

PREVENTING SEXUAL EXPLOITATION, ABUSE AND HARASSMENT (PSEAH) POLICY

Last updated 1 November 2024

Key Points

Sexual exploitation, abuse or harassment is never acceptable.

Do no harm approach

We are committed to preventing and addressing sexual exploitation, abuse or harassment of any person, especially children and vulnerable adults.

If you know or suspect anything, you must speak up.

1. Why this policy exists

At Caritas Australia (CA), we seek to uphold the Catholic Social Teachings of dignity of the human person, subsidiarity, participation and solidarity when working and interacting with others. We do not tolerate any kind of Sexual Exploitation, Abuse or Harassment (SEAH). We are committed to preventing and addressing SEAH throughout our organisation, with partners, in programs and in all that we do.

We acknowledge the power and privileged position that we hold in working with and accompanying the most marginalised and vulnerable throughout the world. This privilege often places us and our partners in a position of power. We also acknowledge the privileged position that we hold in working with donors, schools, parishes and communities within Australia and overseas. We will not tolerate the abuse of this position nor inaction when concerns are raised. Whether through Caritas Australia's work nationally or internationally, we are committed to maintaining the highest professional and ethical standards as outlined in our Code of Conduct and Professional Behaviour Standards for Protecting Children and Vulnerable Adults.

We are committed to ensuring that our behaviour, attitudes, actions, words do no harm when interacting with each other, partners and communities.

We are committed to continuously strengthening our approach to safeguarding and working with our partners, communities and stakeholders to ensure we do no harm. Prevention of sexual exploitation, abuse and harassment (PSEAH) is achieved by robust governance, enhancing accountability, improving awareness and training, supporting those affected and driving cultural change through strong leadership, throughout the whole organisation.

This policy is part of our safeguarding framework and is closely aligned to our Code of Conduct and Professional Behaviour Standards, our Child Protection Policy and our Speaking Up Policy.

The purpose of this policy is to:

- Outline our commitment and approach to the prevention of sexual exploitation, abuse and harassment and how we address concerns if they arise, in our organisation and in the communities (including internationally) we work with.
- Provide clear guidance to all our personnel and partners, on our commitments and expectations relating to PSEAH, including expectations of behaviour and obligations to report concerns.

- Ensure we meet our legal obligations in Australia and overseas with respect to sexual exploitation, abuse and harassment.
- Ensure we meet and align with good practice in the aid and development sector, with regard to the documents outlined in Related Documents.

2. This policy applies to

This policy applies to all Caritas Australia personnel (as defined in section 3 below) at all times including when representing Caritas Australia either within Australia or internationally. This policy applies to conduct by Caritas Australia personnel in relation to people with whom Caritas Australia deals, especially vulnerable persons and participants in programs and activities.

This policy and its obligations extend to any persons who visit our premises, programs or activities within Australia and internationally.

Caritas Australia Program partners are required to adhere to this policy through demonstrated alignment within their own policies and procedures. If required, Program Partners can adapt this or a more generic safeguarding policy (provided by Caritas Australia) or this policy while developing or strengthening their policies (see section 5.2 below). Program Partners are responsible for ensuring their downstream partners also follow appropriate policies and procedures.

This PSEAH Policy is supplemented by the following policies, particularly for Caritas Australia personnel:

- Code of Conduct
- Speaking Up Policy
- Complaints Handling Procedure
- Staff Handbook

Our commitments related to preventing abuse and exploitation of children (under the age of 18) are documented in our Child Protection Policy and related documents.

3. Definitions used in this policy

Below is a partial list of definitions (see Appendix 1 for a full list).

When we use ...	we mean ...
Sexual exploitation	Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from sexual exploitation of another.
Sexual abuse	The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. These include but are limited to: rape or attempted rape (which includes attempts to force someone to perform oral sex); and sexual assault (which includes non-consensual kissing and touching) and other forms of non-consensual sexual activity. All sexual activity with someone under the age of 18 is considered to be child sexual abuse. Sexually abusive behaviours can include fondling genitals; masturbation; oral sex; vaginal or anal penetration by a penis, finger or any other object; fondling

	breasts; voyeurism; exhibitionism; and exposing the child to, or involving the child in, pornography
Sexual harassment	<p>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.</p> <p>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. It can be a range of unacceptable and unwelcome behaviours and practices of a sexual nature that may include but are not limited to: sexual suggestions or demands; requests for sexual favours, sexual, verbal or physical conduct or gestures that are or might be reasonably perceived as offensive or humiliating. This includes jokes, comments or messages of a sexual nature; suggestive looks, staring or leering, display of or circulation of pornographic material.¹ This also includes flashing or exposing genitalia or private parts. Sexual harassment can be perpetrated against program participants, community members, as well as well as Caritas Australia workers.</p>
Personnel	Any person doing paid or unpaid work for, or on behalf, of Caritas Australia including Australian-based employees, in-country employees, Board of Directors, Diocesan Directors, volunteers, contractors, sub-contractors and consultants.
Reporter	A complainant.
Complaint	Any grievance, suspicion, allegation, concern or report about an incident or someone's behaviour. Complaints may be general, sensitive or whistleblower complaints as defined in the Speaking Up Policy.
Program Partners	Individuals or organisations that Caritas Australia works with, accompanies and supports to deliver humanitarian and development programs or activities.
Downstream partners	Organisations, contractors or others engaged by our partners to deliver development and or humanitarian programs or activities.
We, us, our	Refers to Caritas Australia.

