

5.1.1 Professional Conduct Policy

Commitment by UnitingWorld

UnitingWorld commits to the highest standards of behaviour and accountability in all aspects of our work and promotes these standards actively in our relations with our staff, partners, supporters and collaborators. UnitingWorld shares this commitment with other members of the ACT Alliance and with the Australian Council for International Development (ACFID) as a signatory to their Codes of Conduct.

UnitingWorld commits to upholding human rights regardless of race, religion, ethnicity, indigeneity, disability, age, displacement, caste, gender, gender identity, sexuality, sexual orientation, marital status¹, political affiliation, poverty, class or socio-economic status.

UnitingWorld commits to leadership in professional conduct from our Board and senior managers who drive behaviours and attitudes throughout our organisation, leading by example to nurture a strong safeguarding culture that addresses structural inequalities based on gender, ethnicity, socio-economic status, sexuality and age².

This policy reflects our values as set out in our Strategic Plan: relationship, mutual respect, integrity, inclusion, sustainability, innovation and fullness of life.

Scope

This policy applies to all UnitingWorld Representatives as described in Section 1.5 of UnitingWorld's Governance Manual, which is available on our website.

This Professional Conduct policy makes explicit UnitingWorld's commitment to behavioural standards expected of our Representatives. It also describes the relationship between this policy and other relevant UnitingWorld policies.

UnitingWorld partners with indigenous community organisations with a high level of localisation. As such, many UnitingWorld Representatives are staff of other organisations or volunteers and are involved in many activities that are outside the ambit of UnitingWorld. UnitingWorld's systems and processes are designed to manage compliance with UnitingWorld policies while these people are acting as UnitingWorld Representatives.

However, UnitingWorld has a legitimate interest in our Representatives' behaviour outside of times they are undertaking work on behalf of UnitingWorld, to the extent that these activities may bring discredit upon UnitingWorld in its relationships with beneficiaries, counterparts, host government, donors, visitors or the public at large and may possibly call their fitness for continued employment into question. In determining whether a Representative's activity or conduct is outside the provision of the Code, due regard will be taken of the following factors:

- The nature and circumstances of the activity; or,
- The position, duties, and responsibilities of the employee; or,
- The consequences of the activity on the ability of the Representative to fulfil their duties and responsibilities; or,
- The effects of the activity or its consequences on relationships of UnitingWorld with our beneficiaries, counterparts, host government, donors or the public at large.

Representatives have an obligation to disclose any activity, conduct or the existence of any allegation, charge or offence that could possibly call their fitness for continued employment into question. Failure to disclose behaviour/activities which are considered unacceptable, will result in appropriate disciplinary action being taken against them and could lead to dismissal.

Principles

1. UnitingWorld standards of behaviour will be in line with our values

Our standards of behaviour stem from our values: We are Christians collaborating for a world free of poverty and injustice. Because every person matters. Because every person is beloved by God and invited to a life that is whole and hopeful. The Uniting Church in Australia believes that all people, including children, are made in the image of God. As a Christian community we believe that God reaches out to us in love and acceptance, and that our relationships with each other should express love, care and respect. Central to living out the gospel is to love God and to love others. As a community of faith, we are committed to providing safe environments for all people, including children, so that they may live life in all its fullness." (National Child Safe Policy Framework, UCA). Therefore, we respect and value everyone and define our standards of behaviour in line with our values.

We recognise that Sexual Exploitation, Abuse and Harassment (SEAH) are deeply rooted in gender inequality, discrimination, and power imbalances, and we are committed to promoting gender equality within UnitingWorld, and within UnitingWorld's Partners and the communities with which they work. (see also UnitingWorld's Gender Equality Policy).

2. UnitingWorld standards of behaviour will be in line with international standards

We commit to meeting the requirements of the Department of Foreign Affairs and Trade's Child Safeguarding Policy and Preventing Sexual Exploitation, Abuse and Harassment (PSEAH) Policy and their respective minimum standards.

We commit to the Inter-Agency Steering Committee of the United Nations Minimum Operating Standards for Protection from Sexual Abuse and Exploitation (PSEA); and obligations under the ACFID Code of Conduct.

