

Internal document name:	Preventing Sexual Exploitation and Harassment Policy P 3 20 Code reference 1.5	
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Introduction

Reledev Australia Limited recognises the right of all stakeholders; including but not limited to employees, partner organisations, volunteers, beneficiaries, to be able to attend work, projects or volunteer activities and to perform their duties without being subjected to any form of sexual harassment, abuse or exploitation.

Statement of commitment

Reledev in no way tolerates sexual exploitation, abuse or harassment (SEAH) of any kind. This applies to Reledev and those that Reledev works with, particularly the communities where it works. With partner organisations, Reledev continues to strengthen their approach to safeguarding – by enhancing accountability, improving support for people affected and driving cultural change through strong leadership.

The purpose of this policy is to strengthen Reledev's commitment in its approach to safeguarding in the communities in which it works, as well as managing the risk of SEAH and SEAH incidents, should they occur in the delivery of any Reledev activity.

The nature of development initiatives can exacerbate inequitable power dynamics within the communities we work with and therefore requires vigilant attention to maintain the highest professional and ethical standards. To manage this risk and safeguard vulnerable people, Reledev is committed to non-discriminatory and respectful behaviour, where misconduct is not accepted, where power is not abused, and vulnerabilities and power inequality are not exploited. Reledev complies with all domestic regulations, both in Australia and in partner countries and international commitments that are relevant to our work, including United Nations Conventions.

The Policy outlines both expectations and requirements for Reledev staff and partners to manage the risk of SEAH and SEAH incidents, should they occur in the delivery of Reledev projects. Prevention of sexual exploitation & harassment (PSEAH) is a shared responsibility. All organisations must play an active role in addressing SEAH should it occur. Reledev partners must take responsibility in managing the risk

of SEAH. Equally, it is the obligation and responsibility of every board member, employee, volunteer and anyone involved in Reledev's activities to ensure that any activity undertaken by Reledev is free from sexual exploitation, abuse or harassment.

Definitions

Sexual exploitation is any actual or attempted abuse of a position of vulnerability.

Sexual abuse is actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It includes but is not limited to sexual offences such as attempted rape and sexual assault. All sexual activity with someone who is under the age of consent is considered sexual abuse.

Sexual harassment is unwanted physical, verbal or non-verbal conduct of a sexual nature in the workplace that can include indecent remarks or sexual demands. 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 beneficiaries, community members, citizens, as well as staff and personnel.

Transactional sex is the exchange of money, employment, goods or services for sex, including sexual favours.

Fraternisation is any behaviour that involves partiality, preferential treatment or the improper use of rank/position. This includes but is not limited to voluntary sexual behaviour.

Perpetrator is a person or group of persons who commits an act/s of sexual exploitation and harassment or a related crime or offence.

Victim/survivor is anyone who is, or has been the target in a sexually exploitative manner, harassed or abused.

Policy Overview

Department of Foreign Affairs & Trade's (DFAT) guiding principles

Reledev recognises its duty of care to take all reasonable steps to ensure SEAH is prevented. As such, Reledev's PSEAH policy will use the following 6 guiding principles from DFAT's Preventing Sexual Exploitation & Harassment (PSEAH) Policy:

1. Zero tolerance of inaction: DFAT defines zero tolerance as acting on every allegation in a fair and reasonable way with due regard for procedural fairness.
2. Strong leadership accelerates culture change: DFAT expects leaders to set clear expectations and model respectful behaviour in their interactions at work. This will support communities, victims/survivors and whistle-blowers to feel safe, report concerns and be assured their allegations are taken seriously.
3. Victim/survivor needs are prioritised: Action to address SEAH should be underpinned by a "do no harm" approach prioritising the rights, needs, and wishes of the victim/survivor, while ensuring procedural fairness to all parties.
4. Preventing sexual exploitation, abuse and harassment is a shared responsibility: DFAT requires the commitment, support and investment of its partners for this Policy to be effective. All organisations have a responsibility to build their capacity to deal sensitively and effectively with SEAH that occurs in the course of their work.
5. Gender inequality and other power imbalances are addressed: Engagement with intended beneficiaries should be based on respect for diversity, promotion of gender equality and social inclusion, accountability and a strong "do no harm" focus.
6. Stronger reporting will enhance accountability and transparency: Stronger reporting allows DFAT to better monitor SEAH, understand risks, improve assurance and work with organisations to improve systems and safeguards accordingly¹.

