



Adam Smith International

Safeguarding Policy

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Approver:	ASI Board
Who does this policy apply to:	All Adam Smith International Workers, Board, and Third Parties

1. Introduction

Adam Smith International (“ASI”) is committed in all aspects of the projects it delivers on behalf of its development agency and government clients to ensuring the safety and welfare of all individuals. This is achieved by protecting them from any form of exploitation, abuse, harassment or violence (which includes that of a sexual nature). Given the geographies that ASI works in and the vulnerability of its Beneficiaries, ASI recognises that there is an increased risk of sexual exploitation, abuse and harassment. It must therefore ensure that it mitigates these risks by handling any incidents promptly and thoroughly, and taking firm disciplinary action in the event of infringements.

Principles

ASI has a moral, ethical and legal responsibility to its Workers (as defined in the Glossary at Annex 1 as all ASI employees and consultants), Beneficiaries and clients to ensure that it upholds a zero tolerance approach to sexual exploitation, abuse and harassment and that any such incidents are investigated promptly and thoroughly and that firm disciplinary action is taken.

ASI is committed to developing an ethical culture where promotion of safeguarding the welfare of individuals is prioritised and where opportunities for sexual exploitation, abuse and harassment are reduced to an absolute minimum.

ASI will support its Workers in maintaining awareness of safeguarding risks, promoting a safeguarding culture and acting appropriately when any such risk is detected.

ASI will always seek to take disciplinary action against those found to have perpetrated, been involved in, or assisted with any sexual exploitation, abuse and harassment offences in any of its operations.

ASI will collaborate with other organisations to present a united front against safeguarding offences in its wider working environment and within the international development sector.

“Sexual exploitation and abuse is ultimately an abuse of power and the aid sector is one of extreme power imbalance. Those receiving aid in humanitarian crisis situations are some of the most vulnerable and disempowered people in the world.”

(House of Commons International Development Committee Sexual Exploitation and Abuse in the Aid Sector Report – July 2018)

2. What is Safeguarding?

Definition

Safeguarding is the duty to take all reasonable measures to prevent, protect and respond to harm, especially that of sexual exploitation, abuse and harassment to any individual.

Rules

ASI Workers and Third Parties **must not** engage in any form of sexual exploitation, abuse or harassment of any person of any age.

ASI Workers and Third Parties **must not** have sexual relations with Children (defined as under 18 years old) or with Beneficiaries (in exchange for assistance or payment or any other reason).

ASI Workers and Third Parties **must not** exchange money, offers of employment, goods or services for sex or sexual favours, nor any other forms of humiliating, degrading or exploitative behaviour within the course of their engagement with ASI.

ASI Workers **must** always report safeguarding breaches to at least one of the ASI Safeguarding Lead, ASI Legal, Ethics & Compliance Team, P&T Team or their line manager, or through the ASI Whistleblowing Hotline.

Risks

Physical and emotional harm (Individuals) – Individuals who are victims of sexual exploitation, abuse or harassment are subjected to physical and emotional harm. This is the greatest risk that must be mitigated.

Reputational harm – As a result of negative publicity if anyone acting on behalf of ASI is implicated in any safeguarding issue. This can lead to loss of clients and business.

Delivery Risk – Projects may be closed down resulting in its Beneficiaries not being able to benefit from them.

Criminal liability (Individuals) – Individuals found guilty of sexual exploitation, abuse or harassment offences can face criminal charges in addition to being subject to disciplinary action by ASI.

3. Purpose

The purpose of this Policy is to:

- communicate clearly ASI’s safeguarding commitments;
- set out ASI’s responsibilities, as well as the responsibilities of its Workers and Third Parties and anyone who acts on behalf of ASI, in observing and upholding ASI’s position on safeguarding and to ensure compliance with applicable laws and ethical standards;
- provide information and guidance on how to recognise and deal with instances of sexual exploitation, abuse and harassment; and
- instil a culture where safeguarding is promoted.

4. Scope and Applicability

This Policy applies to ASI and all its operating companies in all the countries in which ASI operates.

It applies to all Workers of ASI. It also applies to the ASI Board and all Third Parties with whom ASI has business and project dealings and who act on ASI’s behalf. Adherence to this Policy will be certified through contractual terms, ASI’s Code of Conduct, ASI’s Supplier Code of Conduct and the ASI Ethics and Compliance Declaration.

Annex 5 of this Policy explains ASI’s approach to DFAT’s Preventing Sexual Exploitation, Abuse and Harassment.

5. Roles and Responsibilities

Who is responsible for the Policy?

The overall responsibility for adherence to this policy is with the Chief Executive Officer who is accountable to the Board of ASI.

The Chief Executive Officer shall delegate primary day-to-day responsibility for the implementation of this policy to the Head of (Legal, Ethics and Compliance and their team and the Safeguarding Lead jointly who shall also monitor its use and effectiveness and deal with any queries on its interpretation. ASI line managers with direct reports at all levels are responsible for ensuring that those reporting to them are made aware of and understand this policy and are given adequate and regular training on it.

