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1 PURPOSE

This policy sets out The Fred Hollows Foundation NZ Group (FHFNZ Group) approach to preventing and addressing sexual exploitation, abuse, and harassment (PSEAH). Human dignity and social justice are central to The FHFNZ Group’s work, and we recognize people’s right to live free from any form of sexual abuse and violence regardless of age, gender, sex, sexual orientation, disability, religion, or ethnic origin.

The FHFNZ Group recognises that unequal power dynamics exist across our organisation and often between and within the communities we serve. As such, gender equity and inclusion are central to our PSEAH policy and approaches.

FHFNZ has a zero-tolerance to inaction regarding any form of sexual exploitation, abuse, and harassment (SEAH). We will take seriously all concerns and reports involving FHFNZ Group workers, representatives, partners, and associates, and commit to strengthening safeguarding capacity to enable understanding, preventing, reporting, investigating, and responding to SEAH.



The Foundation recognises the importance of appropriate professional conduct in protecting people. This Policy lays out the guiding principles and commitments of The Foundation and informs workers, representatives, partners, associates, and visitors of their responsibilities in relation to Safeguarding.

2 SCOPE

- a) This Policy applies to all FHFNZ Group employees and those associated with the delivery of The FHFNZ Group's work, both during and outside normal work hours, including partners, representatives, supported students, and anyone else affiliated with the FHFNZ Group's activities.
- b) This Policy should be read in conjunction with the Code of Conduct; External Complaints Policy; Child and Youth Safeguarding Policy; Risk Management Policy; and Content Gathering and Use Policy.

3 DEFINITIONS

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 and exploitation represent a wide spectrum of behaviours and is not limited to the act of sexual intercourse.
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); sexual assault (which includes non-consensual kissing or touching). All sexual activity with someone under the age of consent ¹ is considered sexual abuse.
Sexual Harassment	Sexual harassment includes unwelcome sexual comments or advances, jokes of a sexual nature, online or phone messaging of illicit materials, requests for sexual favours, 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 offense or humiliation to another. Such conduct will also be considered sexual harassment when it interferes with work, is made a condition of employment, or creates an intimidating, hostile, or offensive work environment.

¹ Refers to age of consent requirements specified for sexual activity in the law of the host country or the age of consent under NZ legislation, whichever sets the greatest age.



While typically involving a pattern of behaviour, it can take the form of a single incident. Sexual harassment may occur between persons of the opposite or same sex. Both males and females can be either the victims or the offenders.

**Sexual
Relationship**

Includes but is not limited to workers or related personnel having a physically intimate relationship, or an online sexually related relationship via social media, text, or telephone.

**Child Sexual
Abuse**

When a child is used by another child, adolescent, or adult for his or her own sexual stimulation or gratification. Sexual abuse involves contact and non-contact activities which encompasses all forms of sexual activity involving children, including exposing a child to online child sexual exploitation material, or taking sexually exploitative images of children.

Survivor

The person who it is alleged has been the subject of sexual harassment, abuse, or exploitation.

FHFNZ Group

Includes The Fred Hollows Foundation NZ (FHFNZ), its subsidiary The Fred Hollows Foundation NZ Pacific Eye Institute Limited (FHFNZ-PEI), and its controlled entities The Fred Hollows Foundation PNG Inc. (FHF-PNG) and The Fred Hollows Foundation NZ SI Trust Board (Incorporated) (FHFNZ-SI).

Partner

People or entities that the FHFNZ Group conducts significant business with, including but not limited to programme partners.

Representative

Any person (excluding workers) representing the FHFNZ Group, including but not limited to ambassadors.

Worker

Any individual who carries out work in any capacity for the FHFNZ Group in any jurisdiction including employers; employees; trustees; contractors; people with responsibility for work and workplaces; volunteers doing work activity; people receiving work experience; people receiving on-the-job training; people working from home and mobile workers.

Associates

Refers to a range of contracted paid and non-paid individuals who have committed to work with or support The FHFNZ Group. It includes, among others, board members, volunteers, interns, researchers, donors, consultants, contractors, staff and/or representatives of partner organisations (when operating in partnership agreement with The FHFNZ Group).



Visitors Refers to people who are visiting our offices or programmes, including journalists, media, researchers, visiting donors, and celebrities.

