



លំនៅឋានមនុស្សជាតិកម្ពុជា
Habitat
for Humanity[®]
Cambodia

Prevention of Sexual Exploitation, Abuse and Harassment Policy (PSEAH)

This Policy is part of the Habitat for Humanity Cambodia
Safeguarding Framework of Policies

Policy Title	Habitat for Humanity Cambodia Prevention of Sexual Exploitation, Abuse and Harassment Policy (PSEAH)
Approved by	AMT (Legal and HR)
Issue Date	10 June 2022
Revisions	
Versions	Version 1

I. INTRODUCTION

Sexual Exploitation, Abuse and Harassment (SEAH) are violations of basic human rights. Habitat for Humanity Cambodia (“HFH Cambodia”) aims to provide a safe and trusted environment that safeguards everyone from SEAH including beneficiary communities, staff, volunteers, consultants and partner organizations. HFH Cambodia is committed to safeguarding the people it helps and with whom it works.

The nature of HFH Cambodia’s development work places staff in positions of authority and trust in relation to the communities we serve, especially vulnerable adults and children and a wide range of volunteers. It is therefore essential that appropriate SEAH risk management practices are embedded into the organisation that are consistently applied and reinforced, as outlined in this Policy.

Definition of Terms

Stakeholder: Includes staff (full-time, part-time, casual), consultants, contractors, interns, volunteers and agents.

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: Any actual or threatened physical intrusion of a sexual nature, whether by force or under unequal power dynamics or otherwise coercive conditions.

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.

II. PURPOSE

This policy sets out HFH Cambodia’s approach to preventing sexual exploitation abuse and harassment associated with the work that it does. It sets out:

- Principles upon which HFH Cambodia will base SEAH decision-making and actions
- Expectations of conduct of all who represent Habitat Cambodia, including recruitment, screening and employment processes
- Specific prohibited practices for those who represent HFH Cambodia
- How HFH Cambodia will assess SEAH risk and ensure appropriate conduct at all times
- HFH Cambodia commitments to regular training for Stakeholders
- HFH Cambodia commitments to reporting and investigation procedures that ensure SEAH issues are identified and effective action is taken.

III. POLICY STATEMENT

HFH Cambodia takes a zero-tolerance approach to all forms of SEAH and maintains an organizational culture that prioritizes safeguarding against SEAH. HFH Cambodia will make it readily accessible for any person affected to come forward and report incidents and concerns with the assurance they will be handled confidentially, sensitively and appropriately.

HFH Cambodia Stakeholders have an obligation to uphold high standards of personal and professional conduct at all times and must not breach positions of trust in order to impact another person through sexual exploitation, abuse and harassment, sexual violence, bullying, fraternization, or any other abuse of power.

HFH Cambodia prohibits transactional sex for all Stakeholders while engaged in HFH Cambodia activities.

This Policy addresses the sexual exploitation, abuse and harassment of adults. It does not replace HFH Cambodia's Child Protection Policy.

HFH Cambodia Stakeholders must also comply with the complementary provisions of the HFHI Safeguarding Policy, HFH Cambodia Child Protection Policy, Policy on Harassment, Bullying and Discrimination, Whistleblower Policy, HFHI Background Screening Policy, HFHI Safer Recruitment Toolkit and, Community-Based Feedback and Complaints Mechanism (CBFM) Policy.

IV. POLICY IN PRACTICE

1. Prevention of Sexual Exploitation, Abuse, and Harassment

Sexual exploitation, abuse and harassment (SEAH) occur when people in power exploit or abuse vulnerable people for sexual purposes. HFH Cambodia Stakeholders must conduct themselves professionally and appropriately at all times and never engage in conduct which could involve or be perceived as involving any form of sexual exploitation, abuse or harassment.

2. Application of Policy

This Policy applies to all Stakeholders involved in Habitat Cambodia activities.

3. Assessing Risk

HFH Cambodia maintains an organisational risk register (and separate International Programs risk register and Cambodia Program risk register) which identify potential SEAH risks to any Stakeholder or beneficiary.

PSEAH and Child Protection clauses clearly identify safeguarding risks, management and reporting in all Partnership Agreements and Activity Agreements entered into by HFH Cambodia, with direct steps in communications with partners taken before execution to ensure all signatories and their staff are aware of their mutual obligations to manage safeguarding risks.

Project level SEAH risks are captured in risk management planning and monitoring processes of projects undertaken during project development and implementation by HFH Cambodia in

collaboration with HFH implementing partner organisations. Risk mitigation and monitoring strategies are included as part of these ongoing risk management processes.

Risk registers will be reviewed regularly as project initiatives change and updates to policies and procedures will be made at least every two years.

4. Recruitment, Engagement and Management of Stakeholders

HFH Cambodia will ensure the protection, safety, security and well-being of Stakeholders and all people with whom HFH Cambodia works and supports.

Policies and procedures regarding the recruitment, engagement and management of HFH Cambodia Stakeholders are contained in the HFH Cambodia Personnel Policy and in other relevant stand-alone HFH Cambodia policies.

Aligned with the HFH Cambodia Child Protection Policy and procedures, HFH Cambodia recruitment and engagement processes require background screening including criminal history record checks and reference checks, in line with the Habitat for Humanity International (HFHI) Safer Recruitment Toolkit. HFH Cambodia have the following policies, which are relevant to the safety, security and well-being of Stakeholders and beneficiaries:

- Child Protection Policy and Procedures (and refer to stand-alone Policy and Code of Conduct)
- Sexual Harassment Policy
- Workplace Bullying Policy
- Whistleblowing Policy
- Conflict of Interest Policy
- Ethics Covenant and Code of Conduct
- Staff Grievance/Dispute Resolution Process

Staff (full-time, part-time, casual), interns, and volunteers are oriented on these policies and are required to sign their commitment to upholding all policies as well as the Code of Conduct as part of the induction process.

