



## 1. Global Governance

TLMA is a member of The Leprosy Mission (TLM) which is a Global Fellowship of Members and Affiliates that are autonomous legal entities in their own countries. The Global Fellowship Board<sup>1</sup> provides policy guidance for TLM entities around the world. For the purposes of this Policy “The Leprosy Mission” (“TLM”) includes 31 Members<sup>2</sup> and Affiliates<sup>3</sup> who are signatories to The Leprosy Mission Global Fellowship Charter and use the name and brand of The Leprosy Mission<sup>4</sup>.

## 2. TLMA Commitment Statement

The Leprosy Mission Australia (**TLMA**) firmly believes that all individuals have the right to dignity, safety and respect. As a Christian organisation, this Policy outlines *TLMA*’s commitment to conduct that is ethical, legal and consistent with the organisation’s values of compassion, justice, integrity, inclusion and humanity. *TLMA* affirms a zero-tolerance policy for sexual exploitation, abuse and harassment (**SEAH**) in our sector. Following our Code of Conduct (**the Code**), all workplace participants are responsible for their conduct, decision making and actions. *TLMA* is committed to addressing these issues appropriately and promptly where a Code breach arises. *TLMA* will continue to strengthen our commitment to the prevention of *SEAH* by ensuring all staff members, partners, and *TLMA* affiliates understand their responsibilities to foster an environment that prioritises safeguarding and the safety and wellbeing of survivors/victims.

## 3. Objective

The objective of this Policy is to:

- a) Create and maintain a protective environment for all individuals in the creation and implementation of TLMA activities, including but not limited to activities funded by TLMA.
- b) Implement mandatory organisational standards and expectations for all TLMA staff, Board members and volunteers, partners, suppliers, consultants, and (hereafter ‘TLMA Staff and Representatives’) concerning the prevention, reporting and responding to incidents of SEAH.
- c) Outline the appropriate procedures for reporting SEAH incidents.
- d) Establish the minimum standards expected of TLMA Staff and Representatives.

## 4. Scope of Application

This Policy addresses safeguarding for the prevention and resolution of *SEAH* claims of adult *TLMA Staff and Representatives*. Safeguarding for children is addressed in our *Child and Vulnerable Adults Protection*

---

<sup>1</sup> <https://www.leprosymission.org/about-us/who-s-who>

<sup>2</sup> “Member” - A national entity registered or recognised in that country and self-identifies as part of the “The Leprosy Mission” of that country. The entity has signed the TLM Charter thus agrees with TLM’s vision, mission and values; has a minimum income of £20, 000 or a programme budget of at least £20, 000.

<sup>3</sup> “Affiliate” - A national entity registered or recognised in that country and self-identifies as part of the “The Leprosy Mission” of that country. The same commitments as a Member however is smaller in size with an annual income less than £20,000.

<sup>4</sup> A list Members and Affiliates can be found here <https://www.leprosymission.org/about-us/global-fellowship> .

*Policy.* This Policy applies to any location that *TLMA* operates or is being represented and includes but is not limited to:

- a) *TLMA*'s office and other premises, including TLM Fellowship, government, implementing country, donor and supporter locations;
- b) The use of technology, including a mobile phone or computer on social media;
- c) Working from home or remotely;
- d) Travelling; and
- e) Any location or situation where a *TLMA* Member or Affiliate represents *TLMA*, be that in employment or engagement with *TLMA* activities

Adherence to this Policy is a mandatory requirement for all *TLMA Staff and Representatives*. For the purposes of this Policy, *TLMA* does not address conduct in the broader community that is not perpetrated by *TLMA Staff and Representatives*.

## 5. Principles

*TLMA* expects the highest standards of professional practice and behaviour by *TLMA Staff and Representatives* in our work and when in direct or indirect contact with all people.

### **Zero Tolerance of Sexual Misconduct, Violence, Coercion, Exploitation, Neglect, Abuse, Harassment and Inaction**

- a) It is *TLMA* policy that all individuals have the right to be safe and respected at all times, which means they are entitled to equal and unqualified protection against sexual misconduct, violence, coercion, exploitation, abuse and harassment. Any form of sexual exploitation, abuse, harassment or misconduct is unacceptable may be grounds for disciplinary action and qualify as grounds for termination.
- b) A failure to promote the prevention of SEAH and address concerns or allegations of SEAH is a breach of this Policy.
- c) Accountability and transparency – The creation of a culture and environment in which staff, representatives, and beneficiaries, such as children and vulnerable adults, are valued, listened to, and feel safe to raise their concerns, where safeguarding concerns are reported and dealt with quickly and appropriately and where attitudes that permit or excuse sexual misconduct are challenged.

