

PREVENTION OF SEXUAL EXPLOITATION, ABUSE & HARASSMENT POLICY

Policy number	2.18	Version:	2025v7
Responsible Person	CEO	Approval date:	March 2025

INTRODUCTION

ASHM does not tolerate any form of sexual exploitation, abuse or harassment within our organisation, projects and partner organisations. We recognise the right of every employee, volunteer and representative to be able to attend work and to perform their duties without being subjected to any form of sexual exploitation, abuse or harassment. We also recognise the right of every stakeholder and beneficiary of ASHM's programs to engage with ASHM and our work without being subjected to any form of sexual exploitation, abuse or harassment. This policy applies to all ASHM personnel, including staff, volunteers, contractors, sub-contractors, visitors to projects, Board members, and committee members.

PURPOSE

The purpose of this document is to:

- Reduce risk of sexual exploitation, abuse or harassment occurring within ASHM as an Organisation and within our programs and projects
- Work towards a respectful working culture
- Ensure that all parties working with and for ASHM are aware of their responsibilities for identifying possible occasions for sexual exploitation, abuse, harassment and for establishing controls and procedures for preventing such incidents and/or detecting and reporting any occurrence.
- Provide guidance to ASHM personnel regarding action that should be taken when they suspect any incidents within our Organisation or in our programs/projects
- Provide a clear statement to ASHM personnel and stakeholders forbidding any such abuse
- Provide assurance that all suspected incidents will be reported and fully investigated

This policy applies to conduct that takes place in any work-related context, including conferences, work functions, social events and business trips.

DEFINITIONS

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

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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 18, regardless of the age of consent in the host country or under any Australian law, is considered 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.

Survivor-centred approach: where the rights, needs, wishes and empowerment of survivors of sexual exploitation, abuse and harassment are prioritised, in both the prevention of and response to sexual exploitation, abuse and harassment.

ASHM personnel include all staff, volunteers, interns, contractors, committee members, visitors to projects, ASHM implementing partners' personnel and subcontractors engaged by ASHM to perform any part of ASHM work activities.

POLICY

ASHM is committed to the six Department of Foreign Affairs and Trade (DFAT) Prevention of Sexual Exploitation and Harassment (PSEAH) principles:

1. Zero tolerance of inaction
2. Strong leadership
3. Prioritizing victim/survivor needs
4. Shared responsibility for prevention
5. Addressing gender inequality and power imbalances
6. Strong reporting for accountability.

We enact these principles in the following ways:

1. Zero Tolerance of inaction

- Having clear, established reporting procedures for all staff and partners
- Ensuring swift and thorough investigation of all reported investigations
- Implementing consequences for failure to report or act on PSEAH concerns.

2. Strong leadership

- Having top management visibly champion PSEAH prevention efforts

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- Including PSEAH prevention in strategic planning and risk management
- Allocating adequate resources for PSEAH prevention and response.

3. Prioritizing victim/survivor needs

- Having well developed victim-centred response protocols
- Providing access to support services for survivors
- Ensuring confidentiality and non-discrimination in handling cases.

4. Shared responsibility for prevention

- Conducting bi-annual PSEAH training for all staff, volunteers, Board members, committee members, and downstream partners, or earlier if there are major changes to the policy.
- Including PSEAH prevention in partner agreements and contracts
- Encouraging a speak-up culture across the Organisation.

5. Addressing gender inequality and power imbalances

- Implementing gender equality strategies, policies and practices
- Ensuring diverse representation in leadership and decision making roles.

6. Strong reporting for accountability

- Having clear, established reporting channels and protection for whistleblowers
- Regularly reviewing and improving reporting mechanisms.
- All cases of suspected and actual sexual exploitation, abuse, and harassment must be reported immediately by all ASHM personnel to their ASHM manager or ASHM CEO at CEO@ashm.org.au. All cases must also be reported to DFAT where warranted.
- All ASHM staff, volunteers, Board members, committee members, and contractors have the right to seek the assistance of the relevant tribunal or legislative body to assist them in the resolution of any concerns and access the ASHM's Employee Assistance Program (EAP) which is a confidential counselling service.

Policy Review

This policy will be reviewed every two years or earlier if there are to three years and following any

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significant changes in DFAT requirements or following any critical incidents. The next review date is set for March 2027.

