ACFID's plan for enhanced sector practice in the Prevention of Sexual Exploitation and Abuse (PSEA)

> "*In 2018, the… sector has started a process of reflection, reviewing past actions and policies and committing itself to a new path that centres on the safeguarding of vulnerable people.*" (VIFM)

1. Introduction

This plan sets out ACFID's approach to addressing issues of sexual exploitation and abuse in our sector. The purpose of this plan is to describe ACFID's response to the issues raised through the reviews conducted in 2018. This document discusses ACFID's commitment to:

- **Supporting our members** to collectively enhance their practice, culture and leadership;
- **Working collaboratively** with stakeholders such as DFAT, ACNC and Government to implement recommendations; and
- **Being accountable** for our commitment to change.

This document does not set out to cover the full range of steps that ACFID will be taking over the coming years to implement recommendations. Rather, it describes at a high level what ACFID's overall approach in responding will be, as well as priorities and key activities in year 1. This document thus forms part of a framework of response and implementation workplans that will be shared with the ACFID membership. Where this plan touches on pieces of work that fall outside this scope, this has been noted.

This plan contains 3 objectives, which are discussed in detail in the body of this plan under their related work streams. These are:

> **Objective 1:** *ACFID's members have effective safeguarding policies, procedures and measures to protect people. These are understood, shared and implemented.*

> **Objective 2:** *Through their engagement with a suite of learning tools and opportunities, ACFID's members will have enhanced understanding of issues and practice surrounding PSEA. Self-sustaining leadership will have emerged within the membership, sharing tools, guidance and lessons.*

> **Objective 3:** *ACFID's members are leaders in PSEA – both individually and collectively. A group of self-identified leaders publicly drive better practice and cultural leadership on PSEA. ACFID and its members are accountable and responsive to stakeholders in the management of PSEA.*

2. Background

In 2018, ACFID commissioned 2 reviews in response to issues regarding sexual misconduct in the Australian international development and humanitarian sector. The first, conducted by Learning4Development (L4D) was a review into the strength of the ACFID Code of Conduct in setting standards for the prevention of sexual misconduct. The second, conducted by the Victorian Institute of Forensic Medicine (VIFM) was an independent review into sector wide practice in relation to the prevention of sexual misconduct. The reviews resulted in two reports outlining recommendations for strengthening the ACFID Code of Conduct and strengthening sector-wide practice and culture in relation to PSEA.

The ACFID Board has accepted all the recommendations of both reports. The full implementation of the related recommendations requires action by ACFID, ACFID's members, the Australian Government, and international cooperation. This management plans sets out ACFID's framework for working with stakeholders to implement the recommendations and work more broadly to enhance culture and leadership surrounding PSEA in the sector. The ACFID Code of Conduct Committee (CCC) is leading the implementation of the Code of Conduct changes recommended in the L4D report and the VIFM report. As such, whilst this plan acknowledges this as a substantive and important piece of work and prescribes a working timeframe for these changes, it does not discuss the detailed changes.

3. Scope

Sexual misconduct will include the situations typically referred to by the following characterisations:

- Sexual exploitation and abuse
- Sexual harassment
- Child sexual abuse and exploitation
- Prevention of sexual exploitation and abuse (PSEA)

4. Approach

> "…*reforming the sector requires a survivor-centric approach…so that responses to the problem from the type of reporting mechanism to the process and redress, place the needs and concerns of survivors first.*" (VIFM)

As set out in the approach to both 2018 reviews, we believe that at their core, issues of sexual misconduct are about abuses of power. They are symptomatic of power inequities between different gender identities, between expat and beneficiary communities, and within organisational hierarchies. These inequities exist across societies and our sector is not immune to them.

ACFID will continue to undertake an integrated approach that considers policy and procedures and their implementation, organisational culture and individual experience. ACFID believes that leading a dynamic, accountable and survivor-centred response to these issues will grow and strengthen the enabling environment necessary for positive change in the prevention of sexual misconduct to be realised. Overlaying all streams of work discussed in this management response is a conscious effort to maintain a people-centred approach that prioritises responsiveness to the needs of victims/survivors. ACFID

acknowledges victims/survivors of SEA as the primary stakeholders to this work, and endeavours to seek their input and feedback, and that of other stakeholders, at every stage.