### **Preventing Sexual Exploitation, Abuse and Harassment is a Shared Responsibility of All Leaders, Staff and Representatives to Promote a Strong Safeguarding Culture**

- a) It is integral that *TLMA* leadership fosters safeguarding attitudes and respectful behaviours at places of work. Leaders are expected to provide a model for respectful behaviour, support the development of systems that maintain a safeguarding environment and promote inclusion and diversity. *TLMA* is committed to establishing senior champions responsible for the protection against *SEAH*. *Additionally*, leaders are expected to encourage scrutiny of their behaviour and senior management.
- b) All *TLMA Staff and Representatives* must maintain an environment that promotes implementing this Policy, understand their obligations and have access to this policy, *the Code* and other *TLMA* policies. That includes signing the Code of Conduct. All *TLMA Staff and Representatives* are responsible for safeguarding vulnerable adults in all aspects of work regardless of their position or role.
- c) Resourcing – Maintain and allocate the necessary resources in terms of time and budget to support the implementation of this policy and other related policies and procedures.

- d) Cooperation – Working in cooperation with children, vulnerable adults, carers, communities and relevant agencies is essential to promoting the welfare of everyone.
- e) Responsibility of the implementation of this policy lies with all staff and representatives, particularly Managers, Country Leaders, and their Board. They will be supported by the Global Designated Safeguarding Officer (DSO) situated at TLM International Office and the in-country Designated Safeguarding Leads and Safeguarding Focal Persons
- f) Learning – Ensure recommendations from lessons learnt are incorporated back into improving this policy, procedures, and safeguarding practice by TLM and ensuring systems are in place to monitor and review the progress.

#### **Human resources and training**

- a) Ensure that all *TLMA Staff and Representatives* receive training on safeguarding at a level commensurate with their role in the organisation.
- b) Ensure that all persons dealing with *SEAH* matters have formalised responsibility for *SEAH* in their job description, performance appraisal or similar.
- c) Design and implement programs and activities that protect people from any risk of harm that may arise from contact with *TLMA*. This will include how information is gathered, and communication occurs and ensuring that sensitive and contextually appropriate complaint mechanisms are available to all *TLMA Staff and Representatives*, beneficiaries and others.
- d) Undergo robust recruitment, screening and employment procedures, including mandatory criminal record checks and background checks to ensure that all recruits are the safest and most suitable people to work with *TLMA*.

#### **Addressing Gender Inequity and Other Power Imbalances**

- a) *TLMA* recognises that inequalities based on the distinction of worker/beneficiary, ability/disability, ethnic and Indigenous status, religion, gender identity, sexual orientation, age, health and poverty can contribute to acts of *SEAH*. Furthermore, we acknowledge that the intersection of gender with existing inequalities can increase the likelihood of *SEAH* occurring. We abhor misuse of power, status or trusted position for exploitive purposes or impropriety. Accordingly, it is *TLMA* policy that engagement with staff, beneficiaries, donors and affiliates is conducted with respect, inclusion, and a strong do no harm focus in alignment with *TLMA* values.
- b) *TLMA* is committed to promoting gender equality, gender diversity and non-discrimination in our recruitment and management processes and developing and realising programs, activities and initiatives.
- c) In fostering a safeguarding environment, *TLMA* commits to addressing unequal and harmful power imbalances, including relationships that undermine the credibility and integrity of *TLMA*'s humanitarian and development work.

#### **Victims/Survivors' needs are prioritised**

- a) *TLMA* ensures that where a breach of our Safeguarding Policy arises, survivors/victims' rights, needs and wishes will be prioritised.
- b) In addressing *SEAH* breaches, *TLMA* commits to treating all survivors/victims in a dignified and respectful manner underpinned by a 'do no harm' approach.
- c) In addressing Policy breaches, *TLMA* will ensure that survivors/victims:
  - i. Are treated with dignity and respect.
  - ii. Are provided with accessible mechanisms to make a complaint with processes designed to meet their needs and contexts.

- iii. Are entitled to have their complaints investigated sensitively, privately and confidentially with primary concern for the survivor/victim's needs. Per the Department of Foreign Affairs and Trade ('*DFAT*') *Preventing Sexual Exploitation, Abuse and Harassment Policy*, and following the wishes of the survivor/victim, all alleged SEAH incidents that breach criminal laws should be reported to the appropriate law enforcement agencies.
- iv. Are involved in the decision-making process and are provided with comprehensive information in the process of addressing the allegation
- v. Will not be discriminated against based on their gender, age, race/ethnicity, ability, sexual orientation, ability or any other characteristics.
- vi. Are provided with counselling and health services to assist in their recovery where required. In doing so, every practicable effort will be made to assist the survivor/victim in coping with any post-traumatic stress or psychological harm they may be experiencing.