4. Guiding Principles

This PSEAH Policy is underpinned by the principles of Catholic Social Teaching and the following principles, which have been adopted from DFAT's PSEAH Policy.

¹ Definition per DFAT policy and CAPSEAH

4.1. SEAH is prohibited

Caritas Australia has zero tolerance for any act of sexual exploitation, abuse and harassment. We recognise that any act of SEAH is an abuse of power and undermines the rights and dignity of all people, including those in the communities we work with. Caritas Australia is committed to minimising risks of SEAH in all our activities.

4.2. Zero tolerance of inaction

Caritas Australia has zero tolerance for inaction to prevent, report or respond to SEAH. Reporting is mandatory and we are committed to acting on every allegation in a fair and reasonable way with due regard for procedural fairness.

We recognise that achieving a significant reduction in SEAH is a long-term endeavour and we acknowledge that the reporting of incidents may increase as a result of a growing awareness of SEAH, changing attitudes and more effective reporting mechanisms being in place.

4.3. Strong leadership and culture change

We recognise that strong leadership is essential to driving change, setting organisational culture, clear expectations and modelling respectful behaviour both at work and outside of the organisation. Strong leadership supports communities, victim-survivors and whistle-blowers to feel safe, report concerns and be assured that their allegations will be taken seriously. ~~GA-~~ Caritas Australia leaders are committed to preventing SEAH and this is demonstrated by taking action, including:

- Improving diversity and inclusion.
- Embedding safe practices, and gender equality in human resource procedures.
- Having a dedicated Safeguarding Focal Point, with a clearly defined Terms of References, and supported by other staff with specific Safeguarding responsibilities and the Caritas Australia Safeguarding Committee.
- Including a standing agenda item for Board of Directors Meetings on safeguarding.
- Encouraging scrutiny of ~~their own~~ staff behaviour and that of leadership and senior management.

4.3 PSEAH is a shared responsibility

We acknowledge that PSEAH is a shared responsibility by all Caritas Australia personnel and should be embedded throughout all our activities and organisational practices including creating a safe environment for staff to hold each other accountable to this policy.

4.4 Local and contextualised approaches to PSEAH

Ensure that local and contextualised approach to PSEAH is provided. We will encourage and work with partners and communities to build their knowledge, understanding and responses to SEAH based on their cultural, social and local contexts. We will also work with our partners and stakeholders to address underlying causes, advocate for change and manage cases of SEAH in line with good practice.

4.5 Victim/survivor needs are prioritised

We commit to ensuring all our work is underpinned by a “do no harm” approach, including ensuring that the needs of victim-survivors are addressed, and that their rights, wellbeing and safety are prioritised. Therefore, our approach aims to:

- Treat the victim-survivor with dignity and respect
- Actively involve the victim/survivor in decision making

- Provide the victim-survivor with comprehensive information
- Protect privacy and confidentiality
- Not discriminate based on race, ethnicity, gender, sexual orientation, socio-economic status, age, physical abilities, religious beliefs, political beliefs, or other ideologies and
- Consider the need for counselling and health services to assist the victim/survivor with their recovery.
- Take a trauma informed approach to avoid further traumatising or re traumatising the victim or survivor

4.6 Gender inequality and other power imbalances are addressed

We are committed to working and engaging with participants and partners to do no harm and promote gender equality, social inclusion, diversity and accountability.

Available data indicates that while the majority of SEAH victims/survivors are female and the majority of perpetrators are male, other power imbalances exist in addition to gender. The intersection of gender with other various forms of inequality can further increase the likelihood of SEAH occurring.

These inequalities can be based on the distinctions of:

- Worker/participant
- Ability/person with a disability
- Ethnic and Indigenous backgrounds
- Religion
- Culture and tradition
- Gender identity
- Sexual orientation
- Age
- Health and poverty

4.7 Stronger reporting ensures accountability and transparency

We hold ourselves accountable to the people we serve including program participants, communities, our partners as well as our donors and the Australian community. We are committed to accountability and transparency through context specific, culturally appropriate, accessible and safe reporting mechanisms. We also support our partners to do the same. Stronger reporting allows us to better monitor SEAH, understand risks, improve systems and safeguards accordingly, and respond to cases in a timely and appropriate manner.

5. Policy Commitments

5.1 Professional Behaviour Standards

5.1.1 We ensure all personnel understand (in the language that they speak), sign and adhere to Professional Behaviour Standards for Protecting Children and Vulnerable People. These standards incorporate the standards of conduct from the Interagency Standing Committee Six Core Principles Relating to Sexual Exploitation and Abuse. This includes the prohibition of any form of transactional sex.

5.1.2 We reject fraternisation where a relationship involves, or appears to involve, partiality, preferential treatment or improper use of rank, power or position.

5.1.3 Our personnel must immediately disclose to their direct manager any relationship, formal or informal, with Caritas Australia staff, program participants, partners, or any member of the community, regardless of if they are existing or new, which may be perceived as inappropriate or exploitative, or where real or perceived unequal power dynamics exist. Caritas Australia personnel who are unsure if their relationship falls into this category should discuss the situation with their direct manager and/or a member of the People team.

