



InterplastTM
Repairing bodies & rebuilding lives
in the Asia Pacific region

PREVENTION OF SEXUAL EXPLOITATION, ABUSE AND HARASSMENT (PSEAH) POLICY

Approved by Board: 18 June 2019
Next Review Date: June 2020
Accountability: Chief Executive Officer

1. Policy Statement:

Interplast Australia & New Zealand (Interplast) believes all people regardless of age have the right to live their lives free from sexual violence, exploitation, abuse and harassment.

We recognise that, at times there are unequal power dynamics across the organisation and in relation to those we support across the Asia Pacific region, and there is an inherent risk of some personnel exploiting their position of power for personal gain.

Interplast adopts a zero-tolerance approach¹ to the sexual exploitation, sexual harassment and/or sexual abuse of individuals.

This includes:

- Sexual exploitation or abuse by Interplast personnel² constitute acts of gross misconduct and are therefore grounds for immediate dismissal
- Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited
- Interplast personnel are prohibited from sexual relationships with direct beneficiaries³.

For any issues relating to individuals under 18 years of age, the Child Protection Policy, and subsequent guidelines become the primary policy document.

Where Interplast personnel develop concerns or suspicions regarding sexual exploitation, abuse and/or harassment by fellow personnel, he or she must report such concerns to the Chief Executive Officer as soon as practicable.

¹ Zero Tolerance means every allegation will be acted upon in a fair and transparent manner, in accordance with procedural fairness

² Interplast personnel include; Interplast staff members, consultants and contractors, volunteers, Board of Directors and Committee and Working Group members; and observers/visitors accompanying an Interplast activity.

³ Direct beneficiaries are the women and men, girls and boys who participate in and directly benefit from Interplast activities. Beneficiaries typically include local medical staff working with an Interplast team or participating in training, and people with disabilities who have received consultation and/or surgery as a result of an Interplast activity.

Any employee, volunteer⁴, consultant, local partner or any other representative associated with the delivery of our work found to be engaging in exploitative and/or abusive acts will be immediately barred from continuing to work or volunteer with Interplast.

Furthermore, individuals may be referred to relevant authorities for the consideration of criminal proceedings.

2. Policy Purpose:

The *Prevention from Sexual Exploitation, Abuse and Harassment (PSEAH) Policy* outlines Interplast's approach to preventing sexual exploitation, sexual abuse and sexual harassment.

Interplast's zero tolerance approach to other types of bullying, abuse and harassment is outlined in Interplast's Human Resources Manual and Volunteer Human Resources Manual.

The policy describes:

- The principles upon which Interplast will base our decision making and actions
- Interplast's expectations of individuals who represent the organisation
- A commitment to ensure effective action is taken when issues arise.

All staff, volunteers, consultants, local partners and any other representative associated with Interplast Australia & New Zealand will be made aware of this policy and its implementation across all levels of the organisation.

3. Policy Scope:

The *Prevention from Sexual Exploitation, Abuse and Harassment (PSEAH) Policy* applies to the following people:

- Interplast staff members and volunteers
- Consultants
- Directors of Interplast Australia & New Zealand
- Committee Members of Board Committees and/or Working Groups
- Observers and visitors accompanying an Interplast activity

This policy is also applicable to local partners in the countries in which Interplast works and is being progressively referenced in all partnership agreements.

Local partner organisations are expected to act in accordance with the principles and reporting requirements outlined in this policy. They must also abide by their own relevant policies international declarations, conventions, agreements and domestic legal frameworks that relate to preventing sexual exploitation, abuse and harassment. Interplast works to ensure that those partners are aware of the policy and understand both their and Interplast's obligations relating to it.

The above cohort of individuals are collectively referred to as Interplast personnel for the purposes of this policy.

⁴ Volunteers include medical volunteers (surgeons, anaesthetists, nurses and allied therapists) undertaking an activity overseas or participating in professional development in their own country or overseas and non-medical volunteers, such as those in administrative, promotional, governance or fundraising roles.

4. Definitions:

This Policy uses the following descriptions of sexual exploitation, sexual abuse and sexual harassment, which combine international and Australian definitions, and are taken from the DFAT PSEAH Policy:

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 (in the law of the host country or under Victorian law [16 years], whichever is greater) 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.