Responsibilities for managing safeguarding risks

ASI’s Workers are often its first line of defence against sexual exploitation, abuse and harassment offences. All ASI Workers have a general responsibility to immediately report any act of attempted or detected sexual exploitation, abuse or harassment. This includes reasonable suspicion of attempted sexual exploitation, abuse or harassment anywhere within ASI’s global operations. The process for raising concerns and how they will be dealt with is outlined separately in **Section 7** below.

Group/Stakeholder	Responsibility
ASI Workers and Board	<p>Must not:</p> <ul style="list-style-type: none">• Engage in sexual activity with any person under the age of 18, regardless of the local age of consent or any mistaken belief held by the ASI Worker as to the age of the person.• Engage in transactional sex when working in the international aid context and specifically in the context of ASI’s operations, which shall include but not be limited to the exchange of money, employment, goods or services for sex, irrespective of it being engaged in outside work hours. For the purposes of this policy, “Sex” includes sexual favours or any form of humiliating, degrading or exploitative behaviour of a sexual nature.• Sexually exploit, abuse or harass another individual.• Engage in any commercially exploitative activities with children including child labour or trafficking.• Engage in any sexual relationships with ASI Beneficiaries related to any ASI programme, since any such relationship is likely to be based on inherently unequal power dynamics.• Use unequal power relationships for personal gain.

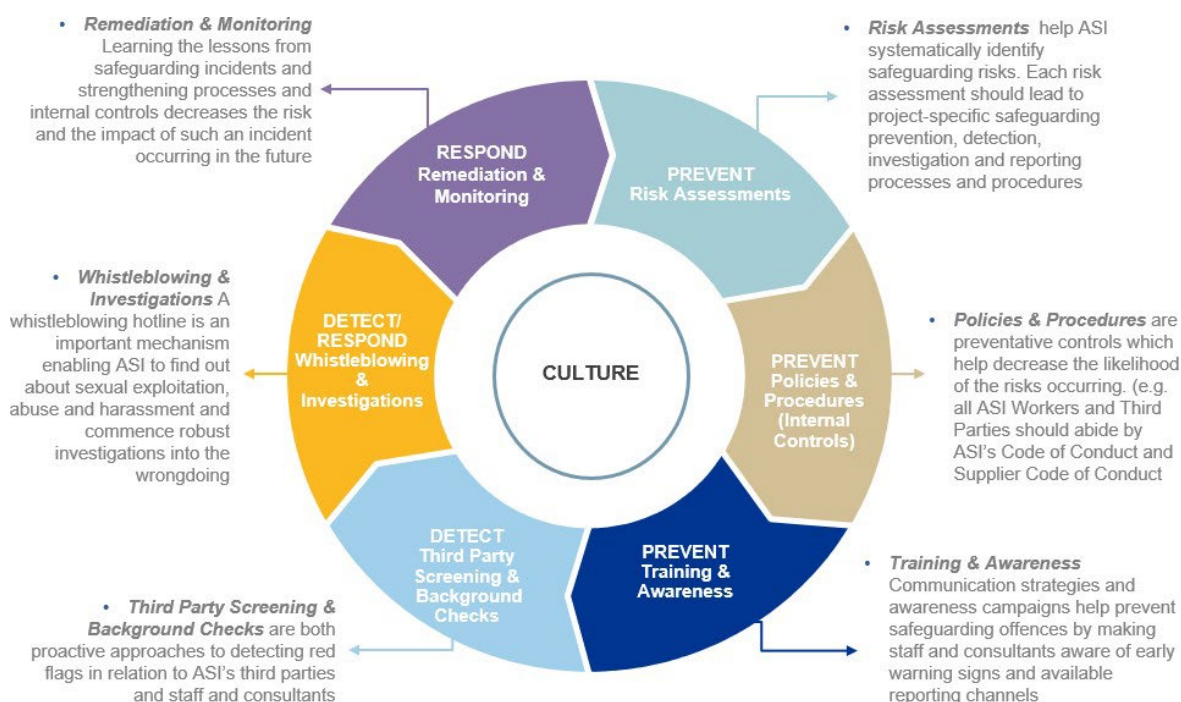
	<p>Must:</p> <ul style="list-style-type: none"> • Contribute to an organisational culture where promoting the welfare of individuals through safeguarding is a priority by: <ul style="list-style-type: none"> ○ creating and maintaining an environment that prevents safeguarding violations and promotes the implantation of this policy; ○ reporting any concerns or suspicions relating to safeguarding violations by an ASI Worker or Third Party to the Safeguarding Lead or an appropriate safeguarding focal point such as a line manager, the Head of Legal, Ethics and Compliance or a member of the P&T Team; ○ undertaking safeguarding training as required by ASI; ○ seeking guidance and advice if unsure about a potential breach of this policy; and ○ notifying ASI of any criminal prosecutions during employment or prior to employment.
ASI Workers with management responsibility	<p>Must:</p> <ul style="list-style-type: none"> • Ensure that ASI's Beneficiaries are made aware of the provisions of this policy to ensure that they have the confidence and ability to report any concerns or incidents of safeguarding violations. • Support and develop systems that maintain an environment which is safe for all and prevents safeguarding violations. • Be accountable for ensuring this policy is fully embedded within their areas of responsibility.
Safeguarding Lead	<p>Must:</p> <ul style="list-style-type: none"> • Act as a focal point within ASI for all safeguarding concerns. • Develop and plan training sessions for all ASI Workers on safeguarding. • Coordinate rigorous and prompt investigations if a safeguarding offence occurs. • Record and monitor all reported safeguarding complaints and concerns. • Promptly report in writing any complaints, concerns and incidents regarding sexual exploitation, abuse or harassment, or any attempted or threatened sexual exploitation, abuse or harassment to ASI's clients and donors, and where necessary to the appropriate authorities.
Head of Legal, Ethics & Compliance and Team	<p>Must:</p> <ul style="list-style-type: none"> • Develop and maintain effective controls to prevent and detect safeguarding offences. • Work with the Safeguarding Lead (where necessary) to coordinate rigorous, prompt and fair investigations if a safeguarding offence occurs. • Take and advise the P&T Team on appropriate legal and/or disciplinary action against perpetrators of safeguarding offences. • Advise the P&T Team on disciplinary action where supervisory failures have contributed to the commission of safeguarding offences. • Establish and maintain systems for recording and subsequently monitoring all discovered cases of safeguarding offences.
Executive Team	<p>Must:</p> <ul style="list-style-type: none"> • Put in place local procedures that are consistent with this policy which outline the reporting requirements and the manner in which they are escalated within each ASI entity. (These local procedures should be developed with the assistance of local advisers and updated regularly. They must be made available in local languages and child friendly formats).

