

PSEAH Statement - Prevention of Sexual Exploitation, Abuse and Harassment

WaterAid Australia

Document control

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Related Policies/Procedures/Guidance Notes

Title	Date	Version
WaterAid International Global Code of Conduct	Dec 2019	
WaterAid Global Procedure for malpractice and breaches to the Code of Conduct – Adapted to WaterAid Australia	June 2019	3
WaterAid Australia Complaints Policy	June 2020	2
WaterAid Australia Complaints procedures	June 2020	2
WaterAid Australia Child Safeguarding Policy	June 2017	3
WaterAid Australia Child Safeguarding Procedures	July 2020	3
WaterAid Australia Gender Equality Policy	June 2018	1
Gender, Family Violence (Domestic Violence/intimate partners violence) and the impact of COVID-19 - Guidance Note	April 2020	1
WaterAid Australia Ethical Photography Guidelines	Sept 2019	2

WaterAid's Policy Statement on Prevention of Sexual Exploitation, Abuse and Harassment.

At WaterAid we are committed to the safeguarding and wellbeing of all individuals, including the people in communities in which we work, staff, volunteers, contractors, and partners. WaterAid **will not** tolerate its employees, volunteers, consultants, partners or any other representatives associated with the delivery of its work engaging in or being subjected to **any form of sexual harassment, sexual abuse or sexual exploitation**.

We believe all people have the right to live their lives free from sexual violence and harassment. We recognise that there are unequal power dynamics across the organisation and in relation to those we serve, and that we face an **inherent risk** of some staff exploiting their position of power for personal gain. Everything that we do at WaterAid is guided by our values.

We are committed to investing in country level ownership of Safeguarding and Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH). We recognise that this means we need to ensure staff understand these principles and their implications and empower staff at all levels to translate the substantive meaning of this policy statement, our commitments and its obligations into language and processes that teams understand, trust and own.

We commit to

Principle 1: Zero tolerance of inaction

Sexual exploitation, abuse and harassment are never acceptable. WaterAid recognises that achieving a significant reduction in Sexual Exploitation, Abuse and Harassment (SEAH) is a long-term endeavour. Zero tolerance is not the same as zero incidents. Reports of incidents may increase as organisations improve safeguards. Increasing reports may indicate growing awareness of SEAH and changing attitudes, with victims/survivors feeling more comfortable to report and organisations more likely to take action. The reporting of incidents and responses is an indicator that the risk of SEAH is being managed appropriately.

For this Policy Statement, WaterAid defines zero tolerance as acting on every allegation in a fair and reasonable way with due regard for procedural fairness.

Principle 2: Strong leadership accelerates culture change

Strong leadership is essential for accelerating the pace of change. Leaders set organisational culture. WaterAid expects leaders to set clear expectations and model

respectful behaviour in their interactions at work. This will support communities, survivors and whistle-blowers to feel safe, report concerns and be assured their allegations are taken seriously. Strong leaders address SEAH by taking measures to improve diversity and inclusion. Leaders should encourage scrutiny of their own behaviour and that of senior management.

Principle 3: Survivor needs are prioritised

Action to address SEAH should be underpinned by a “do no harm” approach prioritising the rights, needs, and wishes of the survivor, while ensuring procedural fairness to all parties. This approach:

- treats the survivor with dignity and respect
- survivor lead decision making
- provides the survivor with comprehensive information
- protects privacy and confidentiality
- provides the survivor with the right to be deidentified in any records
- does not discriminate based on gender, age, race/ethnicity, ability, sexual orientation, or other characteristics
- considers the need for counselling and health services to assist the survivor with their recovery¹.

Principle 4: Gender inequality and other power imbalances are addressed

Available data indicates that the majority of SEAH victims/survivors are female and the majority of perpetrators are male². However, there are also other power imbalances at play. Inequalities based on the distinctions of worker/beneficiary; ability/disability; ethnic and Indigenous status; religion; gender identity and sexual orientation; age; health and poverty, can also result in SEAH. The intersection of gender with other forms of inequality can further increase the likelihood of SEAH occurring. Engagement with intended beneficiaries should be based on respect for diversity, promotion of gender equality and social inclusion, accountability, and a strong “do no harm” focus.

Implementation of PSEAH Policy statement

To deliver this commitment WaterAid mandates designated safeguarding and child safeguarding induction and training to all personnel including staff, volunteers, board

¹ UN Women, 2011, *Virtual Knowledge Centre to End Violence against Women and Girls: Survivor Centred Approach*, <http://www.endvawnow.org/en/articles/652-survivor-centred-approach.html>

² Victorian Institute of Forensic Medicine, 2018, *Shaping the Path: Independent Review into the Practice and Response of ACFID Members in the Prevention of Sexual Misconduct*, pp.47-60.

members, partners and field visitors. WaterAid commits to safe recruitment practices, including conducting criminal background checks for all staff and volunteers.

WaterAid commits to PSEAH safe programming by conducting risk assessments for all new programs and embedding PSEAH in our work with partners. Where increased risk of SEAH are found continuous risk monitoring is conducted throughout the duration of the program.

Detailed guidance to staff, volunteers and partners on how we manage, investigate, report and document SEAH can be found in WaterAid Australia's Complaints Policy and Procedures, as well as in each Country Program's Complaints Procedures.

This policy statement should also be read in conjunction with other related WaterAid policies, procedures and guidance notes as detailed on the cover page.

Definitions³

Sexual abuse: 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 consent⁴ is considered to be sexual 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.

Sexual harassment: 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.

³ Department of Foreign Affairs and Trade (DFAT) PSEAH Policy (April 2019)

⁴ Refers to age of consent requirements specified for sexual activity in the law of the host country or the age of consent under the law of the Australian Capital Territory (16 years), whichever sets the greatest age.

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 staff and personnel.

Some examples of behaviour that may be sexual harassment include:

- 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.