

# BRIDGIT WATER FOUNDATION

## SEXUAL EXPLOITATION, ABUSE & HARASSMENT POLICY

### INTRODUCTION

BridgIT Water Foundation is a non-profit organisation providing clean, safe water to people in rural villages of developing nations around the world. BridgIT Water Foundation is meeting the daily health and humanitarian needs of these people, and thereby helping to reduce poverty and disease. The aid and assistance are given without regard to the race, creed, gender, religion, or ethnicity of the beneficiaries. As a core value, BridgIT demands that its employees, volunteers, stakeholders, and contractors behave in a manner that upholds human dignity and basic human rights of everyone they encounter in their work.

BridgIT considers sexual exploitation, sexual abuse, and sexual harassment (SEAH) to be a violation of basic human rights. This policy statement expresses BridgIT's commitment to uphold the highest standards of behaviour on the part of its people not to sexually exploit, abuse or harass anybody whether in Australia or in country. Furthermore, BridgIT safeguards itself and its people and manages risk associated with this type of behaviour by implementing a whistleblower procedure whereby alleged incidents can be reported without fear of reprisal.

For the avoidance of doubt:

**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.

In this policy, sexual harassment is understood as behaviour that is unwanted in the eyes of the persons directly or indirectly affected. This includes, but is not limited to:

- Physical approaches or physical contact of a sexual nature, or sexual assault
- Gestures and other nonverbal communication with sexual undertones
- Comments of a sexual nature about individuals and/or their body, conduct, sex life or sexual identity

- Sexually discriminatory language and humiliating remarks, including sexually explicit jokes
- Requests to perform sexual activities
- Showing or displaying pornographic or sexist images
- Repetitive questions or prying into an individual's relationship status or details of their relationship
- Invitations to inappropriate locations outside the workplace for work-related meetings
- Offers to, or the sending of gifts that are unwelcome, out of context or embarrassing to an individual
- Suggestive logistics or questions around work trips, including offers to share hotel rooms and unwelcome social invitations
- Sexually motivated stalking

## **PURPOSE**

The purpose of this policy is to ensure that every person that BridgIT Water Foundation staff and volunteers, its partners, and other associates including contractors and suppliers, may interact with during the course of its work is treated with the upmost dignity and respect and their basic human rights are upheld. BridgIT has zero-tolerance for sexually exploitative, sexually abusive, or sexual harrassing behaviour of any of its representatives. That is why it takes care to train its people such that they fully understand this policy, and after the training requires them to sign a safeguarding statement.

If properly implemented, this policy will also protect BridgIT Water Foundation's staff, volunteers, partners, contractors, and associates from any suspicion of wrongdoing and will thus enable BWF to carry out its mission without unnecessary hindrances.

## **POLICY**

It is BridgIT Water Foundation's policy to address Sexual Exploitation, Abuse, and Harassment and reduce violence against women and children. Therefore it has adopted the following principles that are central to its (and DFAT's) view of this issue.

- It is BWF's policy to educate its employees, volunteers, partners, and associates about the need to prevent SEAH. This includes attention to inequalities that might lead to SEAH, including gender, power, financial, ethnic, age, sexual orientation, and more. Prior to hiring new employees, BWF conducts at least three referee checks from previous employers or respected community members with questions regarding concerns of sexual misconduct. BridgIT provides training to all employees, volunteers, and associates to raise awareness and understanding of SEAH. At the conclusion of the training, trainees will read, understand, and sign a SEAH Code of Conduct before they are eligible to work for or with BridgIT Water Foundation. Employment contracts contain provisions for disciplinary action including termination of employment/assignment following breach of this policy.
- Zero tolerance of inaction. BridgIT has put in place a mechanism to safeguard victims of SEAH. Confidential reports can be lodged with BWF's Founding Director, and each incident will be managed in a fair and reasonable manner, as described in the Procedures. Although SEAH has never been an issue for BWF, it will analyse incident reports to determine if SEAH ever becomes an issue for the organisation.

