

CBM AUSTRALIA POLICY PREVENTION OF SEXUAL EXPLOITATION ABUSE AND HARASSMENT POL_016

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Document Approval and Review

Approved by: CBM AUSTRALIA BOARD

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This policy will apply to activities and operations of CBM Australia, at all times. CBM Australia Board members, employees, volunteers, representatives, contractors and partners are expected to comply with the principles and reporting expectations outlined in this policy.

This policy outlines CBM Australia’s commitment to preventing and addressing sexual exploitation, abuse and harassment (SEAH). This is part of continuously elevating our safeguarding efforts on all fronts. This policy should be read alongside the CBM Australia *Safeguarding Policy (POL_008)* and the CBM Global Protection from Sexual Exploitation, Abuse and Harassment Policy.

CBM Australia believes that every person has the right to live a life free from SEAH regardless of race, religion, ethnicity, indigeneity, disability, age, displacement, caste, gender, gender identity, sexuality, sexual orientation, poverty, class and socio-economic status. CBM Australia abhors any misuse of power, status or trusted position for any sexually exploitative purpose.

CBM Australia will actively prevent and respond to SEAH and maintain an organisational culture that prioritises safeguarding against SEAH. This is a priority of the highest order in both our domestic activity and our program activity internationally.

This policy is underpinned by the six principles outlined in the Australian Government's Department of Foreign Affairs and Trade (DFAT) Preventing SEAH Policy.

1. **Zero tolerance of inaction:** SEAH is never acceptable to CBM Australia. CBM Australia does not tolerate SEAH of any kind.
2. **Strong leadership accelerates cultural change:** CBM Australia leadership, Board and Management, set clear expectations, model respectful behaviour and seek to improve diversity and inclusion.
3. **Victim/survivor needs are prioritised:** CBM Australia maintains a 'do no harm' approach, prioritising the rights, needs and wishes of the victim/survivor, while ensuring procedural fairness for all parties.
4. **Preventing SEAH is a shared responsibility:** CBM Australia recognises that all organisations, including those in any partnership or other connection with CBM Australia, have a collective responsibility to build capacity to deal sensitively and effectively with SEAH wherever occurring.
5. **Gender inequality and other power imbalances are addressed:** CBM Australia particularly recognises that gender, disability, age and poverty have powerful intersection with the likelihood of SEAH. Women and children with disability in poor communities have the highest risk of experiencing SEAH. CBM Australia actions promote gender equality, child protection, social inclusion, and accountability for a 'do no harm' approach.
6. **Stronger reporting will enhance accountability and transparency:** CBM Australia sees preventing SEAH as a core obligation of CBM's work. CBM Australia supports strengthened reporting mechanisms in order to better monitor SEAH, understand risks, and improve both systems and assurance. In this, CBM Australia is accountable to DFAT, to the Australian Council for International Development (ACFID), to all other stakeholders and to all domestic and international communities that connect with CBM Australia.

Definitions

CBM Australia adopts the SEAH definitions contained in the DFAT Policy, accordingly.

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 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 Capital Territory law [16 years], whichever is the greater) is considered to be sexual abuse.

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 would be offended, humiliated or intimidated. Sexual harassment 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.

People and Culture responses within Australia

CBM Australia ensures that all recruitment, including of volunteers and consultants, includes reference and police checks. CBM Australia will not hire or engage with any person with a history of perpetrating SEAH in any form.

CBM Australia will conduct annual training, in the most appropriate form for particular cohorts, to build awareness, understanding and engagement with safeguarding and the prevention of SEAH. This includes refreshment of individual commitment to the CBM Australia Safeguarding Code of Commitment. Each Code of Commitment signatory is expected, upon becoming aware, to immediately report any concern, suspicion or allegation of SEAH or any breach of this Policy.

CBM Australia will maintain an appropriate Bullying, Harassment and Sexual Harassment in the Workplace Standard, and other equal employment and diversity provision. Further relevant internal Standards and Procedures are available to employees on the CBM Australia intranet.

CBM Australia will ensure clear pathways for raising concerns or making complaints of any nature, including via a whistleblowing system. CBM Australia's Whistleblowing Policy, POL_014, is found here and reflected at <https://www.cbm.org.au/whistleblower-information/>.

CBM Australia will maintain a Safeguarding Focal Person who will work within CBM Australia and engage across CBM Global to support best practice in safeguarding and the prevention of SEAH.

Program responses globally

A CBM Australia Prevention of SEAH Standard will sit under this Policy and address program implementation specifically. This will apply to all CBM Australia programs, regardless of the source of program funding. CBM Australia will take a risk-based approach to the prevention of SEAH in CBM Australia programs, in accordance with requirements of DFAT and international good practice.

CBM Australia will encourage participatory approaches with program partners as they develop responses preventing SEAH. CBM Australia seeks mechanisms which are accessible in communities and organisations including complaints and reporting mechanisms.

CBM Australia ensures that CBM Global Country Offices overseeing CBM Australia programs are supported by a Safeguarding Focal Person who will support best practice and co-ordinate safeguarding and prevention of SEAH training, risk assessment, incident management and reporting systems.

Reporting principles

The investigation and reporting systems that support this Policy, which will continue to evolve over time, hold these principles as fundamental at all times:

- a. CBM Australia will ensure that the safety, dignity and rights of the victim/survivor are respected throughout any of the phases of reporting, investigation, provision of assistance, and/or provision of referral pathways.
- b. CBM Australia will work with partners to ensure all funded programs include community based complaints mechanisms and reporting processes that are locally designed, transparent and accessible.
- c. All CBM Australia partners, employees, volunteers, Board members and consultants have a responsibility to immediately raise SEAH concerns. It is expected that concerns will be first raised in the country where the SEAH is believed to have occurred.
- d. Any person making a report is to be provided with reassurance as to confidentiality and their safety. Reports made, including via the whistleblowing system, can be made anonymously.
- e. CBM Australia encourages and supports reporting, and avows a culture that deals with reporting swiftly and in line with this Policy.

The Board and management of CBM Australia are fully committed to the principles of this policy. Any breach of strategic significance or any material risk associated with this policy will be promptly reported to the Board as soon as practicable.