



## Prevention of Sexual Exploitation, Assault and Harassment Policy (PSEAH)

Previous version:	October 2019
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Next review:	December 2026

### 1. Preamble

#### 1.1 Statement of commitment

Catalpa recognises that exploitation, abuse and harassment can occur in any development or humanitarian setting, and within any employment scenario including our own organisation.

Based on the nature of Catalpa's work in human-centred design and technology, safeguarding and assuring the human rights of people, particularly vulnerable people, is fundamental.

As such, Catalpa is committed to prevention of sexual exploitation, abuse and harassment (PSEAH) and safeguarding of anyone conducting Catalpa's business including our own personnel, and any stakeholder and/or beneficiary vulnerable to SEAH regardless of the age, gender, sexuality, sexual orientation, disability, religion or ethnic origin should anyone face sexual violence or an abuse of power.

This commitment to prevention is in line with the Australian government's Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Act 2022 (Cth) which places a positive duty on employers to actively prevent sex harassment and discrimination of our own personnel rather than only responding when it occurs. This is a duty that Catalpa takes very seriously.

Catalpa recognises the unequal power dynamics both within the organisation and in relation to the beneficiaries of our programs, and the need to maintain the highest ethical and professional standards at all times.

#### 1.2 Policy review and ratification

This Policy has been reviewed and formally ratified by Catalpa's Senior Leadership team. It is subject to review every three years or more often as necessary.

### **1.3 Policy linkages**

This Policy is to be enacted alongside obligations confirmed in additional Catalpa policies including:

- Code of Conduct
- Child Safeguarding Policy and Child Safeguarding Code of Conduct
- Gender Equality Policy

This Policy should be read in tandem with the External Complaints and Feedback Policy (if the complainant is external to Catalpa), the Internal Complaints and Feedback Policy (if the complainant is Catalpa personnel) and/or the Whistleblower Policy (if the complaint relates to a 'disclosable matter').

This policy reflects our commitments to the communities we work in, the stakeholders we work alongside, the funders that support our work and the Australian Charities and Not-for-profits Commission (ACNC) External Conduct Standards we are bound by. This policy should be read in reference to the Australian government Fair Work Act (2009, updated 2023) which requires Catalpa to demonstrably take all reasonable steps to prevent sexual harassment of anyone involved in Catalpa business or undertaking, and the Privacy Act 1988 (Cth).

## **2. Purpose**

The purpose of this Policy is to articulate Catalpa's commitment to 'do no harm' in the communities we serve; to provide a safe and trusted workplace for our personnel and those who work alongside us; and ensure that anyone affected by sexual exploitation, abuse and/or harassment (SEAH) in the course of Catalpa's work or operations have the confidence to report incidents with the knowledge that such incidents will be investigated swiftly and sensitively applying a survivor-centred approach. This policy can support stakeholders both internally (staff and consultants) and externally (partners, community members) to know their rights and make a report / complaint if an issue related to Sexual Exploitation, Abuse and Harassment arises that arises as a result of or in connection to Catalpa's operations or Catalpa stakeholders (as defined below in 'scope').

## **3. Scope**

This Policy addresses any incidences of sexual exploitation, abuse and/or harassment experienced by Catalpa personnel in the course of their role with Catalpa, and also any incidences of sexual exploitation, abuse and/or harassment of any adult Stakeholder perpetrated by any of the following groups of people within Catalpa and/or downstream partners:

- All current and future staff, consultants and/or contractors and volunteers of Catalpa associated with or working with Catalpa in any capacity (herein referred to as "personnel")

- Board of Directors, visitors to Catalpa programs including media, donors or other supporters of Catalpa's programs and staff in partner agencies (therein referred to as "associates")
- All downstream partners including relevant agencies and/or sole traders, and suppliers of Catalpa under contract with and/or funded by Catalpa (herein referred to as "downstream partners"). As part of Catalpa's recognition and commitment to ensuring downstream partner due diligence and management of related risk, downstream partners who do not have their own Prevention of Sexual Exploitation, Abuse or Harassment Policy that is compliant with all relevant minimum standards will be contractually required to abide by this Policy.

