



POLICY

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# SAFEGUARDING

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## SAFEGUARDING POLICY

### 1. INTRODUCTION AND PREAMBLE

SeeBeyondBorders Australia is a not-for-profit organisation that is registered as a charity in Australia and operates as a registered foreign non-government organisation (FNGO) in Cambodia. Our mission is to enable quality teaching and learning at school, which we achieve through working with StudyBeyondBorders as an Implementing Partner.

SeeBeyondBorders Australia staff, volunteers and program participants may work in schools with teachers, children and young people. We recognise that by the nature of our work, our operations may pose a risk to children, young people and vulnerable beneficiaries; therefore we have developed this Safeguarding policy and effective procedures to proactively work to mitigate those risks.

### 2. PURPOSE OF THE POLICY

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 SeeBeyondBorders Australia. This includes harm arising from:

- The conduct of SeeBeyondBorders Australia Personnel as defined in section 4
- The design and implementation of SeeBeyondBorders Australia's programs and activities

The policy lays out the commitments made by SeeBeyondBorders Australia personnel of their responsibilities in relation to safeguarding, which includes the Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH). This policy operates in conjunction with Anti-Discrimination, Bullying and Harassment policy and Child and Vulnerable People Protection policy.

Implementing Partner organisations are also bound by agreement to adhere to this Policy's commitments via their own Policies and Procedures which must have equivalence to SeeBeyondBorders Australia.

### 3. STATEMENT OF COMMITMENT

SeeBeyondBorders Australia is committed to protecting everyone we come into contact with, regardless of age, gender identity, disability, sexual orientation or ethnic origin, because we believe everyone has the right to be protected from all forms of harm, neglect, exploitation, abuse and harassment. SeeBeyondBorders Australia will not tolerate abuse and exploitation by staff, volunteers or visitors.

This policy addresses the following areas of safeguarding: child safeguarding, adult safeguarding, and PSEAH. These key areas of safeguarding may have different policies and procedures associated with them (see Associated Policies).

We recognise that the nature of development initiatives can exacerbate inequitable power dynamics within the communities where we work and therefore requires vigilant attention to maintain the highest professional and ethical standards. We are committed to non-discriminatory and respectful behaviour, where misconduct is not accepted, where power is not abused and vulnerabilities and power inequality are not exploited.

We ensure that safeguarding measures are embedded, accessible and clearly communicated throughout our work to all personnel, beneficiaries and their communities, in languages and formats they understand.

SeeBeyondBorders Australia is committed to the principles that underpin Australia's DFAT Policy on sexual exploitation, abuse and harassment (SEAH)<sup>1</sup>.

### 4. WHAT IS SAFEGUARDING?

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<sup>1</sup> <https://www.dfat.gov.au/sites/default/files/pseah-policy.pdf>

## SAFEGUARDING POLICY

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, representatives, volunteers, visitors or programs. SeeBeyondBorders Australia defines Safeguarding as follows:

*Safeguarding means taking all reasonable steps to prevent harm, particularly SEAH from occurring; to protect people, especially vulnerable adults and children, from that harm; and to respond appropriately when harm does occur.*

This definition draws from our values and principles and shapes our culture. It pays specific attention to preventing and responding to harm from any potential, actual or attempted abuse of power, trust, or vulnerability, especially for sexual purposes.

Safeguarding applies consistently and without exception across our programs, partners, staff, volunteers and visitors. It requires proactively identifying, preventing and guarding against all risks of harm, exploitation and abuse and having mature, accountable and transparent systems for response, reporting and learning when risks materialise. Those systems must be survivor-centred and also protect those accused until proven guilty.

## 5. SCOPE OF THIS POLICY

This policy applies to all SeeBeyondBorders Australia Personnel, defined as:

- board members and trustees
- current staff and volunteers
- external consultants and contractors (paid or voluntary)
- contracted staff or personnel of contracted organisation and services
- project team participants

and any other person working for or on behalf of SeeBeyondBorders Australia.

This policy also applies to other individuals and third parties who through their association with SeeBeyondBorders Australia may visit our project activities (i.e. donors, partner organisations, service providers) although the management process for these groups may differ in certain aspects given their involvement. Any Implementing Partner will be expected to adhere to the safeguarding and PSEAH requirements of this policy, or have their own policies in place that meet the ACFID Code of Conduct requirements. Refer to our Working with Partners policy for further information. It is a condition of any Implementing Partner Memorandum of Agreement (MoA) that there is a joint undertaking to review policies to ensure that they are compatible and equal in their scope to meet the standards and requirements of the Australian Department of Foreign Affairs and Trade (DFAT) and the ACFID Code of Conduct.

