



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

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CONTENTS

1. INTRODUCTION	2
2. PURPOSE	2
3. SCOPE	3
4. PRINCIPLES AND EXPECTATIONS	3
4.1 AHF Commitment to Prevention of Sexual Exploitation and Abuse	3
4.2 Expectations	4
5. GUIDELINES	6
5.1 Organisation-Wide Risk Management	6
5.2. Human Resources	6
5.3 Awareness raising and risk management of delivery partners and project participants	7
5.4 Communications Risk Management	8
5.5 Australian Education and Fundraising Activities Risk Management	9
5.6 Breach of this Policy or AHF Codes of Conduct	9
5.7 Incident Reporting and Handling	9
5.8 Sanctions	9
5.9 Roles and responsibilities	10
6. REVIEW OF POLICY	11
7. LEGISLATIVE, REGULATORY AND POLICY FRAMEWORK	11
ANNEX A DEFINITIONS OF KEY TERMINOLOGY	12
ANNEX B DFAT PSEAH MINIMUM STANDARDS	14
ANNEX C INCIDENT REPORTING PROCEDURES	16
ANNEX D SERIOUS INCIDENT REPORT FORM	20
ANNEX E PSEA CONTACT PEOPLE	26

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 Annex A 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 are forms of gender-based violence as they are 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 Complaints and Whistleblowing Policy
- AHF Code of Conduct
- AHF Child Safeguarding Code of Conduct
- AHF Employee Handbook
- AHF Procedures Manual
- AHF Gender Equality Policy
- AHF Risk Management Policy
- AHF Volunteers Policy
- International Program Manual

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 and accountable 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, at least, meet the Department of Foreign Affairs and Trade (DFAT) Minimum Standards (see Annex B).

All personnel, representatives and partners associated with AHF have an obligation to promptly raise any concerns they may 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 believes that 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 associated with AHF 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. Where safe to do so, and when in accordance with the wishes of the victims, survivors and whistleblowers, all alleged SEA incidents that involve a criminal aspect should always be reported to the local law enforcement agencies.

AHF is committed to:

- Ensuring a zero-tolerance approach to all forms of sexual exploitation and abuse;
- Creating and valuing 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 prejudging 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 may be 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 with 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 those who work for AHF are 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

AHF recognises the risk that some individuals may exploit their position of power for personal gain. AHF requires 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.

4.2.2 Sexual activity with AHF project participants

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

4.2.3 Sexual activity between staff from AHF partners and donors

AHF is clear that any partnerships we enter into are based on mutual respect for values and beliefs. AHF strictly prohibits personnel from engaging in sexual activity with employees from its partners where there is a real or perceived risk of abuse of power. All employees and other representatives engaged in relationships with employees from partner organisations 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, representatives, as well as partner organisation 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 Inter-Agency Standing Committee (IASC) Core Principles on PSEA, AHF prohibits this activity (in order to prevent sexual exploitation and abuse from occurring). A specific clause is included in AHF’s Code of Conduct.

4.2.5 Sexual activity with other AHF colleagues

AHF policy does not prohibit employees from having 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 program 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 these 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 would 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 Fraternisation

In very high risk situations and in line with the DFAT Preventing Sexual Exploitation, Abuse and Harassment (PSEAH) Policy, AHF prohibits all personnel from fraternisation (any relationship that

involves preferential treatment or improper use of position including but not limited to voluntary sexual behaviour - see full definition of Fraternalisation in *Annex A*).

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

It is mandatory for all AHF and Partner Board and Committee members, employees, volunteers, contractors and representatives to report, in line with this policy, any suspicions or incidences of inappropriate behaviour. 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 (*see Annex B*) are met. High and very high organisational risk activities, and very high program risks will be reported to each Board meeting.

5.2. Human Resources

5.2.1 Safe 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. Recruitment of employees will strictly follow AHF's Recruitment Policy and Procedures in the Employee Handbook and Procedures Manual, including:

- Acknowledging in job advertisements and role descriptions our commitment to safeguarding;
- Interview questions and referee check questions about safeguarding (including behavioural questions);
- Criminal record checks (including checks for other countries of citizenship and any country resided in for more than one year in the prior five years) (*renewed every 5 years*);
- Working with Children checks (*renewed every 5 years*).

All personnel and representatives must sign the AHF Code of Conduct (*re-signed every two years*).