Third Parties	<p>Must take reasonable measures to ensure that their personnel do not:</p> <ul style="list-style-type: none"> Engage in sexual activity with any person under the age of 18, regardless of the local age of consent or any mistaken belief held by the ASI Worker as to the age of the person. Engage in transactional sex when working in the international aid context and specifically in the context of ASI's operations, which shall include but not be limited to the exchange of money, employment, goods or services for sex, irrespective of it being engaged in outside work hours. For the purposes of this policy, "Sex" includes sexual favours or any form of humiliating, degrading or exploitative behaviour of a sexual nature. Sexually exploit, abuse or harass another individual. Engage in any commercially exploitative activities with children including child labour or trafficking. Engage in any sexual relationships with ASI Beneficiaries related to any ASI programme, since any such relationship is likely to be based on inherently unequal power dynamics.
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6. ASI's approach to mitigating the risks of sexual exploitation, abuse and harassment

Reducing sexual exploitation, abuse and harassment to an absolute minimum

It is not possible to stop all instances of sexual exploitation, abuse and harassment, particularly as these are typically hidden offences. ASI is nevertheless committed to constantly improving its ability to detect, prevent, deter and respond to such offences, striving to reduce their occurrence to an absolute minimum. Please see ASI's framework for preventing sexual exploitation, abuse and harassment below.



Prevent

Risk Assessments and Onboarding

ASI project managers should conduct programme risk assessments relating to safeguarding risks specifically. It is important to keep programme risk registers up-to-date and conduct a safeguarding risk assessment at least annually.

Third Party Screening and Background Checks

Pre-employment background checks on ASI Workers are an important part of preventing sexual exploitation, abuse and harassment as one of the objectives of these checks is to understand whether an individual has perpetrated or been linked to any prior safeguarding offences in the past. Recommended checks would include checks through ASI's third party screening database (NAVEX) and P&T checks such as checking previous employer references. This would ensure that any past criminal convictions are highlighted but also past disciplinary action by an employer that falls short of a criminal conviction.

ASI Code of Conduct

ASI's Code of Conduct is at the forefront of embedding and maintaining a culture of ethical conduct at ASI. Policies such as this one help ensure that safeguarding awareness is maintained and processes are in place.

Supplier Code of Conduct

ASI's contracts with its third parties contain safeguarding clauses which help protect ASI in the event that the Third Party breaches this policy. The ASI Supplier Code of Conduct commits ASI's Third Parties to acting ethically and not engaging in sexual exploitation, abuse and harassment.

Acknowledging safeguarding risks and training

It is the responsibility of all ASI Workers to ensure that they understand this policy and any wider ASI policies (e.g. Anti-Bullying and Harassment Policy) dedicated to mitigating the risks of sexual exploitation, abuse and harassment and to attend all training sessions (including e-learning) offered in relation to these policies. All managers are responsible for mitigating safeguarding risks on their programmes, by including relevant training for new joiners.

