

Anglican Board of Mission — Australia
Anglicans in Development Ltd

Policy ABM-AID1009

Prevention of Sexual Exploitation, Abuse and Harassment

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CONTENTS

Context

Purpose

Scope

Policy

Review

Definitions

Table 1: ABM and AID Policies and Procedures Related to this Policy

CONTEXT

The Anglican Board of Mission, Australia (ABM) is the mission agency of the Anglican Church of Australia and works both in Australia and overseas through Anglican Church and ecumenical partnerships.

Anglicans in Development (AID) is a wholly-owned company of ABM and shares ABM's mission, vision and values.

Our mission is to help the Anglican Church and the wider community realise and respond to the call for each of us to be part of God's hope for the world.

Our vision is that we want to see people everywhere experience the wholeness of life God offers in Jesus Christ and to this end support our *Partners* as they participate in God's mission.

We have identified the following values as guiding all aspects of our work:

- i. Faithfulness to God;
- ii. Integrity in all aspects of our work;
- iii. Respect for the created order and human dignity;
- iv. Wise Management of our resources;
- v. Creativity and hard work; and
- vi. Relational reciprocity.

AID is also a member of the Australian Council for International Development (ACFID) and, as such, is committed to full adherence to the principles and obligations of ACFID's Code of

Conduct, including those relating to preventing *Sexual Exploitation, Abuse and Harassment*. (referred to collectively as *SEAH*).

Furthermore, AID receives some of its funding from the Australian Government Department of Foreign Affairs and Trade (DFAT) and is committed to complying with all policies in relation to acceptance of such funding, including their *Prevention of Sexual Exploitation, Abuse and Harassment [PSEAH] Policy*.

ABM and AID seek to contribute to the creation of an environment where *SEAH* does not happen.

PURPOSE

In the light of our values, the purpose of this Policy is to outline our strong commitment to protection from all forms of *SEAH* of any *ABM or AID Personnel* and *ABM and AID Representatives*, and those with whom ABM and AID work, both in Australia and overseas. The purpose is also to prevent *SEAH* being perpetrated by any *ABM Personnel* or *Partners*, and to outline what processes are to be followed in the event of a *Complaint* being made to ABM about *PSEAH*.

ABM's policy takes an approach which sees total prevention of *SEAH* as the ideal, but which also includes the protective mechanism of a *Victim/Survivor-centred approach* to ensure all *Complaints* and reports about breaches this policy will be dealt with by ABM/AID in a timely and effective way.

SCOPE

This Policy applies to all *ABM and AID Personnel*, *ABM and AID Representatives* and to those with whom ABM and AID have partnered to engage in activities using their funding (including DFAT funding).

Because much of our work takes place in a context of partnership, we will make strong efforts to ensure that our *Partners* are also sensitised to the issue of *Safeguarding* in all its forms, including to *SEAH*, and that the communities with whom ABM, AID and our *Partners* work are likewise sensitised, protected, and know their rights to make a *Complaint* and how to do so.

The policy applies both within the ABM and AID organisations and in any activity in which any *ABM or AID Personnel* or *ABM or AID Representatives* are involved in representing ABM or AID, both in Australia and overseas (including all time spent in-country because of the ABM or AID activity/ies). Whilst recognising that the context of *Humanitarian Response* produces additional risks in this area, the policy applies to *Community Development* contexts as much as to *Humanitarian* ones.

Because *SEAH* takes place most often in a context of gender inequality, ABM and AID have strengthened their *Gender Policy* to ensure it applies not just to *Development* and *Humanitarian* work, but also within both organisations as a whole.

Table 1 shows the various internal documents that, taken together, cover the full mechanisms for implementing this Policy throughout the two organisations and their activities.

