

# Protection & Safeguarding Policy & Code of Conduct

(linked to the Fairtrade International Protection Policy for Children and Vulnerable Adults <sup>1</sup>)

Fairtrade Foundation is a signatory to Fairtrade International's Protection Policy for Children and Vulnerable Adults and Procedures, which sets out specific obligations and reporting requirements for its staff, consultants, volunteers, and partners. Fairtrade International's Protection Policy and Procedures are triggered when FI is made aware of an allegation or suspicion with regard to the worst forms of Child Labour, Forced Labour and Gender Based Violence and related exploitation, abuse and/or neglect in Fairtrade producer organisations. Fairtrade Foundation complies with Fairtrade International's Protection requirements as stated in its Policy and Procedures. Fairtrade Foundation's Protection & Safeguarding Policy and Code of Conduct must therefore be interpreted in conjunction with Fairtrade International's Protection Policy for Children and Vulnerable Adults. Fairtrade Foundation's Policy contains additional requirements specific to Fairtrade Foundation's employees, consultants and associated personnel and complies with the requirements specified by the:

- Charities Commission
- Department for International Development (DFID)

Fairtrade Foundation's Protection & Safeguarding Policy and Code of Conduct forms part of Fairtrade Foundation's internal policies and must be complied with by all staff, consultants, volunteers and associated personnel<sup>2</sup> of Fairtrade Foundation.

## Purpose

The purpose of this policy is to protect people, particularly children, at risk adults and beneficiaries of assistance, from any harm that may be caused due to their coming into contact with The Fairtrade Foundation. This includes harm arising from:

- The conduct of staff or personnel<sup>2</sup> associated with The Fairtrade Foundation
- The design and implementation of the Foundation's programmes and activities

The policy lays out the commitments made by the Fairtrade Foundation, and informs staff and associated personnel of their responsibilities in relation to safeguarding.

## Our Commitments

We are committed to the protection of people from abuse, exploitation and neglect, and will investigate and take appropriate/necessary action in respect of those found to have contravened this policy. We will report misconduct that constitutes a serious incident relating to this policy to the Charities Commission as part of our broader safeguarding commitments. This includes worst forms of child labour, forced labour and gender based violence and related exploitation, abuse and neglect. The definition of a serious incident is set out on the Charities Commission's website (what to report table), along with examples to assist in what is reported.

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<sup>1</sup> This Policy & Code of Conduct is linked to **Fairtrade International's Protection Policy & Code of Conduct** which can be found on the Fairtrade Foundation Intranet page > HR&VOLUNTEERING > POLICIES

<sup>2</sup> Associated personnel - whilst engaged with work or visits related to the Foundation, including but not limited to the following: consultants; volunteers; contractors; programme visitors including journalists, celebrities and politicians

We are committed to supporting children's rights to survival, development, protection, and participation<sup>3</sup>. We also are committed to protecting vulnerable adults from significant harm as defined in Fairtrade standards relating to Forced Labour and Gender Based Violence. We believe that protection of children and vulnerable adults is both a corporate and an individual responsibility, and every person who undertakes and/or shares in the work of Fairtrade Foundation also shares in the responsibility to take every precaution to protect the children and vulnerable adults we directly or indirectly serve.

This Policy and the Codes of Conduct for staff and for non-staff & associated personnel (Appendices A and B) are designed to minimise the risk of abuse occurring in any aspect of Fairtrade Foundation's programmes and activities and to outline obligations and responsibilities for reporting and managing any concerns about abuse, exploitation and neglect. As part of their induction, all staff will be directed to this online policy and related code of conduct to read and sign, confirming they understand and will comply with these commitments. For partners and associated personnel these commitments will be contained within the relevant contractual terms and/or onboarding documentation and, where appropriate, if they do not have their own codes of conduct will be asked to sign up to the non-staff & associated personnel code of conduct at Appendix B.

## What is safeguarding?

In the UK, safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse, neglect, emotional abuse, exploitation, radicalisation<sup>4</sup> and the consequences of any misuse of personal data.

In our sector, we understand it to mean protecting people, including children and vulnerable adults, from harm that arises from coming into contact with our staff, associated personnel or programmes.

(Further definitions relating to safeguarding are provided in the Glossary of Terms at the back of this policy).

