



**Abundant
Water**

Abundant Water

Code of Conduct

April 2023

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1. Purpose, Scope & Object

1.1 Purpose of these policies and procedures

These policies and procedures, referred to collectively as “Code of Conduct” are binding on all members under clause 8.1(b) of the Rules of Abundant Water (AW). The document acts as minimum standard by which all AW members and representatives must adhere.

If a member or representative of AW breaches these policies and procedures the Board may take disciplinary action against the member under clause 10 of the Rule of AW, which may include expelling or suspending the member.

1.2 Permitted activities

Rule 3 of the Rules of AW sets out the objects of AW. AW may only engage in activities for the advancement of the objects.

1.3 Prohibited activities

AW does not regard the following activities as necessary, incidental or conducive to the advancement of the objects of AW. All members of AW are prohibited from undertaking the following activities **on behalf of AW**:

- attempting to influence legislation by propaganda or otherwise in Australia or elsewhere
- directly or indirectly participating or intervening in any political campaign on behalf of, or in opposition to, any candidate for public office in Australia or elsewhere.

2. Counter-Terrorism Policy

2.1 Purpose

This policy demonstrates that AW is aware of terrorism-related issues and uses its best endeavours to ensure funds do not provide direct and indirect support, or resources to organisations or individuals associated with terrorism. AW does not, and will not, willingly support terrorism.

The AW mission is to develop a global network of organisations that use water filter technologies to help remote communities access clean drinking water, to improve their health, environment, and economy. To do this we partner with international organisations, thus exposing AW to potential terrorist associations. This policy is designed to avoid and mitigate the risk of such exposures.

3.2 Scope of this Policy

This policy applies to all AW staff, AW Board of Directors, volunteers and consultants retained by AW.

3.3 Background

AW has a responsibility to comply with Australian law. Australia has enacted legislation to ensure it meets its international obligations under United Nations Security Council Resolutions 1267 (and successor resolutions) and 1373 to freeze the assets of terrorists. The Australian Government has passed laws to prohibit a person who is holding assets that are owned or controlled by a designated terrorist individual or entity from using or dealing with those assets (in other words, the person holding those assets must freeze them) and to prohibit any person from making any assets available to designated terrorist individuals or entities.

The Department of Foreign Affairs and Trade (DFAT) maintains a [Consolidated List](#)¹ of all individuals and entities to which this terrorist asset-freezing regime applies.

DFAT maintains close contacts with Australia's financial sector to ensure asset-freezing arrangements take account of the sector's legitimate interests. Australian organisations have a responsibility to ensure that they do not do business with an individual or entity listed on the Consolidated List.

In addition to the Consolidated List, the Australian Government also maintains a List of [Terrorism Organisations](#)². If a group is listed as a "terrorist organisation" it is an offence to:

- direct the activities of the organisation
- recruit persons to the organisation
- receive training from or provide training to the organisation
- to receive funds from or make available funds to the organisation, and
- Provide support or resources to the organisation.

3.4 AW implementation of counter-terrorism activities

AW will:

- ensure that In-country Managers regularly check the Consolidated List and List of Terrorist

¹<http://www.dfat.gov.au/sanctions/consolidated-list.html>

²<http://www.ag.gov.au/NationalSecurity/CounterterrorismLaw/Pages/TerroristOrganisations.aspx>

Organisations and provide advice to implementing partners and staff as necessary. Staff should also regularly check the Asian Development Bank's Sanction List and the World Bank Listing of Ineligible Firms and Individual.

- conduct effective due diligence on any contractor, grantee or downstream partner against aforementioned lists.
- ensure the CEO and Board monitor compliance with this policy through its annual monitoring and evaluation activities.
- only enter into a Memorandum of Understanding (MoU) or Project Agreements/Contracts with all Implementing Partners that include clauses related to counter-terrorism, and actions to be taken if an Implementing Partner discovers or suspects any link to terrorists, either individuals or organisations.
- immediately cease to deal with any Implementing Partner that is added to either DFAT list and terminate any agreement or MOU entered into with that Implementing Partner.

