



Safeguarding People Policy

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| Level/Classification | Human Resource Management / People & Culture |
| Sponsor | Director Business & Corporate Partnerships |
| Approval/Authorisation | CEO & Board |
| Date of effect | 11 August 2020 |
| Related policy and legislation | ACFID Code of Conduct; Child Protection Policy; ACFID Staff, Intern & Volunteer Code of Conduct; ACNC External Conduct Standards; DFAT's Child Protection Policy and Preventing Sexual Exploitation, Abuse and Harassment Policy, ACFID Financial Strategy & Management Framework; Recruitment & Selection Policy, Whistleblowing Policy |
| Related procedures and guidelines | See Annexure 3 – Safeguarding Concern Reporting Process and Form |
| Application | ACFID Staff, Interns & Volunteers; ACFID Consultants & Contractors |
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1. PURPOSE

- 1.1 The Australian Council for International Development is committed to ensuring that its activities are implemented in a safe and productive environment which prevents Harm and avoids negative impacts on the health and safety of all people, particularly children, vulnerable people and disadvantaged groups. An environment where Safeguarding Concerns are responded to actively and effectively.
- 1.2 ACFID has a zero-tolerance approach to inaction in response to either adult or child Sexual Exploitation and Abuse and Harassment of any kind. This extends to inaction in response to Safeguarding Concerns and other allegations of misconduct. ACFID's position aligns to its Values of integrity 'We act with honesty and are guided by ethical and moral principles in all that we do', respect "We recognise the value and diversity of every person and are committed to treating others with due regard for their rights, dignity and integrity", and accountability "We take responsibility for our actions and are accountable to all our stakeholders, and in particular primary stakeholders, for our performance and integrity".
- 1.3 ACFID recognises the importance of appropriate professional conduct in protecting people and reputation and creating harmonious and productive workplaces and projects.

2. SCOPE AND DEFINITIONS

- 2.1 This Policy lays out the guiding principles and commitments of ACFID and applies to all Personnel (including volunteers and interns), Representatives, Partners, and visitors to ACFID or our projects. It applies to ACFID's workplaces and activities. In this Policy capitalised and frequently used terms have the meaning set out at section 8.
- 2.2 Events that are run by ACFID are also covered by this Policy and are subject to assessment and action depending on the risk assessment. The safeguarding requirements of our partners in delivering ACFID events is determined by the level of risk for each event on a case-by-case basis.
- 2.3 Financial safeguards are covered in ACFID's financial policies – ACFID Financial Strategy & Management Framework.

3. BACKGROUND

- 3.1 ACFID recognises the importance of the right of all people to live free from Harm. The reputation of ACFID and the international development sector is reliant on our Personnel, Representatives, Partners and visitors upholding and promoting high standards of professional conduct in line with ACFID's Safeguarding Code of Conduct, as set out at Annexure 1, Compliance Requirements and Values.
- 3.2 All Personnel have an individual and collective responsibility to respect the rights of others in the workplace and to avoid being involved in or encouraging inappropriate or unlawful behaviour.
- 3.3 ACFID expects all Personnel and Representatives to comply with this Policy and in particular to take action to report Safeguarding Concerns to the Safeguarding Focal Point or Business Director in accordance with the Safeguarding Concern Reporting Process set out at Annexure 3.
- 3.4 ACFID will treat all allegations of misconduct seriously, respond promptly and confidentially. ACFID is committed to taking a complainant/survivor centred approach to response to any and all safeguarding concerns raised. Any process of investigation or further action will be taken in accordance with the wishes of the complainant/survivor.
- 3.5 Personnel, Partners or Representatives found to have breached this Policy may have corrective, disciplinary or remedial action taken against them in accordance with the wishes of the victim/survivor. Consistent with the guiding principles of this policy and the standards required of all ACFID Personnel, Representatives and Partners, ACFID may suspend, transfer or terminate the contract or appointment of Personnel, Representatives, Partners and/or report the breach to a relevant professional or legal organisation or authority as appropriate and in keeping with the wishes of the victim/survivor.

4. GUIDING PRINCIPLES

- 4.1 The guiding principles of this Policy that underpin all of ACFID’s Safeguarding functions, actions and decisions regarding both children and adults are as follows:
- 4.1.1 **Gender equality** – ACFID recognises that the inherent gendered power imbalances that organisational structure can perpetuate can cause unintended harm to vulnerable people in our workplaces and our broader community. ACFID’s commitment to gender equality will inform all aspects of our work on safeguarding, including this policy.
 - 4.1.2 **Accountability and transparency** – ACFID will be accountable and transparent in all aspects of Safeguarding and respond actively and appropriately to Safeguarding Concerns.
 - 4.1.3 **Zero tolerance** –ACFID will not ignore safeguarding concerns, and will not tolerate inaction where concerns are raised.
 - 4.1.4 **Shared responsibility** – safeguarding those vulnerable to sexual exploitation, abuse and harassment is equally the responsibility of ACFID, our staff, volunteers, personnel, representatives and partners. ACFID will create the environment where a culture of safeguarding is prioritised and our responsibility shared equally.
 - 4.1.5 **Victim/survivor centred** – Consistent with our commitment to upholding the commitments of the ACFID Code of Conduct, ACFID’s approach to safeguarding is committed to taking an approach that always prioritises the needs and wishes of the victim/survivor.
- 4.2 The guiding principles that underpin the conduct of our Personnel, Representatives, Partners, and visitors are set out in ACFID’s Safeguarding Code of Conduct and the ACFID Staff, Intern & Volunteer Code of Conduct.
- 4.3 This Policy is guided by and follows the ACFID Code of Conduct, DFAT’s Child Protection Policy and Preventing Sexual Exploitation, Abuse and Harassment Policy and the ACNC’s External Conduct Standard 4: Protection of vulnerable individuals.