Context

SEAH occurs across all sectors and regions and in all kinds of workplaces. The risk of SEAH is exacerbated where unequal power dynamics, gender inequality and transactional pressures exist. Women are disproportionately found to be victims and the majority of perpetrators are male.

¹ To access DFAT's full policy go to: <https://www.dfat.gov.au/sites/default/files/pseah-policy.pdf>

Many factors heighten the likelihood of SEAH such as gender, age, disability, language, displacement, health and poverty.

The risk of SEAH is not limited to work internationally. In Australia, sexual harassment in the workplace is one of the most common complaints received by the Australian Human Rights Commission.

Scope of the policy

This policy applies to anyone involved in Reledev activities, including but not limited to Board members, staff, partner organisations, contractors, consultants & volunteers.

All personnel are expected to comply with the principles and reporting requirements set out in this policy. It is the responsibility of anyone involved in Reledev activities to ensure that sexual exploitation, abuse and harassment are prevented.

Should an incident of SEAH occur, the policy aims to provide a clear set of guidelines and procedures to minimise harm, apply the principles of justice and strengthen preventative measures.

Compliance with Minimum Standards

Reledev and its partner organisations through organisational policies, codes of conduct and demonstration of good practice work to ensure the following PSEAH Standards are upheld.

1. A PSEAH policy or equivalent has been formulated and is communicated within the organisation. Procedures of the organisation should reflect adherence to safeguards and practices for PSEAH.
2. In the case of an incident, Reporting and Investigation procedures are clear to the organisation, its staff, as well as volunteers and participants.
3. The risk of an instance of SEAH has been considered across the various parts of the organisation and its programs. Areas of reduced control, such as external agency involvement or private sector have been considered and preventative measures are in place.
4. PSEAH training in conjunction with the child safeguarding training is periodically delivered.
5. Recruitment and screening processes include sufficient investigation to ensure all employees and volunteers are of good character and free of criminal misconduct. This includes national-level police checks, working with children

checks or equivalent if these exist in the country, multiple character and reference checks. Reledev requires its partners to maintain a record of employment documentation.

6. Reledev absolutely prohibits any personnel to engage in transactional sex in any Reledev connected activity. Employment termination clauses apply should an instance occur.
7. Reledev prohibits fraternisation for all employees or volunteers within Reledev. Partners are also asked to ensure that such practices are not tolerated within their organisations.

Reporting procedures

Mandatory reporting

When alleged incidents are reported, Reledev will work with the organisation or individual to track incident management.

In accordance with Principle 3 of DFAT's principles (that victim/survivor needs are prioritised), victims' and survivors' safety and wellbeing must be paramount to reporting and their information treated confidentially. Whistle-blowers must similarly feel safe and protected during the reporting process.

All staff and Reledev partners must report any alleged incident of SEAH directly to Reledev and complete an incident report form (see Annex 1). This includes any claim or alleged incident which can potentially bring into dispute Reledev and its donors. For example, an allegation against a senior staff member of a partner organisation.

Reledev Management must report any alleged incident of SEAH to the Chair of Reledev Board who will determine if the allegation needs to be communicated to all Reledev Board members.

If an incident is directly or indirectly related to ANCP funded programs, Reledev must in turn report any substantiated allegations or claims to the Department of Foreign Affairs and Trade (DFAT).

The reporting obligations to DFAT in the event of an incident are as follows:

1. Mandatory and immediate (within two working days) of becoming aware of an alleged incident) especially any alleged incident that poses a significant reputational risk to DFAT.
2. Mandatory reporting (within five working days) of a significant breach of this Policy and the PSEAH Policy Minimum Standards or principles.

What should be reported?

Any suspected or alleged cases of SEAH perpetrated by anyone in connection with official Reledev duties or business.

If in doubt, staff and Reledev partners should report an alleged incident. In line with Principle 1 of DFAT's Principles (being zero tolerance of inaction), individuals and organisations found not reporting alleged incidents will be viewed as being non-compliant. Reports of abuse or exploitation of individuals under the age of 18 years must follow Reledev's Child Protection Policy.

Who to report to?

All complaints must be raised with Reledev in the following way:

If the incident occurs outside of Australia on an overseas work or service project trip: Immediately report to one of the Australian group leaders. If this is not possible or convenient report to Reledev's Manager directly. email@reledev.org.au. All group leaders must also report any incident immediately to Reledev.

If the incident occurs outside Australia with one of Reledev's overseas partner organisations: Immediately report to the organisation Manager or head personnel. Reledev must also be informed by the organisation immediately as per their contract agreements with Reledev.

