



# PREVENTION OF SEXUAL EXPLOITATION AND ABUSE (PSEA) POLICY

## 1 PURPOSE

WWF-Australia recognises that Sexual Exploitation and Abuse (SEA) is a violation of basic human rights and takes a zero-tolerance approach. This policy articulates WWF-Australia's commitment to provide a safe and trusted workplace that safeguards staff, interns, volunteers, contractors, partners and communities in which we work from sexual exploitation and abuse (SEA). The policy seeks to ensure that those affected by SEA have the confidence to report incidents with the knowledge that any concerns will be handled swiftly and sensitively.

## 2 POLICY

2.1 The following list of expected behaviours applies to all respondents to this Policy:

- At all times, to act in a manner that upholds the I-KODE Values and good reputation of WWF-Australia.
- 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 laws pertaining to the country within which WWF-Australia work is conducted, including during work related travel.
- Be aware that sexual behaviour is an area of particular sensitivity, where conduct may more easily be seen as offensive or be misinterpreted, particularly with respect to different cultural norms.
- Ensure personal conduct towards others occasioned in the conduct of WWF-Australia work, is not exploitative or such that it reasonably leads to a perception of exploitation.
- Immediately report any concerns, suspicions or allegations of SEA or a breach of this Policy to the CEO, People & Culture Director, any Board member or member of the Executive Team and encourage and support others to do so. This includes any potential issues. People with concerns, suspicions or allegations also have access to the WWF Network Whistleblower Hotline 1800 121 889 or email [wwf@expolink.co.uk](mailto:wwf@expolink.co.uk)

2.2 It is strictly prohibited to:

- Sexually exploit or abuse or sexually harass a child or adult (including vulnerable adults).
- Use a position of trust and authority to request any service or sexual favour from beneficiaries of WWF programs including, adults, children or others in the communities



in which WWF 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 WWF programs - adults, children or others in the communities in which WWF works - funding, assistance or services for sex or sexual favours or other forms of humiliating, degrading or exploitative behaviour.
- Use, WWF or partner organisation facilities, staff or resources for the purpose of arranging or facilitating access to sex workers by any person, including visitors to WWF offices or programs.
- Engage in sexual activity with a child or vulnerable adult under any circumstance. This includes in any country where the age of majority or the age of consent is lower than 18 years. Respondents to this Policy are forbidden to have sexual activity with anyone under the age of 18 years. A mistaken belief that the child is over 18 is not a defence.
- Use computers, mobile phones, video cameras, cameras or other technology (including drones) inappropriately, or to exploit or harass children, adults and vulnerable adults, or access or disseminate exploitative material through any medium or channel.
- Procure sex for others or use a third party to do so.
- Have sex with sex workers when working or volunteering overseas, even when it is legal in the country.

### **2.3 Breach of Policy**

Sexual exploitation and abuse by respondents to the Policy constitute acts of gross misconduct and are grounds for termination of the employment, contractor or volunteer assignment. Disciplinary actions and possible outcomes for a breach of the Policy will depend on the contractual arrangement and may include:

- Referral to local law enforcement authorities (as per national and any mandatory reporting laws);
- Referral to Australian Federal Police;
- WWF-Australia internal investigation;
- Suspension pending investigation;
- Performance management, up to and including formal warnings that may result in termination of employment or assignment.



### **3 SOURCES OF AUTHORITY**

All respondents to the Policy are subject to Federal and relevant State legislation relating to sexual exploitation and abuse. Local country laws may apply but are not listed as such.

#### **Federal Legislation**

- ACFID Code of Conduct 2017
- DFAT Child Protection Policy 2017
- Commonwealth Criminal Code Act 1995

#### **WWF-Australia**

- Code of Ethical Conduct
- Child Protection Policy
- Bullying, Harassment and Discrimination Free Workplace Policy
- Disciplinary Policy
- Whistleblower Policy
- Complaint Handling Policy
- Policy on Human Rights, Working with Marginalised Groups and Vulnerable People
- I-KODE Values
- Dismissal Policy
- Summary Dismissal Policy

#### **WWF Network**

- Child Safeguarding and Protection of Rights Standard
- SPEAK UP Standard
- Respect in the Workplace Policy

### **4 OBJECTIVES**

To ensure that all WWF-Australia staff members, volunteers, interns, contractors and partners respect the dignity and basic human rights of all persons. Every person who represents WWF-Australia is expected to adhere strictly to this policy in conduct of their work. This includes personal time while staff members are travelling as part of their employment with WWF-Australia, and/or are representing WWF-Australia in any way.