4.1.   Work streams

The management approach is organised into three work streams. These are:

1. ***Policy and standards***

   Both VIFM and L4D found areas for improvement that relate to the ACFID Code of Conduct, Government regulation, and the internal processes and policies of ACFID's members and their partners. Policies and standards create the organisational foundation for change and define critical understanding and expectations at all levels of our organisations. Nonetheless, changes to policies and process alone will be insufficient to combat the risks of SEA in our sector.

2. ***Learning***

   Underpinning the successful implementation of changes to policies, standards and culture is the need for enhanced learning offerings, and the creation of opportunities for ACFID's members to share learnings, hear from experts both within and outside of the sector, and engage with the opportunity to create meaningful and lasting solutions to the issues presented. Policies and standards and are strengthened through targeted learning initiatives to support their implementation, member personnel and governing bodies extend their capacity to prevent and respond through heightened awareness, and a gradual culture shift begins.

3. ***Leadership and accountability***

   A robust and forceful movement for change in our sector requires a drive from the 'top'. This work stream acknowledges that sector leadership has a key role to play in the successful implementation of all recommendations, and that their due prioritisation is critical to success. Further, this work stream sets out that ACFID and ACFID's members must be accountable for our work in the implementation of review recommendations, and we commit to measuring our success in this regard.

4.2.   ACFID's Accountability

In setting out to implement a management plan that is responsive and accountable to victims/survivors, this management response sets out the following points as key consultation mechanisms for the engagement of primary stakeholders, ACFID's members and governance:

1. ***Initial consultation mechanism*** – in the form of a feedback survey, consultation with ACFID's Communities of Practice, Code of Conduct Committee, Development Practice Committee, Humanitarian Response Group and ACFID Board.
2. ***6-month check-in*** – six months into the implementation cycle, ACFID will conduct follow-up consultation through a feedback survey, member forum, and update to the committees and governance bodies described above.

3. ***Annual health check*** – after each 12-month period to the finalisation of the recommendations set out (currently planned across a 3-year timeframe), ACFID will consult through a feedback survey, a member workshop at ACFID's annual conference, an update to the ACFID Annual General Meeting, and a report to the committees and governance bodies described above.

4. ***Final review and after-action reflection*** – at the completion of the three-year period, ACFID will conduct a review of the implementation, and evaluate our successes in implementing change in the sector. At the finalisation of the review, ACFID will collect feedback from all stakeholders identified and engaged across the three-year period through the mechanisms described above, data analysis and one-to-one interviews as required.

At each stage of implementation, feedback will be collected, analysed and responded to accordingly. Further, ACFID will continue to keep the dedicated PSEA mailbox open in order to receive and incorporate relevant feedback at any point.

