



**ENGINEERS
WITHOUT
BORDERS/NZ**

Preventing Sexual Exploitation, Abuse or Harassment Policy

Version Control

Version	Purpose	Prepared by	Date	Approved by	Date
1	Draft for Board Review	Elise James	24/04/19		
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1 INTRODUCTION AND PREAMBLE

1.1 Our Vision

Our Vision for New Zealand and the South Pacific is that **‘Everyone has access to the engineering leadership and capability required to lead a life of opportunity, free from poverty in all of its forms.’**

We know that **engineering saves lives**. Whether it is through the provision of safe drinking water, safe buildings or by identifying and planning for natural hazards, the work engineers do every day **makes the world a better place**.

Unfortunately, **access to engineering capability is not universal**. And at EWBNZ, we don’t think that is fair, nor do we think it has to stay that way.

EWBNZ works hard to build the **capacity of local engineers** so that they can design, operate and maintain local infrastructure in a culturally appropriate context.

This means we send technical experts to mentor and train local counterparts as well as educate New Zealand based engineers on better ways of designing. We advocate for designing with communities, not for them. And when we treat our partner communities as equal participants in the design process, we see great things happen - empowerment of individuals and infrastructure that is appropriate for each of the cultural, social, environmental and financial contexts.

Lastly, EWBNZ works to create a society of New Zealand leaders who are conscious of global issues and are **empowered to take action** to effect positive change.

1.2 Our Values

All of EWBNZ’s actions are underpinned by our organisational Values. These are:

Respect:

We build relationships based on mutual trust and respect. We believe all relationships thrive on a two way sharing of knowledge and culture.

Community:

We are a community of people and organisations who share a common vision for the future. Through collective action and community-led change we will learn more, achieve more and have fun together.

Learning:

We create new opportunities for learning and lasting change. We have a passion for continuous learning and seek to embrace and harness new experiences, wisdom, ideas and expertise.

Sustainability:

We strive to address the immediate needs of our communities without compromising the needs of future generations. Along with our people, our planet is our most valuable resource.

and **Quality:**

We strive for quality, professionalism and excellence in everything that we do. We believe we can create positive and long lasting impact in the world.

1.3 The CID Code of Conduct

EWBNZ is a signatory to the CID Code of Conduct. This means that EWBNZ has an obligation to ensure our policies align with the principles of the Code of Conduct.

The CID Code of Conduct Principles are:

- The Treaty of Waitangi is fundamental to development in Aotearoa New Zealand and to members' approach to development issues internationally.
- Respect and promote human rights, social justice and equality for all people.
- Embody gender equality and equity while promoting women's and girl's rights and support women's efforts to participate as fully empowered actors in the development process.
- Focus on people's empowerment, democratic ownership and participation, with an emphasis on the poor and marginalised.
- Promote and practice environmental sustainability for present and future generations as part of all development initiatives.
- Practice transparency and accountability to recipients and donors as well as integrity with respect to internal practices of the member's organisation.
- Pursue equitable partnerships and solidarity with other development actors.
- Create and share knowledge and commit to mutual learning with other civil society organisations and development actors.
- Commit to realising positive sustainable change, focusing on results, with special emphasis on poor and marginalised populations.
- Promote development education in Aotearoa New Zealand as an integral part of sustaining public support for development assistance.
- Ensure that promotional, educational and fundraising programmes are consistent with the above principles and values.

2 PURPOSE

This policy has been developed to ensure that EWBNZ maintains integrity in taking proactive steps to prevent sexual exploitation, abuse or harassment in all its forms across the organisation, and in its work.

The purpose of this policy is to:

1. Emphasise EWBNZ's commitment to preventing sexual exploitation, abuse or harassment, both of staff and volunteers, and by staff and volunteers;
2. Underline EWBNZ's zero tolerance approach to sexual exploitation, abuse or harassment of any kind; and,
3. Ensure that the expectations of EWBNZ employees, volunteers, associates and partner organisations to manage the risk of sexual exploitation, abuse or harassment is clear.

This policy complies with CID Code of Conduct principles D.5.1: Human resources.

