



**AUSTRALIAN HIMALAYAN FOUNDATION
PREVENTION OF SEXUAL EXPLOITATION AND ABUSE POLICY
(PSEAP)**

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1. INTRODUCTION

The Australian Himalayan Foundation (AHF) recognises that unequal power dynamics exist in our society at all levels and that there is an inherent risk of some staff exploiting their position of influence and perceived authority.

AHF does not tolerate its employees, volunteers, consultants, partners, board and committee members or any other representatives associated with the delivery of its work, carrying out any form of sexual harassment, sexual abuse or sexual exploitation. Sexual harassment, violence, exploitation and abuse, 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 (see section 11 for definitions of terminology used in this policy).

AHF is committed to ending discrimination among men and women and recognises that, worldwide, women are overwhelmingly the victims of sexual violence. Sexual exploitation and abuse is a form of gender-based violence as it is more likely to be experienced by women and girls. AHF is committed to working towards gender equality both inside the organisation and with the communities and partners it works with.

AHF has complementary policies that further strengthen and underpin this policy. They include:

- AHF Child Safeguarding Policy
- AHF Whistleblowing Policy
- AHF Complaints Policy
- AHF Code of Conduct
- AHF Child Safeguarding Code of Conduct
- AHF HR Policy
- AHF Procedures Manual
- AHF Gender Equality Policy
- AHF Volunteers Policy

2. PURPOSE

The purpose of the Prevention of Sexual Exploitation and Abuse Policy is to:

- Set out the principles upon which AHF will base its decision-making and actions;
- Ensure standards of appropriate behaviour of all who represent AHF;
- Create and maintain organisational standards for AHF to prevent, mitigate and respond to risks of sexual exploitation, abuse and harassment;
- Clarify requirements for partners and other stakeholders.

3. SCOPE

The policy applies to all AHF personnel engaged in AHF work, as well as other representatives and partner organisations. Personnel includes all employees, volunteers, consultants, members of the Board and Committees. It also applies to individuals or groups engaged on a short-term basis by AHF and its partners. This includes but is not limited to photographers, professionals providing training or other support, visiting donors and supporters and media personnel. All personnel must ensure the application of this policy and to promote it as relevant in all aspects of their work, as well as to hold themselves and others responsible for creating a safe environment for all.

The AHF PSEA policy applies within AHF and wherever AHF delivers services or support in collaboration with in-country partners and organisations. Partners are required to demonstrate commitment to zero tolerance of sexual exploitation, abuse and harassment. AHF takes a risk based proportional approach to the application of standards and other requirements. AHF requires staff and other stakeholders to, in the least, meet the Department of Foreign Affairs and Trade Minimum Standards.

All personnel, representatives and partners associated with AHF have an obligation to promptly raise any concerns they have and to do so in accordance with the process described in this policy. It is not the role of individuals to decide whether or not sexual harassment, abuse or exploitation has occurred.

4. PRINCIPLES AND EXPECTATIONS

4.1 AHF Commitment to Prevention of Sexual Exploitation and Abuse

AHF believe all people have a right to live their lives free from sexual harassment and abuse, sexual violence, bullying, exploitation and any abuse of power regardless of age, gender, sexuality, disability, religion or ethnic origin. AHF will not tolerate its personnel or partners' personnel carrying out any form of sexual violence, exploitation or abuse. Instances of actual, threatened or perceived incidents of sexual violence are counter to the work and the context of AHF work and will be dealt with as high priority if and when reported.

Anyone found to have engaged in Sexual Exploitation or Abuse (SEA) will be dismissed and will not be hired again by AHF either in Australia or overseas. When SEA involves the perpetration of a crime(s), the police in the country where the crime was committed will be informed, should the survivor choose to prosecute.