This approach is comprehensive and consistent with the intent of ACFID and the ACFID membership's work to date in addressing sexual misconduct. It endeavours to acknowledge and address the insights provided in the report and prioritise and organise a management response that considers the layers of organisational change, as well as the need to maintain the voice and input of stakeholders at every stage. The holistic approach is presented visually on the following page.
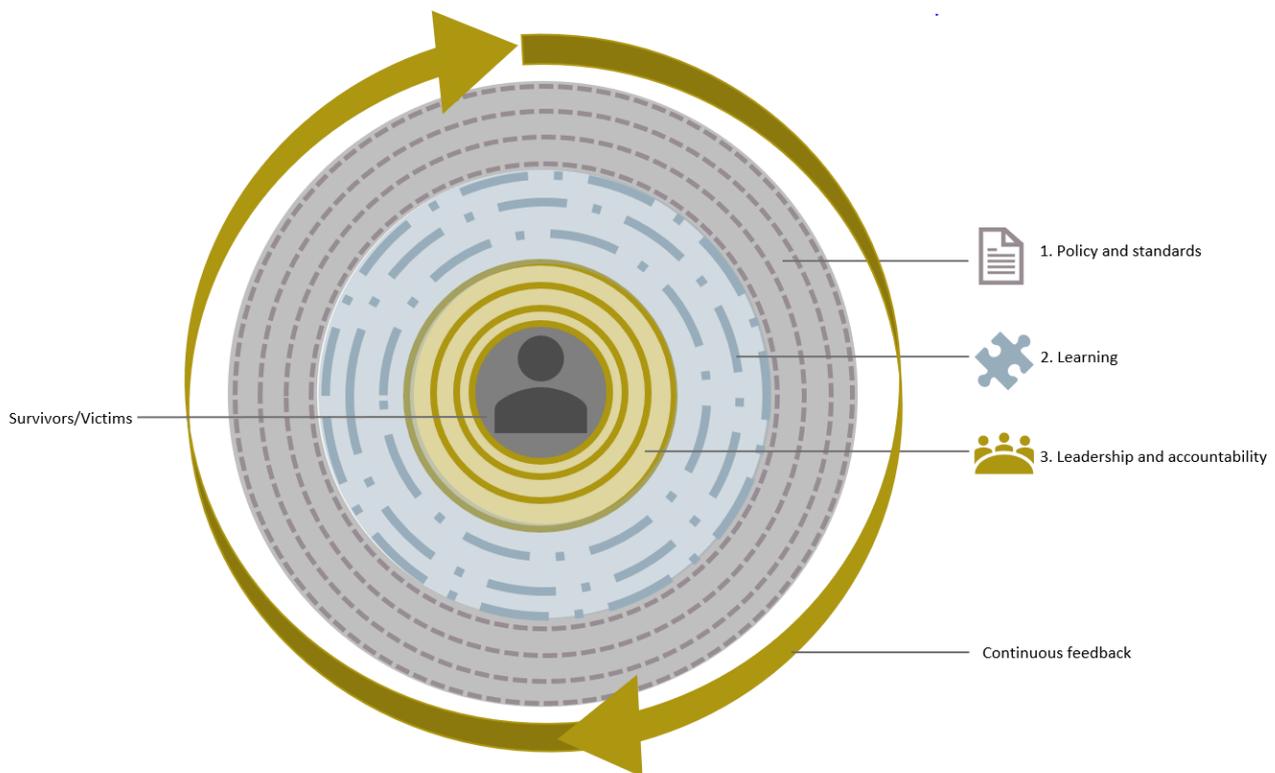

Survivors/Victims

1. Policy and standards

2. Learning

3. Leadership and accountability

Continuous feedback

FIGURE 1: APPROACH

The above visual demonstrates the interaction and interdependence of the key features of this approach. They can be applied equally to the implementation plan and change in the sector. Specifically, it sets out that:

- Properly documented and effective **policy and standards** form the foundation and critical support. Policies and standards may be numerous and multi-faceted, but alone they will not prevent SEA.
- **Learning** strengthens the application of policy and standards, and provides member personnel and other actors with the tools they need to understand their role in preventing SEA. Learning interacts with policy and standards, building on this foundation to provide a greater level of strength in the prevention of SEA, but gaps still remain.
- **Leadership and accountability** form the centrepiece of an effective approach to PSEA. When strong leadership and in turn accountability are in place, they build on policy and standards, draw from the application of learning, and the layers of protection against SEA become robust.
- **Incidents and responses** continue to occur. Victims/survivors are placed at the centre of this, and each is managed through the layers of standards, the application of learning, and the leadership and accountability provided in this space.
- The entire approach is encompassed by a **continuous feedback** loop. This loop provides for multiple points of check-in, and learnings should be adapted and applied on a cyclical basis.

4. Work streams

4.1. Policy and standards

All recommendations from the L4D report to be addressed under this workstream.

VIFM report: **15 of 31** recommendations addressed, including ACFID-led, DFAT-led and member-led:

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> **_Objective 1:_** _ACFID's members have effective safeguarding policies, procedures and measures to protect people. These are understood, shared and implemented._

ACFID priorities under this work stream:

- **_Working with members_** to ensure the Code and associated Quality Assurance Framework includes clear and appropriate standards in relation to the protection of staff, volunteers, partners and communities from SEA.
- **_Supporting members_** to understand and implement resulting changes to the Code.
- **_Working with Australian Government_** to ensure policy and regulatory approaches are aligned.

