

INCLUDOVATE PTY LTD
PREVENTION OF SEXUAL EXPLOITATION,
HARASSMENT AND ABUSE POLICY AND
PROCEDURES



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INCLUDOVATE

PREVENTION OF SEXUAL EXPLOITATION, ABUSE AND HARRASSMENT POLICY AND PROCEDURES

1. INTRODUCTION

Includovate is committed to solving poverty and inequality through research, social policy, institutional strengthening, systems analysis and partnerships. Central to Includovate's work is its engagement with vulnerable people and marginalised communities. These groups are particularly at risk of sexual exploitation, abuse and harassment (SEAH).

The need for this policy flows from a recognition that our work often puts Includovate employees and stakeholders in positions of power in relation to the communities in which we operate. Communities trust that the people representing Includovate will conduct themselves in a professional manner at all times and not engage in behaviour contrary to the safety or wellbeing of the people with whom they come into contact.

Includovate does not tolerate sexual exploitation, abuse or harrassment (SEAH) of any kind. This applies in our own organisation and extends to those with whom we work. Includovate's intention is to provide a safe and trusted environment that safeguards everyone from SEAH including employees, clients, partner organisations and program participants.

This policy and procedures addresses prevention of SEAH of adults and should be read in conjunction with Includovate's Child Protection Policy and Procedures. The Child

Protection Policy and Procedures can be found at <https://www.includovate.com/wp-content/uploads/2019/08/Includovate-Child-Protection-Policy-and-Procedures.pdf>.

2. SCOPE OF THIS POLICY

The Prevention of SEAH Policy and Procedures apply to all Includovate employees and stakeholders:

- Employees at all level, international or national, permanent, temporary full time, part time and/or short term
- Contractors working with Includovate on either a short or long term basis
- Sub-contractors
- Consultants and advisors
- Organisations and partner agencies with whom Includovate has a formal working relationship
- Visitors (researchers, journalists, volunteers, media etc.) who may come in contact with children through Includovate

These individuals and teams are expected to act in accordance with the standards and reporting requirements outlined in this Policy and Procedures.

3. PRINCIPLES

The Policy and Procedures is underpinned by the following principles.

Principle 1: Zero tolerance of inaction of incidents of SEAH

Incidents of SEAH are never acceptable. Includovate will act on every allegation in a fair and reasonable way with due regard for procedural fairness. Incidents of SEAH by Includovate employees or stakeholders constitute acts of gross misconduct and are grounds for termination of employment.

Principle 2: Survivor-centered approach

Includovate will prioritise the needs, rights, wishes and empowerment of survivors in both the prevention of and response to SEAH. This means creating a supportive environment in which the survivor's rights are respected, he/she is treated with dignity, and victim blaming is not tolerated. SEAH complaints will be investigated sensitively and confidentially with primary concern for the survivor. If Includovate receives reports relating to an Includovate employee we would seek confidential legal advice on a case by case basis to ensure alignment with local legislative frameworks.

Principle 3: Gender inequality and other power imbalances are addressed

Recognising that SEAH are deeply rooted in gender inequality, discrimination, and power imbalances, Includovate's approach to preventing SEAH will be based on respect for diversity, promotion of gender equality and social inclusion and accountability.

Principle 4: Maintain an organisational culture that prevents SEAH

Includovate Senior Managers will lead by example in creating and maintaining an open and accountable environment that promotes implementation of this Policy and Procedures. Senior Managers will model respectful behaviour and take active measures to improve diversity and inclusion in the workplace. All Includovate employees and stakeholders have a responsibility to contribute to developing and maintaining such an environment.

4. PREVENTION OF SEXUAL EXPLOITATION, ABUSE AND HARASSMENT

Includovate is dedicated to the prevention of SEAH. Specific activities Includovate will undertake to prevent SEAH include:

- Provision of training on preventing SEAH to all Includovate employees as part of their induction. Training aims to raise awareness of Includovate's zero tolerance

approach to SEAH, and to provide guidance on the relevant Policy and Procedures.