POLICY

A. **Leadership and Values**

1. The ABM and AID boards will take leadership in *Safeguarding*, and will review *Safeguarding* risks on a regular basis. All incidents of breaches of *Safeguarding* will be reported to the relevant board. ABM and AID are also committed to exercising leadership in ensuring our *Partners*, their communities and *ABM and AID Personnel* and *ABM and AID Representatives* are protected from *Sexual Exploitation, Abuse and Harassment (SEAH)*. ABM and AID see *SEAH* as an abuse of human rights. We seek to demonstrate our commitment by promoting a culture of zero tolerance of *SEAH* within ABM and its *Partners*, and zero tolerance of the cultures which enable *SEAH*. This culture of zero tolerance is reflected in AID's *Code of Conduct* which is signed by all *AID and ABM Personnel*. This *Code* includes reference to child *Safeguarding* behaviours, prevention of *SEAH*, *Transactional sex* and *anti-Bullying*, and an obligation on *ABM and AID Personnel* to report all actual or suspected cases of *Misconduct*.
2. We take a *Victim/Survivor-centred approach* to preventing *Sexual Exploitation, Abuse and Harassment* and to all stages in the *Complaints-handling* process, including any ongoing needs for protection and counselling/support.
3. We commit to preventing a person from commencing work with ABM or AID if they pose an unacceptable risk in terms of *SEAH*. In our contractual arrangements with *Partners*, both ABM and AID require *Partners* to ensure that their own *Safeguarding* policies and procedures comply with these standards, and that *Partner* staff, their volunteers and project visitors comply with these standards.
4. Breaches of this *PSEAH* Policy may result in serious sanctions. ABM's and AID's Workplace Guidelines and contracts contain provisions for dismissal for any employee or volunteer who breaches the Workplace Guidelines or AID's *Code of Conduct*.
5. We recognize that *SEAH* are deeply rooted in gender inequality, discrimination, and power imbalances, and are therefore committed to promoting gender equality within ABM and AID, and within our *Partner organisations*, and the communities with which they work.
6. We recognise that some groups of people are more vulnerable to *SEAH* than others. This may be due to race, religion, ethnicity, indigeneity, disability, age, displacement, caste, gender, gender identity, sexuality, sexual orientation, poverty, class or socio-economic status. We particularly acknowledge that women and girls, children, people with a disability, LGBTQI+ people and displaced persons are at a higher risk of *SEAH*. People's vulnerability to *SEAH* can change with circumstances which can often be exacerbated, and likewise ameliorated, by development activities and humanitarian responses over which AID and its partners have some control. Where a parent is a *Victim/Survivor* of *SEAH*, their children can also be more vulnerable to abuse. Thus, there is a strong link between this policy and ABM/AID's Child Protection Policy.
7. AID affirms its commitment to the Core Humanitarian Standard (<https://corehumanitarianstandard.org/the-standard>) and its Guidance Notes and Indicators.
8. AID affirms its commitment to preventing *SEAH*, and abuse of power more broadly, in the aid community in all its forms, and to holding perpetrators

accountable, while committing to “do no harm” by protecting the dignity and well-being of *Victims/Survivors*, *Complainants* and *Whistleblowers*, and ensuring that project participants are at the centre of AID’s work and can safely access assistance. Specifically, AID is committed to protect communities with whom it works, AID’s *Partners*, *AID Personnel* and *AID Representatives* from *SEAH*.

9. ABM and AID affirm that preventing *SEAH* is a shared responsibility, and therefore ABM and AID will work with our *Personnel*, *Partners* and communities to challenge attitudes which permit or excuse *SEAH*, both internally and within our program activities.

10. ABM and AID will ensure widespread knowledge of this policy, including by posting on our website at https://www.abmission.org/wp-content/uploads/2022/01/A1009_Prevention_of_Sexual_Abuse_Exploitation_and_Harassment_Policy_September_2020.pdf

11. AID will include “Gender & *Safeguarding*” expertise as desirable skills when recruiting to its governing bodies.

12. ABM/AID has appointed a *Safeguarding Focal Person*² with an approved terms of reference.

B. Recruitment

13. All ABM and AID’s position descriptions, recruitment advertisements and tender documents will include our commitment to *PSEAH*, Child Protection and the *AID Code of Conduct*.

14. Job interviews will contain scenario-based questions on *PSEAH*, as well as Child Protection, for all relevant positions, and any gaps in employment history will be checked. Neither ABM nor AID will employ people whom we have reason to believe have breached the *PSEAH* and/or Child Protection aspects of AID’s Code of Conduct.

15. At least two references will be taken from previous employers which include questions on the candidate’s conduct and behaviour.

16. *SEAH* will be included in ABM’s and AID’s police checks at recruitment and at regular intervals during the person’s time of service at ABM/AID.

