

Policy on Protection from Sexual Exploitation, Abuse and Harassment

Section 1 - Message from the Board and Chief Executive Officer

- 1.1 RedR Australia (**RedR**) places human resilience and life at the centre of its work. Our efforts to positively impact poverty and social justice, with a focus on supporting those who are some of the most vulnerable and marginalized people across the world, is a privilege and a responsibility that we take seriously. We also recognise the deep trust that communities and partners place in us to work with these people. Accordingly, we commit to holding our organisation, its people and partners to the highest standards of personal and professional conduct.
- 1.2 We are committed to ensuring that our workplaces and activities remain free from sexual exploitation, abuse and harassment.

Section 2 – Values Statement

- 2.1 RedR is committed to providing a safe, inclusive and respectful working environment, as far as is reasonably practicable.

Section 3 - Purpose

- 2.2 As part of this commitment, RedR uses the umbrella term **Sexual Harm** to encompass the sexual behaviours outlined in section 5.
- 2.3 This Policy sets out RedR's commitment to limit the risk and incidents of Sexual Harm at the workplace in Australia and in connection with its offshore humanitarian activities.
- 2.4 This Policy also sets out the RedR's response to reports of Sexual Harm perpetrated by or against staff or persons receiving assistance from RedR.

Section 4 - Scope

- 3.1 This Policy applies to all RedR employees and related personnel, including our partners, volunteers and contractors.
- 3.2 This Policy covers **Sexual Harm** that occurs or is alleged to have occurred in connection with any workplace activity or as part of deployment or as a representative of RedR, whether in Australia or overseas.
- 3.3 Where Sexual Harm is disclosed or reported as occurring outside the scope of this Policy, the matter will not be investigated by RedR Australia, but support services and referrals will be offered as appropriate.

Section 5 – Policy Statement

Part A – Sexual Harm – Zero Tolerance

- 4.1 Sexual Harm is an umbrella term which encompasses **sexual assault, sexual harassment, sexual exploitation/abuse**, and any other inappropriate conduct of a sexual nature. These concepts are further defined in Section 5 below.
- 4.2 Sexual Harm is not tolerated by RedR and is never acceptable. Sexual Harm constitutes misconduct and is considered an Occupational Health and Safety matter. Sexual Harm is unlawful and may constitute criminal conduct.
- 4.3 RedR expects all staff and related personnel to:
 - 4.3.1 behave in ways that are safe, respectful and inclusive;
 - 4.3.2 not engage in Sexual Harm towards others; and
 - 4.3.3 speak up when they see or know of Sexual Harm (either in Australia or overseas), or seek advice on what they should do.
- 4.4 In addition to the above, members of the senior leadership team are expected to:
 - 4.4.1 monitor the environments in which RedR operate and consider relevant risk factors to ensure appropriate standards of conduct are observed; and
 - 4.4.2 identify, address and educate where possible about behaviour that enables or condones Sexual Harm, including tolerance for everyday sexism.

Part B – Principles governing RedR’s response to Sexual Harm

- 4.5 RedR will take all reasonable steps to prevent Sexual Harm, and to promote the rights of the vulnerable people and communities with whom it works.
- 4.6 RedR is committed to, as far as is reasonably practicable:
 - 4.6.1 providing staff and relevant personnel (such as volunteers, contractors and partners) with a safe, inclusive and respectful environment;
 - 4.6.2 providing training and education to staff and relevant personnel to promote a respectful and inclusive culture and to empower individuals at RedR to address underlying disrespectful attitudes and behaviours;
 - 4.6.3 providing appropriate support and reporting mechanisms;
 - 4.6.4 responding appropriately to allegations of Sexual Harm in a fair and reasonable way, including ensuring the timely investigation of such matters in accordance with the principles of procedural fairness;
 - 4.6.5 taking all reasonable steps to prioritise the rights, needs and wishes of the Complainant, whilst ensuring procedural fairness to all parties; and

- 4.6.6 treating all allegations of Sexual Harm that relate to RedR staff or relevant personnel seriously, whether recent or historic.