Collectively with the communities including vulnerable adults in the localities where Catalpa works, the above groups are referred to as "Stakeholders" in this Policy.

This Policy applies to Stakeholders both inside and outside of work hours.

*Notes on limitation of Policy scope:*

- *Cases of abuse, exploitation and/or harassment in the community perpetrated by someone outside Catalpa or downstream partners do not fall under this Policy unless they were perpetrated against Catalpa personnel in the course of their role with Catalpa. In the event that a staff or associate of Catalpa, partners or contractors becomes aware of, witnesses or suspects a case of sexual exploitation, abuse or harassment that falls outside this Policy, he/she should still report it immediately to relevant authorities and/or to the Catalpa Safeguarding Focal Point for further follow up and action.*
- *Cases of abuse, exploitation and/or harassment against children is covered under the Catalpa Child Safeguarding Policy; and*

#### **4. Policy Principles**

The core principles that guide Catalpa's PSEAH are:

- Catalpa has a zero-tolerance policy towards sexual exploitation, abuse and/or harassment (SEAH) of any kind meaning that personnel of Catalpa and downstream partners are prohibited to perpetrate SEAH in any way<sup>1</sup>
- Violations of the standards of conduct of this Policy (see section 5 below) and / or Catalpa's Code of Conduct will result in disciplinary action for violating these standards of conduct
- All stakeholders covered by this Policy are expected to create, uphold and maintain an environment that prevents any violations of harm, including but not limited to sexual exploitation, abuse and harassment

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<sup>1</sup> Zero-tolerance does not indicate instant dismissal or that dismissal is the only applicable disciplinary step. Each allegation will be treated with due process and responded to in accordance with Catalpa's disciplinary procedures.

- Catalpa is committed to using timely, fair, proper and transparent procedures to investigate all incidents, including ensuring that those reporting allegations are protected.
- Catalpa will employ a survivor-centred approach to all investigations. This means providing appropriate support and referral and respecting the victim/survivor's views. Another framing of 'survivor centred' is 'person led' and Catalpa commits to following best practice guidance on how to be survivor centred and person - led<sup>2</sup>.

## 5. Standards of Conduct regarding PSEAH

The personnel, associates and downstream partners of Catalpa are required to comply with the standards of conduct summarised in this section and outlined in full in the Catalpa Code of Conduct available in the Employee Handbook:

- Personnel, associates and downstream partners are prohibited from engaging in any conduct which falls within the definition of sexual exploitation, abuse and harassment as defined in the Definitions in Annex One
- Interactions between all employees, downstream partners, consultants and beneficiaries at work must remain professional. Catalpa does not support 'fraternisation'<sup>3</sup> through sexual relationships between Catalpa employees, downstream partners and consultants and beneficiaries where the relationship leads to comments or actions being taken which may create a conflict of interest or an unpleasant sexualized environment, even where parties consent to the actions.
  - Prohibitions regarding fraternisation do not apply to national personnel living and working in the same communities as beneficiaries
  - Personnel, associates and downstream partners must disclose sexual, romantic or other close relationships with other employees, consultants, partners or downstream beneficiaries where they think there is a conflict of interest, or where there might be a perception of a conflict of interest.

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<sup>2</sup> Resources regarding survivor centred and/or people-led approaches can be found here [https://acfid.asn.au/sites/site.acfid/files/resource\\_document/Guidance%20for%20the%20development%20of%20a%20PSEAH%20Policy.pdf](https://acfid.asn.au/sites/site.acfid/files/resource_document/Guidance%20for%20the%20development%20of%20a%20PSEAH%20Policy.pdf) and <https://www.respectatwork.gov.au/organisation/response/support/person-centred-approaches-workplace-sexual-harassment>

<sup>3</sup> **Fraternisation** refers to 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. Where there are significant power imbalances at play (based on gender, age, ability, authority, social and economic inequality, etc) the potential for exploitative transactional sex and fraternisation is heightened. See Annex 1 for a full list of definitions.