Key Activities in year 1:

1. **Changes to the Code and Quality Assurance Framework (QAF):**
   At the ACFID AGM 2018, an additional Code Commitment to PSEA was agreed to by the ACFID membership. As set out in the scope of this management plan, the process for recommending and agreeing the other recommended changes to the QAF are to be led by the CCC, supported by the Code Secretariat and in consultation with the ACFID membership. Recommended additional changes are anticipated to take effect for members on 1 July 2019. To support members to implement these changes, ACFID will:
   - i. Update the Code of Conduct e-learning
   - ii. Update the Good Practice Toolkit to provide policy guidance and example resources
   - iii. Socialise Code changes through a 'roadshow' or similar face-to-face events in capital cities, online webinar series, and brokering of leaning offerings.
   - iv. Monitor member compliance from first round of reporting (30 November 2019), update resources and provide guidance accordingly.

2. **Sector feedback on DFAT PSEAH policy:**
   Alignment with impactful sector PSEA policies such as the anticipated DFAT PSEAH policy are key to ensuring the alignment of policy and regulatory approaches, to the benefit of ACFID's members, their implementing capacity, and their practice. ACFID will work with members and key consultation groups such as COPs and governance committees (CCC, DPC, HRG) to coordinate sector feedback, engage in productive dialogue with DFAT to represent the views of the sector, and adapt the approaches and terminology of the Code requirements as needed.

4.2. Learning

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> **_Objective 2:_** _Through their engagement with a suite of learning tools and opportunities, ACFID's members will have enhanced understanding of issues and practice surrounding PSEA. Self-sustaining leadership will have emerged within the membership, sharing tools, guidance and lessons._

ACFID priorities under this work stream:

- **_Designing and brokering opportunities_** for members to meaningfully engage with the issues surrounding PSEA, share experiences and learn from both within and outside of the sector.
- **_Working with DFAT_** to share and align learning opportunities
- **_Encouraging, supporting and incentivising ACFID members_** to engage with or lead learning, and share tools, guidance and lessons.

Key Activities in year 1:

1. **Incentivising member-led solutions and knowledge sharing:**
Ensuring that the new standards established by the ACFID Code and Quality Assurance Framework shift beyond rhetoric and into transformative change throughout the breadth of the ACFID membership requires leadership from the sector, and the exchange of ideas, challenges and commitment to see things through. ACFID will hold a two-day high profile 'Pop Up Design Lab' or similar in the second half of year 1 - an initiative designed to bring key sector leaders together to pitch ideas, exchange good practice, and build a coalition of PSEA professionals across the sector to further the best and brightest ideas in response to the PSEA Recommendations. ACFID will team with innovation professionals to design this event.

2. **Brokering opportunities for members to learn from within and outside of the sector:**
In the first 12 months, momentum, support and due prioritisation are the keys to the long-term success of member learning. To this end, ACFID will also produce a learning event series, to take place face-to-face, online and through the production of videos and/or podcasts. In consultation with members to understand their needs, ACFID will provide forums for members to hear from sector experts as well as technical experts from outside of the sector to tackle the most challenging issues for members approaching PSEA. Moving away from the compliance-based response of the standards and policy stream, these learning opportunities will be designed to deepen member understanding and practice and move them beyond a compliance approach.
Nb. Anticipated to take place across years 1 and 2, commencing year 1 with a learning gap analysis.

4.3.   Leadership and accountability

VIFM report: **6 of 31** recommendations to be addressed, including ACFID-led, DFAT-led and member-led (noting *all* recommendations have an inherent leadership and accountability component):

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> **Objective 3:** *ACFID's members are leaders in PSEA – both individually and collectively. A group of self-identified leaders publicly drive better practice and cultural leadership on PSEA. ACFID and its members are accountable and responsive to stakeholders in the management of PSEA.*

ACFID priorities under this work stream:

- *Advocating for Government* to take the lead in creating an effective enabling environment for strong and accountable PSEA practice;
- *Advocating to and providing opportunities for* our members to be leaders in the sector and within their global federations and create strong PSEA cultures in their organisations
- *Taking opportunities to place PSEA as a focus* in our partnerships and demonstrate leadership in the sector.