5. COMMITMENTS UNDER THIS POLICY

ACFID is committed to the following.

5.1 Culture

- 5.1.1 Create a culture that supports Safeguarding and the provision of a safe and inclusive workplace where all are treated with dignity, courtesy and respect and prevents Harm and protects people.
- 5.1.2 Have a Safeguarding Focal Point to embedding safeguarding practices across the organisation.

5.2 Empowerment

- 5.2.1 Actively promote awareness of this Policy and clearly communicate its approach to Personnel, Representatives, Partners, visitors.
- 5.2.2 Train employees on Safeguarding and this Policy as appropriate to their role in the organisation.
- 5.2.3 Collecting and using images and personal information in a way that ensure privacy and safeguarding of people
- 5.2.4 Building our safeguarding approach through a survivor-centred approach including best interest of the child.
- 5.2.5 Ensure Safeguarding Concern response is survivor-centred with a ‘do no harm’ focus.

5.3 Prevention

5.3.1 Ensure safeguarding is embedded in our recruitment and HR policies and processes.

5.3.2 Design and undertake our work in a way that protects people from the risk of Harm.

5.4 Partnership

5.4.1 We commit to working collaboratively with partners to ensure a shared understanding of expected behaviours.

5.5 Accountability

5.5.1 Promote ACFID's commitment to Safeguarding to internal and external stakeholders.

5.5.2 Provide a safe, effective, accessible, and openly promoted process for raising and addressing Safeguarding Concerns.

5.5.3 Treat all Safeguarding Concerns in a professional, sensitive, timely and confidential manner that incorporates procedural fairness and take immediate and appropriate action in consistent with the wishes and welfare of the victim/survivor.

5.5.4 Ensure implementation of and compliance with this Policy is regularly reported to the Board.

6. RESPONSIBILITIES & ACCOUNTABILITIES

6.1 Board

The Board is responsible for:

6.1.1 Promoting a culture of Safeguarding at ACFID;

6.1.2 Providing governance guidance for ACFID in relation to Safeguarding;

6.1.3 Ensuring that it is kept informed and that reported safeguarding incidents are adequately addressed according to their mandate and responsibilities.

6.1.4 Approving this Policy.

6.2 Chief Executive Officer

6.2.1 The CEO is responsible for embedding a Safeguarding culture at ACFID.

6.2.2 The CEO will:

(a) ensure this Policy is upheld and will inform the Board of any concerns relating to conduct and/or Safeguarding that may present risk to ACFID, its Personnel, Representatives, Partners, beneficiaries, reputation, operations or other activities;

(b) ensure progress in relation to conduct and Safeguarding activities across ACFID is included in standard reporting to The Board; and

(c) hold the Safeguarding Focal Point and the other Directors accountable to this Policy.

6.3 Safeguarding Focal Point

6.3.1 The **Safeguarding Focal Point** is responsible for:

(a) Providing advice to the Business Director to addressing any internal or external questions arising in relation to Safeguarding issues and will be or provide appropriate onward referral to assist with the investigation, mediation, management or resolution/action of safeguarding issues on an as needed basis;

(b) informing the Business Director of any risk to ACFID regarding Safeguarding

- (c) provide advice and expertise to the Business Director on safeguarding issues including obligations and contemporary practice.
- (d) Providing advice to the Business Director in developing and planning the implementation and ongoing management of the Safeguarding people policy including associated templates, tools and resources.

6.4 Director, Business

6.4.1 The Director, Business is responsible for:

- (a) ensuring the Policy complies with ACFID's obligations and contemporary practice and will update this Policy as required;
- (b) compliance monitoring
- (c) informing the CEO of any key risk to ACFID regarding conduct and/or Safeguarding and will ensure relevant risk and incident registers are kept up to date.
- (d) managing any Safeguarding Concern in accordance with the Safeguarding Concern Reporting Process and in consultation with the Safeguarding Focal Point; and
- (e) addressing any internal or external questions arising in relation to this Policy with the support and advice of the Safeguarding Focal Point; and
- (f) developing and planning the implementation and ongoing management of the Safeguarding People Policy including associated templates, tools and resources in consultation with the Safeguarding Focal Point.

