

<b>Policy Title</b>	Prevention of Sexual Exploitation, Abuse and Harassment Policy		
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<b>Unit</b>	CEO, Habitat for Humanity Australia		
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## Introduction

Sexual Exploitation, Abuse and Harassment (SEAH) are violations of basic human rights. Habitat for Humanity Australia (HFHA) aims to provide a safe and trusted environment that safeguards everyone from SEAH including beneficiary communities, staff, volunteers, Board Members, consultants and partner organisations. HFHA is committed to safeguarding the people it helps and with whom it works.

The nature of HFHA development work places staff in positions of authority and trust in relation to the communities we serve, especially vulnerable adults and children and a wide range of volunteers. It is therefore essential that appropriate SEAH risk management practices are embedded into the organisation that are consistently applied and reinforced, as outlined in this Policy.

## Definition of Terms

**Stakeholder:** Includes Personnel, Global Village Volunteers, Local Village Volunteers, Community Volunteers, , agents and partners including persons in Habitat for Humanity National Offices (NOs), Habitat for Humanity International Branches and State based Affiliates.

**Personnel:** Includes National Board Directors, Committee Members, Staff (full-time, part-time, casual), consultants, contractors, interns and National Office Volunteers

**Global Village (GV) Volunteer:** A Global Village volunteer is a registered volunteer who pays to partake in a week-long overseas volunteering program. GV Volunteers will depart their home country and fly to the Hosting Country (HC) where they will spend roughly a week in local accommodation, while partaking in various volunteer activities.

**Local Village (LV) Volunteer:** A Local Village volunteer is a registered volunteer who pays to partake in a multiple day domestic volunteering program within Australia. LV Volunteers may travel interstate where they will spend multiple days in local accommodation, while partaking in various volunteer activities.

**Community Volunteer (CV):** A Community volunteer is a registered volunteer who volunteers free of charge on a single day volunteering program within Australia. A Community volunteer includes a corporate volunteer.

**National Office Volunteer:** A National Office Volunteer is a volunteer who is engaged by HFHA to undertake specific tasks on a regular basis over a period of weeks or months or longer. A person volunteering for a single day is not considered a National Office Volunteer.

**Sexual exploitation:** Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

**Sexual abuse:** Any actual or threatened physical intrusion of a sexual nature, whether by force or under unequal power dynamics or otherwise coercive conditions.

**Sexual harassment:** A person sexually harasses another person if the person makes an unwelcome sexual advance or an unwelcome request for sexual favours, or engages in other unwelcome conduct of a sexual nature, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

## Purpose

This policy sets out HFHA's approach to preventing sexual exploitation abuse and harassment associated with the work that it does. It sets out:

- Principles upon which HFHA will base SEAH decision-making and actions
- Expectations of conduct of all who represent HFHA, including recruitment, screening and employment processes
- Specific prohibited practices for those who represent HFHA
- How HFHA will assess SEAH risk and ensure appropriate conduct at all times
- HFHA commitments to regular training for HFHA personnel
- HFHA commitments to reporting and investigation procedures that ensure SEAH issues are identified and effective action is taken.

## Policy Statement

HFHA takes a zero-tolerance approach to all forms of SEAH and maintains an organisational culture that prioritises safeguarding against SEAH. HFHA will make it readily accessible for any person affected to come forward and report incidents and concerns with the assurance they will be handled confidentially, sensitively and appropriately.

HFHA Stakeholders have an obligation to uphold high standards of personal and professional conduct at all times and must not breach positions of trust in order to impact another person through sexual exploitation, abuse and harassment, sexual violence, bullying, fraternisation, or any other abuse of power.

HFHA prohibits transactional sex for all Stakeholders while engaged in HFHA activities.

This Policy addresses the sexual exploitation, abuse and harassment of adults. It does not replace HFHA's Child Protection Policy.

HFHA Personnel must also comply with the complementary provisions of the HFHA Complaints Policy, the HFHA Anti-harassment and Non-discrimination Policy, the HFHA Child Protection Policy and Code of Conduct, the HFHA Child Labour Policy and the HFHA Use of Photos and Stories Policy.

## **Policy in Practice**

### **Prevention of Sexual Exploitation, Abuse and Harassment**

Sexual exploitation, abuse and harassment (SEAH) occur when people in power exploit or abuse vulnerable people for sexual purposes. HFHA Stakeholders must conduct themselves professionally and appropriately at all times and never engage in conduct which could involve or be perceived as involving any form of sexual exploitation, abuse or harassment.

### **Application of Policy**

This Policy applies to all Stakeholders involved in HFHA activities.

### **Assessing Risk**

HFHA maintains an organisational risk register (and separate International Programs risk register and Australian Program risk register) which identify potential SEAH risks to any Stakeholder or beneficiary.