17. ABM’s and AID’s employment and consultancy contracts will include this *PSEAH* policy, our Child Protection Code of Conduct and the *AID Code of Conduct*.

C. Induction, Training, Travel Briefings and Performance Management

18. *ABM and AID Personnel* will receive training in *PSEAH* and in AID’s Code of Conduct, upon induction and at regular intervals during their time with ABM/AID. This training will include, but not be limited to, identifying, reporting, investigating, documenting and managing *SEAH* incidents. Training will also include ABM’s and AID’s commitment to the rights of women and girls, and the rights of LGBTI+ people both within ABM/AID and among those with whom ABM and AID work (see our *Gender Policy*). Training will also include *Bystander* responsibilities (see our *Whistleblower Policy*).

19. Pre-travel briefings, conducted prior to *ABM or AID Personnel* making visits to our *Partners*, will include scenario-based discussions on power imbalances, status and workplace cultures that can impact on work and personal relationships.

20. Post-travel briefings of *ABM and AID Personnel* will include attention to the psychological welfare of the *ABM or AID Personnel*.

21. ABM and AID supervisors will include a discussion of *PSEAH* and the *AID Code of Conduct* in staff reviews, including reminders regarding *Whistleblower* obligations, and provision of opportunities for staff to raise concerns.

22. AID will also provide (either directly or via third party trainers) training to its partners in *PSEAH*, and ensure that partner Personnel receive induction and annual refresher training.

D. **Complaints Procedure**

23. All incidents (suspected, alleged or proven) of *SEAH* must be reported to ABM/AID within **two working days of ABM or AID Personnel or ABM or AID Representative or Partner Organization becoming aware of the incident**. AID is obliged to report such incidents to DFAT within two working days if the incident occurs within a DFAT-funded project.

24. All incidences of non-compliance with ABM/AID's or a *Partner's PSEAH* policy must be reported to ABM/AID within five working days. AID is obliged to report any policy non-compliance to DFAT for any Partners or projects which receive DFAT funding through AID, **within five working days of the AID Personnel or AID Representative or Partner Organisation becoming aware of the policy non-compliance**.

25. Incidents of *SEAH* against a person under 18 come under the scope of ABM/AID's *Child Protection Policy*.

26. *Complaints* are handled via ABM/AID's *Complaints and Critical Incidents Handling Procedures* which include a mechanism for identifying critical incidents, such as breaches of this *PSEAH* Policy, breaches of ABM/AID's *Child Protection Policy*, incidents of fraud and other forms of *Misconduct*, details of investigation timeframes and an incident notification form. ABM/AID has also developed a simple guide to assist ABM and AID staff with reporting: '*Sexual Exploitation, Abuse and Harassment Reporting Steps*'. A similar simple guide to making a *Complaint* is available on our website linked from https://www.abmission.org/wp-content/uploads/2022/01/What_Happens_When_I_Make_a_Complaint_to_ABM5.pdf

27. Once reported, all critical incidents will be escalated to a specific critical incidents track. ABM/AID's *Complaints and Critical Incidents Handling Procedures* and our *Whistleblower Policy* embody the following principles:

- Our commitment to zero tolerance of *SEAH*
- *Bystander* obligations (it is mandatory for *ABM/AID Personnel* or *ABM/AID Representatives* to report a suspected, alleged or actual incident of *SEAH* to ABM/AID)

- *Victim/Survivor-Centred Approach*
- confidentiality
- timeliness
- Anonymity in reporting for *Victims/Survivors* who request this or whose safety requires this.

(See our *Whistleblowing Policy* and *Complaints and Critical Incidents Handling Procedure*. Reports concerning *SEAH* will normally be made to ABM/AID's *Complaints Officer* in the first instance. The *Complaints Officer* may seek the advice/assistance of the *Safeguarding Focal Person*.)

28. If an *SEAH*-related *Complaint* originates in a country outside Australia, ABM/AID will ensure it is adequately investigated.

29. At the conclusion of an investigation process, ABM/AID will provide feedback on the results of the investigation to the *Complainant* (taking into account privacy provisions and needs of the *Victim/Survivor*).

30. ABM/AID will ensure that, as part of its *Complaints and Critical Incidents Handling Procedures*, a process is in place for referring *Complaints* that come to ABM/AID, but which do not fall within the scope of this Policy, such as *Complaints* against an employee of another organization.