4 GUIDING PRINCIPLES

This policy is underpinned by the following set of principles that guide its implementation:

- (1) The FHFNZ Group takes a zero-tolerance approach to inaction. Any form of exploitation, abuse, and harassment is unacceptable and will not be tolerated. The FHFNZ Group believes that all people have the right to live their lives free from sexual violence and any abuse of power.
- (2) Human Rights will be respected and applied **to all** irrespective of age, sex, gender, gender identity, sexual orientation, nationality, ethnic origin, race, language, religious or political beliefs, marital status, disability, physical or mental health, family, socio-economic or cultural background, class, any history of conflict with the law or any other aspect of their background or identity.
- (3) All responses to SEAH must be survivor-centered and appropriate to the individual's needs and context. All decisions and actions in response to safeguarding concerns and allegations and breaches of this policy will be guided by the safety, rights, needs, and wishes of the survivor while ensuring procedural fairness to all parties.
- (4) The FHFNZ Group will uphold the privacy and dignity of the survivor by maintaining confidentiality, treating them respectfully, involving them in decision making as appropriate, providing comprehensive information, and committing to referrals and assistance to support the recovery and safety of the individual.
- (5) When investigating a PSEAH report, The FHFNZ Group will maintain procedural fairness and follow organisational protocols, and where innocence is established, all efforts will be made to protect the confidentiality and reputation of the individuals involved.
- (6) The FHFNZ Group recognises that imbalances in power and gender inequality are key drivers for SEAH. In all communities and societies in which The FHFNZ Group works, gender inequality exists and people that interact and engage with our work experience unequal



gender norms and stereotypes, and the nature of our organisation can create and maintain differential power and inequality.

- (7) The FHFNZ Group supports the empowerment and inclusion of survivors in the response process, in a manner that promotes equality, equity, and their increased safety and protection. Inequality, exclusion, and discrimination will be challenged and will not be tolerated.

5 COMMITMENTS UNDER THIS POLICY

- (1) Everyone working for, or associated with The FHFNZ Group, will be made aware of, and must adhere to, the provisions in this Policy. Everybody has a responsibility to prevent SEAH and must take their safeguarding responsibilities seriously and uphold the principles in this policy. No person should suffer harm, intentionally or unintentionally, because of their engagement, association, or contact with the work of the FHFNZ Group.
- (2) The FHFNZ Group will be open and transparent and will be accountable to our commitment to PSEAH. Any concerns regarding SEAH can be raised and discussed, poor practice and inappropriate behaviour challenged and addressed, and our safeguarding measures continuously reviewed and strengthened.
- (3) The FHFNZ Group will act on all SEAH concerns and allegations, ensuring our actions are timely, appropriate, and centred on the best interest of the survivor, taking into account their specific safeguarding needs and vulnerabilities.
- (4) The FHFNZ Group works in partnership with other agencies and with communities to promote the PSEAH.
- (5) The FHFNZ Group PSEAH approach will respond to the specific risks and needs of the different gender and other identities. The FHFNZ Group will take appropriate measures to address gender bias and other forms of discrimination and violence.
- (6) The FHFNZ Group will ensure our workers, partners, and representatives are supported to meet their PSEAH responsibilities and requirements, understand the risks related to vulnerable and marginalised groups, and how they can work and engage in ways that increase the safety and protection for all people engaged in The FHFNZ Group's work.



- (7) The FHFNZ Group understands that norms regarding SEAH vary globally, resulting in SEAH issues being accepted, tolerated, or ignored. As such, The FHFNZ Group commits to providing sensitive and contextually appropriate PSEAH training to ensure that the concepts, protocols, and policy are fully understood and that any breach cannot be tolerated.
- (8) The FHFNZ Group recognises the laws and protocols within our countries of operation and will comply as appropriate with all relevant employment/labour laws, duty of care, and relevant criminal laws in relation to cases of SEAH.

6 BREACHES OF THE PSEAH POLICY

Breaches of The FHFNZ Group's PSEAH Policy will not be tolerated, and all incidents will be appropriately investigated and responded to in accordance with this policy. Responses to a breach of policy may include disciplinary action up to and including termination of contract, reporting to local law enforcement agencies, and/ or the provision of services, such as counselling.

The FHFNZ Group will take action against anyone, whether they are the subject of a report or not, who engages in retaliatory action (such as - but not limited to - harassment, intimidation, or victimisation) against individuals who make reports, survivors, or other witnesses.