5.2 Working with Partners

5.2.1 Our program partners are required to have their own Safeguarding (including PSEAH) policies and procedures (or embedded in their policy framework), and a Code of Conduct or Professional Behaviour Standards. These should align with Caritas Australia and international good practice (see section 7.2) including DFAT Minimum Standards (Appendix 2). In cases where partners do not have the required documents, the Caritas Australia policies can be adopted. Caritas Australia will work with partners to build their capacity and ensure they meet the standards required, through our accompaniment and training mechanisms.

5.2.2 Where there is any discrepancy between our PSEAH policy and a partner's policy the higher standard will apply.

5.2.3 PSEAH training and tools for partners will be developed and updated in a consultative manner to ensure they are practical and contextually appropriate. Training will include scenario-based discussions about power imbalances, status, attitudes, beliefs, behaviour and workplace cultures and how these impact work and personal relationships.

5.3 Safe Programming and Active Risk Management

5.3.1 Caritas Australia is committed to ensuring no harm and promoting the safety and dignity of program participants during the delivery of our programs and activities. We uphold this commitment in person and through technology and electronic media.

5.3.2 Actively manage the risk of harm in the course of our work and encourage and support partners to do the same in delivering aid and development projects in line with good practice standards (as outlined in Section 7.2).

5.3.3 We ensure that risk management is an ongoing part of our work, by:

- a) Conducting thorough risk assessments that include the risk of SEAH at the inception of all our programs and activities to identify risks and develop mitigation strategies to reduce and manage the risk of SEAH.
- b) Conducting partner checks to ensure policies and procedures are in place and identify safeguarding capacity building activities to support partners and program delivery.
- c) Monitoring risks to ensure assessment-identified risks are reviewed, emerging risks are incorporated and that mitigation strategies put in place are being implemented and are effective through the program cycle.
- d) Ensuring that Caritas Australia, and our partners and projects have strong, effective and accessible feedback and complaints mechanisms so that any concerns can be reported and acted upon.

5.3.2 We acknowledge that during humanitarian emergencies, there is a higher level of risk for SEAH to occur, and we manage these risks in a timely, effective and appropriate manner.

5.4 Recruitment and Employment Practices

5.4.1 CA maintains and implements robust recruitment and screening processes which aim to prevent the recruitment or engagement of anyone who poses a safeguarding risk. This includes:

- Acknowledging Caritas Australia's commitment to safeguarding in job adverts and position descriptions
- Verbal referee checks, safeguarding interview questions and criminal history checks conducted (according to Caritas Australia's Screening Check Procedure) for all personnel.
- Working With Children Checks conducted where the work to be undertaken may involve contact with children, and additional screening measures undertaken for the recruitment of personnel into roles that involve working with children.
- Ensuring that personnel including staff receive a clear message about the values and principles of Caritas Australia.
- Partners and staff will receive communication and message that Caritas Australia prohibits sexual exploitation, abuse and harassment
- Ensuring additional screening measures such as interview plans that incorporate behavioural- based (child safeguarding) interview questions that are specific to positions that involve working with children.
- The People Team will monitor the implementation of this policy as it relates to vendors, contractors, consultants and other related personnel,

5.4.2 Including relevant clauses regarding PSEAH expectations of personnel in Caritas Australia's employment contracts, including that personnel can be suspended or transferred to other duties if they are under investigation or dismissed if it is found that they have breached this Policy and/or the Professional Behaviour Standards.

5.4.3 Ensure all new employees undergo mandatory induction and training on safeguarding including PSEAH, and subsequently receive ongoing refresher training.

5.4.4 Ensure commitment to and compliance with the Professional Behaviour Standards, which outlines expected behaviours and obligations, is part of regular performance appraisals.

For hyperlinks to relevant recruitment procedures, please refer to Section 7 Related Documents.

5.5 Reporting and Responding

5.5.1 It is mandatory for all CA personnel and partners to *immediately* report any concerns, suspicions, alleged incidents of sexual exploitation, abuse and harassment or breaches of the Code of Conduct, Professional Behaviour Standards or this Policy. If in doubt, personnel should report an alleged incident in line with Guiding Principle 2: Zero tolerance of inaction.

5.5.2 In line with Caritas Australia's [Speaking Up Policy](#) and the [Complaints Handling Procedures](#), and to support and enable reporting and effective response to reports, Caritas Australia will:

- Maintain trust-worthy, culturally appropriate, accessible mechanisms for reporting of concerns, suspicions or allegations of incidents of SEAH, and/or breaches of this Policy or the Professional Behaviour Standards.
- Ensure that those involved in an incident or allegation should be protected from retaliation, have their confidentiality and dignity respected and receive appropriate support.
- Ensure that procedural fairness is essential when making decisions that affect the rights or interest of any party involved, including victim-survivors, complainants, witnesses, whistleblowers, and the subject(s) of concern (alleged perpetrator)
 - How to make a report and key contact points are summarised in Appendix 3.
 - SEAH Incident Reporting Form is at Appendix 6.

- Always immediately act upon and escalate reports that allege or suspect incidents of SEAH, maintaining at all times a victim-survivor centred approach.

5.5.3 When working with partners and across Caritas Australia's programs we will:

- Ensure that partners, communities and people we work with are proactively informed (in the language they understand) about Caritas Australia's commitments to PSEAH and reporting procedures in place for raising any concerns relating to SEAH.
- Support partners to develop contextual, and culturally appropriate SEAH reporting procedures, as part of our accompaniment and capacity building initiatives.
- If the complaint or report relates to a CAN DO project, Caritas Australia will follow the CAN DO Standard Operating Procedures for PSEAH and Child Safeguarding.