E. *Reporting SEAH Incidents and Policy Non-Compliance*

31. All incidents of *SEAH* will be reported to police where laws have been broken or suspected to have been broken, including to *Partner* country law enforcement authorities (except where this is at odds with the wishes or welfare of *Victim/Survivor* or the life or serious welfare of the *Complainant* or *Subject of a Complaint* (SOC), and fair procedural treatment of any *Subject of a Complaint*).

32. All alleged or proven incidents of *Sexual Misconduct* will be documented and reported to the relevant ABM or AID board (via a standing 'Safeguarding' agenda item), taking into account wishes and welfare of *Victims/Survivors*.

33. All incidents of non-compliance to ABM/AID's or a *Partner's PSEAH* Policy must also be reported to the relevant Board.

F. *Victim/Survivor Support and Reparations*

34. ABM/AID will provide appropriate assistance to *Victims/Survivors*, such as access to legal, medical, social, and financial services. ABM and AID acknowledge that such support may need to continue after a *Victim/Survivor* has left the organisation.

G. *Discipline and Grievance*

35. ABM and AID regard *SEAH* perpetrated by their *Personnel* as *Serious Misconduct*. ABM and AID will respond to all allegations of *SEAH* they receive regarding *ABM or AID Personnel* or *ABM or AID Representatives* in line with our policies and related disciplinary procedures. ABM and AID have established safe and fair procedures for promptly investigating, recording and dealing with *Serious*

Misconduct. Those who wish to lodge a *Complaint* about an alleged breach of this Policy by *ABM or AID Personnel*, any *ABM or AID Representative* or *ABM or AID Partner* personnel (in cases where the *SEAH* has occurred within one of *ABM's* or *AID's* projects), are able to lodge their *Complaint* via *ABM/AID's Safeguarding Focal Person*, and following either *ABM/AID's Complaints Handling Policy* and related *Complaints and Critical Incidents Handling Procedures* or *Whistleblower Policy*.

36. Whilst any *ABM or AID Personnel* is being investigated for allegedly perpetrating an act of *SEAH*, that person will be suspended from their work for the duration of the investigation. Similarly, any *ABM or AID Representative* will not be permitted to represent *ABM/AID* while an investigation is taking place into an *SEAH* allegation against them. As with all investigations of *ABM Personnel* the *Subject of the Complaint* will be treated with fairness, whilst ensuring the safety and needs of the *Victim/Survivor* are paramount.

37. Substantiated *Complaints* relating to *SEAH* will result in disciplinary action against the *Subject of the Complaint* (*SOC*) which may include termination of employment, and may, in accordance with relevant legislation, lead to criminal prosecution.

H. *Programs, Partners and Contractors*

38. All contracts with *Partner Organisations* and others contracted to work with *ABM or AID*, will include a clause on *ABM/AID's* expectations of *Partners* and contractors relating to *PSEAH*, including the requirement to report all incidents of *SEAH* relating to *ABM's* or *AID's* programs to *ABM/AID* (via our *Complaints and Critical Incidents Handling Procedure*) and the requirement to take a *Victim/Survivor-Centred Approach*.

39. *Partner* systems and *Project-level* risk assessments will be carried out for each project, analysing the risks of *SEAH* in the relevant contexts, and working with *Partners* to manage these risks. Where projects are funded by *DFAT*, risk assessments must follow guidelines in *DFAT's PSEAH* policy, and risk management measures must meet at least the 'Minimum Standards' for the level of risk assessed, as per Appendix A of *DFAT's PSEAH* policy. *Partner* systems and *Project-level* risk assessments will be incorporated into the *AID Program Risk Matrix*. Risk management for *PSEAH* will be monitored by relevant *Partner* and *AID* staff, and regularly reported to the *AID Board*).

40. *ABM* and *AID* will continue to promote awareness among our own and *Partner Organisation* that addressing Gender inequalities and power imbalances and ensuring social inclusion and accountability plays a key part in preventing *SEAH*.