Key activities in Year 1:

1. **Building ACFID member public accountability:**
   Building momentum to create a movement for change championed by ACFID member leaders is critical within the next 12 months. The risk of inaction by ACFID member leadership in this regard cannot be overstated. To this end, ACFID will provide platforms for leaders in the sector to self-select to provide their accountability to their stakeholders, survivors/victims, donors and the wider community. The intention is to showcase both good practice and the commitment of participating leaders to both improvement and public accountability. This initiative may be coordinated with other sector leadership events taking place globally, if relevant and appropriate. It is envisaged that the outcome of these events will be a public commitment of ACFID member leaders to take a lead on PSEA in this regard. This commitment could take the form of signing onto the #notinmyworkplace initiative, adopting the IASC sexual misconduct disclosure scheme, a combination of these, or another powerful and relevant initiative that has sufficient commitment for both impactful change and accountability.

2. **Advocating for a Reportable Conduct Scheme**
   One of the most critical recommendations of the VIFM review was that a Reportable Conduct Scheme (RCS) should be adopted and managed by Government to ensure that there is a reporting mechanism in place that ensure that incidents can be reported, and that there is a central body monitoring the progress of the organisation investigation/response. The key activity for ACFID in year 1 to call on major parties to undertake a commitment to introduce a reportable conduct scheme. ACFID will make the case prior to an election and pursue this important recommendation with the elected Government.

5. Implementation

The below figure (provided as a full-page diagram at Appendix A) sets out the sequencing of the implementation of the recommendations from the VIFM review over the coming three years. This is broken down into time horizons of:

- To June 30;
- To end 2020
- To end 3 years

Across each of these horizons, the recommendations have been plotted to capture where they are anticipated to have progressed to. The stages of implementation for each recommendation are:

- Scope/design
- Implementation
- Ongoing management

As shown below, some recommendations are already in implementation at present, and some remain in the initial scope and design phase. Further, by end 2020 only two recommendations are anticipated to still remain in the design phase. By the end of three years it is anticipated that almost all recommendations will have moved into an ongoing management phase (noting that this does not mean they are 'finished').
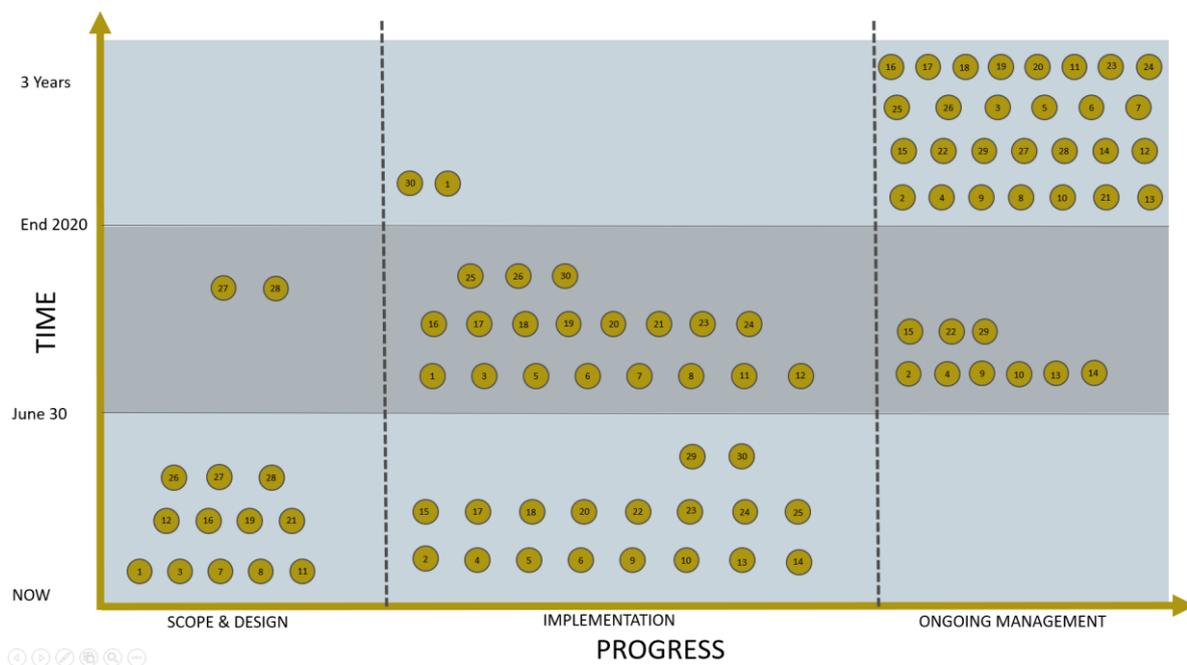
FIGURE 2: PROGRESS OF RECOMMENDATIONS