RELATED POLICIES

- 2.06 Misconduct Policy
- 2.09 Child Protection Policy
- 2.10 External Complaints Policy
- 2.13 ASHM Code of Conduct
- 2.14 Whistleblower Policy
- 2.17 Gender equality
- 3.04 Workplace Health and Safety Policy
- 4.09 Recruitment Policy
- 4.24 Staff Grievance Policy

AUTHORISATION

ASHM Board

HISTORY

Version	Approved Date	Comments/ Amendments
2018v1	20-11-2018	First version
2018v2	24-01-2019	Change scope of the policy. Update policy statement.
2019v3	21-11-2019	Update as per new ACFID Code of Conduct changes.
2020v4	24-08-2020	Add policy principles and scope to this policy
2021v4	N/A	New template
2022v5	16-08-2022	Change scope of the policy. 2-year review
2024V6	Oct 2024	Policy review for currency with legislation, DFAT standards and ACFID Code of Conduct.
2025v7	March 2025	Updated the age of consent to 18 years as per DFAT standards. Included Board and committee members within the scope of the policy. Clarified roles and responsibilities for all personnel. Mandated National Police Checks for all staff, volunteers, contractors, Board members, and committee members. Included a clear procedure for reporting SEAH incidents to DFAT. Conducting bi-annual PSEAH training or earlier if there are major changes to the policy. Required partners to have their own PSEAH policies. Strengthened reporting mechanisms and protection for whistleblowers.

PREVENTION OF SEXUAL EXPLOITATION, ABUSE & HARASSMENT PROCEDURE

Procedures number	2.18	Version:	2025v7
Responsible person	CEO	Approval date:	March 2025

RESPONSIBILITIES

ASHM's Board has ultimate responsibility for the detection and prevention of sexual exploitation, abuse and harassment and is responsible for ensuring that appropriate and effective internal control systems are in place. The Board is also responsible for ensuring that appropriate PSEAH policies and procedures are in place.

The CEO of ASHM is responsible for:

- Dealing with and thoroughly investigating reports of Sexual Exploitation and Harassment (SEAH)
- Ensuring that all staff, contractors, visitors to projects and volunteers Board members, and committee members are aware of organisational policies and procedures, and the organisation's Code of Conduct.
- Ensuring that all staff, contractors, visitors to projects, implementing partners, volunteers, Board members, and committee members are aware of their right to report any exploitation, abuse or harassment in accordance with these policies and procedures and this will be received without judgement or discrimination and a thorough investigation will be undertaken
- Ensuring that all staff, contractors, visitors to projects, implementing partners, Board members, committee members and volunteers are aware of their obligation to observe the Code of Conduct (particularly as it relates to PSEAH)
- Providing support for staff, contractors, visitors to projects volunteers, Board members, and committee members in undertaking their PSEAH responsibilities.

It is the responsibility of ASHM's Human Resources (HR) Manager to be the focal person for the prevention of sexual exploitation, abuse and harassment. The HR Manager must ensure that:

- they understand and are committed to the rights and entitlements of all representatives, employees volunteers, Board members, and committee to attend work and perform their duties, without fear of being sexually harassed in any form
- they understand what constitutes an act of sexual exploitation, abuse or harassment
- all reasonable steps are made to eliminate sexual exploitation, abuse or harassment
- all representatives, employees, volunteers, Board members, and committee are regularly made aware of their obligations in relation to providing a workplace free from sexual exploitation, abuse or harassment
- they provide an environment which discourages harassment and victimisation and set an example by their own behaviour
- they treat all complaints seriously and confidentially

- they take immediate and appropriate corrective action if they become aware of any offensive action.

It is the responsibility of the Human Resources Department to ensure that:

- Regular guidance and education is provided to all people working with or for ASHM regarding sexual exploitation, abuse or harassment in the workplace and the requirement to report suspected or actual behaviour
- Managers are aware of their obligations and responsibilities in relation to sexual exploitation, abuse or harassment, and the rights and entitlements of their representatives, employees, volunteers, Board members, and committee. That complaints and reporting will not be responded to in a retaliatory manner and all parties are aware of this.

All Directors, heads and managers must ensure that they:

- Promote PSEAH safety at all times
- Assess the risk of SEAH within their area of control and eradicate / minimise any risk to the extent possible
- Educate employees about the prevention, detection of SEAH
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities
- Be familiar with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct.

All staff members, Board members and people working with or for ASHM share in the responsibility for the prevention and detection of SEAH, and must:

- Familiarise themselves with the relevant laws, the Code of Conduct, and ASHM's policy and procedures in relation to PSEAH, and comply with all requirements.
- Report any reasonable belief that an incident of SEAH has occurred to ASHM management and fulfil their obligations as mandatory reporters.
- Provide an environment that is supportive of emotional and physical safety.

All Global Division Program Managers are responsible for:

- Ensuring implementing partners are aware of ASHM's PSEAH Policy and conduct initial due diligence checks and bi-annual spot checks on implementing partners' PSEAH policies and practices.
- Ensuring implementing partner's staff working on projects have undertaken ASHM PSEAH online training.
- Ensuring PSEAH is included in project risk registers.
- Requiring implementing partners to have their own PSEAH policies and sign the ASHM Partner Project and Funding Agreement, which includes compliance with ASHM PSEAH policy and procedure.



RECRUITMENT AND SELECTION

ASHM undertakes a comprehensive recruitment and screening process for all workers, volunteers, contractors, Board members, and committee members which aims to screen all people through a National Police Check and references prior to commencing their engagement with ASHM.

For guidelines on how to apply all these recruitment and selection measures please refer to the Recruitment Policy and Procedure.