3.5 Education

AW staff, AW Board members, consultants, and staff of partner organisations of the AW will all be provided with a copy of the AW counter-terrorism policy on commencing their association with AW and on updating of this document.

The AW Counter-terrorism policy will be made available on the AW website as part of this Code of Conduct.

3.6 Approval, compliance and review

In-country Managers, Staff and the Board of Directors have a responsibility to ensure that all projects undertaken by AW comply with this policy. Specifically, the In-country Manager is responsible for checking the DFAT lists monthly and report to the Board. It is possible to sign up for updates to the Consolidated List.

This policy will be reviewed annually by the Director of Governance to assess its effectiveness and appropriateness. Any significant changes to the scope and content of the policy require Board approval.

If any compliance issues are identified, they should be reported to the In-country Manager in the first instance who will work with staff and other stakeholders to address the issues.

4. Child Protection Policy

4.1 Purpose of this Child Protection Policy

AW is committed to the protection of children from abuse and exploitation. AW considers any form of child abuse and exploitation unacceptable. AW believes it is important to have policies and procedures implemented which promote the safety and wellbeing of all children involved in our programs and activities. Most of the AW programs involve interaction with children and all of our programs impact children either directly or indirectly. This child protection policy provides a framework for protecting children from exploitation and abuse in the delivery of AW's programs.

AW staff and partner organisations must consider risks posed to children in the delivery of our programs. AW recognise risks to children are particularly high when:

- activities involve one-to-one contact
- children are very young, disabled, have been abandoned, displaced, are homeless and/or orphaned
- the areas in which children live are particularly isolated, and/or
- staff are not screened or supervised adequately.

Child exploitation and abuse traumatises children and adversely affects their development and well-being. Children who are exploited and abused experience a greater likelihood of long-term consequences, including mental health issues, reduced educational outcomes, drug and alcohol abuse, and increased likelihood of coming into contact with the law. At its core, child exploitation and abuse undermine a child's right to grow up safely.

4.2 Scope of this Policy

This policy applies to AW staff, AW Board of Directors, volunteers, consultants, and downstream partner organisations retained by AW (hereby collectively referred to as AW associates).

4.3 Child protection implementation

To protect children AW will undertake the following actions:

- all AW associates will be recommended training and sign AW's Child Protection Code of Conduct and Child Abuse and Exploitation Response Protocol (Annex 1 and 2). AW's employment/volunteer contracts contain provisions for dismissal, suspension or transfer to other duties for any employee who breaches the child protection code of conduct.
- AW will at all times portray children in a respectful and dignified way. A child, and where possible the child's family, must always be asked for consent when using their images, and provide details on how and where their image will be used. See the child protection code of conduct for more details (Annex 1).
- AW recruitment processes will include stringent screening measures to ensure AW does not employ inappropriate people. These include criminal record checks, referee checks, interviews with behavioural-based interview questions and background checks on all successful candidates before they begin work. Additional screening measures will be incorporated into the selection processes for positions that involve working directly with children.
- Require all AW associates to report to the CEO any cases of child abuse to which they become aware.
- If child abuse and exploitation is observed or reported the AW Child Abuse and Exploitation Response Protocol will be followed (Annex 2).

4.4 Education in child protection

AW recommends all AW associates undertake online child protection training from the Australian Human Rights Commission. Upon joining the organisation, all AW associates will be provided with a copy of the AW Child Protection Policy. The AW Child Protection Policy is separately available on the AW website (as well as included as part of AW's Code of Conduct) for ease of reference.

4.5 Approval, compliance and review

This policy will be reviewed annually by the Director of Governance to assess its effectiveness and appropriateness. The assessment will be guided by the Australian Charities and Not-for-profits Commission's (ACNC) External Conduct Standards, as well as any organisational changes. Any significant changes to the scope and content of the policy require Board approval. Child protection targets and indicators will be integrated into AW's annual Monitoring, Evaluation and Improvement Framework.