### **5 SCOPE**

The policy applies to:

- All WWF-Australia board members, staff, volunteers, interns and contractors.
- All partners (i.e. implementing offices within the WWF Global Network) including their board members, staff, volunteers, interns and contractors implementing aid and development activities funded by, or through, WWF-Australia.



## 6 DEFINITIONS

<b>Child (plural 'children')</b>	In accordance with the United Nations Convention on the Rights of the Child, 'child' means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier. For the purposes of this policy, WWF-Australia considers a child to be a person under the age of 18 years.
<b>Sexual exploitation and abuse (SEA)</b>	Occurs against a child or an adult and can occur between people of the same or different genders. It includes situations such as: <ul style="list-style-type: none"> <li>• Sexual exploitation and abuse</li> <li>• Sexual harassment</li> <li>• Child sexual abuse and exploitation</li> <li>• People sexually exploited through sex work</li> <li>• Possessing, controlling, producing, distributing, obtaining or transmitting sexually exploitative images of adults and children</li> </ul>
<b>Sexual Exploitation</b>	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. <sup>1</sup>
<b>Sexual Abuse</b>	The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
<b>Sexual Harassment</b>	Includes all conduct of a sexual or gender-determined nature at the workplace or connected to the workplace that is intended to violate the dignity of a person, or which has this effect.
<b>Child Sexual Abuse</b>	All forms of physical, mental, emotional or sexual abuse, maltreatment or exploitation directed towards children. Physical abuse includes violence, injury and physical neglect. Mental and emotional abuse includes verbal assaults and bullying. Exploitation includes child labour, child pornography and commercial sexual exploitation. Both boys and girls can be the victims of child abuse. Child abuse can be inflicted on a child by men or women, or by young people themselves. In some cases, professionals and other adults working with children in positions of trust abuse children.
<b>Child Exploitation</b>	<ul style="list-style-type: none"> <li>• Committing or coercing another person to commit an act or acts of abuse against a child</li> <li>• Possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material</li> <li>• Committing or coercing another person to commit an act or acts of grooming or online grooming</li> <li>• Using a minor for profit, labour, sexual gratification, or some other personal or financial advantage</li> </ul>

<sup>1</sup> The definitions for both Sexual Exploitation and Sexual Abuse are contained in the United Nations Secretary-General's Bulletin, "Special measures for protection from sexual exploitation and sexual abuse" ST/SGB/2003/13 (9 October 2003) [hereinafter Secretary-General's Bulletin on SEA (2003)].



<b>Online Child Sexual Exploitation (or child pornography)</b>	<p>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.' For further information regarding child pornography offences, refer to the Criminal Code Act 1995 (Australia).</p>
<b>Survivor</b>	<p>A person who has SEA perpetrated against them or an attempt to perpetrate SEA against them.</p>
<b>Vulnerable adults</b>	<p>Aged over 18 years and who identify themselves as unable to take care of themselves/ protect themselves from harm or exploitation; or who, due to their gender, mental or physical health, disability, ethnicity, religious identity, sexual orientation, economic or social status, or as a result of disasters and conflicts, are deemed to be at risk.</p>
<b>Workplace environments</b>	<p>This term is used within this context to mean any workplace environment, including an office and any other places where work may be conducted (i.e. when work related duties are being carried out in a place other than an office, e.g. in the field, at a conference, on a boat, in training etc), and may include more flexible, or social environments where there is a work endorsed or related activity.</p>



**WWF**

## **7 RESPONSIBILITIES**

### **7.1 Executive Management** are responsible for:

- 7.1.1 Ensuring that WWF-Australia complies with legislation and WWF-Australia policies.
- 7.1.2 Ensuring incidents of alleged SEA are investigated and reported on in accordance with WWF-Australia policies.
- 7.1.3 Ensuring that perpetrators of confirmed cases of SEA are managed in accordance with WWF-Australia policies.
- 7.1.4 Providing care and support to the survivor of a SEA incident.