## Scope

- All staff contracted by the Foundation
- Associated personnel whilst engaged with work or visits related to the Foundation, including but not limited to the following: consultants; volunteers, including trustees; contractors; programme visitors including journalists, celebrities and politicians

## Policy Statement

The Fairtrade Foundation believes that everyone we come into contact with, regardless of age, gender identity, disability, sexual orientation or ethnic origin has the right to be protected and safeguarded from all forms of harm, abuse, neglect, exploitation and sexual exploitation. The Foundation will not tolerate abuse and exploitation by staff or associated personnel.

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<sup>3</sup> We are committed to supporting children's rights to survival, development, protection, and participation as set out in the United Nations Convention on the Rights of the Child

This policy encompasses all these key areas of safeguarding for children and vulnerable adults. Aspects of safeguarding may also be incorporated into other staff policies and procedures. For example, sexual harassment in the workplace is also dealt with under the Foundation's Dignity at Work Policy.

The Associated Policies listed in the Codes of Conduct at Appendices A and B are accessible on the Fairtrade intranet.)

The Foundation commits to addressing safeguarding throughout its work, through the three pillars of prevention, reporting and response.

## Prevention

### **The Fairtrade Foundation's responsibilities**

The Senior Leadership Team of the Foundation will:

- Ensure that staff have access to, are familiar with, and know their responsibilities within this policy and Fairtrade International's Protection Policy for Children and Vulnerable Adults
- Design and undertake its activities in a way that seeks to protect people from any risk of harm that may arise from their coming into contact with the Foundation. This includes the way in which information about individuals is gathered and communicated.
- Ensure that international activities are risk assessed and processes are in place for any identification or suspicion of the worst forms of child labour, Forced Labour and Gender Based Violence to be reported confidentially to the Senior Advisor, Social Compliance and Development and CEO of Fairtrade International in accordance with its Protection Policy and Procedures.
- Regularly report all relevant risks to the board of trustees of Fairtrade Foundation.
- Implement effective safeguarding procedures when managing and deploying staff and associated personnel
- Ensure staff and volunteers receive training on safeguarding at a level commensurate with their role in the organisation
- Follow up on all reports of safeguarding concerns promptly and according to due process
- Support and promote Safer Recruitment procedures across the organisation

### **Fairtrade International's responsibilities**

The Social Compliance and Development team

- provide and/or enable Fairtrade Foundation key staff to obtain rights based training on protection within the context of Worst Forms of Child Labour, Forced Labour and Gender based violence, including related exploitation, abuse and neglect
- provide technical advice to Fairtrade Foundation's staff and partners on protection/safeguarding matters
- Provide guidance on procedures to be followed with regard to reporting allegations to Fairtrade International and support coordination of the investigation, resolution and appropriate global reporting of safeguarding matters arising within the producer networks and supply chains
- ensure that actions taken and lessons learned are notified appropriately across the system

- ensure that details of any perpetrators are notified to those responsible for recruitment decisions.

## **Staff responsibilities**

### **Safeguarding with regard to children**

The Foundation's staff and associated personnel must not:

- Engage in sexual activity with anyone under the age of 18
- Sexually harass, abuse or exploit children
- Subject a child to physical, emotional or psychological abuse, or neglect
- Engage in any commercially exploitative activities with children including child labour or trafficking
- Engage children in any unlawful activities as defined by law in the relevant jurisdictions where the Foundation's staff and/or associated personnel may be

### **Safeguarding with regard to vulnerable adults**

- Engage in sexual activity with vulnerable adults
- Sexually harass, abuse or exploit vulnerable adults
- subject vulnerable adults to physical, emotional or psychological abuse or neglect
- Engage vulnerable adults in unlawful activities as defined by law in the relevant jurisdictions where the Foundation's staff and/or associated personnel may be

### **Protection from sexual exploitation and abuse**

The Foundation's staff and associated personnel must not:

- Exchange money, employment, goods or services for sexual activity. This includes any exchange of assistance that is due to beneficiaries
- Engage in any sexual relationships with beneficiaries, since they are based on inherently unequal power dynamics

### **Additionally, the Foundation's staff and associated personnel are obliged to:**

- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Protection & Safeguarding Policy
- Confidentially report any concerns or suspicions regarding safeguarding violations in line with the procedures set out in this policy
- Attend training on safeguarding
- Review and ensure understanding of policies and procedures relating to safeguarding
- Read, commit to and sign the Code of Conduct included within this policy.
- Staff engaging associated personnel must ensure that this policy and code of conduct is shared with associated personnel as part of onboarding documents.