Annex 1: AW Code of Conduct for working with children

I, _____ [insert name], acknowledge that I have read and understand AW's Child Protection Policy and response protocol and agree in the course of my association with AW, I must:

- **treat children with respect** regardless of race, colour, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- not use **language or behaviour** towards children that are inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- not engage children under the age of 18 in any form of **sexual intercourse** or sexual activity including paying for sexual services or acts.
- wherever possible, ensure that **another adult is present** when working in the proximity of children.
- **not invite unaccompanied children into my home**, unless they are at immediate risk of injury or in physical danger.
- **not sleep close to unsupervised children** unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible.
- use any **computers, mobile phones, video cameras, cameras or social media** appropriately, and never to **exploit or harass children** or access child exploitation material through any medium.
- not use **physical punishment** on children.
- not **hire children for domestic or other labour**, which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.
- comply with all relevant **Australian and local legislation**, including labour laws in relation to child labour.
- immediately report to the **in-country manager, CEO, or any member of the Board concerns** or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures.
- immediately **disclose all charges, convictions and other outcomes of an offence**, which occurred before or occurs during my association with AW that relate to child exploitation and abuse.

When photographing or filming a child or using children's images for work-related purposes, I must:

- assess and endeavour to **comply with local traditions or restrictions** for reproducing personal images before photographing or filming a child.
- obtain **informed and explicit consent from the child and parent or guardian** of the child before photographing or filming a child. As part of this, I must explain how the photograph or film will be used.

- ensure photographs, films, videos and DVDs present children in a **dignified and respectful manner** and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- ensure images are **honest representations** of the context and the facts.
- ensure file labels, metadata or text descriptions **do not reveal identifying information about a child** when sending images electronically or publishing images in any form.
- I understand that the **onus is on me**, as a person associated with AW, to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse.

Signed:

Date:

Annex 2: Child Abuse and Exploitation Response Protocol

AW will ensure that action is taken to support and protect children where concerns arise regarding possible abuse. Note that these actions may not be taken consecutively.

1. **Distance the alleged perpetrator:** The best interests of the child may warrant the standing down of a staff member or volunteer while an investigation commences. Staff members stood down must receive full pay and are entitled to a just process that does not pre-suppose guilt or innocence. The allegations should not be discussed or communicated to other people until such has been considered and a decision made by management. The decision made should be documented and filed.
2. **Confidentiality:** Confidentiality is crucial to a fair and effective reporting procedure. It is unacceptable and potentially defamatory for concerns of child abuse (and abusers) to be spread throughout the organisation rather than being directed through a formal complaints process. All participants must understand the importance of following the set reporting lines when concerns arise. Confidentiality protects the child, the notifier, the respondent and the organisation, and ensures a fair and proper process.
3. **Reprisal:** AW will not tolerate any form of coercion, intimidation, reprisal or retaliation against any employee who reports any form of abuse or exploitation, provides any information or other assistance in an investigation.
4. **Counselling support:** Professional counselling support will be made available to all parties involved.
5. **Investigation of complaints:** Physical and/or sexual abuse of a child is a crime. The Board, CEO or country manager may be required to notify authorities when there are reasonable grounds for reporting abuse. Allegations made overseas will need to consider national legislation or internal procedures to investigate and address the allegations.
6. **Information collection and privacy:** The Board, CEO or In-country manager must record and store securely relevant information including:
 - date(s) of incident(s)
 - name of the organisation(s) involved, including any program partner
 - alleged offender's details, including name, nationality and occupation
 - details of the alleged incident(s)
 - whether local law enforcement authorities or Australian Federal Police have been informed
 - if it is a DFAT-funded activity, the name of the activity (if known)
 - details of what the organisation(s) proposes to do
 - any other relevant information.
7. **AW must notify DFAT** of any reports associated with DFAT-funded activities.

