

OPS-007 Preventing Sexual Exploitation, Abuse and Harassment Policy

Applies to:	All staff, volunteers, contractors, partner organisations, consultants and any person representing or working with the organisation
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Purpose

This Policy sets out People with Disability Australia's (PWDA) commitment to prevent sexual exploitation, abuse, and harassment (SEAH) in all its work. It outlines standards of behaviour, responsibilities, reporting and response arrangements. The purpose is to create a safe, respectful, inclusive environment in which children, persons with disability, community members, employees, and partners are protected from any form of SEAH, consistent with our duty of care and safeguarding obligations.

This policy is a requirement for PWDA as a member of the Australian Council for International Development (ACFID) and a signatory to the ACFID Code of Conduct.

Scope

This policy applies to:

- all Board Directors, employees, independent contractors, subcontractors, and consultants (collectively "workers")
- all volunteers and students (collectively "volunteers")
- all partner organisations, affiliates and service providers engaged by PWDA
- all activities in Australia or overseas, in communities or in any workplace context where PWDA has involvement.
- all interactions with children, persons with disability, community members, clients, families, carers.

Policy statement

PWDA takes a zero-tolerance approach to sexual exploitation, abuse, and harassment.

PWDA seeks to promote safe and respectful workplaces and minimise the risks of sexual exploitation, abuse, and harassment in its operations.

PWDA commits to uphold the highest level of personal and professional conduct among its workers and volunteers in all areas of our work with people with disability.

PWDA does not tolerate any form of sexual exploitation, abuse, or harassment of people who engage with our work and personnel. We have systems in place to safeguard against and manage the risk of incidents.

Principles

PWDA is committed to the following core principles:

- **Zero tolerance** for sexual exploitation, abuse, and harassment in any form.
- **Prevention is paramount** – interventions aim to prevent SEAH rather than only respond after the fact.
- **Victim-survivor centre** the response – prioritise the rights, wishes, safety and wellbeing of affected persons.
- **Inclusive and equitable** – recognise and respond to diversity (gender, disability, age, culture, sexual orientation, etc); power imbalances are addressed.
- **Risk-based approach** – risk of SEAH is assessed and mitigation applied proportionate to the risk context.
- **Accountability and culture** – leadership is responsible for embedding safeguarding into the culture of the organisation; everyone has a role.
- **Mandatory reporting** – all incidents, concerns or allegations must be reported promptly as per this Policy.

Definitions

Sexual exploitation: Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including 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. This includes sexual offences such as rape, sexual assault, non-consensual touching; and any sexual activity with a child (i.e., under the age of consent) is sexual abuse.

Sexual harassment: A person harasses another if they make an unwelcome sexual advance or request for sexual favours or engage in other unwelcome conduct of a

sexual nature, in circumstances where a reasonable person would anticipate the possibility of offence, humiliation or intimidation.

Victim-survivor centred approach: A way of handling allegations or concerns that respects the dignity, choices, rights, wishes and wellbeing of those affected.

Standards of Behaviour

All workers and volunteers must:

- treat all persons with dignity, respect, and fairness – regardless of their role, background, disability status, or age
- not engage in any form of sexual exploitation, abuse, or harassment of any person, including beneficiaries, community members, staff, volunteers, or partners
- not exchange money, employment, goods, services, or assistance for sexual activity
- not engage in sexual activity with a child (i.e., anyone under the age of consent in the relevant jurisdiction) – this is prohibited regardless of local custom or consent
- respect professional boundaries – personal relationships that could compromise a position of trust must be declared and managed
- not use their position of power or trust to initiate a sexual relationship with a person for whom they have responsibility (e.g., a supported person, client, beneficiary)
- ensure images/recordings of children or persons with disability are only taken, used, and stored with informed consent and in accordance with relevant policies
- raise any concerns or suspicions of SEAH without fear of retaliation
- cooperate fully with investigations into alleged SEAH and comply with any risk mitigation measures or disciplinary actions.

Risk Management and Safeguarding Measures

PWDA will implement proactive safeguarding measures including, but not limited to:

- conducting risk assessments for SEAH in all programmatic, operational, and organisational contexts – including with children and persons with disability in mind
- embedding safeguarding practices into program design, recruitment, training, monitoring and evaluation
- screening and vetting of workers, volunteers, and partner personnel for suitability, with specific attention to safeguarding
- ensuring roles with significant contact with children or persons with disability have appropriate supervisory arrangements and training
- providing regular training and awareness-raising for workers, volunteers, and partners about SEAH risk, prevention, reporting and response
- monitoring partner organisations for compliance with safeguarding expectations and including contractual clauses as required
- maintaining confidentiality about reports and investigations to the extent possible while protecting the rights of the victim-survivor and due process for any respondent
- regularly reviewing and updating safeguarding policies, practices, and reporting mechanisms.

