

57. Prevention of Sexual Exploitation, Abuse and Harassment Policy

POLICY OWNER: Directors of AMF-Cufa

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57.1. Overview

AMF-Cufa is committed to the prevention of sexual exploitation, abuse and harassment with a particular focus on those who are most vulnerable.

57.2. Purpose of policy

The Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy aims to ensure protection against sexual exploitation, abuse or harassment of individuals and communities that AMF-Cufa works with. AMF-Cufa is cognizant that the nature of development initiatives can exacerbate inequitable power dynamics within the communities we work with; and therefore, it's everyone's responsibility to maintain the highest professional and ethical standards.

This policy seeks to ensure that those affected by SEAH have the confidence to report incidents with the knowledge that any concerns will be handled swiftly and sensitively under a survivor-centred approach in preventing and responding to SEAH.

57.3. Scope

This policy applies to:

- Directors, employees, volunteers and interns of AMF-Cufa
- Contractors to AMF-Cufa
- Employees of contractors to AMF-Cufa
- AMF-Cufa's partners, and
- Employees of AMF-Cufa's partners, and
- All visitors to project sites.

Hereinafter these groups of individuals are referred to as AMF-Cufa 'representatives'.

AMF-Cufa commits to extend this Policy to all partners, either through an MoU or other mechanism as outlined in the [Development Partner Relationships Policy](#).

AMF-Cufa will also share and make this Policy readily available to any person or organisation who requests it by making this Policy available on [AMF-Cufa's website](#).

This Policy concerns the sexual exploitation, abuse and harassment of adults. In contrast, AMF-Cufa's [Child Protection Policy](#) concerns any exploitation and/or abuse of children and it is a separate policy.

Harassment (excluding sexual harassment) and bullying are addressed in AMF-Cufa's [Anti-Harassment and Bullying Policy](#).

Complaints that are made about another organisation and/or their personnel will be referred to that organisation. It is the responsibility of that organisation to resolve it under their own complaints handling mechanism.

57.4. Definitions

AMF-Cufa adopts the following definitions from the Department of Foreign Affairs and Trade (DFAT), *Preventing Sexual Exploitation and Harassment Policy (April 2025)*:

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 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 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.

Some examples of behaviour that may be sexual harassment include:

- staring or leering;
- unnecessary familiarity, such as unwelcome affection or touching;
- suggestive comments or jokes;
- insults or taunts of a sexual nature;
- intrusive questions or statements about your private life;
- displaying posters magazines or screen savers of a sexual nature;
- sending sexually explicit emails or text messages;

- inappropriate advances on social networking sites;
- accessing sexually explicit internet sites;
- requests for sex or repeated unwanted requests to go out on dates; 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.

57.5. Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) risk management

Protection and safeguarding of any PSEAH risks will be assessed and addressed as set out in the [Risk Management Policy](#).

57.6. PSEAH Code of Conduct

This Code of Conduct is to be followed by all AMF-Cufa representatives, at all times when working for and with AMF-Cufa.

All AMF-Cufa representatives will:

- Adhere to conduct themselves in a manner that protects others from sexual exploitation, abuse or harassment and in accordance with [AMF-Cufa Employee Code of Conduct](#) at all times.
- Comply with all relevant Australian legislation and legislation of the host country, including laws intended to prevent sexual exploitation, abuse or harassment, see [Reporting Sexual Exploitation, Abuse or Harassment \(SEAH\) Incidents](#).
- Be aware of public perception and act with respect towards cultural sensitivities in their language, actions, and interactions with others.
- Immediately (or as soon as possible) report any concerns, suspicions or allegations of sexual exploitation, abuse and harassment and/or breach of this Policy to the [PSEAH Focal Person and/or directly to DFAT](#), and encourage and support others to do so. This includes any potential issues, see [Reporting Sexual Exploitation, Abuse or Harassment \(SEAH\) Incidents](#).
- Report any alleged incident of sexual exploitation, abuse or harassment related to the delivery of any projects under the Australian NGO Cooperation Program (ANCP) or Direct Aid Program (DAP) directly to DFAT within two working days of becoming aware of an alleged incident, see [Reporting Sexual Exploitation, Abuse or Harassment \(SEAH\) Incidents](#).
- Report any alleged Policy non-compliance such as failure to adhere to the DFAT PSEAH Policy Minimum Standards or principles within five working days, see [Reporting Sexual Exploitation, Abuse or Harassment \(SEAH\) Incidents](#).
- Receive training on this Policy as outlined in the [Staff Training Policy](#).
- Be informed this Policy is a Zero Tolerance policy as outlined in the [Disciplinary Policy](#) and [Whistle-blowing Policy](#).
- Be required to sign the Prevention of Sexual Exploitation, Abuse and Harassment Policy Code of Conduct Declaration as set out in the [Selection of Staff and Volunteers Policy](#).

All AMF-Cufa representatives will not:

- Engage in actual or attempted abuse of individuals in a position of vulnerability, differential power or trust, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation, abuse or harassment of another,
- Engage in actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions,
- Engage in sexual harassment, which includes but is not limited to:
 - o Unwelcome sexual advances,
 - o Requests for sexual favours,
 - o Verbal or physical conduct or gesture of a sexual nature, and
 - o Any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another.
- Engage in sexual violence, which includes but is not limited to:
 - o Unwanted sexual comments,
 - o Unwanted sexual touching,
 - o Aggressive sexual behaviour,
 - o Attempted sexual assault,
 - o Sexual assault,
 - o Attempted rape, and
 - o Rape.
- Engage in any sexual activity with any person under the age of 18, regardless of any laws of majority or consent, and
- Exchange any money, employment, goods, services, or other things of value, for sex.

57.7. PSEAH Focal Person

AMF-Cufa's Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Focal Person is the individual in the role of the Programs Manager.

57.8. Reporting Sexual Exploitation, Abuse or Harassment (SEAH) Incidents

All AMF-Cufa representatives are highly encouraged to:

- Immediately (or as soon as possible) report any concerns, suspicions or allegations of sexual exploitation, abuse and harassment and/or breach of this Policy. This includes any potential issues.
 - o An individual victim/survivor is under no obligation to report any incident that has happened to them; however, AMF-Cufa will ensure individuals who self-report will have access to timely and suitable assistance.
 - o Reports can be made using AMF-Cufa's [Complaints Handling Policy](#) or [Whistle-Blowing Policy](#), or directly to the [PSEAH Focal Person](#), and encourage and support others to do so.
 - o Reports including anonymous reporting can be made using the complaint's form on AMF-Cufa's [website](#).
 - o Reports can be made directly to [DFAT](#) using the [Incident Notification Form](#) and emailed to seah.reports@dfat.gov.au.

AMF-Cufa's CEO and/or [PSEAH Focal Person](#) must report any of the following directly to [DFAT](#) as outlined below:

- any suspected or alleged incident of sexual exploitation, abuse or harassment perpetrated by anyone within the [scope of this Policy](#) related to the delivery of DFAT

business including any projects under the Australian NGO Cooperation Program (ANCP) or Direct Aid Program (DAP) **within two working days** of becoming aware of an alleged incident; and

- any alleged PSEAH Policy non-compliance by AMF-Cufa such as failure to adhere to the DFAT PSEAH Policy Minimum Standards or principles **within five working days** of AMF-Cufa becoming aware of non-compliance.
- All reports of alleged SEAH incidents or Policy non-compliance should use the [DFAT SEAH Incident Notification Form](#) and emailed to seah.reports@dfat.gov.au.

- Reports of abuse or exploitation of individuals under the age of 18 years must follow AMF-Cufa's [Child Protection Policy](#).
- Where safe to do so, and when in accordance to the wishes of the victims, survivors, complainants and whistleblowers, all alleged SEAH incidents that involve a criminal aspect should be reported through the correct local law enforcement channels.