5.5.4 Ensure the appointment of CA Safeguarding roles, including a Safeguarding Focal Point with clearly articulated responsibilities to coordinate and lead safeguarding work. The Safeguarding Focal Point is responsible for taking prompt and appropriate action in relation to SEAH reports including determining the most appropriate investigation process which may involve external legal, mediation or expert advice as required.

5.5.5 At all times the safety and wellbeing of the victim-survivor and/or the reporter must be paramount, including the provision of psycho-social support. Privacy and confidentiality is prioritised. Whistleblowers are protected and supported throughout the reporting and investigation processes according to the Caritas Australia Speaking Up Policy and Complaints Handling Procedure.

5.5.6 External reporting:

- Where safe to do so, and when in accordance with the wishes of the victims-survivors and whistleblowers, all alleged SEAH incidents that involve a criminal aspect should be reported through the correct local law enforcement channels.
- We are obligated to report to DFAT and it is the responsibility of the Safeguarding Focal Point to ensure reporting is in accordance with DFAT requirements and timeframes (see Appendix 5):
 - It is mandatory to report within five working days any alleged incident any alleged incident of sexual exploitation, abuse or harassment related to the delivery of DFAT business.
 - This includes any alleged incident that poses a significant reputational risk to DFAT. For example, an allegation against a senior employee of a partner organisation.

5.6 Accessing and communicating the policy

5.6.1 This Policy will be available on our website and disseminated to all our personnel, visitors and partners.

5.6.2 Ensuring that safeguarding messages are clearly visible in offices and around the organisation.

5.6.3 Encourage teams to develop specific safeguarding messages for use during training, workshops and meetings. Further communication to partners is outlined in Section 5.4.

5.6.4 We will ensure that all personnel, visitors, program partners are notified of and made aware of the policy.

5.7 Policy Review

5.7.1 We are committed to continuous improvement to our PSEAH policy, procedures and practices. This policy will be reviewed at a minimum every three years to ensure it is working in practice and updated to accommodate changes in legislation or circumstance.

5.7.2 Feedback on this and other safeguarding policies is openly encouraged from our personnel, partners, stakeholders and the communities we work with. Feedback, as well as emerging good practice and collaborative lessons learnt across the development sector, will be used to strengthen this and related policies and procedures.

6. Roles and Responsibilities

At Caritas Australia, a culture of PSEAH starts with strong leadership.

6.1 The Board of Directors is responsible for:

- Ultimate accountability for our organisational policies
- Guiding governance and culture of Caritas Australia through strategic leadership and guidance
- Approving this policy and holding the Leadership Team accountable for how effectively this policy is implemented

6.2 Leadership Team members are responsible for:

- Ensuring our procedures, practices, plans and operations align with this policy
- Reporting to the Board via the Board safeguarding report
- Ensuring their team is aware of this policy and understand their responsibilities
- Leading by example

6.3 The Chief Executive Officer is responsible for:

- Ensuring this policy is upheld
- Informing the Board of any concerns relating to PSEAH and giving progress reports
- Working closely with the People Team, ensuring all staff are accountable to this policy

6.4 People Team is responsible for:

- Reviewing contracts, partner working agreements, terms of reference, job descriptions, induction, interviews, and other matters relating to safe recruitment

6.5 Safeguarding Focal Point is the Caritas Australia employee identified as the point of contact for PSEAH. They are responsible for:

- Ensuring that Caritas Australia meets its obligations to Safeguarding and PSEAH (Preventing Sexual Exploitation, Abuse and Harassment).
- Implementing policies and procedures.
- Overseeing training, awareness on safeguarding
- Receiving and managing reports and investigations.
- Reporting to the Board and other stakeholders.
- Ensuring this policy is accessible via the Caritas Australia website.
- Coordinating the Safeguarding Committee.
- Convening safeguarding community of practice

6.6 Safeguarding Lead is responsible for:

- Supporting the Safeguarding Focal Point in delivering on our safeguarding obligations.
- Support the review of partner safeguarding policies
- Support review and contribute to safeguarding consideration in project design and implementation
- Participating in the Safeguarding Committee.
- Supporting Programs Department to include safeguarding in our programs and to build partner capacity.
- Participating in sector initiatives as appropriate.

6.7 Safeguarding Committee members (at an organisational level) are responsible for:

- Supporting their respective teams to carry out their safeguarding responsibilities.
- Fostering an organisational culture that embodies safeguarding including PSEAH.
- Peer to peer learning

6.8 In-country Managers (Country Representatives) are responsible for:

- Creating transparent practices that show how PSEAH will be handled.
- Communicating this policy and related procedures to personnel.
- Regularly including PSEAH as an agenda item at team meetings.
- Engaging their teams in an open, honest and meaningful way to ensure they understand what is expected of them.
- Ensuring that safeguarding messages are clearly visible in offices and around the organisation
- Encourage programs to develop specific safeguarding messages for use during training, workshops and meetings

6.9 Personnel (including you) are responsible for:

- Understanding and following this policy and related procedures.
- Ensuring that your actions, behaviour, attitude, words reflect the Catholic Social Teachings and the principles outlined in this policy, and reflected through the Guiding Principles and Policy Commitments above.
- Not encouraging others (directly or indirectly) to breach this policy.
- Reporting any breach to your manager. However, if it is a sensitive complaint, you must report it to confidential@caritas.org.au (the Complaints Focal Point) or [Stopline](#) whistleblower service.
- We have a shared responsibility to ensure PSEAH is at the forefront of all decisions and interactions of our work. This responsibility extends to each person and partner who is involved in implementing programs and activities directly or indirectly or on behalf of Caritas Australia.