Reporting and Response

Reporting obligations

Any person (worker, volunteer, partner, community member or third party) who becomes aware of an incident, allegation, suspicion or concern of sexual exploitation, abuse or harassment must report it immediately.

Reporting must be done even if the identity of perpetrator is not certain or the victim-survivor is unknown; concerns of potential harm must be raised.

Retaliation against a person making a report in good faith is strictly prohibited.

Reporting channels

PWDA will maintain accessible, safe, and confidential reporting pathways.

Any concerns or complaints about SEAH should be directed to the CEO through the following channels:

Post: CEO, PO Box 666, Strawberry Hills NSW 2012
Phone: 1800 422 015
Visit: PWDA Head Office: Suite 10.01 Centennial Plaza, Level 10,
300 Elizabeth Street, Surry Hills NSW 2010. (Please call 1800 422 015
to arrange a time.)

PWDA may also use an external/independent reporting mechanism if an internal route is unsuitable.

As required, PWDA will:

- report to appropriate statutory authorities if the incident involves a child or persons with disability in a supported capacity
- provide timely notification for incidents tied to donor/partner obligations (e.g., DFAT).

Response and investigation

Upon receiving a report, PWDA will:

- acknowledge receipt of the report (where possible) and ensure the safety of those affected.
- undertake an initial assessment of risk and determine immediate protective actions
- appoint an appropriate investigation team or refer to an external investigator depending on the seriousness, risk, context, and expertise required
- ensure the investigation is conducted objectively, timely, impartially, and confidentially
- maintain a victim-survivor centred approach throughout the process – ensuring informed consent for actions, providing support, minimising re-traumatisation, and respecting privacy
- where allegations are substantiated, take appropriate remedial and disciplinary action up to termination of employment/engagement, and ensure risk mitigation to prevent recurrence
- report outcomes to relevant parties, which may include donor/partner, statutory authority or insurer as required
- review lessons learned and update safeguarding measures.

Roles and Responsibilities

Board – is responsible for:

- ensuring that appropriate and effective SEAH policies and processes are in place at PWDA
- reviewing reports and subsequent management investigations that are reported to the Board bi-monthly through the WHS Incident Register.

CEO – is responsible for ensuring the implementation of this policy and:

- receiving reports of SEAH matters
- coordinating investigations and responses
- reporting to the Board and/or external parties.

Leaders – are responsible for:

- undertaking a SEAH risk assessment as part of their ongoing work, and for any new project
- referring SEAH complaints or incidents to the CEO for management and investigation.

All Workers, Volunteers and Partners – are responsible for:

- creating and maintaining a working environment that prevents SEAH from occurring
- reporting any concern, suspicion, or allegation of SEAH or a breach of this policy to the CEO via the WHS Incident Report Form.

Partnership and Contracting

When PWDA engages with partner organisations or contractors, it will ensure that:

- safeguarding responsibilities (including PSEAH) are included in partner agreements, contracts, or MoUs
- responsibilities for reporting, monitoring and response are clearly defined
- partners are assessed for their safeguarding capacity and risk profile
- partners commit to complying with this policy or an equivalent standard

- monitoring and assurance mechanisms are in place to review partner compliance and ensure continuous improvement.

Monitoring, Assurance and Compliance

PWDA will monitor compliance with this policy and undertake periodic internal audits/safeguarding reviews.

Incidents, near-misses, or trends will be tracked and analysed to learn and improve practice.

Non-compliance with this Policy may result in disciplinary action, termination of contract/engagement, or cessation of partnership.

Records relating to allegations, investigations, outcomes, and safeguarding actions will be maintained securely in accordance with privacy and records-management laws.

Related Documents

Legislation, regulations, and standards

- State and Territory Child Protection laws
- National Child Protection Principles
- Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986
- Fair Work Act 2009
- Modern Slavery Act 2018
- Sex Discrimination Act 1984
- Privacy Act
- Workplace Gender Equality Act 2012 (Cth)
- Sex Discrimination and Fair Work (Respect at Work) Amendment Act 2021
- ACNC Standards
- ACFID Code of Conduct
- National Disability Services Standards

PWDA policies and procedures

- Codes of Conduct and Ethics

- Child Protection Policy
- Bullying, Harassment and Discrimination Policy
- Whistleblower Policy
- Grievance Policy
- Compliments, Complaints and Feedback Policy
- Recruitment Policy
- Diversity, Equity, and Inclusion Policy
- Privacy Policy
- Risk Management Plan
- Continuous Improvement Policy
- Performance Management Policy
- Disciplinary Policy.