



# PREVENTION OF SEXUAL EXPLOITATION, ABUSE & HARASSMENT POLICY

**APPLICABILITY:** ACCI Missions & Relief Staff, Consultants, Contractors, Volunteers, Field Workers, Associates, Strategic Partners & Board Members (See Scope)

**VERSION:** 3 October, 2019 (1.2 September 2022)

**AUTHORISED BY:** ACCIR and ACCIM Boards

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## PREAMBLE

There is no higher standard of just human interaction than that required of us by God and laid out for us in the Bible. God in his nature embodies love and justice and expects our relationships and interactions with others to be based on the same principles. In fulfilling our responsibilities, we protect each other's rights. This is captured today in what we call human rights.

Human rights are based on an understanding that all people are created equally and have equal value and equal dignity before God, affirmed not just in creation but also in redemption. All humans, regardless of age, race, gender, social background, religion, disability and/or belief, hold human rights equally.

Sexual exploitation, abuse and harassment is a violation of basic human rights. ACCI Missions and Relief recognise that vulnerable adults and children are particularly at risk of sexual exploitation, abuse and harassment. Sexual exploitation, abuse and harassment, as well as a range of non-sexual abuses of power, take various forms and can happen to anybody at any time during their lives, but are more likely when one person is in a position of power over another. Therefore, this policy has been developed to outline our commitment and strategies to prevent and limit the risk of sexual exploitation, abuse and harassment occurring within our programs or perpetrated by our stakeholders.

## PURPOSE

The purpose of this Prevention of Sexual Exploitation, Abuse and Harassment Policy (PSEAH) is to outline the preventative and responsive measures ACCI has in place to safeguard people against sexual exploitation, abuse and harassment. This policy aims to achieve this by:

- Demonstrating ACCI's commitment and approaches to prevention of sexual exploitation, abuse and harassment;
- Outlining the expectations and responsibilities of ACCI stakeholders;
- Providing guidance on how to respond to concerns and allegations; and
- Setting high standards around personal behaviour that must be adhered to by all ACCI stakeholders.

## SCOPE

This policy applies to all **ACCI Stakeholders** defined below.

- All ACCI **Staff**.
- All ACCI **Consultants and Contractor**.
- All ACCI **Volunteers** including but not limited to office and event-based volunteers.
- All ACCI **Field Workers**.
- All ACCI **Associates**.
- All ACCI **Strategic Partners** including any organisation receiving ACCI funding in Australia or abroad to implement activities including but not limited to community development, disaster response or non-development activities.
- All ACCI **Board Members**.

## ACCI RELATED POLICY

This policy should be read and enforced together with:

- ACCI People Policy
- ACCI Child Safeguarding Policy and Procedures
- ACCI Gender Policy
- ACCI Complaints Handling Policy
- ACCI Whistleblower Policy

## DEFINITIONS

Sexual exploitation, abuse and harassment (SEAH) occurs against a child or an adult and can occur between people of the same or different genders. It includes situations such as:

- Sexual exploitation and abuse;
- Sexual harassment;
- Child sexual abuse and exploitation;
- Women and men sexually exploited through sex work;
- Possessing, controlling, producing, distributing, obtaining or transmitting sexually exploitative images of adults and children.<sup>1</sup>

**Sexual Exploitation** - any actual or attempted abuse of a 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<sup>2</sup>.

**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 is considered to be sexual abuse<sup>3</sup>.

**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<sup>4</sup>.

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<sup>1</sup> AVI, Prevention of Sexual Exploitation and Abuse Policy, 2018, <https://www.australianvolunteers.com/assets/Uploads/ResourceFiles/09c9a5056f/Prevention-of-Sexual-Exploitation-and-Abuse-PSEA-Policy-FINAL-September-2018.pdf>.

<sup>2</sup> UN Secretariat, Secretary General Bulletin: Special measures for protection from sexual exploitation and sexual abuse, 2003, <https://www.unhcr.org/en-au/protection/operations/405ac6614/secretary-generals-bulletin-special-measures-protection-sexual-exploitation.html>.

<sup>3</sup> Department of Foreign Affairs and Trade, Prevention of Sexual Exploitation, Abuse and Harassment Policy, 2019, <https://dfat.gov.au/international-relations/themes/preventing-sexual-exploitation-abuse-and-harassment/Documents/pseah-policy.pdf>.