- Transactional sexual relations<sup>4</sup> of any kind is not allowed. Any exchange of money, employment, goods or services in exchange for any type of sex is prohibited
- Any suspicions, allegations or disclosure of sexual exploitation, abuse or harassment in connection to Catalpa's operations or personnel should be reported immediately.

Failure to comply with these standards of conduct is grounds for disciplinary action as defined in Annex One.

## **6. Implementation and risk management approach**

Catalpa's directors, in collaboration with the Senior Management Team are responsible for implementing, communicating and monitoring the effectiveness of this policy through the risk management approach outlined below.

Catalpa will work at all levels of the organisation to mitigate the risk of any sexual exploitation or abuse, in two ways:

- Catalpa will employ standardised risk management strategies across all areas of operations, as outlined in section 6.1
- All programs, at all levels of the program cycle, will be expected to actively monitor the risks associated with sexual exploitation and abuse and ensure that at both an organisational and program level, risks are being mitigated and a culture of safeguarding is present. This is outlined in section 6.2

### **6.1 Standing risk management and mitigation**

Catalpa has a number of standing strategies to address risk regarding sexual exploitation, abuse and harassment outlined below:

#### **6.1.1 Risk identification and monitoring**

One of the standing risk management and mitigation measures that Catalpa employs is risk identification and monitoring throughout the program cycle, and at an organisational level.

Catalpa will identify risks, and document relevant strategies to manage or mitigate risk regarding SEAH, through risk management plans which are undertaken at program level and organisational level. These risk management plans will be informed by DFAT's PSEAH "Risk Guidance Note".

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<sup>4</sup> **Transactional sex** is the exchange of money, employment, goods or services for sex or sexual acts. Men and women can be sexually exploited through transactional sex even in places where sex work is legal. After a crisis, people may engage in transactional sex to generate income and meet basic survival needs. They may not identify with the term "sex worker". For a person purchasing sex in this setting, it is often impossible to distinguish between exploitative and non-exploitative transactional sex. See Annex 1 for a full list of definitions.

Wherever possible, program level risk management plans are to be considered as part of the program design phase and are to be completed with downstream partners and any other relevant stakeholders as soon as possible, ideally before any contracting with back donors and /or downstream partners.

Program level risk management plans will be updated regularly through the life of the program, on a quarterly basis or more frequently as dictated by a changing operating context or other factor.

Any high or extreme residual risks from program level risk management plans – whether related to SEAH or other risks – or those risks that pose an organisational or reputational risk to Catalpa are escalated to senior leadership and Catalpa Board where appropriate so that they have oversight over agreed treatment plans and current controls to manage and mitigate risks.

Where risks apply to downstream partners, Catalpa will support these partners to mitigate and/or manage these risks. Given the nature of Catalpa's work, Catalpa should always consider risks regarding online privacy of stakeholders and personnel involved in our work.

### **6.1.2 PSEAH in recruitment and human resource management**

Catalpa is committed to responsible recruitment and screening processes when engaging new personnel that verify the integrity of the applicant. Anyone who poses an unacceptable risk to other personnel or vulnerable members of the community will not be permitted to work with Catalpa. Responsible recruitment includes:

- Job ads will include a statement of Catalpa's commitment to prevention of sexual exploitation, abuse and harassment to deter any applications from candidates who do not share this commitment
- A requirement for an applicant to disclose at the time of applying for a role whether they have been charged with offences regarding abuse, exploitation or harassment, and their response
- Personnel contracts will explicitly reference PSEAH and disciplinary measures including containing clauses authorising dismissal, suspension or transfer to other duties for violation of Code of Conduct including regarding PSEAH. Criminal behaviour will be immediately reported to the proper authorities. Contracts will specifically state the personnel who pose an unacceptable risk are able to be removed (suspended, transferred or terminated) without a criminal conviction
- Documented Criminal history checks undertaken prior to engagement, including checks for any country in which an applicant has lived for 12 months or more in the last 5 years<sup>5</sup> and their country of citizenship, which are updated regularly. In limited circumstances it may prove impossible to obtain a reliable criminal record check. A statutory declaration, or local legal equivalent, outlining efforts made to obtain a foreign police check, and disclosing any charges and spent convictions related to violence or abuse of a sexual nature may be accepted instead. Criminal

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<sup>5</sup> Or seven years in the case of World Bank-funded projects

history checks should be updated every 24 months or more recently if circumstances change.