Detect

Third Party Screening and Background Checks

As mentioned above, in addition to preventing sexual exploitation abuse and harassment, third party screening and background checks will help ensure that any relevant prior offences are detected. Screening ASI's Third Parties ensures that appropriate measures are taken to understand whether they pose any safeguarding risk (e.g. modern slavery risks within ASI's supply chain).

Ongoing programme monitoring

Incorporating monitoring into projects where there a high safeguarding risk has been identified is important.

Awareness and reporting

All ASI Workers are responsible for remaining alert to any red flags related to safeguarding risks (e.g. especially vulnerable Beneficiary groups such as Children, projects that operate in very remote locations etc). ASI Workers must report any actual or suspected instances of sexual exploitation, abuse and harassment through management reporting lines or the SafeCall whistleblowing hotline.

Respond

Investigations

ASI is committed to thoroughly investigating all reports of sexual exploitation, abuse and harassment that it may receive through internal management channels, the SafeCall whistleblowing hotline or directly from external stakeholders. Where ASI Workers or Third Parties are suspected of committing sexual exploitation, abuse or harassment they will be subjected to an investigation with potential disciplinary action as appropriate. ASI commits to handling investigations promptly and thoroughly whilst always placing the wellbeing of the victim as its utmost priority.

Disciplinary measures

ASI will take the appropriate disciplinary measures, including dismissal for gross misconduct, against any ASI Worker found to have breached this policy.

Continuous improvement and strengthening policies and procedures

ASI will seek to learn the lessons from any breaches related to safeguarding and strengthen its policies and procedures in that regard.

7. How to report a violation of this Policy

ASI Workers and Third Parties have a responsibility to report any actual or suspected wrongdoing related to safeguarding to their Line Manager, Team Leader, Head of People and Talent (P&T), Safeguard Lead or Head of Legal, Ethics and Compliance at the earliest possible opportunity.

Alternatively, any concerns can be reported through our external partner, SafeCall, through any of the following mediums:

Email: adamsmith@safecall.co.uk

Web: www.safecall.co.uk/report

Call: +44 191 516 7749 from anywhere in the world

Reports to SafeCall are confidential, secure and you may elect to remain anonymous even if you accidentally mention your name on the telephone. Calls to SafeCall are not recorded. SafeCall also offers multi-lingual support. See **Annex 3** for the telephone numbers to call if you require a language other than English. Further, please see **Annex 2** for all the relevant reporting and whistleblowing contact details, including the whistleblowing hotlines of our clients.

Workers who suspect safeguarding issues in any form or those who raise concerns or report another's wrongdoing, are sometimes worried about possible repercussions. ASI encourages those working for ASI to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously, investigated as appropriate, that their confidentiality will be respected.

Safeguarding is a highly sensitive area and confidentiality must be maintained to protect the victim and to protect against risks of defaming an individual linked directly or indirectly to a safeguarding investigation.

ASI is committed to ensuring no one suffers any detrimental treatment as a result of reporting in good faith their concerns or suspicion that an actual or potential safeguarding violation has taken place, or may take place in the future. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the Safeguarding Lead, P&T Team or the Head of Legal, Ethics and Compliance immediately.

Once ASI receives a whistleblowing report it will acknowledge receipt, ask any follow up questions if appropriate and promptly begin an investigation. Depending on the gravity of the allegation, an investigation manager may be appointed to look into your concerns. The level of detail you are able to provide can greatly assist the speed and effectiveness of the investigation. Anonymous reports containing vague allegations and lacking in detail will be difficult, or even impossible, to investigate. Please use the Incident Reporting form in **Annex 4**, where possible.

Always remember to notify the Safeguarding Lead of any suspicions of safeguarding violations where a client project is involved. ASI has a duty to report safeguarding incidents to its clients (e.g. DFID) immediately. Our clients are aware that safeguarding violations can occur in the countries where we operate, and expect ASI to report such instances, as this demonstrates ASI's ability to detect incidents and investigate them promptly and thoroughly.

8. Breach of this Policy

Any Worker who violates their responsibilities as set out in the Roles and Responsibilities in **Section 5** above will be subject to investigation in accordance with ASI's Investigation Manual. The worker may face disciplinary action, which could result in dismissal for gross misconduct. In the event a violation is found to involve a criminal act, this could result in referral to the relevant authorities where it is reasonably considered to be safe to do so.

Where any Third Party violates their responsibilities as also set out in the Roles and Responsibilities in **Section 5** above, ASI will be entitled to:

- terminate its contract with the Third Party with immediate effect by written notice;
- recover from the Third Party any loss resulting from the termination; and
- recover from the Third Party any loss sustained as a result of any breach of this policy, whether or not the contract is terminated.

9. Investigations

All safeguarding investigations should be conducted in accordance with the ASI Investigations Manual.

No safeguarding investigations should take place without prior consent from the Legal, Ethics and Compliance team.

The Legal, Ethics and Compliance team should be provided with regular progress updates on all investigations that it is not directly involved in. The client will also need to be kept informed.