- All employees are required to sign a declaration confirming that they have been provided with a copy of, and have read, understand and agree to abide by the Preventing SEAH Policy and Procedures.
- The Standards of Conduct set out in section five below forms part of an employee's contract and will be covered in performance management agreements.
- Targeted preventing SEAH training will be provided to staff that work in high-risk situations.
- Seeking informed consent from all Includovate program participants prior to commencement of work.
- Explaining the complaints process to communities and individuals with whom we work as part of the informed consent process. This includes provision of an email address and phone number for making complaints. The Managing Director and Senior Management Team will ensure that complaints handling and investigation procedures are enacted.
- The Human Resources Department will ensure robust recruitment, induction and training processes are in place and adhered to.

5. STANDARDS OF CONDUCT

The Standards of Conduct sets out how Includovate employees and stakeholders should behave to prevent SEAH. This is not an exhaustive or exclusive list. The principle is that staff should conduct themselves in a manner consistent with their role as a representative of Includovate and act with integrity and respect. All Includovate employees and stakeholders must sign these standards prior to commencement of employment.

Includovate employees and stakeholders must:

- Conduct themselves in a professional manner at all times and not engage in behaviour contrary to the safety or wellbeing of the people with whom they come into contact.
- Immediately report any concerns or suspicions they have regarding possible violations of this Policy and Procedures by an Includovate employee or stakeholder via Includovate's reporting mechanisms.
- Familiarise themselves with the process for reporting SEAH incidents.
- Commit to creating and maintaining a work environment that is free from SEAH.

Includovate employees and stakeholders must not:

- Request any service or sexual favour from participants of Includovate programs or engage in sexually exploitative or abusive relationships.
- Exchange money, employment, goods or services for sex, including sexual favours or other forms of humiliation, degrading or exploitative behaviour. This includes engaging the services of sex workers while working for Includovate.
- Take part in any form of sexual activity with a person under the age of 18, regardless of the local age of consent. Ignorance or mistaken belief of the child's age is not a defence.
- Support or take part in any form of sexual exploitative or abusive activities, including, for example, child pornography or trafficking of human beings.
- Behave in ways that are intimidating, aggressive or otherwise inappropriate.

In addition, any sexual activity between an Includovate employee or stakeholder, and an Includovate program participant must be reported by the employee to his/her supervisor as soon as practically possible. Sexual activity between Includovate employees and stakeholders, and program participants is **strongly discouraged** due to the power inequities that exist between these two groups. Failure to report such conduct may lead to disciplinary action.

Failure to comply with these standards is grounds for disciplinary action, may be considered as gross misconduct and may result in termination of employment. Any conduct found to be criminal in nature will be reported to the relevant authorities.

6. REPORTING OF AND RESPONDING TO SEAH CONCERNS

All Includovate employees and stakeholders are required to report any concerns or suspicions they have regarding possible violations of this Policy and Procedures by an Includovate employee or stakeholder. We will take all concerns and reports of SEAH seriously. We will investigate and act on these reports immediately, with the highest priority.

In accordance with Principle 2: *Survivor Centred Approach* – victims' and survivors' safety and wellbeing are paramount to reporting. Information will be treated confidentially and the name of the compliant will not be revealed to the alleged perpetrator or to any other person unless the individual personally authorizes the disclosure of their identity.

Who reports?

All Includovate employees and stakeholders must report concerns or alleged incidents of SEAH or non-compliance with the Policy and Procedures. Members of the community or partner organisations should also make a report if they hold concerns.

What should be reported?

Reporting is for any suspected or alleged cases of SEAH perpetrated by anyone within scope of the Policy and Procedures in connection with Includovate programs.

