopped
- ensure that the above is done speedily and within 14 days of the complaint being made

Potential outcomes of the informal complaints mechanism:

- Resolution of the matter;
- Corrective administrative action, such as training or reassignment; or
- The filing of a formal complaint in accordance with the section below.

Formal complaints mechanism

The complaint should be submitted as soon as possible or within 180 days of the alleged incident or the last of any series of alleged incidents; however, should the complainant have engaged in consensual resolution, the 180-day limit starts as of the date on which consensual resolution is deemed to have failed.

If the complainant wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the complainant, the formal complaint mechanism should be used to resolve the matter. Formal complaints must be in writing and identify the alleged prohibited conduct. The complaint must display the name of and be signed by the complainant and if possible, identify witnesses and include available evidence. The complaint should be as detailed as possible and fully documented. By filing a formal complaint, the complainant undertakes to cooperate with the investigation and any disciplinary proceedings. The complainant must be aware that, for due process, his/her complaint and/or information from the complaint will be shared with the subject to allow the latter to provide countervailing arguments and evidence. The trusted person who initially received the complaint will refer the matter to a trusted member of the PFAN Team or the REEEP Ombudsman to instigate a formal investigation. The PFAN Team member may refer the matter to an internal or external investigator or refer it to a committee of three in accordance with this policy. If a committee is created to carry out the investigation, the committee should be set up bearing in mind gender-balance and include a representative of the PFAN Network, and a representative of the PFAN team at REEEP. The Committee members, just as other PFAN personnel or investigators dealing with prohibited conduct, should be trained in understanding and deciding what constitutes prohibited conduct and how to investigate it. The person carrying out the investigation will:

- interview the complainant and the alleged subject separately
- interview other relevant third parties separately
- decide whether or not the incident(s) of prohibited conduct took place
- if the prohibited conduct took place, decide what the appropriate remedy for the complainant is, in consultation with the complainant (i.e. an apology, a change to working arrangements, a promotion if the complainant was demoted as a result of the prohibited conduct, training for the subject, discipline, suspension, including dismissal from PFAN support or any other assignments of PFAN services, where applicable)
- follow up to ensure that the recommendations are implemented, that the behaviour has stopped, and that the complainant is satisfied with the outcome
- if it cannot be determined that the prohibited conduct took place, they may still make recommendations to ensure proper functioning of the workplace
- keep a record of all actions taken
- ensure that all records concerning the matter are kept confidential
- ensure that the process is done as quickly as possible and in any event within 21 days of the complaint being made

The person carrying out the investigation will also produce a report detailing the investigations, and any recommendations. Investigation reports need to include:

- A summary of the allegations;
- A summary of the findings;
- Conclusions and recommendations;
- Evidence, including witness statements; and
- A copy of the complaint and any comments thereon by the subject.

The investigation report will be completed within 45 days of the complaint being made.

The Investigation Committee will inform the complainant of the outcome of the investigation, following which the matter will be considered closed. The notification will contain a brief summary of the findings identified in the investigation report and specify, where applicable, that appropriate measures have been taken against the subject. The complainant and subject are entitled to receive a copy of the investigation report.

Anonymous Complaints Mechanism

If the complainant would like to make an anonymous complaint, the complainant should file the complaint to REEEP's Ombudsman (ombudsman@reeep.org). The Ombudsman is committed to ensuring the confidentiality of the complaint and acts as the liaison between the complainant and the investigating team, ensuring that the usual informal or formal complaint mechanism is followed. The complainant's identity will not be disclosed under any circumstances.

This mechanism will be in place for complainants who feel uncomfortable in displaying their identity due to various circumstances, for example, but not limited to if the alleged subject is in a position of power.

The anonymous complaints mechanism will apply to both informal and formal complaints.

Outside complaints mechanisms

A person who has been subject to prohibited conduct under the terms of this policy can also make a complaint outside of the programme and can also report directly to national authorities if they are better placed than the internal or external Austrian authorities to handle the case.

Interim measures pending investigation

While a complaint is under investigation, the PFAN Team may implement temporary administrative actions as they see fit to protect the integrity of the investigation and any related evidence, to prevent further prohibited behaviour, or to safeguard the interests of the Organization, including the proper operation of an office.

Interim measures during the investigation might include:

- Temporary reassignment;
- Arrangements to ensure physical separation within the office premises;
- Granting special leave;
- Suspension of the individual under investigation;
- Temporary or permanent adjustments to reporting lines; or
- Any other suitable measure or combination of measures.

These interim measures should not be considered disciplinary actions.