5. Conflict of Interest Policy

5.1 Purpose

The purpose of this policy is to help Board members of AW to effectively identify and manage any actual, potential, or perceived conflicts of interest in order to protect and manage risk.

5.2 Objective

AW Board and executive aim to ensure that Board members are aware of their obligation to disclose any conflicts of interest that they may have and to comply with this policy to ensure they effectively manage those conflicts of interest as representatives of AW.

5.3 Scope

This policy applies to all AW staff, Board members, and representatives.

5.4 Definition of conflicts of interests

A conflict of interest occurs when a person's personal interests conflict with their responsibility to act in the best interests of the charity. Personal interests include direct interests, as well as those of family, friends, or other organisations a person may be involved with or have an interest in (for example, as a shareholder).

It also includes a conflict between a Board member's duty to AW and another duty that the Board member has (for example, to another charity). A conflict of interest may be actual, potential or perceived and may be financial or non-financial.

These situations present the risk that a person will make a decision based on, or affected by, these influences, rather than in the best interests of the charity. Therefore, these situations must be managed accordingly.

5.5 Policy

This policy has been developed to address conflicts of interest affecting AW.

Conflicts of interest are common, and they do not need to present a problem to the charity as long as they are openly and effectively managed.

It is the policy of AW, as well as a responsibility of the Board, that ethical, legal, financial or other conflicts of interest be avoided and that any such conflicts (where they do arise) do not conflict with the obligations to AW.

AW will manage conflicts of interest by requiring Board members to:

- avoid conflicts of interest where possible
- identify and disclose any conflicts of interest
- carefully manage any conflicts of, and
- follow this policy and respond to any breaches.

5.6 Responsibility of the Board

The Board is responsible for:

- establishing a system for identifying, disclosing and managing conflicts of interest across the charity
- monitoring compliance with this policy, and
- reviewing this policy on an annual basis to ensure that the policy is operating effectively

The Board will keep conflicts of interest register and all conflicts of interest will be recorded in the register. The register must include:

- the date that the conflict was notified to the Board
- the name of the Director notifying the conflict of interest
- the nature of the conflict of interest, and
- the action(s) that was taken by the Board

Once the conflict of interest has been appropriately disclosed, the Board (excluding the Board member who has made the disclosure, as well as any other conflicted Board member) must decide whether or not those conflicted Board members should:

- vote on the matter
- participate in the debate or
- be present in the room during the debate and voting.

In exceptional circumstances, such as where conflict is very significant or likely to prevent a broader member from regularly participating in discussions, it may be worth the Board considering if it is appropriate for the person conflicted to resign from the Board.

5.7 Compliance with this policy

If the Board has reason to believe that a person is subject to the policy has failed to comply with it, it will investigate the circumstances.

If it is found that this person has failed to disclose a conflict of interest, the Board may take action against them. This may include:

- seeking to remove this person from the Board and/or
- seeking to terminate the person's relationship with the charity.

If a person suspects that a Board member has failed to disclose a conflict of interest, they must notify the Director of Governance or the Board if the Director of Governance is complicit.

6. Anti-Corruption & Bribery Policy

6.1 Introduction

AW is committed to conducting its business ethically and in compliance with all applicable laws and regulations that prohibit improper payments to obtain a business advantage. This anti-corruption statement describes AW's Policy prohibiting bribery and other improper payments in the conduct of our business operations and employee responsibilities for ensuring the implementation of the Policy.

6.2 Purpose

Compliance with anti-corruption laws is essential to protect AW's reputation and to preserve our operations. All our employees, contractors, directors (executive and non-executive) of our Board, and third parties we deal with, including our suppliers, are required to comply with anti-corruption laws. No one has the authority to waive this requirement. Criminal penalties could result where anti-corruption laws are not respected.