#### **Adherence to Law as a Safeguarding Measure**

- a) *TLMA Staff and Representatives* will adhere to relevant local law, international law, and conventions established for protecting individuals against *SEAH* where they are conducting activities in connection with *TLMA*.

## **6. Standards of Conduct**

To protect stakeholders and beneficiaries, *TLMA staff and representatives* are required to sign the *TLMA Safeguarding Code of Conduct* which covers the following standards:

1. Working in Direct or Indirect Contact with Vulnerable Adults
2. General Conduct
3. Recruitment and Training
4. Reporting and Supporting Safeguarding Concerns
5. Images and Personal Information
6. Working in Direct or Indirect Contact with Vulnerable Adults

## **7. Risk Assessment**

*TLMA* adopts a risk-based proportional approach to the protection from *SEAH* acts. *TLMA* will assess the level of risk for *SEAH* occurring for each of its programs alongside existing activity planning and risk management processes. *Preventing SEAH Minimum Standards* outlined by the Australian Department of Foreign Affairs and Trade (Appendix 1) will be used to address *SEAH* risk.

## **8. Reporting and Investigation**

Reporting safeguarding concerns is a mandatory and professional obligation and failure to do so could lead to appropriate disciplinary action. This applies even to those staff or representatives who have no direct contact with children and vulnerable adults during their work.

All *TLMA Staff and Representatives* are required to report all concerns or incidents of *SEAH* included in this Policy or violations of *the Code* in a timely manner. *TLMA* will ensure that safe, appropriate and accessible means of reporting are made available to all *TLMA Staff and Representatives*, communities and beneficiaries we work with. Where a report is made, *TLMA* will ensure the prioritisation of the survivor/victim's safety and wellbeing (Principle 4.4). Per our zero-tolerance policy for *SEAH* (Principle 4.1), anyone who fails to report an incident of *SEAH* will be considered non-compliant with this Policy.

TLMA recognises that reporting breaches of this Policy enable us to respond, assist and improve our understanding of *SEAH* incidents, increase awareness of *SEAH* and improve the way we implement safeguarding.

### **Reporting Obligations**

Violations or suspected violations of this Policy must be reported to TLMA in person, by telephone or in writing (email or post). A report should be made to:

- TLMA Designated Safeguarding Lead (DSL) or Deputy DSL
- The Chief Executive Officer ('*CEO*'); or
- TLMA Board Safeguarding Lead
- The Global Designated Safeguarding Officer ('*DSO*')
- SafeCall (an external independent complaints organisation)

#### **8.1.1 Where sexual exploitation, abuse or harassment is being reported:**

It is mandatory that *TLMA Staff and Representatives* who are aware of or suspect any incident of sexual exploitation, abuse or harassment in the delivery of *DFAT* business to report the incident *immediately to TLMA*. This mandatory duty extends to any alleged incident that poses a significant reputational risk to *DFAT* or *TLMA*.

#### **8.1.2 Where policy non-compliance is being reported:**

*TLMA Staff and Representatives* that are aware of or suspect non-compliance with this Policy, *the Code* or any other *TLMA* policies are obligated to make a report to TLMA within five days of becoming aware or suspecting the breach.

TLMA has the responsibility to report to *DFAT* and is required to do so for any suspected or alleged cases of *SEAH* perpetrated by anyone within scope of *DFAT's PSEAH* Policy in connection with official duties or business. This includes:

- i. *DFAT* partners who have agreements in place with *DFAT* (funded and unfunded)
- ii. Partner governments and multilateral organisations.
- iii. Downstream *DFAT* partners (contractors, subcontractors, partners and any other entity engaged by *DFAT* partners to perform any *DFAT*-related work).

#### **8.1.3 What information is reported?**

The Notifier is encouraged to disclose all information that is relevant including how they have become aware of suspicious of safeguarding issues. The onus is not on the Notifier to provide evidence; however, any evidence the Notifier may be in possession of would be helpful for the DSL in developing an appropriate response.

A Notifier may choose to remain anonymous when reporting safeguarding concerns. However, if possible, the Notifier should be made aware that by remaining anonymous, responding staff may be limited in contacting them for further information, providing updates or the outcome of their disclosure.

### **Recording**

Every safeguarding allegation received must be securely recorded, filed and stored following local information law requirements and will be made accessible strictly on a 'need-to-know' basis in

accordance with confidentiality requirements. Complete and accurate records will be retained for every reported incident.