AHF is committed to:

- Taking a zero-tolerance approach to all forms of sexual exploitation and abuse;
- Creating a safe working culture for all those whom AHF serves and those working for and representing the organisation;
- Ensuring that all concerns or allegations of sexual harassment, abuse or exploitation are responded to in a timely and appropriate manner affording procedural fairness to all individuals concerned;

- Ensuring zero tolerance of sexual exploitation and abuse in the organisation through robust prevention and response work, offering support to survivors and victims and holding those responsible to account;
- Always adopting a survivor-centric approach that respects the decision-making rights and confidentiality of survivors:
 - AHF will act in a non-judgemental manner without pre-judging abuse survivors or complainants claims, actions or decisions but assessing their claims and supporting evidence thoroughly and transparently in accordance with this policy;
 - AHF will maintain confidentiality by not sharing information outside the team or the organisation unless it is believed that someone is in danger or a child has been or may be harmed. In instances where harm is not imminent but where there is considered to be value in sharing information with others, the permission of the complainant will be secured before proceeding to share the information to other parties;
- Performing an independent and discrete investigation through AHF management team, ensuring that those undertaking the investigation have no personal or direct working relationship with the complainant or the abused, and recognising the rights and duty of care to everyone involved, including the complainant or survivor, witnesses and the person accused;
- Building a culture where all those whom AHF serves and who work for AHF feel empowered to insist on non-discriminatory and respectful behaviour from each other, where poor behaviour is not accepted, and where power is not abused;
- Being transparent about safeguarding issues occurring within AHF, sensitive in the communications about the organisation's practices and open to learning and improving.

4.2 Expectations

Recognising the risk that some individuals may exploit their position of power for personal gain, AHF expects all personnel to conduct themselves in accordance with the following policies relating to their sexual and personal conduct.

4.2.1 Sexual Activity with Children

AHF strictly prohibits staff and other representatives from having sexual relationships with children, which is defined as anyone under the age of 18 years (or older if the local law indicates as such). Mistaken belief of age is no defence.

Employees and other representatives must make every reasonable effort to alert all applicants of this policy position before employment of personnel who are married to children.

4.2.2 Sexual Activity with AHF project participants

AHF strictly prohibits employees, volunteers and other representatives of the organisation from engaging in any form of sexual activity with AHF's project participants.

4.2.3 Sexual activity between staff from AHF partners and donors

AHF is clear that any partnerships we go into with others are based on mutual respect for values and beliefs. AHF strictly prohibits personnel from engaging in sexual activity with employees from its

partners where this is an abuse of power. All employees and other representatives engaged in relationships with employees from partners of AHF must:

- Declare their relationships as soon as possible to their line managers or HR, even if the relationship is at an early stage and may not continue. As long as relationships are conducted appropriately such disclosures will be treated confidentially.
- Behave professionally and conduct their relationships in a way that does not impact on AHF business.
- Ensure they do not make work decisions based on that relationship.
- Ensure that their relationships do not lead to abusive, fraudulent or corrupt behaviours.

4.2.4 Purchasing sex

AHF Code of Conduct strictly prohibits staff, volunteers and other representatives, as well as partner organisations personnel, from engaging in transactional sex in field work. AHF does not make a judgement against individuals who participate in selling sex in exchange for money or something else such as gifts or material support (“transactional sex”). However, in line with the IASC Core Principles on PSEA, AHF does not condone this activity (in order to prevent sexual exploitation and abuse from occurring). A specific clause will be included in AHF employment agreement.