Any AMF-Cufa representatives, participant or member of the public may also report any suspected or alleged sexual exploitation, abuse or harassment committed by a AMF-Cufa representative using AMF-Cufa's [Complaints Handling Policy](#) or [Whistle-Blowing Policy](#), or to the [Prevention of Sexual Exploitation and Abuse Focal Person](#).

57.9. Assistance in languages other than English

If a local stakeholder would like to make a verbal complaint or does not have the ability to formally submit it, an AMF-Cufa Project Officer will transcribe it, provide a copy to the local stakeholder and forward it to the relevant AMF-Cufa Country Manager (unless they are the subject of the complaint) and AMF-Cufa Australia.

57.10. Complaints handling guidelines

The following guidelines should be followed when a report of any incident of suspected or alleged sexual exploitation, abuse or harassment is made as well as the procedures outlined in the [Complaints Handling Policy](#) and [Whistle-blowing Policy](#):

- The [PSEAH Focal Person](#) must immediately be informed. The CEO and Board of Directors must also be notified of the complaint.
- If the complaint involves the Prevention of Exploitation, Abuse and Harassment Focal Person, CEO or a Director of the Board they must be removed from the complaints handling process.
- The [PSEAH Focal Person](#)/CEO/Director of the Board is to seek legal advice and an internal investigation is to be launched. Based on the advice received and taking into consideration the potential for extra-territorial proceedings by the expatriate's country of origin, the Prevention of Sexual Exploitation, Abuse and Harassment Focal Person/CEO/Director of the Board may report the incident to local enforcement authorities as required. The reporting to local enforcement authorities must take into consideration the wishes and welfare of the complainants, survivors and whistleblowers.
- All complaints, suspected incidences and reports of violations of the PSEAH Policy must be reported to DFAT using the [Notification Form](#) and emailed to seah.reports@dfat.gov.au:

- o All reports of alleged Sexual Exploitation, Abuse and Harassment incidents must be reported to DFAT within two working days of AMF-Cufa becoming aware of an alleged incident of sexual exploitation, abuse or harassment related to the delivery of DFAT business, and
 - o All reports of PSEAH Policy non-compliance must be reported to DFAT within five working days of AMF-Cufa becoming aware of non-compliance.
- The management, reporting and investigation of any SEAH incidents will adopt the “do no harm” approach which will prioritise the rights, needs and wishes of the survivor or complainant, while ensuring [procedural fairness](#) to all parties. This approach treats the survivor/complainant with dignity and respect, involves the survivor/complainant in decision making (as required), provides the survivor/complainant with comprehensive information, protects privacy and confidentiality of all parties, does not discriminate based on gender, age, race/ethnicity, ability, sexual orientation, or other characteristics, and considers the need for counselling and health services to assist the survivor/complainant with their recovery.
 - An AMF-Cufa representative accused of participating in any act of sexual misconduct against another person will be temporarily suspended during the investigation. The AMF-Cufa representative will be informed of the allegations made against them and given an opportunity to respond. Assistance will be provided to the AMF-Cufa representative accused of sexual misconduct, including appropriate counselling and support, where this is deemed suitable.
 - As part of the investigation all efforts will be made to obtain the facts and determine what actually happened. Based on this, a decision will be made regarding the status of the accused AMF-Cufa representative. At the end of the investigation, the AMF-Cufa representative will be informed of the outcome of the investigation and of any corrective or disciplinary measures to be taken.
 - If the reported abuse is found to be untrue or fabricated, appropriate corrective and/or disciplinary action will be taken against all persons involved in the allegations.
 - All information regarding the investigation will be marked confidential and documented in writing.

57.11. Policy Review

This Policy will be reviewed once annually as required by section [2.20 Yearly review of Operational Policy Manual](#), or more frequently as warranted.