

## **Mahboba's Promise Sexual Exploitation and Abuse Prevention Policy**

### **1. Purpose**

Fundamental to the operation of Mahboba's Promise (MP) is respect for the dignity and basic human rights of people within Australia, Afghanistan and throughout the world. Every person representing MP is expected to reflect these values in their professional conduct, regardless of whom they are dealing with or where they are working.

Sexual Exploitation and Abuse (SEA) violates basic human rights. MP is committed to providing a safe and trusted environment that safeguards everyone from MP, including beneficiary communities, workers, program participants and partner organisations.

We recognise that MP works in sensitive environments. MP workers and program participants have an obligation to uphold high standards of personal and professional conduct at all times and must not abuse this position to exploit or abuse another person.

MP will actively prevent and respond to SEA and maintain an organisational culture that prioritises safeguarding against SEA so that it is safe for those affected to come forward and report incidents and concerns with the assurance that they will be handled sensitively and appropriately. SEA violates universally recognised international legal norms and standards, and we consider such acts as serious misconduct, which may constitute grounds for disciplinary measures, including summary dismissal and criminal prosecution.

### **2. Scope**

This policy applies to all MP aid and development programs that operate within Australia and Afghanistan.

The following must comply with this Policy in the course of their work and when representing MP:

- MP workers and volunteers.

- MP Partners.
- All program participants.

### 3. Principles

MP's commitment to the prevention of sexual exploitation and abuse is informed by the following principles:

- Child rights and women's rights are core values at MP: MP upholds the rights articulated in the International Bill of Human Rights, The UN Convention on the Elimination of all Forms of Discrimination Against Women and The UN Convention on the Rights of the Child and promotes the right of adults and children to be protected from all forms of violence including SEA.
- Safeguarding vulnerable adults and children: Issues of SEA are fundamentally about abuses of power. Situations of poverty, vulnerability and discrimination as well as power inequities between genders, between aid workers/volunteers and beneficiary communities, and within organisations, create unequal power dynamics resulting in environments where SEA can exist. MP acknowledges the impact of SEA on an individual's health and wellbeing, particularly regarding negative physical, mental health and social outcomes that are likely to be compounded when perpetrated by a person in authority.
- Expected behaviours of those representing MP: Given differing local contexts, MP workers and program participants may be faced with a range of unfamiliar social, cultural, financial or personal settings when working or volunteering overseas. Communities trust that the people representing MP will always conduct themselves in a professional manner and not engage in behaviour contrary to the safety or wellbeing of the children and adults they encounter.
- Creating a culture of respect and care in the workplace: with a view to modelling healthy power relationships and challenging harmful gender norms that enable SEA to occur. We are committed to ongoing reflection and organisational capacity development to not only safeguard our staff and beneficiaries, but to promote reform in the sector when it comes to ending violence against women and girls.

- Zero tolerance of SEA: Behaviour by MP workers or program participants that results in the sexual exploitation or abuse of a child or adult, helps facilitate SEA or where allegations of SEA are ignored by MP or partner organisation personnel, will not be tolerated and MP will immediately respond and take seriously any concerns raised
- Take action to prevent SEA: MP aims to prevent SEA through implementation of this Policy, communication, training and working collaboratively with all personnel, country offices and partner organisations to safeguard everyone against SEA
- Effective recruitment and screening processes: in place to ensure all personnel will be appropriate to their level of exposure to potential risk of SEA.

#### **4. Policy:**

The following list of expected behaviours applies to all of MP workers, volunteers and MP program participants or other program approved adult dependents, in both their personal and professional lives. The aforementioned must, always:

- Maintain a duty to always act in a manner that upholds the values and reputation of MP.
- Undertake to create and maintain a safe and trusted environment that promotes the implementation of this Policy and safeguards everyone from SEA.
- Comply with all relevant Australian and local laws of the country to which he or she is placed, or in which he or she is travelling.
- Be aware that sexual behaviour is an area of particular sensitivity, where conduct may more easily be seen as offensive or be misinterpreted.
- Ensure personal conduct towards a co-worker is not exploitative or such that it reasonably leads to a perception of exploitation.
- Read and sign acknowledgement and commitment to abide by the expected behaviours outlined in the code of conduct.
- Immediately report to MP any concern, suspicion or allegation of SEA or breach of the MP Prevention of Sexual Exploitation and Abuse Policy.