- Strong Leadership to accelerate cultural change. BridgIT’s leadership will make clear to employees, volunteers, partners, contractors, and other stakeholders that BWF has clear expectations for its people, both in Australia and in country. The mechanism to accept and adjudicate claims of SEAH is designed to make whistleblowers and victims/survivors feel safe to report incidents because they know that the allegations will be treated fairly. Diversity and inclusion is very important to BridgIT, as spelled out in a range of its policies. The company was founded and is led by a woman, and about half the Board is made up by women. While the beneficiaries in country are basically equally split between men and women, it is the women that benefit most from the water wells because women and children are generally the ones who fetch water for family use. The Diversity Council of Australia states that more diverse organisations have lower levels of SEAH, and that is true with BridgIT because it has never experienced this problem. However, BridgIT will continue to stress diversity and inclusion in all aspects of its business, which may help to avoid problems associated with SEAH.
- Victim/survivor needs are prioritised. BridgIT’s approach to allegations of SEAH prioritises the rights of the victim/survivor by treating them with dignity and respect, involving them in decision making with respect to an investigation, and providing the victim/survivor with comprehensive information about the case. In addition, BWF strives to protect the victim/survivor’s privacy by holding in confidence information about the case. As is clear from other policies, BridgIT does not discriminate against persons in any way, including age, gender, gender identity, race or ethnic identity, ability, or sexual orientation. BWF considers the emotional and physical health needs of SEAH victims/survivors by guiding them to counselling and health services, and other professional and financial services, if needed.
- BWF is aware of the importance of reporting incidents of SEAH to government entities, such as DFAT, that take great care to enhance compliance, accountability, and transparency with respect to SEAH. It is BWF’s policy to report any instances of SEAH that it encounters to such agencies. This includes mandatory and immediate reporting of SEAH associated with DFAT funding, and mandatory reporting to DFAT of any alleged non-compliance with SEAH policy. BWF fully complies with DFAT and ACFID policies with respect to SEAH.
- The Sexual Exploitation, Abuse, and Harassment Policy will be reviewed every 4 years to ensure its relevance.

## **RISK ASSESSMENT**

BWF recognises that there a number of potential risks of SEAH in the delivery of its programs. In recognising these risks, BWF proactively assesses and manages risks to potential victims in order to reduce the risk of harm. This is achieved by examining each activity and program and its potential to cause SEAH. Activities and programs that involve direct work with children are considered a higher risk, and therefore require more stringent child safeguarding procedures, and this is covered in BridgIT’s Child Protection Policy and BridgIT’s Child Safeguarding Code of Conduct. This discussion concerns risks to adults.

BridgIT is a boutique Non-Governmental Organisation, with a relatively small number of people working in Australia. This limits the risk of domestic SEAH. BridgIT's work overseas is typically done in partnership with in-country NGOs, and these entities typically contract with construction companies to build the safe, clean water systems. Risk Management is a central tenet of BridgIT's work, BridgIT has conducted a risk assessment for both its domestic and international work, and it has rated risk associated with SEAH, and has determined that the risk of SEAH is low in both instances. Given this assessment, BridgIT has adopted minimum standards to prevent SEAH under its purview. For example, this policy states the position of the organisation on this issue, and also describes the code of conduct required to be clearly understood and signed by employees, volunteers, partners, contractors, and other stakeholders. In addition, the policy and code of conduct explain the reporting and investigative procedures BridgIT has established to prevent SEAH under its watch. For example, staff and associates are trained in SEAH safeguarding and protection, and risk assessment. They are expected to be continually aware of potential risks of SEAH as well as to be actively minimising opportunities and situations where SEAH can occur. SEAH is included in BWF's organisational risk register which is monitored by its Senior Management Team and Board. All volunteers, partners and contractors and their employees and associates, will receive training to fully understand and must agree to adhere to BWF's SEAH Policy and practices when they commence working with BWF.

## **EXPECTED CONDUCT**

BridgIT Water Foundation expects the highest level of conduct by staff, volunteers, partners, and other associates with respect to the prevention of sexual exploitation, abuse, and harassment. Therefore these people commit to the follow set of expectations in both their professional and personal lives:

- Maintain a duty to act at all times in a manner which upholds the values and reputation of BWF
- Undertake to create and maintain a safe and trusted environment that promotes the implementation of this Policy and safeguards everyone from SEAH
- Comply with all relevant Australian and local laws of the country to which he or she is placed, or in which he or she is travelling
- Be aware that sexual behaviour is an area of particular sensitivity, where conduct may more easily be seen as offensive or be misinterpreted
- Ensure personal conduct towards a co-worker is not exploitative or such that it reasonably leads to a perception of exploitation
- Read and agree to abide by the expected behaviours outlined in the relevant code of conduct
- Immediately report to BWF any concern, suspicion or allegation of SEAH or breach of the BWF Sexual Exploitation Abuse and Harassment Policy.

