



BANK OF PAPUA NEW GUINEA

FAMILY AND SEXUAL VIOLENCE POLICY

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Name	Signature	Date
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ACRONYMS

BPNG	Bank of Papua New Guinea
GESI	Gender Equity and Social Inclusion
FSV	Family Sexual Violence
FSVAC	Family Sexual Actions Committee
EXCO	Executive Committee
M&E	Monitoring and Evaluation

Introduction

Bank of Papua New Guinea (BPNG) Family & Sexual Violence (FSV) Policy is intended to support and complement the Gender Equity and Social Inclusion (GESI) Policy.

While the GESI policy promotes the values and principles of fairness and equity within the organisation, the FSV Policy is committed to creating a culture and environment conducive for employees to be safe, supported and free from violence, discrimination as well as ensuring prevention and reduction of incidences. The goal is to help manage effects of family and sexual violence “FSV” at the workplace.

BPNG recognises family & sexual violence (FSV) as a serious concern affecting employees in workplaces. Cases of FSV rise each day affecting individuals, families and communities. For BPNG, we are driven by our values to making a difference within the organisation and also in the communities we live in.

Family and sexual violence can take a number of forms, including physical and sexual violence, threats and intimidation, psychological, emotional and social abuse and economic deprivation. BPNG will take every appropriate measure to prevent and /or address such violence in the context of;

- Subordinate / Superior relationships
- Intimate partner relationships, including marital, cohabitating, or dating;
- Non- Intimate partner relationships, such as between co workers
- Parent/Child relationships and
- Violent acts by anyone that could occur within the workplace

FSV occurs when one person in a relationship, a former partner or another family member, uses violence and abuse to maintain power and control over the other person. This includes behaviour that is physically, sexually, emotionally, psychologically or economically abusive, threatening, coercive or aimed at controlling or dominating the other person through fear.

We understand that FSV occurs in every part of the community in PNG and can affect people of all cultural backgrounds, religions, ages, genders, sexual orientations, educational levels, regardless of wealth or social status. Bank of Papua New Guinea believes FSV is unacceptable in any setting, including the workplace.

Bank of Papua New Guinea in providing a safe and healthy working environment for all our employees. We recognise that our staff sometimes face difficult situations in their work and personal life where Family and Sexual Violence is concerned, and that this may affect their attendance, performance at work or safety. Therefore, Bank of Papua New Guinea in its support of the Family & Sexual Violence Act believes everyone has the right to live free from fear, violence and abuse.

Policy Statement

BPNG is committed to creating an environment that is safe where family and sexual violence is recognised to be unacceptable; that everyone has the right to live free from fear, violence and abuse.

Principles

Effective support for victims of Family and Sexual Violence (FSV) requires a strategic approach which includes strong commitment and support from EXCO, Department Managers, Unit Managers, GESI Steering Committee, GESI focal points and HRD. The FSV policy provides a comprehensive set of workplace strategies that can be used by the Bank of Papua New Guinea to prevent and address the impact of FSV affecting and or within the workplace.

The Bank of PNG can act to provide a safe environment for employees affected by family and sexual violence through leveraging safety measures and resources. It is not possible to resolve all issues of violence but it is possible to ensure all staff feel safe at work and can fulfil their work requirements to the best of their ability without interference from violence from perpetrators either externally (family members) and or internally within the Bank (co-workers).

This policy will assist Bank of Papua New Guinea to:

- A. Reduce the cost and implications of FSV to business productivity;
- B. Fulfil the employer's duty of care;
- C. Promote and improve staff health and safety;
- D. Maintain the position BPNG as an employer of choice;
- E. Continue to deliver on its Corporate Social responsibility commitments;

This policy applies to employees of the BPNG and complements existing workplace policies such as the GESI Policy, and the Employee's Handbook (EHB).

Policy Application

This policy applies to all employees, whether full-time, part-time, casual, permanent, temporary. It includes contractors and consultant workers, trainees, apprentices, vacation employees and work experience placements and volunteers.