It is strictly prohibited for MP workers and program participants to:

- Sexually exploit or 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 MP programs, adults, children or others in the communities in which MP works, in return for protection or assistance, or coerce a person to engage in sexual intercourse or any sexual activity.
- Exchange or withhold from beneficiaries of MP programs - adults, children or others in the communities in which MP works - money, food, employment, goods, assistance or services for sex or sexual favours or other forms of humiliating, degrading or exploitative behaviour.
- Have sex with sex workers when working or volunteering overseas, even when it is legal in the country.
- Use, MP or partner organisation facilities, personnel or resources for the purpose of arranging or facilitating access to sex workers by any person, including visitors to MP offices or programs.
- Engage in sexual activity with a child under any circumstance. Even in a country where the age of majority or the age of consent is lower than 18 years, MP workers, and program participants are forbidden to have sexual activity with anyone under the age of 18 years
- Use computers, mobile phones, video cameras, cameras or other technology inappropriately, or to exploit or harass children, or access or disseminate child exploitative material through any medium, including social media.
- Procure sex for others or use a third party to do so.

MP has a reporting and investigation process that includes engagement of and reporting to senior management and board for reports and clearly defined process for reporting to relevant funding bodies/stakeholders.

Reporting of incidents and complaints are handled with privacy and respect to ensure the safety and dignity of the rights holder. All complaints with regard to this policy will be thoroughly investigated - adopting a survivor-entered lens in accordance with the Complaints Management Protocol.

We maintain and employ an active risk management process in place to mitigate, reduce or remove potential risk of SEA including through training of staff and beneficiaries, nominating PSEA focal points for programs, awareness raising and supporting the development of community-based complaints and response mechanisms.

MP will undertake periodic review of policy and reporting processes to ensure effective practices.

### Breach of Policy

Sexual exploitation and abuse by MP workers and program participants constitute acts of gross misconduct and are therefore grounds for termination of employment or volunteer assignment.

Disciplinary actions/possible outcomes for breach of the MP Prevention of Sexual Exploitation and Abuse Policy:

- Referral to local law enforcement authorities (as per national and any mandatory reporting laws), where appropriate.
- Referral to Australian Federal Police, where appropriate.
- MP internal investigation.
- Suspension pending investigation.
- Performance management.
- Formal warning and monitoring.
- Termination of employment for workers or assignment for program participants.

### Definitions

**Worker:** employees (Australia and overseas), consultants, contractors, office volunteers, interns, the MP Board, or anyone engaged to undertake work for this organisation.

**Program Participant:** defined as any person engaged to undertake an assignment, volunteer or otherwise, on an international or domestic program managed by MP.

**Program beneficiaries:** any person who, either directly or by association, derives a benefit from an MP or MP affiliated program. Examples include but are not limited to; Partner organisation employees and community members who directly receive a service or engage with a program participant during the participant's work with a Partner Organisation.

**Sexual exploitation and abuse (SEA):** may occur against a child or an adult and can occur between people of the same or different genders. It includes situations such as:

- Sexual exploitation and abuse.
- Sexual harassment.
- Child sexual abuse and exploitation.
- Women and men sexually exploited through sex work.
- Possessing, controlling, producing, distributing, obtaining, or transmitting sexually exploitative images of adults and children.
- Prevention of sexual abuse and exploitation (PSEA).

**Sexual Exploitation:** any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the 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.

**Sexual Harassment:** includes all conduct of a sexual or gender-determined nature at the workplace or connected to the workplace that any reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

In this policy, sexual harassment is understood as behaviour that is unwanted in the eyes of the persons directly or indirectly affected.

This includes, but is not limited to:

- Physical approaches or physical contact of a sexual nature, or sexual assault.
- Gestures and other nonverbal 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.
- Prohibit transactional sex in the field for all staff and partners involved in delivery.
- Suggestive logistics or questions around work trips, including offers to share hotel rooms and unwelcome social invitations.
- Sexually motivated stalking.

**Child Sexual Abuse:** 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.

**Child Exploitation:** one or more of the following:

- 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.

**Online Child Sexual Exploitation (or child pornography):** in accordance with the Optional Protocol to the Convention on the Rights of the Child, 'child pornography' means 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.



Document Control	
<b>Risk Level:</b>	Very High (one year)
<b>Approval Date:</b>	Operationally Approved 09/05/2023
<b>Next Review Date:</b>	09/05/2024
<b>Responsible Position:</b>	Operations Manager