### **Confidentiality**

- Confidentiality will be maintained wherever possible by all parties involved or aware of the safeguarding matter. Sharing information which could identify a child, vulnerable adult, alleged survivor/victim, subject person or responsible person, should be provided on a 'need-to-know' basis as is appropriate in responding to the issue(s) reported.
- The recording, reporting and storage of sensitive information must be done in accordance with TLMA's Privacy Policy.
- Whether you are reporting a matter, the subject of concern or contributing to resolving an issue associated with a breach of this Policy or the Code, you are required to maintain strict confidentiality.

### **Duty to Report / Illegal Conduct**

- If the survivor/victim seeks to retract their allegation, *TLMA* representatives must advise the requesting person that they are still obliged to notify the *TLMA DSL/CEO*. Likewise, if the allegation is reportable to *DFAT* under the *DFAT* Policy, the *TLMA DSL/CEO* must still notify *DFAT* acknowledging the concern.
- Where safe to do so, and when in accordance with the wishes of the victims/survivors and whistleblowers, all alleged *SEAH* incidents that involve a criminal aspect should be reported through the correct law enforcement channels.
- For incidents occurring in Australia that amount to illegal activity or put a *TLMA Member or Affiliate*, the *TLMA DSL/CEO* will immediately notify the Police.
- If the conduct occurred outside of Australia and constitutes criminal behaviour, *TLMA* will contract the Australian Federal Police if it concerns an Australian citizen.

### **Responding to Reports of *SEAH***

- A Notifier will receive an acknowledgment within five days of submitting a report or upon receipt of a referral from Safecall. Please be aware that an acknowledgement of receipt may not be possible where the Notifier intends to stay anonymous.
- *TLMA* will aim to resolve safeguarding issues as quickly as possible and within 30 days unless there are exceptional circumstances, or the matter is complex. If the case is not resolved within 30 days, the *DSL* will ensure the involved parties are kept informed.
- Under no circumstances should *TLMA*, any staff or partner undertake an investigation or action concerning safeguarding allegations, other than ensuring the immediate safety of a survivor/victim, before considering notification to or consultation with appropriate authorities where applicable.

#### **8.5.1 Procedural Fairness**

- A person who may be adversely affected by an administrative decision is entitled to a fair hearing before making any decision. Accordingly, persons implicated in a breach of *TLMA's* Safeguarding Policy will be given reasonable opportunity and time to express their understanding and viewpoint and comment or contest the relevant issue before a decision is reached.
- *TLMA* will adhere to procedural fairness by providing the accused:
  - i. The opportunity to present their case to a decision maker.
  - ii. An unbiased decision maker who will objectively hear the accused's version of events.
  - iii. An evidence-based, objective, logical and proportionate decision to the accusations.

### 8.5.2 Standard of Proof

- In administrative and disciplinary investigations, the civil standard of proof applies. Accordingly, for *TLMA* to be satisfied beyond a reasonable doubt, the allegations must be proven on a more probable than not basis.
- The strength of evidence necessary to establish an allegation on the balance of probabilities may vary according to the seriousness of the issues involved. Therefore, the more serious the allegation, the higher the standard of proof.

## 9. Breach of this Policy and Procedures

Anyone found to have breached this Policy, including failing to report safeguarding concerns or co-operate with safeguarding investigations, will face appropriate action from *TLMA* to the extent of our authority. The consequences may amount to one or more of the following (this is a non-exhaustive list):

- a) Disciplinary action, which may amount to dismissal of staff
- b) Termination of engagement for Board members, volunteers, and other representatives.
- c) Termination of contract for consultants/contractors
- d) Suspension/withdrawal of funding/support and ending the relationship with *TLMA* for Members, Partners, and Suppliers.
- e) The matter being reported to the relevant law enforcement and other agencies where appropriate.

*TLMA* views the safety of vulnerable individuals as paramount. We encourage an open culture of reporting without reprisals. We believe it is always better for staff and representatives to report their concerns, even if uncertain.

## 10. Outcomes and Other Action

After an investigation, the survivor/victim and subject person or responsible person will be informed of the outcome of the inquiry and what further action, if any, will be taken, including disciplinary or termination of employment. It is appropriate to provide the outcome in writing; however, a decision to provide a copy of the report should be made on a case-by-case basis.

Where the Notifier is not the survivor/victim of the incident, then feedback of the outcome should be provided in consideration of confidentiality for the survivor/victim s and the subject person or responsible person.

