



Fairtrade Australia & New Zealand

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## Fairtrade Australia & New Zealand

# Protection from Sexual Exploitation, Abuse and Harassment Policy

## 1. Purpose

Fairtrade Australia and New Zealand (Fairtrade ANZ) expects everyone involved in our work to uphold the highest standards of professional and personal conduct at all times. Fairtrade ANZ has zero tolerance towards sexual exploitation, abuse, and harassment and is committed to protecting all individuals, especially vulnerable groups, from these behaviours. This Policy outlines roles and responsibilities for preventing sexual exploitation, abuse, and harassment (PSEAH), and provides guidance on addressing concerns related to these issues.

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

## 2. Related Policies

- Complaints Handling Policy
- Diversity, Equity and Inclusion Policy
- Fairtrade ANZ Code of Conduct
- Gender Equity Policy
- Protection of Children and Vulnerable Adults Policy
- Whistleblowing Protection Policy

## 3. Related Legislation

- Australia: Sex Discrimination Act 1984; Workplace Gender Equality Act, 2012
- New Zealand: Bill of Rights Act 1990; Human Rights Act 1993

## 4. Scope

The policy applies to:

- all personnel and associates of Fairtrade ANZ, including permanent, fixed-term and casual employees, contractors, interns, volunteers and Board and Committee members.
- all personnel, partners and subcontractors that are engaged by Fairtrade ANZ.
- all Fairtrade ANZ funded projects (both in Australia, New Zealand and overseas), including their management, staff, volunteers and governing authorities.

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

## 5. 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).

**Sexual Harassment:** Unwanted behaviour that offends, humiliates, or intimidates a person, and which

a reasonable person would expect to make someone feel offended, humiliated, or intimidated. This includes sexual harassment, which involves unwelcome conduct of a sexual nature.

## 6. Core Principles

1. Sexual exploitation, abuse, and harassment (SEAH) by Fairtrade ANZ personnel are gross misconduct and will result in disciplinary actions, including termination of contracts and/or legal action under applicable laws.
2. SEAH are violations of human rights and will not be tolerated under any circumstances.
3. Sexual activity with a child is strictly prohibited, regardless of the local age of consent. Ignorance or mistaken belief about a child's age is not a defence. The **Protection of Children and Vulnerable Adults Policy** provides further safeguarding guidelines.
4. The exchange of money, goods, employment, or services for sex, including sexual favours or exploitative behaviour, is prohibited. This includes assistance intended for beneficiaries.
5. Sexual relationships between Fairtrade personnel and beneficiaries or community members are strongly discouraged due to power imbalances, which may undermine consent and the credibility of Fairtrade's work.
6. Fairtrade personnel must immediately report any concerns or suspicions of SEAH, including child abuse, through Fairtrade ANZ's reporting mechanisms or the Whistleblowing system.
7. All personnel are responsible for fostering an environment that prevents SEAH and upholds the **Fairtrade ANZ Code of Conduct**.
8. Fairtrade ANZ will report incidents of SEAH to law enforcement when appropriate and in accordance with applicable laws.
9. Fairtrade ANZ ensures access to support services for survivors, irrespective of their decision to pursue formal complaints or investigations.
10. A safe and respectful working environment is a priority, with zero tolerance for retaliation or adverse consequences for survivors or whistle-blowers.

## 7. Commitments

Fairtrade ANZ is committed to preventing and addressing sexual exploitation, abuse, and harassment (SEAH) through the following measures:

1. **Prevention and Awareness**
  - Ensure robust recruitment screening processes, including background checks for personnel working with children or vulnerable adults.
  - Provide regular training and clear communication of this Policy and the Fairtrade Organisational Code to all personnel and partners.
  - Publish and widely share this Policy and the Code to promote awareness of the obligations to prevent SEAH.
2. **Reporting and Response**
  - Establish and maintain accessible mechanisms for reporting SEAH, guided by the Complaints Handling and Whistleblowing Protection Policies.
  - Act promptly on complaints, including the suspension of alleged perpetrators and ensuring procedural fairness for all parties.
  - Offer support services to complainants and survivors, including safety measures and accommodations based on their needs and preferences.
3. **Accountability and Partner Compliance**
  - Take disciplinary action, including termination or referral for prosecution, against individuals found guilty of SEAH.
  - Require third-party providers, including partners and suppliers, to adhere to the principles of this Policy.

- Protect complainants, survivors, and whistle-blowers from retaliation or adverse consequences.

## 8. Responsibilities

### Board of Directors

The Board oversees the implementation of this policy and ensures Fairtrade ANZ works towards eliminating SEAH. Board members demonstrate leadership by modelling appropriate behaviour and supporting the organisation's commitment to a zero-tolerance approach.

### CEO

The CEO is responsible for promoting the policy, ensuring staff understand their responsibilities, and addressing all SEAH complaints promptly and confidentially. They are also responsible for involving authorities if a complaint involves criminal behaviour.

### All Fairtrade Personnel

All personnel must comply with this policy, prevent SEAH, and support affected individuals. It is expected that all personnel:

- Report incidents or suspicions of SEAH.
- Treat complaints seriously and sensitively.
- Maintain professional conduct and uphold Fairtrade ANZ's values.

### PSEAH Focal Point

Fairtrade Safeguarding Manager [psr@fairtrade.org.nz](mailto:psr@fairtrade.org.nz) is the designated PSEAH Focal Point, responsible for receiving and responding to SEAH complaints and supporting affected parties.

## 9. Complaint and Allegation Procedures

Any individual associated with Fairtrade ANZ who believes they have experienced harassment or witnessed behaviour breaching this policy should report the matter. Complaints regarding harassment will follow the same reporting and investigation mechanisms outlined in the **Whistleblower Protection Policy** and **Complaints Handling Policy**.

Fairtrade ANZ will:

- Provide clear reporting channels for victims or witnesses of harassment.
- Offer support services, including psychosocial counselling and legal assistance, to complainants and survivors.
- Ensure procedural fairness for both complainants and alleged perpetrators during investigations.
- Take appropriate disciplinary action, including termination or referral for prosecution, when harassment is confirmed.

### Contact Information for Reporting

- PSEAH Focal Point:
  - Fairtrade Safeguarding Manager [psr@fairtrade.org.nz](mailto:psr@fairtrade.org.nz)
- CEO (Private & Confidential):
  - Australia: 160 Johnston Street, Fitzroy, VIC 3065 | [senthil@fairtrade.com.au](mailto:senthil@fairtrade.com.au)
  - New Zealand: PO Box 33 1587, Takapuna, Auckland 0740 | [senthil@fairtrade.com.au](mailto:senthil@fairtrade.com.au)
- Chairperson:
  - [chair@fairtrade.com.au](mailto:chair@fairtrade.com.au)

## 10. Document Control

This Policy is available in the shared Fairtrade ANZ drive for all employees and is available on our website.

A copy of this policy will be provided to any person or organisation on request.

## 11. Monitoring and Review

- Complaints are logged and reviewed regularly to identify systemic issues.
- This policy is reviewed every 3 years to ensure effectiveness and compliance.

## 12. For More Information

For more information or assistance, contact us at:

- Australia: [info@fairtrade.com.au](mailto:info@fairtrade.com.au)
- New Zealand: [info@fairtrade.org.nz](mailto:info@fairtrade.org.nz)

Document version	Changes	Date approved	Review Date
1.0	Initial policy developed	March 2020	March 2023
2.0	Inclusion of Harassment in Policy Included PSEAH focal point and chair's email as non-personal emails	February 2025	February 2028