

Prevention of Sexual Exploitation, Abuse and Harassment Policy

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DOCUMENT VERSION

Date	Comments
1 July 2019	Draft document shared with Board
3 August 2019	Policy approved by the Board
23 May 2020	Policy approved by the Board
21 May 2022	Policy approved by the Board
8 April 2025	Updated responsibilities to include Program Managers and HR Manager.

POLICY AMENDMENTS

This is a working document and subject to amendment. This Policy will be available in English only.

Any suggestions about this Policy should be directed to the Femili PNG Operations Directors/ Program Managers, HR Manager, or Chief Executive Officer/Senior Social Worker (CEO/SSW) so changes can be considered. When suggestions are raised, the matter will be raised with the Executive Management Committee (EMC) for consideration. Any amendments or changes to the Policy will be submitted to the Board for endorsement.

The Operations Directors/ Program Managers, HR Manager and CEO/SSW are responsible for maintaining this document; 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 manual;
- Replacing the updated version of the manual eg. shared drives, Intranet;
- Printing a hard copy of the updated manual for the office;
- Communicating the changes to all staff; and
- Archiving the old version of manual.

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1.0 INTRODUCTION

Femili PNG 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 Femili PNG's values. Femili PNG aims to provide a safe environment that safeguards everyone from SEAH including clients, partners, staff and volunteers.

Femili PNG's mission is to work with clients, partners and communities to improve responses to family and sexual violence (FSV) through our case-management, partner support, training, monitoring, research and advocacy. Our primary stakeholders include survivors of violence and we are committed to protecting and supporting them.

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

Femili PNG 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, clients and others are aware of how to report allegations of SEAH.

1.1 Purpose

The purpose of this policy is as follows:

- a. To outline Femili PNG'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 Femili PNG 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 Femili PNG's Prevention of Sexual Exploitation, Abuse and Harassment 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 Femili PNG 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 [16 years], 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 Femili PNG's Prevention of SEAH:

- **We prioritise human rights and empowerment:** Femili PNG's values meant 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:** Survivors of FSV are particularly vulnerable. Femili PNG puts clients first and we will always prioritise their protection, care and support.
- **We expect certain behaviours from those representing Femili PNG:** Cultivating trust is important for Femili PNG's work in supporting survivors of family and sexual violence. Staff will conduct themselves in a professional manner and adhering to the Code of Conduct at all times in order to foster this trust. Femili PNG 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. Femili PNG will immediately respond to any allegations, respond, report and investigate. Engaging in acts of sexual exploitation and abuse are grounds for summary dismissal of Femili PNG staff.
- **We will take action to prevent SEAH:** Femili PNG 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. Femili PNG will meet the reporting requirements of our partners to foster trust and accountability.

1.5 References / Other policies

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

- Lukautim Pikinini Gut Long Birua - Femili PNG's Child Protection Policy and Code of Conduct - for complaints involving allegations of child abuse and reporting procedures.
- Femili PNG Case Management Policy and Procedure Manual – for appropriate behavior when managing the cases of clients.
- Femili PNG 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 Femili PNG staff, risk management, training and awareness, recruitment and performance management.

2.1 SEAH and risk

- The risk of SEAH is included in Femili PNG's organisational Risk Assessment. Due to the vulnerability of the survivors Femili PNG 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

- Femili PNG staff and volunteers are required to conform to the expected behaviours in the Code of Conduct at all times.
- Fundamental to Femili PNG's work is respect for dignity and basic human rights of survivors of FSV. Every person who represents Femili PNG is expected to reflect these values in their professional conduct.
- All forms of sexual exploitation, abuse and harassment by Femili PNG 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 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 Femili PNG staff member develops concerns or suspicions regarding sexual abuse or exploitation by another staff member, partner or core service provider, he or she must report such concerns as per the procedure outlined in this Policy.
- Femili PNG will create and maintain an environment which prevents sexual exploitation and abuse and promotes our code of conduct. Staff at all levels have responsibility to support and develop a safe environment.

- Fraternisation is prohibited for all non-national personnel while in the field and engaged in the delivery of Femili PNG business

2.3 Training and awareness

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

2.4 Recruitment and performance management

- Femili PNG recruitment processes always consider the prevention of SEAH by ensuring that all references are checked and a national police check occurs before any offer of employment.
- As per the Femili PNG HR manual, sexual exploitation and abuse is grounds for summary dismissal under s 17.7.3.

2.5 PSEAH focal points

- The focal point for PSEAH will be the Operations Directors in Lae and Port Moresby, Program Manager in Goroka and the Development Manager in Canberra.
- The responsibilities of the PSEAH focal points are to:
 - take a lead role in raising awareness about the organisation's PSEAH measures including the Code of Conduct and provide training and advice to staff and volunteers on these measures
 - work with managers / staff to ensure that operations are integrating PSEAH measures into all activities
 - ensure that clients are aware of Femili PNG's PSEAH measures and their right to protection including how they would raise a concern about SEAH
 - receive reports in regards to SEAH, responding in accordance with Femili PNG'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 Femili PNG
 - liaison between staff and managers to access technical support in particular in regards to complex SEAH issues
 - coordinate regular reports to the Executive Management Committee on the implementation of PSEAH measures.

3.0 REPORTING AND RESPONDING

3.1 Allegations of sexual exploitation, abuse and harassment

- All allegations of SEAH can be reported to the PSEAH focal points. Reports can be made verbally, in writing, and or via email. Allegations can be made confidentially.
- All allegations of SEAH must be reported immediately to the Executive Management Committee (EMC). The EMC 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 survivor are prioritised. The safety and wellbeing of the survivor are paramount, and their information is treated confidentially.
- Femili PNG will also protect whistleblowers during the reporting and investigation process.

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

3.2 Reporting requirements

- As part of Femili PNG'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 sexual exploitation, abuse or harassment 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 Policy non-compliance; for example, failure to adhere to the PSEAH Policy Minimum Standards or principles.
- If in doubt, Femili PNG 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 be reported in line with the reporting requirements specified in the Femili PNG Child Protection Policy.
- Femili PNG 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, survivors 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 Survivor-centred approach

In line with our Values, Femili PNG adopts a survivor-centred approach in preventing and responding to SEAH. This involves:

- Balancing due process with an approach that prioritises the survivor's safety and well-being
- All actions are guided by respect for choices, wishes, rights and dignity of the survivor
- Survivors will be offered case management services by Femili PNG if appropriate or otherwise referred to a partner
- Survivors will be provided with information on the progress of the investigation and the outcome.

4.0 PARTNERS AND OTHERS

4.1 Extending to Partners

Femili PNG 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 Femili PNG's PSEAH policy publicly available
- Providing training to partners on Femili PNG's PSEAH policy
- Making explicit Femili PNG's zero tolerance approach to SEAH to partners
- Where possible, extending Femili PNG's PSEAH policy to partners through agreements and MOUs.

4.2 Reporting of third parties

If Femili PNG staff or management are informed of SEAH perpetrated against our clients by staff or volunteers of other organisations, these allegations must be reported through the avenues deemed appropriate by Femili PNG's Executive Management Committee.