<sup>4</sup> Department of Foreign Affairs and Trade, Prevention of Sexual Exploitation, Abuse and Harassment Policy, 2019, <https://dfat.gov.au/international-relations/themes/preventing-sexual-exploitation-abuse-and-harassment/Documents/pseah-policy.pdf>.

**Child Abuse** - Abuse as defined by the Australian Child Protection Act 1993 can be physical, emotional, sexual or in the form of neglect. Intervention is required where the child has suffered or is likely to suffer neglect or abuse which is detrimental to the child's wellbeing.

- **Physical abuse** is commonly characterised by physical injury resulting from practices such as punching, beating, shaking, biting, burning or otherwise harming a child.
- **Sexual abuse** occurs when an adult or older child, uses their power or authority over the child or takes advantage of the child's trust to involve them in sexual activity. This sexual activity does not just mean sexual intercourse; it means any sexual activity including flashing, fondling, masturbating and oral sex.
- **Emotional abuse** tends to be a chronic behavioural pattern directed at the child/young person whereby their self-esteem and social competence is undermined or eroded over time.
- **Neglect** is characterised by the failure to provide for the child/young person's basic needs. This can occur through direct and deliberate action or by omission or deliberate inaction to care for the child/young person.
- Abuse happens to both male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs and political persuasion. Abuse can be inflicted on a child by both men and women, as well as by young people themselves. In some cases, professionals and other adults working with children in a position of trust also abuse children.

**Child Exploitation** - Child exploitation includes one or more of the following:

- Committing or coercing another person to commit an act or acts of abuse against a child.
- Possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material.
- Committing or coercing another person to commit an act or acts of grooming or online grooming<sup>5</sup>.

**Fraternalisation** - 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<sup>6</sup>

**Safeguarding** - Actions, policies and procedures that create and maintain protective environments to protect people from exploitation, harm and abuse of all kinds<sup>7</sup>.

**Survivor – Centred Approach** - A survivor-centred approach prioritises the rights, needs, wishes and empowerment of survivors of sexual exploitation and abuse (SEA) in both the prevention of and response to SEA. In practice, this means ensuring:

- those who are affected by SEAH have accessible mechanisms to make a complaint that are designed with their needs and contexts in mind;
- SEA complaints are investigated sensitively and confidentially with primary concern for the survivor; and

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<sup>5</sup>AIFS, CFCA Resource Sheet, 2018, [aifs.gov.au/cfca/publications/australian-child-protection-legislation](https://aifs.gov.au/cfca/publications/australian-child-protection-legislation).

<sup>6</sup> Department of Foreign Affairs and Trade, Prevention of Exploitation, Abuse and Harassment Policy, 2019, <https://dfat.gov.au/international-relations/themes/preventing-sexual-exploitation-abuse-and-harassment/Documents/pseah-policy.pdf>

<sup>7</sup> ACFID, Guidance for the Development of a Prevention of Sexual Exploitation, Abuse and Harassment Policy, [https://acfid.asn.au/sites/site.acfid/files/resource\\_document/Guidance%20for%20the%20development%20of%20a%20PSEAH%20Policy.pdf](https://acfid.asn.au/sites/site.acfid/files/resource_document/Guidance%20for%20the%20development%20of%20a%20PSEAH%20Policy.pdf).

- any response is both robust and sensitive to the wishes and protection of survivors<sup>8</sup>

## OUR COMMITMENT

ACCI Missions & Relief (ACCI) is committed to:

- develop organisation-specific strategies to prevent and respond to sexual exploitation, abuse and harassment;
- create a safe working culture for all ACCI stakeholders;<sup>[L], [SEP]</sup>
- undertake risk assessments to identify areas of risks and mitigation strategies;
- ensure ACCI stakeholders are informed regarding the commitments and policies outlined in this document including how to report concerns or allegations;
- investigate **ALL** reports of sexual exploitation, abuse and harassment linked to our stakeholders or ACCI funded activities. Concerns or allegation of sexual exploitation, abuse and harassment will always be taken seriously, investigated and acted on; and
- take immediate and appropriate action against ACCI stakeholders who commit sexual exploitation, abuse or harassment.

## ACCI STAKEHOLDER STANDARDS

All ACCI Stakeholders must uphold and promote the highest standards of ethical and professional conduct and abide by ACCI policies.

