



SUSTAIN Projects – Myanmar Inc

POLICY ON PREVENTION OF SEXUAL EXPLOITATION AND ABUSE

Policy Number: 12	Update approved by Board: 7 Apr 2022
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Version: 2	
Based on Bond UK Policy Template https://www.bond.org.uk/	

Purpose

The purpose of this policy is to protect people, particularly children, at risk adults and beneficiaries of assistance, from any harm that may be caused due to their coming into contact with SUSTAIN Projects – Myanmar (SPM). This includes harm arising from:

- The conduct of staff or personnel associated with SPM
- The design and implementation of SPM's programmes and activities

The policy lays out the commitments made by SPM and informs staff and associated personnel¹ of their responsibilities in relation to safeguarding.

This policy does not cover:

- Sexual harassment in the workplace – this is dealt with under SPM's Policy 6.8 - Anti Bullying and Harassment
- Specific details of Child Safeguarding – this is dealt with under SPM's Policy 9 – Child Safeguarding
- Safeguarding concerns in the wider community not perpetrated by SPM or associated personnel

Concerns outside of the scope of this policy (such as one brought against an employee of another organisation or government department) will be referred to an organisation able to address these needs.

What is safeguarding?

Safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect

In our sector, we understand it to mean protecting people, including children and at risk adults, from harm that arises from coming into contact with our staff or programs.

Further definitions relating to safeguarding are provided in the glossary below.

Scope

- All Board and staff associated with SPM
- Associated personnel whilst engaged with work or visits related to SPM, including but not limited to the following: consultants; volunteers; contractors; programme visitors including journalists, celebrities and politicians

¹ See 'Scope' for definition of associated personnel

Approach

Sustain Project Myanmar is committed to the continued promotion and implementation of a survivor centred approach to sexual exploitation and abuse. Our priority is to empower survivors and promote their rights, needs, wishes, and physical and emotional safety. This approach ensures that context-sensitive reporting mechanisms are accessible and complaints are investigated confidentially and in a timely manner. The respect and dignity of every survivor is our priority.

Policy Statement

Sustain Projects Myanmar believes that everyone we come into contact with, regardless of age, gender identity, disability, sexual orientation or ethnic origin has the right to be protected from all forms of harm, abuse, neglect and exploitation. SPM will not tolerate abuse and exploitation by staff or associated personnel.

This policy will address the following areas of safeguarding; adult safeguarding, and protection from sexual exploitation and abuse. These key areas of safeguarding may have different policies and procedures associated with them (see Associated Policies).

Sustain Projects Myanmar commits to addressing safeguarding throughout its work, through the three pillars of prevention, reporting and response.

Prevention

SPM responsibilities

Sustain Projects Myanmar will:

- Ensure all staff have access to, are familiar with, and know their responsibilities within this policy
- Design and undertake all its programs and activities in a way that protects people from any risk of harm that may arise from their coming into contact with SPM. This includes the way in which information about individuals in our programmes is gathered and communicated
- Implement stringent safeguarding procedures when recruiting, managing and deploying staff and associated personnel
- Ensure staff receive training on safeguarding at a level commensurate with their role in the organization
- Follow up on reports of safeguarding concerns promptly and according to due process
- Ensure that our implementing partners are held accountable to an equivalent standard through an MOU or by assisting them in developing their own policies.

Staff responsibilities

Adult safeguarding

Sustain Projects Myanmar staff and associated personnel must not:

- Sexually abuse or exploit at risk adults
- Subject an at risk adult to physical, emotional or psychological abuse, or neglect

Protection from sexual exploitation and abuse

Sustain Projects Myanmar staff and associated personnel must not:

- Exchange money, employment, goods or services for sexual activity. This includes any exchange of assistance that is due to beneficiaries of assistance
- Engage in any sexual relationships with beneficiaries of assistance, since they are based on inherently unequal power dynamics

Additionally, Sustain Projects Myanmar staff and associated personnel are obliged to:

- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy

- Report any concerns or suspicions regarding safeguarding violations by an SPM staff member or associated personnel to the appropriate staff member

Sustain Project Myanmar's Code of Conduct for all staff and volunteers is found as an appendix to Policy 6 – Personnel and Management Practices

Reporting

Sustain Projects Myanmar will ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to staff and the communities we work with.

Any staff reporting concerns or complaints through formal whistleblowing channels (or if they request it) will be protected by SPM's Policy 11 - Whistleblowing.

Sustain Projects Myanmar will also accept complaints from external sources such as members of the public, partners and official bodies.

How to report a safeguarding concern

Staff members who have a complaint or concern relating to safeguarding should report it immediately to their Safeguarding Focal Point – **Eric Holmes** (info@sustainmyanmar.org ATT ERIC). If the staff member does not feel comfortable reporting to their Safeguarding Focal Point (for example if they feel that the report will not be taken seriously, or if that person is implicated in the concern) they may report to any other appropriate SPM Board member.

Response

Sustain Projects Myanmar will follow up safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations.

Failure to comply with any of the standards outlined in this policy will be grounds for disciplinary action. Incidents that are considered as **gross misconduct** will result in termination. Any conduct that is criminal will be reported in accordance to Federal and State requirements, to the relevant authorities, both in Australia and countries where we work. In all incidents SPM will act in accordance to a survivor centred approach, respecting the wishes of the victims/survivors.

All complainants will be offered the chance to choose an advocate to support them in processing their complaint.

SPM will offer support to survivors of harm caused by staff or associated personnel, regardless of whether a formal internal response is carried out (such as an internal investigation). Decisions regarding support will be led by the survivor.

Confidentiality

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management should be shared on a need to know basis only, and should be kept secure at all times.

Associated policies

Appendix 1 Policy 6 - Code of Conduct

Policy 6.8 - Anti Bullying and Harassment

Policy 11 - Whistleblowing

Policy 9 - Child Safeguarding

Policy 8 - Complaints Policy

Appendix 3 Policy 9 - Reporting child safeguarding concerns

Policy 9.12 - Procedures for safeguarding in staff recruitment

Glossary of Terms

Beneficiary of Assistance

Someone who directly receives goods or services from SPM's program. Note that misuse of power can also apply to the wider community that the SPM serves, and also can include exploitation by giving the perception of being in a position of power.

Child

A person below the age of 18

Harm

Psychological, physical and any other infringement of an individual's rights

Psychological harm

Emotional or psychological abuse, including (but not limited to) humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation

Protection from Sexual Exploitation and Abuse (PSEA)

The term used by the humanitarian and development community to refer to the prevention of sexual exploitation and abuse of affected populations by staff or associated personnel. The term derives from the United Nations Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13)

Safeguarding

Safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect

In our sector, we understand it to mean protecting people, including children and at-risk adults, from harm that arises from coming into contact with our staff or programs.

Sexual abuse

The term 'sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual exploitation

The term 'sexual exploitation' means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. This definition includes human trafficking and modern slavery.

Survivor

The person who has been abused or exploited. The term 'survivor' is often used in preference to 'victim' as it implies strength, resilience and the capacity to survive, however it is the individual's choice how they wish to identify themselves.

At risk adult

Sometimes also referred to as vulnerable adult. A person who is or may be in need of care by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

Gross Misconduct

We define Gross misconduct as actions or words that are serious, unlawful, bring disrepute on the organization and are grounds for immediate termination.