BWF workers must adhere to the following expected behaviours:

- BWF workers must not engage in sexual relationships with program participants, approved adult dependents, or BWF program beneficiaries as these relationships are based on inherently unequal power dynamics and there is the potential for abuse of power. Such relationships undermine the credibility and integrity of BWF and its programs
- Workers must immediately inform their direct manager if they become engaged in a personal relationship which may be perceived as inappropriate or exploitative, or where real or perceived unequal power dynamics exist. Workers who are unsure if their relationships falls into this category should discuss the situation with their line manager and/or a member of the Human Resources team.

Program participants and accompanying adult dependents must adhere to the following expected behaviours:

- Program participants/adult dependents should exercise caution when engaging in sexual relationships with BWF program beneficiaries or other adult community members as these relationships may be based on inherently unequal power dynamics and there is the potential for abuse of power. As such, program participants should be mindful of the unique challenges and perceptions associated with such relationships and are encouraged to seek counsel from the BWF Founding Director before entering into a relationship of this nature
- Program participants must immediately inform the Founding Director if they become engaged in a personal relationship which may be perceived as inappropriate or exploitative, or where real or perceived unequal power dynamics exist. Participants and dependents who are unsure if their relationship falls into this category should discuss the situation with the Founding Director

It is strictly prohibited for BWF workers, program participants and approved adult dependents to:

- Sexually exploit or abuse or sexually harass a child or adult
- Use their position of trust and authority to request any service or sexual favour from beneficiaries of BWF programs, adults, children or others in the communities in which BWF works, in return for protection or assistance, or coerce a person to engage in sexual intercourse or any sexual activity
- Exchange or withhold from beneficiaries of BWF programs - adults, children or others in the communities in which BWF works - money, food, employment, goods, assistance or services for sex or sexual favours or other forms of humiliating, degrading or exploitative behavior
- Have sex with sex workers when working or volunteering overseas, even when it is legal in the country
- Use BWF or partner organisation facilities, personnel or resources for the purpose of arranging or facilitating access to sex workers by any person, including visitors to BWF offices or programs
- Engage in sexual activity with a child under any circumstance. Even in a country where the age of majority or the age of consent is lower than 18 years, BWF workers, program participants and approved adult dependents are forbidden to have sexual activity with anyone under the age of 18 years. A mistaken belief that the child is over 18 is no defense
- Use computers, mobile phones, video cameras, cameras or other technology inappropriately, or to exploit or harass children, or access or disseminate child exploitative material through any medium, including social media
- Procure sex for others, or use a third party to do so

## **BREACH OF POLICY**

Sexual exploitation and abuse by BWF workers, program participants and approved adult dependents constitute acts of gross misconduct and are therefore grounds for termination of employment or volunteer assignment.

Disciplinary actions/possible outcomes for breach of the BWF Sexual Exploitation Abuse and Harassment Policy:

- Referral to local law enforcement authorities (as per national and any mandatory reporting laws), where appropriate
- Referral to Australian Federal Police, where appropriate
- BWF internal investigation
- Suspension pending investigation
- Performance management
- Formal warning and monitoring
- Termination of employment for workers or assignment for program participants

## **RECRUITMENT AND TRAINING**

- BridgIT Water Foundation is committed to recruitment of all employees, Board members, and volunteers, irrespective of their role within the organisation that considers awareness of and prevention of hiring people with a history of SEAH. This includes obtaining the following documentation prior to employment:
  - criminal records checks (such as a police check) or statutory declarations of local legal equivalent before staff appointments are made
  - Verbal referee checks
  - Behavioural-based interview questions
- BWF's SEAH Policy and practices will be covered in the induction orientation training for all new staff and new Board members. All current employees and Board members will be required to review this training annually to remind them of their responsibilities under this policy, and again specifically each time they travel overseas to developing nations in the discharge of their duties.

## **REPORTING/ RESPONSES TO ALLEGATIONS**

- BridgIT Water Foundation considers SEAH to be completely unacceptable. BWF will take all concerns and reports of SEAH seriously and act on these reports immediately.
- It is mandatory for all BridgIT Water Foundation staff and others to report all allegations of SEAH. If BWF staff and/or others do have a concern they should immediately follow BridgIT Water Foundations's SEAH reporting procedures.

## **SEXUAL EXPLOITATION, ABUSE, & HARASSMENT PROCEDURES**

### **RESPONSIBILITIES**

This policy applies to all directors, staff, volunteers, guests and contractors in the carrying out of BWF's daily activities.

BWF's project partners will also be required to adhere to these policies and procedures in the carrying out of BridgIT Water Foundation projects.

When taking volunteers, guests or contractors on trips to observe or participate in BWF's work in developing nations, BWF will ensure that all parties have been trained under the BWF SEAH Policy.