7. Related Documents

This policy supports Caritas Australia's compliance with the following:

7.1 International PSEAH Instruments (endorsed/signed by the Australian Government):

- Joint Statement and 22 Commitments
- Tidewater Joint Statement on Combatting Sexual Exploitation and Abuse in Development and Humanitarian Sectors
- Whistler Declaration on Protection from Sexual Exploitation and Abuse in International Assistance

7.2. International Human Rights Instruments

- United Nations Convention on the Rights of the Child
- Optional Protocol to the United Nations Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
- Optional Protocol to the United Nations Convention on the Rights of the Child on the involvement of children in armed conflict
- Geneva Declaration of the Rights of the Child
- International Labour Organisation Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour
- United Nations Convention on the Rights of Persons with Disabilities (CRPD)
- United Nations Convention on the Elimination of All forms of Discrimination against Women (CEDAW)

7.3 External policies, procedures, documents and standards:

- DFAT Prevention of Sexual Exploitation, Abuse and Harassment Policy
- DFAT Guidance on assessing the risk of SEAH and DFAT accreditation criteria
- Australian Council for International Development (ACFID) Code of Conduct
- National Catholic Safeguarding Standards
- Australian Charities and Not-For-Profits Commission (ACNC) External Conduct Standards
- Interagency standing Committee (IASC) PSEAH Minimum Operating Standards
- Interagency standing Committee (IASC) Six Core Principles Relating to Sexual Exploitation and Abuse
- CAN DO Standard Operating Procedures for PSEAH and Child Safeguarding

7.4. Legislation

- Australian National and State Legislation
- National Legislation where Caritas Australia has presence

7.5 Caritas Internationalis governance documents:

- Caritas Internationalis Children and Vulnerable Adults Safeguarding Policy.
- Caritas Internationalis Anti-harassment Policy.
- Caritas Internationalis Complaints Handling Policy and Procedure.
- Caritas Internationalis Code of Ethics and Code of Conducts.
- Caritas Internationalis Management Standards

7.6 Caritas Australia governance documents:

- Code of Conduct
- Speaking Up Policy
- Child Protection Policy
- Volunteering Policy
- Complaints Handling Procedure
- Screening Check Procedure
- Investigation Guidelines
- Recruitment Guidelines
- Staff Handbook

8. Appendix List

- Appendix 1: Definitions
- Appendix 2: DFAT Minimum Standards
- Appendix 3: How to Report and Key Contact Points
- Appendix 4: Professional Behaviour Standards for Protecting Children and Vulnerable Adults
- Appendix 5: Reporting Requirements to DFAT
- Appendix 6: SEAH Reporting Form

9. Information about this policy

Can be accessed by	Anyone via website
Can be shared with	Internally and externally (including with other organisations)
Distributed to	Any person doing paid or unpaid work for, or on behalf of, CA including Australian-based employees, in-country employees, Board of Directors, Diocesan Directors, volunteers, partner organisations, downstream partners or anyone doing relevant work
Document Owner	Safeguarding Focal Point
Approved by	Board of Directors
Commencement Date	01 Oct 2020
Next Review Date	01 Oct 2026
Document number	SI-PS-POL-v1.5

How this policy has changed over time

Version	Approval Date	Summary of changes
v1.1	29 Jan 2020	Original document
v1.2	26 Jun 2020	Align to Child Protection Policy, Code of Conduct and Speaking Up Policy
v1.3	18 Nov 2020	Put in new format
V1.4	3 May 2021	Include DFAT reporting requirements in section 5.5.6 Removed 7.5 caritas Australia governance documents – duplication Updated hyperlinks and policy/procedures names 5.4.2 remove examples of sanctions for breaches Updated section 2 re partners adopting policy
V1.5	26 Nov 2024	Updated to reflect changes to DFAT reporting requirements Updated wording, including 'do no harm' approach Updated definitions Added in Misdisclosure Conduct Scheme Updated Guiding Principles Updated Policy Commitments Updated Roles and Responsibilities and key administrative updates Updated related documents

Appendix 1: Definitions

Child or children	A child is any person under 18 years of age, regardless of whether a nation's laws or customs recognise adulthood earlier.
Downstream partners	Downstream partners are organisations, contractors or others engaged by our partners to deliver development and or humanitarian programs or activities.
Fraternisation	Any relationship 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 could include sexual behaviour not amounting to intercourse, a close and emotional relationship involving public displays of affection or private intimacy and the public expression of intimate relations.
Participant	Persons or communities who participate in programs or activities run by or on behalf of CA.
Perpetrator	A person (or group of persons) who commits an act of SEAH or other type of crime or offence.
Personnel	Any person doing paid or unpaid work for, or on behalf, of CA including Australian-based employees, in-country employees, Board of Directors, Diocesan Directors, volunteers, consultants, contractors and sub-contractors.
Policy non-compliance	Policy non-compliance refers to the failure to abide by CA's Preventing Sexual Exploitation, Abuse and Harassment Policy.
Program partner	Are individuals or organisations that Caritas Australia works with, accompanies and supports to deliver humanitarian and development programs or activities.
Safeguarding focal point	The Safeguarding Focal Point is responsible for ensuring implementation of CA's Safeguarding Policy, Guidelines and Procedures (which include PSEAH and Prevention of Sexual Exploitation, Abuse and Harassment), and for ensuring that appropriate action is taken to deal with and/or report to appropriate agencies, incidents of SEAH, incidents of suspected SEAH or breaches of the DFAT Code of Conduct promptly. These actions will be done in accordance with these procedures and related CA PSEAH documents and standards which accord with standards and guidelines issued by relevant authorities including DFAT (see Section 7).
Sexual abuse	<p>The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It covers sexual offences including but not limited to: attempted rape (which includes attempts to force someone to perform oral sex); and sexual assault (which includes non-consensual kissing and touching). All sexual activity with someone under the age of 18 is considered to be child sexual abuse.</p> <p>Sexually abusive behaviours can include fondling genitals; masturbation; oral sex; vaginal or anal penetration by a penis, finger or any other object; fondling breasts; voyeurism; exhibitionism; and exposing the child to, or involving the child in, pornography.</p>