The investigation team, or any accounting, legal or other professional services firms retained to conduct an investigation, may seek the assistance of ASI workers, who have a duty to respond to such requests for assistance.

10. Monitoring and Review

The Head of Legal, Ethics and Compliance will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in countering safeguarding violations.

Annex 1 - Glossary

Term	Definition
ASI	Includes the ASI group of companies, all ASI subsidiaries and branch offices globally.
Beneficiary	Anyone directly or indirectly receiving goods or services from any programme which ASI has partial or full responsibility for implementing.
Child (Children)	In accordance with the United Nations Convention on the Rights of the Child, 'Child' means every human being under the age of 18 unless under the law applicable to the child, majority is attained earlier. For the purposes of this policy, ASI considers a child to be a person under the age of 18 years.
Harassment	Any conduct which annoy, threatens, intimidates, alarms, or puts a person in fear of their safety.
Management Responsibility	This includes workers with line management responsibility and/or workers who have management responsibilities on an ASI project.
Safeguarding Lead	The designated person acting as a focal point for safeguarding concerns and complaints. This is a role let by the Senior Counsel within the Legal, Ethics & Compliance Team who can be contacted at safeguarding@adamsmithinternational.com .
Sex	For the purposes of this policy 'sex' includes sexual favours or any form of humiliating, degrading or exploitative behaviour of a sexual nature.
Sexual Abuse	The active or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions and all sexual activity with someone under the age of 18, regardless of local age of majority or consent under the laws of the territory in which it takes place and regardless of any mistaken belief by the relevant individual as to the age of the child.
Sexual Exploitation	Any active 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 Harassment	Unwanted conduct of a sexual nature, which is intended to, or has the effect of violating a person's dignity or creating an intimidating, hostile or offensive environment for them.
Third Parties	Any individual or organisation engaged with work or the provision of services to ASI. This includes but is not limited to the following third parties and their employees: Subcontractors, Grantees, Associates, Suppliers, Intermediaries, Grantees and Partners.
Transactional Sex	Transactional sex includes, but is not limited, the exchange of money, employment, goods or services for sexual services. For the purposes of this policy, it is irrelevant whether transactional sex is considered legal in the local jurisdiction and whether it is engaged in outside work hours, given the imbalances that can arise when working in the international aid context.
Workers	This includes but is not limited to: permanent and temporary ASI employees and staff (including agency staff), ASI consultants, ASI volunteers, and ASI interns.

Annex 2 – ASI Whistleblowing Hotline, DFAT and FCDO Whistleblowing Hotlines

ASI Whistleblowing Hotline

It is your responsibility to uphold the principles of the ASI Whistleblowing Policy and to report breaches of ASI policies and procedures (including safeguarding breaches) through one of the following channels:

- Your point of contact at ASI
- Legal, Ethics & Compliance Team at legal@adamsmithinternational.com
- Safeguarding Lead at safeguarding@adamsmithinternational.com

Alternatively, any concerns can be reported through our independent external partner, SafeCall, through any of the following mediums:

Email: adamsmith@safecall.co.uk

Web: www.safecall.co.uk/report

Phone: calling +44 191 516 7749 from anywhere in the world (please refer to **Annex 3** for a list of local country numbers)

Reports to SafeCall are confidential, secure and you may elect to remain anonymous even if you accidentally mention your name on the telephone. Calls to SafeCall are not recorded. SafeCall also offers multi-lingual support as set out in Annex 3 below.

DFAT Reporting Requirements

ASI's Director of Asia Pacific and/or ASI's Senior Manager, People and Talent, will report suspected SEAH incidents to seah.reports@dfat.gov.au within two business days through the SEAH Notification Form. Where safe to do so, and when in accordance to the wishes of the victims/survivors and whistleblowers, all alleged SEAH incidents that involve a criminal aspect will be reported through the correct local law enforcement channels.

FCDO's Anti-Fraud and Corruption Unit

If you are engaged in the delivery of FCO funded programmes you need to be aware of the FCO Whistleblowing Hotline as an available channel for reporting suspicions or allegations of aid diversion, fraud, money laundering, sexual exploitation and abuse, or terrorism financing:

Email: reportingconcerns@fcdo.gov.uk

Phone: +44(0)1355 843747

Annex 3 – ASI SafeCall Multi-Lingual Support Contact Details

Country	Telephone number	Language Options
Afghanistan	+44 191 5167757	English
Australia	0011 800 72332255	English
Bangladesh	+44 191 5167756	Bengali, English
Democratic Republic of Congo	+44 191 5167764	French, English
Ethiopia	+44 191 5167764	Amharic, English
Ghana	+44 191 5167764	English
Jordan	+44 191 5167756	Arabic, English
Kenya	+44 191 5167764	English, Swahili
Laos	+44 191 5167754	Lao, English
Liberia	+44 191 5167764	English
Malawi	+44 191 5167764	English
Mongolia	+44 191 5167766	Mongolian, English
Myanmar	+44 191 5167761	Burmese, English
Nepal	+44 191 5167761	Nepali, English
New Zealand	00800 72332255	English
Nigeria	+44 191 5167764	English
Pakistan	00800 90044036	Urdu, English
Papua New Guinea	+44 191 516 7754	English
Rwanda	+44 191 5167764	French, English, Swahili
Sierra Leone	+44 191 5167764	English
Solomon Islands	+44 191 516 7754	English
Somalia	+44 191 5167764	Arabic, English
South Africa	00800 4488 20729	English
Syria	+44 191 5167756	Arabic, English
Tanzania	+44 191 5167764	English
Timor-Leste	+44 191 5167751	Portuguese, English
Tunisia	+44 191 5167764	Arabic, French, English
Turkey	00800 4488 20729	Turkish, Kurdish, Arabic
UAE	8000 4413376	Arabic, English
Uganda	+44 191 5167764	Swahili, English
UK	0800 915 1571	English
USA	1 866 901 3295	English

Annex 4 – ASI Safeguarding Incident Reporting Form

Region	Location
Client / Donor	Project
Reported by	Reported about
Complaint Recipient	Investigated by
Type of Complaint (relevant policy area e.g. Code of Conduct)	
Date(s) of Incident(s)	
Summary of Facts	
Action taken to date	
Current status of investigation at country / regional level (e.g. ongoing)	
Current status of investigation at HQ level (e.g. ongoing discussions with client)	

Annex 5 – Outline of ASI’s Compliance to DFAT’s Preventing Sexual Exploitation, Abuse and Harassment

Policy

Introduction

In April 2019, DFAT released its Preventing Sexual Exploitation, Abuse and Harassment (PSEAH). The Policy took effect on 1 October 2019, with a 12-month compliance period for implementing partners and contractors. ASI Australia completed a desk review in August 2019 and provided recommendations to ASI’s General Counsel and the People, Talent, Legal & Ethics Team. Throughout 2019 – 2020, policy changes, staff and partner training, risk assessments and changes to our investigations process have been led by leadership team in Australia and in the UK.

Summary of key policy changes

The PSEAH Policy provided two choices to ASI: either to incorporate sexual exploitation, abuse and harassment into pre-existing safeguarding policy, risk and compliance frameworks and strategies, or to create a separate ASI policy. Due to the strength of ASI’s existing Safeguarding Policy, the decision was taken to build PSEAH into the policy already known to our employees and partners.

In addition to these policy changes, changes were made to ASI’s Investigations Manual, Partner Code of Conduct, Ethics and Compliance Declaration and risk management processes. A communications and training strategy, outlined below, was also created to make ASI employees, associates, partners and all downstream suppliers and contractors familiar with their rights, responsibilities and reporting mechanisms.

Key changes made to ASI’s Safeguarding Policy included:

- Change in mandated reporting window from five working days to one working day so that ASI can meet its PSEAH reporting requirements
- Update to key definitions, including the definition of sexual harassment, to reflect DFAT’s terminology
- Emphasis on Partners, Third Parties and their responsibilities under the Policy, including their responsibility to contribute to a victim/survivor-centric investigations process
- Recognition of the centrality of victims and survivors to the investigations process
- Commitment to providing victims and survivors with support, including referrals to local services
- Inclusion of SEAH risks in all risk management processes

The ASI Ethics and Compliance Document is attached as the first page for every contract and is renewed each year. It is an acknowledgement of a contractor’s (including employee’s, supplier representatives, etc.) compliance responsibilities.

Key changes made to ASI’s Ethics and Compliance Declaration:

- PSEAH Policy now included: ‘I confirm that I have read, understood and accept responsibility for complying with ASI’s Safeguarding Policy, which outlines my responsibilities to meet the requirements and expectations of Australia’s Department of Foreign Affairs and Trade’s Preventing Sexual Exploitation, Abuse and Harassment policy.’
- Clause added to specify that breaches of ASI Safeguarding Policy constitutes a breach of contract and may result in dismissal

ASI’s Partner Code of Conduct is a mandatory requirement from every partner engaged by ASI. It helps us to provide clear expectations of partners.

Key changes made to ASI’s Partner Code of Conduct:

- Reporting requirements from partners now specified as 24 hours for any suspected safeguarding breaches, to allow ASI time to report to DFAT
- Clause added to specify that breaches of ASI Safeguarding Policy may result in termination of the partner contract ASI’s Investigations Manual outlines our investigations procedure, and commits ASI to continually strengthening its compliance framework, to prevent reoccurrence.