6.5 Directors

6.5.1 The Directors will:

- (g) promote the existence of this Policy to all Personnel (including volunteers and interns), Representatives, Partners and visitors
- (h) ensure procedures, practices, plans and operations align with this Policy and that all relevant Personnel are aware of, and understand, this Policy and their responsibilities under it.

6.5.2 Directors are responsible for identifying any Safeguarding risks or Concerns arising within ACFID's activities with the support of Safeguarding Focal Point and adopting appropriate mitigation strategies through the use of a safeguarding risk assessment. The Director will

include risks and incidents on relevant registers and consult the Safeguarding Focal Point on issues identified.

6.6 Personnel, Partners and Representatives

Personnel, Partners and Representatives will:

- 6.6.1 sign and adhere to the principles and commitments under this Policy and any related procedures.
- 6.6.2 take all reasonable care to ensure that their actions or omissions are not in breach of this Policy, nor directly or indirectly encourage others to breach this Policy; and
- 6.6.3 report any Safeguarding Concerns by following the Safeguarding Concern Reporting Process.

7. IMPLEMENTATION AND MONITORING

- 7.1 Upon its effect, implementation of this Policy will commence, including the required updates to all related policies. These are specified on the covering page of the Policy. This process will be coordinated by the business director.
- 7.2 This policy requires that ACFID's recruitment and screening processes will check references and include vetting and screening for allegations of misconduct.
- 7.3 This policy requires that a safeguarding risk assessment is conducted for all external events hosted by ACFID, and that appropriate mitigation strategies are adopted for risks identified. This risk assessment will be informed by DFAT's guidance on SEAH risk assessment.
- 7.4 The Business Director will coordinate a process to ensure ACFID's staff receive training in the Prevention of Sexual Exploitation, Abuse and Harassment, and that this training is up-to-date in consultation with the safeguarding focal point.
- 7.5 A report on the implementation of this Policy across ACFID will be submitted to the Board no less than every three years. The Business Director is responsible for compiling this report and submission to the CEO.
- 7.6 The Board will monitor at each meeting any report of incidents in regards to safeguarding and how they are being addressed.
- 7.7 This Policy will be reviewed every three years by the Board and the Business Director is responsible to prepare this review in consultation with the safeguarding focal point.
- 7.8 The Business Director has oversight for all Governance and Operational Policy and will ensure monitoring and reporting obligations are met supported by the Safeguarding Focal Point.

8. GLOSSARY AND DEFINITIONS

Abuse occurs when an individual or individuals hurts an adult or child, either physically or mentally. In the majority of cases, the abuser is someone the victim knows well, such as a parent, other caregiver, relative or friend. Abuse can be intentional or unintentional and includes: Discriminatory Abuse; Emotional / Psychological Abuse; Exploitation (including Transactional Sex); Financial or Material Abuse; Harmful Traditional Practices; Neglect; Organisational Abuse; Physical Abuse; and Sexual Abuse (as further defined in this Policy).

ACFID means the Australian Council for International Development.

ACNC means the Australian Charities and Not-for-profits Commission.

Best Interests of the Child is an overarching principle in the UN Convention on the Rights of the Child (1989): in all actions concerning children, whether undertaken by public or private institutions, the best interest of the child should be a primary consideration. In all matters affecting the child, the views of the child should be seen as important and given due weight in accordance with the age and maturity of the child.

Bullying means repeated behaviour towards a person or group of people which humiliates, offends, intimidates or threatens the person or group of people and that a reasonable person would have anticipated would humiliate, offend, intimidate or threaten someone. Examples of bullying include:

- (a) physical or verbal Abuse;
- (b) yelling, screaming or offensive language;
- (c) excluding or isolating employees;
- (d) psychological Harassment;
- (e) assigning meaningless tasks unrelated to the job;
- (f) giving employees impossible jobs;
- (g) deliberately changed work rosters to inconvenience employees; and
- (h) undermining work performance by deliberately withholding information vital for effective work performance.

Business Director also referred to as Director Business

Child means anyone below the age of 18 years following the definition provided by the United Nations Convention on the Rights of the Child 1989.

Complaints means General Complaints and Whistleblowing Complaints as set out in ACFID's Complaints and Whistleblowing policies.

Compliance Requirements mean the ACFID Code of Conduct and DFAT's Child Protection Policy and Preventing Sexual Exploitation, Abuse and Harassment Policy, ACNC's External Conduct Standards, United Nations Convention on the Rights of the Child (1989) as well as any other laws, regulations, policies or conventions regarding Safeguarding that may apply to or be adopted by ACFID from time to time.

DFAT means the Australian Government's Department of Foreign Affairs and Trade.

DFID means the UK Government's Department for International Development.

