



## Mercy Corps Commitments to Action Progress Report

In May 2021, Mercy Corps and its Board of Directors completed a series of external investigations and reviews conducted over 18 months to a) review the steps that were taken when reports of abuse by Mercy Corps' late co-founder Ellsworth Culver were brought to the organization's attention in 1992 and then again in 2018, b) determine the extent of the abuse perpetrated by Ellsworth Culver and any other abusers who might be identified, and c) determine necessary improvements to the organization's policies and procedures on safeguarding and prevention of sexual exploitation and abuse. All of the reports and their findings can be found [here](#).

Mercy Corps' Management and Board of Directors unanimously accepted the findings and recommendations contained in all of the investigative reports. Mercy Corps' Board of Directors and Executive Team announced Mercy Corps' [commitments to action](#) in February 2020, to conduct further investigations, restructure legal, ethics, and safeguarding functions, update safeguarding policies, and strengthen Board governance.

The Mercy Corps Board of Directors and Executive Team pledged to review the commitments to action at each board meeting until all matters have been implemented and report on progress to the public twice a year during that time. The Board of Directors reviewed the agency's progress on the commitments to action most recently at its November 2021 Board meeting. This is the fourth biannual report detailing Mercy Corps' progress toward fulfilling the commitments to action.

Mercy Corps continues to make important progress delivering on the commitments to action. In addition to the May 2021 release of the Freeh Group's independent investigation, the organization has continued to build its newly restructured Ethics and

Compliance Department, with added full-time investigators and technical roles, and expanded safeguarding prevention and community accountability teams with new positions and support across all countries where Mercy Corps operates.

A comprehensive governance review has also been completed and the Board voted in November 2020 to enact term limits of two, three-year terms, with a possible extension for a third term of three years in exceptional circumstances, for a maximum of nine years. Thirteen Board Directors have departed since 2019, including seven in June 2021. Since January 2020, Mercy Corps has welcomed fourteen new Board Directors, including four members in [July 2021](#) and an additional five members as of [November 2021](#).

Safeguarding will always be a key Mercy Corps priority requiring continuous effort on the part of everyone who works for the organization and on our behalf. Although our safeguarding work continues, we consider a number of our commitments closed with this report.<sup>1</sup> Commitments 3, 7, 11, 12, 19, 20, 22 and 23 are still in progress. These include developing a process to examine and reassess Mercy Corps' history; ongoing safeguarding and prevention of sexual exploitation and abuse (PSEA) training for all executives and senior management; strengthening performance management around safeguarding to drive leadership accountability; conducting an external assessment of our safeguarding policies; continuing to improve, and build transparency and awareness around, safeguarding policies and practices; continuing to strengthen governance; and initiating a global team survey on workplace culture.

## Further Investigation

### **Commitment 1: Investigate Handling of Case in 1990s**

*Conduct an investigation of how this case was handled by Mercy Corps in the 1990s*

### **Commitment 2: Investigate Extent of Sexual Abuse**

*Conduct an investigation to determine the extent of sexual abuse committed by Ellsworth Culver during his time at Mercy Corps.*

## Progress Update on Commitments 1 and 2

Mercy Corps' Executive Team and Board of Directors collectively committed to conducting an investigation, in partnership with a qualified firm, to determine the

<sup>1</sup> Commitments 1, 2, 4, 5, 6, 8, 9, 10, 13, 14, 15, 16, 17, 18, and 21 are now closed.

extent of the abuse perpetrated by Ellsworth Culver and any other abusers who might be identified, and to review the response of the Mercy Corps Board in 1992 and 1993 when the organization was first made aware of the abuse.

Freeh Group International Solutions (FGIS or “Freeh Group”), specialists in areas of integrity, compliance and investigations led by Louis Freeh, former director of the FBI and federal judge, conducted the investigation. Mercy Corps released the Freeh Group’s independent report in full on May 19, 2021. The report can be found [here](#) and additional background on our response to the report can be found [here](#).

Commitments 1 and 2 are closed.

### **Commitment 3: Examine and Reassess Culver’s Role in Organization History**

*Develop an inclusive process to examine and reassess how we reflect the role of Ellsworth Culver and others in our organization’s history.*

#### **Progress Update on Commitment 3**

During the summer and fall of 2021, Mercy Corps conducted numerous inspections of the Portland HQs office in order to ensure that awards, plaques or other individual accolades related to the investigations mentioned in Commitments 1 and 2 were removed from the premises.