If in doubt, Includovate employees and stakeholders should report an alleged incident. In line with Principle 1: *Zero tolerance of inaction* – individuals found not reporting alleged incidents will be viewed as being non-compliant.

How to report?

All reports of alleged SEAH incidents should be made either in writing addressed to the Office of the Managing Director (Kristie@includovate.com) and the Human Resources Department (hr@includovate.com), or verbally to Includovate's Human Resources Department on +251944053904.

What will happen next?

The Managing Director and/or the delegated Senior Manager and/or Human Resources Department will discuss the allegations and then decide upon next steps. This may involve one or more of the following:

- Seeking legal advice to determine the best course of action.
- Interviewing the person/persons who made the allegation and/or other witnesses to gather more information with which to make a decision about the allegation. This will be done in a sensitive manner with primary concern for the victim/survivor.
- Reporting to local police and/or relevant authority when it is suspected that a crime has been committed.
- Reporting to the Sexual Exploitation, Abuse and Harassment area within the Australian Department of Foreign Affairs and Trade (DFAT) as required¹.
- Handling the concern internally if it not a criminal matter.
- Referral of report through appropriate channels if the alleged incident does not fall within the scope of this Policy and Procedures (e.g. incidents conducted by an employee of another organization or community member).
- No further action taken.

¹ DFAT expects two kinds of incident reporting:

- **Mandatory and immediate** (within two working days of becoming aware of an alleged incident) reporting by all staff and DFAT partners of any alleged incident of sexual exploitation, abuse or harassment 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 staff and DFAT partners of any alleged Policy non-compliance; for example, failure to adhere to the PSEAH Policy Minimum Standards or principles.

- Providing support and assistance to complainants of SEAH. This may include medical treatment, legal assistance and psychosocial support. Any such support will be sensitive to the needs and wants of the survivor taking into account confidentiality and survivor safety.

The Managing Director and/or the delegated Senior Manager and/or Human Resources Department are responsible for recording incidents, concerns and referrals and storing these securely, so that information remains confidential. Such files will be retained in a file separate from other files. The Managing Director is responsible for delegating responsibility for these tasks to a Senior Manager or to the Human Resources Department on a case-by-case basis.

Disciplinary Action

Includovate will take disciplinary action against any employee or stakeholder found to have: failed to report a SEAH concern, intentionally made a false allegation, or made a serious breach of the Prevention of SEAH Policy and Procedures and/or Standard of Conduct.

7. RECRUITMENT

Includovate is committed to safe recruitment, selection and screening practices.

Includovate will not knowingly engage – directly or indirectly – anyone who poses a risk to vulnerable people or marginalised groups. These practices aim to recruit the safest and most suitable people to work in our programs. Includovate's safe recruitment practices include:

- Promoting our commitment to prevent SEAH on our website, in other promotional materials and in all job advertisements.
- Applicants will be required to submit a detailed application form when applying for a position. This form will ask for extensive information about the applicant's

background such as dates and places of employment, education and other activities.

- Job descriptions that describe key selection criteria and outline tasks and accountabilities are required for all positions (staff, volunteers, consultants etc).
- All positions will be assessed for the level of risk in relation to SEAH.
- All staff will be required to provide proof of identify including birth certificates, passports and relevant qualifications.
- All positions will be subject to a probationary period depending on the length of the contract.
- All of Includovate's employees and stakeholders will be required to read and acknowledge this Preventing SEAH Policy and Procedures and sign the Standard of Conduct.
- Includovate reserves the right to refuse employment or terminate any person's employment that may pose a risk of SEAH.

8. WORKING WITH PARTNERS

At times, Includovate engages sub-contractors to implement programs on our behalf. All partnership agreements between Includovate and another organisation or firm will include a copy of this Policy and Procedures. Partner organisations are required to sign a declaration confirming that they have been provided with a copy of, and have read, understand and agree to abide by the Preventing SEAH Policy and Procedures.