6.3 Goals

At AW we:

- conduct all business in an honest and ethical manner
- do not condone bribery or corruption in any form
- are committed to acting professionally, fairly and with integrity in all business dealings and relationships
- do not permit the making of any inappropriate promises, gifts or excessive hospitality to Foreign Public Officials in order to achieve unfair advantage or benefit
- resist any efforts made by others (including suppliers, customers or clients) to unfairly affect any official decision-making process in order to achieve unfair advantage or benefit
- identify and document any perceived or actual material conflicts of interest for their employees, volunteers, third parties and responsible entities outside Australia
- encourage charitable donations or sponsorships only when they are ethical and legal under local laws and practices
- do not provide contributions to political parties
- encourage charitable donations, sponsorships and partnerships only when they are ethical and legal under local laws and practices
- avoid facilitation payments as a means of doing business
- expect our business partners and agents to implement and enforce effective systems to counter bribery and anti-corruption, and
- will always report and document any breach of the law that is brought to our attention through the reporting mechanism provided by Australian authorities.

7. Environment & Social Stewardship Statement

7.1 Introduction

AW's purpose and function place it at the forefront of achieving environmentally sound and socially responsible outcomes across its functions and contributing meaningfully to several of the UN Sustainable Development Goals, for example directly Goal 6; *Clean Water and Sanitation* and indirectly Goal 1; No Poverty by supporting economic growth which is inclusive, sustainable and provides opportunities for all.

AW accepts that it must also work to preserve the environmental sustainability of the planet, at all levels of its operations – in its own practice, as a participant in the WASH community of practice, and as a participant in reducing inequalities and building sustainable communities. In doing so AW recognises its role as a social enterprise positively impacting on its communities and improving lives.

AW aspires to minimise its impact on our environment and maximise the effective use of resources through the provision of clay pottery water filters using primarily locally procured materials and staff. We strive to communicate an awareness of our efforts in accordance with this policy and to foster responsible environmental behaviour amongst staff, volunteers, supporters and users at all levels.

AW is committed not only to complying with applicable environmental law in all its operations but to minimise risks and impacts through the development of robust and documented systems to implement, measure, monitor, and disseminate excellent environmental performance both within its operations and to the broader community.

AW is committed to being a positive influence in its communities and ensuring it doesn't cause harm including injury or injustice to the people and communities its assisting. This is achieved by the early identification, assessment and ongoing monitoring of social impacts, engaging effectively with stakeholders and working closely with in-country partners in delivering social outcomes. As a social business AW is focussed on delivering social impacts and achieving improved social outcomes.

7.2 Purpose

Our Environmental and Social Stewardship Statement serves to integrate a philosophy of sustainable development in accordance with the UN Sustainable Development Goals into all the AW activities and to establish and promote sound environmental and social practice in our operations.

7.3 Goals

AW commits itself to minimise environmental impacts and maximising social outcomes through:

- providing for healthier communities and reduced consumption of natural resources
- having an environmentally sustainable and socially aware culture
- being an environmentally responsible neighbour in the communities in which we operate
- conserving natural resources by reusing, recycling and substitution
- using processes that do not adversely affect the environment
- not causing harm including injury or injustice
- ensuring the responsible use of energy throughout the organisation

- participating in efforts to improve environmental protection and community understanding
- taking steps to continually improve environmental performance and social outcomes
- conducting self-assessments of the implementation of sound environmental and social practices;
- actively identifying and monitoring environmental practices and social impacts on the risk register;
- working with suppliers who promote sound environmental and social practices, and
- enhancing awareness among our employees, volunteers, and users – educating and motivating them to act in an environmentally and socially responsible manner.

8. Fraud Policy

8.1 Background

The corporate fraud policy is established to facilitate the development of controls that will aid in the detection and prevention of fraud against AW. It is the intention of AW to promote consistent organisational behaviour by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.

8.2 Scope and Application

- Anyone who represents AW, including but not limited to staff, volunteers, partners (local NGOs, affiliates and government counterparts), contractors, donors and Board members.
- Board members, staff, volunteers and contractors of partner organisations implementing clean water initiatives and development activities funded by or through AW including international partners.