Sanctions and *Disciplinary Measures*

Anyone who is found to be involved in prohibited conduct against another person under the terms of this policy is liable to any of the following sanctions:

- verbal or written warning/reprimand
- adverse performance evaluation
- monitoring or supervision
- mandatory training or coaching
- transfer
- suspension
- termination of contracts including dismissal from PFAN support or any other assignments of PFAN services, where applicable

The nature of the sanctions will depend on the gravity and extent of the prohibited conduct. Suitable deterrent sanctions will be applied to ensure that incidents of sexual prohibited conduct are not

treated as trivial. Certain serious cases, including physical violence, will result in the immediate termination of contracts including dismissal as referred to in this section from PFAN support or any other assignments of PFAN services, where applicable.

Implementation of this Policy and *Guiding Principles and Values*

PFAN will ensure that this policy is widely disseminated to all relevant persons. All PFAN personnel will be trained on the content of this policy as part of their induction into the programme. It is the responsibility of the PFAN Team to ensure that all PFAN personnel are aware of the policy. For this purpose, webinars to the whole network to inform everybody about the policy and sharing the document for their reference should ensure that all PFAN personnel are aware of the policy and act in accordance with the guidelines.

The Guiding Principles and Values for PFAN's Anti-Harassment Policy, in line with the United Nations values, are as follows:

Fundamental Human Rights

- Upholding fundamental human rights, social justice, and the dignity and value of every human being, along with ensuring equal rights for men, women, and all nations.
- Freedom from discrimination is a fundamental human right. All personnel are expected to honour the dignity, worth, and equality of every individual without any distinctions. Stereotypical assumptions should be diligently avoided, and the diversity among personnel should be respected.

Integrity

- The principle of integrity encompasses all aspects of personnel behaviour, including qualities such as honesty, truthfulness, impartiality, and incorruptibility. These qualities are as essential as competence and efficiency.

Respect for Diversity

- All personnel should practice tolerance and understanding, showing respect for every individual without distinction. This respect helps create a work environment that is

sensitive to everyone's needs. Achieving this in a multicultural environment requires positive affirmation beyond mere passive acceptance.

- This means, among other things, respecting others' rights to hold different opinions and follow diverse cultural practices. It involves being willing to work impartially with people of all genders, nationalities, religions, and cultures, and being open to learning from one another. This approach demands ongoing awareness of how proposals, events, and statements might be perceived by others. It also requires avoiding any expressions that could be seen as biased or intolerant. Recognizing that different cultures may have different working methods, personnel should not be confined to the attitudes, work practices, or habits of their own country or region

Against the background of the above-mentioned Guiding Principles and Values, PFAN personnel must:

- maintain the highest standards of conduct and comply with this policy
- communicate with their colleagues in a respectful manner
- behave in a manner that is free of intimidation, hostility, offence and any form of prohibited conduct, sexual prohibited conduct, discrimination, bullying or retaliation
- familiarise themselves with this policy and understand what actions may constitute unprofessional behaviour
- be aware of the various options and internal channels available for addressing unprofessional behaviour
- respect the confidentiality of the complaints process and fully cooperate with any investigation or disciplinary procedure
- Refrain from any threat or act of retaliation in connection with such a complaint

The PFAN Team Must

- uphold the highest standards of conduct in order to achieve a professional working environment free from discrimination and prohibited conduct
- communicate the PFAN Anti-Harassment Policy and Complaints Procedure for a professional working environment to all PFAN personnel both directly and indirectly through their dealings with staff
- act as resource persons for PFAN personnel who believe they are being subjected to unprofessional behaviour, as defined in the policy

- ensure that PFAN personnel under their supervision do not engage in unprofessional behaviour
- take measures consistent with the policy if they witness any acts of unprofessional behaviour
- ensure that incidents of unprofessional behaviour are promptly addressed and deal fairly and impartially with them
- ensure that all discussions, communications, and actions related to reports of unprofessional behaviour are handled with sensitivity and confidentiality and that the sharing of information regarding the complaints will be on a “need to know” basis only
- keep full documentary evidence, dated and signed, of any complaints of unprofessional behaviour, including all information provided by the complainant.

The failure by management staff to address a violation of the PFAN Anti-Harassment Policy that has come to their knowledge may result in appropriate legal or disciplinary measures being taken against them.

General Responsibilities of PFAN

- This policy will be implemented consistently, and the appropriate administrative, investigative, disciplinary and/or contractual action required taken by PFAN, regardless of the function, title, length of service, gender, nationality, and contractual status of any of the parties involved in the case.
- The PFAN Team is responsible for the implementation of the PFAN Anti-Harassment Policy and Complaints Procedure. The Head of Legal at REEEP provides guidance on interpretation of its application, including providing personal and legal advice to PFAN personnel upon request. The PFAN Team is also responsible for compiling all the cases of allegations of violations of this policy.

