



Preventing Sexual Exploitation, Abuse and Harassment Policy
1 July 2020

INTRODUCTION

The Global Student (TGS) does not tolerate sexual exploitation, abuse or harassment (SEAH) of any kind. This applies to our own organisation and extends to those we work with

The Policy outlines both expectations and requirements for TGS staff and our partners to manage the risk of SEAH and SEAH incidents, should they occur in the delivery of TGS business. Preventing SEAH (PSEAH) is a shared responsibility. All organisations must play an active role in addressing SEAH that occurs during their business and the Policy ensures all TGS partners and service providers manage the risk of SEAH.

TGS will give practical effect to the Policy through agreements, reporting requirements and regular communication to our staff and partners. The policy comes into effect formally from July 2020 and TGS will review the Policy after 12 months, then every three years.

Key definitions

This Policy uses the following descriptions of sexual exploitation, sexual abuse and sexual harassment, which combine international and Australian 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 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.

Fraternisation: any relationship occurring in the course of conducting business, that involves — or appears to involve — partiality, preferential treatment or improper use of rank or position including but not limited to voluntary sexual behaviour. It includes 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.

For more definitions, see *Glossary*.



SCOPE

The policy scope applies but is not limited to:

- TGS employees
- TGS interns hosted at the TGS office
- External service providers, including Team Leaders
- Independent contractors
- Accommodation providers
- TGS program participants, both staff and students
- TGS program host organisations
- TGS Internship hosts
- TGS Volunteer organisations

All TGS staff, service providers and contractors, and program participants are expected to comply with the principles and reporting requirements specified in this Policy. TGS staff are reminded of other obligations which may apply to them ie the *TGS Code of Conduct*, *The TGS Risk Management and Emergency Response Plan*, or the *TGS Code of Conduct and Behavior (Programs)*

External service providers must also abide by their own relevant policies, international declarations, conventions, agreements and domestic legal frameworks that relate to preventing sexual exploitation, abuse and harassment. Through our partnership agreements, TGS will ensure PSEAH is part of due diligence processes for these organisations, and seek assurances of their application.

PRINCIPLES

The Policy is underpinned by the six principles outlined below. The principles reflect Australia's international commitments to address SEAH and initiatives to reduce violence against women and their children.²

Principle 1: Zero tolerance of inaction

Sexual exploitation, abuse and harassment are never acceptable. Zero tolerance is not the same as zero incidents and reports of incidents may increase as organisations improve safeguards. Increasing reports may indicate growing awareness of SEAH and changing attitudes, with victims/survivors feeling more comfortable to report and organisations more likely to take action.

For this Policy, TGS defines zero tolerance as acting on every allegation in a fair and reasonable way with due regard for procedural fairness.

Principle 2: Strong leadership accelerates culture change

TGS expects leaders to set clear expectations and model respectful behaviour in their interactions at work. This will support communities, victims/survivors and whistleblowers to feel safe, report concerns and be assured their allegations are taken seriously.

Strong leaders address SEAH by taking measures to improve diversity and inclusion. This can include strong, actionable human resource procedures that embed gender equality and PSEAH; inclusion of PSEAH discussions on board meeting agendas; having senior champions responsible for PSEAH and encouraging staff gender balance particularly in senior roles. Leaders should encourage scrutiny of their own behavior and that of senior management.

Principle 3: Victim/survivor needs are prioritised

Action to address SEAH should be underpinned by a "do no harm" approach prioritising the rights,



needs, and wishes of the victim/survivor, while ensuring procedural fairness to all parties. This approach:

- treats the victim/survivor with dignity and respect
- involves the victim/survivor in decision making
- provides the victim/survivor with comprehensive information
- protects privacy and confidentiality
- does not discriminate based on gender, age, race/ethnicity, ability, sexual orientation, or other characteristics
- considers the need for counselling and health services to assist the victim/survivor with their recovery

Principle 4: *Preventing Sexual Exploitation, Abuse and Harassment is a shared responsibility*

TGS requires the commitment, support and investment of its partners for this Policy to be effective. All organisations have a responsibility to build their capacity to deal sensitively and effectively with SEAH that occurs in the course of their work.