- Every new job description will be assessed for “level of contact” with vulnerable adults, and additional safeguards will be put in place for roles that are assessed as ‘contact with’ and ‘working with’ such as:
  - o behavioural-based interview questions (see Hiring Guidelines in employee Handbook for examples)
  - o A minimum of two documented verbal referee checks for each applicant including a recent former line manager, asking about any safeguarding concerns regarding vulnerable adults and their former colleagues.

In the event of a ‘change in circumstance’ (i.e. a change in country where the personnel is working, in the event of involvement in criminal activity or if disciplinary procedures and/or criminal or civil court proceedings are underway) then checks may also be re-done or additional checks required.

Supervision and performance appraisals will include adherence to the PSEAH policy.

### **6.1.3 Training and awareness raising**

Catalpa personnel will undergo mandatory Safeguarding Training as part of their orientation process and also receive refresher training every three years at a minimum. This training is aimed to build a workplace culture of respect and accountability to prevent SEAH from occurring and to encourage reporting in the event that it does occur.

Awareness of the PSEAH Policy will be part of onboarding any new personnel and associates as they will be required to read this Policy and confirm they have understood and agree to it including the Standards of Conduct in section 5. Further, all personnel and associates sign the Catalpa Code of Conduct and are expected to uphold all the behaviour expected of Catalpa employees and consultants.

All Catalpa stakeholders will be made aware of the disciplinary steps available in the event of non-compliance with the Policy as outlined in Annex One.

### **6.1.4 Ensure respectful and non-exploitative communications**

Catalpa’s marketing and communications materials will at all times portray beneficiaries and local communities in a respectful, appropriate and dignified manner that is not exploitative. This includes within any business development communications or reports as well as any public facing materials on websites and social media.

When appropriate, Catalpa will change names and/or details to protect beneficiaries whose stories are used in case studies.

There is detailed information about how to seek informed consent in the ‘[Procedures for collection, storage and use of stories, photos and video](#)’ and it is important that all Catalpa personnel are familiar with these.

### **6.1.5 Ensure compliance of downstream partners**

Due diligence of downstream partners will be undertaken when developing any partnership or sub-contracting arrangement to establish the degree to which the partner organisation complies with minimum standards regarding PSEAH.

In the event the potential downstream partner is not yet compliant with Catalpa's policy and/or relevant back donor minimum standards:

- the staff of downstream partners working on Catalpa programming would be required to agree to abide by Catalpa's PSEAH Policy and Code of Conduct unless their organisation has their own policy compliant with Catalpa's Policy, including all clauses regarding recruitment and training for the downstream partner personnel as well as reporting mechanisms
- Catalpa will ensure that downstream partners have provided PSEAH training to all relevant personnel and in the event that a downstream partner needs support in this regard, Catalpa will provide training to relevant downstream partner personnel and will support the downstream partner to become compliant<sup>6</sup>.

#### **6.1.6 Ensuring that program design and implementation considers PSEAH and power imbalances more broadly**

As above, risk assessments will be undertaken for all programs and projects to identify and address the risk of PSEAH.

Programs and projects should be designed carefully to avoid perpetuating power imbalances between project staff and project participants. Where appropriate, project design should avoid the transfer of financial, material or occupational benefits or other situations that may put project staff in a position of power, whether perceived or actual. No individual staff member should be in a position to determine who should benefit from the project. Where transfer of benefits is unavoidable and opportunities to participate in the project are limited, a clear and transparent selection criteria must be established and communicated.