AHF employment and contractor agreements include relevant clauses about safeguarding expectations of personnel, including provisions for dismissal.

5.2.2 Induction and training

We commit to building knowledge, understanding and awareness of safeguarding, including preventing sexual exploitation and abuse, as well as how to reduce risk and create safe environments

for all. Training will include safeguarding obligations including reporting requirements and processes, and be provided to:

- Personnel will be required to participate in PSEA training as part of their induction, regular ongoing refresher training and targeted training depending on their role.
- Visitors to our programs or activities will be provided with relevant briefings, including compliance obligations for reporting, prior to any visit taking place.
- Program partners will be provided with PSEA training and capacity strengthening. We will work with partners to cascade PSEA requirements to their downstream partners.

The induction process is detailed in the AHF Employee Handbook and Procedures Manual.

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 the organisation and staff.

5.2.3 Support to employees

In orienting employees on the PSEAP, AHF aims 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 - *Access EAP 1800 818 728*.

5.2.4 Support to victims/survivors

AHF will adopt a 'survivor-centered' approach in preventing and responding to SEAH. We will ensure that all responses are developed in a manner that balances respect for due process with an approach in which the survivor's wishes, safety and wellbeing remain a priority, in all matters and procedures. Any decision making should involve the victim/survivor and furthermore, all actions taken should be guided by respect for choices, wishes, rights and dignity of the survivor.

Support will be offered to survivors and victims, regardless of whether a formal internal response is carried out (such as an internal investigation). Support may include referral to safe health/medical, psycho-social counselling, legal/justice help and/or access to other specialist support as needed (eg women's services). 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, which will include partner SEA risk assessment;
 - developing project design including project child protection and prevention of sexual abuse, exploitation and harassment, and overall risk management framework;
 - developing complaint handling processes;
 - appraising the project;
 - signing 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 strengthening plan;
 - 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 (in Annex B) 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, gender equity, 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.
 - High (and above) SEA risks identified in projects will be reported to the CEO and very high risks to PAC and the Board as per AHF Risk Management Policy.

5.4 Communications Risk Management

AHF personnel and partners will portray people in a respectful, appropriate and consensual way at all times. Personnel should be guided and bound by the AHF's Communications Policy and the associated procedures at all times when taking photographs. This includes ensuring that informed consent has been sought.

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 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 person's right to privacy. The online environment should be used in accordance with the AHF's Code of Conduct and Communications Policy.

5.5 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 are classified as high or very high will be communicated and reported to the Board.

5.6 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 Board or Committee members, employees, volunteers, consultants, contractors, and other AHF representatives including donors, members or sub-contractors;
 - personnel of an AHF partner 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.

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

5.7 Incident Reporting and Handling

Any suspected or actual incident, concern or allegation involving sexual exploitation, abuse or misconduct will be treated as a Serious Incident by AHF as outlined in AHF's Complaints and Whistleblowing Policy, and detailed in the Serious Incident Reporting Procedures and Form (Annexes C and E). The Serious Incident Reporting Procedures and Form are duplicated in Annex C and D of this PSEA Policy. AHF Serious Incident Reporting Procedures will be followed at all times. See also www.australianhimalayanfoundation.org.au/complaints.

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

5.8 Sanctions

Failure to report incidents or allegations of incidents, proven allegations of improper conduct and non-compliance of this Policy or the AHF Code of Conduct by AHF personnel, partners or representatives may result in disciplinary action, including termination of contract or employment, reporting to authorities and/or legal action.

5.9 Roles and responsibilities

Creating a safe working environment within 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.

AHF Board Directors are ultimately accountable for this Policy and for supporting the Chair and/or the CEO in investigating serious incidents and providing a response.

The AHF CEO has prime responsibility for upholding this Policy. The CEO is the incident reporting focal person as per AHF's Serious Incident Reporting Procedures. Incidents that involve the CEO are reported to the Chair. **For contact details, see Annex E.**

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.

5.9.3 Employee

All employees have responsibility to comply with AHF's PSEA Policy. Employees in charge of a particular project will ensure partners are familiar with 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. Anonymous reports can be lodged on [AHF's online complaints and incident reporting form](#). Failure to report 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 employee responsible 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. REVIEW OF POLICY

AHF's Child Safeguarding Policy will be formally reviewed every two years to assess its relevance and effectiveness and ensure that it meets current standards and legislation, including applicable criminal codes. The CSO will manage the review which will be reported to the AHF Board and relevant employees and other stakeholders will be consulted in the process.

