

QUAKER SERVICE AUSTRALIA

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Policy statement on Safeguarding of those who are Vulnerable to Sexual Exploitation and Abuse, from the Policy on Human Resources

SAFEGUARDING OF THOSE WHO ARE VULNERABLE TO SEXUAL EXPLOITATION AND ABUSE

DEFINITIONS

PSEAH – Prevention of Sexual Exploitation, Abuse and Harassment

Sexual abuse – is defined as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. All sexual activity with someone under the age of consent is considered to be sexual abuse.

Sexual exploitation – is defined as any actual or attempted abuse of position of vulnerability, differential power, or trust, for sexual purposes, including but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. Sexual exploitation and abuse occurs against a vulnerable member of staff or project community participant which may also be because of their vulnerable status as women, girls or boys. There are many factors which heighten the likelihood of sexual exploitation, abuse and harassment such as gender, age, disability, language, displacement, health and poverty.

Sexual harassment – occurs when power differentials between staff members are abused.

Policy statement

In keeping with its policy statement of ‘.. striving forpersonal power balance in its own operations and development projects...,’ QSA is committed to safeguarding children and also safeguarding those who are vulnerable to sexual exploitation and abuse. It has a zero tolerance to any form of sexual misconduct that violates another person’s rights to a ‘safe and caring workplace environment’, and includes a zero tolerance of no action when a report is received. This policy statement, like all statements within this policy, refers to all QSA staff and volunteers, Management Committee, project staff and participants, and all visitors to QSA supported projects.

QSA will adhere to DFAT’s policy statement ‘Preventing Sexual Exploitation, Abuse and Harassment’ (PSEAH) and its principles, as outlined:-

- 1. Zero tolerance of inaction.*
- 2. Strong leadership accelerates culture change*
- 3. Survivor needs are prioritised, which treats the survivor with dignity and respect, and protects privacy and confidentiality, underpinned by a ‘do no harm’ approach*
- 4. Preventing Sexual Exploitation, Abuse and Harassment is a shared responsibility, is everyone’s responsibility*

5. *Promoting gender inequality and other power imbalances are addressed, with a strong 'do no harm' focus*
6. *Stronger reporting will enhance accountability and transparency, also increase understanding of risks, and help improve systems and safeguards.*

QSA has a zero tolerance to sexual abuse, exploitative and harassing behaviour and will work with its staff and project partners to ensure that the risk of sexual abuse, harassment and exploitation within its office and projects is as low as possible. QSA achieves this by implementing appropriate safeguards, and raising awareness among project partner staff and project participants of what constitutes sexual abuse, exploitative and harassing behaviour. In addition, QSA will continue to work to put women's rights and gender justice issues centrally in its work as important mechanisms to maintain awareness of the drivers and causes of these issues.

PROCEDURES

- All staff, volunteers, company members, consultants specifically hired by QSA, partner organisations and staff must clearly understand that sexual exploitation, abuse or harassment in any form is unacceptable.
- Sexual activity with children (under the age of 18 years) is prohibited regardless of the age of majority or the locally recognised age of consent. Mistaken belief in the age of the child is not a defence.
- Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading, or exploitative behaviour by a QSA representative is prohibited. Also prohibited is engaging with commercial sex workers or any form of prostitution while on a work related visit, including any travel time, field visits or free time. Such conduct is contra to QSA's values and any such conduct, if substantiated, constitutes grounds for the termination of employment.
- QSA, via its Child Safeguarding Focal Person, will invest in PSEAH safeguarding to ensure this issue and policy statement is clearly understood by all of its project partners, their staff and any downstream partners, and project participants. QSA's project managers will provide training in PSEAH safeguarding to project partner staff and assist with ongoing compliance and reporting procedures as part of their PSEAH policy within their local context.
- QSA's monitors will provide education to project partners during monitoring visits to ensure policy compliance and reporting of policy breaches.
- Projects will be designed and implemented with a 'do no harm' focus, and awareness of the part played by a range of inequities especially of gender and power.
- QSA will assess the risk of PSEAH occurring, using the decision-making framework and apply operational standards commensurate with the level of risk identified.
- The decision-making framework outlined by DFAT assesses the level of risk of SEAH occurring, as the rating is incorporated into existing risk assessments. [See Appendix B.4 in this policy].
- QSA's project partner organisations should know the standard of behaviour expected by all QSA staff, volunteers, company members and consultant specifically appointed, as outlined in QSA's Code of Conduct, and to know how to report any breaches to this code.

- Project partners will be supported by QSA to strengthen internal processes to reduce the risk of PSEAH incidents, and to create and maintain an environment that prevents SEAH.
- QSA staff will continue to attend workshops, training sessions and webinars at least every two years to keep up to date on relevant aspects, which are then shared with work colleagues, and project partners during monitoring visits.

