



## **Safeguarding Policy**

Adopted by the Board of Trustees: March 2019

To be reviewed by the Board of Trustees on an annual basis. Next review: March 2020

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## 1. Policy Statement

The Rainforest Foundation UK (RFUK) is committed to championing the rights and livelihoods of people and communities living in the world's rainforests. Protection of their safety and freedoms is an essential component of the organisation's DNA. RFUK will deliver its commitments to these communities while promoting a culture of professionalism, transparency, probity and partnership, and operationalises this ethos through its internal policies and guiding documents. We will endeavour to uphold the rights of communities and individuals where we operate, and those of the staff and other individuals who represent the organisation, to live and work in safety, and free from fear of any form, or threat of: bullying, harassment, exploitation, and abuse, caused in part or whole by any staff, programmes, activities or any person or organisation operating on our behalf.

People and communities have the inherent right to live free from harm, and to freely raise concerns or complaints, and to seek redress if they feel that RFUK is responsible for committing (or responsible for creating a context/scenario that facilitates) violations of these rights and freedoms. Ensuring protection of these rights is a component of the wider practice commonly referred to as "safeguarding". Anybody who comes into contact with RFUK, should expect to be treated fairly, and with dignity and respect.

RFUK has a **zero** tolerance approach against any form of sexual abuse, exploitation and harassment.

The standards and content of this safeguarding policy apply to all staff, or entities representing or acting on behalf of RFUK, in relation to all persons whom they engage with while executing their duties. This applies regardless of whether or not the person(s) are explicitly aware of this policy. Breaches of this policy, or related policies, are considered misconduct and are subject to the organisation's disciplinary procedures. Daily oversight and enforcement of this policy lies with management and the Board.

## 2. Definitions and terminology

Several terms are used in this policy to describe/categorise individuals or organisations. They are defined as follows, and their meaning should be applied consistently throughout this document:

- *Beneficiary, and/or member of the public:* Any individual or group of individuals who receive or benefit from (directly or otherwise) the activities and services managed by RFUK, or who comes into contact (directly or indirectly) with RFUK staff, representatives or activities;
- *Partner:* Any institution or entity that enters into a formal cooperation arrangement with RFUK, and is provided with financial, advisory, material and/or capacity building support (for example, through a grant) to conduct pre-agreed activities with, or on behalf of, RFUK;

- *Representatives*: A broad definition incorporating any individual who directly represents the RFUK, but is not employed by the organisation, including but not limited to trustees, ambassadors and volunteers;
- *RFUK*: The Rainforest Foundation UK; its staff and representatives, activities, programmes, representatives, publications, campaigns, systems and/or infrastructure;
- *Staff*: Any individual who is under a contract of employment with RFUK;
- *Supplier*: Any individual, group, firm or organisation contracted by RFUK to provide a service to RFUK, including consultants.
- *Survivor/victim*: Anyone who is, or has been, subject to any form of abuse, bullying, harassment and/or exploitation;
- *UK*: The United Kingdom, its territories and/or any other legal entities under its control or subject to its governance.

### **3. Application, objectives and scope of this policy**

RFUK's Safeguarding Policy provides protection to beneficiaries, members of the public, staff and any other individuals or groups who come into contact with RFUK.

Partners and/or suppliers, while in the course of conducting activities on behalf of or in cooperation with RFUK, must apply proportionate safeguards in order to adhere to the standards and expectations of this policy or develop standards of their own to match these if they don't exist. Depending on the context of the assignment, suppliers may be required to adhere to some or all of RFUK's policies and procedures.