ACCI Stakeholders will not:

- Request any service or sexual favour from beneficiaries of ACCI funded programs, children or others in the communities in which ACCI works, in return for protection or assistance.
- Will not engage in sexually exploitative or abusive relationships. An example of this would be using a position of authority or power to coerce a sexual favour or relationship from anyone, including a co-worker.
- Exchange money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This prohibition against exchange of money for sex means ACCI Stakeholders may not engage the services of sex workers.
- Have sexual activity with any person under the age of 18, regardless of the local age of consent, i.e. the local or national laws of the country in which the stakeholder works. Ignorance or mistaken belief of the child's age is not a defence. Refer to ACCI Child Safeguarding Policy.
- Support or take part in any form of sexual exploitative or abusive activities, including, for example, child pornography.

ACCI Staff, Fieldworkers, Volunteers, Associates and Board Members must:

- Ensure they uphold the ACC Ministerial Code of Conduct as outlined in ACCI's People Policy. All other ACCI stakeholders must seek counsel from ACCI staff before entering a relationship with a program beneficiary which may involve sexual activities or be perceived as fraternisation. ACCI strongly discourages any stakeholders from engaging in such a relationship with a program

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<sup>8</sup> Australian Council for International Development,  
[https://acfid.asn.au/sites/site.acfid/files/resource\\_document/Guidance%20for%20the%20development%20of%20a%20PSEAH%20Policy.pdf](https://acfid.asn.au/sites/site.acfid/files/resource_document/Guidance%20for%20the%20development%20of%20a%20PSEAH%20Policy.pdf)

beneficiary due to the inherent conflict of interest and potential for abuse of power. Such relationships can undermine the credibility and integrity ACCI's work.

ACCI Stakeholders must:

- Undertake to create and maintain an environment that promotes implementation of this policy.
- Immediately report (within 48 hours) any concerns or suspicions they have regarding possible violations of this policy by other ACCI Stakeholders.
- Be aware that sexual behaviour is an area of particular sensitivity, where conduct may more easily be seen as offensive or be misinterpreted.
- Ensure personal conduct towards a co-worker is not exploitative or such that it reasonably leads to a perception of exploitation or harassment.
- Immediately inform their ACCI Field Manager if they become engaged in a personal relationship which may be perceived as inappropriate or exploitative, or where real or perceived unequal power dynamics exist. Workers who are unsure if their relationships fall into this category should discuss the situation with ACCI Staff.

ACCI Stakeholders who are in management positions must:

- operate from a survivor centred approach
- commit to limit the use of non-disclosure agreements within grievance procedures.

#### **PARTNER AND FIELD WORKER EXPECTATIONS**

ACCI is committed to working alongside our strategic partners and field workers to improve their own strategies and procedures, based on their level of risk. Activities will include coaching partners and fieldworkers to:

- conduct risk management assessments and management plans;
- provide training to their own staff and stakeholders;
- develop awareness raising and reporting mechanisms accessible to local community members; and
- develop their own policies and procedures.

All ACCIR strategic partners:

- are required to complete a risk assessments and management plans every three years (or post safeguarding incident); and
- will receive monitoring visits from ACCIR staff (minimum every 2 years), which will include monitoring and training regarding this policy.

More thorough risk management and coaching will be required for ACCI stakeholders engaging in the following high-risk program areas:

- Disaster and humanitarian responses.
- Residential care programs (e.g. women's shelters, rehabilitation facilities).
- Programs targeting victims/survivors of exploitation or abuse (e.g. trafficking victims) or highly vulnerable people (e.g. people with disabilities).
- Programs which include overnight travel to conduct program activities, attend conferences or other events.

## BREACH OF POLICY

Sexual exploitation, abuse and harassment constitute acts of gross misconduct and are therefore grounds for termination of employment or association with ACCI. Disciplinary actions/possible outcomes for breach of this policy include:

- Referral to local law enforcement authorities (as per national and any mandatory reporting laws), where appropriate
- Referral to Australian Federal Police, where appropriate
- ACCI internal investigation
- Suspension pending investigation
- Performance management
- Formal warning and monitoring
- Termination of employment for workers or assignment for program participant

## RECRUITMENT AND SCREENING

ACCI recruitment practices aim to recruit the safest and most suitable staff, field workers and volunteers and deter those who wish to cause harm to people from seeking engagement with ACCI. The following screening measures are required for all short-listed candidates or applicants:

- **Police Check**
- **Working with Children Check** (or equivalent for the state/territory): Successful applicants must keep this check renewed throughout their employment, volunteering or time as a field worker.
- **Reference Checks:** A minimum of two non-related referees will be contacted verbally and asked specific questions regarding any concerns of sexual misconduct. <sup>[1]</sup><sub>[SEP]</sub>

## TRAINING AND AWARENESS

All ACCI stakeholders have a role to play in safeguarding the rights and protection of people from all forms of abuse, exploitation and harassment. Therefore, ACCI is committed to ensuring we equip and train all our stakeholders to outwork this responsibility and promote the protection and rights of those in contact with our programs and people.

ACCI will ensure all stakeholders:

- receive this policy and relevant induction training at the commencement of their engagement with ACCI; and
- sign and agree to abide by the policy through contracts, fieldworker agreements and strategic partnership agreements.

ACCI will also provide additional training and awareness raising through the following mechanisms:

- ACCI's Safer Churches Training for ACC Credential Holders or as requested.
- Sessions and workshops at annual conferences and other events.
- Inclusion of safeguarding content in ACCI's Intercultural Ministry (IMC) online training program.

## REPORTING

ACCI is committed to providing a safe, supportive and secure environment to report SEA. ACCI will take all concerns seriously and respond immediately. All reports of SEA will be recorded, regardless of whether substantiated or full investigation required.

ACCI stakeholders must immediately report (within 48 hours) any concerns, suspicions or allegations of sexual exploitation, abuse, harassment or breach of this policy. This includes any concerns, suspicions or allegations involving an employee/volunteer of an ACCI fieldworker/partner or any incident occurring within an ACCI funded activity.

Community members, or any other external person are also strongly encouraged to report any concerns and to immediately notify ACCI if they, or someone they know, is thought to have been the victim/survivor of sexual exploitation, abuse and harassment perpetrated by an ACCI stakeholder or within an ACCI program or funded activity.

A report should be made to ACCI's Safeguarding Officer

ACCI Safeguarding Officer (SO)

[childprotection@acci.org.au](mailto:childprotection@acci.org.au)

1300 997 502 or +61 3 8516 9600

44 Lakeview Drive, Suite 525, Scoresby Vic 3179

Or, alternatively,

If the allegation is against the SO, reports can be directed towards **ACCI's Director:**

[complaints@acci.org.au](mailto:complaints@acci.org.au)

1300 997 502 or +61 3 8516 9600

44 Lakeview Drive, Suite 525, Scoresby Vic 3179

ACCI Whistleblower Policy is in place to ensure the protection and support for any person making such a report.

## INVESTIGATION

When a belief or suspicion of sexual exploitation, abuse or harassment is reported, ACCI's Safeguarding Officer (SO) will act immediately by launching an investigation and developing an investigation plan based on established procedures and in accordance with the ACCI Complaints Handling Procedure. If the incident involves a child, ACCI's Child Safeguarding Policy will be followed.

All reports will be appropriately investigated no matter who the alleged perpetrator is. When applicable, the incident is reported to the police, government agencies or other relevant organisations.

### During the investigation:

- The SO will lead the investigation with other members of senior management and if deemed appropriate an ACCI board member or ACC representative.
- The SO will ensure relevant laws and legislative procures are followed (external legal advice will be sought when required).
- The reporter, victim/survivor and person subject to an allegation will be treated with respect from the start of the process until the case is closed.



- External counselling will be provided, if necessary, to those involved.
- Person subjected to an allegation may be stood down or partnership suspended. This process does not indicate guilt or innocence. If the individual is an employee or field worker, they will continue to receive full pay and other entitlements.
- ACCI will seek to be guided by respect for the choices and wishes of the victim/survivor, whilst also ensuring that due process, outlined in this policy, is followed.
- If the allegation is organisational; involves an ACCI strategic partner; if it is considered in the best interests of children/adult involved; or if the organisation is non-cooperative, then ACCI may suspend the partnership (including discontinuing accepting or disbursing funds) until the investigation has concluded and an acceptable resolution has been achieved.
- The investigation will be considered top priority until closed.

#### What happens if the incident is proven or suspicion credible?

In the event that an incident has been proven or there is credible suspicion, ACCI will automatically terminate a staff member, field worker or any other stakeholder's association with the organisation.