## How to report

The Foundation will seek to ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to staff and, through the Fairtrade International Social Compliance and Development Team, to the communities we work with.

Any staff reporting concerns or complaints through formal whistleblowing channels (or if they request it) will be protected by the Foundation's Whistleblowing Policy.

The Foundation will employ rights-based methods to also investigate relevant complaints from external sources such as members of the public, partners and official bodies.

## How to report a safeguarding concern

Staff members who have a complaint or concern relating to safeguarding as defined in this Policy and/or Fairtrade International's Protection Policy should confidentially report this immediately to their line manager, the Head of HR & Organisational Development, and copy Impact Director and the Chief Financial Officer. Fairtrade Foundation will then report it to the Senior Advisor, Social Compliance and Development and CEO, Fairtrade International as well as to the Foundation Trustee responsible for follow-up.

Detailed guidelines and templates for reporting alleged and suspected cases of abuse, exploitation and/or neglect are contained in the Fairtrade International Protection Policy.

Senior Advisor Social Compliance and Development (informal sectors): [A.Sheth@fairtrade.net](mailto:A.Sheth@fairtrade.net)

### UK Safeguarding Focal Group

Head of People & OD: [Joti.Chana@fairtrade.org.uk](mailto:Joti.Chana@fairtrade.org.uk)

Chief Financial Officer: [Fiona.Kindness.SMT@fairtrade.org.uk](mailto:Fiona.Kindness.SMT@fairtrade.org.uk)

Impact Director: [Louisa.Cox.SMT@fairtrade.org.uk](mailto:Louisa.Cox.SMT@fairtrade.org.uk)

**Once the report is confidentially made, the reporter is expected to not further act on the allegations or communicate the information to any other party or person not identified in the reporting procedure.**

The reporter will be notified, **by one of the Safeguarding Focal Group**, that appropriate action is being taken. The Foundation will ensure that any concerns are appropriately investigated and follow up on the findings of safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations.

The Foundation will apply appropriate disciplinary measures to staff found in breach of policy.

The Foundation will offer support to survivors of harm caused by staff or associated personnel, alongside ensuring that the causes of concerns are addressed.

## Breach of Policy and/or Code of Conduct

The following measures can be applied to any personnel, associate or partner who breaches this Policy and/or Code of Conduct. Fairtrade International could also apply further measures for the breach of its Protection Policy and Procedures.

- Meeting to discuss the breach and providing an opportunity for the person to provide their account/understanding of the situation;
- Performance management;
- Further education and training on the Policy and Code of Conduct;
- Formal warning and monitoring;
- Transfer to other duties;
- Suspension pending investigation;
- Internal investigation;
- Report to Police;
- Dismissal.

The particular action (or combination of actions) taken will depend on the circumstances surrounding and the severity of the breach. These measures will be applied alongside any criminal investigations where relevant.

## Special circumstances

The following have been identified as circumstances that represent some higher risk scenarios in the context of working at Fairtrade and in relation to safeguarding.

### Photographs of Children

Photographs of children may only be taken if the following minimum standards are observed:

- Always check with the accountable Fairtrade staff member (project or workstream lead) that the photography or filming is appropriate before taking photos or videos. Consent should be sought through Producer Network colleagues for community consent of photography at programme level; teachers for schools photography, and individual consent as detailed below where relevant.
- Permission should always be sought from a child and the child's guardian(s) if you wish to take photos or videos, and explain how they will be used.
- Before photographing or filming a child, assess and endeavour to comply with local traditions or restrictions for reproducing personal images
- Fairtrade Foundation requires written permission from the individual concerned or their guardian(s) when a photo, video or story clearly identifies and provides information about a particular person; and could be damaging to their dignity, safety or reputation.
- At no time can a photograph be taken of child who is suspected or alleged to be in a situation of harm, abuse or exploitation as defined as the worst forms of child labour, forced labour or gender based violence
- Ensure photographs, films and videos present children in a dignified and respectful manner. Balance human needs with positive language about what people are doing to help themselves.
- Ensure images are honest representations of the context and the facts.  
Photos and stories must not reveal identifying information (such as names and locations) of children

### Photographs of vulnerable adults

The same minimum standards apply as the above section on photographs for children.