HFH Cambodia Staff (full-time, part-time, casual), interns, and volunteers will be trained annually on the requirements regarding the prevention and reporting of sexual misconduct, harassment and child protection. Implementing partner organisations are also required by HFH Cambodia to conduct annual safeguarding training for staff and project teams.

HFH Cambodia will ensure there is a responsible person appointed for managing PSEAH matters including policy reviews, staff training, and complaint handling and reporting.

5. Partner Obligations

HFH Cambodia protects Stakeholders and beneficiaries from discrimination, violence, abuse, exploitation or neglect based on an analysis of the context in which they are working or are located. HFH Cambodia contracted partners and affiliates must comply with this Policy. Staff, volunteers and

contractors/subcontractors or partners and affiliates must also be familiar with and comply with the contents of this Policy.

Safeguarding risk management requirements are captured in HFH Cambodia Partnership Agreements and Activity level Agreements with implementing partner organisations in international programs. HFH Cambodia applies the HFH Cambodia Child Protection and Prevention of Sexual Exploitation, Abuse & Harassment - Safeguarding Assessment Checklist to assist partners to meet compliance requirements on an annual basis, as a minimum. These checks are conducted in conjunction with the HFH safeguarding self- assessment process commenced in 2021 to identify capacity strengthening needs and appropriate actions to address them. These mechanisms support HFH Cambodia in addressing and exceeding minimum PSEAH standards of local safeguarding policies, safe local recruitment and training practices for stakeholders and downstream partners, community based SEAH reporting mechanisms, safe use of stories and photos and the existence of a safeguarding focal point in partner organisations.

6. Reporting Protocols for Potential Abuse

HFH Cambodia requires and enables Stakeholders and beneficiaries to make SEAH complaints to the organisation in a safe, transparent and confidential manner. Any person may report or make a complaint in relation to alleged Sexual Exploitation, Abuse and/or Harassment that they have experienced, observed or been made aware of in their role working with HFH Cambodia wherever it may occur. HFH Cambodia requires that community feedback mechanisms are in place where HFH Cambodia programs are delivered that capture and facilitate reporting requirements from individuals in those communities.

Any person who receives a complaint must immediately inform their direct supervisor confidentially. If the person has reason to believe that their direct supervisor may be involved in the alleged misconduct, the person must immediately notify their National Director, and use the **Habitat Ethics and Accountability Line**, which is Habitat for Humanity’s confidential, anonymous reporting hotline and central tracking repository for allegations of misconduct. Country partners are legally required to notify HFH Cambodia of any SEAH complaints immediately and safeguarding is included also as a standing agenda item in regular project team meetings to provide a safe forum to raise concerns.

The process for submitting a complaint is described in the HFH Cambodia Community Based feedback and complaint Mechanism, which outlines the processes for Stakeholders, beneficiaries and the public. the [Habitat Ethics and Accountability Line](#) are located on the HFH Cambodia website.

HFH Cambodia must immediately (within two working days of becoming aware of an alleged incident) report to DFAT any alleged incident of sexual exploitation, abuse or harassment related to the delivery of DFAT funded activities. HFH Cambodia must (within five working days of becoming aware of an alleged incident) report to DFAT any alleged Policy non-compliance related to the delivery of DFAT funded activities.

All reports of alleged SEAH incidents should be made using the DFAT Sexual Exploitation, Abuse and Harassment Incident Notification Form (www.dfat.gov.au/pseah) and emailed to seah.reports@dfat.gov.au, and:

- Hotline (telephone) and email address:

- Phone Number: 012 481 098
- Email: feedback@habitatcambodia.org
- Habitat Ethics and Accountability Line: heal.habitat.org

All alleged SEAH incidents that involve a criminal aspect will be reported to local law enforcement agencies, if safe and in accordance to the wishes of the victim, or in the case of a child survivor, it is deemed in the best interest of the child.

7. Procedure For Investigating Alleged Misconduct

Due to the potential seriousness and sensitivity of a complaint, the individual who receives a complaint should not start any investigations, but rather report the concern to the relevant direct supervisor and or to the **Habitat Ethics and Accountability Line** reporting tool. Confidentiality and sensitivity for the wishes of the survivor must be maintained at all times. HFH Cambodia investigation process is described in the HFH Cambodia Complaints Policy. As there may be circumstances where the performance of an investigation would increase the harm to the survivor, any actions will be taken only after full consideration of the safety and the informed consent of the survivor.

HFH Cambodia will act on every allegation in a fair and reasonable way with due regard for procedural fairness, confidentiality and welfare of the survivor. The basis for all decisions related to investigation performance or non-performance will be documented. Habitat for Humanity International will also be informed and support in any investigation of SEAH misconduct in Cambodia or with HFH Cambodia international programs.

HFH Cambodia recognises sexual exploitation and abuse as gross misconduct and perpetrators will face disciplinary action, including immediate termination of employment or engagement and referral for criminal prosecution in Cambodia and/or the relevant country, where appropriate.

8. Obligations To Survivors

Support for potential victims of misconduct (or survivors) will be provided regardless of the status or outcome of an investigation. Upon receipt of an allegation of safeguarding misconduct, HFH Cambodia will, in partnership with HFHI and in accordance with HFHI Safeguarding Policy, consider providing various forms of survivor assistance, as appropriate depending on the nature of the allegations, the circumstances involved, and the informed consent of the survivor. This includes immediate material care, facilitating health and psychosocial support and legal/advocacy support.