



# PSEAH Policy

(Preventing Sexual Exploitation,  
Abuse and Harassment)

Last Updated: 20 March 2023

# Purpose

## 1. Policy Statement

Think Pacific is committed to providing a safe environment for all its participants, volunteers and employees. Think Pacific does not tolerate sexual exploitation, abuse or harassment (SEAH) of any kind. We follow national and international guidelines for our projects, programs and study tours. This policy applies to our own organisation and extends to those we work with. Alongside others, we continue to strengthen our approach to safeguarding by enhancing accountability and driving cultural change through strong leadership.

## 2. Definitions

This Policy uses the following descriptions of sexual exploitation, sexual abuse and sexual harassment, from The Department of Foreign Affairs and Trade (DFAT)

- 2.1. Sexual exploitation:** Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from sexual exploitation of another.
- 2.2. Sexual abuse:** The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It covers sexual offences including but not limited to: attempted rape (which includes attempts to force someone to perform oral sex); and sexual assault (which includes non-consensual kissing and touching). All sexual activity with someone under the age of consent (in the law of the host country or under UK Law (16 years), whichever is greater, is considered to be sexual abuse.
- 2.3. 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. Sexual harassment can take various forms. It can be obvious or indirect, physical or verbal, repeated or one-off and perpetrated by any person of any gender towards any person of any

gender. Sexual harassment can be perpetrated against beneficiaries, community members, citizens, as well as staff and personnel.

### 3. Principles

**3.1.** The Policy is underpinned by **six principles** outlined below.

**3.2. Principle 1: Zero tolerance of inaction.** Sexual exploitation, abuse and harassment are never acceptable. We encourage a culture of reporting of incidents, taking responsibility for setting this culture and managing reporting appropriately by acting on every allegation in a fair and reasonable way with due regard for procedural fairness.

**3.3. Principle 2: Strong leadership accelerates culture change**

**3.3.1.** We take responsibility for our organisational culture and believe strong leadership is essential for accelerating the pace of change.

**3.3.2.** Senior Managers set clear expectations and model respectful behaviour in our interactions at work. This supports our colleagues, wider communities, victims/survivors and whistleblowers to feel safe, report concerns and be assured their allegations are taken seriously.

**3.3.3.** We take measures to improve diversity and inclusion via specific Equal Opportunity, Diversity and Inclusion Policy, because diverse and inclusive organisations have lower levels of harassment and discrimination (DFAT)

**3.3.4.** We have actionable Human resource procedures, clear roles and designated HR responsibilities.

**3.3.5.** We embed gender equality into our culture, recruitment and advocacy during our project aims and initiatives in Fiji.

**3.3.6.** We include discussion and goals of PSEAH as part of our monthly and annual board meeting agendas.

**3.3.7.** We have senior champions responsible for PSEAH and encourage staff gender balance particularly in senior roles.

**3.3.8.** We encourage leaders to scrutinise their (and their fellow senior managers) behaviours and be mindful of PSEAH daily.

**3.4. Principle 3: Victim/survivor needs are prioritised**

**3.4.1.** We implement a “do no harm” approach prioritising the rights, needs, and wishes of the victim/survivor, while ensuring procedural fairness to all parties.

- 3.4.2.** We shall:
  - 3.4.2.1.** treat the victim/survivor with dignity and respect,
  - 3.4.2.2.** involve the victim/survivor in decision making,
  - 3.4.2.3.** provide the victim/survivor with comprehensive information,
  - 3.4.2.4.** protect privacy and confidentiality,
  - 3.4.2.5.** not discriminate based on gender, age, race/ethnicity, ability, sexual orientation, or other characteristics,
  - 3.4.2.6.** consider the need for counselling and health services to assist the victim/survivor with their recovery

**3.5. Principle 4: Preventing Sexual Exploitation, Abuse and Harassment is a shared responsibility**

- 3.5.1.** We believe that preventing Sexual Exploitation, Abuse and Harassment is everyone's responsibility; government, business, non-government organisations, institutions, communities and individuals.
- 3.5.2.** Through our volunteer projects and programmes, through our collaboration with fellow organisations, business, NGO's, NSO's and local and national government in Fiji, we hold a commitment to share this message, policy and DFAT documentation.