While we recognize that women are more likely to experience FSV, this policy also applies to men who may need advice and support for FSV. We encourage both women and men to ask for help.

Policy Objective

The aim of this policy is to:

- a) Develop a supportive and non-judgmental workplace in which staff affected by FSV feel safe to come forward and seek help;
- b) Guide our responses to staff whose work life is affected by FSV; and
- c) Create a safe workplace for all employees.
- d) Strengthen BPNG referral pathway for effective referral of employees to service providers.

All Bank of Papua New Guinea employees, including executives, managers and senior analysts, analysts, casuals, short term advisors, consultants and contractors have a responsibility to ensure our workplace is free from any form of violence, and to support any staff member affected by FSV.

If you have been affected by FSV and want advice or help, Bank of Papua New Guinea is committed to assisting you. We will treat your case with respect and confidentiality. This policy tells you who to contact for help, what support is available and provides contact details for external support services if you prefer not to discuss your situation within the workplace.

The Bank will not tolerate the use of violence or any form of abuse in this workplace, including that carried out in person, by telephone, fax, mail, email, internet or social media. Any employee engaging in these behaviours will be subject to disciplinary action, as specified in the Staff Handbook.

1. Definitions

For the purpose of this policy the BPNGs definitions are consistent with the Family Protection Act (FPA2013)

1.1. Definition of Family Members

Consistent with the Family Protection Act 2013 (FPA 2013), family members include:

- a) The spouse of the person;
- b) A child of the person or a child of the person's spouse;
- c) A parent of the person or a parent of the person's spouse;

- d) A grandparent;
- e) A brother or sister of the person or a brother or sister of the person's spouse;
and
- f) Any other person who is treated by the spouses as a family member.
- g) The definition of family members includes extended family members, and extends to polygamous relationships.

1.2. Family violence

Any violence between family members including current or former partners in an intimate relationship. Family violence may include physical, sexual, emotional and financial abuse, stalking, damage to property, and control through socially isolating the victim, or threats to do with any of the aforementioned acts.

1.3. What is Sexual violence?

Sexual Violence is defined as unwanted sex, undesirable intimate touching, or unwelcome sexual attention. Any sexual act or any act against a person's sexuality using coercion, including any attempt to obtain a sexual act and any unwanted sexual comments or advances. This includes acts by any person regardless of their relationship to the victim and in any setting, including but not limited to home and work; it often happens within a close domestic or personal relationship.

- Rape is when sex is forced on you. It is unwanted vaginal, oral or anal insertion (when something is penetrated) without your consent.
- Sexual assault is when someone touches you or makes you touch them in intimate areas such as the vagina, penis, anus, groin, breast, inner thigh or bottom without your consent. Sexual assault can happen through clothing, but does not include accidental touching. Sexual assault is a criminal offence.
- Unwelcome sexual attention is when someone makes sexual comments towards or about you, or shows you images of sexual acts or body parts when you do not want to see them. It can include someone taking a picture of you naked, or your sexual parts, without your consent or without you knowing.

1.4. What is FSV (family and sexual violence)

Family violence may be perpetrated by family members and sexual violence may be perpetrated by any person regardless of their relationship to the victim.

The PNG Family Protection Act defines family and sexual violence as conduct that is violent, threatening, coercive or controlling. It can happen inside or outside the family. It can include, but is not limited to, any one of the following behaviours or situations:

- Assault of a family member (whether or not there is evidence of a physical injury);
- Psychological abuse, harassment or intimidation of a family member;
- Sexual abuse of a family member;
- Stalking of a family member in a way that causes apprehension or fear;
- Indecent or offensive behaviour towards a family member;
- Causing damage to a family member's property. Family and sexual violence is also referred to as domestic violence or gender based violence.
- FSV is also referred to as domestic violence
- FSV is a crime in Papua New Guinea and punishable by up to two years' imprisonment. (FPA 2013)

Family and sexual violence is a punishable crime.