Sexual exploitation	Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from sexual exploitation of another.
Sexual harassment	<p>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.</p> <p>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 employees and personnel.</p> <p>Some examples of behaviour that may be sexual harassment include:</p> <ul style="list-style-type: none"> • staring or leering; • unnecessary familiarity, such as unwelcome affection or touching; • suggestive comments or jokes; • insults or taunts of a sexual nature; • intrusive questions or statements about your private life; • displaying posters magazines or screen savers of a sexual nature; • sending sexually explicit emails or text messages; • inappropriate advances on social networking sites; • accessing sexually explicit internet sites; • requests for sex or repeated unwanted requests to go out on dates; and • behaviour that may also be considered to be an offence under criminal law such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.
Technology and electronic media	CA workers and communities are regularly using electronic medium to communicate, including mobile phones, computers, the internet and social media. It is noteworthy that sexual exploitation, abuse and harm is increasingly occurring via electronic means. Therefore workers should read and understand the Caritas Australia Acceptable Use of <u>ICT Policy</u> .
Transactional Sex	The exchange of money, employment, goods or services for sex, including sexual favours.
Visitor	Anyone who visits Caritas Australia premises, programs or activities in Australia and internationally.
Victim/survivor	A person who is, or has been, sexually exploited, harassed or abused.
We, us, our	Refers to Caritas Australia.

Appendix 2: DFAT Minimum Standards

Minimum standard	Obligation		Applies to			
	Organisations	Individuals	Low Risk	Med Risk	High Risk	Very High Risk
1. Have a PSEAH policy or other documented policies and procedures in place and clearly communicate expectations of this Policy.	Must have a PSEAH policy or other documented policies and procedures in place, which clearly meet the expectations of this Policy.	Sign a document outlining appropriate and enforceable standards of conduct, compliant with the requirements of this Policy	✓	✓	✓	✓
2. Have reporting and investigation procedures in place.	The PSEAH policy, or equivalent, documents how SEAH incidents will be managed, reported and investigated. Reporting and investigation processes must include engagement of and reporting to senior management and executive boards.	Through a document which outlines appropriate and enforceable standards of conduct, confirm awareness of DFAT's PSEAH reporting requirements for concerns or incidents and policy non-compliance.	✓	✓	✓	✓
3. Have risk management processes that include the risk of SEAH.	Have effective risk management processes that include consideration of the risk of SEAH. The process must document the controls already in place or to be implemented to reduce or remove risks.	Must meet the reporting requirements under their agreement, aligned to DFAT's PSEAH Policy.	X	✓	✓	✓
4. Effective PSEAH training in place.	PSEAH training for personnel, including downstream partners and individuals that deliver DFAT business.	Complete PSEAH training and provide evidence of this.	X	X	✓	✓
5. Recruitment and screening processes and employment practices address and manage the risk of SEAH.	Can demonstrate robust PSEAH recruitment and screening processes for all personnel/consultants including having in place appropriate and enforceable standards of conduct.	Based on a risk assessment, assurances could include providing a recent police check, working with vulnerable people check or location specific equivalent that provides assurance reasonable SEAH precautions have been taken. Local requirements must also be followed.	X	X	✓	✓
6. Prohibit transactional sex for all personnel, while engaged in the direct delivery of DFAT business	Prohibits transactional sex in the field for all employees and downstream partners while engaged in the delivery of DFAT business	Employment agreements include clauses prohibiting transactional sex while engaged in the delivery of DFAT business.	X	X	X	✓

Minimum standard	Obligation		Applies to			
	Organisations	Individuals	Low Risk	Med Risk	High Risk	Very High Risk
7. Prohibit fraternisation for all non-national personnel, while engaged in the direct delivery of the DFAT business	Prohibits fraternisation for all non-national personnel in the field while engaged in the delivery of DFAT business	Employment agreements include clauses prohibiting fraternisation for all non-national individuals while engaged in the delivery of DFAT business	X	X	X	✓

Appendix 3: How to Report and Key Contact Points

If you alleged, witnessed or suspected cases of child abuse and exploitation or policy non-compliance you have a mandatory obligation to speak up. This can be done:

a) In person/verbally:

- Program participants, community members or any person can speak to our personnel or partners in the field who will complete the required forms and forward them to the Complaints Focal Point
- Partners can verbally report directly to the relevant CA Project Coordinator, the Safeguarding Focal Point, the Complaints Focal Point or any CA personnel
- Our personnel can speak with their manager, a fellow CA personnel, the Complaints Focal Point or the Safeguarding Focal Point

