

RPC Policy and Procedures on Prevention of Sexual Exploitation, Abuse or Harassment (PSEAH)*

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Introduction

The Rural Poultry Centre in Malawi (RPC) is a local NGO incorporated under the Trustees Incorporation Act of 1962. It is registered by the NGO Regulatory Authority (NGORA) of Malawi and is a member of the Council for NGOs in Malawi (CONGOMA). RPC is under the overall direction of a Board of Trustees which oversees the overall governance and policies of the organisation.

RPC exists to promote the needs of smallholder poultry farmers throughout Malawi and to raise livelihoods and contribute to improved nutrition in rural areas of Malawi. RPC adopts a keep-it-simple philosophy with an emphasis on effective support at the grass roots level. Presently, there is no other local organisation dedicated to village poultry.

RPC does not tolerate sexual exploitation, abuse or harassment (SEAH) of any kind.

Purpose

The purpose of this policy is to state RPC's commitment to strengthen its approach to safeguarding against and managing the risk of SEAH and SEAH incidents, should they occur in the delivery of RPC's operations. It serves as a clearly articulated guide to staff and other operatives who are required to read and remain familiar with the principles herein.

Guiding Principles

This policy is based on the following ethical principles for preventing SEAH.

- RPC believes any form of SEAH is unacceptable and maintains a zero tolerance¹ approach towards it. RPC will immediately respond and take seriously any concerns raised about SEAH.
- RPC believes all people have a right to be safe from SEAH, and therefore has an obligation to create and maintain an environment that prevents SEAH.
- RPC recognises that issues of SEAH are fundamentally about abuses of power. Situations of poverty, vulnerability and discrimination as well as power inequities between genders, between aid workers and beneficiary communities, and within organisations, create unequal power dynamics resulting in environments where SEAH can exist.
- RPC will promote cooperation and assistance between partner organisations in preventing and responding to SEAH.

Scope

This policy, the associated procedures and guidelines apply to all RPC Directors, Board Members, staff, consultants and subcontractors, volunteers, partners and observers/visitors engaged on a RPC activity. They do not replace any laws relating to SEAH.

Definitions

For the purposes of this policy:

Child: RPC's definition² of a child is any person under the age of 18 years.

Staff: All RPC full time employees, volunteers, fixed term employees, consultants and sub-contracted individuals.

1 Zero tolerance means that all allegations or reports of impropriety involving RPC personnel *will be followed up* and investigated to determine whether further action is warranted.

2 This definition is consistent with that of the Australian government's Department of Foreign Affairs and Trade (DFAT) which supports certain RPC programs.

Sexual exploitation: RPC adopts DFAT's definition of sexual exploitation as any actual or attempted abuse of position of vulnerability, differential power, or trust for sexual purposes. It includes profiteering monetarily, socially or politically from sexual exploitation of another.

Sexual abuse: RPC adopts DFAT's definition of sexual abuse as 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 [18 years], is considered to be sexual abuse.

Sexual harassment: RPC adopts DFAT's definition that sexual harassment occurs when another 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. 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. (See Attachment 2: Sexual Harassment for examples of sexual harassment).

Policy statement

All RPC staff, volunteers, consultants, partners or any other representatives associated with the delivery of its work must, at all times:

- Undertake to create and maintain a safe and trusted environment that promotes implementation of this Policy and safeguards from SEAH.
- Immediately report to RPC any concern, suspicion or allegation of SEAH or breach of the RPC Prevention of Sexual Exploitation, Abuse and Harassment Policy. Reporting procedures are outlined in Attachment 4: Reporting and Grievance Redress Guidelines.

It is **mandatory** for all RPC staff, consultants and partners to report any concerns or allegations of SEAH they become aware of. Malicious or deliberately false allegations will be taken very seriously, and the person may face disciplinary action.

It is strictly prohibited for RPC staff, volunteers, consultants, partners or any other representatives associated with the delivery of its work to:

- Sexually exploit, abuse or sexually harass a child or adult.
- Use their position of trust and authority to request any service or sexual favour from beneficiaries of RPC programs, adults, children or others in the communities in which RPC works, in return for protection or assistance, or coerce a person to engage in sexual intercourse or sexual activity.
- Use personal accounts on social media and other online communication platforms to sexually harass or intimidate co-workers and personnel.