Director Business also referred to as Business Director

Discriminatory Abuse means repeated, ongoing or widespread discrimination due to a person's age, sex, gender, disability, racial heritage, religious belief, sexual orientation, appearance or cultural background, marriage or civil partnership, pregnancy and maternity. This can include unfair or less favourable treatment, sexual or gender preference, slurs, harassment, name-calling, breaches of civil liberties, and unequal access to health or social care.

Emotional/Psychological Abuse means the emotional ill-treatment of a person that adversely affects their wellbeing or development. Some level of emotional abuse is involved in all types of ill treatment, though it may occur alone. It includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or support networks. Other harmful experiences such as frequently being forced to witness violence in the domestic environment are also classified as emotional abuse.

Exploitation means behaviour exploiting children or adults by seeking out those who are in vulnerable circumstances to use them for their own purpose, activity or gratification. This could be financial, commercial, sexual or related to extremism and terrorism. Exploitation involves a process of grooming; when someone builds an emotional connection with a child or adult to gain their trust for the purpose of exploitation. They may also manipulate their environment, so they become isolated from those who could help or support them. Those affected may not realise they have been groomed, or that what has happened is abuse. Exploitation includes but is not limited to: Modern Slavery; Radicalisation; Sexual Exploitation; and Transactional Sex, as further defined in this Policy, and may also be understood as adverse working and living conditions characterised by ‘involuntariness’ on the part of the worker.

Financial or Material Abuse means theft or misuse of a person’s property or assets. This includes money being withdrawn or stolen, goods or services purchased in someone’s name without their consent, being deliberately overcharged for goods or services, misappropriation of property, possessions or benefits, or money being borrowed by someone who is providing a service to the vulnerable person.

Forced Labour means a person, the victim, who provides labour or services if, because of the use of coercion, threat or deception, a reasonable person in the position of the victim would not consider himself or herself to be free to cease providing labour or services or to leave the place or area where he or she, the victim, provides labour or services.

Fraternisation means any relationship occurring while conducting business, 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 can include a close emotional relationship involving public displays of affection or private intimacy and the public expression or intimate relations. Fraternalisation may be a type of Exploitation in very high-risk contexts.

Harassment means any behaviour that is unwelcome, uninvited, or unreciprocated and which a reasonable person, having regard to all circumstances, would anticipate as being offensive, humiliating or intimidating. It is no defence to a complaint of harassment that you did not mean to cause offence. Harassment includes but is not limited to Sexual Harassment. Examples of harassment include, but are not limited to:

- (a) pictures, graffiti or written materials which are offensive or obscene.
- (b) phone calls, letters or messages, including SMS text messages on mobile phones, on electronic mail or PC networks which are threatening, abusive or offensive.
- (c) insulting or threatening gestures.
- (d) continual exclusion of a person or group from normal conversation, work assignments, work related social activities and networks in the workplace.
- (e) interference with a person's workspace, work materials, equipment, or property, apart from that which is necessary for the ongoing work of ACFID.
- (f) continual unjustified and unnecessary comments about a person's work or capacity for work.
- (g) dismissive treatment or material expressing prejudice or stereotypical assumptions about the group to which a person may belong.
- (h) offensive physical contact or coercive behaviour which may be taken to be derogatory or intimidating.
- (i) persistent following or stalking within the workplace.

- (j) spreading gossip or false or malicious rumours about a person; and
- (k) sabotaging a person's work, for example, by deliberately withholding or supplying incorrect information, hiding documents or equipment, or not passing on messages.

Harm means any undue psychological or physical infringement of an individual's rights and includes Abuse, Bullying, Exploitation, Harassment, Unlawful Discrimination, Victimisation and Vilification.

Human Trafficking means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Modern Slavery means Human Trafficking, Forced Labour, Servitude, debt bondage or coercing, deceiving, and forcing an individual into a life of Abuse. People are trafficked for Sexual Exploitation, Servitude, labour, benefit fraud and involvement in criminal activity such as pick-pocketing, theft, and illegal work. Some people are coerced, but most are trapped in subversive ways. For example, promised education or 'respectable' work in restaurants or as domestic servants, or parents may be persuaded that their children will have a better life elsewhere. Modern Slavery is Exploitation.

Neglect means the continuing failure to prevent harm that damages or impairs health and/or development by not meeting a person's basic physical and/or psychological needs. This includes ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, withholding medication, inadequate hygiene, nutrition, housing or heating, or preventing someone from interacting with others. Neglect of children and adults with disabilities is more common than neglect of those without disabilities and is often under-reported. In an international development context, some of the individuals ACFID works with may experience some form of neglect to basic needs. Professional judgement is needed to decide whether the experience of neglect is intentional or due to material deprivation and should be based on the severity of the neglect and how the individual is being treated relative to their peers in the community and wider cultural norms. Neglect is a type of Abuse.

Organisational Abuse means the mistreatment, abuse or neglect of children or adults by an organisation or its personnel. It can take place within settings and services that children or adults live in or use, and it violates their dignity, resulting in a lack of respect for their human rights. It can take the form of an organisation failing to respond to incidents of poor practice brought to its attention.