5.1. Interaction between the work streams

The work streams necessarily overlap and interact. Many of the recommendations have both a standards and policy element, as well as an element that is addressed through a learning activity. Some recommendations can only be fully addressed through a standards and policy component, a learning component, and a leadership and accountability component. This overlap reflects the holistic approach to the implementation. This interaction is mapped below.
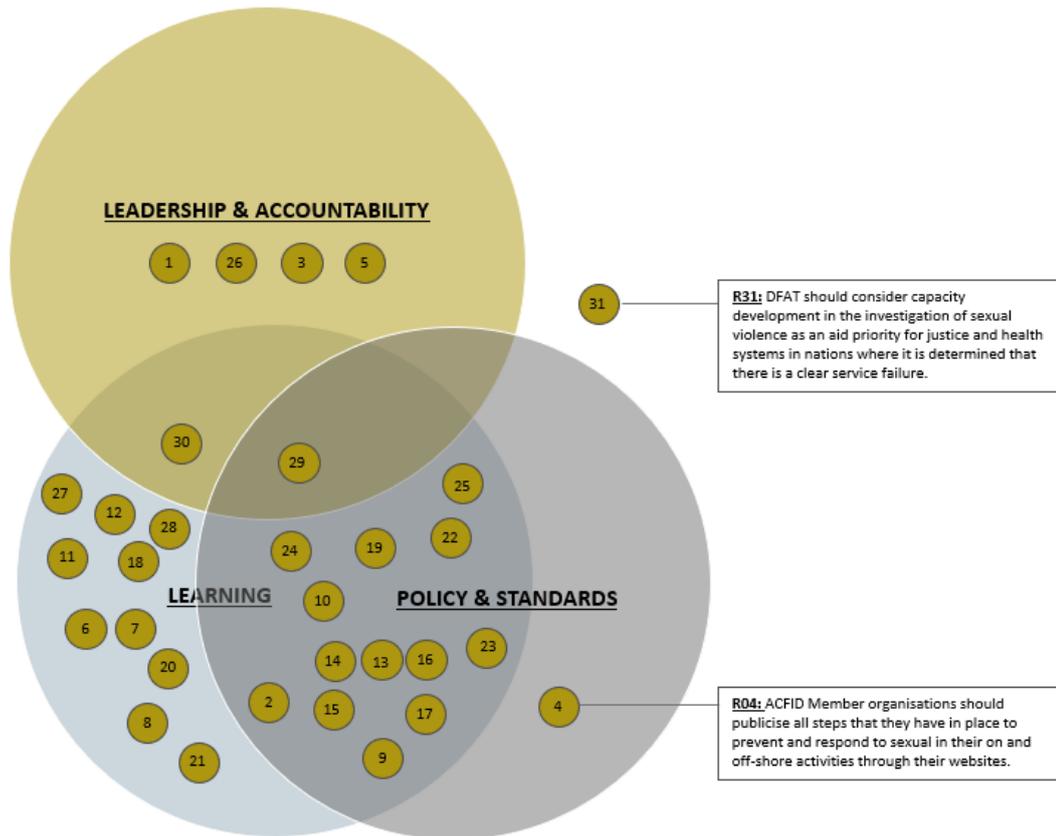
FIGURE 3: INTERACTION BETWEEN THE WORK STREAMS