In order to fully reassess and examine Ellsworth Culver’s role in our organization’s history, Mercy Corps has started the process of searching for a historian to assist with the task of documenting and telling the full story of our history.

### **Restructuring the Legal, Ethics and Safeguarding Functions**

#### **Commitment 4: Hire a Chief Ethics and Compliance Officer**

*Hire a Chief Ethics and Compliance Officer (CECO), independent of both the legal and human resource departments, reporting to the CEO and to the Board of Directors.*

*Safeguarding intake and investigations will report to the CECO, not the General Counsel or Human Resources. All Human Resources investigations of sexual misconduct or harassment cases, whether between team members or others, will also be the responsibility of the safeguarding team and fall under the auspices of the CECO.*

*In addition, the new department led by the CECO will be staffed and resourced appropriately and will implement survivor-centered and trauma-informed best practices, such as case management by a multidisciplinary team that includes a qualified mental health professional.*

#### **Progress Update on Commitment 4**

Steve Linick started as Mercy Corps' first Chief Ethics & Compliance Officer (CECO) on October 15, 2020. Steve previously served as Inspector General for the U.S. Department of State and the U.S. Agency for Global Media (USAGM) between 2013 and June 2020. He brings extensive experience providing oversight for large entities and leading sensitive and complex investigations. As Inspector General, Steve was responsible for, among others, identifying operational risk within the Department of State and the USAGM, assessing the sufficiency of internal controls, and conducting investigations of waste, fraud, mismanagement, and misconduct.

In his role as CECO, Steve leads a new stand-alone Ethics and Compliance Department that unifies all of our safeguarding and investigation teams. This group supports and monitors ethical and legal compliance, as well as safeguarding prevention efforts across Mercy Corps' global operations. Steve also oversees the Intake and Investigations Division, responsible for all reports of ethics violations including fraud, corruption, safeguarding misconduct, and human resources complaints relating to the code of conduct policies.

Steve oversees implementation of an ethics and compliance program designed to prevent, detect, respond to and mitigate illegal, unethical, or improper conduct and promote a culture of integrity and compliance. He works collaboratively with relevant departments to implement efficient and effective compliance measures and achieve successful resolution of investigations of alleged noncompliance and/or ethical issues. He also works to foster a culture of trust and confidence in Mercy Corps' reporting, investigation, and follow-up systems. He is responsible for approving final determinations on reports of fraud, corruption, HR code of conduct violations, and safeguarding misconduct. The CECO role is independent of both the legal and human resource departments and reports to the CEO and Board of Directors.

Commitment 4 is closed.

## **Commitment 5: Strengthen Safeguarding Systems including Additional Hiring of Staff**

*Make a significant additional investment over the next 18 months to strengthen our systems that support the intake, case management and investigative oversight for alleged ethics violations, including safeguarding. This includes adding additional staff to handle the caseload.*

### **Progress Update on Commitment 5**

Mercy Corps has dedicated additional resources to strengthen our safeguarding systems. The agency's prevention efforts are led by a global Safeguarding Prevention Team comprising multiple permanent staff now overseen by the Director of Safeguarding. Several new positions have been added to the Safeguarding Prevention Team over the past year to further strengthen our prevention programs, including a Safeguarding and Inclusion Advisor for Mercy Corps Europe, a Safeguarding Associate Program Officer, and a Safeguarding Partner Accountability Advisor. We are currently recruiting for a new role, a Safeguarding Technical Advisor, to focus on safeguarding in programs and proposals. In addition, several of our largest country programs now have full-time Safeguarding Manager roles. In May 2021, the Safeguarding Prevention Team, which had reported through the Interim Chief People Officer, joined the Ethics and Compliance Department in order to facilitate a more holistic approach to addressing safeguarding violations. The Safeguarding Prevention Team reports at least three times per year to the new Board-level Joint Ethics and Safeguarding Committee (JESC). In addition, a Global Safeguarding Task Force (GST) has replaced the former Safeguarding Working Group to provide a forum for cross-organizational input, guidance, and solution development in order to ensure the continued mainstreaming and elevation of safeguarding across the agency.

