



Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH)

ACFID Code of Conduct Topic Guide

This guide outlines the requirements in the ACFID Code of Conduct related to the prevention of sexual exploitation, abuse and harassment. Additional guidance can be found in the online [Good Practice Toolkit](#).



QUALITY PRINCIPLE 1: RIGHTS, JUSTICE AND SAFEGUARDING

COMMITMENT 1.5 We advance the safeguarding of those who are vulnerable to sexual exploitation, abuse and harassment.

Compliance Indicators

Verifiers

Members are required to ensure they have appropriate mechanisms to assess, manage and mitigate the risks relevant to these Compliance Indicators and Verifiers when working with partners.

1.5.1 Members demonstrate their organisational commitment to the prevention of sexual exploitation, abuse and harassment.

- Policy document that:
 - describes the standards of behaviour for governing body members, staff, contractors, volunteers, visitors to projects and partners.
 - specifically prohibits sexual exploitation, abuse and harassment.
 - outlines how the policy is implemented throughout the organisation.
 - specifies the agency's reporting responsibilities where an incident is identified, including processes for reporting to local enforcement authorities, subject to the wishes and welfare of the complainant/survivor.
- Appointment of a prevention of sexual exploitation, abuse and harassment focal person.

COMMITMENT 1.3 We support people affected by crisis.

Compliance Indicators

Verifiers

1.3.3 Members that deploy personnel for humanitarian initiatives participate in the Misconduct Disclosure Scheme.

- Evidence of participation in the Misconduct Disclosure Scheme.

This indicator and verifier are relevant to members who are engaged in the deployment of personnel for humanitarian initiatives.



QUALITY PRINCIPLE 4: QUALITY AND EFFECTIVENESS

COMMITMENT 4.2 We analyse and understand the contexts in which we work.

Compliance Indicators

Verifiers

4.2.1 Members' planning and practice are informed by analysis of context, evidence and research, and inclusion of the perspectives and knowledge of primary stakeholders.

- Design, planning or appraisal framework, process, tools, templates which require or approaches which consistently show context and stakeholder analysis. Contextual analysis should consider the perspectives and knowledge of primary stakeholders, impacts of climate change and an analysis of power dynamics including issues of gender equality and equity.

4.2.2 Members assess and manage risk in their development and humanitarian initiatives.

- A risk framework, risk management plan or approach that assesses and addresses risks for all initiatives including from a protection / safeguarding perspective, and risks associated with climate change (see 1.4.1, 1.5.1, 3.2.1).



QUALITY PRINCIPLE 5: COLLABORATION

COMMITMENT 5.1 We respect and understand those with whom we collaborate.

Compliance Indicators

Verifiers

5.1.2 Members undertake due diligence and capacity assessments of organisations with whom they work in formal partnerships.

- A documented assessment process that includes:
 - o ...Capacity assessment to implement safeguarding practices including child protection and prevention of sexual exploitation, abuse and harassment.

COMMITMENT 5.2 We have a shared understanding of respective contributions, expectations, responsibilities and accountabilities of all parties.

Compliance Indicators

Verifiers

5.2.1 Members negotiate shared goals and respective contributions with partners and those they collaborate with.

- For formal partnerships, partnership agreement template or examples of partnership agreements that consistently describe:
 - o ...Specific statements about child protection, prevention of sexual exploitation, abuse and harassment, policies, procedures and incident reporting (see 1.4 and 1.5).



QUALITY PRINCIPLE 7: GOVERNANCE

COMMITMENT 7.3 We are accountable to our stakeholders.

Compliance Indicators

Verifiers

7.3.3 Members enable stakeholders to make complaints to the organisation in a safe and confidential manner.

- A documented complaints handling policy that:
 - is publicly available on the organisation's website.
 - provides a safe point of contact for stakeholders in Australia and countries where work is conducted, to raise concerns or complaints about the organisation.
 - is responsive and fair.
 - provides information to all stakeholders, including to members of the communities where activities are implemented, about the reporting and complaints procedure.
 - provides information in a clear and easily understandable manner in appropriate forms and through appropriate media.
 - ensures that requirements for filing a complaint take into consideration the needs of the most vulnerable and considers minority and disadvantaged stakeholders.
 - advises a complainant of the ability to make a complaint regarding an alleged breach of the Code to the ACFID Code of Conduct Committee.
 - provides information on how staff and volunteers are equipped to understand and implement the policy.
 - includes a process for reviewing and analysing complaint information within the organisation.
 - outlines a triage system for escalating serious incidents.
 - outlines a referral process for complaints that do not fall within the scope of the policy (e.g. complaints against an employee of another organisation or government department).
 - commits to providing appropriate assistance and referrals to survivors (e.g. assistance to complainants might include medical, social, legal and financial assistance, or referrals to such services).
- A documented investigation procedure, which stipulates that an organisational record must be kept of all misconduct complaints, noting the ability to deidentify complaints at the request of the complainant or survivor.

7.3.4 Members make information about their organisation and its work available to all stakeholders.

- Members will provide the following information on their website:
 - ..."Key policies relevant to the public including but not limited to... prevention of sexual exploitation, abuse..."

