



lotus outreach australia
education-opportunity-action

Preventing Sexual Exploitation, Abuse & Harassment Policy

LOA- Lotus Outreach Australia Incorporated

2024

Latest Review 2025

ACRONYMS

ACFID	Australian Council for International Development
ACNC	Australian Charities and Not-for-Profits Commission
CWCC	Cambodian Women’s Crisis Centre
DFAT	Department of Foreign Affairs and Trade
GATEPP	Girls Access to Education, Phnom Penh, Cambodia
IASC	United Nations Inter-Agency Standing Committee
LOA	Lotus Outreach Australia
LOCAM	Lotus Outreach Cambodia
PSEAH	Policy on Sexual Exploitation, Abuse and Harassment
SEAH	Sexual Exploitation, Abuse and Harassment

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1. INTRODUCTION

Lotus Outreach Australia (LOA) funds a program entitled Girls Access to Education (GATE PP) which provides scholarships and mentoring to girls living in poverty in the outskirts of Phnom Penh, Cambodia. LOA also contributes to the running costs of the Lotus Outreach office in Phnom Penh (Lotus Outreach Cambodia, LOCAM,) staffed by two Cambodian women who act as liaison between LOA and the implementing organisation, and provide oversight.

The GATE-PP project is implemented by a Cambodian non-government organisation (NGO) Cambodian Women's Crisis Centre (CWCC), with a dedicated team of personnel managing the project. Implementation of the project involves working with secondary school girls, their families, teachers, volunteers and local community villagers. Many of the people involved are vulnerable children and adults.

This policy outlines both expectations and requirements for the LOA governing board members, LOCAM staff, the staff of our implementing partner CWCC, volunteers and visitors. LOA regards prevention of SEAH as a shared responsibility; all personnel involved are expected to play an active role in preventing and addressing any SEAH that occurs in the course of their work.

2. POLICY STATEMENT

LOA has a "zero tolerance" approach to all forms of SEAH; prioritises the needs of victims/survivors; is committed to robust prevention measures; clear reporting mechanisms; thorough investigations and appropriate disciplinary action for perpetrators. LOA has a survivor-centred approach and ensures confidentiality for whistle-blowers and survivor/victims throughout the process.

3. POLICY EXPECTATIONS

The following list of expected behaviours applies to all LOA workers and staff of implementing partners, in both their personal and professional lives.

Professional and personal responsibilities of LOA, LOCAM and CWCC staff. These personnel must, at all times:

- Maintain a duty to act in a manner which upholds LOA's SEAH policy.
- Create and maintain a safe and trusted environment that promotes the implementation of this Policy and safeguards everyone from SEAH.
- Comply with all relevant Australian and Cambodian laws.
- Be aware that sexual behaviour is an area of sensitivity, where conduct may more easily be seen as offensive or be misinterpreted.
- Avoid actions or behaviours that could be perceived by others as sexual exploitation, abuse or harassment.
- Ensure that personal conduct towards a co-worker is not exploitative or such that it reasonably leads to a perception of exploitation.

- Ensure that social media use and the sharing of photographs, films and videos are underpinned by informed consent principles and documentation of the informed consent.
- Ensure that photographs, films, videos including those in social media posts, obtained with informed consent, are used in a way which presents vulnerable people in a dignified and respectful manner and not in a vulnerable or submissive manner. This includes ensuring that vulnerable people are adequately clothed and not in poses that could be seen as sexually suggestive.
- Immediately report any concern, suspicion or allegation of SEAH or any alleged policy non-compliance to LOA Officer of Prevention of sexual exploitation, abuse and harassment.

Personnel responsibilities for the management of volunteers and visitors. In addition, LOA, LOCAM and CWCC workers must recognise that they have a responsibility in the management and supervision of volunteers and visitors. Specifically:

- Volunteers must be made aware of this policy and the expected behaviours, trained in SEAH principles and supervised in their work.
- Visitors must be made aware of this policy and the expected behaviours and not permitted to engage with beneficiaries in an unsupervised manner.

No relations with program beneficiaries.