## 6. GUIDING PRINCIPLES

The SeeBeyondBorders Australia's Safeguarding Policy has six guiding principles:

➤ Zero tolerance of sexual exploitation, abuse and harassment:

Abuse and any such behaviour that causes harm to children, young people, any beneficiaries, or other stakeholders is not tolerated by SeeBeyondBorders Australia, including possession of or access to child images or films of children being sexually abused or exploited. SeeBeyondBorders Australia endeavours to ensure that our working environment is safe for all staff, volunteers, visitors and our beneficiaries. Should an incident occur it will be addressed immediately and in a fair way following our Anti-discrimination Harassment and Bullying Policy, and our Complaints and Feedback Handling Policy, and our Child Protection and Safeguarding Management Procedure.

➤ Prioritisation of victim/survivor needs:

## SAFEGUARDING POLICY

SeeBeyondBorders Australia is committed to do no harm and will always prioritise the victim/survivor whilst maintaining procedural fairness. Victims/survivors will be treated with respect and dignity, be involved in the decision making process, be fully informed throughout and provided with all relevant information and where appropriate be referred to additional/specialist support services. SeeBeyondBorders Australia recognises that some children and at-risk adults, such as those with disabilities or living in areas impacted by disasters (natural or conflict based), are particularly vulnerable and their needs must be prioritised.

➤ [Strong leadership and shared responsibility for child and vulnerable beneficiary protection:](#)

To effectively manage risks to children and vulnerable beneficiaries, SeeBeyondBorders Australia requires the active support and cooperation of all its personnel. Our leaders are committed to modelling behaviour that is inclusive, compassionate and ensures anyone who is a victim or witness to an incident is supported and feels safe and secure to make a report. We train and develop our staff to ensure everyone knows their own responsibilities towards safeguarding and PSEAH. SeeBeyondBorders Australia personnel must comply with this policy and will be held accountable for complying with it.

➤ [Use of a risk management approach:](#)

Careful management can reduce the incident of child and any beneficiary exploitation, abuse and harassment associated with development activities. This policy introduces strategies for mitigating a range of recognised risks to children and any beneficiaries and we review those risks on a regular basis, together with the associated policies, processes and procedures to ensure they are fit for purpose. We train our staff, volunteers and visitors to recognise safeguarding concerns and identify SEAH and to follow our reporting procedures as documented in this policy, as well as our Child and Vulnerable People Protection policy and our Complaints and Feedback Handling policy. We forward reporting, ensuring any incidents or suspected incidents of SEAH are reported to the most appropriate local authorities as well as relevant external authorities such as the Department of Foreign Affairs and Trade (DfAT).

➤ [Gender inequality and other power imbalances are addressed](#)

SeeBeyondBorders Australia recognises that Gender inequality creates safeguarding concerns but there are also other power imbalances that can lead to SEAH and other safeguarding concerns. Power imbalances such as race/ethnicity, ability, age, socio - economic background, programme implementers versus beneficiaries, seniority in the workplace all can impact and result in SEAH and this may be accentuated if there is more than one power imbalance at play at a time. Where possible, power imbalances will be identified and reduced, but we appreciate that it is not always possible to completely eradicate and therefore proactively manage the associated risks including raising awareness and training amongst our staff and the communities where we work.

➤ [Duty of Care:](#)

SeeBeyondBorders Australia recognises its duty of care responsibilities and takes all reasonable steps to do no harm and safeguard the children and any beneficiaries, especially the vulnerable, in its programs.

## 6. DEFINITIONS

**At risk adult** : Sometimes also referred to as vulnerable adults. 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 harm or exploitation.

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

**Child** : A person under 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, shaming, solitary confinement and isolation

**Protection from Sexual Exploitation, Abuse and Harassment (PSEAH)**: The term is used by the humanitarian and development community to refer to the prevention of sexual exploitation, abuse and harassment 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)

**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<sup>2</sup>. 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 a child is considered to be sexual abuse.

**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<sup>3</sup>. This definition includes human trafficking and modern slavery.

**Sexual Harassment**: Sexual harassment involves any unwelcome sexual advance, request for sexual favour, verbal, non-verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another. This includes sexual harassment that is conducted online or via social media.

Sexual harassment has nothing to do with mutual attraction or consenting friendships, whether sexual or otherwise. Sexual harassment is unlawful in pre-employment activities and in the workplace. The workplace includes any place a person goes for the purpose of carrying out any function in relation to his/her employment and can also extend to social functions.