3 PRINCIPLES

Fundamental to the operation of EWBNZ is respect for the dignity and basic human rights of people within New Zealand and throughout the world. Every person who represents EWBNZ is expected to reflect these values in their professional conduct, regardless of who they are dealing with, or where they are working. Sexual exploitation, abuse or harassment is a violation of basic human rights. EWBNZ aims to provide a safe and trusted environment that safeguards everyone from sexual exploitation, abuse or harassment: to actively prevent and respond to it, and to maintain an organisational culture that prioritises safeguarding.

This policy is underpinned by six key principles:

1. Zero tolerance of inaction

Sexual exploitation, abuse and harassment are never acceptable. EWBNZ recognises that achieving a significant reduction in this area is a long-term endeavour. Zero tolerance is not the same as zero incidents. Reports of incidents may increase as EWBNZ improve its safeguards. Increasing reports may indicate growing awareness of sexual exploitation, abuse or harassment and changing attitudes, with survivors feeling more comfortable to report and the capacity to take action increasing. The reporting of incidents and responses is an indicator that the risk of sexual exploitation, abuse or harassment is being managed appropriately. For this policy, EWBNZ defines zero tolerance as acting on every allegation in a fair and reasonable way with due regard for procedural fairness.

2. Strong leadership accelerates culture change

EWBNZ expects leaders to set clear expectations and model respectful behaviour in their interactions at work. This will support others to feel safe, report concerns and be assured their allegations are taken seriously. Strong leaders address sexual exploitation, abuse or harassment by taking measures to improve diversity and inclusion. Diverse and inclusive organisations have lower levels of harassment and discrimination. This can include strong, actionable human resource procedures that embed gender equality and the prevention of sexual exploitation, abuse or harassment; inclusion of these discussions on board meeting agendas; having senior champions responsible for the prevention of sexual exploitation, abuse or harassment, and encouraging staff gender balance, particularly in senior roles. Leaders should encourage scrutiny of their own behaviour and that of senior management.

3. Survivor needs are prioritised

Action to address sexual exploitation, abuse or harassment should be underpinned by a “do no harm” approach prioritising the rights, needs, and wishes of the survivor, while ensuring procedural fairness to all parties. This approach:

- treats the survivor with dignity and respect
- involves the survivor in decision making
- provides the survivor with comprehensive information
- protects privacy and confidentiality

- does not discriminate based on gender, age, race/ethnicity, ability, sexual orientation, or other characteristics
- considers the need for counselling and health services to assist the survivor with their recovery

4. Preventing sexual exploitation, abuse or harassment is a shared responsibility

Preventing sexual exploitation, abuse or harassment is everyone's responsibility. Real change to reduce these incidents will not occur unless every person plays a role. EWBNZ requires the commitment, support and investment of its employees, volunteers, associates and partners for this policy to be effective.

5. Gender inequality and other power imbalances are addressed

Available data indicates that the majority of sexual exploitation, abuse or harassment survivors are female and the majority of perpetrators are male. However, there are also other power imbalances at play. Inequalities based on the distinctions of aid worker (aid provider)/beneficiary; ability/disability; ethnic and Indigenous status; religion; gender identity and sexual orientation; age; health and poverty, can also result in sexual exploitation, abuse or harassment. Refer to EWBNZ's Gender Policy, Child Protection Policy, and Human Rights Policy for intersection with this principle.

6. Stronger reporting will enhance accountability and transparency

Sexual exploitation, abuse or harassment is a failure of responsibility. The employees, volunteers, associates and partner organisations who deliver EWBNZ business are not only accountable to EWBNZ, but also to the communities, customers and clients for whom the business is intended. Stronger reporting allows EWBNZ to better address and monitor sexual exploitation, abuse or harassment, understand risks, improve assurance and to improve systems and safeguards accordingly.

4 Policy

1. EWBNZ will undertake training with all staff and volunteers to ensure that
 - each individual is aware of what actions constitute misconduct
 - each individual is aware that sexual exploitation, sexual abuse and harassment constitute acts of serious misconduct and are therefore grounds for disciplinary measures, including summary dismissal
 - each individual understands their obligation to maintain an environment that prevents sexual exploitation and sexual abuse, what what actions they should be taking to do so
 - each individual understands their obligations to report any instances of sexual exploitation, sexual abuse or harassment
2. EWBNZ will maintain a Code of Conduct for each staff member or volunteer that outlines these obligations
3. EWBNZ will undertake appropriate background checks and seek references for any new staff members or volunteers in **positions of influence**.