41. *ABM* and *AID* will work with our *Partners* to develop strong *Safeguarding* policies which promote a culture of zero tolerance of *SEAH* within *Partner Organisations*, and zero tolerance of the cultures which enable *SEAH*. This work will include discussions and training³ in defining, reporting, investigating, documenting, and managing *SEAH* incidents, including commitment to rights of women, rights of *LGBTI+* people and *Bystander* responsibilities. Where projects are funded by *DFAT*, discussions and training will include the need to comply with the requirements of *DFAT's PSEAH* policy, including reporting timelines.

42. ABM and AID will work to support the efforts of our *Partners* to build local capacity to increase accountability in the aid sector. This will include strengthening community-based feedback and *Complaints* and response mechanisms to ensure the communities with whom ABM and AID and our *Partners* work are aware of their rights, the expected behaviour of all *ABM and AID Personnel, ABM and AID Representatives* and that of our *Partners*, so that communities are empowered to report violations of *PSEAH*. This may include the development of context-appropriate posters and other materials in local languages.

43. All requirements relating to *PSEAH* will be included in ABM's and AID's *Partner* funding agreements and reflected in AID's project cycle management systems.

44. AID's due diligence and *Partner* Capacity Assessments will include assessment of *Partner* capacity to implement key *Safeguarding* and risk policies.

45. AID's project monitoring will include provision for monitoring *PSEAH*, and for follow-up discussions with *Partners*.

46. ABM and AID will encourage, assist, and where relevant⁴ require, our *Partner Organisations* to implement:

- Recruitment and referral practices that prevent the hiring of perpetrators of *SEAH*;
- Systems to efficiently deal with perpetrators (effective formal *Complaints*, feedback and response mechanisms); to increase protection of, and accountability to populations with whom they work;
- Regular training for all staff in prevention of and response to incidents of *SEAH*; and,
- Safe, confidential and accessible reporting processes which have a *Victim/Survivor-Centred Approach*, where all allegations of *SEAH* are pursued rigorously, where concerns are heard and acted upon and where *Victim/Survivors* are fully supported, and they and any *Complainant* are protected from retaliation.
- Anonymity for *Victims/Survivors* should they request it, or should their safety require it.

Review

ABM/AID's Prevention of Sexual Exploitation, Abuse and Harassment Policy shall be reviewed by 2027.

DEFINITIONS

ABM and AID Personnel

These comprise employed staff, *Volunteers*, contractors, Board Directors and Governance Committee Members of either ABM or AID, or both organisations.

ABM and AID Representatives

All people who represent ABM or AID in any way. This includes contractors, project visitors, ABM or AID supporters whilst on visits to ABM or AID projects, and those who speak officially or do any work on behalf of ABM or AID.

Bullying

Unreasonable behaviour that is repeated and that creates a risk to health and safety including physical and /or psychological harm. (see *B2001 Workplace Guidelines*, 2022).

Bystander

A *Bystander* is person who witnesses an incident first-hand, or who hears about it afterwards. (Definition based on Australian Human Rights Commission, *Bystander Fact Sheet for Employees* n.d; <https://www.humanrights.gov.au/our-work/sex-discrimination/projects/sexual-harassment-know-where-line>. Accessed 2 March, 2019)

Child Abuse

All forms of physical or mental (especially emotional) violence, injury or *Abuse*, maltreatment or exploitation, including *Sexual Abuse*, is *Child Abuse*. *Child Abuse* occurs when adults or other children hurt children either physically, sexually, emotionally, psychologically or in some other way. *Child Abuse* also occurs when a child's parent or sibling is subjected to any of the behaviours listed below in the presence or hearing of that Child. (For greater detail please see *ABM-AID1011 ABM/AID's Child Protection Policy*).

Code of Conduct

A set of guidelines that binds members of a defined group to agreed standards of behaviour.

Community Development

Activities which address poverty and its causes and/or which address global social justice issues, carried out in the contexts of local communities.

Complainant

The person making the *Complaint*, including the alleged survivor of the *SEAH* or another person who becomes aware of the wrongdoing. (IASC Guidelines to Implement Minimum Operating Standards for the *PSEAH* 2013).

Complaint

An expression of dissatisfaction, grievance or concern. (partly based on International Standards Organisation standard on *Complaints* handling; used by ACFID, and partly on other sources)

DFAT

Australian Department of Foreign Affairs and Trade

Fraternisation

Any relationship that involves, or appears to involve, partiality, preferential treatment or improper use of rank or position including but not limited to voluntary sexual behaviour. It could include sexual behaviour not amounting to intercourse, a close and emotional relationship involving public displays of affection or private intimacy and the public expression of intimate relations. (From DFAT's *PSEAH* policy, 2019).

