# Prevention of Sexual Exploitation, Abuse & Harassment (PSEAH) Policy

**Our Commitment**
Projects of Promise is committed to protecting the dignity, safety and human rights of all people engaged in and through its work and will actively seek to prevent mistreatment or harm to children and adults.

**Purpose**
This Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) policy is a reflection of our commitment and is additional to and not in substitution of our Child Protection Policy and other policies related to ensuring our workplaces and project activities affirm behaviour and attitudes consistent with a strong safeguarding culture.
The purpose of the policy is to prevent all Projects of Promise staff, volunteers, partners, participants and community members engaged in our work from sexual exploitation, abuse and harassment and to affirm our commitment to protecting and responding to SEAH.

**Application**
This policy applies to Projects of Promise Board members, staff, volunteers, partners, contractors and supporters/interested parties visiting projects.

## Definitions

***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.

***Sexual exploitation*:** Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from sexual exploitation of another.

***Sexual abuse*:** The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It covers sexual offences including but not limited to attempted rape (which includes attempts to force someone to perform oral sex) and sexual assault (which includes non-consensual kissing and touching). All sexual activity with someone under the age of consent is considered to be sexual abuse.

***Sexual harassment*:** A person sexually harasses another person if the person makes an unwelcome sexual advance or an unwelcome request for sexual favours, or engages in other unwelcome conduct of a sexual nature, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated. Sexual harassment can take various forms. It can be obvious or indirect, physical or verbal, repeated or one-off and perpetrated by any person of any gender towards any person of any gender. Sexual harassment can be perpetrated against beneficiaries, community members, citizens, as well as staff and personnel.

***Protection*:** Measures taken to protect vulnerable people from sexual exploitation and abuse by their own staff and associated personnel.

***Safeguarding*:** Organisational responsibility to keep children and vulnerable adults safe from harm and to mitigate risks of exposure to harm or abuse.

***Transactional sex*:** The exchange of money, employment, goods or services for sex, including sexual favours.

## Principles

***Zero Tolerance:*** Projects of Promise is committed to zero tolerance of inaction with respect to alleged incidents of SEAH and to the common law principle of procedural fairness (natural justice).

***Policy Accessibility:*** Projects of Promise PSEAH policy will be widely accessible both online on the Projects of Promise website and in project locations. The policy will be specifically provided to Board members, staff, volunteers, partners, contractors and supporters/interested parties visiting projects. When necessary policies will be translated and made accessible to staff who may not speak English as a first language.

***Prevention Focus:*** In seeking to focus on prevention of SEAH, Projects of Promise will provide training in PSEAH to Board, staff, volunteers, contractors and partners as relevant to their roles and circumstances.

***Responsiveness:*** Projects of Promise will:

- Seek to be transparent in responding to complaints of SEAH while balancing both procedural fairness and privacy considerations
- Provide support to victims during and following the reporting of an instance of SEAH through attention to their needs and rights.
- Ensure that processes for reporting instances of SEAH are clear, simple and accessible and that a nominated person/s shall be the key contact point for the reporting point of such instances. Reports of instances in Australia shall be to the Chairperson, Projects of Promise and reports of instances overseas shall be to the Executive Officer, Projects of Promise. *(Contact details for Chair & Executive Officer appear at the bottom of this policy document.)*
- Projects of Promise will monitor sector developments in incident response and safeguarding practices and will update this policy to reflect new learning.
- Where the Projects of Promise finds it necessary, an appropriately qualified independent investigator will be appointed to investigate a complaint.
- Projects of Promise will engage with partners with a view to eliminating attitudes which permit or excuse sexual misconduct both internally and in programmatic activities.
- While investigating a complaint Projects of Promise may stand down a staff member, volunteer or contractor who is subject of the complaint
- Sexual exploitation and abuse by any staff member, volunteer or contractor is a grounds for dismissal on the basis of misconduct.

***Prohibited Behaviours:*** Sexual activity with children (persons under the age of 18) is prohibited regardless of local definitions or local customary understandings of the age of majority or age of consent. Mistaken belief regarding the age of a child is not a defence.

- All forms of transactional sex for all personnel, while on and off duty.
- Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited.

***Partnership Agreements & Professional Behaviours:***

- Projects of Promise agreements with partners will contain a specific statement about child protection child protection, SEAH and the reporting of concerns
- All new appointments must sign the Projects of Promise Professional Behaviours Code of Conduct (Attachment A) before signing their contract or taking up a position with Projects of Promise
- Employment contracts prohibit fraternisation while on field deployment and engaged in the delivery of Projects of Promise business
- Projects of Promise will ensure background checking to minimise opportunities for perpetrators to gain access to programs
- New Projects of Promise staff are required to provide a National Police Clearance
- Where the work of an employee/volunteer involves engagement with children a Working with Children clearance (or equivalent) is required
- Where the work of an employee/volunteer involves working with vulnerable persons a vulnerable persons clearance/check is required

***PSEAH Training:*** Projects of Promise will:

- Provide PSEAH training for both Board and staff members at least once every two years
- Require PSEAH training prior to deployment, where an employee/volunteer is to be deployed in the field
- Engage with partners to ensure contextualised training is provided in their location

***Risk Assessments:*** Utilising the DFAT PSEAH Minimum Standards framework, Projects of Promise will undertake risk assessments in each partnership area.