7. LEGISLATIVE, REGULATORY AND POLICY 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 (...).

ANNEX A DEFINITIONS OF KEY TERMINOLOGY

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.

Underage 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 DFAT PSEAH MINIMUM STANDARDS

DFAT PSEAH Minimum Standards						
Minimum standard	Obligation		Applies to			
	Organisations	Individuals	Low Risk	Med Risk	High Risk	Very High Risk
1. Have a PSEAH policy or other documented policies and procedures in place and clearly communicate expectations of this Policy.	Must have a PSEAH policy or other documented policies and procedures in place, which clearly meet the expectations of this Policy.	Sign a document outlining appropriate and enforceable standards of conduct, compliant with the requirements of this Policy	✓	✓	✓	✓
2. Have reporting and investigation procedures in place.	The PSEAH policy, or equivalent, documents how SEAH incidents will be managed, reported and investigated. Reporting and investigation processes must include engagement of and reporting to senior management and executive boards.	Through a document which outlines appropriate and enforceable standards of conduct, confirm awareness of DFAT's PSEAH reporting requirements for concerns or incidents and policy non-compliance.	✓	✓	✓	✓
3. Have risk management processes that include the risk of SEAH.	Have effective risk management processes that include consideration of the risk of SEAH. The process must document the controls already in place or to be implemented to reduce or remove risks.	Must meet the reporting requirements under their agreement, aligned to DFAT's PSEAH Policy.	X	✓	✓	✓

DFAT PSEAH Minimum Standards						
Minimum standard	Obligation		Applies to			
	Organisations	Individuals	Low Risk	Med Risk	High Risk	Very High Risk
4. Effective PSEAH training in place.	PSEAH training for personnel, including downstream partners and individuals that deliver DFAT business.	Complete PSEAH training and provide evidence of this.	X	X	✓	✓
5. Recruitment and screening processes and employment practices address and manage the risk of SEAH.	Can demonstrate robust PSEAH recruitment and screening processes for all personnel/consultants including having in place appropriate and enforceable standards of conduct.	Based on a risk assessment, assurances could include providing a recent police check, working with vulnerable people check or location specific equivalent that provides assurance reasonable SEAH precautions have been taken. Local requirements must also be followed.	X	X	✓	✓
6. Prohibit transactional sex for all personnel, while engaged in the direct delivery of DFAT business	Prohibits transactional sex in the field for all staff and downstream partners while engaged in the delivery of DFAT business	Employment agreements include clauses prohibiting transactional sex while engaged in the delivery of DFAT business.	X	X	X	✓
7. Prohibit fraternisation for all non-national personnel, while engaged in the direct delivery of the DFAT business	Prohibits fraternisation for all non-national personnel in the field while engaged in the delivery of DFAT business	Employment agreements include clauses prohibiting fraternisation for all non-national individuals while engaged in the delivery of DFAT business	X	X	X	✓

ANNEX C INCIDENT REPORTING PROCEDURES

[These procedures are duplicated here from AHF Complaints and Whistleblowing Policy Annex C]

**Serious Incidents include any suspected or actual incident, concern or allegation involving:
CHILD ABUSE & EXPLOITATION; SEXUAL MISCONDUCT; FRAUD & CORRUPTION; TERRORISM;
BULLYING, HARASSMENT, DISCRIMINATION; OR ANY CRIMINAL ACTIVITY**

Complaints made by persons who are eligible Whistleblowers under section 6.2 of AHF's Complaints & Whistleblowing Policy, and which amount to Whistleblowing Disclosures, are dealt with exclusively within section 6 of the policy.