Principle 5: *Gender inequality and other power imbalances are addressed*

Available data indicates that the majority of SEAH victims/survivors are female and the majority of perpetrators are male⁵. However, there are also other power imbalances at play. Inequalities based on the distinctions of worker/beneficiary; ability/disability; ethnic and Indigenous status; religion; gender identity and sexual orientation; age; health and poverty, can also result in SEAH. The intersection of gender with other forms of inequality can further increase the likelihood of SEAH occurring. Engagement with intended beneficiaries should be based on respect for diversity, promotion of gender equality and social inclusion, accountability, and a strong “do no harm” focus.

Principle 6: *Stronger reporting will enhance accountability and transparency*

Sexual exploitation, abuse and harassment is a failure of responsibility. The organisations and individuals who deliver TGS business are not only accountable to TGS, but also to the communities, customers and clients for whom the business is intended. Stronger reporting allows TGS to better monitor SEAH, understand risks, improve assurance and work with organisations to improve systems and safeguards accordingly. Reporting will also help to focus organisations on the issue by providing a regular prompt that PSEAH is a core obligation of their work.

RISK ASSESSMENT

The Policy takes a risk-based, proportional approach to PSEAH. TGS staff and partners must assess the level of risk for SEAH occurring. Guidance on assessing the risk of SEAH is provided to assist TGS partners determine the level of risk.

Risk and decision-making processes and documents are incorporated into existing activity planning and risk management processes.

It is the responsibility of TGS partners to ensure controls are in place to manage and monitor the risk of SEAH and ensure processes are adhered to. It is the responsibility of TGS to ensure that partners have SEAH controls in place and that those partners systems and assurance processes are robust.

REPORTING

When alleged incidents are reported, TGS will work with the organisation or individual to track incident management.



Preventing Sexual Exploitation, Abuse and Harassment Policy

1 July 2020

In accordance with Principle 3 — *Victim/survivor needs are prioritised* — victims' and survivors' safety and wellbeing must be paramount to reporting and their information treated confidentially. Whistleblowers must similarly feel safe and protected during the reporting process.

TGS 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 TGS partners of any alleged incident of sexual exploitation, abuse or harassment related to the delivery of TGS business. This includes any alleged incident that poses a significant reputational risk to TGS. For example, an allegation against a senior staff member of a partner organisation.
- Mandatory reporting (within five working days) by all staff and TGS partners of any alleged Policy non-compliance; for example, failure to adhere to the PSEAH Policy Minimum Standards or principles.

Who reports

All TGS staff and partners as defined under the Policy's scope must report any alleged incidents of sexual exploitation, abuse or harassment or Policy non-compliance.

What is reported

Reporting is for any suspected or alleged cases of SEAH perpetrated by anyone within scope of the Policy in connection with official duties or business.

If in doubt, staff and TGS partners should report an alleged incident.

How to report

All reports of alleged SEAH incidents should be made in line with the TGS Risk Management and Emergency Response Plan 2020, that details processes, chain of command, and communications with the university under **Item 5.6 Sexual assault**.

COMPLIANCE AND ASSURANCE

TGS will monitor compliance through a range of approaches including performance assessments, reviews, non-government organisation accreditation processes and due diligence checks. Partner organisations are expected to put in place appropriate risk-based measures to ensure they and their suppliers comply with this Policy.

Non-compliance with requirements may lead to TGS suspending or terminating an agreement with a partner.

SUPPORTING DOCUMENTATION

- TGS Risk Management and Emergency Response Plan 2020
- TGS Student Support Policy 2020
- TGS Company Code of Conduct 2020
- TGS Code of Conduct and Behavior

IMPLEMENTATION AND DATE OF EFFECT

The Policy will be implemented incrementally from 1 July 2020. More information on implementation can be found at www.theglobalstudent.net