

Prevention of Sexual Exploitation, Abuse and Harassment Policy

Last updated: 28 May 2022

DOCUMENT VERSION

Date	Comments
28 May 2022	Policy agreed by the Board

POLICY AMENDMENTS

The Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy (this Policy) is a working document and subject to amendment. Any suggestions about this Policy should be directed to the Friends of Femili PNG (FFPNG) CEO or Finance and Administration Officer (FAO) so changes can be considered. Any amendments or changes to the Policy will be submitted to the Board for endorsement.

The FFPNG CEO and FAO are responsible for maintaining this Policy including updating confirmed changes, informing staff of the changes, and disseminating the latest version across the organisation.

Any changes or amendments involve the following steps:

- Updating the Document Version table at the top of this page;
- Updating the relevant provision in this Policy;
- Replacing the updated version of this Policy eg. shared drive, website (if applicable);
- Communicating the changes to all staff; and
- Archiving the old version of this Policy.

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1.0 INTRODUCTION

FFPNG does not tolerate sexual exploitation, abuse or harassment (SEAH) of any kind. SEAH is a violation of basic human rights and is in contradiction to FFPNG's values. FFPNG aims to provide a safe environment that safeguards everyone from SEAH including partners, staff and volunteers.

FFPNG supports its partner Femili PNG to work with clients, partners and communities to improve responses to family and sexual violence (FSV) through case management, partner support, training, monitoring, research and advocacy. Our primary stakeholders include Femili PNG staff and clients on the ground, and we are committed to protecting and supporting them.

FFPNG recognises that the nature of our work places our staff in positions of trust in relation to people who are especially vulnerable. In acknowledgement of this, FFPNG staff are obliged to uphold high standards of workplace conduct and not use their positions to exploit or abuse others.

FFPNG will actively prevent and respond to SEAH, through maintaining an organisational culture that promotes respect and prioritises safeguarding against SEAH. Clear expectation will be set in relation to staff conduct, and pathways to ensure all staff, partners and other stakeholders are aware of how to report allegations of SEAH.

1.1 Purpose

The purpose of this Policy is as follows:

- a. To outline FFPNG's zero tolerance approach to SEAH.
- b. To prevent SEAH through a range of measures including training and staff awareness, recruitment processes, risk mitigation and controls, and leadership.
- c. To set out the reporting requirements and investigation processes for allegations of SEAH.

1.2 Scope

This Policy applies to all staff, volunteers, board members, contractors and representatives of FFPNG and anyone acting on behalf of the organisation. For the sake of brevity, the term "staff" will be used to represent the scope of this Policy. All staff are expected to read, understand and comply with all aspects of this Policy.

This Policy also applies to partners who have agreed to acknowledge, adopt or comply with this Policy.

1.3 Definitions

The *DFAT Preventing Sexual Exploitation, Abuse and Harassment (PSEAH) Policy* uses the following definitions of sexual exploitation, sexual abuse and sexual harassment, which FFPNG adopts:

- **Sexual exploitation:** Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from sexual exploitation of another.

- **Sexual abuse:** The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It covers sexual offences including but not limited to attempted rape (which includes attempts to force someone to perform oral sex); and sexual assault (which includes non-consensual kissing and touching). All sexual activity with someone under the age of consent (in the law of the host country or under Australian Capital Territory law being 16 years of age, whichever is greater) is considered to be sexual abuse.
- **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 beneficiaries, community members, citizens, as well as staff and personnel.

1.4 Principles

The following principles underpin FFPNG's prevention of SEAH:

- **We prioritise human rights and empowerment:** FFPNG's values mean that we support the basic human rights and central role of women within their community and in development. We actively pursue opportunities to empower women and children and other marginalised people in PNG.
- **We safeguard the vulnerable:** FFPNG's partner, Femili PNG, primarily works with survivors of FSV who are particularly vulnerable to SEAH. FFPNG works with Femili PNG to put their clients first and always prioritise their protection, care and support.
- **We expect certain behaviours from those representing FFPNG:** Cultivating trust is important for FFPNG's work in supporting Femili PNG's staff to develop new skills and to assist in driving Femili PNG's organisational development. Staff will conduct themselves in a professional manner and always adhere to the workplace Code of Conduct to foster this trust. FFPNG will work to combat situations of vulnerability and discrimination which creates unequal power dynamics and the requisite environment for abuses of power to exist.
- **We have zero tolerance of SEAH:** All allegations of SEAH by staff or partners will not be tolerated and will be taken seriously. FFPNG will immediately respond to any allegations, respond, report and investigate. Engaging in acts of sexual exploitation and abuse are grounds for summary dismissal of FFPNG staff.
- **We will take action to prevent SEAH:** FFPNG aims to prevent SEAH by training and staff awareness, appropriate recruitment and performance management processes, and implementation of this Policy. We have strong leadership to address gender inequalities and power imbalances.
- **We report accusations:** Reporting mechanisms enhance accountability and transparency in our organisation. FFPNG will meet the reporting requirements of our