The *TLMA* DSL, Deputy DSL, Safeguarding Lead Board Member or CEO may report the outcome of the case to external authorities and other organisations, adhering to relevant legal requirements within 14 working days of the case being finalised.

## 11. Related Policies

The following policies are aligned with this Policy and procedures. In the event of an inconsistency, the higher standard will apply:

- a) Safeguarding Procedures
- b) Children and Vulnerable Adult Protection Policy
- c) Bullying and Harassment Guidelines
- d) Grievance Guidelines & Procedures
- e) Privacy Policy
- f) Work Health and Safety Guidelines
- g) Gender Policy

## h) Disciplinary Guidelines

This policy, and all related policies, are underpinned or reinforced by TLM's values (Compassion, Justice, Integrity, Inclusion and Humility) and international safeguarding standards including:

- a) Keeping Children Safe Standards
- b) Core Humanitarian Standard and 9 Commitments
- c) IASC 6 Principles on Protection from Sexual Abuse and Exploitation
- d) DFID's Enhanced Due Diligence Safeguarding Principles

It is also based on the following International Human Rights Instruments:

- UN Convention on the Elimination of Discrimination against Women (CEDAW) 1979
- UN Convention on the Rights of the Child (UNCRC) 1989
- UN Convention on the Rights of Persons with Disabilities (UNCRPD) 2006

## 12. Adoption and Implementation of this Policy

This policy, the accompanying procedures, and the Code of Conduct set the minimum standards expected by TLM Fellowship Members, their staff and representatives however, it is understood that each Member Country is different, and they may contextualise and/or expand on its requirements in their country context in a manner that is consistent with this Global standards. In the event of discrepancy between country and global standards, the higher standard will apply.

The Safeguarding Children & Vulnerable Adults Procedures supports the implementation of this policy and sets out the main steps for TLM Representatives to undertake:

- Signing of the Safeguarding Code of Conduct by all TLM staff and representatives. The Code of Conduct sets minimum standards of behaviour in and outside of work, which are mandatory. This Code will form part of the terms and conditions of any individual's contract or engagement with TLM.
- Safe People – recruitment and selection and other HR procedures applicable to all TLM staff and representatives (Procedures Section 2).
- Mandatory induction and training and regular communications regarding this policy (Procedures Section 2 and 9).
- Clear and confidential ways to provide feedback, report and respond to safeguarding concerns for staff, representatives, and beneficiaries. (Procedures Sections 3 and 4).
- Implementing Safeguarding Risk Assessments (Procedures Section 5)
- Gathering, storing, and using images and personal data of children and vulnerable adults for marketing, communications, fundraising, research and evaluations, including the use of Informed Consent Forms (Procedures Section 7)
- Fundraising recognises that some supporters will be vulnerable, and they must be protected, and adjustments made to meet their needs (Procedures Section 7)
- Working with Partners and Suppliers, TLM shares and expects compliance of this Policy and Procedures by its partners and suppliers for their context. Partners should also undergo a safeguarding due diligence process where gaps in their policies, procedures and or capacity are identified and TLM supports them to develop and improve (Procedures Section 8)



### 13. Monitoring this Policy

#### Global Level

- a) Safeguarding will be included in the organisational Risk Register with clear risk owner and mitigating measures in place. The Leprosy Mission International will review this register no less than annually.
- b) Safeguarding will be included as a standing item on the agenda of the local *TLMA* Board, and the Designated Safeguarding Trustee and Global Designated Safeguarding Officer will provide a report on the implementation of the Policy, any concerns that have arisen, and the outcome of any investigations.

#### Country Level

- a) Safeguarding will be included in the organisational Risk Register with clear risk owner and mitigating measures in place. The local TLM Board will review this register no less than annually.
- b) Safeguarding will be included as a standing item on the agenda of the *TLMA* Board and the Designated Safeguarding Lead ('*DSL*') will provide a report on the implementation of the Policy, any concerns that have arisen and outcome of any investigations.

### 14. Aligned Principles, Standards and Reporting Requirements

This Policy reflects the principles, standards and reporting requirements of the:

- ACFID Code of Conduct and Quality Assurance Guidelines
- Australian Department of Foreign Affairs and Trade's PSEAH Policy
- ACNC (Australian Charities and Not-for-profits Commission)
- IASC Principles on Protection from Sexual Abuse and Exploitation

### 15. Revision

This Policy is based on the TLMI Safeguarding Policy and adapted to align with relevant Australian regulations.

The Safeguarding Policy will be reviewed no less than annually to ensure compliance with all regulatory and legislative requirements and to reflect *TLMA*'s progress in resolving *SEAH* claims.