8.3 Purpose

The purpose of this policy is to demonstrate AW's commitment to the prevention, deterrence, detection and investigation of all forms of fraud to aid in the prevention of fraud.

AW aims to establish an environment in which fraudulent conduct is not tolerated. This environment will promote a culture where all fraudulent activities and corrupt conduct once noticed or legitimately suspected are reported, investigated and resolved in a timely and fair manner.

AW will not tolerate any incident of fraud conduct. Any stakeholder, that this policy applies to, will act in accordance will applicable Codes of Conduct and the spirit of ethical standards.

8.4 Policy Statement

AW is committed to protecting its revenue, expenditure and assets from any attempt by members of the public, contractors, agents, volunteers, our international and domestic partners, or its own employees to gain financial or other benefits by deceit, bias, dishonest or otherwise fraudulent conduct.

Fraud conduct controls will ensure that such activity is discouraged, avoid conflict of interest and through auditing, will deter and/or identify fraudulent activities.

In accepting its responsibility for good governance, AW will set the example for honesty and integrity in the provision of services to the communities within the scope of AW's work and the management of the organisation.

The Board of Directors and management is responsible for the detection and prevention of fraud and corruption, misappropriations, and other irregularities.

Fraud is defined as the intention, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury. Each member of the management team and Board of directors will be familiar with the types of improprieties that might occur within his or her area of responsibility and be alert for any indication of irregularity.

Any irregularity that is detected or suspected must be reported immediately to the CEO of AW (or delegate), who will coordinate investigations both internal and external.

8.5 Actions Constituting Fraud

The terms defalcation, misappropriation, and other fiscal irregularities refer to, but are not limited to:

- any dishonest or fraudulent act
- misappropriation of funds, securities, supplies, or other assets
- impropriety in the handling or reporting of money or financial transactions
- profiteering as a result of insider knowledge of company activities
- disclosing confidential and proprietary information to outside parties
- disclosing to other persons securities activities engaged in or contemplated by the company
- accepting or seeking anything of material value from contractors, vendors, or persons providing services/materials to the Company. Exception: Gifts less than AUD\$50 in value
- destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment, and
- any similar or related irregularity.

8.6 Other irregularities

Irregularities concerning an employee's moral, ethical, or behavioural conduct should be resolved by the In-country Manager prior to escalating to the CEO.

If there is any question as to whether an action constitutes fraud, contact the CEO (or delegate) or the Director of Governance for guidance.

8.7 Investigation Responsibilities

The CEO (or delegate) has the primary responsibility for the investigation of all suspected fraudulent acts as defined but not limited to in this policy. If the investigation substantiates that fraudulent activities have occurred, the CEO (or delegate) will issue reports to appropriated designated personnel and if appropriate, to the Board of Directors. Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and CEO as will final decisions on the disposition of the case. If there are any concerns that the CEO has breached his or her duties the matter should be referred to the Chair of the Board.

8.9 Confidentiality

The CEO (or delegate) will treat all information received confidentiality. Any employee who suspects dishonest or fraudulent activities will notify the CEO (or delegate) immediately and should not attempt to personally conduct investigations or interviews/interrogations related to any suspected act.

Refer to the reporting procedure section below. Investigations results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputation of persons suspected for subsequently found innocent of wrongful conduct and to protect AW from potential civil liability.

8.10 Authorisation for investigating suspected fraud

Investigating officers will have:

- Free and unrestricted access to all Company records and premises, whether owned or rented.
- The authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities on the premises without prior knowledge or consent of any individual who might use of have custody of any such items or facilities when it is within the scope of their investigation.

- The authority to access all electronic files operated by AW Board of Directors, Executive Staff, In-country staff, and volunteers or agents.

8.11 Reporting Procedures

Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting a suspected individual that an investigation is underway. An employee who discovers or suspects fraudulent activities will contact the CEO (or delegate) immediately. The employee or other complainants may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, his or her attorney or representative, or other inquirers should be directed to the CEO (or delegate). No information concerning the status of an investigation will be given out. The proper response to any inquiries is “I am not at liberty to discuss this matter.” Under no circumstances should any reference be made to “the allegation,” “the crime,” “the fraud,” “the forgery,” “the misappropriation,” or any other specific reference.