- Primary Stakeholder communication: Information is provided to primary stakeholders on the expected behaviour of the organisation's staff and volunteers, and access to its local complaints mechanism.

COMMITMENT 7.4 We have responsible and independent governance mechanisms.

Compliance Indicators

Verifiers

7.4.4 Members governing body is informed of and responds to serious incidents in accordance with their mandate and responsibilities

- Policy and/or procedure for the reporting of serious incidents to the governing body.
- Safeguarding is a standing agenda item for governing body meetings.



QUALITY PRINCIPLE 9: PEOPLE AND CULTURE

COMMITMENT 9.3 We manage our people effectively and fairly.

Compliance Indicators

Verifiers

9.3.1 Members are fair, transparent and non-discriminatory in their management of staff and volunteers.

- Human resource policies and procedures which address:
 - Recruitment and selection, including
 - Screening of staff as part of child safeguarding and prevention of sexual exploitation, abuse and harassment (see 1.4.1 and 1.5.1)
 - Reference checking and vetting for previous misconduct of all staff and volunteers

9.3.3 Members manage the performance and grievances of their staff and volunteers in a fair and transparent manner.

- HR policies clearly define what constitutes staff and volunteer misconduct and outline consequences of such misconduct, including grounds for termination.

COMMITMENT 9.4 We enable our people to conduct themselves professionally and according to our stated values.

Compliance Indicators

Verifiers

9.4.1 Members specify the expectation of professional conduct of all staff and volunteers.

- A documented code of conduct that specifies the values and expectations of professional conduct of all staff and volunteers. This must include reference to child safeguarding behaviours, prevention of sexual exploitation, abuse and harassment, transactional sex, antiracism, and anti-bullying; and an obligation on staff and volunteers to report wrongdoing.

- Acknowledgement by staff and volunteers of their acceptance of the code of conduct (e.g. signed, incorporated into employment or volunteer agreement).

9.4.2 Members' staff and volunteers work in accordance with agreed standards of practice.

- Documented evidence of induction, pre-deployment and refresher training provided to all staff and volunteers on the member's code of conduct and key policies including child protection, prevention of sexual exploitation, abuse and harassment, complaints and whistle blowing.

Good Practice Indicators (not required for compliance)

COMMITMENT 1.5

- Members limit the use of non-disclosure agreements in grievance processes.
- Members display statements about their commitments to PSEAH and their complaints process in public places such as at head office and country offices and at project sites (in local language).
- Members work with partners and communities to challenge attitudes which permit or excuse sexual exploitation, abuse and harassment, or other sex-based misconduct.
- Members participate in the Misconduct Disclosure Scheme.

COMMITMENT 2.2

- Members work with staff, partners and communities to challenge attitudes which permit or excuse sexual misconduct both internally and within organisational program activities.

COMMITMENT 4.2

- Training is provided to key personnel and partners on undertaking contextual, stakeholder and risk analysis, including the analysis of power dynamics and gender.

COMMITMENT 5.1

- Joint capacity assessment and re-assessment is undertaken with partners, extended to areas such as human resources, project cycle management systems, risk management, financial management, policy compliance and safeguarding of children and those vulnerable to sexual exploitation and abuse.

COMMITMENT 7.3

- Consultation with primary stakeholders is undertaken to ensure their perspectives inform the design of community-based complaints mechanisms, particularly in relation to sexual exploitation, abuse and harassment.

COMMITMENT 7.4

- Members seek out gender and safeguarding expertise as desirable skills and experience when recruiting new persons to the governing body.

COMMITMENT 9.4

- Pre-deployment training covers scenario-based discussions about power imbalances, status and workplace cultures of the destination country and how these impact work and personal relationships.

Definitions

Focal person	A focal person provides a key role in raising awareness, coordinating, supporting and advising on the development and implementation of policy and practices relevant to the topic area, e.g. child safeguarding.
Personnel	Personnel are either employed by an organisation, engaged by an organisation on a subcontract basis, or engaged by an organisation on a voluntary or unpaid basis. Personnel can include paid staff, volunteers, interns, trustees, board members.
Safeguarding	Actions, policies and procedures that create and maintain protective environments to protect people from exploitation, harm and abuse of all kinds.
Sexual abuse	The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. (UN Secretary General's Bulletin on protection from sexual exploitation and abuse)
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. (UN Secretary General's Bulletin on protection from sexual exploitation and abuse)
Sexual Harassment	Australian law states that sexual harassment occurs when: a. a person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed; or b. engages in other unwelcome conduct of a sexual nature in relation to the person harassed; 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. This definition is used in the Sex Discrimination Act and Fair Work Act and is also recognised in WHS codes of practice.
Transactional sex	The exchange of money, employment, goods, services or other benefits for sex or sexual acts (DFAT Preventing Sexual Exploitation, Abuse and Harassment Policy).

ACFID Resources and Communities of Practice

ACFID Introduction to Safeguarding eLearning (available in 11 languages) - available at learnwithacfid.com

PSEAH Resource Hub - available at learnwithacfid.com

[ACFID Guidelines for the Development of a PSEAH policy](#)

[Join](#) the ACFID Safeguarding Community of Practice.