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Prevention of Sexual Exploitation, Abuse and Harassment Policy

Purpose and Scope

This policy sets out the organisational response to management of Prevention of Sexual Exploitation, Abuse and Harassment.

ACFID (Australian Council For International Development) Quality Principle and Commitment

Quality Principle:

1 Rights, Protection, and Inclusion

Commitments

1.5 We advance the safeguarding of those who are vulnerable to sexual exploitation and abuse.

1.5.1 Members demonstrate their organisational commitment to the prevention of sexual exploitation and abuse, through a survivor-centred approach.

References

OO-PO-08	Complaints Handling Policy
OO-PO-10	Partner Due Diligence Policy
OO-PO-11	Human Resources Policy

Legislative Framework and Standards

This policy is informed by the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of Discrimination Against Women (CEDAW), and the Convention on the Rights of the Child (CRC), in addition to other relevant international instruments.

Policy Statement

The Orthopaedic Outreach takes a zero-tolerance approach to the sexual exploitation, abuse, or harassment (SEAH) of people we engage with as part of our Program. This policy outlines Orthopaedic Outreach's strong commitment to protection and prevention through education and training, rigorous screening and prompt and appropriate investigation and handling of suspected and actual incidents of SEAH.

The Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy sets out the expectations, systems and processes aimed at preventing SEAH of other people we work with, including program partners, participants, and community members. This policy also covers the actions that will ensue if incidents of SEAH are identified.

This policy applies to the behaviours, attitudes, and actions of all the above Orthopaedic Outreach staff and members during working and non-working hours both in Australia and overseas.



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These following principles and approaches underpin Orthopaedic Outreach implementation of its PSEAH policy position across its Orthopaedic Outreach Program:

Zero Tolerance

Sexual exploitation, abuse and harassment is never acceptable. Orthopaedic Outreach maintains a zero-tolerance approach towards SEAH. Behaviour by any individual or organisation associated with Orthopaedic Outreach that results in, facilitates, or ignores allegations of SEAH will not be tolerated. Such behaviour may also attract criminal, civil, and disciplinary sanctions.

A zero-tolerance approach includes intolerance of inaction towards allegations of SEAH. Orthopaedic Outreach management will respond to, and take seriously any allegations of SEAH, with due regard to procedural fairness.

Strong Leadership to Accelerate Change

Orthopaedic Outreach recognises that strong leadership is essential to driving change and setting organisational culture. Orthopaedic Outreach is committed to preventing SEAH in relation to the Orthopaedic Outreach Program by striving to model good behaviour; setting clear expectations of acceptable and unacceptable behaviour; improving diversity and inclusion, embedding gender equality in Orthopaedic Outreach programming, and encouraging internal reflection by, and scrutiny of Orthopaedic Outreach leadership.

Prevention of SEAH is a Shared Responsibility

Preventing SEAH is a shared responsibility. Every individual or organisation associated with Orthopaedic Outreach has a responsibility to uphold this policy, and to contribute to an organisational culture which prioritises safeguarding against SEAH. All associated individuals and partner organisations must comply with this policy, in addition to all applicable laws of the jurisdiction in which the Orthopaedic Outreach Program is taking place, and will be held accountable through contracts, audits and spot checks.

Orthopaedic Outreach management has a responsibility to develop systems which effectively implement this policy and safeguard against SEAH. Management will disseminate and socialise this policy to ensure that it is known and understood by all individuals and organisations within scope of this policy. Furthermore, management must create a safe and accessible system for complaints or concerns about SEAH to be raised, and immediately respond to any allegations.

Address Gender Inequality and Other Power Imbalances

Orthopaedic Outreach has a Gender Equality Policy which provides a framework for defining and promoting gender equality in the Orthopaedic Outreach Program. It is an integral part of Orthopaedic Outreach commitment and accountability to the local partners and communities it works with and supports across the Asia-Pacific region.

Orthopaedic Outreach also acknowledges that gender is not the only power imbalance to be considered. Orthopaedic Outreach approach to safeguarding and program planning and design is



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based on an analysis of inequalities and distinctions such as: ability/disability, ethnic and indigenous status, religion, sexual orientation, age, health, and class.

Orthopaedic Outreach recognises that SEAH risks are heightened in situations where there is an unequal distribution of power, and where people in positions of authority have a level of power over others, compounding the risk of exploitation. This includes, but is not limited to, power inequalities which exist between Orthopaedic Outreach employees or volunteers and in-country partner organisations and communities. Therefore, Orthopaedic Outreach approach to both the prevention of, and response to, incidents of SEAH is based on respect for diversity, promotion of gender equality and social inclusion, accountability, and a commitment to a “do no harm” philosophy and approach.