## Electronic Safety Standards and Procedures

Anyone storing photos, videos or information about children and vulnerable adults must use every effort to prevent unauthorised access or inappropriate use. Personal and physical specific information that could be used to identify the location of a child or vulnerable adult within a country should not be used on websites or in any other form of communication about a child.

## Certification & Forced labour (including child labour)

An essential aspect of Fairtrade's certification operations is to assess the continued compliance with Fairtrade Standards across the following International Labour Organization (ILO) Conventions: ILO Convention 138 (1973) on the **Minimum Age of Employment** and ILO Convention 182 (1999) concerning the **Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour** and Recommendation 190, as well as the Forced Labour Convention ILO 29, the Abolition of Forced Labour 105 and Discrimination (Employment and Occupation) 111.

## Safer Recruitment

Safer Recruitment and Screening: Fairtrade Foundation is committed to safer recruitment, selection and screening practices for all staff, consultants and volunteers that may come into contact with children. These practices include:

- Requiring (at Fairtrade Foundation's discretion) all staff, consultants and volunteers who will be in contact with children to submit to relevant criminal record and working with children check;
- Requiring a minimum of 2 reference checks
- Conducting interviews for all positions, ideally face-to-face (but telephone or Skype interviews may be necessary in certain circumstances);
- Including behaviour-based questions at interviews and asking for examples of the candidate's past behaviour and experiences. In positions working directly with children, the interview panel will explore the candidate's motivations for working with children, which will include value-based questions seeking information about the candidate's attitudes to children, professional boundaries, accountability, team work and how they have responded to ethical dilemmas.
- Ensuring all positions include a probationary period;
- Requiring all staff, volunteers and associated personnel to read and sign this Protection and Safeguarding Policy and Code of Conduct;
- Reserving the right to refuse employment, or terminate any person's employment, if Fairtrade Foundation considers that they may pose an unacceptable risk to children or vulnerable adults.
- Training is provided for staff on basic safeguarding

## Confidentiality

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management

should be shared following procedures identified in this Policy and the Fairtrade International Protection Policy for Children and Vulnerable Adults. At no time can any one person share information on protection or safeguarding that is not aligned to the reporting procedures. Should a need arise to share information with another person outside the reporting procedures; a request to share must be made to the Head of People & OD and the CFO. Information of safeguarding should be kept secure at all times.

## **Approval and Review**

This policy will be reviewed once every 2 years.

- **Last approved By Board: Q2 2019 board meeting**
- **Scheduled Review Date: Q2 2021 board meeting**



## Staff Code of Conduct (Appendix A)

I, \_\_\_\_\_, acknowledge that I have read and understand this policy and agree that in the course of my association with Fairtrade Foundation, I will:

- treat people, particularly children and vulnerable adults, with respect regardless of race, colour, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status
- not use language or behaviour towards people that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- not engage children under the age of 18 or vulnerable adults in any form of sexual intercourse or sexual activity, including paying for sexual services or acts
- wherever possible, ensure that another adult is present when working in the proximity of children/ vulnerable adults
- not invite unaccompanied children/vulnerable adults into my home, unless they are at immediate risk of injury or in physical danger
- use any computers, mobile phones, video cameras, cameras or social media appropriately, and never to exploit or harass people, or access child exploitation material through any medium
- not take any photographs of children/vulnerable adults, except in accordance with the guidance set out in the policy
- not use physical punishment towards people
- not hire people for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury
- comply with all relevant UK, and local legislation, including labour laws in relation to child labour, forced labour and gender based violence
- immediately report concerns or allegations of exploitation and abuse and policy non-compliance in accordance with appropriate procedures, as set out in the Fairtrade Foundation Protection and Safeguarding Policy and the Fairtrade International Protection Policy
- immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with Fairtrade Foundation that relate to child exploitation and abuse

**I will adhere to following policies and procedures (see list below) that support the above Standards:**

- Protection and Safeguarding Policy (UK)
- Protection Policy for Children and Vulnerable Adults (Fairtrade International)
- Grievance Policy & Procedure
- Equality & Diversity Policy
- Overseas security travel guidelines and procedures
- Acceptable Use Policy (incorporating Email Policy & Internet Policy)
- Dignity at work Policy
- Information Security Policies
- Expenses Policy & Financial Procedures
- Health and Safety Policies including Risk Assessment Policies
- Whistleblowing Policy and Procedure