Prevention

The following preventative measures are foreseen:

- Awareness webinars on prohibited conduct;
- Providing a copy of this policy to new personnel upon appointment.
- Making the policy part of the onboarding training for new personnel

Non-Retaliation *Stipulation*

PFAN prohibits retaliation against any person who files a complaint against discrimination or (sexual) harassment.

We encourage all personnel to come forward and participate in investigations, and we will keep investigations confidential.

PFAN wants to prevent victimisation and other retaliatory behaviour towards PFAN personnel, as we want to ensure an environment in which personnel are comfortable speaking up about any issues.

It is important to note that this stipulation refers to circumstances in which a complainant's report is true as well as circumstances where the report is without evidence but made in good faith. We do not consider the report's validity when it comes to the no-retaliation principle.

Retaliation in the workplace may be expressed in a variety of ways. These include but are not limited to:

- Victimisation
- Termination or illegal retraction of benefits
- Reduction of compensation
- Poor work performance evaluation
- Exclusion from PFAN events or meetings
- Refusal to assign projects to advisors
- Loss of advisory support, for project developers
- Defamation of character (prominent in cases of former personnel)

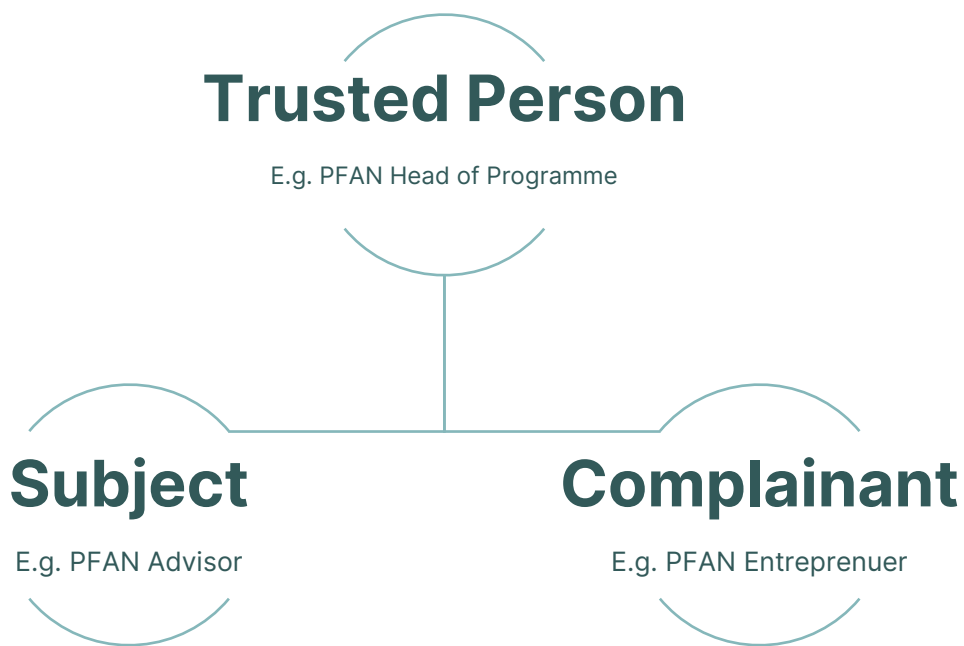
If any member of PFAN personnel retaliates against another member of PFAN personnel for reporting harassment or discrimination, that person will face consequences in line with this policy. Disciplinary action may also apply to personnel who have (repeatedly) filed false or unreasonable ('bad faith') complaints against other PFAN personnel and are proven to have been intentionally lying, falsifying evidence, acting maliciously or for personal benefit. That way we can ensure that personnel do not take advantage of our policies and always act in good faith.

Monitoring and *Evaluation*

PFAN recognises the importance of monitoring this Anti-Harassment Policy and Complaints Procedure and will ensure that it anonymously collects statistics and data as to how it is used, the number of cases, and whether it is effective. PFAN will evaluate the effectiveness of this policy and make any changes needed. The PFAN Team is responsible for keeping this policy up to date and making amendments when necessary.

Annex A: Example of Complaints Procedure and *Reporting Lines*

Informal Procedure⁶



⁶ The diagram indicates that the informal procedure is to be resolved amongst the three parties: complainant, subject, and the trusted person acting as a neutral party facilitating the discussions between the subject and complainant.

Formal Procedure⁷



⁷Please note that the trusted person should refer the complaint to a trusted member of the PFAN Team or the REEEP Ombudsman to instigate a formal investigation via an investigator or investigation committee. The investigator/investigation committee will be responsible for investigating the complaint and interviewing all parties involved.