Multiple in-country safeguarding support roles are now in place, overseen and coordinated by the Safeguarding Prevention Team. These include prevention-focused Safeguarding Focal Points and Champions and response-focused Safeguarding Co-Investigators. We now have active safeguarding support in all countries where we operate, acting as an extension of the global safeguarding and investigative teams.

Safeguarding Focal Points are in place in 30 of our countries. Focal Points raise awareness, support country leadership with safeguarding risk assessment, and maintain survivor support referral maps.

Focal Points attend a four-day, 32 hour, in-person training, co-designed and delivered by Mercy Corps and Global Child Protection Services (GCPS), an international consultancy focused on safeguarding and prevention of sexual exploitation and abuse. Due to the COVID-19 pandemic, additional in-person training was not possible in 2020 and 2021. To compensate for this, we created a complementary role, the Safeguarding Champion, and developed a modular, remote eight-hour training program that can be delivered over the course of three days in multiple languages. As of June 2021, we now have 121 trained Safeguarding Champions in place, raising our total number of in-country safeguarding prevention support roles to over 180. Safeguarding Champions play a pivotal role in ensuring appropriate survivor support resources are in place and in safeguarding awareness raising efforts. Their mandate includes delivery of at least one safeguarding training/awareness raising session per month as part of our ongoing, regular safeguarding training for all staff in addition to assisting with completion and maintenance of the survivor support referral maps in coordination with focal points. We will continue to utilize both Champions and Focal Points going forward to ensure adequate safeguarding technical expertise is maintained in each country regardless of turnover or team member absence. We plan to provide annual trainings to fill in gaps and add additional Champions, with an eventual goal of one Champion per program.

Co-Investigators, trained to support safeguarding investigations, are also in place in 30 countries and receive four-day, externally facilitated training by GCPS (mentioned above), following the CHS Alliance investigator training model. In-person training of additional Co-Investigators and Focal Points will resume once travel is possible, with the long-term goal of at least one of each respective role placed at the country level in addition to the Champions at the program level.

Mercy Corps continues to make significant additional investments in handling safeguarding reports and investigations. Previously, incoming reports and investigative responses were handled by the Ethics Team with oversight by the Legal Department. In order to strengthen oversight and allow for independent reporting to the Board and CEO, Mercy Corps has completely restructured this process and structure, replacing it with the new Intake and Investigation (I&I) Division, which is part of the Ethics and Compliance Department. The I&I Division is now led by the Chief Ethics & Compliance Officer (described in Commitment 4) independent of both the legal and human resource departments. The I&I Division consolidates all ethics response and investigative responsibilities into a single, independent unit covering all

internal investigations relating to fraud and corruption, sexual exploitation and abuse, sexual misconduct, and human resource issues relating to code of conduct violations.

The I&I Division now includes a multilingual safeguarding investigations team consisting of a Washington, DC-based case manager, and two full-time investigators based in Nairobi, Kenya and Amman, Jordan. Similar investigative teams exist for human resources and fraud and corruption, and new team members were added in FY 2021, including a full-time case intake coordinator who is responsible for managing our complaints hotline and case intake process. Time to close safeguarding cases has been reduced and the I&I Division has not needed to engage external independent investigators for safeguarding cases for the past fiscal year. However, we retain the ability to engage them as needed for any cases involving senior leadership or as investigative circumstances necessitate.

The I&I Division works closely with the Safeguarding Prevention Team to increase awareness of and access to reporting mechanisms and to ensure effective gathering and analysis of data to inform program and country teams' safeguarding efforts.

Commitment 5 is closed.

**Commitment 6: Identify a Third-Party Investigation and Safeguarding Firm**

*Identify a third-party investigation and safeguarding firm to be put on retainer to support Mercy Corps in responding to safeguarding events, to be used as needed on a case-by-case basis.*

**Progress Update on Commitment 6**

After a thorough review, Mercy Corps retained OSACO Group, an investigative consultancy with expertise in compliance, governance, safeguarding, and anti-corruption, as well as the law firm Stoel Rives, to support Mercy Corps in responding to particularly complex safeguarding events that require independent review, including cases involving senior management or Board Directors.

Commitment 6 is closed.