We aim to align our standards with the Core Humanitarian Standards (CHS).

3. UnitingWorld will operationalise its standards of behaviour using a Code of Conduct.

We will maintain and regularly update a Code of Conduct which explicitly sets out expected behaviours that embody the standards set out in this policy. We will require all UnitingWorld Representatives to sign and be bound by this Code of Conduct.

¹ From the Protection and Safeguarding Policy. UnitingWorld includes marital status because it is an issue in the Pacific (where Youth include anyone not married regardless of age and unmarried women have been considered to have a "disability").

² Joint Statement and 22 Commitments (UK-led International Summit to Tackle Sexual Exploitation, Abuse and Harassment in the Aid Sector (October 2018))

5.1.1 Professional Conduct Policy

4. UnitingWorld will educate its Representatives about the Code of Conduct and their obligations

UnitingWorld Staff, Board members and volunteers will be trained at induction and be required to sign the Code on employment/appointment. They will be provided with refresher training annually and required to re-sign the Code if they remain Representatives. This may be supplemented by specific training as required.

Overseas Partner Staff will be required to re-sign the Code of Conduct annually, and training provided during monitoring visits and regional workshops. UnitingWorld Contractors and Partner Contractors will be required to sign the Code of Conduct as a part of their contract.

5. UnitingWorld will recruit a professional and ethical workforce

UnitingWorld's recruitment process will include steps that make clear our standards of professional conduct, and precautionary steps to identify and screen for compatibility with those standards.

All UnitingWorld staff and Board position descriptions, recruitment advertisements and tender documents will include UnitingWorld's commitment to PSEAH, Child Protection and the UnitingWorld Professional Conduct Policy and Code of Conduct.

Interviews for all new staff and for contractors who will have contact with congregations in Australia or overseas partners or projects as part of their work will contain scenario-based questions on PSEAH and Child Protection, and any gaps in employment history will be checked.

During recruitment for new UnitingWorld staff members, at least two verbal references will be taken from previous employers which include questions on the candidate's conduct and behaviour.

New staff commencing employment with UnitingWorld will require a criminal history check (either Australian, or for any country of residence of over 12 months in the last five years and country/ies of citizenship) and a Working With Children Checks (or equivalent). Staff will be required to maintain the validity of their Working With Children Check (or equivalent) and a criminal history check every five years during their employment with UnitingWorld.

Where contractors or volunteers will undertake work that involves contact with congregations in Australia, or with overseas partners or projects, UnitingWorld will also require criminal history checks and Working With Children Checks (or equivalent) to be provided prior to commencing their role. Criminal history checks and Working With Children Checks must be maintained during employment.

UnitingWorld will act to prevent a person from commencing work with UnitingWorld if they pose an unacceptable risk in terms of SEAH and Child Protection.

UnitingWorld will limit the use of non-disclosure agreements in grievance processes.

UnitingWorld's employment and consultancy contracts, and volunteer agreements will include a requirement to sign and abide by UnitingWorld's Code of Conduct and comply with all UnitingWorld relevant policies including this one.

6. UnitingWorld will act on any reports of Code of Conduct violations

UnitingWorld will take action on any breach of professional conduct. Every allegation will be acted upon in a timely, fair and reasonable way with due regard for procedural fairness.

Our Code of Conduct will require mandatory reporting of concerns or allegations about breaches of the Code of Conduct and related organisational policies (including the Professional Conduct Policy and Code of Conduct and UnitingWorld's Protection and Safeguarding Policy).

The UnitingWorld Code of Conduct will require mandatory reporting of all suspected or actual incidents of SEAH or child abuse.

UnitingWorld will have mechanisms in place such that anyone can raise a concern or make a complaint to UnitingWorld about something they have experienced or witnessed that is a violation of the Code of Conduct or related policies (see full Bystander definition in the glossary).