See Appendix 5 'How to Respond to Disclosure or Suspected Abuse' which may help for a report being made in person, particularly for disclosure by a child.

b) By phone:

If a concern is received by phone, the receiving officer will identify who they are and their role, listen to the complainant, and record details including:

- The complainants name, address and contact details and the date on which the complaint is received
- If an anonymous complaint is received through the whistle-blower service, whether the complaint wishes to receive updates through that service
- The name of the receiving CA officer or external service provider
- The details of the matter including the nature of the issue, the location of the issue, and who is alleged to be involved
- The receiving officer will confirm the relevant details and advise the complainant of what the next step will be

See also, Appendix 6 'Child Protection Incident Reporting Form' for details on information to collect over the phone.

c) In writing:

- If a concern is received in writing the receiving officer may, where contact details are supplied, contact the complainant and confirm the relevant details as well as any additional information. Written incident reports or concerns regarding alleged, witnessed or suspected cases of child abuse and exploitation or policy non-compliance can be made by email or post.
- If you are making a complaint by writing, you can complete the 'Child Protection Incident Reporting Form' (Appendix 6)

Key Contact Points:

a) Complaints Focal Point

- Phone: 1800 02 44 13 (in Australia) and ask for the Complaints Focal Point
- Or any in-country CA office who will elevate your concerns to the Complaints Focal Point.

- Email: confidential@caritas.org.au
- Mail: Caritas Australia. Level 2, Building 3/189 O'Riordan St, Mascot NSW 2020

b) Stopleveline external whistleblower service

- Telephone: 1300 30 45 50 (in Australia)
- Facsimile: Caritas Australia, c/o Stopleveline +61 3 9882 4480
- Email: caritas@stopleveline.com.au
- Online: <https://caritas.stoplevelinereport.com>
- Mail: Caritas Australia, c/o Stopleveline, Locked Bag 8, Hawthorn, Vic 3122

The Whistleblower Hotline will forward the report to CA's Complaints Officer. Note that this option can allow the reporter to remain anonymous to CA.

Appendix 4: Professional Behaviour Standards for Protecting Children and Vulnerable Adults

Note: The Professional Behaviour Standards for Protecting Children and Vulnerable Adults is included below as an appendix. It also forms part of the Code of Conduct.

Professional Behaviour Standards reflect our commitment to protecting the safety and wellbeing of everyone, especially children and vulnerable adults, and preventing all forms of abuse, exploitation and harassment.

The commitments below capture the essence of professional behaviour expected by Caritas Australia but may not cover all potential situations.

I commit to protecting the rights of everyone, especially children and vulnerable adults.

- I treat everyone, especially children and vulnerable adults, with respect.
- I am aware that I have a privileged position being associated with Caritas Australia. I am aware of unequal power relationships (such as between adult and child, or partner and program participant) and will not take advantage of my position.

I prioritise the safety and wellbeing of children and vulnerable adults.

- I am aware of situations and behaviours that may be perceived as exploitative or abusive (such as giving gifts, paying extra attention or developing 'special' friendships).
- I will avoid these situations or take extra measures to keep everyone safe.
- I will not use physical punishment, or threats of physical punishment.
- I will not do things for children that they can do for themselves.
- I will not give alcohol, cigarettes or drugs to children.
- I will not speak or act in a way that is inappropriate, exploitative, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- I will not hire children for domestic or other work that is inappropriate given their age or developmental stage; which interferes with their time available for education and recreation; or which places them at significant risk of injury.
- Wherever possible, I ensure that another adult is present when I'm having contact with children.
- I will not sleep close to unsupervised children unless absolutely necessary; if it is unavoidable, I will have my supervisor's permission, and have another adult present if possible.
- I will not invite unaccompanied children people into my home or vehicle, unless they are at immediate risk of danger.
- These behaviours are not intended to interfere with normal family interactions.

I help create a culture that empowers and protects children.

- I create an environment which prevents all forms of exploitation, abuse and harassment (including sexual, physical and emotional).
- I develop strategies for listening to the needs and interests of children.

- If I am a manager at any level, I am responsible for supporting and developing the culture and systems that maintain a safe environment.

I prevent all forms of sexual exploitation, abuse and harassment.

- In line with international standards, I will not have sexual activity with anyone under the age of 18 (regardless of local law). I understand that not knowing a person's age is not a defence or excuse.
- I will not engage in any sexual activity or relationship with those who are benefiting from our work. I will not improperly use my position or power for sexual purposes. Such relationships put the integrity of our work at risk.
- I will also make sure that no harm (including sexual exploitation, abuse or harassment) occurs during delivery of our programs or activities.
- I will not exchange money, employment, goods, assistance or services for sex including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This includes exchange of assistance that is due to our program participants.
- I will not engage in the trafficking of human beings, in any form.

I use technology appropriately and responsibly.

- I will not use any technology (such as computers, mobile phones, cameras or social media) to exploit or harass children.
- I will not access exploitative material, such as child pornography, in any way.

I act responsibly when I work with photos or videos.

