

## POLICY

# Prevention of Sexual Exploitation, Abuse and Harassment

<b>Established:</b> July 2018	<b>Review frequency:</b> Every three years
<b>Prepared by:</b> P Simmons	<b>Approved by:</b> Board

## Purpose

***To protect and promote the dignity and rights of all people and ensure our work provides safety and security for all people from sexual exploitation, abuse and harassment (SEAH), including staff, volunteers, program participants, beneficiaries and partner organisations***

## Introduction

GraceWorks Myanmar (GWM) has no tolerance for any form of SEAH and regards these as violations of respect for the divine image shared by all people and of their fundamental rights and dignity. We recognise we have a special duty to protect vulnerable people, including children, particularly when they are brought into relationships that carry inherent vulnerabilities or power imbalances, such as client/provider or beneficiary/project staffer. We proactively guard against, and respond to, SEAH, and work to develop and nurture an organisational culture within GWM and our partner organisations that prioritises the prevention of SEAH.

## Definitions

### Vulnerable adults

Vulnerable adults are those aged 18 years or older who identify themselves as unable to take care of/protect themselves from harm or exploitation; or who, due to their gender, mental or physical health, disability, ethnicity, religious identity, sexual orientation, economic or social status, or as a result of disasters and conflicts, are deemed at risk.

### Child

A child is any person under the age of 18 years as defined by the Convention on the Rights of the Child, irrespective of local country definitions of when childhood transitions to adulthood.

### Sexual exploitation

Sexual exploitation is any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including profiting monetarily, socially or politically from the sexual exploitation of another. This includes online activities or sharing of images related to the sexual exploitation of a vulnerable adult or child.

### Sexual abuse

Sexual abuse is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

### Sexual harassment

Sexual harassment includes all conduct of a sexual or gender-determined nature in, or connected to, the workplace that is intended to violate the dignity of a person, or has that effect. This may include:

- ◆ Physical approaches, physical contact of a sexual nature or sexual assault
- ◆ Gestures and other nonverbal communication with sexual undertones
- ◆ Comments of a sexual nature about individuals and/or their body, conduct, sex life or sexual identity



- ◆ Sexually discriminatory language or humiliating remarks including sexually explicit jokes
- ◆ Requests to perform sexual activities
- ◆ Showing or displaying pornographic or sexist images
- ◆ Inappropriate questions about an individual's relationship status or details of their relationships
- ◆ Inappropriate or unwelcome gifts, invitations, or working or travel arrangements.

## Preventing SEAH

GWM staff, volunteers and partners will not, under any circumstance:

- ◆ Engage in sexual activity with children
- ◆ Sexually exploit, abuse or harass any adult or child
- ◆ Engage in sexual activity (transactional or otherwise) with any beneficiary or participant in GWM and partner programs
- ◆ Engage in transactional sex with commercial sex workers (whether or not this is legal in the jurisdiction in which the activity is undertaken)
- ◆ Procure sex for others.

## Creating environments free from SEAH

GWM staff, volunteers and partners will work to ensure all people in our workplaces, and the communities in which we work, feel safe, respected and valued. As gender and other power imbalances are inherent in many cases of SEAH, we will proactively raise awareness of the rights of women, children and other vulnerable people and include consideration of gender and power in all stages of project planning and implementation. This includes clear assessment, monitoring and mitigation measures for all SEAH risks. GWM staff, volunteers and partners will undergo rigorous screening to minimise the risk of SEAH occurring. Our partners will also be required to maintain policies and procedures to prevent and respond to SEAH.

## Reporting and investigating

Allegations or reports of SEAH will be handled with sensitivity and integrity, following clear and agreed standards. GWM staff, volunteers and partners are required to report any concerns, suspicions or allegations of SEAH and/or breaches of this policy. All reports of SEAH will be recorded and investigated. All information and documented evidence will be held securely and in confidence as appropriate. The name of the complainant will only be revealed to a person implicated in the allegation, or to any other person, with the complainant's authorisation. Reports to GWM, and procedures to investigate such reports, will follow GWM's policies.

GWM will also work with local partners to develop and maintain appropriate reporting and investigation procedures. Partners' own reporting and investigation procedures and resources may be supplemented by additional resources identified and/or supplied by GWM as risk or circumstance indicate.

Any person reporting a case of SEAH in good faith, or any person who has cooperated with an investigation into a report of SEAH, will be protected according to GWM policies. Malicious reporting of SEAH with the intent of harming another person's integrity or reputation amounts to misconduct and will be subject to disciplinary action. This is distinct from reports made in good faith based on the judgment and information available at the time of the report, which may not be confirmed by an investigation. Any report of SEAH that involves a breach of Australian or other national laws will be reported to the relevant authorities.

## Providing support for survivors

GWM places the needs and rights of survivors at the heart of our approach to preventing and responding to SEAH. All responses will balance respect for due process and natural justice, with a priority on the survivor's wishes, safety and wellbeing. GWM will ensure survivors of SEAH are offered support and assistance where appropriate and required, such as referral to safe health/medical, psychosocial and legal/justice support



and/or other specialised services. Survivors will be provided with information on the progress of an investigation and final outcomes.

## Managing breaches of policy and penalties

SEAH by GWM staff, volunteers or partners constitutes an act of gross misconduct and is grounds for termination of employment, volunteer assignment or association. In line with relevant policies and procedures, such conduct may lead to referral to local authorities or the Australian Federal Police, investigation and performance management, formal warnings, and/or termination of employment/assignment.

## References and related documents

### References

- ◆ Australian Council for International Development (ACFID) Code of Conduct
- ◆ Commonwealth Criminal Code Act, 1995
- ◆ United Nations Secretary-General's Bulletin, "Special measures for protection from sexual exploitation and sexual abuse" ST/SGB/2003/13 (9 October 2003) – for definitions of sexual exploitation and sexual abuse

### Related documents

- ◆ Gender Equality and Equity Policy
- ◆ Child Safeguarding Policy
- ◆ Empowerment of People With Disabilities Policy
- ◆ Complaints Handling Policy
- ◆ Whistleblowing Policy
- ◆ Principles and Practices for Project Partners Guideline
- ◆ Partner-developed policies and procedures to prevent and respond to SEAH

## Review

Previous reviews: June 2021  
Next review: June 2024