Some examples of sexual harassment include:

- Persistent, unwelcome demands or even subtle pressures for sexual favours or outings;
- Staring or leering at a person or at parts of their body;
- Unwelcome patting, pinching, touching or unnecessary familiarity, such as unnecessarily brushing up against a person;
- Unwanted sexual comments;
- Offensive comments or questions about a person's physical appearance, dress or private life;
- Sexually explicit pictures or posters or screensavers (words and images);
- Sexually explicit telephone calls, letters, faxes, emails or voice mail messages;
- Humour such as smutty or suggestive jokes or comments;
- Innuendo, including sexually provocative remarks, suggestive or derogatory comments about a person's physical appearance, inferences of sexual morality, or tales of sexual performance;
- Requests for sex;
- Insults or taunts based on sex;
- Sexually explicit physical contact.

This list is not exhaustive.

**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.

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

<sup>2</sup> <https://www.unhcr.org/uk/protection/operations/405ac6614/secretary-generals-bulletin-special-measures-protection-sexual-exploitation.html>

<sup>3</sup> Ibid

**Young Person** : The UN defines this to include individuals – young women, young men, and young persons of other gender identities – aged 15 to 24 years old.

## 7. **PREVENTION**

- ***SeeBeyondBorders Australia' responsibilities and standards of conduct***

SeeBeyondBorders Australia will:

- Ensure all staff, volunteers and visitors have access to, are familiar with, and know their rights and 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 SeeBeyondBorders Australia. This includes the way in which information about individuals in our programs is gathered, retained and communicated, such as ensuring photography guidelines in our Images policy are adhered to;
- Ensure safeguarding and PSEAH is considered in all Partner project-level risk assessments, as well as on the organisational risk assessment, and appropriate mitigating strategies are implemented in line with DfAT's Minimum Standards<sup>4</sup>;
- Implement stringent safeguarding procedures, as set out in our HR Manual, when recruiting, managing and deploying staff and volunteers (this includes reference checks and police checks);
- Ensure all staff receive training on safeguarding and PSEAH;
- Prohibit any form of sexual exploitation, abuse or harassment;
- Communicate clearly who our Safeguarding Focal Points are and how to report any safeguarding concerns;
- Communicate clearly to staff how to report any incidents or suspicions of SEAH;
- Follow up on reports of safeguarding or SEAH concerns promptly and according to due process.

- ***Personnel responsibilities and standards of conduct***

### Child safeguarding

SeeBeyondBorders Australia's Personnel must not:

- Engage in sexual activity with anyone under the age of 18
- Sexually abuse, exploit or harass children
- Subject a child to physical, emotional or psychological abuse, or neglect
- Engage in any commercially exploitative activities with children including child labour or trafficking.

### Adult safeguarding

SeeBeyondBorders Australia's Personnel must not:

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

### Protection from sexual exploitation, abuse and harassment

SeeBeyondBorders Australia's 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, SeeBeyondBorders Australia's Personnel are obliged to:

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<sup>4</sup> [www.dfat.gov.au/pseah](http://www.dfat.gov.au/pseah)

- Contribute to creating and maintaining a 'do no harm' environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy
- Report any safeguarding concerns or suspicions regarding SEAH violations by a SeeBeyondBorders Australia's staff member, volunteer or visitor to the appropriate staff member as per the reporting procedures.
- Adhere to the SeeBeyondBorders Australia's Code of Conduct which sets out a broader set of expectations in relation to safeguarding and standards of expected behaviour.

Failure to comply with the standards of conduct outlined in this policy is grounds for disciplinary action, may be considered as gross misconduct and may result in termination of employment. Any criminal conduct will be reported to the relevant authorities in the countries where we work, where it is safe to do so and is in accordance with the wishes of the victims/survivors.

## **8. REPORTING**

SeeBeyondBorders Australia ensures that safe, appropriate, accessible and confidential means of reporting safeguarding and SEAH concerns are made available to staff, volunteers, visitors and the communities we work with.

Any staff reporting concerns or complaints through formal whistleblowing channels or otherwise will be protected by SeeBeyondBorders' Whistleblowing Policy.

SeeBeyondBorders Australia will also accept complaints from external sources such as members of the public, partners and official bodies and anonymous reports will always be accepted. We ensure all reports are treated confidentially although any criminal acts will be referred to the relevant authorities.

### ***How to report concerns***

#### ***Personnel***

Staff members who have a complaint or concern relating to safeguarding or SEAH should report it immediately to their Safeguarding Focal Point (see Appendix A) assigned staff for incident reporting or line manager. This can be done verbally face-to-face or on the telephone, or via email or letter. If the staff member does not feel comfortable reporting to their Safeguarding Focal Point or line manager (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 staff member.

SeeBeyondBorders Australia's Personnel can also report a concern following the process outlined in the Whistleblowing Policy (see Associated Policies).

