

SISTERS OF THE GOOD SAMARITAN FOUNDATION LIMITED

PREVENTION OF SEXUAL EXPLOITATION, ABUSE AND HARASSMENT (PSEAH)

Introduction

This policy, established by the Sisters of the Good Samaritan Foundation Ltd (**GSF**) applies to all GSF staff, Board members, partners and volunteers.

Definitions

- **Sexual Harassment:** Unwelcome physical, verbal, or non-verbal conduct of a sexual nature. This includes indecent remarks or sexual demands that are unsolicited and regarded as undesirable or offensive. Sexual harassment can be obvious or subtle, physical or verbal, repeated or one-off, and can be perpetrated by any person of any gender towards any other person of any gender.

Examples include but are not limited to:

- Sex-oriented remarks or abuse
 - Offensive gestures or comments
 - Unwanted and deliberate physical contact
 - Promises of preferential treatment or threats of detrimental treatment in return for sex
 - Use of pictures/posters/videos of a sexual or intimate nature
 - Persistent unwelcome social invitations, phone calls, or mail
 - Obscene phone calls
- **Harassment:** Unwanted behaviour that is intimidating, malicious, offensive, insulting, humiliating, or degrading. It includes verbal or written communications, visual material, or physical behaviour that is unwelcome or offensive, and repeated or significant enough to have a detrimental effect on a person's employment, job performance, or satisfaction.

Examples include but are not limited to:

- Insults based on age, race, sex, disability, sexual orientation, or religion
 - Making fun of or belittling someone
 - Excluding or isolating someone from work or social activities
 - Retaliating against someone who has made a harassment complaint
 - Unwelcome flirtation or sexual advances
 - Inappropriate touching or standing too close
 - Displaying or circulating offensive materials
 - Making decisions based on sexual favours being accepted or rejected
 - Inappropriate jokes or comments
 - Bullying, misuse of power, or authority
- **Sexual Exploitation:** Abuse of a position of vulnerability, differential power, or trust for sexual purposes, including profiting monetarily, socially, or politically from the exploitation of another.

- Sexual Abuse: Actual or threatened physical intrusion of a sexual nature, whether by force or under coercive conditions.
- Transactional Sex: Exchange of money, employment, goods, services, or other benefits for sex, including sexual favours.
- Fraternalisation: Relationships involving partiality, preferential treatment, or improper use of rank or position, including voluntary sexual behaviour.
- GSF Representatives: All individuals and entities acting on behalf of GSF, including trustees, members, directors, employees, contractors, consultants, advisors, volunteers, and partners.

Policy

GSF prioritizes preventing sexual exploitation, abuse, and harassment (**SEAH**) and integrates SEAH risk management into its practices. GSF is committed to addressing all SEAH cases, fostering shared responsibility, and creating a culture of non-discriminatory and respectful behaviour.

Policy Principles

1. Zero Tolerance: SEAH is never acceptable. GSF acts on every allegation fairly and reasonably, acknowledging that increased reporting may indicate better awareness and action against SEAH.
2. Shared Responsibility: Preventing SEAH is a collective responsibility. GSF requires commitment from all GSF Representatives and partners to handle SEAH effectively.
3. Victim/Survivor-Centered Approach: Addressing SEAH prioritises the rights, needs, and wishes of the victim/survivor, ensuring dignity, respect, involvement in decision-making, comprehensive information, privacy, and non-discrimination.
4. Addressing Power Imbalances: Gender inequality and other power imbalances contribute to SEAH. GSF promotes diversity, gender equality, social inclusion, and a strong “do no harm” approach. Although children are outside this policy's scope, they are protected under the Foundation's Children and Adult at Risk Protection Policy.
5. Accountability and Transparency: GSF is accountable to donors and communities. Stronger reporting allows for better SEAH monitoring and risk management.

Procedures and Risk Assessment

GSF employs a risk-based approach to SEAH prevention, applying appropriate controls based on identified risk levels (low, medium, high, or very high). If no SEAH risk is identified, no minimum standards are required, but ongoing monitoring is essential. Identified risks necessitate corresponding mitigation measures and compliance with DFAT PSEAH Minimum Standards.

Recruitment and Employment Practices

GSF adheres to strict recruitment and screening guidelines, including verbal and police checks, to demonstrate its PSEAH commitment.

Reporting

GSF Representatives must comply with this Policy's reporting requirements for any suspected or alleged SEAH cases. Reports are made to the Board of Directors, de-identifying victims/survivors when possible. Criminal SEAH incidents should be reported to local law enforcement, respecting privacy under the *Privacy Act 1988* (Cth) or any local equivalent privacy laws.

If SEAH is experienced or suspected, rigorous procedures ensure complaints are confidential, serious, and promptly addressed. Victim/survivor safety and well-being are paramount.

PSEAH Focal Person

The Executive Director serves as the PSEAH focal person, raising awareness, providing training, incorporating PSEAH into employee handbooks, promoting reporting mechanisms, and assisting partners in policy implementation.

Reporting Channels

GSF Representatives can report SEAH concerns to:

- The PSEAH focal person
- Their immediate or another manager
- The Executive Director
- Any Board member
- A trusted person, colleague, or friend

Complaint Handling Procedure

Reports are forwarded to the Executive Director or the Board Chair, who respond and initiate investigations. Reports involving individuals under 18 follow the Children and Adult at Risk Protection Policy. The case manager conducts initial assessments and investigations, informing relevant parties throughout the process.

Outcomes

Substantiated allegations result in appropriate disciplinary actions, from apologies and training to warnings and dismissal, considering the breach's seriousness. Even unsubstantiated allegations may prompt preventive actions like refresher training.

Interventions

Employees can resolve SEAH at the lowest appropriate level through self-help, informal intervention, or mediation. Formal interventions involve comprehensive investigations and disciplinary actions, ensuring fairness and support for all parties involved.