If a worker of The FHFNZ Group is found to have made an allegation that they knew to be false, they will be subject to disciplinary action, up to and including termination of employment. Partners, associates, or representatives of The FHFNZ Group will be subject to action that may result in the termination of their relationship with The FHFNZ Group.

7 REPORTING

The FHFNZ Group will maintain a male and female Safeguarding Focal Point in each country of operation (PNG, Fiji, Solomon Islands). These individuals will be tasked with providing regular information and supporting training on the PSEAH policy and procedures. They will also be the first point of contact for receiving reports.

The FHFNZ Safeguarding Officer will support the operationalisation of the policy across The FHFNZ Group. For example, the FHFNZ Safeguarding Officer will provide the Safeguarding Focal Points with information, training, and resources to promote PSEAH in-country. The Safeguarding Officer and Focal Points will also work with other staff to ensure the effective socialisation of this policy and support reporting, investigation, and response concerning all cases of PSEAH.



FHFNZ workers, partners, and representatives have a responsibility to report any suspicions or concerns regarding SEAH.

Any individual can raise a concern/ or make a report to The FHFNZ Group about an incident they have experienced, witnessed, or heard about concerning workers, partners, representatives, associates, or visitors of The FHFNZ Group without fear of retribution.

The Safeguarding Focal Points will take reports forward, in liaison with the Safeguarding Officer, and in line with The FHFNZ Group's Safeguarding procedures. Reporting will be treated sensitively, be considerate of local contexts, and opportunities will be made available to report verbally, in person, and in local languages.

8 REPORTING CHANNELS

Anyone can raise a SEAH concern or make a report to The FHFNZ Group about something they have experienced or witnessed without fear of retribution.

Reports can be made verbally or in writing to:

- FHFNZ Safeguarding Officer:
- Safeguarding Focal Points (1 Female/ 1 Male in each location)
 - Fiji: name, position, location
 - PNG: name, position, location
 - Solomon Islands: name, position, location
- Or to their line manager or other senior management staff.

As soon as possible after an incident has been identified the issue should be reported to the CEO.

All reports will be anonymized and placed in the FHFNZ Risk Register for consideration by the FHFNZ Group Risk Management Committee, and for quarterly Board reporting.

9 CONFIDENTIALITY

The identity of those reporting will be protected. Every effort will be made to maintain confidentiality throughout the report/ investigation process. Information that identifies individuals involved in a report will be limited to personnel with the absolute need to have such information and will not be shared further without obtaining the informed consent of the survivor, except if



someone's life is at risk, a child is at risk, or as required by law in consultation with legal counsel and where safe to do so.

Non-identifying information will be shared as per donor and regulatory body reporting requirements.

Staff involved in the report or investigation process will be made aware of the importance of maintaining confidentiality. Employees who breach confidentiality may be subject to disciplinary action up to and including termination of employment, and others who work with The FHFNZ Group may have their relationship with The FHFNZ Group terminated. In some cases, such breaches may constitute breaking the law and The FHFNZ Group will be legally required to alert the relevant authorities.

10 REPORT ABOUT FHFNZ GROUP PARTNERS

Where The FHFNZ Group receives a report about a partner organisation, The FHFNZ will expect the partner to respond safely, quickly, and appropriately, as detailed in all partnership agreements.

The FHFNZ Group will assist the partner to implement its reporting obligations. Where appropriate, The FHFNZ Group will work with the partner to address the issue through an appropriate independent investigation. If the outcome is that SEAH has occurred, ongoing work with the partner cannot involve the individual(s) concerned. If there is reason to believe that an allegation of harm has been dealt with inappropriately by a partner, then they risk the termination of the partnership.

11 REPORTS ABOUT EXTERNAL ORGANISATIONS

Safeguarding reports raised to the FHFNZ Group about other organisations will be referred to The FHFNZ Group Safeguarding Officer who will report cases to the relevant organisations involved where safe to do so.

Any referrals will consider circumstances that could indicate a potential risk of harm to an individual or others in the future. Reports should be referred to local protection working groups, networks, and/or the charity commission/police/donors where appropriate and safe to do so and/or in circumstances that could indicate a potential risk of harm to an individual or others in the future.

The FHFNZ Group will not investigate cases related to other organisations, but does have an obligation to report.