Gender Equality

"The equal enjoyment by women, girls, boys, and men [and by people who are Sex and Gender Diverse] of rights, opportunities, resources and rewards." (From World Bank, *Gender and Development: A Trainer's Manual*, found at

<http://info.worldbank.org/etools/docs/library/192862/Module1/Module1c.html> . Accessed 27/10/14)

Gender Equity (or Fairness)

The means to achieving *Gender Equality*. (From World Bank, *Gender and Development: A Trainer's Manual*, found at

<http://info.worldbank.org/etools/docs/library/192862/Module1/Module1c.html> . Accessed 27/10/14)

Governance Committee Members

Members of the Development Committee, Finance Committee, Investment Committee, Policy Review Committee, Fundraising and Marketing Committee, and any other Committee ABM or AID may establish from time to time.

Humanitarian Response

The sum of decisions and actions taken during and after disaster, including immediate relief, rehabilitation, and reconstruction.

Misconduct

Unacceptable or improper behaviour. A breach of AID's *Code of Conduct*. (See also *Serious Misconduct*). In this policy the term '*Misconduct*' includes '*Serious Misconduct*'.

Partner Organisations

Entities with whom ABM or AID have formal agreements, and who implement projects funded by ABM or AID.

Project Participant

A person who participates in a project funded by ABM or AID.

PSEAH

Acronym for *Prevention of Sexual Exploitation, Abuse and Harassment*.

Report

An account of events given to someone, or a piece of information which describes something. A *Report* differs from a *Complaint* in that there is an obligation on *ABM and AID Personnel* and *ABM and AID Representatives* to report on any perceived, alleged or actual instances of *SEAH*, with due consideration of the wishes and privacy of the *Victim/Survivor*, but a *Victim/Survivor* of *SEAH* may not wish to and is not obliged to make a *Complaint*.

Safeguarding

Safeguarding refers to the actions, policies and procedures that create and maintain a culture of safe and protective environments for all, including *ABM and AID Personnel*, *ABM and AID Representatives*, *Partners* and *Project Participants*, particularly those that are most vulnerable to exploitation, abuse or exclusion. *Safeguarding* includes prevention, mitigation, response and feedback and *Complaints* handling mechanisms. (based on UK NGO network, Bond, definition of Safeguarding <https://www.bond.org.uk/resources-support/safeguarding>).

Safeguarding Focal Person/s

A person or persons designated to receive *Complaints* of cases of *Sexual Exploitation, Abuse and Harassment*, and of breaches of ABM/AID's Child Protection Policy. (IASC Guidelines to Implement Minimum Operating Standards for the *PSEAH* 2013). At ABM and AID, this person is also responsible for ensuring regular training in ABM/AID's Child Protection and PSEAH policies is provided to *ABM and AID Personnel*, *ABM and AID Representatives* and *Partners*.

SEAH

Acronym for *Sexual Exploitation, Abuse and Harassment*

Serious Misconduct

Conduct that is wilful or deliberate and that is inconsistent with the continuation of a person's employment contract. It is also conduct that causes serious and imminent risk to the health and safety of a person or to the reputation, viability or profitability of the employer's business. (Fair Work Commission, <https://www.fwc.gov.au/unfair-dismissals-benchbook/what-makes-dismissal-unfair/valid-reason/conduct>. Accessed 3 April 2019)

Sexual Abuse

An actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. (IASC Guidelines to Implement Minimum Operating Standards for the *PSEAH* 2013)

Sexual Exploitation

Any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. (IASC Guidelines to Implement Minimum Operating Standards for the *PSEAH* 2013)

Sexual Harassment

A person sexually harasses another person if the person makes an unwelcome sexual advance or an unwelcome request for sexual favours, or engages in other unwelcome conduct of a sexual nature, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated. *Sexual Harassment* can take various forms. It can be obvious or indirect, physical or verbal, repeated or one-off and perpetrated by any person of any gender towards any person of any gender. *Sexual Harassment* can be perpetrated against *Project Participants*, community members, citizens, as well as against *ABM or AID Personnel* and *ABM or AID Representatives*.