Code of Conduct

- Survivor-centred approach to PSEAH is not to be achieved at the expense of procedural fairness.
- Staff, volunteers, company members and visitors to any of QSA's supported projects are to be made aware of the PSEAH clauses in QSA's Code of Conduct, which they will be asked to read, discuss and then sign in agreement to adhere to all of its clauses.

Reporting

[See also QSA's Policy on program and Project Management Appendix B.2, and Appendix B.4 in this policy].

- QSA, through its association and involvement with the Australia Yearly Meeting of the Religious Society of Friends (Quakers) in Australia, is an associate member of its National Redress Scheme membership and agrees to comply with any requests for information when asked.
- If a representative of QSA has concerns or suspicions regarding SEAH by a fellow representative, either in the QSA office or project environment and community, they **MUST** report this immediately to the QSA Convenor as the point of contact for investigation. While reporting may feel difficult, everyone has a responsibility to report safeguarding concerns as by not doing so could be allowing abuse to continue, putting people at risk and protecting perpetrators of abuse.
- QSA must make every effort to ensure that any survivor of sexual exploitation, harassment or abuse feels able to raise issues and make a report, while protected from reprisals following any such report.
- If a child or adult approaches a QSA employee to make a report regarding a safeguarding concern, the employee's role is to facilitate them to make a complaint and then to get them to specialist support as quickly as possible without causing further harm.
- QSA takes a survivor centred approach, making sure that the survivor's feelings, wishes and concerns are at the centre of any assistance.
- This protection required may result in such processes as a workplace transfer or external support.
- Reporting to authorities and DFAT if it is a part or total donor, is mandatory within two days of becoming aware of an alleged incident, and within five days for any alleged policy non-compliance. See Appendix for forms to use.

Investigation – see Appendix B.4 in this Policy

- Any person found to have intentionally made a false or malicious allegation will face disciplinary action.
- Any person acting in good faith by making a report, will be protected by QSA's whistle blower policy statement. [See Section C.2 in this policy]

Subsequent Action – see Appendix

Staff Recruitment – See Section A.2 in this Policy

- QSA will ensure that its **hiring practices** prohibit and prevent sexual exploitation from occurring during hiring. This will be undertaken via the employment interview panel's use of behavioural and situational questions as well as asking work role knowledge questions and specific questions of at least two referees and vetting for former misconduct. In addition, the successful applicant must secure a clear Federal Police criminal records check and clearance to Work With Children (WWCC) especially if the work role brings them into contact with children, such as during monitoring visits. In this way, hiring practices should prohibit and prevent sexual exploitation and abuse from occurring within the work of QSA.
- Close appraisal of previous employment record will be made and any anomalies discussed with the applicant, past and current employers.
- The QSA recruitment process will be shared with project partner organisations for their reference and use when requested and/or required to support their compliance with PSEAH requirements.
- The successful candidate will be given supervision especially in regards to behaviour around children both during and after the probationary period and action taken if any suspicions or allegations arise.
- All QSA staff, especially those working around children, will undertake initial training, and refresher training at least every two years on PSEAH policy statement, procedures and guidelines.

Project Design and Management

- As a component of the **project planning phase**, project partner staff need to understand how to make the projects safe for all participants and reduce the risk of sexual exploitation and abuse situations from being created. This could include implementing clear criteria for project participant selection; risk assessment; measures to enhance gender and power equity, and equity in resource distribution. Also, this policy statement applies to downstream partners, and project partners are tasked with ensuring the information is shared with them.
- Each project design will include a risk assessment which also includes the risk of PSEAH in project delivery, any ameliorating controls already in place, and those to be implemented to reduce or review the identified risks. [See Policy on Programs and Project management, Section B.2]
- Training will be provided to all QSA staff, volunteers, company members, project partner staff and project participants on safe and acceptable behaviours, such as outlined in QSA's Code of Conduct, as a means to generate a safe and positive environment.

- Project partner staff are tasked with determining local organisations for referrals should circumstances suggest this could be helpful to support the survivor of a PSEAH incident by providing resources and other personal support.
- QSA's monitors will discuss this policy statement during each monitoring visit, emphasising the role of project partners in its implementation, and the reporting of policy breaches to QSA within two days to enable an investigation to be initiated and report to donor organisation as per contractual requirements.
- QSA's staff will work with all project partner organisations to assist as required in training about PSEAH, preparation of the organisation's own policy addressing PSEAH and implementation processes including reporting to authorities and QSA. This is essential for all new project partner organisations, and for refresher training to existing project partners to maintain a level of prominence of the seriousness of PSEAH and its prevention.