5 DEFINITIONS

Positions of Influence: Influence is the ability of a person or group to produce effects indirectly by some means of power. This power might be based on wealth, social standing etc, and is only able to be wielded when there is a perceived power imbalance between the individuals concerned. It is important to note that this is not necessarily linked explicitly to a role within an organisation - the perception of a power imbalance may come from the perception of standing within a community. This power imbalance and the privileges that come with it can be used positively (e.g. for advocacy) or negatively (e.g. sexual coercion).

Safeguarding: refers to protecting the human right to live in safety, free from abuse and neglect.

Sexual abuse: is a term used to explain any actual or threatened act which is sexual in nature that someone does not, or cannot consent to. It is sometimes used to describe rape or unlawful sexual connection, but also refers to other sexual acts that are included in areas of the Crimes Act 1961. This may include:

- Sexual touching (e.g. touching genitals, breasts)
- Being made to touch another person sexually, or being made to touch yourself sexually in front of another person
- Some non-touching behaviour (e.g. being made to watch sexual behaviour, being watched while doing sexual behaviour).
- Indecent assault i.e. touching in any way) another person, male or female, in an indecent manner or way without their consent.

All sexual activity with someone under the age of consent (in the law of the host country or under New Zealand law [16 years], whichever is greater) is considered to be sexual abuse. Note: please see EWBZN's Child Protection Policy for clarity on appropriate conduct with people aged under 18 years.

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 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 employees and volunteers.

6 SCOPE AND RESPONSIBILITIES

This policy is designed to apply to all and any EWBZN personnel, such as volunteers in New Zealand, international partner staff, sponsors, donors and volunteer visitors to EWBZN's international

partners, and EWBNZ's New Zealand representatives visiting field locations, both long and short term.

6.1 Board Responsibilities

The Board has ultimate responsibility for upholding EWBNZ's commitment to preventing sexual exploitation, abuse or harassment and is responsible for ensuring that appropriate and effective internal control systems are in place.

Dealing with and investigating any complaint against the Chief Executive.

6.2 Chief Executive Responsibilities

The Chief Executive is responsible for:

- Dealing with and investigation reports of sexual exploitation, abuse or harassment, which are contrary to this policy;
- Ensuring appropriate procedures are developed and adhered to, to give effect to this policy
- Ensuring that all employees and volunteers are aware of relevant laws, organisational policies and procedures, and EWBNZ's Code of Conduct;
- Ensuring that all employees and volunteers within the EWBNZ's community are aware of their obligation to report sexual exploitation, abuse or harassment, or any such activity suspected to be contrary to these policies and procedures; and
- Providing support for employees and volunteers in undertaking their responsibilities under this policy.

6.3 Management Team Responsibilities

The Management Team will:

- Promote safeguarding against sexual exploitation, abuse or harassment at all times;
- Educate employees and volunteers about what constitutes sexual exploitation, abuse or harassment, and EWBNZ's commitments and approach to safeguarding;
- Facilitate the reporting of any inappropriate behaviour or activities contrary to this policy; and,
- Be familiar with the types of misconduct that might occur within their area of responsibility and be alert for any indications of such behaviour.

6.4 Employee and Volunteer Responsibilities

All employees and volunteers (including Management Team, Chief Executive and Board) have individual responsibility for preventing sexual exploitation, abuse or harassment, and must:

- Familiarise themselves with the relevant laws, the CID Code of Conduct, this policy, and comply with all requirements;
- Report any reasonable belief that sexual exploitation, abuse or harassment has occurred in the course of their work with EWBNZ.

7 APPROVAL

Policy prepared by:

Policy approved by:

Name:

Position:

Date:

Name:

Position:

Date:

8 REVIEW AND IMPLEMENTATION

The referenced procedures ensure that this policy is implemented appropriately, reviewed regularly and compliance is monitored.

- EWBNZ will review this policy and procedures on a regular basis, at least every three years, and after any formal complaint.
- Confirmation of internal compliance with this policy will be undertaken at least once annually.
- Introduction of the policy will be included in the induction process, to be read by all new employees (including volunteers).
- Training will be regularly organised to present the policy to employees (including volunteers) and keep them updated on any changes.

9 RELEVANT DOCUMENTS

- Gender Policy
- Child Protection Policy
- Human Rights Policy
- Complaints Handling Policy
- Health and Safety Policy
- Code of Conduct Policies
- Whistleblowing Policy