1.5. What is Victim?

Description given to the person or persons adversely affected by family and sexual violence. Women, men and children can be victims of FSV.

1.6. What is Perpetrator?

Description given to the person or persons who commit or threaten to commit an act or acts of FSV. A perpetrator is also known as an offender.

Family and sexual violence is illegal in PNG therefore Offenders may be prosecuted under the *Family Protection Act 2013*, *Lukautim Pikinini Act 2015* and the *Criminal Code (Sexual Offences and Crimes Against Children) Act 2002*, resulting in penalties of prison sentences and/or fines.

2. **FSV Support Services**

Information Education and Communication awareness messages

The Bank of PNG will provide both written materials and verbal explanations about FSV. The Gender Equity and Social Inclusion Unit, the Human Resources, Client Support Unit and the Corporate Services, Media and Communication's Unit, will provide or arrange for information to be provided to all employees, in the most simplified format as possible covering:

- a) FSV and its impacts on the workplace, acknowledging that FSV can adversely affect women, men and children; and
- b) Support and protective services available in the community for victims and perpetrators of FSV including:

- medical and psychosocial support
 - counselling
 - emergency accommodation
 - police and legal protection
 - welfare services
- c) Our FSV policy and procedures, including the names and contact details for the FSV workplace contact teams; and
- d) Stakeholders and Partners contact listing for FSV policy;
- e) Any mandatory reporting requirements.

FSV information will be provided and explained on commencement of employment or during induction, and at least annually during workshops or staff training sessions, or on any other suitable occasion. Gender-specific information and education may be provided to staff, as appropriate. Copies of this FSV Policy will be displayed prominently in common areas, such as the library, on shared drives and on workplace noticeboards.

3. GESI Focal Points

Bank of PNG Gender Equity and Social Inclusion (GESI) office has established and trained selected staff as GESI Focal Points who play a key role as workplace contacts. The GESI Focal Points are managed by the GESI Unit and meet every two months, to exchange experiences and improve our measures to manage FSV in the workplace, without breaching staff confidentiality provisions.

The GESI Focal Point members will coordinate the FSV responses in the workplace by:

- a) Acting as a first contact point for any staff member who needs advice or assistance on FSV;
- b) Appropriately responding to a staff member's disclosure of FSV;
- c) Respecting staff's choices regarding any action taken;
- d) Supporting and coordinating staff for access to available workplace and community support; and
- e) Coordinating with HR to appropriately respond to perpetrator's disclosures or requests for assistance.

Names and contact details of GESI Focal Points will be displayed in common areas and all shared drives. We encourage any staff affected by FSV to speak with any focal point member for assistance.

Focal Point members are trained in how to respond appropriately if a staff member needs assistance with FSV. The Focal Point members and GESI Office will work together to assist affected staff to access available workplace and community support from the time they are notified of the FSV until the staff member no longer requires assistance.

The Focal Point members will encourage and accept notification from employees about perpetrators of FSV in the workplace and will coordinate with GESI office and Human Resources Departments, Client Support Unit in the investigation of these allegations.

The Focal Point members will report any difficulties or barriers that employees may face in accessing this policy to the GESI Office, who will identify and implement solutions to overcome these barriers.

Workplace FSV Risk Assessment

Bank of PNG will undertake a general FSV workplace risk assessment, coordinated by GESI Office working with the GESI Steering Committee and GESI Focal Point Members and security personnel.

The assessment will identify potential risks to employee safety in the event of an attempted or actual instance of FSV at, or in proximity to, the workplace. A risk management plan, specifying measures that can be taken to mitigate or minimize those identified risks, will be developed and implemented, to prevent potential harm to employees.

Staff at all levels will be consulted by HR, to inform the FSV risk assessment, the management plan and the mitigation measures. The risk management plan will be reviewed every year, or more frequently if significant changes in the workplace occur.