#### **6.2 Additional measures identified on a program-by-program basis as needed**

In addition to the standing risk mitigation and management measures described under section 6.1, there may be occasions where the risk identification process outlined in section 6.1.1 identifies additional risks specific to SEAH in a particular activity and/or downstream partner(s) involved in a program of work.

The risk identification process at programmatic activity level should consider each program's compliance with regulations relating to tax, migration, and labour hire and ethical treatment of staff, including domestic staff and staff of service providers and digital security to ensure privacy of personnel and vulnerable adults.

In these cases, the risk assessment will include these risks and document the steps to be taken to reduce or remove risks including, where necessary, support to downstream partners to ensure they are compliant with minimum standards. Risk assessments may identify higher risks within some downstream partners and/or operating contexts than others, which will require additional risk management and mitigation strategies. Examples are provided at Annex Two of this Policy.

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<sup>6</sup> It is a requirement of New Zealand Ministry of Foreign Affairs' PSEAH Policy Minimum standard #5 that Catalpa must be able to demonstrate ongoing PSEAH training for personnel including downstream partners that deliver the New Zealand aid program.



## **7. Reporting to Catalpa**

### **7.1 What needs to be reported**

It is mandatory as part of this Policy to report any non-compliance or breach of the PSEAH Policy and/or the Catalpa Code of Conduct immediately (within 24 hours). This includes any suspicion or concern of SEAH, or any disclosure received by a victim / survivor.

Failure to report a concern; or a disclosure or allegation made by any person including but not limited to a survivor / victim, of SEAH is a breach of this Policy. .

Community members or external stakeholders are also encouraged to report any suspicions or concerns.

### **7.2 How to report to Catalpa**

Concerns or reports can be provided via email to [safeguarding@catalpa.io](mailto:safeguarding@catalpa.io) or by phoning Catalpa's Safeguarding Focal Point Brian Francisco on WhatsApp +17547027426

Reports can be made to Catalpa via Stopleveline, an independent third party platform which allows anonymous reporting and provides support to people trying to report including translation / interpretation services if needed. You can reach Stopleveline on:

Telephone: 1300 30 45 50 (Australia Only)

Email: [makeareport@stopline.com.au](mailto:makeareport@stopline.com.au)

On-line: <https://catalpa.stoplinereport.com>

Mail: Catalpa International, c/o Stopleveline, PO Box 403, Diamond Creek, VIC 3089

Anyone can also report a concern or a SEAH incident under Catalpa's Whistleblowing Policy, also available on our website.

### **7.3 Confidentiality of reports and investigations**

Information regarding a report of SEAH and a subsequent investigation will be treated confidentially to safeguard the survivor / victim and any complainant who raised the allegation, and also to provide due process for the alleged perpetrator. Catalpa will do this by providing information about the issue only on a 'needs to know' basis within the investigation team, redacting identifying details where possible, using qualified investigators who are aware of their obligations to keep confidentiality and storing information correctly so that it can not be seen or accessed by a wider group of staff or stakeholders.

If the disclosure was made under the Catalpa Whistleblowing Policy, all requirements of that Policy will be followed including ensuring no disclosure of the identity of the Whistleblower.

## **8. Investigations**

### **8.1 Determining whether or not an investigation is warranted**

The Chief Operating Officer / Safeguarding Focal Point (or their qualified delegate) should use the information collected above (see section 8.2) in regard to the nature and scale of the complaint, risks to persons involved and any alleged criminality to make a recommendation as to whether an investigation is required or not.

In the event that the CoO / Safeguarding Focal Point or their qualified delegate determines that an investigation is required, the Committee should convene / meet to decide on the same day whether an internal or external investigation is needed - see section 8.3.2 - and who on the Committee should be responsible for the investigation process - see section 8.3.3.