**3.6. Principle 5: Gender inequality and other power imbalances are addressed**

- 3.6.1.** We understand that anyone can be a victim SEAH regardless of their sex and of the sex of the perpetrator.
- 3.6.2.** Think Pacific recognises that SEAH may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.
- 3.6.3.** Think Pacific recognises that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager or supervisor and employee.
- 3.6.4.** Anyone, including participants on a program, employees of Think Pacific, clients, customers, casual workers, contractors or visitors who sexually harasses another will be reprimanded in accordance with this internal policy.
- 3.6.5.** All SEAH is prohibited whether it takes place within Think Pacific premises, project locations or outside, including at social events, business trips, training sessions or conferences sponsored by Think Pacific.
- 3.6.6.** There are inequalities based on the distinctions of worker/beneficiary; ability/disability; ethnic and Indigenous status; religion; gender identity

and sexual orientation; age; health and poverty, which can all result in SEAH.

- 3.6.7.** The intersection of gender with other forms of inequality can further increase the likelihood of SEAH occurring.
- 3.6.8.** Engagement with intended beneficiaries should be based on respect for diversity, promotion of gender equality and social inclusion, accountability, and a strong “do no harm” focus.
- 3.6.9.** Although they are not in scope for this Policy, children are at high risk of SEAH — particularly children with disability, children living in residential or institutional care, children who have experienced previous trauma or abuse, trafficked children, and gender diverse children and young people. Think Pacific has a separate Safeguarding Policy addressing our due diligence. response and processes in such reported cases.

### **3.7. Principle 6: Stronger reporting will enhance accountability and transparency**

- 3.7.1.** We believe that Sexual exploitation, abuse and harassment is a failure of responsibility.
- 3.7.2.** We understand that Think Pacific’s Board of Directors are accountable to ensure this policy is delivered with accountability and transparency.
- 3.7.3.** We implement consistent roles and reporting, which allows Think Pacific to monitor SEAH, understand risks, improve assurance and develop good systems and safeguards accordingly.

## **4. Risk Assessment**

- 4.1.** Think Pacific takes a risk-based, proportional approach to PSEAH. Prior to the commencement of each project, program or study tour, Think Pacific’s Project Manager conducts a formal risk assessment of each itinerary.
- 4.2.** PSEAH is incorporated into this existing activity planning and risk management processes, ensuring controls are in place to manage and monitor the risk of SEAH and ensure processes are adhered to.
- 4.3.** The Director has ultimate responsibility for oversight of risk assessments.

## **5. Exploitative Sex**

- 5.1. As DFAT advise and Think Pacific acknowledge;
- 5.2. Men and women can be sexually exploited through transactional sex (the exchange of money, employment, goods or services for sex or sexual acts), even in places where sex work is legal. After a crisis, people may engage in transactional sex to generate income and meet basic survival needs. They may not identify with the term “sex worker”. For a person purchasing sex in this setting, it is often impossible to distinguish between exploitative and non-exploitative transactional sex.
- 5.3. Think Pacific operate zero tolerance for exploitative and non-exploitative transactional sex.
- 5.4. We prohibit transactional sex for all personnel, while engaged in the direct delivery of Think Pacific projects
- 5.5. We prohibit transactional sex for all participants, students and volunteers in the delivery of Think Pacific projects and whilst staying in traditional communities and under the care of Think Pacific. This would be an act of gross misconduct as per our code of conduct, leading to removal from the project.
- 5.6. We brief our staff and participants on these terms during training, through our Code of Conduct, Terms and Conditions and during in-country briefing and we make clear the disciplinary procedure and consequences.