- LOA, LOCAM and CWCC workers must not engage in sexual relationships with program beneficiaries as these relationships are based on inherently unequal power dynamics and there is the potential for abuse of power. Such relationships can undermine the credibility and integrity of LOA and its programs.
- Workers must immediately inform their direct manager if they become engaged in a personal relationship which may be perceived as inappropriate or exploitative, or where real or perceived unequal power dynamics exist. Workers who are unsure if their relationships fall into this category should discuss the situation with their manager.

All workers need to be mindful of the unique challenges and perceptions associated with personal relationships with vulnerable people in the programs.

4. RECRUITMENT AND TRAINING

LOA has strict vetting measures for recruitment to its Board and Management Committee. This includes Police checks and references from previous positions. CWCC staff members working directly with children must satisfy the CWCC Staff recruitment and screening criteria as outlined in their PSEAH Policy.

LOA ensures that all staff of LOCAM and CWCC are familiar with the LOA SEAH Policy and their responsibilities under the policy. SEAH training is provided to Board and Management Committee members, as well as LOCAM and CWCC staff using, the PSEAH Resource Hub course and ACNC Toolkit for safeguarding vulnerable people.

5. RISK MANAGEMENT ASSESSMENT

The LOA management committee, together with the implementing partners, take seriously their responsibility to prevent harm and mitigate risks when designing and carrying out their work which involves vulnerable people.

They will monitor any changes in risk, instances of harm and any non-compliance with obligations under this policy.

If necessary, LOA will engage people, including 3rd parties to manage risks and investigate reports.

LOA and its partners apply DFAT's PSEAH Minimum Standards, namely:

- A PSEAH policy is in place
- The policy documents show how SEAH incidents will be managed reported and investigated

6. REPORTING A BREACH

In accordance with its SEAH policy, LOA prioritises the safety and wellbeing of victim/survivors. Whistleblowers will similarly be protected during the reporting process. The LOA PSEAH Officer will provide a safe, supportive and secure channel to victim/survivors and/or whistleblowers to report alleged incidences of SEAH or policy non-compliance.

Internal process of incident reporting to LOA

- LOA, LOCAM and CWCC workers must immediately report any concerns, suspicions or allegations of SEAH or alleged breach of the LOA PSEAH Policy.
- Concerns of SEAH can be sent in confidence via email; PSEAHofficer@Lotusoutreachaustralia.org.au or by mail; PSEAH Officer 3/16 Wonderland Ave, NSW 2026
- In addition, visitors, beneficiaries of our programs, and Members of the Public may report a concern regarding sexual exploitation, abuse and harassment through: LOA's Complaint Handling procedures via the website <https://lotusoutreachaustralia.org.au/complaints/>
- The LOA Management Committee will be notified immediately that a report has been received.
- LOA will take all concerns seriously and respond immediately and in accordance with our reporting requirements, and subject to the wishes and welfare of the victim / survivor.
LOA's PSEAH Officer in Australia will coordinate any investigation team as appropriate.
- 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.
- LOA, LOCAM and CWCC will:
 - 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.
 - Store all information and documented evidence securely and in the strictest confidence.
- LOCAM and CWCC will provide information about this Policy and the reporting mechanisms in child friendly language and ensure it is easily accessible
 - Children and young people may also report a concern regarding sexual exploitation, abuse and harassment to LOA, LOCAM or CWCC Child Protection and Safeguarding officers or staff. Reports of abuse or exploitation of individuals under the age of 18 years must follow the LOA, CWCC and LOCAM Child Protection Policy.
 - Children have the right to participate in decisions that will affect them. If a decision is taken on behalf of a child, the best interests of the child shall be the overriding guide. Referrals should be done in consultation with child focused agencies specialising in the special needs of child survivors of sexual abuse, and who are familiar with local procedures relating to the protection of children.
 - All reports of SEAH will be recorded regardless of whether substantiated or a full investigation required, and LOA will de-identify complaints at the request of the survivor.
 - Malicious and vexatious reporting of SEAH with the intention and/or result of harming another person's integrity or reputation amounts to serious misconduct and is subject to disciplinary action up to and including termination of employment or association. This is distinct from reports made in good faith based on the judgment and information available at the time of the report, which may not be substantiated by an investigation.