**Commitment 7: Create PSEA Capacity-Building Plan**

*Create a comprehensive safeguarding and Protection from Sexual Exploitation and Abuse (PSEA) capacity-building plan for country-based and headquarters-based senior*

*management members and board members in addition to ongoing onboarding and safeguarding focal point trainings. The capacity building plan would include: knowledge and practice around Mercy Corps' safeguarding policies and process; best practices and procedures for working with gender-based violence survivors; psychosocial first aid; investigations of sexual exploitation and abuse; and referral/reporting cases to local services, authorities and donors.*

### **Progress Update on Commitment 7**

In addition to our in-country safeguarding support roles and training for those individuals noted in Commitment 5 above, we created a Safeguarding and PSEA capacity building plan for our country-based and headquarters-based senior management members and country leadership teams. The plan includes targeted training for each designated group to build capacity in the following areas and is tailored for each audience type and attendee roles/duties:

- knowledge and practice around Mercy Corps' safeguarding policies and process specific to each attendee's role;
- best practices and procedures for working with gender-based violence survivors;
- psychosocial first aid;
- investigations of sexual exploitation and abuse;
- referral/reporting cases to local services & authorities;
- safeguarding risk assessments templates and overview for each country;
- overview of minimum standards for safeguarding at Mercy Corps; and
- specific content on in-country safeguarding support roles including Safeguarding Focal Points, Champions and Co-Investigators (understanding these roles and how to leverage them).

Training is provided by internationally recognized PSEA/Safeguarding experts, Global Child Protection Services (GCPS). The Global Board, including new Board members, received safeguarding training in June 2020 and again in December 2021. The Executive Team, including our new CEO and CECO, received training in November 2020, covering the topics above specific to their executive roles. The Europe Senior Leadership Team, and country and regional leadership received training in February 2021. The Humanitarian Response Leadership Team received training in March 2021. Similar training tailored for leadership of our Program Performance and Quality, Technical Support Unit, People Teams, and for the remaining Country Directors is planned for FY22.

This targeted capacity building training for leadership is in addition to the mandatory agency-wide PSEA training course included in our full Code of Conduct elearning suite. Moreover, the in-country Safeguarding Focal Points and Champions conduct capacity building and awareness raising activities to ensure deeper understanding of and engagement in safeguarding policies, practices, and systems for team members at all levels.

### **Commitment 8: Implement Community Accountability Reporting Mechanisms (CARM)**

*Accelerate implementation of Community Accountability Reporting Mechanisms and training of local investigators.*

#### **Progress Update on Commitment 8**

CARM consists of channels for any and all community members to provide feedback, suggestions, complaints, and concerns in a manner that is safe, confidential, transparent, and accessible, enabling Mercy Corps to respond and make any necessary programmatic or safeguarding adaptations and to ensure the safety, security, and empowerment of program participants.

In June 2020, Mercy Corps' Executive Team approved the new Community Accountability Reporting Mechanisms Policy, which outlines nine new minimum standards for community accountability and requirements for partners. A comprehensive CARM Toolkit was simultaneously published, which contains the guidance, tools, and templates needed to comply with the CARM Policy.

All Mercy Corps programs are required to meet the standards within this global policy stipulating that CARM is in place in all country portfolios and a standardized approach to community accountability is taken globally. The Program Performance and Quality (PaQ) Unit awarded CARM start-up grants to 14 countries to assist in initiating CARM team hires and the design and rollout of CARM systems while long-term, sustainable funding is secured at the country and program levels. All countries now have designated CARM focal points, with every individual program also working to assign a dedicated CARM focal point. Additionally, four regional CARM advisors have been hired, joining HQ-based team members, to provide targeted technical support to Mercy Corps country programs. Technical CARM support is provided to country programs in various areas including designing context-appropriate feedback

mechanisms, adaptive management, CARM in emergencies, CARM with Partners, CARM with children, and CARM in market system development programs.

The CARM policy became effective on January 1, 2021, following six months of preparatory implementation support to country teams. A survey in September 2021 confirmed that 92% of CARM minimum standards are being met by countries globally, an 18% increase from the last survey. Mercy Corps will continue supporting CARM implementation in the coming months. The CARM Policy is available on the Mercy Corps website [here](#).

Mercy Corps' training for local Safeguarding Focal Points and Co-Investigators is outlined in the progress update on Commitment 5.

Commitment 8 is closed.