Prioritise Victim-Survivor Needs

Any individual who experiences SEAH must be able to express their concern or lodge their complaint without fear of reprisal or unfair treatment as a consequence of speaking out and reporting. Orthopaedic Outreach seeks to ensure that, as far as possible, complaints are handled confidentially and without risking reprisal and/or harassment as a result of reporting.

Orthopaedic Outreach is committed to prioritising the needs of victims/survivors in its response to allegations and incidents of SEAH. Our priority is to respect the rights, needs and wishes of victims/survivors, while ensuring procedural fairness for all parties. Orthopaedic Outreach is committed to:

- Treating victims/survivors of SEAH with dignity and respect;
- Involving victims/survivors in decision making;
- Providing victims/survivors with comprehensive information about their rights and options;
- Protecting the privacy and confidentiality of victims/survivors; and
- Considering the need for counselling and health services to assist the victim/survivor with their recovery.

Confidentiality protects the complainant, as well as the subject of the complaint and other persons involved. Subject to Orthopaedic Outreach reporting obligations pursuant to the laws of the relevant jurisdiction and relevant Australian laws, the nature of the complaint, the identities of the persons involved and any documentation resulting from the investigation will be treated confidentially, to the greatest extent possible. Any confidential information associated with a concern or complaint will only be shared on a need-to-know basis in order to properly conduct the necessary investigation, seek expert advice, or provide care.

Orthopaedic Outreach does not discriminate in its response to allegations of SEAH based on gender, age, race/ethnicity, ability, sexual orientation, or other characteristics.

Maintain Strong Reporting to Enhance Accountability and Transparency

Strong reporting frameworks positions PSEAH as a core objective within the Orthopaedic Outreach Program and a responsibility of all individuals and organisations that contribute to that program.



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The Complaints Handling Policy ensures investigations are undertaken by experienced and qualified professionals, substantiated complaints will result in disciplinary action and external reporting requirements are adhered to. Orthopaedic Outreach management will take prompt investigative action. Any concern or complaint regarding SEAH will be handled according to Orthopaedic Outreach procedures and processes for handling complaints.

Procedure

REPORTING CONCERNS

It is mandatory for all those under the scope of this policy to promptly report any witnessed, suspected, or alleged incidents of SEAH by a person engaged by Orthopaedic Outreach to contribute to, or work on its Orthopaedic Outreach Program.

Reports can be raised by anyone, including but not limited to program participants, including children, parents, guardians, carers, partners, Orthopaedic Outreach staff, volunteers or associates, consultants, contractors, or members of the public, etc. All complaints regarding SEAH issues will be treated seriously, confidentially, and immediately with due regards for the rights of the alleged victim, the notifier, and the accused person/s.

Any individual who experiences SEAH should make a report as soon as possible to Orthopaedic Outreach management as per OO-PO-08 Complaints Handling Policy. Orthopaedic Outreach guarantees that staff and members who, in good faith, disclose perceived wrongdoing will be protected from adverse employment consequences.

Primary stakeholders are provided the opportunity to contribute to team activity reports towards the completion of each team activity, which are then submitted to the Programs, Monitoring and Evaluation Committee upon return; alternatively, each stakeholder also has the capacity to provide direct feedback to the Board via the Operational Manager, regarding performance or direction of future program activities within their site. This feedback can be maintained confidential from the team members if requested to do so by the in-country stakeholder.

a. What should be reported and when to report

Reports must be made immediately, or as soon as practically possible. All Orthopaedic Outreach employees and members must immediately report (without individual investigation) any suspected breach of this policy to Orthopaedic Outreach management. Immediately, in this context means within two working days of becoming aware of any alleged SEAH incident. Individuals or organisations who do not report suspected breaches of this policy will be viewed as being non-compliant.

b. Who to report to

All reports should be made to the Operational Manager via info@orthoreach.org.au

All reports will be handled professionally, confidentially, and expediently and each report will be investigated on a case-by-case basis. Responses will reflect the nature of the allegation. Senior management will be informed of SEAH incidents in line with the organisation's risk management procedures.



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Governance

This policy is reviewed by the Board on an annual basis to ensure it continues to reflect legislative requirements and Orthopaedic Outreach internal operations.

Compliance and Performance Indicators

See OO-ST-02 Key Performance Indicators

Communication

The Policy is communicated on the organisational website.

Risk Management

See OO-RM-02 Risk Management and Assessment

Training

All staff and active members are required to be trained in this policy.

See OO-PO-21 Human Resources Policy