Reporting to DFAT

In accordance with DFAT's requirements, LOA will report any alleged incident of SEAH within two working days of becoming aware of an alleged incident, using the DFAT Sexual Exploitation, Abuse and Harassment Incident Notification Form (www.dfat.gov.au/pseah) and emailed to seah.reports@dfat.gov.au. LOA will report any alleged Policy non-compliance to DFAT within five working days.

7 STANDARDS

This policy reflects the principles, standards, and reporting requirements of the:

- ACFID Code of Conduct and Quality Assurance Guidelines
- Australian Department of Foreign Affairs and Trade's PSEA Policy and Minimum Standards
- ACNC External Conduct Standards
- LOA Complaints Policy
- LOA Volunteer Policy
- LOA Child Protection Policy

- CWCC PSEAH Policy
- CWCC Child Protection Policy.
- Australian legislation in relation to sexual harassment.
- IASC Six Core Principles Relating to Sexual Exploitation and Abuse
- <https://reliefweb.int/report/world/protection-sexual-exploitation-and-abuse-psea-interagency-cooperation-community-based>

8 DEFINITIONS

<u>Child</u>	– any person under the age of eighteen (18) years as defined by the Convention on the Rights of the Child irrespective of local country definitions of when a child reaches adulthood.
<u>Child Exploitation</u>	one or more of the following: <ul style="list-style-type: none"> • Committing or coercing another person to commit an act or acts of abuse against a child • Possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material • Committing or coercing another person to commit an act or acts of grooming or online grooming • Using a minor for profit, labour, sexual gratification, or some other personal or financial advantage. • Child pornography - any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.
<u>Child Sexual Abuse</u>	- the use of a child for sexual gratification by an adult or significantly older child or adolescent. 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.
<u>Implementing Partner:</u>	NGOs involved in implementing programs funded by LOA.
<u>LOA Worker:</u>	Board or committee members, volunteers, employees, visitors to the program.
<u>Perpetrator:</u>	A person (or group of persons) who commits an act of SEAH or other type of crime or offence.
<u>Program Beneficiary:</u>	Girls and their families supported by GATE PP program.
<u>Safeguarding:</u>	Actions, policies and procedures that create and maintain protective environments to protect people from exploitation, harm and abuse. Sexual exploitation, abuse and harassment (SEAH) occurs against a child or an adult and can occur between people of the same or different genders. It includes situations such as: <ol style="list-style-type: none"> 9 Sexual exploitation and abuse. 10 Sexual harassment. 11 Child sexual abuse and exploitation. 12 Women and men sexually exploited through sex work. 13 Possessing, controlling, producing, distributing, obtaining or transmitting sexually exploitative images of adults and children. <ul style="list-style-type: none"> • Possessing, controlling, producing, distributing, obtaining or transmitting photographs or videos that may not be explicitly sexual in nature or sexually provocative, however they could be considered sexual in nature if for instance the image would likely cause offence, humiliation or intimidation to the subject of the image.
<u>Sexual Abuse</u>	the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

<u>Sexual Exploitation</u>	- any actual or attempted abuse of a position of vulnerability, power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.
<u>Sexual Harassment</u>	any verbal or physical conduct or any conduct of a sexual nature that is unwelcome, uninvited or not reciprocated in circumstances in which a reasonable person, having regard to all the circumstances would have reasonably anticipated the possibility that the person harassed would be offended, humiliated or intimidated. This can include unwelcome sexual advances or unwelcome requests for sexual favours or displaying or sending sexually explicit images or asking intrusive questions about someone's personal life, including their sex life. Sexual harassment can take various forms. It can be direct and/or indirect, physical and/ or verbal, repeated or one-off instances and perpetrated by any person of any gender towards any person of any gender.
<u>Survivor</u>	- A person who has SEAH perpetrated against him/her/them or an attempt to perpetrate SEA against him/her/them.
<u>Vulnerable adults</u>	- those aged over 18 years and who identify themselves as unable to take care of themselves or protect themselves from harm or exploitation; or who, due to their gender, mental or physical health, disability, ethnicity, religious identity, sexual orientation, economic or social status are deemed to be at risk.

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