5. Legislative Framework and Standards:

- As a signatory to the ACFID Code of Conduct, Interplast is committed to the human rights and safety of its employees and volunteers by protecting, valuing and supporting them and enabling them to conduct themselves professionally and according to our stated values. Interplast enables them to report wrongdoing through fair, transparent and accessible procedures (Quality Principle 9 People and Culture; Commitment 9.2 and 9.4). Furthermore, Interplast respects and responds to the needs of those who are affected by marginalisation and exclusion (Quality Principle 1, Rights Protection and Inclusion).
- As a DFAT-accredited NGO, Interplast is also required to comply with DFAT standards relating to safeguarding of vulnerable people and protection of whistle-blowers, specifically, DFAT Accreditation Criteria A2.3, A2.4, and A3, together with DFAT's own *Preventing Sexual Exploitation, Abuse and Harassment Policy*.

Interplast is obliged to adhere to relevant safeguarding legislation which prohibit the abuse and exploitation of individuals, both in Australia and overseas. These include legislation in countries where Interplast's programs are implemented, and international laws and conventions in relation to all forms of abuse and exploitation.

6. Related Policies and Other Documents:

Interplast's PSEAH Policy forms part of Interplast's broader suite of safeguarding policies and other documents. This includes:

- Interplast Child Protection Policy
- Interplast Whistleblower Policy
- Interplast Complaints Handling Policy
- Interplast Grievance and Dispute Resolution Policy
- Interplast Human Resources Manual
- Interplast Volunteer Human Resources Manual
- Interplast Incident Management Framework
- Interplast Privacy Policy
- Case Study and Photography Policy
- Case Study and Photography Guidelines
- Codes of Conduct for all personnel, including staff, program activity participants, consultants and office volunteers.

7. Risk Assessment

This policy takes a risk-based, proportional approach to PSEAH. Interplast personnel will assess the level of risk of sexual exploitation, abuse or harassment occurring and apply the PSEAH Minimum Standards (Appendix A).

PSEAH Minimum Standards are applied commensurate with the level of risk identified.

8. Interplast Australia & New Zealand PSEAH Principles:

Interplast Australia & New Zealand commits to the prevention from sexual exploitation, abuse and harassment by:

- Creating a safe working culture for all those whom Interplast supports, and those working for and representing the organisation
- Ensuring that all concerns or allegations of sexual exploitation, abuse, bullying and/or harassment are responded to in a timely and appropriate manner, and that there are multiple channels through which personnel can raise concerns
- Ensuring zero tolerance of sexual exploitation, abuse, bullying and/or harassment in the organisation through robust prevention and response work, offering support to survivors and victims, and holding those responsible to account
- Consistently adopting a survivor-centric approach, that respects the confidentiality and decision-making rights of survivors where possible and appropriate to do so
- Building a culture where all those whom Interplast supports and who work for Interplast feel empowered to insist on non-discriminatory and respectful behaviour from each other

- Being transparent about PSEAH safeguarding issues occurring within Interplast, sensitive in our communications about our practices and open to learning and improving.

9. Interplast Australia & New Zealand Safeguarding Principles:

Where a sexual exploitation, abuse or harassment incident is reported, Interplast commits to the following safeguarding principles:

- Survivor led – Interplast is committed to listening to survivors and being led by the wishes of the survivor where possible and appropriate to do so.
- Non-directive – As an organisation, Interplast aims to empower survivors and complainants by helping them explore their options in a safe manner, without imposing our personal views
- Non-judgemental – Interplast never judges survivors or complainants for their actions or decisions
- Confidentiality – Interplast is committed to confidentiality when carrying out our work within the Asia Pacific region. The organisation will not share information outside Interplast unless there is a belief that someone is in danger or a child has been or may have been harmed
- Independent investigations – The organisation will ensure investigations are independent and discreet, recognising the rights and duty of care to all involved – including the complainant or survivor, witnesses and the individual accused.