### **7.2 People and Culture** are responsible for:

- 7.2.1 Ensuring that managers and staff members, volunteers, interns and contractors comply with relevant legislation and WWF-Australia policies.
- 7.2.2 Providing procedures and guidelines to facilitate the elimination of SEA from WWF-Australia.
- 7.2.3 Supporting and developing systems that maintain an environment that facilitates implementation of this Policy and which prevents SEA.
- 7.2.4 Conducting or coordinating investigations into alleged incidences of SEA
- 7.2.5 Managing grievance resolution and/or disciplinary processes.
- 7.2.6 Providing advice, information and training in relation to this Policy.
- 7.2.7 Providing support and guidance to survivors and others who have been negatively impacted by SEA.

### **7.3 People Managers** are responsible for:

- 7.3.1 Ensuring compliance with relevant legislation and WWF-Australia policies.
- 7.3.2 Contributing to workplace cultures that ensure the elimination of SEA from the workplace by providing information, encouraging the reporting of any incident of SEA and taking action to stop the incident immediately.
- 7.3.3 Escalating SEA related matters to the Executive and People and Culture.

### **7.4 All staff members, volunteers, interns, and other respondents** are responsible for:

- 7.4.1 Championing good practice and maintaining an organisational culture that prioritises safeguarding against SEA.
- 7.4.2 Complying with information provided as requested.
- 7.4.3 Immediately reporting any concerns relating to SEA by anyone covered by this policy.



## 8 PROCEDURES

### 8.1 Expected Behaviours

The following list of expected behaviours applies to all board members, staff, volunteers, interns, contractors and partners:

- 8.1.1 At all times act in a manner which upholds the I-KODE values and reputation of WWF.
- 8.1.2 Undertake to create and maintain a safe and trusted environment that promotes the implementation of this Policy and safeguards everyone from SEA.
- 8.1.3 Comply with all relevant Australian and local laws of the country within which WWF work is being conducted.
- 8.1.4 Be aware that sexual behaviour is an area of particular sensitivity, where conduct may more easily be seen as offensive or be misinterpreted.
- 8.1.5 Ensure personal conduct towards another is not exploitative or such that it reasonably leads to a perception of exploitation.
- 8.1.6 Do not engage in sexual relationships with program participants, or WWF program beneficiaries, or other people where there is unequal power dynamics and there is the potential for abuse of power. Such relationships undermine the credibility and integrity of WWF and its programs.
- 8.1.7 Staff members, volunteers, interns and contractors must immediately inform their manager and/or People & Culture if they become engaged in a personal relationship which may be perceived as inappropriate or exploitative, or where real or perceived unequal power dynamics exist. Advice about whether relationships fall into this category should be sought from the People and Culture team.

### 8.2 Communication and Training

- 8.2.1 SEA training is provided as part of induction and whenever otherwise deemed necessary, by:
  - 8.2.1.1 People & Culture for relevant WWF-Australia staff.
  - 8.2.1.2 Trained WWF-Australia staff for relevant Partner Organisations.

### 8.3 Report Handling Procedure

- 8.3.1 Anyone from WWF-Australia, an implementing partner organisation, external organisation or civil society who suspects that an incident or risk of SEA must immediately report it to the WWF-Australia Chief Executive Officer ([DO'Gorman@wwf.org.au](mailto:DO'Gorman@wwf.org.au)) or People & Culture Director/Child Protection Officer ([kdixon@wwf.org.au](mailto:kdixon@wwf.org.au)).
- 8.3.2 Anyone wishing to make a report anonymously can do so using the Whistleblower/ 'Speak Up' contact points.
- 8.3.3 Reporters are not required to confirm their suspicions or provide solid proof before making a report.
- 8.3.4 Any person reporting a case of SEA, in good faith, or any person who has cooperated with an investigation into a report of SEA, will be protected from retaliation or any kind by this policy, and WWF's Whistleblower Policy and the Speak Up Standard. Malicious reporting of SEA with the intention of harming another person's integrity or reputation amounts to misconduct and is subject to



disciplinary action. This is distinct from reports made in good faith based on the judgment and information available at the time of the report, which may not be confirmed by an investigation.