4.2.5 Sexual Activity with other AHF Colleagues

AHF policy does not prohibit employees from beginning relationships with each other but encourages all employees and other representatives engaged in or beginning relationships with other employees or representatives to:

- Declare their relationships as soon as reasonable to their respective manager or CEO, even if the relationship is at an early stage and may not continue. As long as relationships are conducted appropriately such disclosures will be treated confidentially;
- Behave professionally and conduct their relationships in a way that does not impact on AHF business or that of partner agencies;
- Ensure they do not make work decisions based on that relationship and declare any conflict of interest. This may include employees who share responsibility for sign off on the same budget lines; or are involved in carrying out joint decision-making relating to resourcing or programme issues; or are carrying out or acting as decision makers for internal investigative processes;
- Seek guidance from their line manager if there is any uncertainty in relation to issues stated in the paragraph above.
- Ensure that their relationships do not lead to fraudulent or corrupt behaviours. For example, if staff members choose to conduct travel at the same time as each other without having a valid business need for such travel, they will be committing fraud. The IASC Core Principles on PSEA state that it is the duty and the responsibility of all managers, employees and representatives to report in line with this policy any suspicions or incidences of inappropriate behaviour. All AHF employees are obliged to report any suspicions or incidences of inappropriate behaviour towards others. This can be done without sharing details of cases where information has been shared in confidence. Failure to report to a relevant person suspicion of abuse relating to someone else is a breach of AHF’s policy, and could lead to disciplinary action being taken.

4.2.6 Fraternalisation

In very high risk situation and in line with DFAT Preventing Sexual Exploitation, Abuse and Harassment (PSEAH) Policy, AHF will prohibit fraternalisation for all non-national personnel. A specific clause will be included in employment agreements as relevant.

4.2.7 Failure to act upon suspected or reported sexual harassment, abuse or exploitation

The AHF Code of Conduct states that it is the duty and the responsibility of all managers, employees and representatives to report, in line with this policy, any suspicions or incidences of inappropriate behaviour. All AHF employees and partners are obliged to report any suspicions or incidences of inappropriate behaviour towards others. Where possible, confidentiality will be maintained; information will only be shared as required by law or to facilitate investigation. Failure to report to a relevant person, suspicion of abuse relating to someone else is a breach of AHF policy.

5. GUIDELINES

5.1 Organisation-Wide Risk Management

AHF has an organisation-wide risk management framework. Risks of sexual violence are included in this framework and are regularly monitored. AHF will be guided by DFAT 'Guidance on Assessing the Risk of SEAH' (June 2019) to apply risk rating to activities and ensure relevant DFAT minimum standards included in DFAT's PSEAH Policy are met. High and very high risks activities will be reported to each Board meeting.

5.2. Human Resources

5.2.1 Safer Recruitment Practices

AHF will ensure high standards are adhered to during recruitment, selection and screening of all personnel. This includes employees, volunteers, consultants and others who may be engaged with AHF. If the person being recruited will be working with children, an assessment of suitability to work with children and young people will be undertaken, including seeking references, police checks and, in Australia, Working with Children Checks. Recruitment processes must follow AHF's HR Policy.

All personnel must sign AHF Code of Conduct and Child Safeguarding Code of Conduct and employment agreements will have specific clauses related to preventing sexual violence.

5.2.2 Induction and training

All employees will receive induction on the PSEAP upon accepting employment with AHF, including a briefing on related AHF policies and AHF values. Commitment to the rights of women and LGBTI+ persons and bystander¹ responsibility training will be included in this induction.

Information and advice will also be provided about how to report concerns and where to seek further information about safeguarding and safer practices across the organisation.

¹ Those who see sexual harassment firsthand or who hear of the incident after it occurs.

Training on PSEA and safeguarding will be mandatory for all AHF employees. This training will be carried out on a regular basis, and will be commensurate with employee's role in the organisation.

Overall responsibility for ensuring that staff receive regular training and awareness raising activities lies with the CEO. The CEO needs to prioritise PSEA training for themselves and their staff.

5.2.3 Support to employees

In orienting employees on the Sexual Exploitation and Abuse Policy, AHF will seek to equip employees to receive reports of abuse or respond to disclosure in ways which affirm and support survivors, and ensure the best interest of the survivor is the first consideration. Support for employees involved in the process will be provided through a relevant supervisor and additional external support can be provided through AHF's Employee Assistance Program - *AccessEAP 1800 818 728*.