RPC is committed to:

- Creating a safe working culture for all those whom RPC serves and those working for and representing the organisation
- Ensuring that all concerns or allegations of sexual harassment, abuse or exploitation are responded to in a timely and appropriate manner and there are multiple channels through which staff and other stakeholders can raise concerns.

- Adopting a survivor centric approach where survivors are treated with dignity and respect, are involved in decision making, provided with comprehensive information and are offered support.

The procedure and guidelines for implementation of this policy are detailed in Attachments 1 - 4.

Responsibilities

All RPC staff, volunteers, consultants, partners or any other representatives associated with the delivery of its work are responsible for championing a safe working environment that prioritises safeguarding against SEAH and challenges attitudes which permit or excuse a breach of the PSEAH policy.

Adherence to this policy, the procedure and operational guidelines is mandatory for all staff and partners engaged by RPC.

The Director, in consultation with the RPC Board, is responsible for ensuring the implementation of this policy and for advising on the need to review or revise this policy as and when the need arises.

Where issues related to compliance to this policy are identified, the CEO will work with staff and other relevant stakeholders to address these issues promptly. The policy will be reviewed every three years and revised as needed, with the approval of the Board.

Information Resources

ACFID Code of Conduct Commitment 1.5 "We advance the safeguarding of those who are vulnerable to sexual exploitation and abuse" (2015)

<https://acfid.asn.au/content/commitment-15-we-advance-safeguarding-those-who-are-vulnerable-sexual-exploitation-and-abuse>

DFAT Preventing Sexual Exploitation, Abuse and Harassment Policy (2019)

<https://www.dfat.gov.au/international-relations/themes/preventing-sexual-exploitation-abuse-and-harassment/Pages/default>

DFAT Preventing Sexual Exploitation, Abuse and Harassment: Risk Guidance Note (2019)

<https://www.dfat.gov.au/sites/default/files/guidance-on-assessing-the-risk-of-seah.pdf>

ACFID's Principles and Guidelines for Ethical Research and Evaluation in Development (2017)

<https://acfid.asn.au/blog-post/why-we-need-think-again-about-ethical-guidelines-research>

Related Documents

This policy is to be read in conjunction with:

- RPC Code of Conduct
- RPC Child Protection Policy
- RPC Guidelines Regarding Complaints or Grievances
- RPC Organisational Risk Assessment and Management Strategy

Attachment 1: Procedures

PSEAH Officer

RPC will have at all times nominated an organisational person to assess compliance, respond to and manage evolving PSEAH policy and procedure needs within the organisation.

Sexual Exploitation, Abuse and Harassment Risk Management

RPC recognises the importance of managing and monitoring the risk of SEAH in its activities. RPC will assess whether there are any risks through SEAH prior to implementing a new project and where such risks are identified, will proactively manage those risks.

Code of Conduct

RPC's Code of Conduct outlines ethical standards and acceptable behaviour that must be adhered to by all RPC Directors, Board Members, staff, consultants, volunteers and partners. Breaching the Code of Conduct is considered a serious offence and carries with it disciplinary action, including possible termination, and if criminal activity is suspected, reporting to the relevant authorities.

RPC also has a separate Child Protection Code of Conduct. All RPC Directors, Board Members, staff, consultants, sub-contractors, volunteers and partners are required to sign the specific Child Protection Code of Conduct.

Training

All current and new RPC staff will receive training on preventing SEAH and policy enforcement. Training for all new RPC staff will be included in pre-mobilisation briefings. RPC staff will be expected to brief sub-contractors and grantees when negotiating sub-agreements.

Recruitment and Selection Process of Staff

In accordance with its Recruitment Policy, RPC will implement recruitment practices (Attachment 3: Recruitment and Selection Guidelines for Personnel) that minimise the risk of engaging staff who may sexually abuse, exploit or harass other RPC staff or its beneficiaries. These procedures will be designed to deter potential abusers and to recruit the most suitable people to work with vulnerable adults and children.