- 8.3.5 The Chief Executive Officer immediately advises the President of the Board of breaches to this policy and convenes an internal rapid assessment committee comprising the People & Culture Director, and other member of the Executive Team deemed appropriate to the reported matter.
- 8.3.6 The Chief Executive Officer, on advice, will determine appropriate action which may include; referral of the matter to civil authorities such as police; invoking the Internal Investigations and Disciplinary Panels Procedure; commencing internal disciplinary action up to and including dismissal in accordance with the Disciplinary Policy.
- 8.3.7 All documents relating to reports of SEA will be retained by WWF-Australia for a period of seven years.
- 8.3.8 In cases where DFAT funding may be involved, the People & Culture Director/Child Protection Officer will immediately report to DFAT and liaise directly with DFAT for advice and reporting.

#### **8.4 Breach of Policy**

- 8.4.1 Any behaviour, or action that constitutes an act of gross misconduct is grounds for disciplinary action, up to and including termination of employment assignment, and:
  - Referral to local law enforcement authorities (as per national and any mandatory reporting laws), where appropriate
  - Referral to Australian Federal Police, where appropriate
  - WWF internal investigation
  - Suspension pending investigation
  - Performance management
  - Formal warning and monitoring
  - Termination of employment or assignment
- 8.4.2 Applying this policy may be difficult in some situations and sound judgement will be necessary. The policy cannot provide a specific response for every circumstance. WWF will apply the spirit and intent of this policy in the conduct of aid and development activities.
- 8.4.3 Feedback is important to WWF and its partner organisations as it encourages improvement. Therefore, all feedback is welcome. Feedback will be directed to the relevant department of WWF-Australia for action. A complaint regarding an alleged breach of the ACFID Code of Conduct can be made directly to ACFID.

#### **8.5 Survivor support and assistance**

- 8.5.1 WWF will adopt a survivor-centred approach in preventing and responding to SEA. WWF will ensure that all responses are developed in a manner that balances respect for due process with a survivor-centred approach in which the survivor's wishes, safety and wellbeing remain a priority in all matters and





procedures. Furthermore, all actions taken should be guided by respect for choices, wishes, rights and dignity of the survivor.

- 8.5.2** WWF will ensure survivors of SEA are offered support and assistance such as referral to safe health/medical, psychosocial and legal/justice response where appropriate and where required to specialised children's or women's services.
- 8.5.3** Children have the right to participate in decisions that will affect them. If a decision is taken on behalf of a child, the best interests of the child shall be the overriding guide. Referrals should be done in consultation with child focused agencies specialising in the special needs of child survivors of sexual abuse, and who are familiar with local procedures relating to the protection of children.
- 8.5.4** Survivors will be provided with information on the progression of an investigation and final outcomes.

## **8.6 Partner Organisations**

- 8.6.1** This policy will be included in all contracts and memorandums of understanding with Partner Organisations.
- 8.6.2** No later than November of each financial year, WWF-Australia will organise an induction/workshop – which may be held either face-to-face or by Skype or phone conference – at which this policy, its importance and consequences of non-compliance, will be presented to the Partner Organisation's executive and relevant staff, volunteers and contractors.
- 8.6.3** All Aid and Development Activities funded by or through WWF-Australia and Partner Organisations and relevant staff, volunteers and contractors will be monitored to ensure they are not in breach of this policy. Monitoring will be proportionate to the amount of funding the risk of breach (as a result of the funded activities, organisation or skills and experience of board and staff) and will be recorded in the program/project file. Monitoring will include at least one country visit annually at which this policy will be made the subject of special presentation.
- 8.6.4** Applying this policy may be difficult in some situations and sound judgement will be necessary. The policy cannot provide a specific response for every circumstance. WWF will apply the spirit and intent of this clause in the conduct of Aid and Development Activities.  
If this policy does not provide a clear answer on how to comply in a particular circumstance, WWF-Australia will document clearly the decisions made and the reasons behind them and make them available to both recipients and donors.
- 8.6.5** Feedback is important to WWF and our Partner Organisations as it encourages improvement. Therefore, all feedback is welcomed. Feedback will be directed to the relevant Department of WWF-Australia for action. A complainant regarding an alleged breach of ACFID Code of Conduct can be made directly to ACFID (<https://acfid.asn.au/content/complaints>).

## **9 CONFIDENTIALITY AND DOCUMENT CONTROL**

This Policy is available on Wiki Habitat for all employees.

- A copy of the Policy will be provided to any person or organisation on request.
- This policy will be reviewed at least every five years or earlier if warranted.



Signature



Name:

Dermot O'Gorman

Title:

Chief Executive Officer

Date of Issue:

26<sup>th</sup> Feb 2019.

Updated on