partners to foster trust and accountability, and ensure that all allegations of SEAH are exposed, investigated and properly handled.

1.5 References / Other policies

This Policy must be read and understood in conjunction with the following other policies:

- FFPNG's Child Protection Policy and Code of Conduct - for complaints involving allegations of child abuse and reporting procedures.
- FFPNG HR Manual – for Standards expected of staff and volunteers, Code of Workplace Conduct and Misconduct Investigation Guidelines.

2.0 POLICY AND PROCEDURES

This Policy will consider risk management and mitigation of SEAH, expected behaviours of FFPNG staff, risk management, training and awareness, recruitment and performance management.

2.1 SEAH and risk

- The risk of SEAH is included in FFPNG's organisational Risk Assessment. Due to the vulnerability of people that FFPNG works with, SEAH is considered high risk.
- Appropriate risk mitigation measures will be put in place such as the further development and implementation of this Policy.

2.2 Expected behaviours

- FFPNG staff and volunteers are required to always conform with the expected behaviours in the Code of Conduct.
- Fundamental to FFPNG's support of Femili PNG is respect for dignity and basic human rights of survivors of FSV and building local organisational and staff capacity. Every person who represents FFPNG is expected to reflect these values in their professional conduct.
- All forms of sexual exploitation, abuse and harassment by FFPNG staff, volunteers and partners are expressly prohibited.
- Exchange of money, employment, goods or services for sex, including sexual favours or other forms of exploitative behaviour is prohibited. This includes the exchange of assistance that is due to beneficiaries.
- Sexual relationships between FFPNG and Femili PNG staff and clients are prohibited since they are inappropriate and based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of our work.
- If a FFPNG staff member develops concerns or suspicions regarding SEAH by another staff member, partner or stakeholder, he or she must report such concerns as per the procedure outlined in this Policy. Femili PNG staff and other stakeholders are also encouraged to report any concerns about FFPNG staff.
- FFPNG will create and maintain an environment which prevents SEAH and promotes our code of conduct. Staff at all levels have responsibility to support and develop a safe environment.

- Fraternisation is prohibited while in the field and engaged in the delivery of FFPNG business.

2.3 Training and awareness

- All FFPNG staff will be trained in the prevention of SEAH and take part in regular reviews of this Policy.
- New FFPNG staff will be acquainted with this Policy on induction.
- FFPNG may provide training and awareness-raising sessions on this Policy to partners and other stakeholders on request.

2.4 Recruitment and performance management

- FFPNG recruitment processes always consider the prevention of SEAH by ensuring that all references are checked and a national police check occurs before an offer of employment is made.
- Femili PNG management will be invited to provide feedback on the performance of FFPNG staff during the annual performance review process, including raising any behavioural issues or concerns.
- As per the FFPNG HR manual, SEAH is grounds for summary dismissal.

2.5 SEAH focal points

- The focal point for SEAH will be the FFPNG CEO and FAO.
- The responsibilities of the SEAH focal points are to:
 - Take a lead role in raising awareness about the organisation's SEAH measures including the Code of Conduct and provide training and advice to staff and volunteers on these measures.
 - Work with staff to ensure that operations are integrating SEAH measures into all activities.
 - Ensure that partners and stakeholders are aware of FFPNG's SEAH measures and their right to protection including how they would raise a concern about SEAH.
 - Receive reports of SEAH, responding in accordance with FFPNG's procedures and providing referral or next step advice.
 - Assist in investigating reported SEAH incidents, where appropriate.
 - Discuss subsequent action required, to ensure the safety and welfare of individuals in cases of SEAH caused by FFPNG.
 - Liaison between staff and managers to access technical support in particular in regards to complex SEAH issues.
 - Coordinate regular reports to the FFPNG Board on the implementation of SEAH measures.