## PROCEDURES

BridgIT has a zero-tolerance of no-action policy, so it is mandatory for all BridgIT Water Foundation staff and others to report any allegations of SEAH. These concerns may relate to a staff member involved in the organisation, or a concern about persons outside of the organisation's programs. If these people do have a concern, they should immediately follow BridgIT Water Foundation's SEAH reporting procedures.

What should be reported?

- Any suspicion, concern, disclosure, or allegation of SEAH from staff, volunteers, partners, contractors, beneficiaries, or other stakeholders, or breach of this policy.
- Any observation or concerning behaviour exhibited by a BridgIT Water Foundation staff, volunteer or other relevant stakeholder that breaches the BridgIT Water Foundation Code of Conduct with respect to SEAH.
- Staff engaging in suspicious behaviour that could be associated with sexual trafficking.

## WHO TO REPORT TO?

Overseas:

SEAH Reports should be made to BridgIT's Founding Director, who acts in the role of the SEAH Incident Contact Point #1:

Wendy Tisdell, PH: +61 402 638 665, [info@bridgitwater.org](mailto:info@bridgitwater.org)

In Australia:

Reports can also be made to the Contact Point #1, the Founding Director, at the contact information above.

SEAH reports can also be made to the Contact Point #2, the Organisation Chairman:

Graham Howlett, PH: +61 404 716 089, [graham\\_howlett@bigpond.com](mailto:graham_howlett@bigpond.com)

## REPORTING IN GOOD FAITH

Any person reporting a case of SEAH, in good faith, or any person who has cooperated with an investigation into a report of SEAH, will be protected by this Policy. Malicious reporting of SEAH with the intention of harming another person's integrity or reputation amounts to misconduct and is subject to disciplinary action. This is distinct from reports made in good faith based on the judgment and information available at the time of the report, which may not be confirmed by an investigation.

## INVESTIGATIONS

Investigations of SEAH will be carried out in a manner that is timely, fair, objective and as far as is practicable, confidential. This includes the use of appropriate interviewing practice with complainants and witnesses. All information and documented evidence will be held securely and in the strictest confidence as far as is appropriate. The name of the complainant will not be revealed to the person(s) potentially implicated in the allegation or to any other person unless the individual personally authorises the disclosure of their identity. This may become a requirement in subsequent investigative processes. Sensitive information related to reports of SEAH whether involving BWF workers, program participants, accompanying adult dependents or others in the communities in which BWF works shall be shared only with Australian or local law enforcement authorities, when a notification to police or appropriate authorities must be made on a 'need to know' basis.

## WHEN TO REPORT?

- SEAH concerns should be raised immediately with BridgIT's Founding Director, or with local law enforcement, if applicable.

## HOW SHOULD IT BE REPORTED?

- Verbally and in writing via email or letter.

## WHAT WILL HAPPEN NEXT?

- The Australian based Founding Director will discuss the allegations and then decide upon the next step. This will involve either:
  - Interviewing the person/persons who made the allegations or other witnesses to gather more information with which to make a decision;
  - Reporting to local police and/or other protection authority;
  - Report made to the Australian Federal Police;
  - Concern handled internally if it is not a criminal matter; or
  - No further action taken.
- BridgIT Water Foundation will treat all concerns raised seriously and ensure that all parties will be treated fairly and truthfully, and the principles of natural justice will be a prime consideration. All reports will be handled professionally, confidentially and expediently.



- All reports made in good faith will be viewed as being made in the best interests of the victim/survivor, regardless of the outcomes of any investigation. BridgIT Water Foundation will ensure that the interests of all parties involved in good faith in the complaint or concern are protected.
- Any employee who intentionally makes false and malicious allegations will face disciplinary action.
- The rights and welfare of the victim/survivor is of prime importance. Every effort must be made to protect the rights and safety of the victim/survivor throughout the investigation.

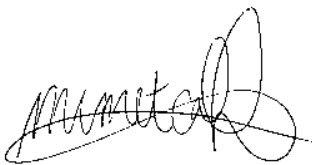
## **OTHER ACTIONS TO TAKE**

- Confidentiality: All reports, the names of people involved and the details will remain confidential. Only the Country Director, Australian-based Founding Director, Regional Director and the people involved will be informed of the report. Details will be released on a 'need to know' basis or when required by relevant local or Australian law, or a notification to police or other protection authorities is made.

## **RELATED DOCUMENTS**

- SEAH Code of Conduct

## **AUTHORISATION**



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Signature of Board Secretary

**BridgIT Water Foundation**

30<sup>th</sup> December 2019

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Date of approval by the Board