5.2.4 Support to victims/survivors

Support will be offered to survivors and victims, regardless of whether a formal internal response is carried out (such as an internal investigation). Support can include specialist psycho-social counselling and/or access to other specialist and appropriate support as needed. Survivors and victims can choose if and when they would like to take up the support options available to them.

5.3 Awareness raising and risk management of delivery partners and project participants

AHF is committed to ensuring that safeguarding mechanisms are embedded in its programs and partnership development as follow:

- AHF 's PSEAP and wider safeguarding policies will be promoted and risk management undertaken throughout its work with project partners when:
 - conducting due diligence assessment prior to partnering with an organisation and regularly during the partnership;
 - developing project design including project risk management framework and complaint handling processes;
 - appraising the project;
 - negotiating project agreements (partners will be required to commit to zero tolerance of sexual exploitation, abuse and harassment);
 - monitoring of project, partner and risks;
 - developing partner capacity building plan when relevant;
 - evaluating projects.
- AHF will be guided by DFAT 'Guidance on Assessing the Risk of SEAH' (June 2019) to apply risk rating to program activities and will ensure appropriate DFAT Minimum Standards included in DFAT's PSEAH Policy are met.
- AHF will educate partner employees and other stakeholders about how to reduce SEAH risk and ensure organisational activities protect both adults and children. This should include discussions about power imbalances, local status and workplace cultures and how they impact on work and personal relationships.

- AHF will strive to ensure that implementing partners have an informed understanding of what behaviours are inappropriate and how to report, investigate, document and manage sexual misconduct incidents.
- Feedback from communities on AHF and partner role and employee behaviours, as well as complaints, should be actively sought. AHF will strive to develop transparent and accessible complaints mechanisms and reporting processes together with partners and project participants. Designated, and ideally senior, AHF or partner staff should present feedback to communities on what changes have been made resulting from complaints.
- Employees working directly with project participants must receive training on how to receive complaints and disclosures.

5.4 Visits to international programs

In addition to employees conducting monitoring visits, AHF programs are occasionally visited by Board or Committee members and other representatives, as well as by participants to treks organised by AHF (or by third parties). Due diligence checks (such as Australian Federal Police checks and when considered pertinent Working with Children checks) will be conducted prior to visits being undertaken and visitors will also be requested to sign the AHF Code of Conduct, and the AHF Child Safeguarding Code of Conduct. AHF will explain to the visitors the importance of these documents, why they need to be agreed to and signed, as well as visitors' obligations under the Codes. Signed copies of AHF Codes of Conduct will be provided to the visitors.

AHF will ensure that only necessary visits are conducted to local communities and, in most cases, will only allow visitors to visit its partners. Visitors will be accompanied by an AHF and/or local partner employee at all times when visiting the local communities.

A risk assessment will also be conducted in liaison with partners to ensure potential risks of sexual abuse and exploitation are mitigated. Prior to, or at the commencement of each visit, AHF will confirm with partners and the local communities that visitors have been made aware of their obligations and that they have signed the AHF Codes of Conduct.

Where a field visit has been coordinated and is managed by a third party (e.g. Kathmandu Summit Club treks) and the trekkers are visiting an AHF supported project in community, AHF will work with the third party to ensure trekkers are briefed on PSEA, with a particular focus on child safety. Trekkers will be provided with AHF's *Guidelines for Fundraising/ Volunteer Trekkers 'Playing our part to keep children safe in the Himalaya'* and will be required to sign our Code of Conduct.

5.5 Communications Risk Management

Personnel should be guided and bound by the AHF's Communication Policy and the associated procedures at all times when taking photographs.

AHF has a system in place to ensure that any public materials are in compliance with the above policy and procedures.