Partner means an organisation funded to carry out the work of ACFID. It does not include suppliers of goods or services (including consultants), whose conduct is managed separately under the procurement policies and procedures of ACFID.

Personnel means a person who carries out work in any capacity for ACFID which includes paid employees, individual contractors or consultants, work experience students, interns or volunteers (for the latter where the contribution exceeds one calendar day or where the volunteer will visit projects or has the potential for contact with children in their role).

Physical Abuse means deliberate injury to a person, however slight. This may involve hitting, shaking, throwing, poisoning, biting, burning or scalding, drowning, suffocating or otherwise causing or attempting to cause physical harm to a person. Physical abuse may also be caused through the

misuse of medication, restraint or inappropriate sanctions, for example, corporal punishment, or being given alcohol or a substance that is known to cause harm.

Project means a time-bound set of activities with a start and end date for implementation aimed at achieving a pre-defined objective or set of objectives.

Program means a suite of related projects aimed at achieving a common goal.

Radicalisation means the process by which those who are vulnerable come to support terrorism or violent extremism and, in some cases, to directly participate in or support terrorist groups. There is no obvious profile of a person likely to become involved in extremism or a single indicator of when a person might move to adopt violence in support of extremist ideas. The process of radicalisation is different for every individual and can take place over an extended period or within a very short time frame. It may follow experience of racism or discrimination. They believe that joining a movement offers social and psychological rewards such as adventure, camaraderie and a heightened sense of identity. Radicalisation may be a type of Exploitation.

Representatives means a person who represents ACFID, which includes Board directors, Board Committee members, Advisory Committee members and any other representative appointed by ACFID from time to time.

Safeguarding means actions, policies and procedures that create and maintain protective environments to promote and protect people's health, wellbeing and human rights, and enabling them to live free from Harm including Exploitation and Abuse. A safeguarding approach means minimising the risk of Harm to children and adults arising from our projects and includes responding appropriately to any Safeguarding Concerns about children and adults within communities where we work.

Safeguarding Code of Conduct means ACFID's Safeguarding Code of Conduct set out at Annexure 1 to this Policy.

Safeguarding Concern means when someone is worried about Harm to or the safety or well-being of a child or adult or themselves because of something seen, heard or experienced, or information that has been given to them. A safeguarding concern can involve someone at ACFID, or from another organisation, endangering the safety or wellbeing of others, for example, by not following the Safeguarding Code of Conduct or otherwise breaching this Policy.

Safeguarding Concern Reporting Process means the process set out at Annexure 3.

Safeguarding Focal Point means the Director Business & Corporate Partnerships of ACFID or such other person appointed by the CEO to be accountable for the management of Safeguarding at ACFID globally as set out at 6.3.1.

Serious Incidents are all forms of abuse as defined in this Glossary which will trigger the ACFID Safeguarding Concern Reporting Process.

Servitude means a person (the victim) who provides labour or services, if, because of the use of coercion, threat or deception: a reasonable person in the position of the victim would not consider himself or herself to be free to cease providing labour or services or to leave the place or area where he or she, the victim, provides labour or services and the person is significantly deprived of personal freedom in respect of aspects of life other than the provision of the labour or services.

Sexual Abuse means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions (UN Secretary-General's Bulletin: Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13)). It is the involvement of a person in sexual activities which they do not want or truly understand, or to which they are unable to give valid or effective consent. This may involve rape (which includes attempts to force someone to perform oral sex), sexual assault (which includes non-consensual kissing and touching), inappropriate sexual contact or exposure to inappropriate material. Any kind of sexual activity involving a child constitutes sexual abuse, whether or not the child is aware of, or consents to, what is happening. This includes rape, incest, fondling genitals, masturbation, voyeurism, exhibitionism, exposing a child to adult sexual material, or making them take part in any sexual activity, real or simulated, whether face-to-face, online, or in any other medium.

Sexual Exploitation means 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 (UN Secretary-General's Bulletin: Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13)). It is a type of Abuse in which children or adults are sexually exploited for money, power or status. Some children and adults are trafficked into or within a country for this purpose. They may be tricked into believing they are in a loving, consensual relationship. Abusers will use various means to gain compliance such as drugs, alcohol, gifts, threats and bribes.

Sexual Harassment means unwanted physical, verbal or non-verbal conduct of a sexual nature that can include indecent remarks or sexual demands, it is one type of Harassment and can take many different forms. 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 Personnel.

Examples of conduct which may be sexual harassment include, but are not limited to:

- (a) lewd comments or jokes.
- (b) staring or leering.
- (c) boasting about sexual performance or discussion about sexual behaviour.
- (d) unwanted and persistent physical contact including uninvited kisses, touching or embraces.
- (e) displays of sexually graphic material including posters, pictures, calendars, magazines, videos and so forth.
- (f) unwelcome sexual advances including repeated invitations to go out after prior refusal.
- (g) behaviour which would also be considered an offence under criminal law including assault, indecent exposure, sexual or indecent assault.
- (h) stalking or obscene communications.
- (i) sexually explicit or offensive conversations including phone calls, letters and e-mails or any kind of electronic communication questioning about a person's private life.