PSEAH and Child Protection clauses clearly identify safeguarding risks, management and reporting in all Partnership Agreements and Activity Agreements entered into by HFHA, with direct steps in communications with partners taken before execution to ensure all signatories and their staff are aware of their mutual obligations to manage safeguarding risks.

Project level SEAH risks are captured in risk management planning and monitoring processes of projects undertaken during project development and implementation by HFHA in collaboration with HFH implementing partner organisations. Risk mitigation and monitoring strategies are included as part of these ongoing risk management processes.

Risk registers will be reviewed regularly as project initiatives change and updates to policies and procedures will be made at least every two years.

### **Recruitment, engagement and management of Stakeholders**

HFHA will ensure the protection, safety, security and well-being of Stakeholders and all people with whom HFHA works and supports.

Policies and procedures regarding the recruitment, engagement and management of HFHA Personnel are contained in the HFHA Employee Handbook and in other relevant stand-alone HFHA policies.

Aligned with the HFHA Child Protection Policy and procedures, HFHA recruitment and engagement processes require background screening including criminal history record checks and reference checks, in line with the Habitat for Humanity International (HFHI) Safer Recruitment Toolkit. The HFHA Employee Handbook contains the following policies, which are relevant to the safety, security and well-being of Stakeholders and beneficiaries:

- Anti-harassment and Non-discrimination Policy
- Cyberbullying Policy
- Child Protection Policy and Procedures (and refer to stand-alone Policy and Code of Conduct)
- Sexual Harassment Policy
- Workplace Bullying Policy
- Victimisation Policy
- Complaints Policy
- Whistleblowing Policy
- Equal Opportunity Policy
- Gender Policy
- Staff Grievance/Dispute Resolution Process

All HFHA personnel are oriented on these policies and are required to sign their commitment to upholding all the policies in the Employee Handbook as well as the Child Protection Code of Conduct and HFH Ethics Covenant as part of the induction process.

HFHA Personnel are trained annually on the requirements regarding the prevention and reporting of sexual misconduct, harassment and child protection. Implementing partner organisations are also required by HFHA to conduct annual safeguarding training for staff and project teams.

HFHA will ensure there is a responsible person appointed for managing PSEAH matters including policy reviews, personnel training, and complaint handling and reporting.

HFHA's Global Village and Local Village volunteers receive HFHA manuals and verbal briefings outlining the safety, security and expected behaviours while on a Volunteering Program. These include a Team Leader Manual, Pre-departure Briefing, Incident and Emergency Management Process, Team Member Guide and Team Member Manual. Complaint mechanisms will be explained to both volunteers and community members to ensure they know how to report alleged abuse and action can be taken quickly.

### **Partner Obligations**

HFHA protects Stakeholders and beneficiaries from discrimination, violence, abuse, exploitation or neglect based on an analysis of the context in which they are working or are located. HFHA contracted partners and affiliates must comply with this Policy. Personnel of partners and affiliates must also be familiar with and comply with the contents of this Policy.

Safeguarding risk management requirements are captured in HFHA Partnership Agreements and Activity level Agreements with implementing partner organisations in international programs. HFHA applies the HFHA Child Protection and Prevention of Sexual Exploitation, Abuse & Harassment - Safeguarding Assessment Checklist to assist partners to meet compliance requirements on an annual basis, as a minimum. These checks are conducted in conjunction with the HFHI safeguarding self-assessment process commenced in 2021 to identify capacity strengthening needs and appropriate actions to address them. These mechanisms support HFHA in addressing and exceeding minimum PSEAH standards of local safeguarding policies, safe local recruitment and training practices for stakeholders and downstream partners, community based SEAH reporting mechanisms, safe use of stories and photos and the existence of a safeguarding focal point in partner organisations.

### **Reporting protocols for potential abuse**

HFHA requires and enables Stakeholders and beneficiaries to make SEAH complaints to the organisation in a safe, transparent and confidential manner. Any person may report or make a complaint in relation to alleged Sexual Exploitation, Abuse and/or Harassment that they have experienced, observed or been made aware of in their role working with HFHA wherever it may occur. HFHA requires that community feedback mechanisms are in place where HFHA programs are delivered that capture and facilitate reporting requirements from individuals in those communities.

Any person who receives a complaint must immediately inform their direct supervisor confidentially. If the person has reason to believe that their direct supervisor may be involved in the alleged misconduct, the person must immediately notify their CEO, and use the **Habitat Ethics and Accountability Line**, which is Habitat for Humanity's confidential, anonymous reporting hotline and central tracking repository for allegations of misconduct. Country partners are legally required to notify HFHA of any SEAH complaints immediately and safeguarding is included also as a standing agenda item in regular project team meetings to provide a safe forum to raise concerns.