Children and young people are vulnerable to abuse and exploitation when using online sites and channels, including social media sites. Risks to children online include: online grooming, sexual abuse or sexualised language or posting of inappropriate content, bullying and discrimination (threats, shaming, humiliating, teasing, discrimination). AHF personnel, including volunteers, are not to connect with or form relationships with any person under 18 who they meet through AHF-related work.

AHF will strive to ensure that risks in the online and physical environment are identified and mitigated without compromising a child's right to privacy and healthy child development. The online environment should be used in accordance with the AHF's Code of Conduct, Communications Policy and Social Media Policy.

5.6 Australian Education and Fundraising Activities Risk Management

AHF conducts education and fundraising activities in Australia. Employees and representatives working on those activities on behalf of the organisation will be required to comply with all AHF policies and processes in order to prevent instances of sexual exploitation and abuse. All risks and mitigation measures will be recorded in the organisational risk matrix, and any risks that is classified as high or very high will be communicated and reported to the Board.

5.7 Breach of this Policy or AHF Codes of Conduct

AHF personnel must immediately report:

- Any breach of the Codes of Conduct or behaviour that they suspect may be sexual exploitation or abuse or policy non-compliance by:
 - AHF personnel, including employees, volunteers, consultants, contractors, donors or members of the Board or Committees;
 - personnel of an AHF partner or civil society organisation.
- Any report made by anyone relating to sexual exploitation and abuse or policy non-compliance by AHF personnel or personnel of an AHF partner organisation.

It is the responsibility of personnel to report the incident, not investigate it.

5.8 Incident Reporting and Handling

The process for reporting a breach of this policy is outlined in Annex B. The AHF Procedures Manual outlines the procedures for assessing the report, the steps that may be taken to investigate, manage and close off the report. An Incident Report Form is available.

AHF will treat all concerns raised seriously and ensure that all parties are treated fairly, and the principles of natural justice will be taken into account. All reports will be handled professionally, confidentially and efficiently.

For projects benefitting from DFAT funding, AHF will immediately report abuse suspicions or allegations to DFAT.

5.9 Roles and responsibilities

Creating a safe working environment at AHF and within partner organisations is everyone's responsibility and failure to act on concerns or disclosures relating to sexual harassment, abuse and exploitation is not an option.

5.9.1 Board and CEO

It is the responsibility of the Board and CEO to ensure effective sexual exploitation and abuse safeguarding mechanisms across all AHF areas of operations, including within partner organisations.

Any actual or suspected incidents of sexual exploitation or abuse, including child abuse, must be reported to the CEO or to the AHF Chair if the complaint concerns the CEO. Contact details of the CEO and AHF's Chair are published on the organisation's website and AHF's implementing partners are provided with explanations on the reporting procedures with contact details, together with the incident report template.

Incident reports will be provided to the Board on a routine basis.

5.9.2 Managers

Managers and senior employees are responsible for ensuring that AHF PSEA policy and procedures, in particular reporting procedures, are understood and implemented by the employees, other personnel and volunteers under their supervision and responsibility, and the partner organisations with whom they work. They are also responsible for the creation and maintenance of an environment which prevents sexual exploitation and abuse and promotes the implementation of AHF codes of conduct.

Each manager can act as a resource person for questions about what constitutes sexual exploitation or abuse or policy non-compliance. Managers also act as the first point of contact to receive formal incident reports and will report to the CEO as mentioned above.

5.9.3 Employee

All employees have the responsibility to ensure compliance with AHF's PSEA Policy. Employee in charge of a particular project will ensure partners are aware of AHF's incident reporting process including the CEO contact details. They may assist the partner in this process when necessary.

All AHF employees are obliged to report any suspicions of sexual exploitation, abuse or harassment of others. This can be done without sharing details of cases where information has been shared in confidence. Failure to report to a relevant person suspicion of abuse relating to someone else is a breach of AHF's policy, and could lead to disciplinary action being taken. For the avoidance of doubt, there is no obligation placed on any individual to report any incident that has happened to them.