### **8.2 Determining whether a complaint warrants an Internal and external investigations**

In the event that the CoO / Safeguarding Focal Point or their qualified delegate determines that an investigation is required, the Committee should convene / meet to decide the same day whether an internal or external investigation is needed - see section 7.3.2

A threshold criteria for determining how to proceed is below:

(i) Type of complaints that should be referred to external investigation by qualified investigators with experience in sensitive investigations:

- Any allegation of gross misconduct including as it relates to financial management / fraud, terrorism, child safeguarding and/or prevention of sexual exploitation and harassment, conflict of interest, or other gross violation of Catalpa's Code of Conduct. Examples of this would include any incident where a child or adult has been exploited or abused or where there is a pattern of ongoing bullying or discrimination alleged. It should also include any complaint which alleges wrong doing by a member of the Confidential Reporting and Complaints Committee, as the Committee should not investigate internally allegations related to another member of the Committee.

(ii) Type of complaints that can initially be investigated internally by Catalpa's Confidential Reporting and Investigations Committee who have received training in sensitive investigations, and later referred for external investigation if gross misconduct is unearthed during the course of the initial internal investigation:

- Allegations of violations of Catalpa's policies that are likely to be accidental, non-malicious and do not comprise gross misconduct. Examples of this could include a staff member who sought to follow Catalpa's Child Safeguarding Policy but is alleged to have used the wrong process and/or wrong template to obtain informed consent for photographs; or where a staff member makes a 'joke' which is insensitive / inappropriate / sexist / racist.

(iii) Type of complaints that do not need to be investigated but should nevertheless be logged in the Complaints log to enable tracking of trends and follow up at a later date if necessary:

- Sexual harassment allegations where the adult survivor / victim has made an informed decision to pursue a different resolution pathway<sup>7</sup> such as early intervention and/or informal pathways.
- Nuisance complaints or ineligible complaints i.e. where the allegation relates to a project or piece of work that was conducted by another organisation Catalpa has no dealings with.

### **8.3 Conducting Internal and external investigations**

In the same meeting to determine whether or not an internal or external investigation is needed (as above, section 8.3.2) the Committee should determine (i) who on the Committee will be part of that investigation (if internal); or (ii) who on the Committee will oversee / contract an investigator and supervise the investigation (if external) and to view the guidance below regarding investigations. In all cases there should be one 'Investigation Officer' to act as the focal point for each investigation nominated from the Committee<sup>8</sup> who will be responsible for ensuring communication with the rest of the Committee, organising Committee meetings to progress the investigation, liaison with an external investigator (if needed), liaison with the complainant and the victim / survivor if different to the complainant, keeping the Complaints Log (in the Stopline database) up to date, and ensuring that all delegated members of the Committee (i.e. those who will be involved in this investigation) have access to the information about this investigation in the Stopline complaints log / database.

The Confidential Reporting and Investigations Committee will be guided by the following:

- If required, Catalpa can suspend or transfer the alleged perpetrator (if known and if serious misconduct alleged i.e. safeguarding issues) during the investigation, and identify what disciplinary steps would be relevant in the event that the investigation indicates misconduct (this step may also be taken at the pre-investigation stage if appropriate)
- Where an investigation is warranted, Catalpa will follow the guiding principles below:

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<sup>7</sup> More information on these pathways for sexual harassment is available here <https://www.respectatwork.gov.au/organisation/response/reporting/resolution-pathways> . Further, see section 7.1.3 of the Prevention of Sexual Exploitation, Abuse and Harassment Policy for more information

<sup>8</sup> The Investigation Officer focal point for each investigation would likely change for each investigation depending on a) the type of complaint being responded to and other details i.e. for Timor based investigations it may be most sensible to have one of the Confidential Reporting and Complaints Committee members in Timor as the designated 'investigation officer' focal point. If the complaint relates to financial issues it may be most sensible for a member of the Committee in the Operations team to take on this role as the focal point etc. b) workloads of the Committee members. In all cases, the Investigation Officer must be a member of the Confidential Reporting and Investigations Committee, and as such be either a 'Whistleblower Protection Officer' or a 'Whistleblower Investigation Officer' according to the Catalpa Whistleblowing Policy.