Reporting and Grievance Redress Process

It is mandatory for all RPC staff, consultants and partners to report any concerns or allegations of SEAH they become aware of. RPC will take all such reports seriously and will follow the project-specific operational procedures accordingly to manage reports and redress grievances (Attachment 4). All parties will be treated fairly and the principles of natural justice will be adhered to.

Malicious or deliberately false allegations will be taken very seriously, and the person may face disciplinary action.

Attachment 2: Sexual Harassment

Examples of sexual harassment can include, but are not limited to:

- Physical approaches or physical contact of a sexual nature, or sexual assault;
- Gestures and other non-verbal communication with sexual undertones;
- Comments of a sexual nature about individuals and/or their body, conduct, sex life or sexual identity;
- Sexually discriminatory language and humiliating remarks, including sexually explicit jokes;
- Requests to perform sexual activities;
- Showing or displaying pornographic or sexist images;
- Repetitive questions or prying into an individual's relationship status or details of their relationship;
- Invitations to inappropriate locations outside the workplace for work-related meetings;
- Offers to, or the sending of gifts that are unwelcome, out of context or embarrassing to an individual;
- Suggestive logistics or questions around work trips, including offers to share hotel rooms and unwelcome social invitations;
- Sexually motivated stalking; 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.

Attachment 3: Recruitment and Selection Guidelines for Personnel

RPC will apply robust recruitment and screening procedures for all RPC staff to reduce the risk of engaging a person with a background of unacceptable risks to children or adults, particularly vulnerable children and adults. Full details of RPC's recruitment procedures are contained in its separate stand-alone Recruitment Policy. Recruitment procedures pertaining to PSEAH include:

- Verbal referee checks from applicant's previous place(s) of employment/volunteer/program placement and will include a question regarding any concerns of sexual misconduct.
- Human resource records to include performance or conduct issues regarding concerns or allegations of SEAH.
- All employment/assignment contracts must contain provisions for potential disciplinary action including termination of employment/assignment following breach of this policy.
- Criminal record checks and verbal referee checks will be conducted on selected personnel before engagement.
- All interviewees are provided a copy of RPC's Code of Conduct, and its contents and principles are explained.
- All successful candidates are required to read and sign a copy of this Prevention of Sexual Exploitation, Abuse or Harassment Policy as an integral component of its Code of Conduct.

Attachment 4: Reporting and Grievance Redress Guidelines

These guidelines have been developed to inform all staff of their legal and moral responsibilities regarding suspected SEAH that is in any way connected with one of RPC's projects.³

RPC provides a safe, supportive and secure environment to report SEAH. RPC will take all concerns seriously and respond immediately. All reports of SEAH will be recorded, regardless of whether substantiated or full investigation required.

Any disclosure or allegation made by any RPC staff, consultant, volunteer or partner regarding an incident of sexual exploitation, abuse or harassment must be reported. A staff member/consultant is also obliged to report any incidents or behaviour they may witness that could reasonably be interpreted as SEAH. The report should be made within two days of the incident, and where this is not possible, it should be made as soon as reasonably practicable. In respect of any ANCP supported activities, RPC will report⁴ in line with the DFAT incident reporting requirements:

"Mandatory and immediate (within two working days of becoming aware of an alleged incident) reporting by all personnel and DFAT partners of any alleged incident of SEAH 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 staff member of a partner organisation."

"Mandatory reporting (within five working days) by all personnel and DFAT partners of any alleged Policy non-compliance; for example, failure to adhere to the PSEAH Policy Minimum Standards or principles."

Complaints will be prioritised according to the seriousness of the case. RPC will keep a documented organisational record of all misconduct complaints and will de-identify complaints at the request of the complainant or survivor.

Reports of abuse or exploitation of individuals under the age of 18 years must follow RPC's Child Protection Policy.

RPC staff and partners may report a concern regarding sexual exploitation, abuse or harassment to any of the following people:

- Director or Program Manager: if the worker feels comfortable doing so, and if he/she is not directly or indirectly implicated in the alleged report.
- The Chair of the RPC Board of Trustees.

Complaints that do not fall within the scope of RPC's policy, e.g. other organisations or government departments, after due consideration may be referred to the appropriate organisation for its own investigation. Each project must have its own reporting and grievance redress procedure that abides by the laws of the country in which the project is operating. Statements about RPC's commitments to PSEAH and the complaints process will be displayed in public spaces such as head office, country office and project sites.

