PREVENTION OF SEXUAL EXPLOITATION, ABUSE & HARASSMENT POLICY

This policy applies to:	All Hillsong Africa Foundation staff, volunteers, and other key stakeholders
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Developed by:	HAF Operations
Approved by:	HAF Managing Director

INTRODUCTION

There is no higher standard of just human interaction than that required of us by God and laid out for us in the Bible. God in His nature embodies love and justice and expects our relationships and interactions with others to be based on the same principles. In fulfilling our responsibilities, we protect each other's rights. This is captured today in what we call human rights.

Sexual exploitation, abuse and harassment is a violation of basic human rights. Hillsong Africa Foundation recognise that vulnerable adults and children are particularly at risk of sexual exploitation, abuse and harassment. Sexual exploitation, abuse and harassment, as well as a range of non-sexual abuses of power, take various forms and can happen to anybody at any time during their lives, but are more likely when one person is in a position of power over another. Therefore, this policy has been developed to outline our commitment and strategies to prevent and limit the risk of sexual exploitation, abuse and harassment occurring within our programs or perpetrated by our stakeholders.

PURPOSE

The purpose of this Prevention of Sexual Exploitation, Abuse and Harassment Policy (PSEAH) is to outline the preventative and responsive measures HAF has in place to safeguard people against sexual exploitation, abuse and harassment. This policy aims to achieve this by:

- Demonstrating HAF's commitment and approaches to prevention of sexual exploitation, abuse and harassment;
- Outlining the expectations and responsibilities of HAF stakeholders;
- Providing guidance on how to respond to concerns and allegations; and
- Setting high standards around personal behaviour that must be adhered to by all HAF stakeholders.

SCOPE

This policy applies to all **HAF Stakeholders** defined below.

- All HAF **Staff**
- All HAF **Consultants and Contractors**
- All HAF **Volunteers**
- All HAF **Board Members**

HAF RELATED POLICIES

This policy should be read and enforced together with:

- HAF Child Protection Policy & Guideline for Working with Children Online
- HAF Complaints Handling Policy

DEFINITIONS

Sexual exploitation, abuse and harassment (SEAH) occurs against a child or an adult and can occur between people of the same or different genders. It includes situations such as:

- Sexual exploitation and abuse;
- Sexual harassment;
- Child sexual abuse and exploitation;
- Women and men sexually exploited through sex work;
- Possessing, controlling, producing, distributing, obtaining or transmitting sexually exploitative images of adults and children.

Sexual Exploitation - 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.

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 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.

Child Abuse - Abuse as defined by the "South African Children's Act 38 of 2005" can be physical, emotional, sexual or in the form of neglect. Intervention is required where the child has suffered or is likely to suffer neglect or abuse which is detrimental to the child's wellbeing.

- **Physical abuse** is commonly characterised by physical injury resulting from practices such as punching, beating, shaking, biting, burning or otherwise harming a child.
- **Sexual abuse** occurs when an adult or older child, uses their power or authority over the child or takes advantage of the child's trust to involve them in sexual activity. This sexual activity does not just mean sexual intercourse; it means any sexual activity including flashing, fondling, masturbating and oral sex.
- **Emotional abuse** tends to be a chronic behavioural pattern directed at the child/young person whereby their self-esteem and social competence is undermined or eroded over time.
- **Neglect** is characterised by the failure to provide for the child/young person's basic needs. This can occur through direct and deliberate action or by omission or deliberate inaction to care for the child/young person.

Abuse happens to both male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs and political persuasion. Abuse can be inflicted on a child by both men and women, as well as by young people themselves. In some cases, professionals and other adults working with children in a position of trust also abuse children.

Child Exploitation - Child exploitation includes one or more of the following:

- Committing or coercing another person to commit an act or acts of abuse against a child.
- Possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material.
- Committing or coercing another person to commit an act or acts of grooming or online grooming

Fraternisation - 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

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

OUR COMMITMENT

Hillsong Africa Foundation (HAF) is committed to:

- develop organisation-specific strategies to prevent and respond to sexual exploitation, abuse and harassment;
- create a safe working culture for all HAF stakeholders;
- undertake risk assessments to identify areas of risks and mitigation strategies;
- ensure HAF stakeholders are informed regarding the commitments and policies outlined in this document including how to report concerns or allegations;
- investigate **ALL** reports of sexual exploitation, abuse and harassment linked to our stakeholders or HAF funded activities. Concerns or allegation of sexual exploitation, abuse and harassment will always be taken seriously, investigated and acted on; and
- take immediate and appropriate action against HAF stakeholders who commit sexual exploitation, abuse or harassment.

HAF STAKEHOLDER STANDARDS

All HAF Stakeholders must uphold and promote the highest standards of ethical and professional conduct and abide by HAF policies.