- investigations should be undertaken only by experienced and qualified professionals who are trained in sensitive investigations and on a victim / survivor – centred approach. All core members of the Confidential Reporting and Investigations Committee need to have received training from Stoline in investigations. Depending on the nature of the complaint (see section 8.3.2 above), it may be necessary to outsource the investigation to an external service provider such as Safeguarding Services experienced in PSEAH investigations.
- Catalpa is committed to ensuring that the safety and wellbeing of any victim / survivor and their dignity and rights remain the overriding concern at all times
- Catalpa will deal with all reports in a timely manner.
- While noting that any investigation needs to be conducted thoroughly, in such a way as to best address risk, all efforts should be made to complete investigations within 60 days (it may be a requirement to submit a final report to the donor DFAT within 60 days in safeguarding cases).
- Ensure that the interests of anyone reporting in good faith are protected
- Where a report is made in good faith and on reasonable grounds Catalpa will act in the best interest of the person who made the report to protect them from any victimisation, adverse reaction or intimidation and ensure they will not be disadvantaged in their employment with Catalpa.
- A member of staff, volunteer or member who intentionally makes a false or malicious report may be subject to disciplinary action. A contractor who intentionally makes a false or malicious report may be subject to termination of contract.
- Where safe to do so, and when in accordance with the wishes of any victims / survivors and/or whistleblowers, all alleged incidents that involve a criminal aspect should be reported through the correct local law enforcement channels. To protect the privacy of alleged perpetrators, victims/survivors, and whistleblowers, information provided to Catalpa will be handled in accordance with the Privacy Act 1988 (Cth).
- If Catalpa is requested not to take any further action by the person making the allegation, for instance out of fear for the security of the victim / survivor, the Catalpa COO must liaise with the victim / survivor to establish and document their wishes on the matter.

If the allegation is reportable to a donor such as DFAT or MFAT or other under their Safeguarding policies, Catalpa's Safeguarding Focal Point must still notify DFAT and/or MFAT but should acknowledge the security concern in the report.

- During an investigation, the Stoline Complaints Log should be kept up to date by this investigation's focal point for the investigation including the eventual outcome of the investigation (see section 7.3.4 below) and the focal point should

ensure that . All sensitive data / information should be stored in the Stopline system.

#### **8.4 Outcome of investigations**

Once the internal or external investigation is complete, the outcome of the investigation should be detailed in a written report (by the Catalpa investigation officer for internal investigations, or by the external service provider/investigation officer for external investigations) that is shared with the members of the Confidential Reporting and Investigation Committee who were part of this investigation.

The relevant members of the Confidential Reporting and Investigation Committee (i.e. those who were part of this investigation) should convene and decide together the outcome of the investigation. When the Committee cannot decide by consensus, the decision making ultimately lies with the Director(s) on the Committee.

Where the complaint relates to serious misconduct, Catalpa will offer assistance to the complainant/victim/survivor with their consent. This may include counselling, medical, social, or legal assistance, or referral to such services.

Catalpa will take appropriate disciplinary action against any employees, interns, volunteers, board members, individual contractors, and grantees/partners who have breached this policy. Disciplinary action is defined in full at Annex One and there is more information in the “classification of disciplinary action” guide in the employee Handbook for more information.

In cases of sexual harassment, Catalpa will be guided by the Respect at Work guidance regarding outcomes and consequences here <https://www.respectatwork.gov.au/organisation/response/reporting/outcomes-and-consequences>

Even in cases of anonymous complaints or where an investigation has not proceeded, Catalpa commitments to ensuring steps are taken to promote learning and improvement which could include:

- Undertaking a general campaign about appropriate workplace behaviours, with a focus on PSEAH
- Providing a reminder to all staff of Catalpa’s PSEAH Policy, reporting and resolution procedure and supports as well as encouraging workers to raise a concern
- Implementing new procedures or systems of work that reduce the possibility or opportunity for further misconduct to occur
- Further, if there was insufficient information for an investigation to proceed but a perpetrator(s) or department misconduct was identified in the allegation, Catalpa will consider:

- Initiation of a 360 review, health check or similar in an area where anonymous reports suggest there may be issues however no formal complaints have been received
- Where there are several similar complaints from the same department or area, extra targeted training may be utilised
- In the case of receiving numerous anonymous reports against the same person, Catalpa could instigate an independent investigation observing all necessary standards and procedural fairness
- To obtain further information, speaking with other members of the alleged respondent's team to identify whether there is a cultural issue or pattern of conduct, or the roll out of broader pulse surveys could be used to further test concerns. A pulse survey is usually a simple short survey to gauge worker insights on a particular issue
- Monitoring the alleged respondent's behaviour and intervening if new issues arise, including possible victimisation.

