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Fairtrade ANZ Protection from Sexual Exploitation and Abuse Policy

Introduction and Purpose

Fairtrade ANZ expects everyone who is involved in our work to uphold the highest standards of professional and personal conduct at all times. Fairtrade ANZ has a zero tolerance towards sexual exploitation and abuse, and is committed to protecting all vulnerable individuals from any forms of sexual exploitation and abuse.

This Policy sets out the individual roles and responsibilities to contribute to the prevention of sexual exploitation and abuse and provides guidance on what constitutes sexual exploitation and abuse and the steps that can be taken to address any concerns that may arise.

This Policy is complemented by Fairtrade ANZ's Child and Vulnerable Adults Protection Policy and Anti-Bullying and Anti-Harassment Policy.

Related Policies

- Fairtrade ANZ Protection of Children and Vulnerable Adults;
- Fairtrade ANZ Complaints Handling Policy;
- Fairtrade ANZ Whistleblowing Protection Policy; and
- Fairtrade ANZ Code of Conduct.

Scope of Policy

This policy applies to all the people we work with and who work for Fairtrade ANZ, including:

- Board members
- Board Committee members
- Employees of Fairtrade ANZ ("staff members")
- Consultants and associates
- Individual Contractors
- Volunteers and Interns
- Implementing partners, donors and responsible parties engaged/contracted Fairtrade ANZ for a project or activities ("implementing partners").

For the purpose of this policy, all of the people above are referred to as "Fairtrade personnel".

Definitions

Sexual Exploitation: Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes which could be intended or unintended, direct or indirect, including, but not limited to, profiting monetarily, socially, politically or individually from the sexual exploitation of

another.

Sexual Abuse: The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. All sexual activity with a child (i.e. any person below the age of 18) is considered as sexual abuse (see also: Child and Vulnerable Adults Protection Policy).

Core Principles

1. Sexual exploitation and abuse by a Fairtrade ANZ personnel constitutes acts of gross misconduct and will be subject to disciplinary actions, including termination of contract/agreement and/or legal action within the applicable and current regulations.
2. Sexual activity with a child is prohibited regardless of the age of consent locally (see also: Child and Vulnerable Adults Protection Policy). Mistaken belief regarding the age of a child is not a defense and in no way shall ignorance of the age of the person be accepted as a justification. Fairtrade ANZ's specific Child and Vulnerable Adult Protection Policy further sets the principles and the operationalizing procedures and guidelines for guaranteeing children's safeguarding in all domains of Fairtrade actions.
3. Exchange of money or things of value, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour by Fairtrade personnel is prohibited. This includes the exchange of assistance that is due to beneficiaries.
4. Sexual relationships between a Fairtrade personnel and beneficiaries/ members of the community of Fairtrade Farmers or Workers are strongly discouraged since they could be based on unequal relations of power questioning the consensual nature of these relationships. Such relationships strongly risk the credibility and integrity of Fairtrade work.
5. Where a Fairtrade personnel develops concerns or suspicions regarding sexual abuse or exploitation, including child abuse, whether by Fairtrade ANZ personnel or not, he or she must immediately and safely report such concerns via Fairtrade ANZ's reporting mechanisms or through the Fairtrade ANZ's Whistleblowing system.
6. All Fairtrade personnel, whatever their positions, are obliged to create and maintain an environment that prevents sexual exploitation and abuse and promotes the implementation of the Fairtrade Organisational Code.
7. When appropriate, Fairtrade ANZ shall report incidents of sexual exploitation and abuse to law enforcement authorities for legal action in accordance with the applicable law.

Commitments

1. To prevent and mitigate the risk of sexual exploitation and abuse conducted by Fairtrade personnel Fairtrade ANZ will:
 - a) ensure robust recruitment screening process for all the personnel, i.e. background check, particularly for persons who will have any direct or indirect contact with children and/or vulnerable adults;
 - b) communicate the requirements of this Policy and the Fairtrade Organisational Code to all relevant persons and establishes the obligation for all persons involved in Fairtrade's work not to exploit, abuse or otherwise discriminate against others;