10. Policy in Practice:

A. Roles & Responsibilities:

The creation of a safe working environment at Interplast, and amongst our local partners is everyone's responsibility and failure to act on concerns or disclosures relating to sexual exploitation, abuse and/or harassment is a serious breach of individual and collective obligations

- I. The Interplast Management Team, and ultimately the Chief Executive Officer hold overall accountability for this policy and its implementation
- II. The Program Manager is primarily responsible for ensuring local partners are compliant with the policy and its accompanying procedures
- III. Interplast Board Directors are responsible for reviewing and updating this policy annually, and in line with legislative and regulatory developments
- IV. All Interplast personnel are required to adhere to their respective Codes of Conduct which incorporate adherence to this policy
- V. Interplast personnel are obliged to report any suspicions of sexual exploitation and/or abuse to their immediate Manager or directly to the Chief Executive Officer.

An individual victim or survivor is under no obligation to report any incident that has happened to them, however Interplast will ensure individuals who self-report will have access to timely and suitable assistance.

B. Support for Survivors and Victims:

Support will be offered to survivors and victims, regardless of whether a formal response is carried out (such as an internal investigation). Support should be culturally appropriate, and may include specialist counselling, access to Interplast's Employee Assistance Program and/or access to other support as needed.

Survivors and victims can choose if and when they would like to take up the support options available to them.

C. Policy Guidance:

Sexual Activity with Children:

Interplast strictly prohibits personnel from having sexual relationships with children. Mistaken belief of age is no defence. For further information refer to Interplast's Child Protection Policy.

Sexual Activity with Service Beneficiaries:

Interplast strictly prohibits personnel from engaging in any form of sexual activity with Interplast's beneficiaries.

Sexual Activity with Partners or Donors:

Interplast is clear that any partnership, is based on mutual respect for values and beliefs. As such, Interplast strictly prohibits engaging in sexual activity with personnel from its partners where there is a potential for an abuse of power.

Purchasing Sex or Sex-related Services:

The Interplast Codes of Conduct prohibit personnel from purchasing sex and/or sex-related services while engaged in Interplast activities. Although Interplast does not make a judgement against individuals who participate in the sale of sex, the organisation has banned this activity in order to prevent sexual exploitation and/or abuse.

Sexual Activity with Other Interplast Personnel:

Interplast prohibits staff and volunteers from having a sexual relationship with people who they line manage or supervise, and in the case of members of the Management Team or Board, any more junior personnel.

All Interplast personnel engaged in relationships with partners of Interplast or with other Interplast personnel must:

- Declare their relationship as soon as possible to their immediate Manager, even if the relationship is at an early stage and may not continue

- Behave professionally and conduct their relationships in a way that does not impact on Interplast business
- Ensure they do not make work decisions based on the relationship
- Ensure that their relationships do not lead to fraudulent or corrupt behaviours.

Failure to Act Upon Suspected or Reported Sexual Exploitation, Abuse and/or Harassment:
Interplast's Codes of Conduct 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 Interplast personnel are obliged to report any suspicions or incidents 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 Interplast's policy and could lead to disciplinary action being taken.

Creating an environment of prevention:

Managers have a responsibility to support and develop systems that maintain an environment in which beneficiaries, volunteers, staff, contractors and other representatives know how Interplast expects them to behave, how they can raise complaints and concerns, and that Interplast will act when they do.

D. Safe International Programming:

Interplast recognises that there is always a possibility of inflicting unintended harm, particularly in relation to vulnerable populations.

Responsibility for ensuring all program risks are identified and responded to lies with Interplast's Program Activity Coordinators, with compliance responsibility resting with the Program Manager.