Part C – Responding to Sexual Harm

- 4.7 The safety and wellbeing of the Complainant is a key priority of RedR.
- 4.8 If you believe you have experienced Sexual Harm (or believe you have observed such behaviour), including by a third party, talk to the Head of People & Capability on HR@redr.org.au or contact local police if appropriate.
- 4.9 There are a number of ways RedR can help to resolve the issue depending on the Complainant's wishes, the context and circumstance. RedR is mindful that most people who experience Sexual Harm want the behaviour to stop, to have their experience validated, their organisation to know that it happened, and for it not to happen to anyone else. In some cases, all people want from the person who harassed them is an apology. Wherever possible, RedR will prioritise early intervention and informal pathways that deliver these types of outcomes.
- 4.10 Where possible, and subject to the requirements of procedural fairness and the law, RedR will involve the relevant parties in a discussion about how the matter may be resolved. Where possible, RedR will aim to prioritise the Complainant's privacy and wellbeing; respect their preferences; and ensure that investigations are designed to minimise harm.
- 4.11 Any breach of this policy will be taken seriously and may lead to disciplinary action, up to and including termination of employment or contract.

Part D – Privacy, Confidentiality and Transparency

- 4.12 Disclosures and reports of Sexual Harm will be treated confidentially.
- 4.13 Disclosure/report records may be shared confidentially with appropriate personnel at RedR or external authorities on a strict need to know basis, as part of RedR's duty of care obligations, or as required by law.

Section 6 - Definitions

- 4.14 For the purpose of this Policy:
- 4.14.1 *Complainant*: a staff member or relevant person who makes an allegation of Sexual Harm. A Complainant may prefer different terminology including survivor, victim or affected person. It is acknowledged there may be different terms used in this context.
- 4.14.2 *Disclosure*: Where an individual confides in someone else that they have been the victim of Sexual Harm.
- 4.14.3 *Consent*: a person providing free agreement to the sexual activity. Whether or not a person reasonably believes that another person is consenting to an act

depends on the circumstances, including any steps that the person has taken to find out whether the other person consents.

4.14.4 *Procedural fairness* is a legal concept that is sometimes used interchangeably with natural justice. What is procedurally fair will depend on the circumstances. It generally involves:

- (a) the right to be told of allegations to be put to a person in sufficient detail to enable them to respond. This will not necessarily involve the person being given all information, and some confidential information and original documents may not necessarily be provided;
- (b) an opportunity to answer to allegations before any decision is made, including sufficient time to respond; and
- (c) a requirement that a decision maker is not biased and gives genuine consideration to whatever response is given by a person.

4.14.5 *Relevant personnel*: includes volunteers, contractors and partners of RedR. It does not include members of the community who have no association with RedR.

4.14.6 *Sexual Harm*: means misconduct of a sexual nature and includes, but not limited to:

- (a) Sexual assault;
- (b) Sexual harassment;
- (c) Sexual exploitation;
- (d) Sexual abuse; and
- (e) any conduct of a sexual nature without Consent, including: obscene, indecent, threatening language or behaviour (including indecent exposure); observation, filming, imaging or distributing an image of a person's genital or anal region or an intimate image without Consent (e.g. revenge pornography); drink spiking; stalking or hazing of a sexual nature.

4.14.7 *Sexual assault*: means intentionally touching another person; and the touching is sexual in nature; and the person who was touched did not Consent to the touching.

4.14.8 *Sexual harassment*: refers to any unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that a person would be offended humiliated or intimidated. Conduct of a sexual nature includes, but is not limited to:

- (a) subjecting a person to any act of physical intimacy;

- (b) making, orally or in writing, any remark or statement with sexual connotations to a person or about a person in his or her presence; and
- (c) making any gesture, action or comments of a sexual nature in a person’s presence.

Sexual harassment can be perpetrated against beneficiaries, community members, citizens, as well as employees.

- 4.14.9 *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.
- 4.14.10 *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 consent (in the law of the host country or under Australian Commonwealth law, whichever is greater) is considered to be sexual abuse.

Related documentation and regulation

- 5.1 This Policy is complementary to any associated policies, including the Prevention of Gender Based Violence, Gender Equality and Child Safeguarding and Protection policies.

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Related Policies & Procedures:	Gender Equality, Child Safeguarding and Protection Policies