## 6. Fraternisation

- 6.1. Fraternisation refers to any relationship occurring in the course of conducting business, that involves — or appears to involve — partiality, preferential treatment or improper use of rank or position including but not limited to voluntary sexual behaviour. It includes sexual behaviour not amounting to intercourse, a close and emotional relationship involving public displays of affection or private intimacy and the public expression of intimate relations.
- 6.2. Where there are significant power imbalances at play (based on gender, age, ability, authority, social and economic inequality, etc) the potential for exploitative transactional sex and fraternisation is heightened.
- 6.3. We ask our employees and participants to consider whether the contexts in which they are working give rise to exploitative sex and fraternisation.
- 6.4. Our risk assessment highlights this and staff and participants are briefed to understand this concept and the negative consequences. .

- 6.5. We prohibit fraternisation for all non-national personnel, while engaged in the direct delivery of Think Pacific projects.
- 6.6. We prohibit fraternisation for all participants, volunteers and students, while engaged in the direct delivery of Think Pacific projects. This would be classed as gross misconduct and a breach of our Code of Conduct, leading to removal from the project.

## 7. Reporting

- 7.1. Reporting helps Think Pacific to monitor SEAH incident management.
- 7.2. **When alleged incidents are reported:**
  - 7.2.1. We will work with individuals to track incident management.
  - 7.2.2. Over time, reporting will allow us to analyse trends and improve prevention and response strategies.
  - 7.2.3. In line with our transparency agenda, Think Pacific reviews at our Board Meeting at least annually on policy implementation.
- 7.3. In accordance with Principle 3 — Victim/survivor needs are prioritised — victims' and survivors' safety and wellbeing must be paramount to reporting and their information treated confidentially.
- 7.4. Whistleblowers must similarly feel safe and protected during the reporting process.
- 7.5. **We implement two kind of reporting:**
  - 7.5.1. **Mandatory and immediate** (within two working days of becoming aware of an alleged incident) reporting by all staff of any alleged incident of sexual exploitation, abuse or harassment related to the delivery of Think Pacific projects. This includes any alleged incident that poses a significant reputational risk to Think Pacific. For example, an allegation against a senior staff member of a partner organisation.
  - 7.5.2. **Mandatory reporting** (within five working days) by all staff of any alleged Policy non-compliance; for example, failure to adhere to the PSEAH Policy Minimum Standards or principles.

## 8. Complaints procedure

- 8.1. Any participant who is subject to sexual harassment should advise the Think Pacific Leader or Project Manager as soon as possible.

- 8.2. Think Pacific recognises that PSEAH may occur in unequal relationships (i.e. between a supervisor and his/her employee or participant) and that it may not be possible for the victim to inform the alleged harasser.
- 8.3. If a victim cannot directly approach an alleged harasser, he/she can approach one of the designated staff members responsible for receiving complaints of SEAH

## 9. Points of contact

- 9.1. The designated staff to contact would be:
- 9.2. **Designated contact persons within Fiji:**
  - 9.2.1. *Regional Manager (Pacific) Cam Watson. [cam@thinkpacific.com](mailto:cam@thinkpacific.com) +679 767 7404*
  - 9.2.2. *Proxy, Operations Manager, Laisa Drua [laisa@thinkpacific.com](mailto:laisa@thinkpacific.com) 00679 7449679*
- 9.3. **Designated contact persons outside of Fiji:**
  - 9.3.1. *Director: Harry Hunter [Harry@thinkpacific.com](mailto:Harry@thinkpacific.com) 00447719 303200*
  - 9.3.2. *Director: Simon Darker 0044 7595 537797*

## 10. Complaints Process

- 10.1. **When a designated person receives a complaint of sexual harassment, he/she will:**
  - 10.1.1. Immediately record the dates, times and facts of the incident(s).
  - 10.1.2. Ascertain the views of the victim as to what outcome he/she wants.
  - 10.1.3. Ensure that the victim understands the company's procedures for dealing with the complaint.
  - 10.1.4. Discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he/she is not satisfied with the outcome.
  - 10.1.5. keep a confidential record of all discussions.
  - 10.1.6. Respect the choice of the victim
  - 10.1.7. Ensure that the victim knows that they can lodge the complaint outside of the company through the relevant country/legal framework
- 10.2. Throughout the complaints procedure, a victim is entitled to be helped by a counsellor. Think Pacific will facilitate providing a counsellor where required or requested. Think Pacific has a record of counselling services and mental health



professionals within in Fiji, however, these facilities are limited and participants are advised within briefings.