- **Anyone** can raise a concern, make a complaint or report an incident to AHF about something they have experienced or witnessed.
- It is **mandatory** for all AHF and Partner Board and Committee members, employees, volunteers, contractors and representatives to report below:

A	<u>WHAT TO REPORT?</u>
	<ul style="list-style-type: none"> ● All concerns related to the safety of children and young people. ● Any incident, concern or allegation of child abuse, sexual exploitation and abuse. ● Any suspicions or incidences of inappropriate behaviour towards others that could be associated with sexual grooming, exploitation or trafficking. ● Inappropriate use of the Foundation's photographic equipment or computers, including evidence of child pornography. ● Any suspected or actual behaviour or activity relating to child abuse, sexual exploitation and abuse, fraud, corruption, bribery, terrorism. ● Any suspected or actual criminal behaviour of activity. ● Any suspected or actual breach of AHF's: Code of Conduct, Child Safeguarding Policy, Child Safeguarding Code of Conduct, PSEA Policy, Fraud and Anti-Corruption Policy, Counter-Terrorism Policy, Conflict of Interest Policy. <p>Note: reports can be made about anyone associated with AHF and its programs including Board and Committee members, employees, volunteers, contractors, representatives and AHF partner personnel, or anyone else acting on behalf of AHF.</p>

B	<u>WHEN TO REPORT? - immediately</u>
	<ul style="list-style-type: none"> ● When an incident or concern has been raised, it must be reported immediately (as soon as practicable if communication is restricted). This can be done on behalf of somebody else and may only involve referring a suspicion. ● It is the responsibility of personnel to promptly report a breach (not to investigate it).

C	HOW AND TO WHOM?
	<ul style="list-style-type: none"> ● Promptly report verbally or in writing (on paper or in an email) to the most senior staff member on site (or phone if no other staff on site). Keep a dated diary entry outlining the details of the conversation, as well as the person's name to whom you made the report. ● Senior staff member to immediately advise AHF CEO (or AHF Chair if incident concerns the CEO) and key staff within partner organisation as per its own reporting process. ● <i>Distance the alleged perpetrator.</i> The best interest of the victim or complainant may warrant standing down the alleged perpetrator if a volunteer or employee (with full pay to recognise entitlement to just processes) until the matter is closed. ● Ask the person affected by the incident whether they would like a support person present whilst the incident is documented (by most senior staff member on site). Ensure the support person understands the importance of confidentiality. ● If the alleged perpetrator is the guardian (or anyone else close to the child), there should be a clear process to exclude this person from the interview process that involves the child. ● Complete serious incident form in as much details as possible - treat it as highly confidential. ● Where safe to do so, and when in accordance with the wishes of the complainant/survivor, all alleged sexual abuse or physical assault incidents should be reported through the correct local law enforcement channels. Only record minimal information and refer to the police.

D	INVESTIGATION	
	<p>In liaison with the relevant employee and/or partner representatives, and in consultation with a representative from the AHF 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:</p> <ul style="list-style-type: none"> ● Reporting to local police / child protection authorities / Australian Federal Police (AFP); ● Reporting to DFAT within 24 hours if the project is supported by DFAT or any project is in breach of DFAT minimum standards. ● Reporting any suspected or actual terrorist threat or activity to the national security hotline, the AFP and to DFAT if the matter relates directly or indirectly to DFAT funding. <p>Inquiries and investigations 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.</p>	
	<p>POSSIBLE STEPS IN INVESTIGATION</p> <ul style="list-style-type: none"> ● Conduct additional interviews with the person/s who made the allegations, other witnesses to gather more information; ● 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 investigation. 	<p>POSSIBLE OUTCOMES OF INVESTIGATION</p> <ul style="list-style-type: none"> ● Take no further action; ● Further education on the CS Policy, PSEA Policy and AHF Codes of Conduct; ● Formal warning and monitoring; ● Transfer to alternative duties; ● Dismissal/end of contract/end of volunteer engagement. ● Referral to law enforcement.

ALLEGATION AGAINST YOU

If an allegation is made against you, then you must inform your line manager immediately. You should also promptly complete an incident report form recording the details as you recall them and send to AHF CEO and key staff within partner organisation as per its own reporting process.

E	ALLEGATION AGAINST PARTNER PERSONNEL	POSSIBLE OUTCOMES OF INVESTIGATION
	<ul style="list-style-type: none">● If AHF receives a complaint about partner personnel, AHF expects the partner to respond quickly and appropriately.● 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.	<ul style="list-style-type: none">● Take no further action;● Further education on CS Policy, PSEA Policy, and AHF Codes of Conduct;● Formal warning and monitoring;● Transfer to alternative duties;● Dismissal/end of contract/end of employee/ stakeholder engagement.● Suspension of agreement with partner pending implementation of specific actions;● End of agreement with partner.