#### Revision History

Version	Date	Author	Summary
5.0	28/08/2022	Nerida Collard	New draft created for new revisions
5.1	12/08/2022	Nick Crouch/Andrew Newmarch	Revisions to more closely align to DFAT & ACFID requirements
5.2	15/05/2023	Nerida Collard / Jenn Cavanaugh / Andrew Newmarch	Review and revisions
5.3	9/10/2023	Nerida Collard	Updated links for Safeguarding contacts

### Document Approval History

Version	Date	Approved by
1.4	04/03/2019	TLMA Board
2.2	24/02/2020	TLMA Board
3.5	28/06/2021	TLMA Board
4.2	27 June 2022	TLMA Board
5.2	26 June 2023	TLMA Board
5.3	25 Sept	TLMA Board

### 16. Safeguarding Contacts

<b>Reporting Internally</b>	If you are comfortable to report the matter internally, it is TLMA's preference that you make a Disclosure following the instructions on our website at <a href="https://www.leprosymission.org.au/safeguarding">https://www.leprosymission.org.au/safeguarding</a>
<b>Reporting Externally</b>	If you are uncomfortable with making or unable to make an internal report, you may make a report to TLMA's external independent Whistleblower provider, <b>Safecall</b> . While any Eligible Recipient can receive an anonymous Disclosure, Safecall is TLMA's preferred recipient for anonymous Disclosures.  Reports can be made by telephone on 1800 312 928 or by lodging a report online at <a href="http://www.safecall.co.uk/report">www.safecall.co.uk/report</a> .

### 17. Declaration

I, \_\_\_\_\_, confirm that I have read, understand and agree to abide by The Leprosy Mission Australia's Safeguarding Policy and procedures.

I understand that The Leprosy Mission Australia reserves the right to take formal action against me if I am in breach of The Leprosy Mission Australia's Safeguarding Policy and procedures, the Code of Conduct or other related *TLMA* policies.

I confirm that I am aware that there is a mandatory obligation to report any concerns I have about possible exploitation, abuse, harassment or neglect, and agree to co-operate with all investigations and follow up.

Job title/role/position: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

This signed Declaration will be held on file for the duration of your engagement with The Leprosy Mission Australia.

## Attachment 1: DFAT PSEAH Minimum Standards

DFAT PSEAH Minimum Standards						
Minimum standard	Obligation		Applies to			
	Organisations	Individuals	Low Risk	Med Risk	High Risk	Very High Risk
<b>1. Have a PSEAH policy or other documented policies and procedures in place and clearly communicate expectations of this Policy.</b>	Must have a PSEAH policy or other documented policies and procedures in place, which clearly meet the expectations of this Policy.	Sign a document outlining appropriate and enforceable standards of conduct, compliant with the requirements of this Policy	✓	✓	✓	✓
<b>2. Have reporting and investigation procedures in place.</b>	The PSEAH policy, or equivalent, documents how SEAH incidents will be managed, reported and investigated. Reporting and investigation processes must include engagement of and reporting to senior management and executive boards.	Through a document which outlines appropriate and enforceable standards of conduct, confirm awareness of DFAT's PSEAH reporting requirements for concerns or incidents and policy non-compliance.	✓	✓	✓	✓
<b>3. Have risk management processes that include the risk of SEAH.</b>	Have effective risk management processes that include consideration of the risk of SEAH. The process must document the controls already in place or to be implemented to reduce or remove risks.	Must meet the reporting requirements under their agreement, aligned to DFAT's PSEAH Policy.	X	✓	✓	✓
<b>4. Effective PSEAH training in place.</b>	PSEAH training for personnel, including downstream partners and individuals that deliver DFAT business.	Complete PSEAH training and provide evidence of this.	X	X	✓	✓

DFAT PSEAH Minimum Standards						
Minimum standard	Obligation		Applies to			
	Organisations	Individuals	Low Risk	Med Risk	High Risk	Very High Risk
<b>5. Recruitment and screening processes and employment practices address and manage the risk of SEAH.</b>	Can demonstrate robust PSEAH recruitment and screening processes for all personnel/consultants including having in place appropriate and enforceable standards of conduct.	Based on a risk assessment, assurances could include providing a recent police check, working with vulnerable people check or location specific equivalent that provides assurance reasonable SEAH precautions have been taken. Local requirements must also be followed.	X	X	✓	✓
<b>6. Prohibit transactional sex for all personnel, while engaged in the direct delivery of DFAT business</b>	Prohibits transactional sex in the field for all staff and downstream partners while engaged in the delivery of DFAT business	Employment agreements include clauses prohibiting transactional sex while engaged in the delivery of DFAT business.	X	X	X	✓
<b>7. Prohibit fraternisation for all non-national personnel, while engaged in the direct delivery of the DFAT business</b>	Prohibits fraternisation for all non-national personnel in the field while engaged in the delivery of DFAT business	Employment agreements include clauses prohibiting fraternisation for all non-national individuals while engaged in the delivery of DFAT business	X	X	X	✓