HAF Stakeholders will not:

- request any service or sexual favour from beneficiaries of HAF funded programs, children or others in the communities in which HAF works, in return for protection or assistance, and will not engage in sexually exploitative or abusive relationships.
- exchange money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This prohibition against exchange of money for sex means HAF Stakeholders may not engage the services of sex workers.
- have sexual activity with any person under the age of 18, regardless of the local age of consent, i.e. the local or national laws of the country in which the stakeholder works. Ignorance or mistaken belief of the child's age is not a defence.
- support or take part in any form of sexual exploitative or abusive activities, including, for example, child pornography.

HAF Stakeholders must:

- Ensure they uphold the HAF Code of Conduct as outlined in HAF's Child Protection Policy.
- Undertake to create and maintain an environment that promotes implementation of this policy.
- 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 or harassment.
- Immediately inform the HAF leader 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 fall into this category should discuss the situation with HAF Staff.

BREACH OF POLICY

Sexual exploitation, abuse and harassment constitute acts of gross misconduct and are therefore grounds for termination of employment or association with HAF. Disciplinary actions/possible outcomes for breach of this policy include:

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

RECRUITMENT AND SCREENING

HAF recruitment practices aim to recruit the safest and most suitable staff and volunteers and deter those who wish to cause harm to people from seeking engagement with HAF. The following screening measures are required for all volunteers and staff:

- **Police Clearance Certificate**
- **Reference**: A non-related referee to complete a reference form.

TRAINING AND AWARENESS

All HAF stakeholders have a role to play in safeguarding the rights and protection of people from all forms of abuse, exploitation and harassment. Therefore, HAF is committed to ensuring we equip and train all our stakeholders to outwork this responsibility and promote the protection and rights of those in contact with our programs and people.

HAF will ensure all stakeholders:

- receive this policy and relevant induction training at the commencement of their engagement with HAF; and sign and agree to abide by the policy.

REPORTING

HAF is committed to providing a safe, supportive and secure environment to report SEA. HAF will take all concerns seriously and respond immediately. All reports of SEA will be recorded, regardless of whether substantiated or full investigation required.

HAF stakeholders must immediately report (within 48 hours) any concerns, suspicions or allegations of sexual exploitation, abuse, harassment or breach of this policy. This includes any concerns, suspicions or allegations involving an employee/volunteer or any incident occurring within an HAF funded activity.

Community members, or any other external person are also strongly encouraged to immediately notify HAF if they, or someone they know, is thought to have been the victim/survivor of sexual exploitation, abuse and harassment perpetrated by an HAF stakeholder or within an HAF program or funded activity.

How and who to report to?

- Reports can be made through the link: HAF Confidential Incident Report
- When a report is submitted, it remains confidential and is sent directly to the HAF Managing Director, who will then launch a response in alignment to our procedure stated below in *'What happens when I report?'*
- If you have any questions, you can contact reports@hillsongafrica.com
- If the allegation is against the HAF Managing Director, then inform the Human Resource Manager via email: heilana.cilliers@hillsong.co.za (please do not complete the HAF Confidential Incident Report)
- If you are not satisfied with HAF's response, you may submit an external report to the South African Department of Social Development

What happens when I report?

Upon submission of a Confidential Incident Report, the Hillsong Africa Foundation will launch an internal investigation and will determine what action should be taken based on the severity of the allegation and in consultation with relevant parties.

HAF will take the following steps when a belief or suspicion of child abuse or exploitation is reported:

1. *An internal investigation is launched:*
   The HAF Managing Director will act immediately by launching an investigation and developing an investigation plan. All reports will be appropriately investigated no matter who the alleged perpetrator is. The MD will lead the investigation with other members of senior management and if deemed appropriate a HAF board member. The MD will ensure relevant laws and legislative procedures are followed (external legal advice will be sought when required). The investigation will be considered top priority until closed.

2. *Incident and investigation is documented:*
   All steps taken are to be extensively documented and any documentation is to be kept in a secure place (e.g. password protected file). Once the investigation is completed, a report will be made available to the HAF Board.

3. *Support is provided to those involved:*
   The reporter, victim and person subject to an allegation will be treated with respect from the start of the process until the case is closed. External counselling will be provided if necessary.

4. *Person subjected to an allegation may be stood down*
   In some instances a staff member, volunteer or other subject to an allegation, may be stood down during the course of the investigation. If the individual is an employee they will continue to receive full pay and other entitlements.

What happens if the incident is proven or suspicion credible?

In the event that an incident has been proven or there is credible suspicion, HAF will automatically terminate a staff member, volunteer or any other representative's association with the organisation

REVIEWING THE POLICY

This policy will be reviewed **every three years**. The HAF Program Director and Managing Director will manage the review and stakeholders will be consulted during this process.