Strategic Partner means an organisation with which ACFID aligns for the purposes of furthering development or health objectives but does not receive funding from ACFID.

Survivor-centred approach means to prioritise the rights, needs, wishes and empowerment of survivors of sexual exploitation, abuse, and harassment in both the prevention of and response to sexual exploitation, abuse and harassment (SEAH).

In practice, this means that ACFID will ensure that:

- those who are affected by SEAH have accessible mechanisms to make a complaint that are designed with their needs and contexts in mind.
- SEAH complaints are investigated sensitively and confidentially with primary concern for the survivor; and
- any response is both robust and sensitive to the wishes and protection of survivors.

Transactional Sex means the exchange of money, employment, goods or services or other benefits for sex or sexual acts including sexual favours. ACFID sees Transactional Sex as Exploitation.

Unlawful Discrimination means treating a person or group of people less favourably than another person or group. Discrimination is unlawful when a person is treated less favourably for one of a variety of grounds set out in the relevant legislation. These vary by jurisdiction, but include:

- (a) sex, marital status, pregnancy or family responsibilities;
- (b) sexual orientation.
- (c) race, colour, descent, nationality, national origin, ethnicity or religion.
- (d) disability or impairment.
- (e) gender identity including transgender
- (f) age.
- (g) political belief or activity.
- (h) trade union membership or union or industrial activity; or
- (i) responsibilities as a carer.

Unlawful discrimination can occur not only at the workplace, but at work related trips or functions or in any project or operational context. There are exceptions to the prohibition on unlawful discrimination which may apply in some situations, for example height due to the safety requirements of a job.

Values means ACFID's values of integrity, empowerment, action, and collaboration.

Victim is generally applied where the individual is still in an exploitative situation and/or is interacting with various systems that regard them as victims of crime.

Victimisation means unfavourable treatment or persecution of an employee during his/her employment or engagement because the employee has raised a Safeguarding Concern under this Policy or is the victim in a Safeguarding Concern raised by another.

Vilification means incitement of hatred, serious contempt or severe ridicule of a person or group of persons on the ground of an attribute such as age, race, gender, or disability.

Zero tolerance means that consequences will apply if allegations are proven.

ANNEXURE 1 - SAFEGUARDING CODE OF CONDUCT

The Australian Council for International Development has zero tolerance to inaction and strongly condemns all forms of Harm to people, including Abuse, Bullying, Exploitation, Harassment, Unlawful Discrimination, Victimization and Vilification, and categorically states that it is unacceptable in any circumstance. We are committed to ensuring a safe environment and culture for those with whom we come in contact during our work, projects and activities including children, vulnerable adults and all other people.

Failure to comply with the Safeguarding Code of Conduct may result in disciplinary action being taken in accordance with ACFID Performance Management policies and procedures, as amended from time to time. Any illegal matters may be referred to the relevant authority.

I commit to abiding by the standards set out in this Code of Conduct which requires me to act as follows:

Culture

1. Uphold a culture that supports Safeguarding of children and adults and the provision of a safe and inclusive workplace, projects, and fundraising activities where all are treated with dignity, courtesy and respect.
2. Be respectful of people's rights, background, culture, and beliefs and treat them equally regardless of gender, race, religious or political beliefs, age, physical or mental health, sexual orientation, family and social background and culture or economic status.
3. Safeguard people and ACFID's reputation, interests, and resources.

Prevention

4. Not cause any person Harm including by way of Abuse, Bullying, Exploitation, Harassment, Unlawful Discrimination, Victimization or Vilification.
5. Treat individuals with respect.
6. Respect privacy and confidentiality of personal information so that dignity and safety is not compromised.
7. Refrain from using language that is inappropriate, harassing, abusive, sexually provocative, discriminatory, demeaning or culturally inappropriate.
8. Not accept, receive or give inappropriate benefits, gains or gifts.
9. Follow ACFID's Safeguarding People Policy and any associated procedures.
10. Not commit any criminal acts and follow relevant local, state and national law relating to Safeguarding people, child protection and labour.
11. Not attend work while adversely affected by drugs or alcohol, including when driving a motor vehicle, and not smoke on ACFID premises.

Empowerment

12. Conduct myself in a manner consistent with my position as a representative of The Australian Council for International Development and as a positive role model including adhering to ACFID's Values.
13. Use any computers, mobile phones, video cameras, cameras and social media appropriately and never to Harm people or children nor access exploitative material through any medium.
14. Refrain from photographing people or using their photographs including in project or promotional materials, social media or otherwise without their prior informed consent:
 - (a) Obtain informed and documented consent of the person/or the child and his/her parents or guardians before photography/filming.
 - (b) Provide an explanation on how the photograph/film will be used.