E. Raising Complaints or Concerns:

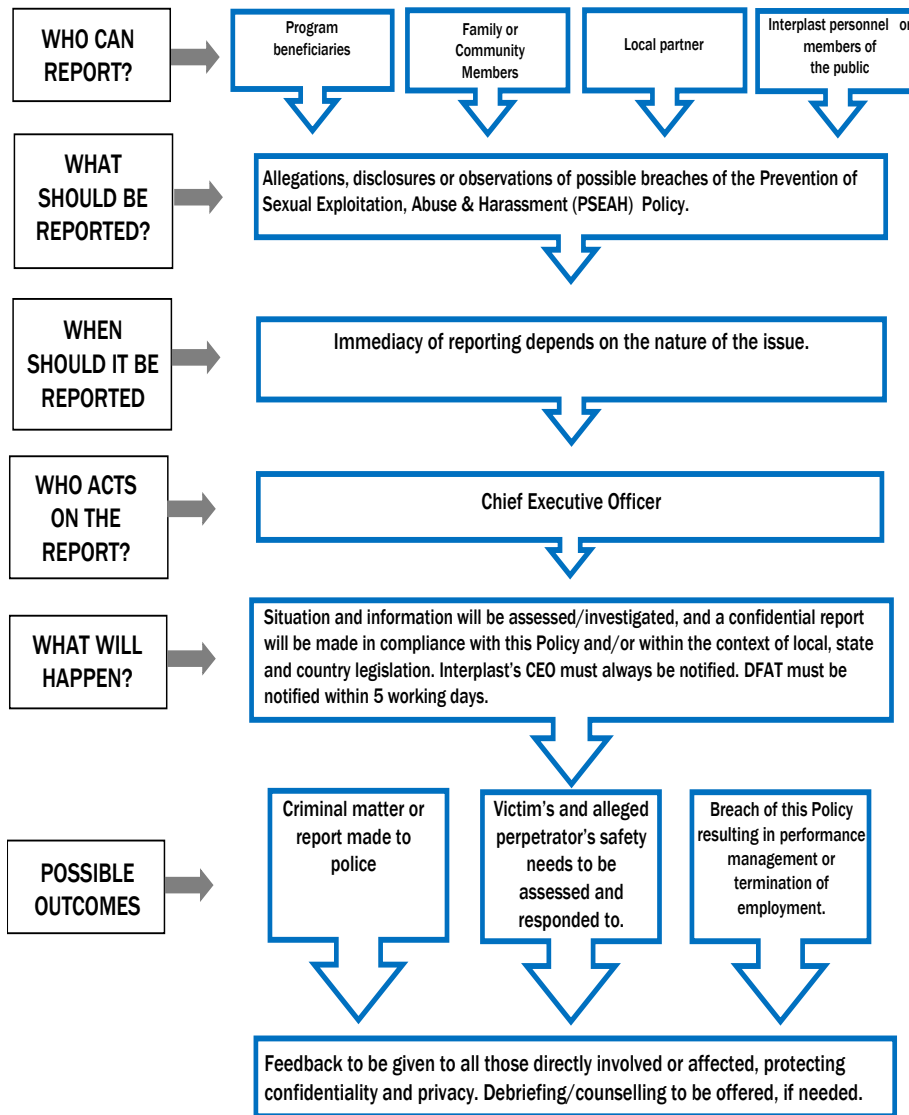
Anyone can raise a concern or make a complaint to Interplast about something they have experienced or witnessed.

This can be done verbally or in writing to any member of the Management Team or Board, who will escalate to the Chief Executive Officer.

The matter will then be dealt with in accordance with the Interplast Whistleblower Policy.

If an allegation is made against an individual and they become aware of the complaint, the individual must immediately inform the Chief Executive Officer. Individuals accused will be treated with respect and all allegations are treated confidentially.

F. Complaint / Concern Handling Procedure:



Reports of alleged sexual exploitation, abuse or harassment incidents should be made to DFAT using the approved 'notification form' (www.dfat.gov.au/pseah) and emailed to seah.reports@dfat.gov.au

Reports of alleged abuse or exploitation of individuals under the age of 18 years must follow DFAT's Child Protection Policy (www.dfat.gov.au/childprotection)

Any sexual exploitation, abuse or harassment allegations that may involve a criminal aspect should be reported through correct law enforcement channels;

G. Confidentiality During Complaint Process:

Confidentiality must be maintained throughout the complaints process by all personnel and witnesses. Personnel who breach confidentiality will be subject to disciplinary action up to and including termination of engagement with Interplast. In some cases, such breaches constitute breaking the law.

H. Personal Retaliation:

Interplast will take action against any personnel or other representatives, whether they are the subject of a complaint or not, who seek or carry out retaliatory action against complainants, victims or other witnesses.