3.0 REPORTING AND RESPONDING

3.1 Allegations of sexual exploitation, abuse and harassment

- All allegations of SEAH must be reported immediately to the SEAH focal points being the FFPNG CEO or FAO. Reports can be made verbally, in writing, and or via email. Allegations can be made confidentially.
- The FFPNG CEO will provide oversight of the investigation and reporting process, and will report to and engage the Board in the process.
- All allegations of SEAH will be taken seriously and investigated as per the procedures outlined below.
- When an allegation is made, the needs of the complainant are prioritised. Their safety and wellbeing is paramount and their information is treated confidentially.
- FFPNG will also protect whistle blowers during the reporting and investigation process, which includes protecting the identity of the reporter and preventing any harm to the reporter from FFPNG or employee of FFPNG
- In the event of a SEAH allegation against the FFPNG CEO, complaints should be made directly to the FFPNG Board through the Chair: stephen.howes@anu.edu.au. The Board will assign a member to investigate and report on the claims.

If allegations of SEAH are reported to other staff members, such as through the complaints process, they must be reported to the SEAH focal points immediately.

3.2 Reporting requirements

- As part of FFPNG's zero tolerance approach to SEAH, and our obligations as a DFAT funding recipient, we will undertake two kinds of incident reporting:
 - Mandatory and immediate (within two working days of becoming aware of an alleged incident) reporting by all staff and DFAT partners of any alleged incident of SEAH related to the delivery of DFAT business. This includes any alleged incident that poses a significant reputational risk to DFAT. For example, an allegation against a senior staff member of a partner organisation.
 - Mandatory reporting (within five working days) by all staff and DFAT partners of any alleged non-compliance with this Policy for example, failure to adhere to the SEAH Policy Minimum Standards or principles.
- If in doubt, FFPNG will report an alleged incident, noting that 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 also be reported in line with the reporting requirements specified in the FFPNG Child Protection Policy.
- FFPNG will report all alleged SEAH incidents to DFAT using the DFAT Sexual Exploitation, Abuse and Harassment Incident Notification Form (www.dfat.gov.au/pseah) and emailed to seah.reports@dfat.gov.au.

- Where safe to do so, and when in accordance to the wishes of the victims, complainants and whistle blowers, all alleged SEAH incidents that involve a criminal aspect shall be reported through the correct local law enforcement channels.

3.3 Investigation and response

Investigations into allegations of SEAH will be conducted in accordance with the following principles:

- Investigations will be carried out in a manner that is timely, fair, objective and as far as practicable, confidential.
- Interviewing for the investigation will be carried out in an appropriate manner.
- All information and evidence gathered during the investigation will be held securely and in the strictest confidence.
- All participants within the investigation process will be afforded due process and the right to appeal any decision made.
- Sensitive information relating to reports of SEAH will be shared only with authorities and law enforcement when a notification must be made.

3.4 Complainant-centred approach

In line with our values, FFPNG will adopt a complainant-centred approach in preventing and responding to SEAH. This involves:

- Balancing due process with an approach that prioritises the complainant's safety and well-being.
- All actions are guided by respect for choices, wishes, rights and dignity of the complainant.
- Complainants will be offered counselling services if appropriate and otherwise assisted to seek help.
- Complainants will be provided with information on the progress of the investigation and the outcome.

4.0 PARTNERS AND OTHERS

4.1 Extending to Partners

FFPNG will work with partner organisations in the prevention of SEAH and will advise them of the avenues available to report concerns regarding SEAH. This will include:

- Making copies of this Policy publicly available.
- Providing training to partners on this Policy.
- Making explicit FFPNG's zero tolerance approach to SEAH to partners
- Where possible, extending this Policy to partners through the use of Memorandum of Understandings and agreements.

4.2 Reporting of third parties

If FFPNG staff or management are informed of SEAH perpetrated against our partners or Femili PNG's staff or clients by staff or volunteers of other organisations, these allegations must also be reported to DFAT using the DFAT Sexual Exploitation, Abuse and Harassment Incident Notification Form set out in clause 3.2 above.