12 SUPPORT FOR A PERSON WHO HAS SUFFERED HARM

The FHFNZ Group will offer support to individuals who have suffered harm because of their interactions with our organisation. The FHFNZ Group will aim to provide support that is sensitive and appropriate to the individual's needs

When available, appropriate, and in the best interest of the individual, The FHFNZ Group will work closely with local authorities, relatives, parents, and caregivers in offering support to those who have suffered harm because of their interactions with The FHFNZ Group.

13 ROLES AND RESPONSIBILITIES

Creating a safe working environment is everyone's responsibility at The FHFNZ Group and failure to act on concerns or disclosures relating to SEAH is not an option.

All workers will:

- a) Agree, by signing, to say that they understand this policy and will comply with it
- b) Undergo a Police Clearance Check²
- c) Participate in regular training sessions provided by The FHFNZ Group
- d) Report and respond to SEAH concerns and breaches of the policy

All workers, partners, representatives, and associates will:

- a) Contribute to an environment where all people feel respected, supported, safe, and protected
- b) Never act or behave in a manner that results in SEAH of any kind
- c) Be aware of and adhere to the provisions of The FHFNZ Group's PSEAH Policy

All partners, representatives and others associated with FHFNZ Group will:

- a) Agree, by signing, to say that they understand this policy and will comply with it.

Managers working with the Safeguarding Officer and Focal Points will do their best to ensure that:

- a) In the communities where we work, or are in contact, people can report any SEAH incidents that occur, and the FHFNZ Group will take action when this happens.

² In some contexts, Police Clearance Checks are not effective. In this case, The FHFNZ will identify the most appropriate approach for completing background checks.



- b) Workers, representatives, and partners are aware of the PSEAH requirements that are applicable to their role or engagement with the FHFNZ Group, and that they are supported to maintain an environment that is safe for and prevents any kind of SEAH.
- c) Their teams receive regular training and updated information on the safeguarding policy, and procedures.

The Safeguarding Officer, working with Safeguarding Focal Points and senior managers for each FHFNZ Group country (PNG, Fiji, Solomon Islands, NZ) will ensure that:

- a) The signed agreement to the PSEAH Policy is included in all Employment, Contractor, and Partnership agreements
- b) All workers and where appropriate partners, associates, and/ or visitors are provided with training sessions on PSEAH and refresher training as needed
- c) The PSEAH Policy and Procedures are reviewed and strengthened regularly
- d) The Risk Management Committee, which includes the CEO, is kept informed with appropriate attention not confidentiality of any SEAH concerns, reports, breaches of policy, or investigations.
- e) All reports and investigations will be handled in a way that maintains the protection, dignity, and confidentiality of the survivors
- f) The handling of reports and investigations adheres to our PSEAH Policy and other relevant policies and procedures.

The CEO ensures that:

- a) This Policy is upheld and will inform the Board of any concerns relating to SEAH issues, that may present a risk to the FHFNZ Group, its workers, beneficiaries, representatives, partners, reputation, operations, or other activities.
- b) Working with the FHFNZ Group Senior Leadership Team, all cases of suspected SEAH are appropriately managed in accordance with this policy to achieve an appropriate outcome.
- c) The Risk Management Committee provides updates on safeguarding reports, investigations, or breaches, which occur across the FHFNZ Group, in their quarterly reporting to the Board.

The Board:

- a) Works with the CEO ensures that any such reports or investigations are handled satisfactorily, on a timely basis, and that appropriate action has been implemented.
 - b) Receives a quarterly report from The FHFNZ Group Risk Management Committee regarding all SEAH incidents.
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- c) In circumstances where the breach involves the CEO, the FHFNZ Board Chair may be required to directly oversee or investigate the safeguarding breach.

ANNEX 1: PSEAH POLICY DECLARATION

PSEAH POLICY PERSONAL DECLARATION

I confirm that I have read and/or the policy has been explained to me, I understand the policy, and shall abide by **The FHFNZ Group PSEAH Policy and Code of Conduct** for the entire period I am working or associated with, and or represent, The FHFNZ Group.

I understand that a violation of the PSEAH or Code of Conduct can, depending on the degree of severity, result in immediate disciplinary action which can include dismissal.

Iagree to always comply with The FHFNZ Group Policy and Code of Conduct.

Signed:

Date:



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