Personnel who are found to do this will be subject to disciplinary action, up to and including termination of employment or engagement.

I. Outcomes of Misconduct:

Personnel who are found to contravene Interplast's clearly stated expectations of their sexual conduct will be subject to disciplinary action that may result in dismissal. Volunteers, contractors and other representatives will have their relationship with Interplast terminated.

J. False Allegations:

It is extremely rare that personnel or other stakeholders are found to have raised allegations which they knew to be false. If a member of personnel from Interplast is found to have made an allegation they knew to be false they will be subject to disciplinary action, up to and including termination of engagement.

K. Interplast Local Partner Complaints:

If Interplast receives a complaint about a local partner, Interplast will notify the partner organisation and expect a timely and appropriate response.

Interplast should make all efforts to assist the partner to ascertain its obligations under local law. Where appropriate, Interplast may work with the partner to address the issue through an appropriate independent investigation. If the outcome is that abuse has occurred, ongoing work with the partner cannot involve the individual(s) concerned. If there is reason to believe that an allegation of abuse has been dealt with inappropriately by a partner, then they risk withdrawal of funding or ending the relationship.

L. External Complaints:

Complaints and concerns raised from outside the organisation must be referred to the Interplast Chief Executive Officer as soon as practicable and must adhere to Interplast's policy and procedures as outlined in this document.

11. Policy Monitoring and Review:

The *Prevention from Sexual Exploitation, Abuse and Harassment (PSEAH) Policy* will be reviewed annually or following changes to relevant legislative or regulatory requirements that may impact the policy in practice.

Interplast's Monitoring and Evaluation Committee will undertake formal monitoring of Interplast's compliance against this policy annually and provide a report to the Board on how the policy is being implemented in practice, as well as any areas of concern which need to be addressed.

Interplast will include compliance indicators in the Monitoring and Evaluation Framework, to ensure that all personnel meet their duty of care to 'do no harm' in the delivery of Interplast programs, through ongoing assessment of its safeguarding measures.

The Chief Executive Officer will manage the review of the policy, with appropriate Interplast personnel and external advisors consulted as part of the review process.

***Revisions to Prevention from Sexual Exploitation, Abuse and Harassment (PSEAH) Policy**

Nature of proposed revisions	Date on which CEO endorsed	Date on which Board approved	Date uploaded to Interplast website
Initially approved	4 October 2018	9 October 2018	8 November 2018
Policy name changed to include Harassment. Updated in accordance with DFAT PSEAH Policy Reference to new minimum standards Strengthen connection to Child Protection Policy for matters relating to children Referenced DFAT notification requirements.	12 June 2019	18 June 2019	19 June 2019

This Policy will be reviewed and adjusted, as required, by the CEO, staff and Board on an annual basis.

Prevention from Sexual Exploitation, Abuse and Harassment (PSEAH) Policy

Appendix A – Minimum Standards

Interplast PSEAH Minimum Standards						
Minimum Standard	Obligation		Applies to			
	Organisations	Individuals	Low Risk	Medium Risk	High Risk	Very High Risk
1. Have a PSEAH policy or other documented policies and procedures in place and clearly communicate the 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	X	X	X	X
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 Interplast's PSEAH reporting requirements for concerns or incidents and policy non-compliance	X	X	X	X
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 Interplast's PSEAH Policy	-	X	X	X
4. Effective PSEAH training in place	PSEAH training for personnel, including downstream partners and individuals that deliver Interplast business	Complete SEAH 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 take. Local requirements must also be followed.	-	-	X	X
6. Prohibit transactional sex for all personnel, while engaged in the direct delivery of Interplast business	Prohibits transactional sex in the field for all staff and downstream partners while engaged in the delivery of Interplast business	Employment agreements include clauses prohibiting transactional sex while engaged in the delivery of Interplast business	-	-	-	X

7. Prohibit the fraternisation for all non-national personnel, while engaged in the direct delivery of Interplast business	Prohibits fraternisation for all non-national personnel in the field while engaged in the delivery of Interplast business	Employment agreements include clauses prohibiting fraternisation for all non-national individuals while engaged in the delivery of DFAT business	-	-	-	X
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