- 10.3.** Think Pacific recognises that because sexual harassment often occurs in unequal relationships within the workplace, victims often feel that they cannot come forward. Think Pacific understands the need to support victims in making complaints.

## **11. Informal complaints mechanism**

- 11.1. If the victim wishes to deal with the matter informally, the designated person will:**

- 11.1.1.** Give an opportunity to the alleged harasser to respond to the complaint.
- 11.1.2.** Ensure that the alleged harasser understands the complaints mechanism.
- 11.1.3.** Facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant, or refer the matter to a designated mediator within the company to resolve the matter.
- 11.1.4.** Ensure that a confidential record is kept of what happens.
- 11.1.5.** Follow up after the outcome of the complaints mechanism to ensure that the behaviour has stopped.
- 11.1.6.** Ensure that the above is done speedily and within 5 days of the complaint being made

## **12. Formal complaints mechanism**

- 12.1.** If the victim wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism should be used to resolve the matter.
- 12.2.** The designated person who initially received the complaint will refer the matter to a senior human resources manager to instigate a formal investigation. This would involve being referred to a committee of 3 Directors or Senior staff for final outcomes and decisions.
- 12.3. The persons carrying out the investigation will:**
- 12.3.1.** Interview the victim and the alleged harasser separately interview other relevant third parties separately,
  - 12.3.2.** Decide whether or not the incident(s) of sexual harassment took place.
  - 12.3.3.** Produce a report detailing the investigations, findings and any recommendations if the harassment took place, decide what the

appropriate remedy for the victim is, in consultation with the victim (i.e.- an apology, a change to working arrangements, training for the harasser, discipline, suspension, dismissal).

- 12.3.4.** Follow up to ensure that the recommendations are implemented, that the behaviour has stopped and that the victim is satisfied with the outcome.
- 12.3.5.** If it cannot be determined that the harassment took place, he/she may still make recommendations to ensure proper functioning of the projects, programmes and workplaces.
- 12.3.6.** Keep a record of all actions taken
- 12.3.7.** Ensure that all records concerning the matter are kept confidential.
- 12.3.8.** Ensure that the process is done as quickly as possible and in any event within 7 days of the complaint being made.

### **13. Sanctions and disciplinary measures**

- 13.1.** Anyone who has been found to have sexually harassed another person under the terms of this policy is liable to any of the following sanctions:
  - 13.1.1.** Verbal or written warning
  - 13.1.2.** Adverse performance evaluation
  - 13.1.3.** Demotion
  - 13.1.4.** Suspension
  - 13.1.5.** Dismissal
- 13.2.** The nature of the sanctions will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial.
- 13.3.** Certain serious cases, including physical violence, will result in the immediate dismissal of the harasser.

### **14. Outside complaints mechanisms**

- 14.1.** A person who has been subject to PSEAH, can also make a complaint outside of the company for example to the police where relevant.
- 14.2.** In this instance, Think Pacific shall offer full support and advice.

## **15. Implementation of this policy**

- 15.1.** Think Pacific will ensure that this policy is widely disseminated to all relevant persons. It will be included in the staff handbook and also participant resources..
- 15.2.** All new employees must be trained on the content of this policy as part of their induction into the organisation..
- 15.3.** Every year, Think Pacific requires all employees to attend a refresher training on the content of this policy.
- 15.4.** It is the responsibility of every manager to ensure that all his/her employees are aware of the policy

## **16. Further information and useful links**

- 16.1.** Equality and Human Rights:  
<https://www.equalityhumanrights.com/en>
- 16.2.** Australian Department of Foreign Affairs and Trade:  
<https://dfat.gov.au/international-relations/themes/preventing-sexual-exploitation-abuse-and-harassment/Pages/default.aspx>
- 16.3.** Gender and Development Network:  
<https://gadnetwork.org/pseah-wg>