If an incident occurs inside Australia contact directly Reledev's Manager or a Board member of Reledev: board@reledev.org.au or by post: PO Box 224, Kingsford, NSW, 2032.

Reledev has an obligation to report any substantiated events of SEAH that arise from DFAT funded individuals or organisations directly to DFAT.

What information needs to be provided in a child abuse report?

As much information should be provided as possible, including:

- Date(s) of incident(s) and time and where it occurred;
- Name of organisation(s) involved, including any Reledev project partners;
- Alleged offender's details, including name, nationality and occupation;
- Details of alleged incident(s);
- Whether local law enforcement authorities have been informed;
- Details of what the organisation(s) proposes to do; and
- Any other relevant information that can help assist in the investigation.

For more specific details of the information to be provided in the child abuse report refer to *Annex 1: Sexual Exploitation and Harassment (SEAH) Reporting Form*.

What happens next?

The Reledev Manager/Board member will request that an incident report form (Annex 1) is completed and the allegations will be investigated further. This will involve one or more of the following:

- Interviewing the person/persons who made the allegations, along with other witnesses to gather as much information as possible;
- If the allegations are of a potentially criminal nature, support and discuss with the victim how they may choose to proceed with police intervention;
- Reporting substantiated suspicion or allegations to DFAT where a project or activity is related with ANCP funding or partners receiving ANCP funding; and
- Providing support to all stakeholders as necessary.

Disciplinary action

Disciplinary action will be taken against any personnel/others found to:

- Have failed to report a SEAH concern;
- Have intentionally made a false allegation; and
- Have made a serious breach of the SEAH policy.

Disciplinary action may include the following:

- Reledev personnel or personnel of a project partner directly implicated will be removed temporarily (while investigation is underway) from duties in the case of a serious allegation;
- Reledev personnel/others: may receive disciplinary action or dismissal; and
- Reledev partners: up to and including termination of all relations including contractual and partnership agreements with Reledev.

Procedures for dealing with criminal conduct:

Some forms of severe sexual harassment or abuse (e.g. sexual assault, rape, stalking, indecent exposure, physical molestation, obscene phone calls) may constitute criminal conduct. Incidents of this nature should be reported through the correct local law enforcement channels.

Reledev employees/volunteers should advise the option of police support or intervention. It is not the obligation or duty of Reledev to report such matters to the police on behalf of the complainant.

To protect the privacy of alleged perpetrators, victims/survivors and whistle-blowers, information provided to Reledev will be handled in accordance with Reledev's privacy guidelines. Incidents should only be reported where it is safe to do so and where it is in line with the victim/survivor's wishes regarding disclosure of personal information. Information may be reported in a way that deidentifies individuals when reporting to an external Government agency.

Risk Assessment & Mitigation

PSEAH is considered within Reledev's Organisational Risk Management Framework, specifically within Reledev Organisation Risk Register. Within the Risk Management Framework areas of risk are identified and appropriate measures undertaken commiserate with risk and the type of stakeholder.

Reledev Organisational Risk Register is reviewed quarterly by Management and reported annually to Reledev Board. This register will assess PSEAH risks such as risk of noncompliance with this policy, risk of systems and procedures failure, support and compliance from partner organisations, and reputational risk. The Risk Register will outline mitigation strategies that are to be put in place.

Reledev will also undertake an annual review of the operating risk against DFAT's Minimum Standards for the Prevention of SEAH, which will be filed with the organisational risk register

Project Risk Assessment

All projects and activities will include assessment of SEAH risks as part of their project level risk assessment. Mitigation strategies will be put in place for any risk identified and these (and any emerging risks) will be actively monitored throughout the activity/program cycle or in the case of an incident. - As part of the design process for new projects, activities will be assessed against DFAT's Minimum Standards for PSEAH and appropriate risk mitigations will be put in place.

Reledev Employees and Volunteers Risk Assessment and Mitigation

Sexual exploitation and harassment of any kind by Reledev staff are acts of serious misconduct and are grounds for termination of employment. Recruitment processes are followed to reduce the risk of an instance to SEAH occurring.

Reledev requires all employees/volunteers to hold a Working with Children Check (WWCC) and/or national police check. Conditions of employment outline disciplinary actions that will be taken should an employee breach Reledev's PSEAH & other policies. Position descriptions detail Reledev's commitment to the prevention of sexual exploitation and harassment.

Reledev ensures employees and volunteers have knowledge and understanding about what behaviours can be classified as an instance of SEAH. Reledev requires all employees to read policies at induction so that they are familiar with the various reporting procedures pertaining to child protection, SEAH, complaints etc.