UnitingWorld will report all breaches/suspicions of criminal nature to local authorities, where reporting is consistent with the wishes of the survivor if the breach involves SEA/CP. Local reporting of incidents in country will be strongly encouraged, where reports do not endanger the lives of local staff. DFAT and other institutional donors will be notified of SEA/CP incidents as required³.

Any UnitingWorld Representative purposely making false accusations regarding any action by another person which is claimed to be in breach of the Code of Conduct will be subject to disciplinary action.

7. UnitingWorld will promote its Code of Conduct

UnitingWorld will publicly commit to this policy and our Code of Conduct on our website.

UnitingWorld will communicate with our Partners to raise awareness of the expected behaviour of UnitingWorld Representatives. This will be done by sharing our Code of Conduct and Safeguarding policies with Partners and supporting them to communicate this to their staff, contractors and communities we work with.

8. UnitingWorld promotes the security and safety of our Representatives

UnitingWorld will prioritise the security and safety of all its Representatives, and those with whom we work in our decisions. We and will make all reasonable efforts to ensure that UnitingWorld Representatives are secure as they go about their work. We will cultivate a culture that promotes security as an individual as well as an organisational responsibility.

UnitingWorld Representatives will be expected to adhere to Assembly Workplace Health and Safety Policies and UnitingWorld Travel policy and procedures.

UnitingWorld will provide training at induction and through regular refreshers on the above policies.

UnitingWorld will provide comprehensive travel insurance for staff and volunteers and access to emergency medical services while travelling overseas.

UnitingWorld will provide one-off access to specialist counselling services for international development and humanitarian workers for travel/aid-work related duress.

³ DFAT PSEAH Policy 2019

5.1.1 Professional Conduct Policy

Standards of Behaviour

UnitingWorld's standards of behaviour are detailed in the UnitingWorld Code of Conduct, based on the principles and expectations set out below.

1. Values and Behaviour

- 1.1 UnitingWorld expects its Representatives to always act in ways consistent with the Christian principles underpinning the work and service of UnitingWorld.
- 1.2 UnitingWorld Representatives will demonstrate the highest standard of personal and professional conduct in line with UnitingWorld's Vision, Mission and Values and will not bring UnitingWorld into disrepute.
- 1.3 UnitingWorld expects its Representatives to meet the agency's commitment to respect and promote fundamental human rights as outlined in this Policy.
- 1.4 UnitingWorld Representatives will contribute to a fair, equitable and harmonious workplace.
- 1.5 UnitingWorld considers unacceptable behaviour or activities which:
 - Harm those people we are present to support; or
 - Negatively affects their own or another's performance or has the potential to do so; or,
 - Embarrasses UnitingWorld or threatens its reputation;
 - Embarrasses other overseas aid agencies or threatens their reputations; or,
 - Could result in the representative being charged and/or convicted of a criminal offence which, in the opinion of UnitingWorld, brings into question their continued suitability to remain as an employee; or,
 - Otherwise breaches the obligations created under the Code.

2. Child Protection

- 2.1 UnitingWorld recognises the rights of all children to live safely without fear of abuse or exploitation as outlined in the United Nation Convention on the Rights of the Child (1989). UnitingWorld will not tolerate any form of child abuse by anyone who is working within our programs or represents UnitingWorld in any way. Child exploitation and abuse will attract criminal, civil and disciplinary actions. UnitingWorld will not knowingly engage anyone who poses a risk to children.
- 2.2 UnitingWorld Representatives will be proactive in child protection risk management. While it is not possible to eliminate all risks of child exploitation and abuse, UnitingWorld Representatives will endeavour through careful management to reduce the risks to children who may be associated with activities of UnitingWorld.
- 2.3 UnitingWorld Representatives understand that confidentiality is an important facet to enable the safe reporting of child abuse and ensure the wellbeing and safety of those involved. Written and spoken information will be protected from being shared with unauthorised persons, or used for a purpose other than that for which it was collected.
- 2.4 UnitingWorld Representatives understand that child protection is a shared responsibility, meaning that successful implementation of child protection initiatives relies on all Representatives committing to and upholding the principles of this policy. UnitingWorld will work with partners to ensure the fulfilment of at least minimum standards of child protection across our programs.
- 2.5 Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence⁴.