Some examples of behaviour that may be *Sexual Harassment* include:

- staring or leering;
- unnecessary familiarity, such as unwelcome affection or touching;
- suggestive comments or jokes;
- insults or taunts of a sexual nature;
- intrusive questions or statements about your private life;
- displaying posters magazines or screen savers of a sexual nature;
- sending sexually explicit emails or text messages;
- inappropriate advances on social networking sites;
- accessing sexually explicit internet sites;
- requests for sex or repeated unwanted requests to go out on dates; and
- behaviour that may also be considered to be an offence under criminal law such as physical assault, indecent exposure, sexual assault, stalking or obscene communications. (From DFAT's *PSEAH* policy, 2019).

Sexual Misconduct

A generic term for *SEAH*.

Subject of the Complaint (SOC)

The person alleged to have perpetrated the *Misconduct* in the *Complaint*. (IASC Guidelines to Implement Minimum Operating Standards for the *PSEAH* 2013) ⁵

Transactional Sex

The exchange of money, employment, goods or services for sex, including sexual favours other forms of humiliating, degrading or exploitative behaviour. This includes any exchange of assistance that is due to beneficiaries of assistance. (Task Team on the SEA Glossary for the Special Coordinator on improving the United Nations response to sexual exploitation and abuse, *United Nations Glossary on Sexual Exploitation and Abuse*, 5 October, 2016.

Accessed at: https://reliefweb.int/sites/reliefweb.int/files/resources/un_glossary_on_sea.pdf 2 March, 2019)

Unlawful Discrimination

Unlawful Discrimination occurs where a person treats someone less favourably on the basis of any of the grounds prohibited by relevant state and federal legislation including; race; colour; ethnic origin; marital status; pregnancy; disability; family or carer's responsibilities; age; sex; sexual preference or orientation or transgender identity. (*B2001 Workplace Guidelines*, 2017).

Victim/Survivor

A person who is, or has been, sexually exploited or abused. (From DFAT's *PSEAH* policy, 2019). *Survivor* implies strength, resilience and the capacity to survive. (*IASC Guidelines to Implement Minimum Operating Standards for the PSEAH* 2013)

Victim/Survivor-Centred Approach

An approach to *Complaints*-handling that prioritises the needs and wishes of *Victims/er Survivors* at all stages in the *Complaints*-handling process (initial reporting, investigation, final outcome reporting to governance bodies, and reparations and ongoing support for *Victims/Survivors*.) Such an approach seeks to avoid re-traumatisation of *Victims/Survivors* and to empower them as engaged participants in the process.

Volunteer

Refers to unpaid community or church members who participate in ABM or AID activities for an extended or repeated period of time. Some volunteers are classed as *Associates*. *Associate* refers to unpaid community members who assist in ABM/AID's activities in a capacity that:

- Is for a short period of time (a day or less), and
- Is in an environment that is supervised by ABM or AID staff or, if at a hosting organisation, by the staff of the hosting organisation, and
- If the activity involves contact with children, the *helper* is within sight or hearing of other adults at all times.

Whistleblower

Someone within an organization who makes a *Complaint* about actual or suspected *Misconduct* within that organization.

Whistleblowing Policy

An organizational policy which requires staff members to report concerns or suspicions of *Misconduct* by colleagues. The reports may concern people at other organizations and people at other levels in the organization's hierarchy. (*IASC Guidelines to Implement Minimum Operating Standards for the PSEAH*, 2013). Whistleblower protections are enshrined in legislation. See Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019.

Witness

A person who gives testimony or evidence in the investigation, including, but not limited to, the person who has experienced the *Sexual Exploitation, Abuse or Harassment*, the *Complainant* (if different from the *Victim/Survivor*), the *Subject of a Complaint*, a staff

member of a *Partner Organisation*, etc. (IASC Guidelines to Implement Minimum Operating Standards for the *PSEAH 2013*).