Sexual relationships between Reledev personnel (including partner organisations) and beneficiaries are not permitted in the course of conducting business and is contrary to Reledev's mission and values. Such relationships undermine the inherent value of development work.

If a Reledev personnel has concerns or suspicions regarding SEAH by a fellow worker or stakeholder, he/she must complete a SEAH reporting form.

Partner Organisations Risk Assessment and Mitigation

Partner organisations play a vital role in PSEAH by consulting with communities, raising awareness of expected behaviours, managing the complaints process, managing behaviour of their staff and responding to complaints or incidents.

Reledev is committed to working with partners to develop, strengthen and maintain their own organisational policies and procedures to prevent sexual exploitation, abuse and harassment. As part of our Partner Assessment process, and in country visits.

Reledev will work with partner organisations to develop action plans to address areas where improvement is required, including appropriate capacity development, support and risk mitigation planning. Implementation of PSEAH policy or equivalent policies will be a priority of in-country visits. This includes support to develop policies, codes of conduct, participate in training and have an informed understanding of what behaviours are inappropriate and how to report, investigate, document and manage sexual misconduct, abuse and harassment incidents. Partner organisations will be supported to develop reporting procedures in line with the local laws of their country. Reledev will support partner organisations to develop appropriate awareness raising tools and approaches on PSEAH for their staff and communities they work with.

Project Contract Agreements will include Reledev's expectations regarding the prevention of sexual exploitation, abuse, and harassment, as well as partner obligations as recipients of Australian funding. An assessment of capacity for PSEAH will also be incorporated into the Reledev Partner Assessment process.

Specific PSEAH Risk Mitigation and Assessment strategies for Reledev's Partner organisations are:

- Partner Agreements and yearly contract renewals include the adherence to Reledev's various policies regarding SEAH, bullying, discrimination & harassment and child safeguarding.
- Where an incident occurs in the course of a Reledev project, the partner must report any substantiated claims to Reledev immediately with the procedures outlined in this policy.
- Project risk assessments are undertaken for each project year and assessed by Reledev with clear application on risk mitigation to each project scenario.
- Project risks are re-assessed in 6 monthly reports and partners are reminded to report on any complaints of incidents.

Directly related policy documents

Child safeguarding policy

Discrimination, harassment and bullying policy

Complaints policy and Complaint procedures

Annex 1: Sexual Exploitation and Harassment (SEAH) reporting form

INCIDENT DETAILS	
Type of allegation: (please nominate one or more allegation types – definitions below)	Sexual exploitation Sexual abuse Sexual harassment Policy non-compliance
Date(s) of alleged incident:	
Location of alleged incident: <i>(country, province, city/village/town etc. Please provide as much detail as possible)</i>	
Details of alleged incident: <i>(please provide details of the alleged incident. Include any specific vulnerabilities such as disability, sex worker etc)</i>	
What support has been/is being provided to the victim/survivor? <i>(e.g. referral to a medical clinic, counselling services, etc)</i>	

REPORTING TO POLICE or AUTHORITIES	
If the alleged incident/allegation occurred outside Australia, are local police aware of the incident/allegation? <i>If yes, please provide:</i> <ul style="list-style-type: none"> • <i>A contact name and contact details for the local police including the full title of the local police station</i> • <i>Date the incident/allegation was reported to local police</i> 	
Have the Australian Federal Police (AFP), either in Australia or overseas, been informed of the incident/allegation? If so, what is their response or proposed action? <i>If yes, please provide:</i> <ul style="list-style-type: none"> • <i>The response or proposed action from the AFP</i> • <i>AFP contact name and contact details</i> 	

<ul style="list-style-type: none"> • <i>Date the incident/allegation was reported the AFP</i> 	
<p>Have any other authorities, other than the local police or AFP been informed of the incident/allegation? <i>If yes, please provide:</i></p> <ul style="list-style-type: none"> • <i>The name of the other authority</i> • <i>A contact name and contact details for the other authority</i> • <i>Date the incident/allegation was reported the other authority</i> 	

Declaration

By completing and submitting this form, I declare that:

- I have read, understood and agree to the collection, use and disclosure of my personal information in accordance with this incident notification form.
- I confirm that the victim/survivor is aware, and they have consented to me providing information on this incident, as outlined in this incident notification form.
- I confirm that if any whistle-blowers have provided their details in this form, they have consented to do so.

If you do not consent or request that only de-identified information, be relayed or if you have any concerns about how the personal information collected in this form will be used, disclosed or shared, you should notify Reledev.

Name

Signature

Date