

ACFID Code of Conduct Committee Meeting

Canberra, 14-15 February 2019

Review of Protection from Sexual Exploitation & Abuse (PSEA)

The Code of Conduct Committee (CCC) reconsidered the proposed changes to be made to the Quality Assurance Framework, which formed part of the Code Review into PSEA in 2018. Alongside these proposed changes, the CCC also considered the Recommendations of the VIFM report and decided on what recommendations could be reflected in the Code. The Committee considered the QAF holistically and made decisions on wording of new Compliance Verifiers, Indicators and Good Practice Indicators.

These recommendations for changes to the Quality Assurance Framework represent a significant aspect of ACFID's implementation Plan to help improve the practice and response of ACFID's 124 members in the prevention of sexual misconduct. The CCC's recommendations will go to the ACFID Board for review and approval in March 2019, and it is anticipated they would come into effect on 1 July 2019. The Code Secretariat will be supporting members in their understanding of these changes along with appropriate resourcing to help them achieve and comply with the new benchmark.

DFAT Consultation on Protection from Sexual Exploitation, Abuse & Harassment (PSEAH)

DFAT attended as part of their consultation process on PSEAH. The CCC shared their views and insights on the key points raised in the discussion paper, including how the policy can be implemented with partners and potentially downstream stakeholders, limiting the use of non-disclosure agreements, the conflation of harassment with PSEA and how this presents a potential misalignment between the ACFID Code and DFAT requirements, and the approach to transactional sex. The DFAT staff gave context to the paper and the policy development approach, as well as outlining some of the challenges in forming the policy. The session allowed for a frank and open discussion and was valued by both parties. ACFID is making a written submission to the paper.

Visit by the ACNC Commissioner, The Hon Dr Gary Johns

The CCC met with Dr Johns to discuss:

- his critical agenda for his term leading the ACNC
- the External Conduct Standards
- other opportunities for the Code and its Guidance to play a role in the broader regulatory environment.

The session allowed for reflections on the relationship and intersection between ACFID and the ACNC, as well as highlighting the work ACFID is doing with regards to safeguarding (specifically PSEA), and Financial Wrongdoing.

Economic Valuation of the Code

The Committee invited the author, Les Hems to present key findings emerging from the ACFID-commissioned report 'The Economic Valuation of the Code'. The CCC drilled down into the key monetary values and considered the relevance of these to the membership as well as to ACFID's other key stakeholders. The CCC considered that the report made a contribution in identifying the non-monetary value of the Code to members – capacity building/intellectual capital/governance etc.

CCC Governance, performance and CCC membership

Simon Rice, the Community Specialist Appointment to the CCC, was reappointed for his 2nd term. The CCC has several standing committees (Emergency Response, Compliance, Membership Admissions, and Financial Review) and members were appointed to each of these for 2019. The Committee reviewed its Risk Framework and considered existing and additional risks the Code faced in the short and longer-term.

The Committee reviewed its performance during 2018, which was largely based on feedback from CCC members through a confidential survey. Overall Committee members were satisfied with the operations, relationships and management of the CCC. The qualitative comments provided were particularly helpful and the CCC will be refreshing the next survey so that the questions remain current and meaningful.

Membership matters

The CCC approved a new applicant for Code Signatory status – this will go to the Board for approval.

The CCC also reviewed the challenges in complying with the Code for a member that doesn't deliver direct aid and development activities overseas. The Committee confirmed that no changes should be made to the Code to accommodate this situation, but made some recommendations to support such agencies which will be pursued in the following weeks.

The Chair also gave a verbal update on several complaints about breaches of the Code by member agencies, one of which had been resolved through mediation with the parties by the CCC.

The next CCC meeting will be held on **10 May 2019**

Information about the Code of Conduct Committee including Committee members and the Terms of reference can be found on the [ACFID Website](#).

For more information about the Code of Conduct Committee, contact ACFID Standards and Code Lead Sophie Seck on (02) 8123 2222 or sseck@acfid.asn.au