



help the mother  
help the child...

# PREVENTION OF SEXUAL EXPLOITATION, ABUSE, AND HARASSMENT

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## 1. Introduction

CINI Australia is a not-for-profit organisation registered as a charity in Australia. The objective of CINI Australia is to relieve suffering and poverty and to advance the health, nutrition, education and protection of women, adolescents and children in need in India. CINI Australia enables Australians to contribute to sustainable development programs in India that increase individual and community capacity, skills and dignity.

CINI Australia recognizes that Sexual exploitation, abuse and harassment (SEAH) are violations of basic human rights.

## 2. Purpose

CINI Australia is committed to the prevention of sexual exploitation, abuse, bullying and harassment (PSEAH) and has a zero tolerance of these behaviours. It is committed to safeguarding the people it supports and who it works alongside. CINI Australia personnel have an obligation to uphold high standards of personal and professional conduct at all times, to understand the inherent imbalance of power which exists, and must not abuse this position in order to exploit or abuse another person.

CINI aims to provide a safe and trusted environment that safeguards everyone from SEAH including beneficiary communities, workers, program participants and partner organisations.

CINI Australia will actively prevent and respond to SEAH 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 they will be handled sensitively and appropriately.

## 3. Scope

This policy applies to all CINI Australia board, members, staff, contractors, volunteer, representatives, partners implementing CINI Australia supported initiatives in India and those visiting project sites.

### Working with Partners

CINI Australia will collaborate with partners to progress shared understandings of expectations, due diligence, complaints mechanisms, managing the behaviours of their staff and responding to complaints or incidents.

This PSEAH policy, its implementation & monitoring of compliance will be communicated with partners and addressed in the Memorandum of Understanding between CINI Australia and Child in Need Institute India

Our partner, Child in Need Institute India has in place a PSEAH Policy that is reviewed regularly by CINI Australia

## 4. Our Values

The following values of CINI Australia represent the foundations of this policy:

1. **Integrity** - we act with honesty and are guided by ethical and moral principles in all we do.

2. **Transparency** - we openly share information about our organisation and our work to all our stakeholders and to the public.
3. **Effectiveness** - we strive to deliver outcomes that bring about positive change in the lives of people living in poverty.
4. **Cooperation** - we work with and alongside others in a spirit of mutuality, respecting diversity and difference in the pursuit of common goals.
5. **Equity** - we are committed to overcoming prejudices and disadvantage and promoting fair and just access to resources and opportunities.
6. **Respect** - we recognise the value and diversity of every person and are committed to treating others with due regard to their rights, dignity and integrity.
7. **Accountability** - we take responsibility for our actions and are accountable to all our stakeholders, and in particular primary stakeholders, for our performance and integrity.

## 5. Definitions

**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 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.

**Transactional sex:** The exchange of money, employment, goods, services or other benefit for sex, including sexual favours.

**Fraternalisation:** any relationship that involves, or appears to involve, partiality, preferential treatment or improper use of rank or position including but not limited to voluntary sexual behaviour, including sexual behaviour not amounting to intercourse, a close and emotional relationship involving public displays of affection or private intimacy and the public expression of intimate relations.

**Safeguarding:** action, policies and procedures that create and maintain protective environments to protect people from exploitation, harm and abuse of all kinds.

## 6. Principles and Policy

CINI Australia believes that all people regardless of age and gender have the right to live their lives free from sexual exploitation, abuse, and harassment (SEAH).

CINI Australia commits to the prevention of SEAH by:

- **Strong leadership** setting clear expectations and modelling respectful behaviour; building a culture where all those whom CINI Australia supports and who work/volunteer for CINI Australia feel empowered to insist on non-discriminatory and respectful behaviour from each other.
- Creating a **safe working culture** for all those whom CINI Australia supports, and those working for or representing the organisation.
- Recognition and management of risk factors and vulnerabilities which include potential unequal organizational power dynamics
- **Mandatory reporting**, ensuring that all concerns or allegations of sexual exploitation, abuse, bullying and/or harassment are responded to and investigated in a timely, confidential and appropriate manner. These reporting practices enhance accountability and transparency.
- Ensuring **zero tolerance** of sexual exploitation, abuse, bullying and harassment in the organisation through robust prevention and response work, offering support to survivors/victims, and holding those responsible to account.
- Consistently adopting a **survivor-centred approach**. The rights, needs, and wishes of the victim/survivor will be prioritised, while ensuring procedural fairness to all parties. The victim/survivor will be treated with dignity and respect, will be involved in decision making, will be provided with comprehensive information throughout the process, and their privacy and confidentiality will be protected. CINI Australia will not discriminate based on gender, age, race/ethnicity, ability, sexual orientation, or other characteristics and will consider the need for counselling and health services to assist the victim/survivor with their recovery.
- Being **transparent** about safeguarding issues occurring within CINI Australia, sensitive in our communications about our practices and open to learning and improving.
- **Working with Partners**  
CINI Australia will consult with partners to progress shared understandings of expectations, due diligence, complaints mechanisms, managing the behaviours of their staff and responding to complaints or incidents.  
This PSEAH policy, its implementation & monitoring of compliance will be communicated with partners and addressed in the Memorandum of Understanding between CINI Australia and Child in Need Institute India

Our partner, Child in Need Institute India has in place a PSEAH Policy that is reviewed regularly by CINI Australia

### 6.1 Policy Guidance

All personnel within scope of this policy will comply with clause 1.5 of the existing ACFID Code of Conduct and Commitment (as at 18 December 2023) which states, *“We advance the safeguarding of those who are vulnerable to sexual exploitation and abuse”*.