Each project's reporting and grievance redress procedure will take into account the following issues:

- The treatment the person may receive from local authorities e.g. will the person be victimised?
- Will the person be ostracised by their community or family?
- How will the local authorities deal with the alleged perpetrator e.g. death penalty, corrupt justice systems?

3 These reporting guidelines are consistent with RPC's "Guidelines regarding Complaints or Grievances". The latter document is that which should be used for issues not involving SEAH.

4 All reports to DFAT of alleged SEAH incidents will be made by the Director (through the CEO of the ANCP implementing partner) and should be made using the DFAT Sexual Exploitation, Abuse and Harassment Incident Notification Form (www.dfat.gov.au/pseah) and emailed to seah.reports@dfat.gov.au

- Whether reporting to local enforcement authorities is subject to the wishes and welfare of the complainant.
- Impact on RPC and the project's reputation.
- Managing the media.
- Whether the complainant requires appropriate assistance e.g. medical, social, legal or financial assistance.

None of the above are reasons to avoid reporting child abuse, but they must be managed appropriately.

Actions that must always be taken include:

- Distancing the alleged perpetrator e.g. where the alleged perpetrator is a member of staff, have the individual placed on leave with full pay until resolution of the matter.
- Keeping the matter as confidential as possible where the relevant people are informed on a need-to-know basis only.

Attachment 5: Terms of Reference PSEAH Officer

Overview

The PSEAH Officer will ensure project operations are in line with RPC's PSEAH policy and procedures and act as a resource person for any issues related to sexual exploitation, abuse or harassment. The PSEAH Officer must at all times assess compliance, respond to and manage evolving PSEAH policy and procedure needs within the organisation. The PSEAH Officer will also ensure the implementation of this policy and advise on the need to review or revise this policy as and when the need arises. The PSEAH Officer will keep all senior management fully informed of any incidents, and follow RPC's grievance and complaints procedures accordingly. The Officer must ensure that complaints are prioritised according to the seriousness of the case and keep a documented organisational record of all misconduct complaints. Any complaints in written form will be de-identified at the request of the complainant or survivor. Reports of abuse or exploitation of individuals under the age of 18 years must follow RPC's Child Protection Policy. The PSEAH Officer is also responsible for ensuring all new and current staff receive training and that new project plans prepared by the team are inclusive of RPC's PSEAH policy.

Activities

- Undertake to create and maintain a safe and trusted environment that promotes the implementation of the PSEAH Policy and safeguards from SEAH;
- Ensure PSEAH training to all new and current staff are in line with RPC's PSEAH policy;
- Immediately report any concern, suspicion or allegation of SEAH or breach of the RPC PSEAH policy;
- Ensure that all concerns or allegations of sexual exploitation, abuse or harassment are responded to in a timely and appropriate manner;
- Be familiar with both DFAT and RPC SEAH complaints procedures; and
- When a complaint arises, adopt a survivor-centric approach where survivors are treated with dignity and respect, are involved in decision making, provided with comprehensive information and are offered support.

Relationships

The PSEAH Officer will work with in-country Program Managers and the wider Program Manager and volunteer team to collaborate on RPC's PSEAH policy and guiding principles throughout all program-related activities. The PSEAH Officer will also report any PSEAH-related matters to senior managers and DFAT in written form and in accordance with DFAT's complaints procedures. The PSEAH Officer will also collaborate with project teams to ensure project plans and operations are in line with RPC's PSEAH policy. The PSEAH Officer must have a thorough knowledge of RPC's current policy and procedures, as well as be aware of how to report in line with the DFAT incident reporting requirements.

Acknowledgement Form:

This acknowledgement form must be signed by the employee, detached from the body of the Code and kept on the RPC personnel file for the employee.

I acknowledge that I have received a copy of the Rural Poultry Centre's Policy and Procedures on Prevention of Sexual Exploitation, Abuse or Harassment (PSEAH) and that I have read and understood the document. I have an understanding of the organisation and its expectations in terms of standards of conduct in the context of the position to which I have been assigned.

Full Name	
Signature	
Date	
Position	
Supervisor/manager	

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