4. Procedures

Who should I speak to?

Our trained GESI Focal Point Members at the workplace should be the first point of contact for staff experiencing FSV, or those reporting FSV. They will advise of the support measures that are available to assist you within BPNG and can refer you to external support services. See Section 6 for key support measures.

If for any reason you are:

- Unable to contact a GESI Focal Point Member;
- You do not receive a response to your request; or
- Your concern was not resolved.

Please contact: GESI office for support.

IMPORTANT:

If you or any other staff member is at immediate or likely risk of harm from a violent perpetrator, call police immediately and inform BPNG security personnel.

If you feel comfortable to discuss your situation with your manager or supervisor, this can help with developing a support plan for you.

Managers and supervisors should consult with a Focal Point member if they need more information on managing FSV and its impact on staff; if they suspect FSV is affecting a staff member; or if staff tell them they have been affected by FSV, to ensure an appropriate response.

If a colleague tells you they are experiencing FSV, please refer them to the GESI Help Desk. You can accompany them if they would like you to support them.

If a staff member affected by FSV does not want to speak to a Focal Point Member or GESI Office, the contact details of external support services that can be accessed for counselling and safe accommodation are provided at the end of this document.

5. Confidentiality

Bank of PNG is committed to protecting the confidentiality of information shared by staff affected by FSV. You have the right to choose whether, when and to whom you disclose information about being affected by FSV.

GESI Focal Points are to maintain confidentiality of cases at all times. If you have been affected by FSV, your information will usually only be disclosed on a need-to-know basis, such as implementing an individual FSV safety plan. Under some circumstances, certain information may need to be disclosed to ensure the immediate safety of staff, or to comply with the law. The GESI Help Desk, GESI office and Human Resource Department will inform you of these circumstances.

Documentation and records in relation to FSV matters, including investigation of employees reported to have committed acts of FSV, will be kept separate to employee files, in a secure GESI Office and HR filing system. Disciplinary proceedings will be recorded on employee files.

Disciplinary action, including and up to dismissal, may be taken against those who:

- a) breach the confidentiality of an employee affected by FSV (unless a breach of confidentiality is necessary to protect the victim or another person from serious harm, or where required by law).
- b) discriminate or take adverse action against an employee on the basis of their disclosure, experience or perceived experience, of FSV.

If you believe your confidentiality has been breached; you have been treated unfairly because you disclosed FSV; or your concerns were not addressed appropriately, you should contact the GESI Office and or GESI Focal Point Members.

According to the Employee Handbook, if the performance or conduct of a staff member has slipped to a level where disciplinary action is necessary, the disciplinary action will be taken as soon as possible after the event which made it necessary for discipline process to be effected. Promptness will be weighed against the need to fully investigate any incidents of misconduct.

5.1. Reporting FSV

Bank of PNG prohibits the use of violence or threats of violence in the workplace including acts of FSV, sexual harassment, discrimination or bullying.

Bank of PNG prohibits staff from bringing non-work-related weapons onto work premises.

Bank of PNG encourages staff to notify an FSV workplace contact team member of any acts or threats of violence they have witnessed or received, or have been told that another person has witnessed or received.

Bank of PNG will ensure the confidentiality of employees who notify any acts or threats of violence, and of any employees accused of engaging in any acts or threats of violence (unless a breach of confidentiality is required to protect persons or property from serious harm, or where required by law).

Any perception of breach of confidentiality will be made known to

5.2. Perpetrators of FSV

We will investigate any reports of violence or threats of violence, affording the accused person procedural fairness.

If an employee is found to have perpetrated FSV, we will take action which could include:

- a) only if considered reasonable and appropriate, providing the perpetrator with counselling and support;
- b) undertaking disciplinary action up to and including dismissal; and/or
- c) reporting the perpetrator to the Police.

Before taking any of the above actions, we will assess the risk that these proposed actions may have on the victim, whether or not the victim is an employee, to minimize the potential for further violence against the victim.