- (c) Ensure photographs, films, videos and DVDs present all people in a dignified and respectful manner and not as vulnerable or submissive. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- (d) Ensure images are honest representations of the context and facts.
- (e) 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.
- (f) Take care to ensure the local traditions or restrictions for reproducing personal images are adhered to before photographing or filming.

Protection

- 15. Take all reasonable steps to protect children and adults from Harm.
- 16. Ensure my response to any Safeguarding Concern is survivor centred.

Child Protection

- 17. In addition, ensure that in any dealing with children during the course of my work or visit, I:
 - (a) Do not hit, mistreat, or cause other Harm to children.
 - (b) Refrain from any sexual act or behaviour towards children, including using sexually suggestive language and paying for sexual services or acts.
 - (c) Wherever possible, ensure that another adult is present when working near children.
 - (d) Refrain from inappropriate physical contact or provocative behaviour with children including not to hold, kiss, cuddle or touch a child in an inappropriate or culturally insensitive way.
 - (e) Do not seek to make contact or spend time with any child outside the project times.
 - (f) Do not develop relationships with children that may be deemed exploitative or abusive.
 - (g) Avoid acting in ways that shame, humiliate, degrade or otherwise perpetrate any form of psychological harm against a child including the use of language that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
 - (h) Refrain from sleeping in the same room or bed as a child and do not invite unaccompanied children into my home/hotel or other private location, unless they are at immediate risk of injury or in physical danger.
 - (i) Refrain from developing relationships with children that could be deemed exploitative or abusive in any way (including using or supporting the use of child labour such as hiring children for domestic labour).
 - (j) Refrain from providing children with, or exposing them to, alcohol, tobacco, or illegal drugs.
 - (k) Not show favouritism to the exclusion of others including through the provision of gifts or inappropriate attention nor act in a way that shows unfair or differential treatment of children.

Nor will I encourage, support or condone the above conduct in others.

Partners

- 18. Collaborate with our Partners to uphold a culture that supports Safeguarding and the provision of a safe and inclusive workplace, projects, and activities where all are treated with dignity, courtesy and respect.

Accountability

- 19. Confirm there are no charges, convictions or other outcomes of an offence that relate to Abuse, Exploitation, or any other Harm by me. If such confirmation cannot be provided, immediately disclose to ACFID any such charges, convictions, or outcomes.
- 20. Immediately report any Safeguarding Concern including possible or actual breaches of this Safeguarding Code of Conduct, the Safeguarding People Policy, or the law by either myself, any Personnel, Partner, Representative or any other person to:
 - (a) the Safeguarding Focal Point at safeguarding@acfid.asn.au within 24 hours

I have read and understand the Safeguarding People Policy and this Code of Conduct and agree to abide by it at all times to protect the people I may come into contact with through my work for and/or association with The Australian Council for International Development.

Signature:

Name:

Organisation:

Date:

ANNEXURE 2 – SAFEGUARDING CONCERN REPORTING PROCESS AND FORM**Part A – Safeguarding Concern Reporting Process**

1. In all situations first make sure the child or adult is safe. Arrange medical attention as needed.
2. Any Personnel or Representatives of ACFID that become aware of or suspect Harm to a child or adult within the activities of ACFID or otherwise while at work must immediately notify ACFID's Business Director. We will take a survivor-centred approach.
3. Part B sets out the Safeguarding Concern Reporting Form. Partners and visitors must notify either the Business Director directly or their partner relationship manager at ACFID.
4. The Business Director will notify the CEO immediately.
5. If the concern or allegation relates to activities receiving institutional funding, the CEO will inform the institutional Donor. **For DFAT this is within 48 hours depending on the nature of the Safeguarding Concern. If the issue includes the use of DFAT funds, the process set out on DFAT's PSEAH webpage should be followed. Reports of sexual exploitation, abuse and harassment or concerns about the welfare of a vulnerable person should be notified to seah.reports@dfat.gov.au using the SEAH Incident Notification Form. Reporting procedures are detailed in the PSEAH Policy (<https://www.dfat.gov.au/sites/default/files/pseah-policy.pdf>)**
6. The Business Director and CEO, in consultation with the safeguarding focal point, will jointly consider the nature of the incident, and decide on the next steps, including any further action needed to ensure the safety and wellbeing of the child or adult and their wishes, and calling in advice from relevant staff members if required (for example, for business related allegations this may include the relevant Director. Next step action may involve an investigation lead by ACFID's Director Business & Corporate Partnerships, the internal auditor or an external expert depending on the nature of the Safeguarding Concern).
7. The Management Team will support the Business Director to ensure that relevant laws are followed in relation to investigation, reporting and sanctions including that if the alleged incident is a breach of law the Business Director will report it to the relevant authorities (unless reporting poses a significant risk to survivors, is against their wishes or raises another risk of material concern). For example, in Australia this would be by the Business Director to the Australian Federal Police.
8. The Business Director will inform the relevant stakeholders of the result of the investigation. This will be undertaken consistent with the wishes and welfare of the victim/survivor/complainant as appropriate.
9. The CEO will keep the institutional Donor (in most cases DFAT) apprised of developments as appropriate.
10. The Business Director will ensure that the fact a Safeguarding Concern has been raised is included in the Safeguarding register and the incident section of the quarterly Risk Report presented to Board.
11. If any allegations are made suggesting that ACFID itself as an organisation has committed an offence under any laws, then the Business Director must refer the allegation to the CEO and/or the Board as appropriate in the circumstances.