5.9.4 Sexual Exploitation and Abuse Prevention Officer

AHF's Head of Programs is the delegated AHF staff member with portfolio responsibility for the prevention of sexual exploitation and abuse for the Australian Himalayan Foundation. This person has overall responsibility for the development and implementation of PSEA Policy and activities across AHF, including training, identifying and coordinating training and learning opportunities for AHF stakeholders.

6. LEGISLATIVE AND REGULATORY FRAMEWORK

- ACFID Code of Conduct and Quality Assurance Guidelines
- DFAT's PSEAH Policy, April 2019
- DFAT Guidance on Assessing the Risk of SEAH, June 2019 and other relevant guidance documents
- IASC Six Core Principles Relating to Sexual Exploitation and Abuse, January 2002
- IASC Minimum Operating Standards for Protection from Sexual exploitation and Abuse, 2016
- Core Humanitarian Standards, particularly key action 3.6: 'Identify and act upon potential or actual unintended negative effects in a timely and systematic manner, including in the areas of:
 - a. People's safety, security, dignity and rights;
 - b. Sexual exploitation and abuse by staff (...).

7. ANNEXES

ANNEX A: DEFINITIONS

ANNEX B: INCIDENT REPORTING PROCEDURES

ANNEX A DEFINITIONS OF KEY TERMINOLOGY USED IN THIS DOCUMENT

Child and young person: any person under the age of 18 years (unless otherwise under national laws).

Child abuse and exploitation: physical, sexual or emotional abuse, neglect, bullying, child labour and family violence. *Refer to AHF Child Safeguarding Policy.*

Coercion covers a whole spectrum of degrees of force. In addition to the use of physical force, it may involve psychological intimidation, blackmail or other threats. For instance, threats of being dismissed from a job or of not obtaining a job that is sought. It also occurs when a person is unable to give consent (E.g. while drugged, asleep, drunk or mentally incapable).

Family violence: Family/Domestic Abuse is any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse involving family. This may include people who are, or have been, intimate partners or family members regardless of gender or sexuality.

Fraternisation: 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. Where significant power imbalance is at play the potential for exploitative fraternisation is increased.

Modern slavery: Slavery is a situation where a person exercises (perceived) power of ownership over another person. Modern slavery encompasses a spectrum of labour exploitation, ranging from the mistreatment of vulnerable workers to human trafficking to child labour and forced sexual exploitation.

Forced labour includes work or services that people are not doing voluntarily but under threat of punishment; human trafficking, which involves deceptive recruitment and coercion; and bonded labour, which is demanded in repayment of a debt or loan.

Sexual abuse: The term “sexual abuse” means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. All sexual activity with a child is considered as sexual abuse. “Physical intrusion” is understood to mean “sexual activity”. “Sexual abuse” is a broad term, which includes a number of acts, including “rape”, “sexual assault”, “sex with a minor”, and “sexual activity with a minor”.

Sexual exploitation: The term sexual exploitation means 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. “Sexual exploitation” is a broad term, which includes a number of acts, including “transactional sex”, “solicitation of transactional sex” and “exploitative relationship”. It is not limited to the act of sexual intercourse.

Sexual harassment: Sexual harassment is unwanted conduct of a sexual nature. Sexual Harassment is not SEA. Conduct or behaviour of a sexual nature is considered SEA when this conduct or behaviour amounts to either sexual exploitation or sexual abuse. Sexual harassment can be directed towards one person, groups of people or towards everyone and can occur as a

one-off incident or be a pattern of harmful behaviour. Anyone can experience sexual harassment, and AHF recognises the specific and varied challenges faced by women, men, transgender people and others when experiencing it.

The effect of sexual harassment is to violate the dignity of another person, and to create an intimidating, hostile, degrading, humiliating or offensive environment for them and others.