REPORTING AND HANDLING SEXUAL EXPLOITATION, ABUSE AND HARASSMENT CONCERNS

Sexual exploitation, abuse and/or harassment can occur at any level of our Organisation and can be experienced by people of all genders and may involve a co-worker, volunteer, supervisor, manager, service provider, client or customer. Lack of intent is no defence in sexual exploitation, abuse or harassment.

ASHM employees and people working with or for ASHM, Board members, committee members and stakeholders who believe they are the subject of sexual exploitation, abuse or harassment should take immediate action where it is safe to do so.

ASHM does not tolerate any form of sexual exploitation, abuse or harassment within our organisation, projects and partner organisations. We recognise the right of every employee, volunteer Board members, committee members, and representative to be able to attend work and to perform their duties without being subjected to any form of sexual exploitation, abuse or harassment. We understand and appreciate that it is the right of every stakeholder and beneficiary of ASHM's programs to engage with ASHM and our work without being subjected to any form of sexual exploitation, abuse or harassment.

Any reports of sexual exploitation, abuse or harassment will be treated seriously and promptly with sensitivity. Such reports will be treated as completely confidential up to the point where a formal or informal complaint is lodged against a particular person, at which point that person must be notified under the rules of natural justice. All cases of suspected or actual SEAH on DFAT projects, must be reported to DFAT where warranted, in addition to internal reporting procedures.

Complainants/survivors have the right to determine how to have a complaint treated, to have support or representation throughout the process, and the option to discontinue a complaint at any stage of the process.

ASHM offers a free confidential counselling services through the Employee Assistance scheme for all staff and consultants. Information provided during counselling is confidential and will not be released to any third party, including ASHM.

All staff can access up to three hours of telephone counselling from 9.00am to 9.00pm, Mondays to Fridays:

Click on the booking form - eassist.com.au/booking-form/

Enter ASHM Health's number/access code 0407086000

Login and book a consultant on a time and day which suits you (consultations are generally 50-60 minutes).

WHAT SHOULD BE REPORTED

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Any disclosure, concern or allegation from a person, community member, personnel regarding the safety, abuse or exploitation of a person participating in or impacted by ASHM's work (this includes actual, suspected, or risk of sexual exploitation, abuse or harm).

Sexual exploitation, abuse or harassment can occur at any level of the organisation, can be experienced by people of all genders and may involve a co-worker, volunteer, supervisor, manager, service provider, client or customer. Lack of intent is no defence in sexual exploitation, abuse or harassment cases.

Examples of sexual exploitation, abuse and harassment include, but are not limited to:

- staring or leering
- unnecessary familiarity, such as deliberately brushing up against you or unwelcome touching
- suggestive comments or jokes
- insults or taunts of a sexual nature
- intrusive questions or statements about your private life
- displaying posters, magazines or screen savers of a sexual nature
- sending sexually explicit emails or text messages
- inappropriate advances on social networking sites
- accessing sexually explicit internet sites
- requests for sex or repeated unwanted requests to go out on dates
- engaging in transactional sex or fraternization
- behaviour that may also be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

Behaviour that is based on mutual attraction, friendship and respect is not sexual harassment.

WHAT SHOULD YOU DO IF YOU ARE BEING SEXUALLY EXPLOITED, ABUSED OR HARASSED?

if you are being sexually exploited, abused or harassed in the workplace, it is important to follow a safe protocol to protect yourself and address the situation effectively. Here is ASHM's recommended approach:

- **Document the Incident:** Keep a detailed record of the incident, including dates, times, locations, what was said or done, and any witnesses. This documentation can be crucial if you decide to report the harassment.
- **Seek Support:** Talk to a trusted colleague, friend, or family member about the situation. You may also consider reaching out to an employee assistance program (EAP) if your workplace offers one.
- **Report the Harassment:** If you feel safe doing so, report the harassment to your supervisor or ASHM's HR department or the CEO at CEO@ashm.org.au if you are not comfortable to reporting to the CEO for whatever reason please report to the the Chair of the Board directly at president@ashm.org.au
- **Consider External Support:** If internal reporting does not resolve the issue or if you feel

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uncomfortable reporting internally, you can contact external bodies such as the Fair Work Commission or the Australian Human Rights Commission for guidance and support.

- **Explore Legal Options:** If the harassment continues or if you are not satisfied with the response from your workplace, consider seeking legal advice to explore your options for further action.
- **Prioritize Your Safety:** If you feel threatened or unsafe, take immediate steps to protect yourself, such as removing yourself from the situation or seeking assistance from security or law enforcement.

By following these steps, you can address workplace sexual harassment while prioritizing your safety and well-being.

RELATED DOCUMENTS AND FORMS

2.06 Misconduct Policy

2.09 Child Protection Policy

2.10 External Complaints Policy

2.13 ASHM Code of Conduct

2.14 Whistleblower Policy

2.17 Gender equality

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AUTHORISATION

ASHM CEO