### **Commitment 9: Increase Transparency of Safeguarding Program**

*Improve transparency generally by communicating changes to the safeguarding program, including information about additional resources, clearly to all employees and specifically by informing those who have come forward about the status of their investigations.*

#### **Progress Update on Commitment 9**

Mercy Corps leadership provides regular updates to the organization about our Safeguarding work via quarterly “compass objective” or agency priority updates. The global Safeguarding Prevention Team also communicates regularly with Mercy Corps teams using Workplace (a platform for internal communication), articles, team emails, town hall meetings (via zoom), an internal “Hub Page” repository of safeguarding information, and ongoing training. The Safeguarding and Gender, Diversity and Inclusion (GDI) teams also provide regular updates on their work at the intersection of safeguarding and GDI.

The Ethics and Compliance Department (ECD) publishes a quarterly newsletter providing updates on safeguarding and ethics initiatives. In addition, the CECO has hired an ECD Communications Manager who started in October 2021 with responsibility for development and implementation of an ongoing ECD communications strategy. The first annual Mercy Corps “Ethics Week” took place in December 2021.

New e-learning courses, policies, and corresponding guidance documents, posters, and flyers have been created and shared with teams to deepen understanding and operationalize critical Mercy Corps values and expectations as they relate to safeguarding. Additionally, annual training on our code of conduct and safeguarding policies is required.

The global Safeguarding Prevention Team continues to work with Safeguarding Focal Points to develop and disseminate additional tools, ensuring teams have access to clear and timely information and guidance. The focal points help teams evaluate how safeguarding can be incorporated across workstreams and disseminate updated information.

During investigations, Mercy Corps provides updates and information to those who have come forward about the status of investigations without compromising confidentiality. To provide consistent and timely communication with all reporters, the ECD has added a dedicated intake coordinator role to manage the case intake process. Additional standard operating procedures for case management and communications have also been developed to ensure a streamlined investigative process.

Commitment 9 is closed.

### **Commitment 10: Produce Annual Public Safeguarding Report**

*Publish an annual public report on safeguarding that provides sufficient detail to identify the type of case and status of investigation while also maintaining confidentiality. Mercy Corps has previously committed to publishing an annual safeguarding report.*

#### **Progress Update on Commitment 10**

Mercy Corps has published an annual public safeguarding report for the past three years. Our Global Safeguarding Report provides transparency around the number of allegations we receive, the resolution of investigations into those allegations, and our ongoing efforts to strengthen our prevention and response to safeguarding incidents. Our third annual [Global Safeguarding Report](#), for Fiscal Year 2021, was released in November 2021.

Our [FY20 Safeguarding Report](#) was released in November 2020. Our FY19 Safeguarding Report was released in two parts: [Part I](#) in November 2019 and [Part II](#) in July 2020.

We are committed to transparency and will continue to publish this report annually.

Commitment 10 is closed.

## Updates to Policies

### Commitment 11: Assess Efficacy of Safeguarding Policies

*Conduct an investigation into how Mercy Corps' safeguarding policies are working in practice to ensure that policies are implemented effectively and sufficiently resourced.*

#### Progress Update on Commitment 11

As discussed in the updates to Commitments 4 and 5, we have made significant changes in Safeguarding implementation and resourcing since the Commitments to Action were made in early 2020. Resource discussions take place on an ongoing basis to monitor resourcing needs. We have added significantly to our in-country safeguarding resources and have made important structural changes to our legal, ethics and investigative functions. Key aspects include: strengthened governance; the creation of a dedicated Intake and Investigations Division within a stand-alone Ethics and Compliance Department; the implementation of trained in-country Safeguarding Focal Points, Champions and Co-Investigators and increased capacity of the global Safeguarding Prevention Team. In May 2021, the prevention-focused Global Safeguarding Team was consolidated with the Ethics and Compliance Department.

As discussed below in the update to Commitment 12, a third party has audited a sample of our investigations and determined that our approach meets industry standards. In addition, our policies and investigative processes and procedures have been reviewed by a range of donors and sector assessments, and the findings from these assessments are under implementation. In our last update, we reported that we would revisit the timeline for engaging a third party to conduct a more comprehensive review of our policies and procedures. That engagement will commence in early 2022.