3. Sexual Exploitation and Abuse

- 3.1 UnitingWorld unequivocally condemns sexual exploitation and abuse as a form of Gender-Based Violence (GBV). UnitingWorld recognises that Sexual Exploitation and Abuse can occur in any workplace or operational context, including in a development setting. UnitingWorld, in consultation with its implementing partners, promotes the integration of a gender sensitive perspective to effectively prevent and respond to sexual abuse and exploitation.
- 3.2 The UnitingWorld Board will address Sexual Exploitation, Abuse and Harassment (SEAH) by taking measures to improve diversity and inclusion, as diverse and inclusive organisations have lower levels of harassment and discrimination. Board members will encourage scrutiny of their own behaviour and that of senior management. Board members and senior staff will set clear expectations and model respectful behaviour in their interactions at work.
- 3.3 Sexual exploitation and abuse by any UnitingWorld representative constitute serious misconduct and are therefore grounds for termination of employment.
- 3.4 Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange for assistance that is due to beneficiaries, also known as Transactional Sex.
- 3.5 Sexual relationships between Representatives and beneficiaries are forbidden because of the inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work. No sexual relations with beneficiaries are permissible where a non-national UnitingWorld staff member is based short-term alongside a beneficiary population.
- 3.6 Staff of UnitingWorld Partners are drawn from the communities in which they serve. They may have pre-existing or ongoing relationships with members of beneficiary communities. UnitingWorld and its Partners acknowledge such relationships and require that all such relationships be identified to prevent the perception of a conflict of interest or of fraternisation. UnitingWorld and its Partners will ensure discussion about power imbalances takes place if new relationships are formed with members of beneficiary communities that could be construed as deriving from a power imbalance.
- 3.7 In countries where UnitingWorld may directly implement development work, a non-national staff member in long term residence in the recipient community, who engages in a sexual relationship with a member of the recipient community and/or with another employee, must inform his or her manager about the relationship to prevent the perception of a conflict of interest or of fraternisation. UnitingWorld rejects fraternisation where a relationship involves, or appears to involve, partiality, preferential treatment or improper use of rank or position. (See

⁴ IASC MOS-PSEA Indicator; consistent with DFAT PSEAH policy 2019

5.1.1 Professional Conduct Policy

full definition of fraternisation in glossary below).

3.8 All Representatives are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their Code of Conduct. Managers at all levels are responsible to support and develop systems which maintain this environment.

3.9 Where a UnitingWorld Representative develops concerns or suspicions regarding sexual abuse or exploitation by a fellow aid worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.

4. Public/Media Comment

4.1 Subject to the constraints of their obligations under UnitingWorld policies (Communication and Transparency Policy and the Code of Conduct), UnitingWorld supports its representatives' rights to free speech and independence in the conduct of their private affairs.

4.2 UnitingWorld Representatives have a duty not to compromise UnitingWorld by publicly criticising (including via social media) the organisation, its activities, its partners or its staff.

4.3 UnitingWorld Representatives understand the limitations placed by the UnitingWorld Communications policy on who is authorised to speak to the media on behalf of UnitingWorld.

4.4 UnitingWorld Representatives understand that there are processes in place for complaints, grievances and disputes set out in UnitingWorld policies, and that public comment on such matters, including via social media outside these processes is a breach of the Code.

5. Photography and Video

5.1 UnitingWorld Representatives recognise the importance of respect, safety, dignity and privacy of subjects when photographing and filming (or any other form of media recording) people.

5.2 UnitingWorld Representatives will be bound by the explicit standards outlined in the Code of Conduct, consistent with UnitingWorld's Communication and Transparency Policy and Protection and Safeguarding Policy.

5.3 UnitingWorld Representatives understand that these standards apply to all media captured in the context of UnitingWorld's relationships with partners, donors and community, regardless of whether it is used by UnitingWorld for publicity purposes or not.

6. Harassment

6.1 Harassment is any form of behaviour that is not wanted and not asked for and that humiliates, offends or intimidates someone and therefore creates an offensive environment for that person.