Sexual harassment can take many forms, including:

- Verbal comments of a sexual nature, such as remarks about an employee's appearance, questions about their sex life or offensive jokes, sexually suggestive comments or jokes.
- Non-verbal such as displaying pornographic or explicit images, staring, sexual gestures or written comments of a sexual nature such as offensive or inappropriate, and inappropriate advances on social networking sites.
- Physical such as unwanted physical contact, touching, fondling including brushing up against someone, and assault (including attempts and threats to do these things).

When addressing allegations of sexual harassment, AHF is concerned with the impact of the behaviours on the person making the complaint, not the intention of the person accused. An action or behaviour can still be considered sexual harassment even if the alleged harasser didn't intend for it to be harmful.

All staff members, contractors and affiliated workers have the right to be protected from sexual harassment in the workplace. This protection comes from both employment law and criminal law.

Sexual violence: Acts of a sexual nature against one or more persons or that cause such person or persons to engage in an act of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, or by taking advantage of a coercive environment or such person's or persons' incapacity to give genuine consent. Forms of sexual violence include rape, attempted rape, forced prostitution, sexual exploitation and abuse, trafficking for the purpose of sexual exploitation, child pornography, child prostitution, sexual slavery, forced marriage, forced pregnancy, forced public nudity, forced virginity testing, etc.

Under age marriage: The custom of marrying off young children, particularly girls, is found in many parts of the world. This practice – legal in many countries – is a form of sexual violence, since the children involved are unable to give or withhold their consent.

Vulnerable adult abuse presents in many forms including: sexual, psychological, financial/ material, discriminatory, physical, family violence and self-neglect.

A Vulnerable Adult is a person “who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation”.

ANNEX B INCIDENT REPORTING PROCEDURES

B.1. How to report an incident or raise a concern

Anyone can raise a concern, make a complaint or report an incident to AHF about something they have experienced or witnessed. This can be done verbally or in writing as per the following process:

- a. Immediately advise the most senior AHF staff member on site. If not on site - advise by telephone. Follow this verbal report up with a file note outlining the conversation, date and the person's name - to whom you made the report.
- b. Immediately and confidentially advise the AHF CEO. If the incident concerns the CEO, confidentially contact the Board Chairperson.
- c. Ask the person affected by the sexual abuse or sexual exploitation whether they would like a support person present whilst the incident is documented. This should be undertaken by the most senior staff member on site. It is important to ensure support is provided to the person affected. (The importance of confidentiality should be explained to the support person clearly and in local language).
- d. Complete an AHF Incident Report Form detailing the incident in as much detail as possible and treat it as a highly confidential document. If an incident involved alleged sexual abuse or physical assault only record minimal information and refer to the police.
- e. Contact AHF CEO or the Chairperson if the incident concerns the CEO. Email the form and report the incident by phone.
- f. If an allegation is made against you, then you must inform your line manager immediately. You should also promptly complete an incident report form, sign and date it and record the details as you recall them and send a copy of this to AHF.
- g. All those involved, including the accused, should be treated with respect and all allegations will be treated confidentially, shared only as required by law or to facilitate investigation.

B.2. What will happen next?

AHF is committed to responding and taking appropriate action in response to all complaints and concerns of abuse. The responses will be according to the AHF Complaints Policy, AHF Whistleblowing Policy and the AHF Procedures Manual. AHF will treat all concerns raised seriously and ensure that all parties are treated fairly and justly. All reports will be handled professionally, confidentially and expediently.

When a complaint or concern has been raised, it must be referred promptly and within 72 hours as per the process detailed above. In remote communities, with limited communication options, this process may take longer than 72 hours but it should always be done as soon as practicable, without delay.

A person making a report will not be considered to have breached any code of professional conduct or ethics.

The person alleged to have breached the policy will be given the opportunity to present their view of the events in question. AHF will withhold its findings and determination until the investigation is fully completed.

The identity of the victim, the person reporting the incident and the person alleged to have violated the policy must be kept confidential throughout the reporting and investigation processes.