FAIRNESS AND CONFIDENTIALITY

- AHF will treat all concerns raised seriously. All parties, including the accused, will be treated with respect, fairly and justly. All reports will be handled professionally, confidentially and expediently. They may be shared only as required by law or to facilitate investigation.
- The identity of the victim, the person reporting the incident and the alleged person will be kept confidential throughout the reporting and investigation processes.
- The person against whom the allegation is made 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.

RECORD KEEPING

- All records of incidents, investigation procedure and outcomes will be kept by AHF.
- At the request of the complainant or survivor, AHF will de-identify complaints.

REPORTING AND DISCLOSURE BY A CHILD

- If a child discloses abuse, s/he must be taken seriously and treated with respect, care and concern.
- If the child requests that no-one be told of the matter, employees must seek advice from the most senior staff member on site who should consult with the AHF CEO and key staff within partner organisation as per its own reporting process on how the child can be supported and the disclosure process managed, ensuring the best interests of the child are carefully considered at all stages of the process.

- Every effort will be made to ensure and protect the identity, rights and safety of the child throughout any investigation.

AHF: info@ahf.org.au (+612) 9438 1822

AHF CEO, Angela Ford, angela@ahf.org.au ; complaints@ahf.org.au

AHF Head of Programs, corinne@ahf.org.au; info@ahf.org.au;

AHF Chairperson, Simon Balderstone, simon@waysandmeans.com.au

DFAT - ANCP funded projects: ancp@dfat.gov.au

DFAT CS Incident: childwelfare@dfat.gov.au

DFAT PSEA incident: seah.reports@dfat.gov.au

DFAT Fraud incident: fraud@dfat.gov.au

DFAT Terrorism incident: counter-terrorism.resourcing@dfat.gov.au

OTHER key contact details for serious incidents:

ACFID: code@acfid.asn.au

ACNC: advice@acnc.gov.au, 13 22 62

National Security Hotline (Terrorism): 1800 123 400 (inside Australia) +61 1300 123 401 (outside Australia)

AUSTRALIAN FEDERAL POLICE: (02) 9286 4000

ANNEX D SERIOUS INCIDENT REPORT FORM

[This form is duplicated here from AHF Complaints and Whistleblowing Policy Annex E]

HOW TO USE THIS FORM	
PURPOSE	<p>This form is to be filled out to report and/or respond to concerns in relation to any suspected or actual incident, concern or allegation involving: CHILD ABUSE & EXPLOITATION, SEXUAL MISCONDUCT, FRAUD, CORRUPTION or TERRORISM</p> <p style="color: green;">Complaints made by persons who are eligible Whistleblowers under section 6.2 of AHF's Complaints & Whistleblowing Policy, and which amount to Whistleblowing Disclosures, are dealt with exclusively within section 6 of the policy.</p>
FREQUENCY	<p>It is mandatory for all AHF Board members, employees, volunteers, representatives and AHF partner Board members, employees and volunteers to immediately report concerns or allegations related to: child abuse and exploitation, sexual misconduct, fraud, corruption and terrorism. For any concern raised, AHF will immediately follow AHF Serious Incident Reporting Procedures.</p>
COMPLETED BY	<p>Australia: AHF CEO, AHF Chair or AHF Head of Programs Overseas: Most Senior Staff Member, CEO, Manager, Safeguarding Officer or AHF point of contact (as per partner's own serious incident procedures)</p>
This document is to be treated confidentially.	

1. Name(s) of person reporting and contact details (if not confidential)	
Name:	Telephone:
Position:	Email:
2. Name(s) of Person completing this form (e.g., AHF CEO or Chair, or partner most senior staff member or point of contact (as per partner's own serious incident procedures)	
Name:	Telephone:
Position:	Email:
Date and time the incident was reported you:	
3. Reporting Partner Organisation	
Partner Organisation:	Country:

4. Type of Allegation/ Incident / Concern

Please circle, highlight or mark the most appropriate description(s) of alleged incident:

- | | |
|--|--|
| <ul style="list-style-type: none"> ● Family/ Domestic Violence ● Sexual Abuse/Sexual Misconduct ● Sexual Harassment ● Physical Abuse ● Psychological Abuse ● Bullying ● Neglect | <ul style="list-style-type: none"> ● Terrorism ● Fraud ● Bribery ● Corruption ● Criminal behaviour or activity ● Other: <i>(detail, e.g. domestic violence, child labour, child marriage)*</i> |
|--|--|

Further details if known (date, time & place of incident/ when was report received?):