## **Commitment 12: Review and Revise Mercy Corps' Policies and Procedures**

*Review and revise Mercy Corps' policies and procedures with appropriate expertise to address gaps and strengthen their application, especially to include policies to address past sexual misconduct, abuse and gender-based violence perpetrated by former employees or current employees that happened at prior institutions or outside of the workplace. As part of the review, conduct an audit of past investigations.*

### **Progress Update on Commitment 12**

In February 2020, Mercy Corps' Board of Directors approved updates to the agency's safeguarding policies, including the Ethics Complaint and Whistleblower, Child Safeguarding, and Prevention of Sexual Exploitation and Abuse policies. These policy changes reflect the recommendations of the Nichols Liu report (available [here](#)), and they clarify applicability of Mercy Corps' policies to former team members and past activities, as well as requiring the referral of cases involving senior management or Board Directors to an external investigator. In June 2021, Mercy Corps' Executive Team and the Board of Directors approved additional updates to strengthen and clarify duties to report and to more overtly align our policy language with the revised Interagency Standing Committee's Core Principles relating to Prevention of Sexual Abuse and Exploitation.

Our policies and investigative processes and procedures have been reviewed by a range of donor and sector assessments including USAID, UNICEF, and FCDO and found in compliance with donor requirements. The findings from these assessments are under implementation.

In addition to our policies, a third-party audit was conducted on any investigations deriving from USG-funded teams or programs. As part of the audit and final assessment, it was determined that Mercy Corps' survivor-centered approach and methodical approach to investigations met industry standards.

Additionally, Mercy Corps has undergone a comprehensive assessment by Keeping Children Safe (KCS) at the request of FCDO and UNICEF. Overall, it was determined that Mercy Corps meets global best practices and we have implemented the KCS recommendations.

A comprehensive external review of our safeguarding policies is planned in early 2022 to ensure our policies are consistent with global best practices, and to allow for deeper, comprehensive modifications.

We will continue to review safeguarding policies at least bi-annually drawing on best global practice, alignment with major donors, and to ensure ongoing clarity. Our policies can be found on the Mercy Corps website [here](#).

In addition to updating safeguarding policies, Mercy Corps has developed corresponding policy guidance documents for use by teams and individuals as quick guides, conversation starters, and references for policy adherence or as training supplements. The policy guidance documents are available on the Mercy Corps website [here](#).

In June 2020, Mercy Corps' Executive Team approved the new Community Accountability Reporting Mechanisms (CARM) Policy as outlined in the progress update on Commitment 8. The CARM Policy is available on the Mercy Corps website [here](#).

### **Commitment 13: Adopt a Clear and Robust Definition of Safeguarding**

*Adopt and incorporate into our policies a clear and robust definition of safeguarding, drawing on best global practice and in alignment with Mercy Corps' major donors.*

*Clarify within Mercy Corps' policies their applicability to former team members, activities in the distant past and if policies are applicable anywhere.*

### **Progress Update on Commitment 13**

Mercy Corps defines Safeguarding as the responsibility to ensure that our team members, operations, and programs do no harm to those with whom we work, and do not put vulnerable populations at risk of abuse or exploitation. As outlined in the progress update on Commitment 12, Mercy Corps' Board of Directors approved updates to the agency's safeguarding policies in February 2020 and June 2021. These updates clarify applicability of policies to former team members and past activities, strengthen our mandatory reporting obligations, align with sector standards, and clarify our survivor-centered approach. Our policies have recently been reviewed by a range of donor assessments, including UNICEF and FCDO, and found in compliance with donor requirements. Policies will be reviewed biannually to ensure they are consistent with best global practices and the requirements of major donors.

Commitment 13 is closed.

**Commitment 14: Adopt Policy to Refer Cases Involving Senior Staff and Board**  
*Put in place a policy requiring referral of cases involving senior management or Board Directors to an external, outside investigator.*

#### Progress Update on Commitment 14

In February 2020, Mercy Corps' Board of Directors approved updates to the agency's safeguarding policies, including the Ethics Complaint and Whistleblower policy, which requires allegations against senior leadership to be investigated by external expert investigators. After a thorough review, Mercy Corps retained OSACO Group, an investigative consultancy with expertise in compliance, governance, safeguarding, and anti-corruption, as well as the law firm Stoel Rives, to support Mercy Corps in responding to particularly complex safeguarding events that require independent review, including cases involving senior management or Board Directors. The Ethics Complaint and Whistleblower policy can be found on the Mercy Corps website [here](#).

