

Internal document name:	Preventing Sexual Exploitation and Harassment Policy P 3 20 Code reference 1.5	
<b>Year created</b>	<b>Latest version approval (Reledev Board)</b>	<b>Next review date</b>
2019 - 20	May 20, 2020	May 2023

## Purpose

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

## Introduction/statement of commitment

Reledev in no way tolerates sexual exploitation, abuse or harassment (SEAH) of any kind. This applies to both Reledev and extends to those that Reledev works with, particularly the communities where it works. Alongside others, 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 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.

## Scope

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.

## 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:** 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.

## 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 accordingly<sup>1</sup>.

## Responsibilities and expectations

Within Reledev's work environment, the following applies:

- Sexual exploitation and harassment of any kind by Reledev personnel are acts of serious misconduct and are grounds for termination of employment. No employee or volunteer (working for Reledev or their partners) at any level should subject any other employee, volunteer, visitor, beneficiary or community to any form of sexual harassment. This includes but is not limited to; sexual exploitation & abuse, sexual harassment, child sexual abuse and exploitation, sexually exploiting women and men through sex work and possessing, producing or distributing sexually exploitative images of adults or children.
- Any sexual activity, abuse or child sex tourism with children, regardless of the age of majority or consent, is prohibited.

---

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

- Exchange of money, employment, goods or services for sexual favours is prohibited
- Sexual relationships between Reledev personnel (including partners) and beneficiaries is 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

### **Working with partners**

Reledev is firmly committed to working with its in-country partner organisations to ensure that projects align with this policy and support local communities by collaborating and consulting with them for their needs. Reledev partners adhere to Reledev's various policies regarding SEAH, bullying, discrimination & harassment and child safeguarding. This occurs through the inclusion of clauses within contracts at the beginning of a partnership and partners then re-affirm their commitment to these policies/procedures on a yearly basis in yearly contract renewals.

### **Recruitment**

Reledev is committed to preventing the employment/selection for volunteer work of anyone who poses an unacceptable risk to others. As well as undertaking reference checks to ensure vetting for former misconduct, Reledev requires all employees/volunteers to hold a Working With Children Check (WWCC) and/or national police check.

Reledev also undertakes the following:

- Child safeguarding awareness questions at recruitment interviews
- All applicants are required to disclose any proven allegations of SEAH or child abuse
- Position descriptions detail Reledev's commitment to the prevention of sexual exploitation and harassment
- The conditions of employment outline disciplinary actions that will be taken should an employee breach Reledev's PSEAH & other policies
- Reledev requires all employees to read its policies at induction so that they are familiar with the various reporting procedures pertaining to child protection, SEAH, complaints etc.
- If allegations in breach of this policy are made against a Reledev employee, that employee will be suspended until such time that an investigation is undertaken
- Reledev requires all employees to sign and accept the conditions of employment

## Reporting procedures

Reporting helps Reledev to monitor SEAH incident management. When alleged incidents are reported, Reledev will work with the organisation or individual to track incident management. Over time, reporting will allow the analysis of trends and improve prevention and response strategies. In line with transparency agenda, Reledev will report annually on policy implementation.

In accordance with principle 3 of DFAT's principles — 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.

Reledev expects two kinds of incident reporting:

- Mandatory and immediate (within two working days of becoming aware of an alleged incident) reporting by all staff and Reledev partners of any alleged incident of sexual exploitation, abuse or harassment related to the delivery of Reledev activities. This includes any alleged incident that poses a significant reputational risk to Reledev. For example, an allegation against a senior staff member of a partner organisation.
- Mandatory reporting (within five working days) by all staff and Reledev partners of any alleged policy non-compliance; for example, failure to adhere to the PSEAH policy principles.

### **Who reports**

All Reledev staff, partners and stakeholders in any way involved in Reledev activities, must report any alleged incidents of sexual exploitation, abuse or harassment or policy non-compliance.

### **What is reported**

Reporting is for 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 – 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.

### **How to report**

Please refer to annex 1 for a reporting template. All reports of alleged SEAH incidents should be addressed to the Reledev Manager and made to [email@reledev.org.au](mailto:email@reledev.org.au). If it be that the Manager is the alleged perpetrator, then any reported incident/s should be addressed to the Reledev Board and sent by mail to: PO Box 224, Kingsford, NSW, 2032

Reledev staff are reminded of their additional reporting obligations under Reledev's Anti-bullying, Harassment and Discrimination Policy. Where safe to do so, and when in accordance to the wishes of the victims, survivors and whistle-blowers, all alleged

SEAH incidents that involve a criminal aspect should be reported through the correct local law enforcement channels. 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.

### **Procedures for dealing with criminal conduct:**

Some forms of severe sexual harassment or abuse (e.g. sexual assault, stalking, indecent exposure, physical molestation, obscene phone calls) may constitute criminal conduct. While Reledev Australia Limited is committed to treat most sexual harassment complaints at a company level as far as possible, this type of conduct is not suited to internal resolution. Such complaints should be treated by the criminal justice system.

In relation to alleged criminal offences such as rape or sexual assault, employees/volunteers should be advised of 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.

### **Related documents**

Child safeguarding policy  
Discrimination, harassment and bullying policy  
Complaints policy  
Transparency policy  
Professional conduct guidelines  
Complaints procedure  
Conditions of employment

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

Location	
Organisation (if applicable)	
Your name	
Your position	
Name of victim/survivor	
Age/date of birth of victim/survivor	
Date(s) & time of incident(s)	
Member of staff/stakeholder involved in incident	
Alleged offender's details	Name: Position:
Observations/details of the alleged incident(s) (include date(s), time(s), where it occurred, what happened – behaviour/physical signs observed, type of abuse/harassment)	
Details of any conversation with the victim/survivor	
Action taken (including any external agencies i.e. police that have been informed)	
Is it an Australian Aid funded activity and if so, what is the name of the activity?	
Details of what Reledev/partner organisation proposes to do (to be completed by the person in charge of handling sexual exploitation and harassment matters)	
Any other relevant information that may help in the investigation	