Part B - ACFID Safeguarding Concern Reporting Form

ALL INFORMATION IN THIS FORM WILL BE TREATED CONFIDENTIALLY

Personnel, Representatives and Partners must report any behaviour that is suspected of causing Harm and any instances of Policy non-compliance. You can lodge this form at safeguarding@acfid.asn.au

Information about you

Name

Position in ACFID or relation to ACFID

Telephone

Mobile

E-mail

Date

Information about the child or adult victim (if more than one person was affected, please include all)

Name

Male Female

Age

Current location of the victim

(include who the person lives with if applicable)

Any additional information about the victim, such as injuries, disability, general impressions.

What actions have been taken to ensure the victim's safety at present?

Information on the suspected Harm

What happened?

When did it take place (date and time)?

Where did it take place?

In which ACFID project/program?

Were there witnesses? If yes –who are they and how can they be contacted?

How did you become aware of this

Safeguarding Concern?

Who else has been informed about this

Safeguarding Concern?

If applicable: Information about the suspected perpetrator/person(s) involved

Name

Male Female

Suspected perpetrator's relationship with victim

Suspected perpetrator's relation with ACFID

Is the suspected perpetrator Australian or living in Australia

Yes No Don't know

Current location

Contact details

ANNEXURE 3 – EVENTS

ACFID, along with its members, always aims to create an environment where harassment of any kind is not tolerated. This includes but not limited to harassment based on race, gender, religion, age, colour, national origin, ancestry, disability, socioeconomic status, sexual orientation, or gender identity.

Events Code including for National Conference:

Harassment and behaviour that intimidates are not welcome at ACFID's events including National Conference. This includes speech or behaviour (including in public presentations and on-line discourse) that intimidates or interferes with a person's participation or opportunity for participation in the community or the conference.

Harassment includes but is not limited to unwanted physical, verbal or non-verbal conduct based around structures of domination (related to gender, gender identity and expression, sexual orientation, disability, physical appearance, body size, race, age, religion, etc); sexual images in public spaces; deliberate intimidation, stalking, or following; harassing photography or recording; sustained disruption of talks or other events; inappropriate physical contact; unwelcome sexual attention; and advocating for or encouraging any of the behaviour listed above.

IMPLEMENTATION

The behaviour of all participants at the conference help keep our ACFID events safe, welcoming, and friendly space for all participants!

If you are being harassed, notice that someone else is being harassed (active bystander principle), or have any other concerns, please contact an ACFID staff member or volunteer or someone you trust who can contact an ACFID staff member on your behalf.

Any participant at an ACFID event is asked to cease and desist harassing behaviour and is expected to comply immediately.

REPORTING AND RESOLUTION:

1. If you are being harassed, notice that someone else is being harassed (active bystander principle), or have any other concerns, find an ACFID staff member or volunteer. They will assist you. They will help participants contact appropriate event security or police, provide escorts, or otherwise assist those experiencing harassment and will help them to feel safe for the duration of the event.
2. If you have been harassed via email or social media, you may send emails or screenshots to safeguarding@acfid.asn.au
3. Anyone engaging in harassing behaviour will be asked to cease immediately or face expulsion or other sanctions.
4. Where the accused is associated with an ACFID member, ACFID will report to the relevant member organisation, and support the victim in making informal or formal complaints via

that members' organisation's processes. Otherwise, ACFID will follow our own Safeguarding People Policy – ([link to website here](#))

5. If an incident results in corrective action, then ACFID will support those harmed by the incident, both publicly (where appropriate) and privately.

ACFID is keen to learn from and improve our processes on an ongoing basis. If anyone encounters problems or issues attempting to help a victim of harassment while following our Safeguarding People Policy and protocol, please contact ACFID at safeguarding@acfid.asn.au to provide feedback.

RELEVANT SERVICES IN SUPPORT OF A SAFE Event:

Provide the Relevant information for your event here, for example:

UNSW Security

UNSW has a comprehensive 24-hour security presence on campus. For the fastest response, call Security Services:

- In an emergency, call 9385 6666
- For everything else, call 9385 6000
- Go to the Security Office at Gate 2, open 24/7
- Email <mailto:security.services@unsw.edu.au>
- Friend walk?

1800Respect – National Sexual Assault, Domestic Family Violence Counselling services

If you have been affected by sexual misconduct you can contact the national sexual assault, domestic and family violence support service, 1800 RESPECT (1800 737 732).

Shebah Rideshare

Shebah is an all women rideshare for all women including trans, genderqueer women and non-binary people who are significantly femme-identified.

Download the Shebah App.