The reporting individual should be informed of the following:

- Do not contact the suspected individual in an effort to determine facts or demand restitution.
- Do not discuss the case, fact, suspicions, or allegations with anyone unless specifically asked to do so by the CEO/delegate.

8.12 Sanctions

Treatment of breaches

Any breach of this policy by AW employee will be treated in accordance with statutory obligations. Violation of sanctions imposed by the Australian Government – for more information please refer to the following website:

<http://dfat.gov.au/international-relations/security/sanctions/Pages/sanctions-offences.aspx>

Termination

If an investigation results in the recommendation to terminate an individual, the recommendation will be reviewed for approval by the designated representative as approved by the CEO (or delegate), and if necessary, by outside counsel, before any such action is taken.

Administration

The CEO or delegate of AW is responsible for the administration, revision, interpretation, and application of this policy. The policy will be reviewed annually and revised

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

9.1 Background

AW does not tolerate sexual exploitation, sexual abuse or sexual harassment. AW joins the international non-profit community in strongly supporting core principles regarding the prevention of sexual exploitation and abuse, which were established in 2003 by the UN Secretary General's Bulletin on Special Measures.

Sexual exploitation, sexual abuse and sexual harassment can take various forms and can happen to anybody any time during their lives but are more likely when one person is in a position of power over another. AW recognises that there are unequal power dynamics in the works it conducts, creating an inherent risk of people exploiting a position of power for personal gain. While women and children are particularly at risk of SEAH, all vulnerable populations, including men, are at risk.

If a person does not object to inappropriate behaviour at the time it happens, it does not mean that they are consenting to the behaviour. It may be difficult for the offended person to object, especially if the harasser is in a position of authority. AW respects and promotes the rights of all people to live free from discrimination, abuse, and harassment.

9.2 Purpose

AW is committed to promoting a culture where people are treated with dignity and respect, both in the workplace and in projects conducted by AW, its contractors, agents, and partner organisations. This policy outlines AW's commitment to ensuring:

- Effective mechanisms are in place to prevent sexual exploitation, abuse and harassment.
- These practices are integrated into our workplace and in the delivery of the AW's projects and programs.
- Procedures are in place to raise concerns or allegations and make complaints.
- Effective action is taken when concerns are raised, or allegations are made.

9.3 Scope of Policy

This policy applies to all activities carried out by AW staff deployed by or otherwise conducting business for or representing AW. The policy is applicable to all AW staff, including employees, directors, volunteers, interns, contractors, and agents in all locations (in Australian and overseas).

9.4 Definitions and Examples

For the purposes of this policy, the following definitions apply:

Sexual exploitation – any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, threatening or profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual abuse – the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual harassment – sexually related behaviour that is unwelcome, unsolicited and unreciprocated and would cause a reasonable person in the circumstances to be offended, humiliated or intimidated. It does not refer to occasional compliments or another mutually accepted behaviour.

Examples of acts of sexual exploitation and abuse include, but are not limited to:

- sexual assault (any unwanted or forced sexual act committed without consent) or threat thereof. Sexual assault can occur either against a person's will, by force or coercion, or when a person is incapable of giving consent, such as when they are under duress, under the influence of drugs or alcohol. Force or coercion includes, but is not limited to:
 - actual physical aggression, including but not limited to rape, forcible sodomy, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling (unwanted kissing or touching)
 - threats of physical aggression
 - emotional coercion, and
 - psychological blackmailing
- forcing someone to have sex with anyone
- forcing a person to engage in prostitution or pornography or videotaping or photographing sexual acts and posing it without permission
- refusing to use safe sex practices
- alleging or threatening to allege that anyone already has a history of prostitution on legal papers
- name-calling with sexual epithets
- insisting on anything sexual, including jokes that may be uncomfortable, frightening or hurtful, and
- demanding sex in any context or telling someone that they are anyone else is obliged to have sex as a condition for anything.