Key changes made to ASI’s Investigations Manual:

- Change from police *will* be informed if the allegation is of a criminal nature, e.g. rape, to police *may* be informed if the allegation is of a criminal nature, e.g. rape, if reporting to authorities is safe and consented to by the victim/survivor
- Safeguarding Lead now included in Investigation Working Group for safeguarding cases
- Safeguarding specialist investigators will now be engaged by ASI if appropriate
- Reporting timeline changed to two working days for safeguarding cases
- ‘Extremely sensitive’ documents now includes anything related to SEAH investigations
- Investigation Strategy stage now reads: ‘Set out strategy in a written investigation plan and consider the scope both in terms of evidence capture and interviewees, including strategies to mitigate the risk of retraumatisation in cases of sexual exploitation, abuse and harassment.’
- Allegations of safeguarding breaches by ASI personnel or partners is now explicitly mentioned in the highest level of severity (Level 4)
- Interview guidelines for cases involving victims or survivors (below) are referenced in the Manual

Policy principles

ASI acknowledges and shares DFAT’s PSEAH principles, which reflect Australia’s international commitments to address SEAH and Australian initiatives to reduce violence against women and children. These principles have been articulated throughout ASI’s Safeguarding Policy.

Zero tolerance of inaction ASI acknowledges our responsibility to meet and exceed the expectations of the PSEAH Policy. Importantly, we recognise that this moral, ethical and legal responsibility applies equally to our partners and suppliers, including any third party we engage.

We will uphold a zero tolerance approach to sexual exploitation, abuse and harassment by our own staff, by contracted personnel or by third party employees, and we will ensure that any such incidents are investigated promptly and thoroughly and that firm disciplinary action is taken.

Strong leadership accelerates cultural change

On the corporate level, ASI leadership in Asia Pacific and in the UK have been engaged on updating our safeguarding policies and procedures since the PSEAH Policy was released in 2019. ASI's General Counsel has actively reviewed the policy changes.

At the program leadership level, Team Leaders have received training and support to ensure that they are able to meet the improved requirements. This training will also take place for staff at all levels.

At our partner/supplier level, the contracted representative has received notification of the changes and has been provided with training whenever requested.

Victim/survivor needs are prioritised

The needs, safety and wishes of victims and survivors has been at the centre of our revisions to the Safeguarding Policy and the Investigations Manual. The needs of victims and survivors varies considerably based on local context, cultural norms, power imbalances and the individual. Our investigations and support process are malleable on a case. Prioritising victim/survivor needs means:

- treating the victim/survivor with dignity and respect
- involving the victim/survivor in decision-making
- providing the victim/survivor with comprehensive information so that they can make informed decisions, including whether or not they would like to report their case to the police
- protecting privacy and confidentiality
- providing a support system which does not discriminate based on gender, age, race/ethnicity, ability, sexual orientation or other characteristics
- working to reduce the risk of re-traumatisation to an absolute minimum
- provides the victim/survivor with support services, including counselling and referrals to health services to assist with recovery

Preventing Sexual Exploitation, Abuse and Harassment is a shared responsibility

ASI will take responsibility to prevent, respond and report sexual exploitation, abuse and harassment. We will work with our staff, associates and consultants to meet this responsibility.

Gender inequality and other power imbalances are addressed

The relationship between aid provider and recipient, as well as relationships between staff of different genders, ages, nationalities and identities, are often rooted in unequal power dynamics, particularly gender inequality. These persisting inequalities and power imbalances mean that certain groups of people can be more vulnerable to SEAH. These include (but are not limited to) children, women and girls, people with disabilities, people made vulnerable by poverty, and sexual and gender minorities. ASI addresses these power imbalances head on and fosters a culture which is cognisant of the importance of diversity and accommodating the diverse needs of our colleagues and partners, as well as a reporting and investigations framework which supports victims and survivors.

Stronger reporting will enhance accountability and transparency

ASI believes that an increase in reporting is a good sign of a healthy culture of accountability and transparency, and where victims and survivors feel safe reporting SEAH violations or policy non-compliance. There are multiple reporting channels throughout ASI, as well as an anonymous whistleblowing service. The various options provide meaningful choice to victims/survivors around who they would like to speak to.

For example, SafeCall, the hotline which provides an anonymous reporting service, offers reporters a choice of male and female case support workers. ASI workers or partners are able to contact those they work with daily, or ASI staff unconnected to their program, depending on who they are most comfortable speaking to.

A survivor-centric response and access to advice and support for victims and survivors

Victims and survivors are at the centre of the response. Survivor-centric means that:

- The needs of the investigation are met without unnecessary secondary re-traumatisation;
- ASI will place the rights, needs and wishes of victims and survivors at the centre of reporting, investigations and responses;
- ASI will listen to victims and survivors or their representatives and learn from their experiences, adapting our approaches where required;
- ASI will provide SEAH survivors with support and assistance, including referral to medical, psychosocial and legal resources wherever appropriate;
- ASI will protect the victim/survivor's privacy and confidentiality, including when notifying DFAT through the SEAH Notification Form
- The investigation process, as outlined in the ASI Investigations Manual, is flexible to the circumstances, including the provision of specialised, trained investigators wherever necessary and is trauma-informed;
- Clear communication is continued with victims and survivors at all stages of the investigation, so they know what to expect, the status of the investigation and what follow-up action will be taken. Clear communication means that it is in the appropriate language and formality;
- ASI acknowledges that the criminal justice system can be difficult to navigate for victims and survivors, and can often be retraumatising. The decision to pursue a case with police rests with the victim;
- The investigations process and support mechanisms are accessible for all, including different abilities, ethnicities, sexualities, gender and ages; and
- Whistleblowers, victims and survivors have access to multiple reporting channels so that they are able to choose where they feel most safe, including choosing whether they prefer to report the incident to a man or woman

Risk-based approach and PSEAH Minimum Standards

ASI's safeguarding approach is risk-based and proportional. Every program was assessed for SEAH risk. PSEAH Minimum Standards are then applied commensurate with the level of risk identified, alongside additional ASI safeguarding standards and risk management processes.