- c) publish this Policy and the Fairtrade Organisational Code on the Fairtrade ANZ server and ensure that it is distributed and duly known to everyone who collaborates in any way with Fairtrade ANZ. The Code contains the values and principles, the set of rights, duties and responsibilities that it holds with whoever collaborates with and work with Fairtrade ANZ or benefits from its projects or programs;
 - d) ensure that its Complaints Handling Policy and Whistleblowing Protection Policy for reporting sexual exploitation and abuse is in place, accessible and known to all Fairtrade ANZ personnel.
 - e) Ensure that all Fairtrade personnel are aware of the core principles contained in this Policy, and the related principles included in the Fairtrade Organisation Code.
2. To identify and act upon potential or actual sexual exploitation and abuse by staff in a timely and systematic manner, Fairtrade ANZ will:
- a) establish protocols to process complaints of sexual exploitation and abuse in a timely and safe manner, including the immediate suspension of the alleged perpetrator from all the activities with a direct impact on beneficiaries and Fairtrade Farmers and Workers until the investigation is ended;
 - b) ensure beneficiaries and Fairtrade Farmers and Workers know to whom they should report and what sort of assistance they can expect to receive. All Fairtrade board members, employees and associated personnel, including potential and actual subjects of sexual exploitation and abuse (SEA) must be fully informed about how the complaint mechanism works, including the reporting process;
 - c) ensure complainants and subjects of sexual exploitation and abuse have the right to be heard and receive feedback on the development and outcome of their case unless ongoing investigations would be endangered;
 - d) ensure alleged perpetrators have the right to due process. As such they should expect a procedural fairness (i.e., expect to be provided with a reasonable opportunity for presenting their case);
 - e) take appropriate actions including disciplinary actions such as immediate termination of employment and referral for criminal prosecution and legal action, where appropriate, against a person who commits sexual exploitation and abuse;
 - f) protect subjects, complainants and whistle-blowers of sexual exploitation and abuse in accordance with Fairtrade ANZ's Whistleblower Protection Policy.
 - g) ensure that all third-party providers, including partners and suppliers are committed to respect the principles included in this Policy.

Responsibilities

Board: The Board has overall responsibility for monitoring the outcomes of this policy and ensuring Fairtrade ANZ effectively works towards a zero occurrence of incidences of sexual exploitation and abuse. Board members will also ensure that they demonstrate leadership in tackling sexual exploitation and abuse at work through their own example.

CEO and Leadership Team: The CEO and members of the leadership team have a key role in implementing this Policy by:

- Actively and regularly bringing this Policy to the attention of all staff in order to promote the aims of this Policy.
- Ensuring that their staff are aware of their responsibilities and expectations of behavior and conduct.
- Ensuring their own behaviour and conduct is beyond reproach and act in ways to maintain the dignity of all their staff particularly when managing issues of poor conduct.
- Being responsive and supportive to any member of staff who raises concerns regarding sexual exploitation and abuse. Ensuring that all complaints are taken seriously and dealt with promptly, sensitively and confidentially.
- Being aware of the need to involve the national authorities in responding if a complaint is of a criminal nature.

All Fairtrade Personnel: All individuals related to Fairtrade ANZ’s work share an obligation to prevent and respond to sexual exploitation and abuse. It is the responsibility of all to uphold the Principles and Commitments of this Policy along with the Fairtrade Organization Code and related policies including the Child and Vulnerable Adults Protection Policy. All individuals related to our work observe the Fairtrade Organization Code, in which this Policy is incorporated, and contribute to regular monitoring by seeking feedback from stakeholders.

It is expected that all individuals related to our work:

- Comply with this Policy and participate in the processes outlined.
- Cooperate with any measures aimed at avoiding incidences of sexual exploitation and abuse at work.
- Support colleagues who are subjects of sexual exploitation or abuse and report (in a sensitive manner so as to protect the subject’s interest) incidences witnessed
- Conduct themselves in a manner that does not condone or make light of sexual exploitation and abuse.

Complaint and Allegation Procedures

Any individuals associated with Fairtrade ANZ who believe that there has been a breach of this policy or that they have suffered any form of sexual exploitation or abuse should report the matter. Please refer to Fairtrade ANZ’s Whistleblower Protection Policy and Complaints Handling Policy for the detailed procedures of reporting and complaints handling, including the protections that will apply to anyone who reports suspected sexual exploitation or abuse.

Confidential advice on how to proceed can be obtained from the CEO or the Chair of the Board.

Once a sexual exploitation or abuse complaint is made, it will be followed by an internal or external investigation. Fairtrade ANZ will provide assistance, psychosocial counselling, medical treatment, legal assistance to any subject of sexual exploitation and abuse.

Document Change History

This policy will be reviewed once every 3 years.

Document version	Date approved and by whom	Review Date
1.0	March 2020 Fairtrade ANZ Board	March 2023