Commitment 14 is closed.

#### Commitment 15: Communicate to Staff on Safeguarding Policies

*Provide clear, effective and regular communication of Mercy Corps policies regarding sexual abuse and exploitation to employees. Ensure that anyone approaching the organization with allegations regarding sexual exploitation and abuse is treated in accordance with the values inherent in these policies, even if the policies do not apply to the organization's engagement with them.*

#### Progress Update on Commitment 15

Mercy Corps leadership provides regular updates to the organization around our GDI and safeguarding work, including policies regarding sexual abuse and exploitation, communicates any changes to our safeguarding program, provides information about additional resources, and seeks feedback from team members. During investigations Mercy Corps provides updates and information to those who have come forward about the status of investigations without compromising confidentiality. Our strengthened safeguarding investigative capacity, standard operating procedures,

survivor referral system and robust oversight and governance ensure that anyone approaching the organization with allegations regarding sexual exploitation and abuse is treated with the utmost respect, dignity, sensitivity and confidentiality. Survivors are offered support and provided with referrals to medical and psychosocial support even if they are not engaged with our programs or our policies do not apply to them.

Communication to team members about our policies and understanding safeguarding at Mercy Corps is a key part of the duties associated with the in-country safeguarding support roles of Champions and Focal Points. See Commitments 5 and 7 for more information.

Commitment 15 is closed.

## **Strengthen the Board's Governance**

### **Commitment 16: Create Culture & Ethics Oversight Committee; Appoint Safeguarding Director on Board**

*Review board governance and committee structures to ensure best safeguarding practices with external expert advisers. Create a board committee charged with oversight of ethics and culture, including safeguarding efforts. This board committee will have appropriate skills tasked at reviewing all safeguarding cases and overseeing ethical culture. Appoint a lead safeguarding director on the Mercy Corps Board.*

#### **Progress Update on Commitment 16**

At its June 2020 meeting, the Mercy Corps Board approved the creation of the Joint Ethics and Safeguarding Committee (JESC), which is responsible for overseeing management, and advising the board on ethics matters. The Committee oversees ethics-related policies, including safeguarding, and management's implementation of ethics systems mindful of international best practices. The inaugural JESC meeting was held on November 19, 2020. A member of the JESC has been designated as the lead safeguarding director to the Board.

Commitment 16 is closed.

### **Commitment 17: Strengthen Board Members Skills on Safeguarding**

*Provide training to the board on safeguarding as well as ensure that new board member onboarding and ongoing training reinforce directors' understanding of governance.*

### Progress Update on Commitment 17

In collaboration with the consulting firm Global Child Protection Services (GCPS), Mercy Corps created a safeguarding training tailored specifically for our Board of Directors. This training focuses on safeguarding in the sector as a whole, how we approach safeguarding at Mercy Corps, expectations for Board Directors on safeguarding oversight and assessment of safeguarding risks. The Board of Directors completed this safeguarding and protection from sexual exploitation and abuse (PSEA) training in June 2020 and again in December 2021, including new board members.

In addition, all Mercy Corps Board Directors are required to complete online training courses on subject areas including Reporting Ethics Violations, Sexual Misconduct, Child Safeguarding, Sexual Exploitation and Abuse, Anti-Trafficking, and Fraud and Corruption.

Mercy Corps will provide safeguarding training to all future Board Directors.

Commitment 17 is closed.

### Commitment 18: Honor Board Term Limits

*Put in place and honor term limits, both for board and committee tenures, while allowing the flexibility to make exceptions when important for the organization's strategy. This will provide an opportunity to add new skills and perspectives to the board.*

### Progress Update on Commitment 18

The Board voted in November 2020 to enact term limits of two (2), three-year terms, with a possible extension for a third term of three years in exceptional circumstances, for a maximum of nine years. Term limits have now been codified in the relevant board documents.

Thirteen Board Directors have departed since 2019, including seven in June 2021. Since January 2020, Mercy Corps has welcomed fourteen new Board Directors, including four members in [July 2021](#) and an additional five members as of [November 2021](#).

Commitment 18 is closed.

