

Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy

COMPLIANCE WITH THIS POLICY IS MANDATORY

Save the Children representatives and partner staff frequently work in situations where they are in positions of power and where they are granted high levels of trust (e.g. controlling distribution of essential resources for survival). All representatives and partner staff are responsible for taking action to prevent sexual misconduct and are prohibited to sexually exploit, abuse or harass individuals and communities.

This policy addresses the sexual exploitation, abuse and harassment (SEAH) of adults in the communities in which we work.

- Refer to Save the Children Australia's Child Safeguarding Policy and Guidelines for safeguarding children and young people.
- Refer to Save the Children Australia's Bullying, Harassment, Discrimination and Exploitation Policy for misconduct in the workplace.

Purpose and scope

This policy applies to all Save the Children representatives and partner staff across all workplaces we operate in and all activities we undertake (refer to the Definitions table below). The policy applies to both the private and professional lives of all representatives.

The purpose of this policy is to:

- Provide strong leadership and culture:
 - Set expectations regarding the personal, professional, ethical behaviour and conduct, of all representatives and partner staff conducting business on behalf of Save the Children, and reduce the risk of sexual misconduct.
 - Ensure representatives and partner staff are skilled, confident, have a strong understanding of, and are well supported to meet their responsibilities to safeguard individuals and communities, engage positively and uphold their rights and dignity.
- Acknowledge gender inequality and power imbalances:
 - Recognising that our work, particularly humanitarian interventions, may exacerbate and reinforce existing gender inequalities and/or increase inequitable power structures and dynamics within communities.
- Reinforce zero tolerance to inaction:
 - Having a clear approach for preventing and addressing sexual exploitation, abuse and harassment by mitigating risks.
 - Demonstrate Save the Children's commitment to respond to allegations, putting the safety, wellbeing, needs and interests of the victim/survivor first.

Any form SEAH committed by representatives constitute acts of gross misconduct, are in breach of the policy, and can lead to disciplinary action including possible dismissal, and criminal proceedings. For partner staff, breaches can lead to termination of agreement and criminal proceedings. Failure to meet training requirements may lead to re-allocation of duties and performance management until compulsory activities are complete.

Policy Statements

1. Representatives and partner staff **must** demonstrate the highest professional and ethical standards in their day-to-day conduct. This includes not engaging in exploitative or Transactional Sex and Fraternalisation (refer to the Definitions table below).
 2. Representatives and partner staff **must** report all actual, suspected or known safeguarding concerns in accordance with Save the Children Australia's Safeguarding Reporting Process.
 3. Representatives and partners agencies **must** understand and acknowledge this policy and adhere to the PSEAH training curricula relevant to their role.
 4. The Board, Executive and all People managers **must** create and maintain a workplace environment that addresses power imbalances and actively encourages participation, where representatives feel safe to provide feedback.
 5. Senior Advisers, Project leads and Awards staff are accountable, ensuring that every program and activity has a safeguarding risk assessment that identifies and assesses the level of risk for SEAH occurring, and mitigates risks of SEAH accordingly.
 6. Senior advisers, Project leads and Awards staff **must** ensure all program partnership arrangements have appropriate agreements in place, partner agencies have been fully assessed for adequate safeguarding capabilities, and a tailored capacity strengthening plan is in place if required.
 7. In country Program staff are responsible for the agreements, assessments and capacity strengthening mentioned in the point above and must:
 - ensure all community members are informed about program activities, the rights and responsibilities of the people involved.
 - ensure access to a support and feedback mechanism.
 - facilitate honest, safe, two-way communication process between themselves and communities – welcoming scrutiny, making time to listen to them, and encouraging the expression of different views.
 8. People managers **must** adopt a Survivor-Centred Approach to safeguarding, which places the victim/survivors' experiences, considerations and needs at the centre of our processes, elevates the voice of victims/survivors, and places their wishes, rights, dignity, safety, and wellbeing at the forefront of efforts to prevent and respond to allegations, from initial reporting, through to investigation and follow-up actions.
 9. People managers **must** ensure appropriate police and reference checks and monitoring are used to identify suitable representatives and deter unsuitable candidates, and provide adequate professional supervision and development for all staff and volunteers.
 10. People & Culture and relevant program areas **must** manage and maintain robust and accountable reporting and case management systems of all allegations of SEAH made against representatives and partner staff engaged in any activities. All relevant laws related to protection from sexual abuse, violence and harassment, and those outlining measures for reporting known or alleged cases of abuse, must be applied.
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Other relevant policies

Please refer to the Prevention of Sexual Exploitation, Abuse and Harassment Guidelines, the Safeguarding Reporting Process, and other relevant policies and procedures for more details and specific guidance on how to apply this policy, including:

- **Bullying, Harassment, Discrimination and Exploitation Policy:** ensuring a safe and healthy workplace.
- **Code of Conduct:** outlines expected behaviour, relationships, attitudes and responsibilities.
- **Complaints Handling Policy:** responsibilities for how complaints and feedback will be handled.
- **Child Safeguarding Guidelines:** commitment to keeping children safe and connected to community and culture.
- **Storytelling and Image Policy and Guidelines:** ensuring the appropriate collection, assessment and consent for use of images and stories.
- **Partnership Framework, Contact Standards, Donation Acceptance and Refusal Policy, and Purchasing & Procurement Policy and Guidelines:** describes expectations of partners and due-diligence, capacity building and monitoring activities.
- **Privacy Statement, Information and Technology Policy and Guidelines, and Social Media Standards:** describes personal and professional acceptable use and sharing of information, systems and social media.
- **Records Retention Standards:** requirements and approach for retention of corporate records.
- **Recruitment Standards, Safeguarding Compliance Standards, Volunteer Policy, Engaging Independent Consultants Policy:** ensuring appropriate screening and behavioural checks and sign-on to key organisational policies.
- **Risk Management Policy and Guidelines:** ensuring that risks are identified, aggregated and communicated to higher levels of management.
- **Safeguarding Reporting Process:** process for reporting concerns and allegations of safeguarding breaches.
- **Safeguarding Procedure:** procedure for the implementation of safeguarding policy and guidelines commitments.
- **Safer Partnerships Core Standards:** outline the minimum requirements that each project that is implemented in cooperation with a partner, needs to adhere to.
- **Safety and Security Policy:** creating a safe and secure environment.
- **Whistleblower Policy, Guidelines and Procedures:** to raise concerns regarding serious wrongdoing and where there is a fear of reprisal for making a report through usual mechanisms.

Definitions

TERM	DEFINITION
Representatives	Save the Children Australia permanent, maximum term and casual staff, trustees and board members, volunteers, interns, work experience/placement students and individual contractors and consultants (referred to as <i>representatives</i>). Donors, journalists, celebrities, politicians and other people who visit Save the Children programmes or offices must be made aware that this policy applies to them while visiting our programmes or offices (during this time they are referred to as <i>representatives</i>).
Partners	Individuals, groups or organisations (including consortiums) who have a formal/contractual relationship with Save the Children Australia that involves any contact with children (referred to as partners or staff of partner agencies).
Leaders	Board, CEO, Senior Management Team, Business Unit and Team Leaders, etc.
SEAH	Sexual Exploitation, Abuse and Harassment. Terms defined separately below.
Sexual Exploitation	Any actual or attempted abuse of a position of vulnerability, differential power, trust, or dependency, for sexual or sexualised purposes. This includes the offer or promise of monetary, social, political benefits as an incentive or form of coercion.
Sexual Abuse	The threatened or actual physical intrusion of a sexual or sexualised nature, including inappropriate touching, by force or under unequal or coercive conditions, sexual assault and rape. It may also include threatened or actual non-physical intrusion (unwanted and/or uninvited exposure to pornography, texts, images, the sharing of images, texts, demands for sexualised photographs, etc.).
Sexual Harassment	Any unwanted and/or uninvited conduct of a sexual or sexualised nature, which has the purpose or effect of violating an individual's dignity, or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that individual. This conduct may or may not be criminal, and it may or may not be direct physical touching.
Victim/Survivor	A person who has experienced or is experiencing sexual exploitation abuse and or harassment in relation to their involvement with Save the Children or in any other agency organisation.
Gender inequality	Gender inequality is a social process by which people are treated differently and disadvantageously on the basis of gender. Typically, it is understood as the idea that gender affects an individual's lived experience and that, due to different societal norms, barriers, and expectations, certain genders are prioritized and valued over others.
Safeguarding	Actions, policies and procedures that create and maintain protective environments to protect people from exploitation, harm and abuse of all kinds.
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.
Transactional sex	The exchange of money, employment, goods or services for sex, including sexual favours.
Child	Anyone under the age of 18 years.

PREVIOUS VERSION	CURRENT VERSION	COMMENTS	AUTHOR	APPROVED BY EXECUTIVE COMMITTEE	APPROVED BY BPRC	REVIEW DATE
1.0	1	New policy issued	Head of Safeguarding	2 March 2021	18 March 2021	Q2 2022

Statement to be signed by all Save the Children representatives

I, (insert name) acknowledge that I have read, understand and agree to comply with Save the Children Australia's Prevention of Sexual Exploitation, Abuse and Harassment Policy and relevant associated guidelines.

I understand and agree that it is my responsibility, as a person employed/engaged by Save the Children Australia, to abide by this policy at all times and avoid actions that are abusive or exploitative of adults, or could be construed as such.

I know what to expect if a report is made by me, to me or an allegation is made against me.

I understand and agree that a breach of the policy may provide grounds for my employment/engagement with Save the Children Australia to be terminated. I also understand that a breach of the policy could result in criminal prosecution.

Name:

Position:

Signed: **Date:**