AHF will not tolerate any form of coercion, intimidation, reprisal or retaliation against any employee who reports any form of abuse or exploitation, provides any information or other assistance in an investigation.

In liaison with the relevant employee and/or partner representatives, and in consultation with a representative from the Board, the CEO will investigate the situation, discuss the allegations and decide upon the next step. This may involve any or all of the following:

- Reporting to local police;
- Reporting to the Australian Federal Police;

Where safe to do so, and when in accordance with the wishes of the victims, survivors and whistleblowers, all alleged SEAH incidents that involve a criminal aspect should be reported through the correct local law enforcement channels.

AHF's SEA Prevention Officer and/or the CEO must report to DFAT any behaviour that is suspected of being sexual exploitation, abuse, harassment, or policy non-compliance using the DFAT Sexual Exploitation, Abuse and Harassment Incident Notification Form (www.dfat.gov.au/pseah) and email to seah.reports@dfat.gov.au. Two kinds of incidents are to be reported to DFAT as follows:

- **Mandatory and immediate (within two working days of becoming aware of an alleged incident) reporting** 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 DFAT partners of any alleged Policy non-compliance; for example, failure to adhere to the PSEAH Policy Minimum Standards or principles.

Reporting to DFAT is required for any suspected or alleged cases of SEAH perpetrated by anyone within scope² of the DFAT PSEAH Policy in connection with official duties or business.

Reports of abuse or exploitation of individuals under the age of 18 years must follow the Australian Himalayan Foundation Child Safeguarding Policy.

2 DFAT PSEAH Scope covers: 1. DFAT partners who have agreements in place with DFAT (funded and unfunded). 2. Partner governments and multilateral organisations
3. Downstream DFAT partners, that is, contractors, subcontractors, partners and any other entity engaged by DFAT partners to perform any DFAT-related work. Application of the Policy to downstream partners is the responsibility of the partner with whom DFAT has an agreement. DFAT will require evidence of this application as part of their risk management processes.

During the investigation, the following may be enacted:

- Conduct additional interviews with the person/persons (including child and/or parents as appropriate) who made the allegations or other witnesses to gather more information with which to make a decision;
- Conduct interview/s with the alleged offender;
- Gather other relevant evidence when possible;
- If deemed appropriate, suspend the person whom the allegations have been made against, from duties with pay during the course of the investigation.

Pending the results of the investigation, the CEO (or the Chairperson if the incident concerns the CEO), will decide on the following:

- Taking no further action.
- Further education on the PSEAP and AHF Codes of Conduct;
- Formal warning and monitoring;
- Transfer to alternative duties;
- Dismissal/end of contract/end of volunteer engagement.

B.3. Complaints about AHF partners' personnel

If AHF receives a complaint about personnel from a partner organisation, AHF will expect the partner to respond quickly and appropriately. Where possible, AHF should assist the partner organisation to ascertain its obligations under local law to refer the matter to the police or other statutory authorities for criminal investigation where appropriate.

Where initial enquiries indicate that further investigation is necessary, and where appropriate, AHF should work with the partner to address the issue through an appropriate independent investigation.

If the investigation concludes that an abuse has occurred, specific actions will be agreed with the partner and the partner will ensure they are implemented, as well as provide AHF with the necessary evidence, confirmation and assurances.

Inquiries and investigation of the concern or allegation cannot involve the individual(s) who are the subject of the allegation. This also must not include any individual/s who may have a personal relationship with or conflict of interest, relating with the person who is the subject of the concern or allegation.

The following outcomes may be decided:

- Taking no further action;
- Further education on PSEAP Policy and AHF Codes of Conduct;
- Formal warning and monitoring to employee/volunteer;
- Transfer to alternative duties of employee/volunteer;
- Dismissal/end of contract/end of employee/volunteer engagement.
- Suspension of agreement with partner pending implementation of specific actions;
- End of agreement with partner.