#### ***Volunteers, visitors and communities***

Volunteers, visitors and the communities we and our partners work with should report any safeguarding or SEAH concerns to any SeeBeyondBorders Australia personnel who will report as above to the Safeguarding Focal Point in the country where the concern has arisen (see Appendix A) or email [safeguarding@seebeyondborders.org](mailto:safeguarding@seebeyondborders.org).

#### ***External Authorities***

All suspected or alleged cases of SEAH related to DFAT funded programs will be reported to DFAT in Australia by SeeBeyondBorders Australia. Cases will be reported using DFAT's Sexual Exploitation, Abuse and Harassment Incident Notification form that can be found on DFAT's website or on SeeBeyondBorders Australia's shared drive under Published Procedures and emailed to [seah.reports@dfat.gov.au](mailto:seah.reports@dfat.gov.au).

SeeBeyondBorders Australia will immediately investigate all concerns that are reported to us and provide a response as detailed in section 9..

### **Partner Organisations**

As a condition of funding, Implementing Partner organisations are obliged to report to SeeBeyondBorders Australia all suspected or alleged cases of SEAH. The SeeBeyondBorders Australia Safeguarding Focal Point will work jointly with the Implementing Partner to investigate, in the same manner as if the incident had occurred under SeeBeyondBorders Australia operations.



## **9. RESPONSE**

SeeBeyondBorders Australia will follow up safeguarding and SEAH reports and concerns according to policy and procedure, and legal and statutory obligations (see Child and Vulnerable People Protection (CVPP) and Safeguarding Management Procedure, and CVPP Policy). These procedures include our obligations to report all alleged incidents or policy breaches to external funders, such as DFAT in Australia.

SeeBeyondBorders Australia has zero tolerance to abuse and exploitation and will apply appropriate disciplinary measures (e.g: termination of contract) to personnel found in breach of policy. Where appropriate the SeeBeyondBorders Australia Focal Point will work with partners to conduct joint investigations of suspected breaches of Policy and reserves the right to suspend or cancel funding of partners as a result of investigation outcomes.

SeeBeyondBorders Australia will offer support to survivors of harm caused by staff, volunteers or visitors, regardless of whether a formal internal response is carried out (such as an internal investigation). Decisions regarding support will be led by the victim/survivor.

## **10. CONFIDENTIALITY**

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding and/or SEAH 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.

## **11. ASSOCIATED POLICIES AND PROCEDURES**

Anti-Discrimination, Bullying and Harassment policy

Child and Vulnerable People Protection policy

Code of Conduct

Complaints and Feedback Handling Policy

HR Manual

Images Policy

Child and Vulnerable People Protection and Safeguarding procedure

Risk Management Policy

Whistleblowing policy

Other policies as appropriate

## 12. POLICY MANAGEMENT

This Policy has been approved by the Australian Board as noted below.

Amendments and or developments will be recommended to the Board from time to time as deemed appropriate by senior management. Formal reviews are recommended within three years from the anniversary date of approval by the Board. Recommendations for minor changes can be approved by a Chief Executive before the Board review every three years, and recommendations for changes to the background or policy in practice can be approved by the relevant Sub-Committee.

Doc ref	Doc type	Approved by Australian Board Date	Minute ref.	Approved by UK Trustees Date	Minute ref	Approved by Irish Board Date	Minute ref
	Policy Original	Board 21 Aug 2018		11 Oct 2018	Minutes: 11/10/18	N/A	N/A
SP/06/2020/1.0	Policy Update	Board 29 June 2020	Item 8	21 July 2020	Agenda item 5		
SP/06/2020/1.1	Policy Amendment	CEO Note 11 Nov 2020		CEO Note 11 Nov 2020			
SP/02/2021/2.0	Policy Review	Board 28 June 2021	Item 3	UK Trustees 11 Aug 2021	Item 5		
SP/03/2024/3.0	Policy Review	Not brought to Board		N/A - Policy no longer applies to SBBUK	N/A	N/A - Policy no longer applies to SBBI	N/A
SP/02/2025/3.2	Policy Review	Board 20 February 2025,	Item 4 - approved with modifications at v3.2	N/A - Policy no longer applies to SBBUK	N/A	N/A - Policy no longer applies to SBBI	N/A

**7. Appendix A: Safeguarding Focal Points**

Country	Name	Position	Telephone
Cambodia	Colm Byrne	CEO International Operations	+855 (0)16 995 063
Australia	Priscilla Chang	Board Member	+61 (0)2 9960 7077

All Safeguarding Focal Points can be contacted via email: [safeguarding@seebeyondborders.org](mailto:safeguarding@seebeyondborders.org)