**I understand that any breaches of this Code of Conduct, must be immediately reported in accordance with appropriate procedures, and may result in disciplinary action that may include termination of employment with Fairtrade Foundation.**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## Non Staff and Associated Personnel Code of Conduct (Appendix B)

I, \_\_\_\_\_, acknowledge that I have read and understand this policy and agree that in the course of my association with Fairtrade Foundation, I will:

- treat people, particularly children and at risk adults, with respect regardless of race, colour, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status
- not use language or behaviour towards people that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- not engage children under the age of 18 or vulnerable adults in any form of sexual intercourse or sexual activity, including paying for sexual services or acts
- wherever possible, ensure that another adult is present when working in the proximity of children/vulnerable adults
- not invite unaccompanied children/vulnerable adults into my home, unless they are at immediate risk of injury or in physical danger
- use any computers, mobile phones, video cameras, cameras or social media appropriately, and never to exploit or harass people, or access child exploitation material through any medium
- not use physical punishment towards people
- not hire people for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury
- comply with all relevant UK, and local legislation, including labour laws in relation to child labour, forced labour and gender based violence
- immediately report concerns or allegations of exploitation and abuse and policy non-compliance in accordance with appropriate procedures, as set out in the Fairtrade Foundation Protection and Safeguarding Policy and the Fairtrade International Protection Policy
- immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with Fairtrade Foundation that relate to child exploitation and abuse
- not take any photographs of children/vulnerable adults, except in accordance with the guidance set out in the policy

**I understand that any breaches of this Code of Conduct, must be immediately reported in accordance with appropriate procedures, and may result in termination of relationship with Fairtrade Foundation, and reporting to relevant authorities where appropriate.**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## Glossary of Terms

### Child

A person below the age of 18<sup>5</sup>.

### Child Abuse

Any physical, sexual or emotional abuse, neglect, bullying discrimination, child labour and domestic violence to a person under the age of 18 years, regardless of gender, ethnicity, social background, abilities, sexual orientation, religious beliefs or political persuasion.

### Harm

Psychological, physical and any other infringement of an individual's rights

### Psychological harm

Emotional or psychological abuse, including (but not limited to) humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation

### Child-Safe Environment

An environment where all children are protected from all forms of harm, and there are clear, established guidelines and procedures for conduct, reporting abuse and follow-up.

### Beneficiary of Assistance

Someone who directly receives services, support or expertise from Fairtrade Foundation. Note that misuse of power can also apply to the wider community that the NGO serves, and also can include exploitation by giving the perception of being in a position of power.

### Protection from Sexual Exploitation and Abuse (PSEA)

The term used by the humanitarian and development community to refer to the prevention of sexual exploitation and abuse of affected populations by staff or associated personnel. The term derives from the United Nations Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13)

### Safeguarding

In the UK, safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse, neglect, emotional abuse, exploitation, radicalisation<sup>6</sup> and the consequences of any misuse of personal data.

In our sector, we understand it to mean protecting people, including children and vulnerable adults, from harm that arises from coming into contact with our staff, associated personnel or programmes. One donor definition is as follows:

Safeguarding means taking all reasonable steps to prevent harm, particularly sexual exploitation, abuse and harassment from occurring; to protect people, especially vulnerable adults and children, from that harm; and to respond appropriately when harm does occur.

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<sup>5</sup> In line with UN Convention on the rights of a child

This definition draws from our values and principles and shapes our culture. It pays specific attention to preventing and responding to harm from any potential, actual or attempted abuse of power, trust, or vulnerability, especially for sexual purposes.

Safeguarding applies consistently and without exception across our programmes, partners, associated personnel and staff. It requires proactively identifying, preventing and guarding against all risks of harm, exploitation and abuse and having mature, accountable and transparent systems for response, reporting and learning when risks materialise. Those systems must be survivor-centred and also protect those accused until such time as they are proven guilty.

Safeguarding puts beneficiaries and affected persons at the centre of all we do.

### **Sexual abuse**

The term 'sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

### **Sexual exploitation**

The term 'sexual exploitation' means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. This definition includes human trafficking and modern slavery.

### **Survivor**

The person who has been abused or exploited. The term 'survivor' is often used in preference to 'victim' as it implies strength, resilience and the capacity to survive, however it is the individual's choice how they wish to identify themselves.

### **Vulnerable adult**

A person who is vulnerable and/or may be in need of care by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.