

Sexual Misconduct Policy

1. Statement of Intent

Operation Blue is committed to providing a work environment, in Australia and overseas, free of sexual harassment, abuse and exploitation, where individuals are treated with respect and dignity. This Policy applies to all Executive Committee members, staff and volunteers in relation to behaviour occurring both in Australia and overseas in the course of all activities and events.

All personnel are obliged to create and maintain an environment which prevents sexual exploitation and abuse, and promotes the implementation of Operation Blue Code of Conduct. Staff and volunteers have particular responsibilities to support and develop systems which maintain this environment.

2. Definitions:

	Definition
Fraternisation	Any relationship that involves, or appears to involve, partiality, preferential treatment or improper use of rank or position including but not limited to voluntary sexual behaviour.
Perpetrator	A person (or group of persons) who commits an act of Sexual Exploitation, Abuse and Harassment or other type of crime or offence.
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 is considered to be sexual abuse.
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.
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



	<p>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.</p> <p>Sexual harassment is often categorised under these two headings: <i>Quid pro quo</i> and <i>creation of hostile work environment</i>.</p> <p>Under the <i>quid pro quo</i> form of harassment, a person demands sexual favours for getting or keeping a job benefit, and threatens the employee if the conditions are not met.</p> <p>A <i>hostile work environment</i> arises when a co-worker creates an environment experienced as intimidating, offensive or humiliating. This may be through offensive jokes, personal comments of a sexual nature, leering, intruding into personal space, sharing of pornographic material or touching.</p>
Transactional sex	The exchange of money, employment, goods or services for sex, including sexual favours.
Victim/survivor	A person who is, or has been, sexually exploited, harassed or abused.

3. Policy

3.1 Operation Blue has zero tolerance of sexual harassment, exploitation and abuse. Every allegation will be taken seriously and acted on.

3.2 Operation Blue will take all reasonable steps to prevent sexual misconduct. We collaborate within and beyond our organisational environment to improve employment practices, including background checking, and actively seek to minimise opportunities for a perpetrator's ability to move between organisations or gain access to other similar environments of activity.

3.3 Operation Blue will ensure staff and volunteers are aware of this policy and of the nature of sexual harassment.

Complaints or concerns of sexual misconduct can be made to any of the following:

- Team Leader of the project or program.
- Board of directors

3.4 Victims/survivors' needs and wishes will be prioritised.

3.5 Where safe to do so and in accordance with victims' wishes, all Sexual Exploitation, Abuse and Harassment (SEAH) allegations that involve a criminal aspect will be reported to local enforcement agencies.

3.6 Disciplinary action will be taken by Operation Blue against any staff member, Executive Committee member, or volunteer who is found to be in breach of this policy or who victimises or retaliates against a person who has complained of sexual harassment, exploitation or abuse. The discipline will depend on the severity of the case and may involve an apology, counselling, suspension, dismissal, or other form of action.

3.7 Sexual exploitation and abuse by all personnel constitute acts of gross misconduct and is therefore grounds for termination of employment, or removal from the project or program.

4. Specific Prohibited Behaviours

Sexual relationships and fraternisation between Operation Blue personnel and project beneficiaries are prohibited since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid and mission work. Fraternisation between Operation Blue personnel and national personnel in the field also involves differences in power and is liable to misunderstanding and is therefore strongly discouraged and must be disclosed by the Operation Blue staff member. Fraternisation for all non-national personnel is prohibited in situations assessed as high risk.

4.1 Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. A mistaken belief regarding the age of a child is not a defence.

5. Working with Partners

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- 5.1 Engagement with partners and beneficiaries is based on respect for diversity, promotion of gender equality and social inclusion, accountability, and a strong "do no harm" focus.
- 5.2 Operation Blue will work with partners to provide accessible information in regard to this policy to beneficiaries. This will include the behaviour to be expected of Operation Blue partner personnel, and gender sensitive and culturally appropriate ways to make a complaint.
- 5.3 Operation Blue will help partners analyse gender equity, power dynamics and risks of gender-based violence, sexual exploitation, abuse and harassment in their context. Project design will address these issues.