Other relevant details: (for example vulnerability, or disability factors):

5. Details of the Incident/s, or allegation, or match against proscribed terrorist list,

Provide details of incident/s, or match against proscribed terrorist list, or allegation:

6. Details of Person(s) / organisation(s) against whom the allegation has been made

Name of organisation(s):

Address:

Contact details:

Name of individual(s):

Sex:

Date of birth:

Nationality:

Contact details:

Employer/ Partner/ Project:

Please circle, highlight or mark the most appropriate descriptor of the alleged perpetrator (you can mark more than one):

- Representative of:
 - AHF
 - PARTNER ORGANISATION [name] _____
- Australian Citizen or Permanent Resident
- Employee
- Contractor including sub-contractor or consultant
- Volunteer/intern
-

7. Details of Victim(s) / Survivor(s)
(leave this section blank if not applicable (e.g., organisational fraud))

Name (if not confidential):	Sex:
Date of birth:	Nationality:
Contact details:	
Age of the victim at time of alleged incident:	Was the victim a child at the time of the incident? Yes / No

Is the victim/survivor in immediate danger or risk of harm? Yes / No
 If yes, what steps have been taken to remove the victim/survivor from harm?

Have any injuries been observed or reported?

Has the victim/survivor been assessed by a medical professional? If yes, provide details.

Have the victim/survivor wishes been considered and taken into account in any decisions or changes proposed or actioned to increase their safety? If yes, provide details.

If the victim/survivor is a child, what consultation has taken place with the child's parents/guardians?

If the victim/survivor is a child, does he/she have siblings living in the same house? If yes, how many?

Have the siblings been assessed for safety? If yes, provide details and results of assessment.

Has the victim/survivor alternate placement been assessed for safety and appropriateness?

8. Name and contact details of witness (separate incident report form to be completed)

Name Witness 1:

Contact details Witness 1:

Name Witness 2:

Contact details Witness 2:

Add more lines if necessary

9. Further Details

Are local police, health professionals or another local authority aware of the incident/ allegation?
Yes / No

If the Police/ authority were contacted, please provide the following information:

Date:

Time:

Police/ Authority agency name:

Police/ Authority officer's name:

Police/ Authority officer's office location:

Police/ Authority officer's phone:

Have the Police/ Authority advised that a police investigation is required?* Yes / No

Name of Authority who provided this advice:

*[*If yes, note in section 12 below that follow up is required to ensure police investigation happened, and police report obtained]*

Name and position of person responsible for follow up with police:

What other authorities have been informed?	
Has DFAT been contacted if relevant?	
Has the AFP (where relevant) been advised or consulted? If so, what is their response or proposed action?	
What actions relating to the incident have already occurred?	

10. Is there any other pertinent information for assessment or management of this incident?

11. Has an internal investigation been initiated? Yes / No

If yes, provide details:

Date:

12. Note and track further information and actions:

--

Name, Position and Signature of person reporting and date	
Name, Position and Signature of most Senior Staff member on site and date	
Name, Position and Signature of representative of partner organisation as per its own reporting process and date	
Name and Signature of AHF CEO (or AHF Chairperson if the incident concerns the CEO) and date	

ANNEX E PSEA CONTACT PEOPLE

See [AHF Website, complaints webpage](http://australianhimalayanfoundation.org.au/complaints): australianhimalayanfoundation.org.au/complaints

AHF Incident Reporting Focal Person

AHF CEO

phone: (02) 94381822

email: info@ahf.org.au

post: PO BOX 553, CROWS NEST NSW 1585, AUSTRALIA

For current CEO contact details see AHF website

AHF Child Safeguarding Focal Person

AHF Head of Programs

phone: (02) 94381822

email: info@ahf.org.au

post: PO BOX 553, CROWS NEST NSW 1585, AUSTRALIA

For current Head of Programs contact details see AHF website

OTHER Key Child Safeguarding contacts:

AHF CHAIR

phone: (02) 94381822

email: info@ahf.org.au

post: PO BOX 553, CROWS NEST NSW 1585, AUSTRALIA

For current Chair contact details see AHF website

AHF Head of Communications and Fundraising

phone: (02) 94381822

email: info@ahf.org.au

post: PO BOX 553, CROWS NEST NSW 1585, AUSTRALIA

For current Head of Communications and Fundraising contact details see AHF website