9. RISK ASSESSMENT

This Policy and Procedures takes a risk-based, proportional approach to preventing SEAH. Includovate will assess the level of risk for SEAH occurring for each of its programs as part of its existing activity planning and risk management processes. The *Preventing SEAH Minimum Standards* as set out by the Australian Department of Foreign Affairs and Trade (Annex A) will used as the basis for addressing SEAH risk.

10. LOCAL LEGISLATION

Most countries in which Includovate works have legislation relating to SEAH. When working in any country, Includovate employees and other partners and/or stakeholders implementing its activities are required to abide by local legislation, including labor laws with regard to SEAH.

11. IMPLEMENTATION AND DATE OF EFFECT

This Policy and Procedures was approved by the Managing Director on August 23rd 2019. Includovate will review its Prevention of Sexual Exploitation, Abuse and Harassment Policy and Procedures every three years. The Managing Director (or delegate) will manage the review and staff will be consulted in the process.

12. DEFINITIONS

Sexual exploitation refers to any actual or attempted abuse of 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 refers to actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual harassment is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another. While typically involving a pattern of behavior, it can take the form of a single incident. Sexual harassment may occur between persons of the opposite or same sex. Both males and females can be either the victims or the offenders. Such behaviour could include (but is not limited to):

- Unwelcome touching
- Gestures and other nonverbal communication with sexual undertones



- Staring or leering
- Unwanted invitations to go out on dates
- Requests to perform sexual activities
- Intrusive questions about a person's private life or body
- Unnecessary familiarity, such as deliberately brushing up against a person
- Insults or taunts based on sex
- Sexually explicit physical contact and
- Sexually explicit emails or SMS text messages
- Physical approaches or physical contact of a sexual nature, or sexual assault
- Sexually discriminatory language and humiliating remarks, including sexually explicit jokes
- Showing or displaying pornographic or sexist images
- Repetitive questions or prying into an individual's relationship status or details of their relationship
- Offers to, or the sending of gifts that are unwelcome, out of context or embarrassing to an individual
- Sexually motivated stalking.



13. REFERENCES

1. Preventing Sexual Exploitation, Abuse and Harassment Policy: Australian Government Department of Foreign Affairs and Trade
2. The Criminal Code of the Federal Democratic Republic of Ethiopia
3. International Bill of Human Rights
4. The UN Convention for the Elimination of all forms of Discrimination Against Women
5. AVI Inviting Change: Prevention of Sexual Exploitation & Abuse Policy
6. Australian Council for International Development: Submission on prevention of sexual exploitation, abuse and harassment policy disclosure paper
7. CARE International Policy on Protection from Sexual Exploitation and Abuse & Child Protection

14. ANNEX

a. Minimum Standards

DFAT PSEAH Minimum Standards						
Minimum standard	Obligation		Applies to			
	Organisations	Individuals	Low Risk	Med Risk	High Risk	Very High Risk
1. Have a PSEAH policy or other documented policies and procedures in place and clearly communicate expectations of this Policy.	Must have a PSEAH policy or other documented policies and procedures in place, which clearly meet the expectations of this Policy.	Sign a document outlining appropriate and enforceable standards of conduct, compliant with the requirements of this Policy	✓	✓	✓	✓
2. Have reporting and investigation procedures in place.	The PSEAH policy, or equivalent, documents how SEAH incidents will be managed, reported and investigated. Reporting and investigation processes must include engagement of and reporting to senior management and executive boards.	Through a document which outlines appropriate and enforceable standards of conduct, confirm awareness of DFAT's PSEAH reporting requirements for concerns or incidents and policy non-compliance.	✓	✓	✓	✓
3. Have risk management processes that include the risk of SEAH.	Have effective risk management processes that include consideration of the risk of SEAH. The process must document the controls already in place or to be implemented to reduce or remove risks.	Must meet the reporting requirements under their agreement, aligned to DFAT's PSEAH Policy.	X	✓	✓	✓