6. Key Support Measures

6.1. Leave

An employee experiencing FSV can request paid special leave to attend medical or counselling appointments, legal proceedings, relocation to safe accommodation and other activities related to FSV.

An employee who supports a person experiencing FSV may take carer's leave, including but not limited to accompanying them to court or hospital, or to mind children.

Employees who are employed in a casual capacity may request unpaid special leave or unpaid carer's leave to undertake the activities described above.

The amount of leave provided will be determined by the individual's situation through consultation with the employee and the GESI Focal Point members, and management where appropriate.

6.2. Safety planning

In order to ensure the safety of a staff member affected by FSV and the workplace in general, the GESI Focal Point member and GESI office will:

- a. in consultation with the victim assess the risk of the FSV to that staff member and to the workplace,
- b. develop an individual safety plan taking advice from security and other relevant personnel,
- c. and coordinate with managers to make reasonable adjustments to the work schedule and work environment as deemed necessary.

In consultation with the victim, the GESI Office, coordinating with Human Resources, security, managers, and other relevant personnel, may undertake safety measures, including but not limited to:

- a) Changing the employee's span of hours or pattern of hours and/or shift patterns;
- b) Redesigning or changing the employee's duties;
- c) Changing the employee's telephone number or email address to avoid harassing contact;
- d) Relocating the employee to another work site/alternative premises;
- e) Providing safe transportation to and from work for a specified period;
- f) supporting the employee to apply for an Interim Protection Order or referring them to appropriate support; and

- g) taking any other appropriate measure including those available under existing provisions for family friendly and flexible work arrangements.

6.3. Referral to support services

Bank of PNG through the GESI Focal Point will assist staff members affected by FSV to access any available and appropriate support and protective services in the community – including medical and psychosocial support, counselling, emergency accommodation, police protection and welfare services – by facilitating contact and coordination with these services.

Bank of PNG, if feasible, will directly provide medical and psychosocial support – including psychological first aid, counselling, emergency accommodation, security, and welfare – and may assist the affected staff member to obtain longer term accommodation.

6.4. Financial and other support

BPNG may, where feasible, provide financial and other support to victims of FSV to access medical and psychosocial support, counselling, emergency accommodation, security, and welfare. These may include but are not limited to:

- a) no/low interest loans;
- b) salary advances;
- c) direct payment of medical costs;
- d) upfront payments for medical costs to be recouped from the employee's health insurance;
- e) providing or facilitating access to childcare;
- f) providing security upgrades to the employee's home; and
- g) providing safe transportation to access support services or to and from accommodation.

This support will be sought through the GESI Office according to the type and scenario of the case and the HR Department.

6.5. Managing Work Performance

Since BPNG understands that employee's work performance may be detrimentally affected by FSV. BPNG will seek employee's consent to work with their managers to implement the individual support plan, taking employees circumstances into account in any performance reviews and explore all options feasible for an employer, to resolve issues that can potentially prevent the employee from achieving a healthy and productive work life.

The employee being assisted by the Bank also has a responsibility to ensure they make every effort within their control to ensure disruption to their areas of work is limited or avoided as much as possible. They can do so by communicating well with their Managers and work colleagues.

6.6. FSV Perpetrators

Should a perpetrator of FSV voluntarily comes forward seeking assistance, due to past instances of FSV or a concern that they may commit acts of FSV, they should be referred to the GESI Help Desk immediately.

Bank of PNG **will not** tolerate the behaviour of employees who victimise, humiliate, undermine, threaten, intimidate, stalk, harass, or use violence against other employees regardless of their relationship with that person and will not tolerate any indecent act of FSV.

During times of family and sexual violence, a perpetrator may cause disruptions to another employee at work, this may include making it difficult to get to work, harassing them at work or when they arrive or leave, or they may use coercion to have them fired or force them to resign. The most common forms of FSV experienced in the workplace are abusive telephone calls, text messages and emails. A perpetrator may also harass or abuse co-workers or have someone else injure, intimidate or threaten the employee, or damage the employee's property.