6. Appendix A – VIFM Recommendations

R01	Establish a Reportable Conduct Scheme (RCS) subject to funding and legislative requirements to apply to all organisations subject to the ACNC External Conduct Standards.
R02	ACFID and DFAT should develop a policy that allegations involving criminal sexual misconduct should be reported to local enforcement authorities as a default position. This should be regardless of local mandatory obligations, unless this is at odds with the wishes or welfare of the affected person or the life or serious welfare of the alleged perpetrator.
R03	ACFID should monitor and engage in the development of multi-lateral international humanitarian passporting and registration schemes and other forms of regulation-tech.
R04	ACFID Member organisations should publicise all steps that they have in place to prevent and respond to sexual misconduct in their on and offshore activities through their websites.
R05	DFAT and ACFID work together to advocate for international donor cross-recognition and accreditation of the ANCP accreditation system and ACFID Code of Conduct and ancillary Quality Assurance Framework systems.
R06	ACFID Member organisations should ensure that pre-deployment training includes scenario-based discussions about power imbalances, status and workplace cultures of the destination nation and how these factors can impact on work and personal relationships
R07	ACFID Member Organisations should embed psychological welfare within their HR program as part of sexual misconduct prevention processes.
R08	ACFID Member Organisations should support the understanding of healthy sexual relationships through training of field managers and regular local workshops for staff.
R09	ACFID Member organisations should actively adopt measures to prevent and respond to transactional sex in field work (particularly in humanitarian response work) by making changes to Codes and policies, and through training and recruitment.
R10	ACFID Member organisations should align approaches to sexual harassment, child protection and exploitation and abuse within a wider framework of gender equity whilst acknowledging the need for different responses to each.
R11	ACFID through its Child Rights Community of Practice should consider a primary prevention strategy for child sexual abuse in the aid sector that may include promoting awareness of the Stop it Now! Campaign.
R12	ACFID should consider the development of generic sexual misconduct materials with a focus on gender inequity and power imbalances that can be localised by small Member organisations for implementing partners.
R13	ACFID Member organisations should preferentially document all misconduct incidents even if the management response is "informal", considering the wishes and welfare of the victim/survivor
R14	ACFID Member organisations should add gender and safeguarding expertise to the desirable skills and experience sought when recruiting new members for governing bodies.
R15	ACFID Member organisations should have safeguarding as a standing agenda item for governing body meetings and all misconduct incidents should be reported to senior management and governing bodies (in addition to compliance with contractual reporting requirements).
R16	ACFID Member organisations should develop a leadership charter for governing members and senior managers which include a commitment to gender equity and safeguarding.
R17	ACFID Member organisations should ensure that gender equity is an internal organisational priority as well as a program priority.

R18	ACFID Member organisations should work with their staff, partners and communities to challenge male attitudes towards girls and women, which permit or excuse sexual misconduct internally and in program activities.
R19	ACFID Member organisations should ensure that implementing partners have an informed understanding of what behaviours are inappropriate and how to report, investigate, document and manage sexual misconduct incidents.
R20	ACFID Member organisations should ensure that commitment to the rights of women and LGBTI+ persons and bystander responsibility training is included in sexual misconduct prevention training.
R21	ACFID Member organisations should ensure that appropriate staff members are trained in international investigation of sexual misconduct or outsource investigations to specialist providers.
R22	ACFID Member organisations should provide feedback to the person making a misconduct complaint within applicable privacy provisions and in consideration of victim/survivor needs.
R23	ACFID Member organisations should develop a survivor –centred sexual misconduct response protocol based on guides, such as those produced by the CHS Alliance, to support internal investigations and UN Women.
R24	ACFID Member organisations should include reparation for victim/survivors such as long-term access to medical and legal services and other forms of support in sexual misconduct policy design
R25	ACFID Member organisations should be prepared to provide long-term support to victim/survivors even after the employee has ceased employment cases of sexual harassment, assault and rape.
R26	DFAT and other donors should recognise the central cost of sexual misconduct safeguarding expertise as an eligible program cost for offshore work.
R27	ACFID should create a Safeguarding Peer to Peer Mentor Scheme.
R28	ACFID should establish a Safeguarding Community of Practice (that aligns with, but is separate from, Child Protection and other related Community of Practice (CoP))
R29	ACFID should document enhanced safeguarding good practice and tools in its Good Practice Toolkit for the Code of Conduct
R30	DFAT, ACFID & ACNC should work together to ensure the accessible provision of safeguarding resources. This may be through the proposed International Safeguarding Hub or through domestic arrangements.
R31	DFAT should consider capacity development in the investigation of sexual violence as an aid priority for justice and health systems in nations where it is determined that there is clear service failure.