A Strategic Partner Organisation, which according to ACCI, does not respond adequately to a proven incident or credible suspicion (e.g. this may include terminating staff or appropriately addressing risks) will have its partnership terminated.

### **SURVIVOR SUPPORT AND ASSISTANCE**

ACCI will ensure survivors of sexual exploitation, abuse and/or harassment are offered support and assistance, such as referral to safe health/medical, psychosocial and legal/justice response where appropriate and, where required, to specialised children's or women's services.

### **REVIEWING THE POLICY**

This policy will be reviewed **every three years**. ACCI General Manager and members of the field team will manage the review and stakeholders will be consulted during this process.

**APPENDIX 1: CONFIDENTIAL INCIDENT REPORTING FORM**



In accordance with ACCI’s reporting procedures, any incident, belief or suspicion of sexual exploitation, abuse or harassment violation is to be reported and the information passed on to the ACCI General Manager. This includes non-compliance with ACCI Prevention of Sexual Exploitation, Abuse or Harassment Policy. Activities or practices in ACCI projects that do not protect the best interests of the victim/survivor or do not meet applicable local laws or standards must also be reported.

Please note:

- In no way, nor under any circumstances, is anyone on the field or in Australia to attempt to persuade someone not to notify, or even to delay notifying, authorities in the case of a sexual exploitation, abuse and harassment concern.
- It is not your responsibility to investigate even for the purpose of gathering information for this form. It is sufficient to just report on what you observed, aware of or were told.

**PART ONE: ABOUT YOU (Note: This form is to be filled out by the person making the report)**

Name: \_\_\_\_\_

Contact Details (e.g. phone, email, address): \_\_\_\_\_

\_\_\_\_\_

Relationship with ACCI (e.g. Field Worker, Employee, Volunteer etc): \_\_\_\_\_

Relationship with person: \_\_\_\_\_

**PART TWO: VICTIM/SURVIVOR DETAILS**

Name (s): \_\_\_\_\_ Age: \_\_\_\_\_ Gender: F / M

Any other relevant details or issues to be aware of (e.g. cultural issue, disability, ethnicity, religion etc):

\_\_\_\_\_  
\_\_\_\_\_

Who does the individual live with (include address and contact details)? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Is the individual aware of this referral? Yes/No    Is the parent/guardian aware of this referral? Yes/No

Where is the individual now? Is s/he in a place of safety and are there any immediate medical issues?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PART THREE: YOUR CONCERN**

Sexual Exploitation, Abuse or Harassment concern:

- Observed/suspected by yourself
- Disclosure by the person
- Allegation made by (name & details) \_\_\_\_\_

Date(s), time(s) and location(s) of incident(s): \_\_\_\_\_

Who is the person suspected?

- ACCI Staff, Field worker or other representative
- Staff of an ACCI Strategic Partner
- Someone in the community

Name and other relevant details of person suspected (e.g. address, job position, relationship with person, etc):

\_\_\_\_\_

\_\_\_\_\_

**Details of Report**

Please include the following:

- Details of the sexual exploitation, abuse or harassment concern or incident (Include what is alleged to have happened? What were the circumstances etc)
- Write down exactly what the victim/ survivor has said (in his/her own words) and what you said (NB: Do not ask the victim/survivor leading question-record actual details)
- Observations made by you (e.g. observed injuries, persons perceived emotional state etc. Mark which observations are fact or opinion)

Have local authorities/external agencies been notified? Yes/No Date of notification: \_\_\_\_\_

Explain (e.g. name of authorities/agency, advice received, actions etc):

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

PART FOUR: TO BE FILLED OUT BY ACCI MISSIONS & RELIEF SAFEGUARDING OFFICER

Date matter was referred: \_\_\_\_\_ Date responded to complainant: \_\_\_\_\_

**Investigation:** How was the investigation conducted? Who was involved in the investigation, roles and responsibilities? Include key dates of investigation.

**Findings & Comments:**

**Actions:** Include action taken and any continued follow-up needed.

**Organisational Change Opportunities Identified:** Strengths and weaknesses in areas such as the PSEAH Policy and its implementation and management etc.

**Recommendations:** To prevent possible sexual exploitation, abuse and harassment violations and improve the investigation process in the future.

Report prepared by: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Safeguarding Officer Name: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_