6.2 As in any area of human interaction, the boundary of what constitutes harassment may vary from person to person. In addition, one person may have different boundaries for different relationships. It is every employee's responsibility to recognise and respect the boundaries set by others. Just because someone does not object to inappropriate behaviour in the workplace at the time, it does not mean that they are consenting to the behaviour.

6.3 UnitingWorld Representatives have an obligation to recognise that what is considered offensive can vary greatly from one person to another. They are required to be observant and sensitive and strive to understand their own behaviour and how it may be perceived and impact on others at work.

6.4 UnitingWorld does not tolerate any form of harassment, in the workplace or in any other operational context. Harassment includes sexual, gender and racial harassment or any other inappropriate behaviour that fails to respect the dignity of an individual.

6.5 Sexual harassment is a specific form of harassment which involves unwelcome sexual behaviour. Sexual harassment can be physical, spoken or written. It covers a wide range of behaviours, which are detailed in the Code of Conduct.

6.6 Harassment can be committed by: an employer, worker, co-worker, group of co-workers, partner, donor or a member of the public. Workplace harassment covers a wide range of behaviours, which are detailed in the Code of Conduct.

6.7 Harassment includes incidents that happen at work, at work-related events, between people sharing the same workplace, or between colleagues outside of work.

6.8 A single incident is enough to constitute harassment – it doesn't have to be repeated.

6.9 All incidents of harassment require UnitingWorld and its managers to respond quickly and appropriately.

7. Bullying

7.1 Bullying is repeated, inappropriate, overt and covert behaviour that criticises, belittles, isolates and undermines the victim. It can involve humiliation, sabotage, spreading gossip, overwork, unnecessary pressure, delaying tactics and can escalate into physical and verbal assault, sexual assault and arson. It may involve:

- Unreasonable demands and impossible targets
- Restrictive and petty work rules;
- Being forced to work longer hours;
- Unfair rostering and allocation of work;
- Constant, intrusive surveillance or monitoring;
- Inadequate levels of consultation or exclusion from decisions;
- Isolation or exclusion from activities and communications;
- Interference with personal belongings;
- Sabotage;
- Shouting abusive language;
- An open or implied threat of dismissal or demotion.

7.2 However, genuine issues about management prerogative and genuine disciplinary procedures should not be interpreted as bullying, as noted by the Australian Human Rights Commission.

5.1.1 Professional Conduct Policy

7.3 UnitingWorld also follows the Australian Human Rights Commission Good Practice Guide on Workplace discrimination, harassment and bullying, noting “The Fair Work Amendment Act 2013 defines workplace bullying as repeated unreasonable behaviour by an individual towards a worker which creates a risk to health and safety.”

8. Ethical Business Practices and Financial Wrongdoing

8.1 UnitingWorld is committed to moral and ethical business practices and a culture of honesty, integrity and trust. We are committed to the prevention of financial wrongdoing through the promotion of an ethical and transparent environment where all personnel actively participate in responsible stewardship of UnitingWorld’s resources and reputation.

8.2 UnitingWorld recognises that financial wrongdoing may occur and expects all Representatives to work to implement effective prevention strategies to minimise the risk of wrongdoing.

8.3 UnitingWorld expects that Representatives will declare any conflicts of interest and report financial wrongdoing either to their supervisor or through whistleblowing reporting channels.

8.4 UnitingWorld has a zero-tolerance approach to fraud and corruption. UnitingWorld Representatives must never take advantage of their position when working with communities, partners or other stakeholders. Specific guidance about expected behaviours can be found in the Code of Conduct. Further guidance on preventing and responding to financial wrongdoing, and relevant roles and responsibilities is contained in UnitingWorld’s Financial Wrongdoing Policy (5.5.6)

UnitingWorld’s Code of Conduct

The Code seeks to establish clear, unambiguous guidelines for behaviour and responsibility of all UnitingWorld Representatives to comply with relevant UnitingWorld and UCA National Assembly policies.

The Code documents individuals’ agreement to meet the agency’s expectations.