## Attachment 2: Key Definitions and Concepts

### TLMA Staff and Representatives

<b>Staff</b>	All TLMA employees, working part-time and full-time consistent the Public Service Act 1999 (Cth).
<b>Representatives</b>	TLMA volunteers, interns, Board members, advisors, consultants, contractors, community health workers, visitors, media and journalists, and all who represent with TLMA in any capacity.
<b>Beneficiaries</b>	A person or community that <i>TLMA</i> intends to benefit from an activity, program or project both nationally and internationally.
<b>Partners</b>	Local, national or international organisations with whom TLMA enters into a contractual agreement to undertake activities, projects and programmes.
<b>Suppliers</b>	Those who supply TLMA Staff and Representatives, and partners with materials or supplies delivery of operations, fundraising, and programmes.
<b>Contractor(s)</b>	A person or entity engaged pursuant to a contract for services. Including: <ul style="list-style-type: none"> <li>○ Specified personnel nominated in a head agreement with an intermediary company (the contractor) to which a payment is made (although the specified personnel may themselves be employees and not independent contractors); or</li> <li>○ If the person performing a service and is the service provider; he/she is an independent contractor.</li> </ul>

### SEAH Terms

<b>Abuse, exploitation and neglect</b>	All forms of action or inaction by TLMA staff or representatives in a position of power, trust and authority that may result in different forms of harm (or risk of harm) or injury.
<b>Accountability and transparency</b>	The creation of a culture and environment in which staff, representatives, and beneficiaries, such as children and vulnerable adults, are valued, listened to, and feel safe to raise their concerns. Also, where safeguarding concerns are reported and dealt with quickly and appropriately.
<b>Appropriate response</b>	Immediate steps taken to prevent further harm and investigate and deal with concerns appropriately, including, when possible, working together other organisations and law enforcement that have a responsibility to safeguard children and vulnerable adults.
<b>Best interest</b>	All actions must be taken in best interest of the victim(s) or survivor(s), employing a survivor-centred approach.
<b>Bullying</b>	Any behaviour directed either against an individual or group that creates a threatening or intimidating environment, undermining the confidence and self-esteem of the recipient(s). Abuse or misuse of power that humiliates or injures the recipient(s) may constitute bullying.

<b>Child/Children</b>	Every human being under the age of 18 in accordance with Article 1 of the UN Convention on the Rights of the Child (1989), unless under the law applicable to the child maturity is attained earlier. TLMA recognises that some children may be more vulnerable to harm due to personal and/or external circumstances (e.g., sexual orientation, physical and/or mental disabilities, orphaned and/or single carer household)
<b>Clear reporting</b>	Where concerns can be raised and managed in a timely and appropriate manner and are made known to appropriate TLMA staff, representatives, partners and beneficiaries.
<b>Commitment</b>	Sharing this Policy and the Code of Conduct with all TLMA Staff and Representatives for their signature as a sign of acceptance.
<b>Confidentiality</b>	All care must be taken to ensure information regarding safeguarding concerns should only be shared to those who need-to-know only. All reports will be handled with the strictest confidentiality to protect the identity of the individuals concerned and ensure there is an environment of no reprisals against those who make reports. Information about concerns will only be shared with agencies and/or individuals who need to know on a risk-assessed basis.
<b>Cooperation</b>	Working alongside children, vulnerable adults, carers, communities and relevant agencies to promote the welfare of everyone.
<b>Domestic Abuse or Intimate Partner Violence</b>	Any incident or pattern of incidents of controlling, coercive, or threatening behaviour, violence, or abuse of adults, by intimate partners, previous intimate partners, or family members regardless of gender or sexuality.
<b>Emotional Abuse</b>	Includes the failure to provide a developmentally appropriate, supporting environment, including the availability of a primary attachment figure, so that the child or vulnerable adult can develop a stable and full range of emotional and social competencies. Acts of emotional abuse may include restriction of movement, patterns of belittling, denigrating, scapegoating, threatening, scaring, discriminating, ridiculing, or other non-physical forms of hostile or rejecting treatment.
<b>Financial and Material Abuse</b>	Includes theft, fraud, exploitation, and pressure in connection to Wills, property, inheritance, and financial transactions, or inciting a child or vulnerable adult to do any of these things on another individual's behalf; it may also involve the misuse or misappropriation of property, possessions, and benefits belonging to children or vulnerable adults.
<b>Harassment</b>	Unwelcomed verbal, non-verbal or physical conduct, that is related to a person's characteristics, whether they are actual or perceived, which include: age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
<b>Fraternisation</b>	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. Fraternalisation may 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.