Minimum Standard 1: Have a PSEAH policy or other documented policies and procedures in place and clearly communicate expectations of this Policy.

As outlined above, changes have been made throughout our policy framework. Beyond this, and in the spirit of the PSEAH Policy, ASI leadership in Australia and the UK have championed the changes and its implementation, including introducing trainings, communicating directly with personnel and partners.

Relevant policies and documents include:

- ASI Safeguarding Policy
- Partner Code of Conduct
- Ethics and Compliance Declaration

The expectations of this Policy are communicated at the pre-contracting, contracting and throughout the length of the contract with ASI. Summaries of this policy will be made available in local languages and shared by email and in person to all workers, subcontractors and partners.

Minimum Standard 2: Have reporting and investigation procedures in place.

ASI's Investigation Manual outlines the reporting and investigation procedures in place for safeguarding. It has been reviewed and updated to emphasise the centrality of the victim/survivor to the investigations process, as well as the importance of minimising the risk of traumatisation.

Minimum Standard 3: Have risk management processes that include the risk of SEAH.

ASI Australia conducted a SEAH-specific risk assessment on each DFAT program in August 2020. This was conducted using risks in ASI's safeguarding risk assessment tool and the guidance provided in DFAT's PSEAH Risk Guidance Note (June 2019). SEAH risks have been incorporated into each program risk register and reported to the Corin Mitchell, Director of Asia Pacific. These will be reviewed and revised twice a year, or more frequently if program circumstances change.

In addition to the mandated Minimum Standards required by the medium risk rating, ASI also complies with:

Minimum Standard 4: Effective PSEAH training in place.

ASI Australia conducted training on the requirements and expectations of the PSEAH Policy for all corporate staff in Sydney in February 2020. Safeguarding training, highlighting enhancements to the ASI Safeguarding Policy has also been conducted on a case-by-case basis for associates.

Minimum Standard 5: Recruitment and screening processes and employment practices address and manage the risk of SEAH.

ASI Australia has always followed best practice in recruitment, screening and employment practices to address the risk of SEAH. The contracting process for any individual or subcontractor includes a criminal background check on all key personnel. This includes a police check for all countries they have been resident in for the past five years. This check is conducted by *First Advantage*. In addition to referee checks, which include a question on compliance and ethical behaviour, *Regulatory DataCorp* (RDC) checks are also run, which identify red flags for anti-bribery, fraud and other crimes, including safeguarding and adverse media results.

The successful result of these checks is a precondition for contracts to be issued. Monitoring and managing the risk of SEAH is ongoing, with checks refreshed annually.

Minimum Standard 6: Prohibit transactional sex for all personnel, while engaged in the direct delivery of DFAT business.

This was already mandated by the ASI Safeguarding Policy for all personnel and our partners.

Please note that the only Minimum Standard (7) not mandated by ASI's Safeguarding Policy is the prohibition of fraternisation for all non-national personnel while engaged in the direct delivery of DFAT business. This is only recommended by DFAT for very high risk programs, which are not currently present in ASI Australia's portfolio.

DFAT Reporting Requirements

ASI's Director of Asia Pacific and/or ASI's Senior Manager, People and Talent, will report suspected SEAH incidents to seah.reports@dfat.gov.au within **two** business days through the SEAH Notification Form. Where safe to do so, and when in accordance to the wishes of the victims/survivors and whistleblowers, all alleged SEAH incidents that involve a criminal aspect will be reported through the correct local law enforcement channels.

DFAT requires two kinds of incident reporting:

- Mandatory and immediate (within two working days of becoming aware of an alleged incident) reporting by all staff and DFAT partners of any alleged incident of sexual exploitation, abuse or harassment related to the delivery of DFAT business. This includes any alleged incident that poses a significant reputational risk to DFAT. For example, an allegation against a senior staff member of a partner organisation.

- Mandatory reporting (within five working days) by all staff and DFAT partners of any alleged Policy non-compliance; for example, failure to adhere to the PSEAH Policy Minimum Standards or principles.

To protect the privacy of alleged perpetrators, victims/survivors, and whistleblowers, information provided to DFAT through the DFAT Sexual Exploitation, Abuse and Harassment Incident Notification Form will be handled in accordance with the Privacy Act 1988 (Cth).

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