The Code will be accessible, clear, and use plain English. When necessary, the Code will be translated and made accessible to staff who do not speak English as a first language.

The Code is updated as necessary, but at least every three years. Induction and annual refreshers must be provided to all signatories.

Implementation of the Code of Conduct is documented in the UnitingWorld Procedures Manual. A full list of specific policies covered by the Code can be found at the end of this policy under Related Resources; many are available on the UnitingWorld website.

Understanding the Code of Conduct

UnitingWorld management is responsible for ensuring that all Representatives are aware of and sign the Code of Conduct and that they understand what it means in concrete behavioural terms and how it applies to their particular context.

Staff, board members, volunteers

Awareness sessions will be conducted as soon as practicable after appointment for new staff, Board members, volunteers and contractors. Regular refresher training will be provided for all long-term Representatives.

Partner staff

Where partners have their own Code of Conduct that is equal to or exceeds the UnitingWorld Code, UnitingWorld management will discuss and agree with partners which document should be signed by partner organisation staff.

UnitingWorld’s partners must ensure that the intent and substance of this Code is applied. Where appropriate they may need to adapt it to the context in which they operate.

Contractors

UnitingWorld management is responsible for ensuring that all contractors and subcontractors employed by UnitingWorld have signed the Code of Conduct prior to commencing any activity, and for monitoring contractors for compliance with the Code. Contractors must be briefed on the Code of Conduct which will be included in their contracts.

Subcontractors

UnitingWorld management will communicate clearly with partners and contractors regarding the requirement that all subcontractors employed by the partners have signed the UnitingWorld Code of Conduct or a UnitingWorld-compliant partner Code of Conduct prior to commencing any activity, and that partners and contractors are active in ensuring subcontractors adhere to these commitments. All subcontractors should be briefed on the Code of Conduct which should be included in their contracts.

Promoting the Code of Conduct with Communities

UnitingWorld will work with our Partners to promote the Code of Conduct, including translation into local languages where appropriate, to enable communities we work with to hold us and our partners accountable for standards we have committed to. Where our Partners have a Code of Conduct equivalent to the UnitingWorld Code of Conduct we will promote their Code and make clear UnitingWorld’s commitments to its own code of conduct.

Complaints and Disciplinary Procedures

Violation of the Code of Conduct will not be tolerated. Representatives who are subject to allegations may be suspended during investigation or moved to other duties.

Action will be taken against those who are shown to have breached the Code. This may lead to internal disciplinary action including dismissal as well as criminal prosecution, in accordance with relevant legislation. Violations of the Code will be handled in line with UnitingWorld’s Complaints and Incident Handling Policy (5.1.3) and the Procedures manual, supported by Assembly policies where relevant.

Where the Representatives alleged to have breached the Code are UnitingWorld Partner staff, and UnitingWorld has no direct control, UnitingWorld will request our Partner to remove the staff from UnitingWorld related activities, and strongly advocate the pursuit of disciplinary

5.1.1 Professional Conduct Policy

measures. Failure by our Partners to address serious breaches of Professional Conduct will be addressed at the highest levels and may result in review of UnitingWorld programs.

Glossary of Terms

Abuse: any action or inaction that causes harm to another person. It can include physical abuse, emotional abuse, sexual abuse and neglect. It also includes abuse online and/or through mobile technology.

Bullying: repeated, inappropriate, overt and covert behaviour that criticises, belittles, isolates and undermines the victim. It involves humiliation, sabotage, spreading gossip, overwork, unnecessary pressure, delaying tactics and can escalate into physical and verbal assault, sexual assault and arson.

Bystander: A Bystander is person who witnesses an incident first hand, or who hears about it afterwards. (Definition based on Australian Human Rights Commission, Bystander Fact Sheet for Employees n.d; <https://www.humanrights.gov.au/our-work/sex-discrimination/projects/sexual-harassment-know-where-line>. Accessed 2 March, 2019)

Child: anyone under the age of 18. This is irrespective of local country definitions, including legal definitions, of when a child reaches adulthood, in line with the DFAT PSEAH Policy.