<b>Learning</b>	Ensure recommendations from lessons learnt are incorporated back into improving this policy, procedures, and safeguarding practice by TLMA and ensuring systems are in place to monitor and review progress.
<b>Modern Slavery</b>	Includes the crimes of human trafficking, slavery, and slavery-like practices such as servitude, forced labour, forced and/or early marriage, the sale and exploitation of children and vulnerable adults, and debt bondage.
<b>Neglect or Negligent Treatment</b>	Is the inattention or omission on the part of the caregiver to provide for the development of the child or vulnerable adult in all spheres such as health, education, emotional development, nutrition, shelter, and safe living conditions. This includes the failure to properly protect children and vulnerable adults from harm as much as is feasible.
<b>Non-discrimination</b>	Without exception, all people have the right to protection from abuse, neglect and harm regardless of gender, age, race, disability, sexuality, sexual identity, or beliefs. No individual or group should be treated any less or more favourably than others in being able to access services which meet their needs.
<b>Physical Abuse</b>	Results in actual or potential physical harm from an interaction or lack of interaction. There may be single or repeated incidents. Examples include smacking, hitting, shaking, poisoning, burning, drowning or suffocating, or deliberately making someone ill.
<b>Perpetrator</b>	A person (or group of persons) who commits an act of SEAH or other type of crim or offence.
<b>Prevention</b>	Ensuring that safety is built into all activities and service provision, including the reduction and management of risk.
<b>Protection</b>	All activities aimed at ensuring respect in the spirit of international human rights, humanitarian and refugee law with a focus on preventing, mitigating and responding to SEAH, violence, coercion and deprivation.
<b>Safeguarding</b>	The responsibility and duty of care exercised by all TLMA staff and representatives who are in positions of power, authority, trust and responsibility. The duty to safeguard extends to all people, especially children and vulnerable adults, from the risk of harm, abuse, exploitation and harassment that arises through contact with TLMA Member of Affiliates behaviour, activities, projects and programmes, both directly and indirectly. Safeguarding applies consistently and without exception in all TLMA activities. Additionally, safeguarding requires proactively identifying, reporting, guarding against and preventing against the risks of SEAH and having mature, accountable and transparent systems for response as and when breaches materialise. These systems are survivor/victim oriented and will be implemented with procedural fairness.
<b>Sexual abuse</b>	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), inappropriate touching and being made to engage in sexual activities that bring about discomfort. All sexual activity with someone under the age of consent is considered to be sexual abuse.

<b>Sexual exploitation</b>	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.
<b>Sexual harassment</b>	<p>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.</p> <p>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.</p> <p>Examples of behaviour that may be sexual harassment include:</p> <ul style="list-style-type: none"> <li>○ Staring or leering;</li> <li>○ Unnecessary familiarity, such as unwelcome affection or touching;</li> <li>○ Suggestive comments or jokes;</li> <li>○ Insults or taunts of a sexual nature;</li> <li>○ Intrusive questions or statements about your private life;</li> <li>○ Displaying posters, magazines or screen savers of a sexual nature;</li> <li>○ Sending sexually explicit emails or text messages</li> <li>○ Inappropriate advances on social networking sites;</li> <li>○ Requests for sex or repeated unwanted requests to go on dates; and</li> <li>○ Behaviour that may also be considered to be an offence under criminal law such as physical assault, indecent exposure, sexual assault, stalking , or obscene communications.</li> </ul>
<b>Survivor/Victim</b>	The person who has suffered harm or injury from exploitation, abuse, harassment or neglect. The term ‘survivor’ is often used in preference to ‘victim’ as it implies strength, resilience and the capacity to survive. It is the individual’s choice whether they wish to identify themselves as a survivor or victim.
<b>Transactional sex</b>	The exchange of money, employment, goods or services for sex, including sexual favours
<b>Vulnerable adult</b>	Someone aged 18 or over who has care and/or support needs by reason of being affected by personal circumstances such as leprosy, physical, learning or mental disability, old age, gender, sexual orientation, illness, mental health issues, sensory impairment or external circumstances such as poverty, conflicts or disaster. They are, or may be, unable to protect themselves against harm, abuse or exploitation.