Examples of behaviour that could be considered sexual harassment include, but not limited to:

- unwanted physical contact, sexual suggestions or demands
- making obscene or sexually suggestive remarks, insults or jokes that may cause offence
- sending explicit or sexually suggestive emails, and
- intrusive enquiries into a worker's private life.

9.5 Prohibition of sexual exploitation, abuse and harassment (SEAH)

SEAH goes against the beliefs, values and mission of AW. As such, the following activities are strictly prohibited during the course of engagement with AW:

- Any forms of SEAH by AW employees, volunteers, consultants, agents, partner organisations or any representatives of the organisation associated with the delivery of AW's programs.
- Employees, volunteers and other representatives exchanging money, humanitarian assistance, gifts, preferential treatment, employment, goods or services for sexual services, including sexual favours or other forms of humiliating, degrading or exploitative behaviour.
- Employees, volunteers and other representatives having sexual relationships with children (defined as anyone under the age of 18), as is made clear in AW's Child Protection Policy. The mistaken belief of age is not a defence.

9.6 Raising a concern

AW expects employees, volunteers and other representatives of the organisation to report, in line with this policy, any suspicions of inappropriate behaviour. There is no obligation for the affected person to report an incident that has happened to them. Nevertheless, in this situation reporting

is encouraged if there is a reasonable belief that not reporting an incident has the potential for negative consequences for another individual.

If any AW staff have experienced sexual exploitation, abuse or harassment at any location where work is being conducted, including in-country offices, at work-related activities including conferences, training sessions, insight trips and social functions, they can make a confidential disclosure to the CEO or Director of Volunteering.

If the CEO or Director of Volunteering suspects the concern disclosed relates to a criminal offence, the matter will be escalated to the Chair or Director of Governance, who will treat the concern as a complaint. Allegations involving criminal sexual misconduct will be reported to the local enforcement authorities unless it is at odds with the wishes or welfare of the affected person, or it would pose a threat to the life or safety of another individual.

9.7 How to make a complaint

AW has internal procedures for handling complaints, including those related to sexual exploitation, abuse and harassment, and non-compliance with this policy or the safeguarding code of conduct.

Complaints regarding SEAH can be made by a person to whom AW delivers services or who are affected by AW's services, an implementing partner, an organisation we work with, employees, interns, volunteers, contractors or subcontractors, donors or members of the public. Complaints can be made to the CEO or Director of Governance, who is responsible for dealing with the matter and ensuring that an investigation is conducted.

During the investigation of the complaint, the complainant will be advised of the process expected timeframe for resolution.

AW will not reveal a complainant's name or personal details to anyone outside the organisation without the complainant's permission unless required by law.

If a victim/survivor of sexual misconduct alleges the perpetrator was an employee or volunteer deployed by AW, or otherwise conducting business for or representing AW, we will consider, on a case by a case basis, providing appropriate and effective forms of reparation, including but not limited to access to relevant assistance and support services, such as medical, legal and psycho-social services.

AW will notify relevant enforcement agencies as required.

10. Diversity Statement

At AW, we value the diversity of thought and experience and believe that our inclusive culture contributes to our success. We celebrate this diversity as a strength of our business.

10.1 Objective

The objective of inclusion and diversity in AW is to drive better business, organisational reputation, and employee experience through shared accountability of inclusion and diversity.

AW is committed to:

- Treating people with dignity and respect
- Developing inclusive staff, volunteers, and directors who value and have a deep understanding of inclusion and diversity, and the capability to build inclusive teams and work environments
- Delivering programs and providing support services that enable all employees to feel that they belong and are valued individuals
- Identifying and cultivating partnerships that promote and improve inclusion and diversity within AW.

10.2 Role of the Board

The AW Board is responsible for overseeing the implementation and ongoing monitoring of the AW inclusion and diversity strategy.