DFAT PSEAH Minimum Standards						
Minimum standard	Obligation		Applies to			
	Organisations	Individuals	Low Risk	Med Risk	High Risk	Very High Risk
4. Effective PSEAH training in place.	PSEAH training for personnel, including downstream partners and individuals that deliver DFAT business.	Complete PSEAH training and provide evidence of this.	X	X	✓	✓
5. Recruitment and screening processes and employment practices address and manage the risk of SEAH.	Can demonstrate robust PSEAH recruitment and screening processes for all personnel/consultants including having in place appropriate and enforceable standards of conduct.	Based on a risk assessment, assurances could include providing a recent police check, working with vulnerable people check or location specific equivalent that provides assurance reasonable SEAH precautions have been taken. Local requirements must also be followed.	X	X	✓	✓
6. Prohibit transactional sex for all personnel, while engaged in the direct delivery of DFAT business	Prohibits transactional sex in the field for all staff and downstream partners while engaged in the delivery of DFAT business	Employment agreements include clauses prohibiting transactional sex while engaged in the delivery of DFAT business.	X	X	X	✓
7. Prohibit fraternisation for all non-national personnel, while engaged in the direct delivery of the DFAT business	Prohibits fraternisation for all non-national personnel in the field while engaged in the delivery of DFAT business	Employment agreements include clauses prohibiting fraternisation for all non-national individuals while engaged in the delivery of DFAT business	X	X	X	✓

b. Standard of Conduct Declaration

The Standards of Conduct sets out how Includovate employees and stakeholders should behave to prevent sexual exploitation, abuse and harassment (SEAH). This is not an exhaustive or exclusive list. The principle is that staff should conduct themselves in a manner consistent with their role as a representative of Includovate and act with integrity and respect. All Includovate employees and stakeholders must sign these standards prior to commencement of employment.

Includovate employees and stakeholders must:

- Conduct themselves in a professional manner at all times and not engage in behaviour contrary to the safety or wellbeing of the people with whom they come into contact.
- Immediately report any concerns or suspicions they have regarding possible violations of this Policy and Procedures by an Includovate employee or stakeholder via Includovate's reporting mechanisms.
- Familiarise themselves with the process for reporting SEAH incidents.
- Commit to creating and maintaining a work environment that is free from SEAH.
- Report any sexual activity with an Includovate program participant to his/her supervisor as soon as practically possible. Sexual activity between Includovate employees and stakeholders, and program participants is **strongly discouraged** due to the power inequities that exist between these two groups. Failure to report such conduct may lead to disciplinary action.

Includovate employees and stakeholders must not:

- Request any service or sexual favour from participants of Includovate programs or engage in sexually exploitative or abusive relationships.

- Exchange money, employment, goods or services for sex, including sexual favours or other forms of humiliation, degrading or exploitative behaviour. This includes engaging the services of sex workers.
- Take part in any form of sexual activity with a person under the age of 18, regardless of the local age of consent. Ignorance or mistaken belief of the child's age is not a defence.
- Support or take part in any form of sexual exploitative or abusive activities, including, for example, child pornography or trafficking of human beings.
- Behave in ways that are intimidating, aggressive or otherwise inappropriate.

This Standard of Conduct forms part of staff contracts of employment. Failure to adhere to it could result in your employment or engagement with Includovate being terminated and/or criminal prosecution.

Declaration:

I, _____ *[insert your name]*, confirm that I have been provided with a copy of, and have read, understand and agree to abide by:

- Includovate Pty Ltd Prevention of Sexual Exploitation, Abuse and Harassment Policy and Procedures;

I understand that Includovate reserves the right to take formal action against me if I am to breach the Includovate Prevention of Sexual Exploitation, Abuse and Harassment Policy and Procedures, and the Standard of Conduct.

Signature: _____

Date: _____

*** This signed Declaration will be held on file for the duration of your engagement with Includovate*