***Reporting of Concerns:*** The Projects of Promise Board has established the following focal points for the reporting of concerns:

Overseas and in Australia: Reports should be made to the Projects of Promise Chairperson in writing via email or post, **marked 'confidential'**

Carlyle Ginger

Projects of Promise, 99 Tallawang Av Malua Bay Australia 2536

carl.ginger@projectsofpromise.org

- Where reports are related to events overseas a risk assessment will be facilitated with the partner group with the option of contacting DFAT Post to ask for advice on who to access to investigate, this could be the police (if safe) or in-country consultants.

- Where a report is related to event in Australia, and if considered appropriate and/or necessary, the Projects of Promise Board may engage the services of a person with expertise in PSEAH or HR to assist with the investigation.

***Victim Support & Response to Allegations:*** The safety and wellbeing of victims is paramount, and their information will be treated both confidentially and sensitively.

- Disclosure of personal information will be limited to that required for reporting the concern. *(It is important to note that in order to afford procedural fairness/natural justice a level of disclosure may be required to enable an investigation to be conducted or to report the matter to legal authorities.)*

- A person reporting a concern should not notify the person to whom the claim or allegation relates or seek to independently investigate or substantiate the claim prior to making any notification.

- The Executive Officer and Chair will together review the allegations and determine a course of action consistent with a fair and proper process.

- Where a victim makes clear that they wish to restrict the distribution of information concerning the report, those wishes are to be respected subject to the limitations above *(eg procedural fairness)* and the requirement of local and Australian law *(eg mandatory reporting)*.

- All alleged SEAH incidents that involve a criminal offence, should be reported to police, subject to it being safe to do so.

**Policy Review**
November 2025, on change of legislation, or at the discretion of the Board of Projects of Promise.

**Policy Version**
1.0

# **ATTACHMENT A: Staff / Volunteer / Appointee Declaration**

## CHILD PROTECTION & PSEAH –

## PROFESSIONAL BEHAVIOURS CODE OF CONDUCT

Name: _____

**I hereby acknowledge that:**

Projects of Promise's position on Professional Behaviours (Code of Conduct) related to working with children and vulnerable adults seeks to reflect those of DFAT in requiring that those working or having contact with children or vulnerable adults either directly on behalf of Projects of Promise are expected to adhere to the following behaviours while they are performing those duties:

- treat all children with respect
- not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- not engage children under the age of 18[1] in any form of sexual intercourse[2] or sexual activity,[3] including paying for sexual services
- wherever possible, ensure that another adult is present when working near children
- not supply children with alcohol or drugs
- not supply children with gifts
- not invite unaccompanied children into private residences, unless they are at immediate risk of injury or in physical danger
- not sleep close to unsupervised children unless absolutely necessary, in which case the supervisor's permission must be obtained, and ensuring that another adult is present if possible (noting that this does not apply to an individual's own children)
- never use any computers, mobile phones, video cameras, cameras or social media to exploit or harass children, or access child exploitation material through any medium
- not use physical punishment on children
- not hire children for domestic or other labour: which is inappropriate given their age or developmental stage; which interferes with their time available for education and recreational activities; or which places them at significant risk of injury
- comply with all relevant Australian and local legislation, including labour laws in relation to child labour
- immediately report concerns or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures

- immediately disclose all charges, convictions and other outcomes of an offence that relates to child exploitation and abuse, including those under traditional law, which occurred before or occurs during association with DFAT
- be aware of behaviour and avoid actions or behaviours that could be perceived by others as child exploitation and abuse

These behaviours are not intended to interfere with normal family interactions.

**When photographing or filming a child or using children's images for work-related purposes:**

- take care to ensure local traditions or restrictions for reproducing personal images are adhered to before photographing or filming a child
- obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. An explanation of how the photograph or film will be used must be provided
- ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive
- ensure images are honest representations of the context and the facts
- ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form

**I acknowledge that:**

- I have a responsibility, as a person working or having contact with children or vulnerable adults either directly or on behalf of Projects of Promise, that I am to exercise judgement in avoiding actions or behaviours that could be construed as child exploitation, sexual exploitation, harassment or abuse.
- I must immediately report any suspected case of child abuse, sexual exploitation or harassment to the Projects of Promise Executive Officer or Chairperson.
- Failure to meet the requirements outlined in this Professional Behaviours Code of Conduct may result in dismissal in the case of being an employee or removal my role in the case of volunteers or appointees.

Name _____

Signed _____

Dated _____

[1] Where the child is 16 years or older and the other party is not more than 2 years older; and it can be established that the child consented to the relationship, an exception can be recorded promptly on personnel files.
[2] As defined under the *Criminal Code Act 1995.*
[3] As defined under the *Criminal Code Act 1995.*