The process for submitting a complaint is described in the HFHA Complaints Policy, which outlines the processes for Stakeholders, beneficiaries and the public. The Complaints Policy, this Policy and links to the [Habitat Ethics and Accountability Line](#) are located on the HFHA website.

HFHA must immediately (within two working days of becoming aware of an alleged incident) report to DFAT any alleged incident of sexual exploitation, abuse or harassment related to the delivery of DFAT funded activities. HFHA must (within five working days of becoming aware of an alleged incident) report to DFAT any alleged Policy non-compliance related to the delivery of DFAT funded activities.

All reports of alleged SEAH incidents should be made using the DFAT Sexual Exploitation, Abuse and Harassment Incident Notification Form ([www.dfat.gov.au/pseah](http://www.dfat.gov.au/pseah)) and emailed to [seah.reports@dfat.gov.au](mailto:seah.reports@dfat.gov.au)

All alleged SEAH incidents that involve a criminal aspect will be reported to local law enforcement agencies.

### **Procedure for investigating alleged misconduct**

Due to the potential seriousness and sensitivity of a complaint, the individual who receives a complaint should not start any investigations, but rather report the concern to the relevant direct supervisor and or to the **Habitat Ethics and Accountability Line** reporting tool. Confidentiality and sensitivity for the wishes of the survivor must be maintained at all times. HFHA's investigation process is described in the HFHA Complaints Policy. As there may be circumstances where the performance of an investigation would increase the harm to the survivor, any actions will be taken only after full consideration of the safety and the informed consent of the survivor.

HFHA will act on every allegation in a fair and reasonable way with due regard for procedural fairness, confidentiality and welfare of the survivor. The basis for all decisions related to investigation performance or non-performance will be documented. Habitat for Humanity International will also be informed and support in any investigation of SEAH misconduct in Australia or with HFHA international programs.

HFHA recognises sexual exploitation and abuse as gross misconduct and perpetrators will face disciplinary action, including immediate termination of employment or engagement and referral for criminal prosecution in Australia and/or the relevant country, where appropriate.

### **Obligations to survivors**

Support for potential victims of misconduct (or survivors) will be provided regardless of the status or outcome of an investigation. Upon receipt of an allegation of safeguarding misconduct, HFHA will, in partnership with HFHI and in accordance with HFHI Safeguarding Policy, consider providing various forms of survivor assistance, as appropriate depending on the nature of the allegations, the circumstances involved, and the informed consent of the survivor. This includes immediate material care, facilitating health and psychosocial support and legal/advocacy support.

### Appendix I: PSEAH Policy Implementation Checklist

–To be completed annually by both HFHA and its implementing partners

	Minimum Standard	Why this is required	Minimum Standard Evidenced By	In Existence (Yes/No) If Yes, Evidence	Gaps in current practise RISKS	Plan of Action or Proposed actions to address gaps	Progress against actions	Links to any evidence
				(April 2022)				
1	The organisation has a SEAH policy or other policies in place , which clearly meet the expectations of DFAT SEAH policy.	A SEAH policy provides clear guidance and demonstrates how the organisation, across its operations, will ensure that people are protected from sexual exploitation, abuse and harassment in the delivery of Australian aid.	SEAH Policy, other policies					
			Personnel are aware of the organisation’s policies (e.g. through internal communication and training).					
			Documented plan for ensuring HFHA partners are meeting the minimum standard					
			Initial risk assessment of organisation and activities to inform policy development					

2	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.	An effective PSEAH policy requires a report handling procedure. One of the biggest hurdles to personnel reporting sexual exploitation and abuse is that there is no formal system in place to do so, or that personnel are not aware of a formal system to report concerns or allegations. Reporting systems must respect the rights of the alleged victim and alleged offender.	Organisation’s guidelines for managing concerns or allegations of sexual exploitation, abuse and harassment, and policy non-compliance  Documentary evidence that personnel can raise concerns about unacceptable behaviour by personnel					
		It protects personnel by providing guidance on how to avoid situations that may be perceived as harmful. It also provides employers with a sound basis on which to conduct disciplinary action.	Documentary evidence outlining the organisation’s details of available sanctions  Documentary evidence of externally facing policy and reporting information					
3	Have risk management processes that include the risk of SEAH		Referenced in relevant documentation, including policies, contracts and human resource guidelines					



4	Effective PSEAH training in place	Personnel must be fully aware of their responsibilities to avoid SEAH and how to report concerns or allegations about sexual exploitation, abuse and harassment.	<p>Training attendance records</p> <p>Training agendas and timeframes for training</p> <p>Materials used in training</p>					
5	Recruitment and screening processes and employment practices address and manage the risk of SEAH							
6	Prohibit transactional sex for all personnel, while engaged in the direct delivery of DFAT business.							
7	Prohibit fraternisation for all non-national personell, while engaged in the direct delivery of DFAT business		Employment contracts for personnel/consultants contain appropriate provisions					