- I respect local traditions or restrictions when taking photos or videos of children.
- I get informed prior consent. This means I obtain permission before taking a photo or video. I will explain how the photo or video will be used. I will keep written records of the permission obtained.
- I make sure that photos and videos show children in a dignified and respectful way. I make sure they do not appear submissive or vulnerable. They should be adequately clothed and not appear in poses that could be seen as sexually suggestive.
- I make sure that images are honest representations of the context and the facts. I do not exaggerate the truth to make the story more compelling.
- I make sure that photo data (such as file labels, meta data or text descriptions) do not reveal information about a child that could identify them, such as their name or location. I take steps, such as turning off GPS tracking, before taking photos. I double-check that the photos and videos are de-identified before sharing.

I act within the law. I disclose offences.

- I immediately disclose any investigations or offences (including charges, convictions, allegations and other outcomes) that relate to child exploitation and abuse including those under traditional law. I will disclose them whether they occurred before, or during, my association with Caritas Australia.
- I comply with all relevant legislation (both Australian and local) including child labour laws.

I report immediately, even if I'm just concerned, suspicious or unsure.

- I immediately inform my direct manager if I become involved in a personal relationship which may be perceived as inappropriate or exploitative, or where unequal power dynamics (real or perceived) exist. If I am unsure if my relationship falls into this category, I will discuss the situation with my direct manager and/or People & Culture.
- I must immediately report if I have concerns, suspicions or allegations of:
 - Sexual exploitation, abuse or harassment by a fellow worker, whether in the same agency or not
 - A sexual relationship that involves a power imbalance (for example, between a personnel member from Caritas Australia or another agency and a program participant or community member)
 - A child being abused, exploited or at risk of harm
 - Breaches of Caritas Australia's policies, Code of Conduct or this Professional Behaviour Standards for Protecting Children
- I understand that I can make a report:
 - via email: confidential@caritas.org.au
 - by contacting Stopleveline
- I understand that Caritas Australia will take all reports seriously, elevate issues quickly and respond appropriately. Caritas Australia will take a 'do no harm' approach and prioritise the rights of the victim/survivor while ensuring procedural fairness to all parties.
- I take responsibility for reporting. I must not assume that someone else will report a situation relating to the safety of children or people experiencing sexual exploitation, abuse or harassment.

Appendix 5: DFAT Reporting Requirements

- a) Mandatory and immediate (within two working days of becoming aware of an alleged incident) we must report any alleged incident of sexual exploitation, abuse or harassment related to the delivery of DFAT business. This includes any alleged incident that poses a significant reputational risk to DFAT. For example, an allegation against a senior employee of a partner organisation.
- b) Mandatory reporting (within five working days) we must report any alleged Policy non-compliance; for example, failure to adhere to the PSEAH Policy Minimum Standards or principles.

Where an individual or organisation has already reported, but becomes aware of additional information, the individual or organisation must also report that information.

Appendix 6: Incident Reporting Form

Safeguarding Reporting Form

Notification Details

In line with our Prevention of Sexual Exploitation, Abuse and Harassment and PSEAH Policy' principles, Caritas Australia takes a victim/survivor centred approach to the reporting of safeguarding issues. Where it is safe to do so, please provide as much information as possible, and in line with the wishes of the victim/survivor.

If you do not know any answers to the questions below, please write do not know. You do not need to seek further information to submit the form.

If you have any concerns about completing this form please contact the CA Complaints Focal Point email confidential@caritas.org.au.

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 email confidential@caritas.org.au

1. Information about the person completing this form

Note, please consider the privacy and protection of any individuals reporting. Only provide details of any individuals if permission has been granted to share this information.

Name	
Organisation	
Position or relationship to Caritas Australia	
Telephone	
Email	
Date	
Location (country/province/city etc)	

2. Information about the victim/survivor *If more than one person was affected, please include all.*

Note, please consider the privacy and protection of any individuals reporting. Only provide details of any individuals if permission has been granted to share this information.

Name	
Age	

Gender	
Current location of the victim/survivor <i>(include who the person lives with if applicable)</i>	
Any additional information about the victim/survivor, such as injuries, disability, general impressions.	
What actions have been taken to ensure the victim/survivor's safety at present?	
Have referrals been made to support services such as a medical facility or counselling services? <i>(if yes, please provide details)</i>	
Location <i>(country/province/city etc)</i>	
Does the victim/survivor know that you are reporting this concern?	
3 Information on the suspected concern	
What Happened?	
When did it take place? <i>(date(s) and time(s))</i>	
Where did it take place? <i>(country, province, city/village/town etc. Please provide as much detail as possible)</i>	
Were there witnesses? <i>If yes – who are they and how can they be contacted?</i>	
Date incident report was received by you?	
4 Project/program details related to the incident	
In which Project or Program?	
Location of Project or Program <i>(country, province, city/village/town etc. Please provide as much detail as possible)</i>	

Name of partner(s) associated with the project/program: <i>(e.g. name of organisation(s); include downstream partners)</i>	
5. Reporting to others	
Are local police aware of the incident/allegation? <i>If yes, please provide details</i>	
Who else has been informed about this Safeguarding Concern <i>(include both internal and external e.g. police / doctors)</i>	
6 If applicable: Information about the suspected perpetrator/person(s) involved <i>If safe to do so</i>	
Name	
Gender	
Suspected perpetrators relationship to victim/survivor	
Suspected perpetrators relationship to Caritas Australia	
Is the suspected perpetrator Australian or living in Australia?	
Current Location	
Contact details	
5. Other information	
<i>please provide any other relevant information here that has not already been mentioned above</i>	