Employees who abuse BPNGs tools of work such as phones, email, and or other bank assets to harass, threaten or abuse other co-workers will be dealt with under the Code of Conduct Provisions. Their behaviour may also be a criminal offence and/ or breach of a family and sexual violence protections order and will be dealt with through the legal system.

Any evidence of perpetration will be immediately investigated and the perpetrator may be subject to disciplinary action up to and including termination of employment.

The GESI offices will facilitate or refer perpetrators that admit they have a problem and seek help to go through the referral pathway to counselling services or other services that they can access in their own time.

BPNG strongly encourage perpetrators or potential perpetrators of FSV to engage with counselling services and take steps to change their behaviour.

If an employee has committed unlawful acts, it is to be reported immediately to the Police at first knowledge by the GESI Office and Management of the Bank.

BPNG makes strong stand on “Zero Tolerance” to Family Sexual Violence and all other forms of violence.

6.7. Evidence

In developing an FSV support plan once reported, some supporting documentation may be required. This will be discussed and agreed with the employee seeking help. Such evidence may be in the form of a document issued by the police; a court; doctor; district nurse; maternal and child health care nurse; Family Support Centre; counsellor; member of the clergy, Pastor; or lawyer; Medical Report.

- a) Police report.
- b) Medical Report.
- c) One to two-page statement.
- d) And any object material used by the perpetrator.
- e) Or a statutory declaration made by you.

6.8. Other Support

BPNG may, where feasible provide support to victims of FSV to access medical and psychosocial support, counselling, emergency accommodation, security, and welfare – and may assist the victim to obtain longer term accommodation.

These may include;

- a) Upfront payment for medical costs recouped from the employees' health insurance;
- b) Providing or facilitating access to childcare
- c) Providing safe transportation to access support services or to and from accommodation.

7. **Other Measures**

7.1. BPNG makes commitment

- a) To provide by-stander training to ALL staff to encourage support victims of FSV;
- b) To network with other employers, FSV service providers and advocates to share good practices;
- c) To support FSV service providers and advocates by way of donations to further awareness on FSV;
- d) To use social marketing to change unhelpful norms about FSV.

7.2. BPNG Response FSV in the Workplace.

BPNG is committed to educating staff through training and advocacy to end FSV in the workplace. BPNG promotes “Zero Tolerance” of violence in the workplace. BPNG will assist staff by providing a conducive environment free from violence and discrimination in the workplace.

Staff experiencing FSV will be referred through the referral pathway through GESI Help Desk to service providers for specialist attention.

BPNG will not tolerate violence in the workplace;

- a) Working hours
- b) On official duty travel
- c) In an event organised by the Bank – Independence, Anniversary, Christmas Party
- d) Conferences, meetings, consultations, trainings
- e) Also extends to any other Sanctioned events by the Bank or where Bank representation is required

BPNG will uphold the law as stipulated in Family and Sexual Violence Act to consider both the employee and spouse.

8. Monitoring, Evaluation and Reporting

BPNG will ensure that the FSV policy is actively implemented in the workplace and the GESI Focal point members duly compile the number of cases and is able to assess the impact of FSV on the employees or victims who are experiencing FSV within and outside of the workplace, this includes data on the perpetrator employees.

BPNG through the GESI Focal point members will undertake annual monitoring and evaluation of the outcomes of this policy to identify areas of improvement to keep the FSV policy current.

BPNG through the GESI Focal point members will work closely with the Monitoring and Evaluation Officer to collect, collate and provide the outcomes of FSV in the workplace.

A written and verbal presentation of the FSV data will be presented to the GESI Steering Committee on a <period> basis. Executive Committee will be appraised of the same and this will be used as a learning tool identifying the challenges and strengths of implementing the FSV Policy and to improve the FSV response and support within the Bank.