### **Commitment 19: Define Board Accountability and Communication**

*Clearly define accountability and communication so directors understand how decisions are made and who has responsibility.*

#### **Progress Update on Commitment 19**

Mercy Corps has introduced a number of changes following a governance review to bring efficiencies to its model, where possible, and ensure that Directors, as well as all participant stakeholders in Mercy Corps' governance structure, understand their roles within the structural, legal, donor, financial and programmatic contexts under which Mercy Corps operates. These include: instituting Board term limits; professionalizing the recruitment of Board Directors with a specialist firm and ensuring an effective onboarding process for new members; integrating Board committees and structured reporting to the Joint Board; committing to Board diversity goals (resolution adopted in September 2021); and increasing cadence from three to four board meetings a year. Additional measures to strengthen Mercy Corps' governance will be informed by the results of the agency wide strategic review.

### **Additional Commitments**

#### **Commitment 20: Drive Leadership Accountability**

*Review and update relevant policies and position descriptions of Executive Team members to ensure that, when applicable, responsibilities around safeguarding, ethics, diversity, inclusion and culture are included when the Board Compensation Committee performs their annual review.*

#### **Progress Update on Commitment 20**

Our position description (PD) template has been updated to include revised language that strengthens expectations around safeguarding and ethics, and diversity, inclusion

and culture. All Executive Team (ET) PD's will be updated to include similar language by the time each ET member receives their next annual review.

Mercy Corps' People Team is also revising its Performance Review template, which will include new language on diversity and inclusion expectations. All team members, including the ET, will be evaluated based on these new metrics.

In addition to this work, Mercy Corps' People Team has developed a Mitigating Bias training for leaders (including the ET) and hiring managers, which has been delivered to a subset of our population. We hope to incorporate mitigating bias training into our suite of required e-courses in the future. Currently, teams receive mitigating bias training through our internal Gender, Diversity, and Inclusion (GDI) diagnostic process.

### **Commitment 21: Ensure Accountability for 2018 Mishandling**

*Hold accountable those who were involved in the 2018 case mishandling through appropriate disciplinary actions.*

#### **Update on Commitment 21**

Those individuals identified by Vestry Laight's independent, external review as having information and responsibility for Mercy Corps' handling of this case in 2018 are either no longer with Mercy Corps or received appropriate disciplinary actions.

The actions completed in this report show our commitment to improving any processes and systems that contributed to the mishandling of the 2018 case.

Commitment 21 is closed.

### **Commitment 22: Review Mercy Corps Culture**

*Conduct a review of Mercy Corps culture and address issues and cultural norms that contributed to the failures identified in Vestry Laight's investigation.*

#### **Progress Update on Commitment 22**

In January 2022, we will launch our first all team member engagement survey - the All Voices Global Team Survey. This survey will set the baseline for understanding team member experience and broader organizational health at Mercy Corps, and is an

important part of building a stronger and more inclusive culture. The survey will create an avenue for team member feedback through an inclusive process by giving equal weight to each voice. Questions in the survey range across 15 different topics, from ethics to career development, and transparency to decision making.

A summary of survey results will be shared internally and on-going conversations, training and guidance will follow to build and support the culture that makes Mercy Corps unique and enables our global team to do our very best work to carry out our mission.

In addition to the All Voices Global Team Survey, the Executive Team launched a series of workshops focused on inclusive leadership, particularly across racial and gender lines, facilitated by an external diversity, equity, and inclusion firm, [FDP Global](#). This series was initiated in June 2021 with an intensive two-day virtual workshop followed by four two-hour sessions. These workshops are intended to help Mercy Corps' leaders embrace diverse perspectives and role model what it takes to foster a safe, equitable, and inclusive workplace.

### **Commitment 23: Review Progress at Every Board Meeting**

*Review the above commitments to action at each board meeting until all matters have been implemented and report on progress to the public twice a year during that time.*

#### **Progress Update on Commitment 23**

Mercy Corps' Board has reviewed the organization's commitments to action and progress against them at each board meeting since the acceptance of these commitments and will do so until all matters have been implemented. Fifteen of the 23 commitments are now complete. We will continue to review progress on the remaining commitments at each board meeting until they are complete. Mercy Corps' Board meetings are scheduled on a quarterly basis.

This progress update is the fourth biannual public report. The [first](#) was released in July 2020, the [second](#) in January 2021, and the [third](#) in July 2021. We will continue to report publicly on our progress until all commitments have been implemented.