Child Abuse: All forms of physical or mental (especially emotional) violence, injury or Abuse, maltreatment or exploitation, including Sexual Abuse, is Child Abuse. Child Abuse occurs when adults or other children hurt children either physically, sexually, emotionally, psychologically or in some other way.

Child exploitation and abuse: One or more of the following:

- committing or coercing another person to commit an act or acts of **abuse** against a child;
- possessing, controlling, producing, distributing, obtaining or transmitting **child exploitation material**;
- committing or coercing another person to commit an act or acts of **grooming** or **online grooming**.

Child exploitation material: Material, irrespective of its form, which is classified as **child abuse material** or **child pornography material**

Child abuse material – Material that depicts, expressly or implicitly, a child under 18 years of age as a victim of torture, cruelty or physical abuse

Child pornography material: Material that depicts a person, or is a representation of a person, who is, or appears to be, under 18 years of age and is engaged in, or appears to be engaged in, a sexual pose or sexual activity, or is in the presence of a person who is engaged in, or appears to be engaged in, a sexual pose or activity, and does this in a way that a reasonable person would regard as being, in all the circumstances, offensive.

Complaint: An expression of dissatisfaction. (International Standards Organisation standard on Complaints handling; used by ACFID).

Corruption: Offering, giving, soliciting or acceptance of an inducement or reward which may improperly influence the action of any person.

Discrimination: Discrimination means exclusion of, treatment of, or action against an individual based on social status, race, ethnicity, colour, religion, gender, sexual orientation, age, marital status, national origin, political affiliation or disability.

Emotional abuse: any act including confinement, isolation, verbal assault, humiliation, intimidation, infantilisation, or any other treatment which may diminish the sense of identity, dignity, and self-worth (Tracy, N. (2012, July 24). Emotional Abuse: Definitions, Signs, Symptoms, Examples, HealthyPlace. Retrieved on 2019, July 28 from <https://www.healthyplace.com/abuse/emotional-psychological-abuse/emotional-abuse-definitions-signs-symptoms-examples>).

Exploitation: any actual or attempted abuse of a position of vulnerability, differential power or trust to profit monetarily, socially or politically. It includes sexual exploitation.

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. It could include 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. (DFAT PSEAH policy, 2019).

Fraud: An intentional distortion, deceit, trickery, and perversion of truth or breach of confidence, relating to an organisation's financial, material, or human resources, assets, services and/or transactions, generally for the purpose of personal gain or benefit. Fraud is a crime involving deception or the use of false representations to gain an unjust advantage.

Gender Equality: "The equal enjoyment by women, girls, boys, and men [and by people who are Sex and Gender Diverse] of rights, opportunities, resources and rewards." (From World Bank, Gender and Development: A Trainer's Manual, found at <http://info.worldbank.org/etools/docs/library/192862/Module1/Module1c.html> . Accessed 27/10/14)

Grooming: Grooming is when someone builds an emotional connection with a child or vulnerable adult to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking. Many children and vulnerable adults may not understand that they have been groomed or that what has happened to them is abuse.

Harassment: Any unwelcome comment or behaviour that is offensive, demeaning, humiliating, derogatory, or any other inappropriate behaviour that fails to respect the dignity of an individual. Harassment can be **committed by** or **against** any member of the community with whom we work, partners, employee, vendor or other individual visiting or doing business with an agency (see **sexual harassment** below).

Neglect: The failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and well-being.

Online grooming: The act of sending an electronic message to a recipient who the sender believes to be under 16 years of age, with the intention of procuring the recipient to engage in, or submit to, sexual activity with another person, including but not necessarily the sender.

PSEAH: Acronym for Preventing Sexual Abuse and Exploitation

Physical abuse: The use of physical force against a child that results in harm to the child. Physically abusive behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning.

5.1.1 Professional Conduct Policy

Protection: Ensuring that individual basic human rights, welfare and physical security are recognised, safeguarded and protected in accordance with international standards.