TABLE 1: ABM AND AID POLICIES AND PROCEDURES RELATED TO THIS POLICY

Specific Aspect	Detailed Policy and/or Procedure
Code of Conduct	AID1008 AID Code Conduct
Child Protection To protect children from exploitation and abuse of all kinds in the delivery of ABM's and AID's programs and activities.	ABM-AID1011 Child Protection Policy
Human Rights Recognition that all community members and ABM and Partner staff have the right to protection from sexual exploitation and abuse	AID1017 Human Rights-based Approach to Development
Gender Recognition that gender inequity and power imbalances form a root cause of Sexual Misconduct	ABM-AID1032 Gender Policy
Vulnerable people Recognition that some groups of people are more vulnerable to sexual harassment, exploitation and abuse than others.	AID2027 Guiding Principle on Working with Indigenous People ABM-AID1028 Disability & Development Policy Framework for Protection & Inclusion
Inappropriate workplace behaviour Includes discrimination through harassment, victimisation, vilification or bullying.	B2001 AID's Workplace Guidelines 2022
Complaints ABM is committed to documented feedback and complaints-handling policies and procedures that take into account the needs, expectations and rights of complainants and provide the mechanisms for complaints to be addressed confidentially in an efficient, fair and timely manner. These procedures need to accommodate complaints from communities with whom ABM works, as well as the general public and ABM personnel.	ABM-AID1010 Complaints Handling Policy ABM-AID2002 Whistleblower Policy B2004 Complaints and Critical Incidents Handling Procedures
Travel	B2025 Travel Procedures

ABM and AID place the security and safety of all its representatives, and those with whom we work, as a top priority.	
Publication on ABM's website	AID1008 Code of Conduct; ABM-AID1004 Privacy Policy; ABM-AID1010 Complaints Handling Policy and related Procedures; Transparency Policy; AID1041 Development and Non-Development Activities Policy; ABM-AID1008 Child Protection; ABM-AID1009 Prevention of Sexual Exploitation, Abuse and Harassment; ABM-AID1005 Conflict of Interest Policy.

TABLE 2: Table of Responsibilities for Implementation of this Policy

Responsible Body/Person	Area of Responsibility	Timeframe
ABM and AID boards, AID Sustainable Communities and ABM Church to Church teams	Section A Leadership & Values – Champion and model a culture of zero tolerance to SEAH internally and with partners and other bodies; ensure ABM/AID's approach is survivor-centred; promote gender equality.	Ongoing
ABM and AID boards/Complaints Officer/Safeguarding Focal Person	Section E Reporting – Quarterly Board agenda item on PSEAH	Quarterly
AID Sustainable Communities and ABM Church to Church teams	Section H Programs, Partners & Contracts— Engage with partners to ensure they comply with ABM/AID policy and DFAT requirements	All partners have received at least one set of training in PSEAH. Ongoing checks of where partners are at with their PSEAH policies and refresher training provided by ABM and AID if not sourced elsewhere.
Complaints Officer/AID team	Section D Complaints – Widely disseminate clear information about ABM/AID's Complaints Handling Processes; Deal effectively with complaints when received	Ongoing.
ABM and AID boards/Senior Management Team	Section F Victim/Survivor Support and Reparations— Assess and ensure ongoing needs of victims where ABM or AID are deemed to have a responsibility	Ongoing

Senior Management Team/Safeguarding Focal Person/ Compliance Officer/Executive Assistant	<p>Section B Recruitment – Ensure ABM's and AID's recruitment processes effectively screen out people with a history of SEAH;</p> <p>Section C Induction, Training, Travel Briefings, Performance Management – Work to prevent SEAH and deal effectively with incidents if they occur; Ensure Safeguarding Focal Person receives regular training in PSEAH;</p> <p>Section G Discipline and Grievance – Effectively manage follow-up to complaints against staff;</p>	Ongoing
Safeguarding Focal Person	Section C Induction, Training, Travel Briefings, Performance Management –Ensure staff, volunteers and ABM and AID boards and committees receive regular training	Ongoing training
Policy Review Committee/Compliance Officer/Safeguarding Focal Person	Review policy at least every five years and more frequently if there are changes to legislation, ACFID CODE, DFAT requirements etc.	End 2027

Policy History	
Name of Policy	Date Accepted
A1009 Prevention of Sexual Exploitation, Abuse and Harassment Policy	September 2019
A1009 Prevention of Sexual Exploitation, Abuse and Harassment Policy	September 2020
ABM-AID1009 Prevention of Sexual Exploitation, Abuse and Harassment Policy	August and September 2022