## **9. Communicating the policy**

This PSEAH Policy will be published on Catalpa's website.

All Catalpa personnel, associates and downstream partners will receive orientation on PSEAH Policy, and training will be provided for new staff and on a refresher basis.

Where possible, communications material regarding complaints handling and processes will be developed and translated into the local languages of the communities in which we work.

## **10. Policy Monitoring and Review**

Monitoring application of the policy is the responsibility of all staff, particularly the Chief Operating Officer / Safeguarding Focal Point. In order to ensure compliance with this Policy, Catalpa will undertake spot checks annually of policy compliance within its operations.

## **Annex One: Definitions**

### **Disciplinary action:**

Action against personnel and associates may include:

- Performance management;
- Further training on this policy;
- Formal warning and monitoring;
- Transfer to other duties;
- Report to law enforcement;
- Suspension or dismissal.

Action against individual contractors may include termination of the contract.

Action against grantees/partners may include:

- Requirement to strengthen prevention of sexual exploitation, abuse and harassment in their organisation, including training, audits and spot checks
- Report to law enforcement
- Suspension, amendment or termination in whole or in part of the grant agreement.

There is more information in the “classification of disciplinary action” guide in the employee Handbook for more information.

### **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. It could include 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.

### **Online adult abuse**

Online abuse is behaviour that uses technology to threaten, intimidate, bully, harass or humiliate someone. It can take place via online platforms (social media, online chat and messaging services), telephone (calls and text messages), email or other technology used in workplaces. Examples include cyberstalking (tracking and monitoring of someone’s movements and activities online) and/or invasion of privacy by gaining access to devices like phones / laptops or to electronic communications without consent.

### **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 is considered to be sexual abuse.

**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 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 screensavers 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.

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

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

**Victim / Survivor:** A person who is, or has been, sexually exploited, harassed or abused.

**Vulnerable adults:** This is an umbrella term, recognising that all people can be vulnerable if the circumstances make them so, and that being vulnerable at one stage of someone's life does not render them perpetually vulnerable. It is a term intended to convey that an adult might be experiencing circumstances that make them vulnerable at that point in time, for example due to poverty or living in an area with low levels of rule of law or high degrees of isolation. Catalpa personnel can also be considered vulnerable adults in particular circumstances, for example if they are in a situation of unsafety or a power imbalance.



**Annex Two: Examples of additional PSEAH risks that may be identified through the course of risk assessments for specific program activities and/or downstream partners, and examples of risk mitigation or management strategies to address these**

The examples below are illustrative only. In a full risk assessment, the likelihood and consequence of different risks should also be considered.

<b>Example risk</b>		<b>Example mitigation or management strategy</b>	
<b>Risk description</b>	<b>Consequence</b>	<b>Current control</b>	<b>Future treatment plan</b>
Recipients of Catalpa's services are not in areas where there is availability or mechanisms for reporting PSEA incidents	Harm to vulnerable adults due to lack of reporting of previous PSEAH	Catalpa will work with communities to ensure there are multiple modalities for providing feedback and complaints	
The specific needs of men, women, boys and girls are not identified in preliminary research because there was not a gender balance in the staff doing the research	Program outcomes cannot be met  Harm to beneficiaries from excluded gender groups  Reputational risk to Catalpa	Catalpa will work to ensure a gender balance to include more female staff for those conducting human-centred design	Gender training
Data of vulnerable adults is hacked and shared publicly	Harm to vulnerable adults	Digital security protocols are followed	