Serious misconduct: Conduct that is wilful or deliberate and that is inconsistent with the continuation of a person's employment contract. It is also conduct that causes serious and imminent risk to the health and safety of a person or to the reputation, viability or profitability of the employer's business. (Fair Work Commission, <https://www.fwc.gov.au/unfair-dismissals-benchbook/what-makes-dismissal-unfair/valid-reason/conduct>. Accessed 3 April, 2019)

Serious misconduct includes (but is not limited to) the following:

- Fraud and corruption
- Bullying and harassment
- Safeguarding incidents
- Actual or potential harm or risk in programming (CHS Guidelines for Investigations (2015))

SEAH: Acronym for Sexual Exploitation, Abuse and Harassment

Sexual abuse: the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. (*IASC Guidelines to Implement Minimum Operating Standards for the PSEAH 2013*); *DFAT PSEAH Policy 2019* adds: 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 Australian Capital Territory law [16 years], whichever is greater) 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, including, but not limited to, profiting monetarily, sexually or politically from the sexual exploitation of another (*IASC Guidelines to Implement Minimum Operating Standards for the PSEAH 2013/DFAT PSEAH Policy 2019*).

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. (UCA National Assembly policy: People and Relationships, Section 4 Behaviour and Ethics).

Short-term: refers to assignments during humanitarian crises where UnitingWorld non-national staff/Representatives are in place for several days to several weeks.

Survivor/victim :: A person who is, or has been, sexually exploited harassed or abused (DFAT PSEAH Policy, 2019). Survivor implies strength, resilience and the capacity to survive. (*IASC Guidelines to Implement Minimum Operating Standards for the PSEAH 2013*)

Transactional Sex: The exchange of money, employment, goods or services for sex, including sexual favours (DFAT PSEAH Policy, 2019); also "The exchange of money, employment, goods or services for sex, including sexual favours other forms of humiliating, degrading or exploitative behaviour. This includes any exchange of assistance that is due to beneficiaries of assistance." (Task Team on the SEA Glossary for the Special Coordinator on improving the United Nations response to sexual exploitation and abuse, United Nations Glossary on Sexual Exploitation and Abuse, 5 October, 2016. Accessed at: https://reliefweb.int/sites/reliefweb.int/files/resources/un_glossary_on_sea.pdf 2 March, 2019).

Volunteer: Volunteer refers to unpaid community members who participate in UnitingWorld activities for an extended or repeated period.

Vulnerable adult: an individual aged 18 years or over who is at greater risk of significant harm due to factors such as gender, age, mental or physical health, or as a result of poverty, inequality or experience of displacement or crisis. In an international development context an example might be a person with reliance on humanitarian aid with another intersecting vulnerability such as a disability or their ethnicity.

Whistleblowing: A disclosure by a person about serious malpractice carried out by UnitingWorld or our Representatives, for example concerns or complaints about criminal acts, abuse or exploitation

Related Policies

The following policies form the basis of the requirements of the Code of Conduct. These policies will be made available to all UnitingWorld Representatives.

UCA National Assembly Policies:

- 6.5 – People and Relationships (including Occupational Health and Safety)
- 6.6 – Privacy*
- 6.10 – Fraud*
- 6.13 – Conflicts of Interest*

The Uniting Church in Australia – Assembly Employment Policy and Procedures Manual, particularly Section 4: Ethics and Behaviour (including Assembly Bullying and Harassment Policy)

UnitingWorld Policies:

Governance Manual Section 4: Guiding Approaches*

Policies: Governance Manual Section 5: Policies

- 5.1.3 – Complaints and Incident Handling*
- 5.1.4 – Whistleblowing*
- 5.3.1 – Protection and Safeguarding (including Child Protection)*

5.1.1 Professional Conduct Policy

5.5.4 – Travel

5.5.6 – Financial Wrongdoing

*These policies are available on UnitingWorld’s website.

Resources:

Australian Human Rights Commission – Good practice, good business: Workplace discrimination, harassment and bullying (Nov 2018) – online: <https://www.humanrights.gov.au/our-work/employers/workplace-discrimination-harassment-and-bullying>