As part of this policy, CINI Australia will also:

- 1 Maintain at all times a PSEAH policy.
- 2 Have reporting procedures in place.
- 3 Safeguarding training in place, if required.

The way in which CINI Australia meets these standards is explained in the sections below.

## 6.2 Policy Awareness

All CINI Australia personnel and any other representatives associated with CINI Australia are made aware of this policy, across all levels of the organisation, through induction processes and training. This will include its implementation, the consequences of failure to meet these standards, mechanism by which to report alleged incidents of SEAH and where to seek other safeguarding information.

## 6.3 Reporting

CINI Australia will initiate investigation of complaints that indicate a possible violation of this policy and take appropriate action.

- All concerns or suspicions regarding sexual exploitation, abuse and/or harassment or policy non-compliance must be reported to the Chair or other director of CINI Australia immediately, or as soon as practicable.
- The matter will then be dealt with in accordance with the Complaints Handling Policy and Procedure and survivors may choose to be de-identified in any reporting.
- If an allegation is made against an individual and they become aware of the complaint, the individual must immediately inform the Chair or other Board member. Individuals accused will be treated with respect and all allegations are treated confidentially. In making decisions that may affect a person's rights or interests, CINI Australia will abide by the principles of natural justice and procedural fairness. Our partners are also expected to adhere to these principles when responding to concerns or allegations of SEAH.
- Any sexual exploitation, abuse or harassment allegations that involve a criminal aspect will be reported through correct law enforcement channels, subject to the wishes and welfare of the survivor.
- Personnel who are found to contravene CINI Australia's clearly stated expectations of their conduct covered by this policy will be subject to disciplinary action that may result in dismissal (see Sanctions).
- Reporting of abuse against children Legal mandatory reporting requirements may vary with jurisdiction. CINI Australia commits to meeting these reporting requirements For any issues relating to individuals under 18 years of age, please refer to CINI Australia's Child Protection policy

## 6.4 Risk Assessment and Management

Development and humanitarian contexts present a heightened risk of SEAH due to local communities being vulnerable, especially during periods of crisis or transition. While it is not possible to eliminate all risks of SEAH, proactive risk management can identify, mitigate, manage and reduce risks of SEAH. Any identified risks will be monitored as part of the ongoing management of CINI Australia activities.

## 6.5 Training

CINI Australia is committed to ensuring the board, members, staff, contractors, and volunteers are fully aware of their responsibilities to prevent sexual exploitation, abuse and harassment and how to report concerns or allegations or policy non-compliance. Personnel may also be required to complete any necessary training in this regard.

## 6.7 Recruitment and Screening

CINI Australia is committed to using recruitment, selection and screening practices with the aim of recruiting safe and suitable staff, contractors, Board members and volunteers. CINI Australia will not knowingly engage, directly or indirectly, anyone who poses an unacceptable risk of engaging in sexual exploitation, abuse or harassment. The following process is in place for recruitment and screening:

Reference Checks - Two verbal referee checks from referees must be conducted.

Disclosure - Staff, contractors, Board members and volunteers. must notify CINI Australia of any SEAH-related criminal convictions, charges or relevant substantial complaints or allegations of misconduct made against them prior to, or during, engagement in activities.

Code of Conduct - Individuals must commit to, sign and return the CINI Australia Code of Conduct.

## 7. Expected Behaviours

These expected behaviours are applicable inside and outside of working hours.

- CINI Australia is clear that any partnership is based on mutual respect for values and beliefs. As such, CINI Australia strictly prohibits engaging in sexual activity with personnel from its partners where there is a potential for an abuse of power.
- All CINI Australia personnel share a responsibility to behave in accordance with the CINI Australia and ACFID Codes of Conduct including preventing and responding appropriately to concerns of sexual exploitation or abuse.
- All CINI Australia personnel are obliged to report any suspicions or incidents of inappropriate behaviour towards others.
- All CINI Australia personnel are obliged to comply with local laws in the countries they are visiting.

## 8. Sanctions

Any act of sexual exploitation, abuse or harassment by CINI Australia staff, contractors, Board members, volunteers or other associated individuals or organisations constitutes gross misconduct and is therefore grounds for termination of employment or volunteer contracts or agreements.

Additional disciplinary actions for a breach of this policy includes, but is not limited to, one or more of the following:

- suspension or removal from work or volunteer activities pending and/or during investigation;

- CINI Australia internal investigation;
- formal warning and/or other sanctions;
- referral to local law enforcement authorities;
- referral to the Australian Federal Police;
- termination of employment.

CINI Australia recognises an individual's right to procedural fairness and does not presume guilt or innocence pending and/or during any investigation. Therefore, other than in circumstances of serious misconduct for which they may be suspended without pay at CINI Australia's sole discretion, any suspended paid personnel will continue to receive full pay. Any volunteers who are stood down will receive reasonable reimbursement of costs.

## 9. Reviewing

A review shall be conducted to assess this policy every three (3) years.

## 10. References

- ACFID's *Guidance for the Development of a Prevention of Sexual Exploitation, Abuse or Harassment Policy*
- Department of Foreign Affairs and Trade's *Preventing Sexual Exploitation, Abuse or Harassment Policy*

## 11. Supporting Documents

The following documents provide further information in support of this code of conduct:

1. CINI Australia Child Protection Policy and Procedures.
  2. CINI Australia Overseas Travel Policy and Checklist.
  3. CINI Australia Overseas Travel Code of Conduct.
  4. CINI Child Safeguarding Policy.
  5. CINI Australia Code of Conduct Policy.
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