RFUK is committed to creating and maintaining the safest possible environment for individuals who work for or come into contact with the organisation. It does this by:

- Providing a clear reporting and incident management procedure that will be implemented by the Safeguarding Officer and RFUK managers when safeguarding issues arise;
- Providing individuals the opportunity to voice any concerns they may have, without fear of repercussion, and responding quickly and appropriately to all safeguarding concerns;
- Appointing a named Safeguarding Officer who takes specific responsibility for organisational procedures relating to ensuring protection, safety and well-being of anyone who comes into contact with RFUK staff and/or programmes;
- Reviewing the effectiveness of the organisation's Safeguarding Policy, and related policies or documents on a regular basis;
- Managing a safe recruitment process that endeavours to ensure, to the extent possible, that no individual who poses a risk to others is contracted by the organisation (Guidance on Safe Recruitment);

- Undertaking risk assessments prior to activities and programmes, and identifying mitigations to address the likelihood and impact of identified threats to safety and well-being;
- Providing training to all staff on safeguarding during induction and annual refresher trainings;
- Protecting the personal data of beneficiaries, staff and other stakeholders in line with the organisation's Data Protection Policy;
- Providing guidance on the responsible use of imagery and references to children and vulnerable adults in external communications, research and fundraising activities;
- Where or if there is a need, working with external organisations to ensure, as far as is reasonable, that anyone who comes into contact with RFUK staff and/or programmes is protected from harm.

#### **4. Harassment and bullying**

Harassment of any kind on the grounds set out in Chapters 5.1 and 5.2 of the RFUK Staff Handbook is unacceptable, regardless of whether or not it contravenes any national or local laws. RFUK has a duty to facilitate and maintain a working and operating environment free of discrimination, victimisation, harassment or bullying, regardless of its legality in any given context. Whether or not they intend to offend, members of staff who harass or bully others may face disciplinary action and possibly criminal charges in serious cases.

Any individual who is subjected to harassment or bullying by RFUK staff will be given any necessary help and support. No individual will be victimised for making a complaint of harassment or bullying under this policy, provided the complaint is made in good faith.

If a complaint is made that is proven to not be in good faith (deliberately untruthful, with malicious intent and/or for personal gain at the expense of another individual) the person raising the complaint may be subject to disciplinary and/or legal action.

##### What are harassment and bullying?

*Harassment* is unwanted behaviour that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment for that person. Harassment can take many forms. It may be directed at one person or many. It can be persistent behaviour over a period of time, but a serious one-off act may also amount to harassment. Often, it takes place when there is no-one else present to witness the behaviour. Harassment may be intentional or unintentional. A key factor is that it is behaviour unwanted by the survivor/victim.

*Bullying* may be characterised as offensive, intimidating, malicious or insulting behaviour, or an abuse of power in ways intended to undermine, humiliate, denigrate or injure the recipient.

Harassment and bullying damage the working environment and can ruin the health, confidence, morale and performance of those they affect. The anxiety and stress caused by harassment and bullying commonly leads people to take time off work due, become less efficient at work, or leave their job to seek work elsewhere. Employees often suffer both the harm of the harassment/bullying itself and short and long-term damage to their employment prospects if they are forced to change jobs. Harassment/bullying may also harm other employees who are not being harassed themselves but witness it or become aware of it.

Although this is not a full list, examples of harassment and bullying may include:

- physical assault;
- physical or verbal abuse;
- threats;
- offensive gestures, language, gossip or jokes;
- insulting or abusive behaviour or comments;
- isolation or exclusion;
- unreasonable persistent criticism or humiliation;
- unfair allocation of work or responsibilities.

#### What is sexual harassment?

*Sexual harassment* is one form of harassment. Generally, it involves behaviour by one or more individuals towards another individual(s) where the behaviour is of a sexual nature, is unwelcome and violates the person's dignity. Examples of sexual harassment may include:

- physical conduct of a sexual nature – unwanted physical contact, including unnecessary touching or brushing against another person's body;
- verbal conduct of a sexual nature – unwelcome sexual advances, continued suggestions of social activity outside work after it has been made clear that this is unwelcome; audible speculation about someone else's sexual preferences, sexual orientation and/or sex life;
- non-verbal conduct of a sexual nature – displaying sexually suggestive or pornographic pictures, or sending sexually harassing messages or images through email;
- suggestive comments or gestures;
- sex-biased conduct – denigrating, ridiculing, intimidating or physically abusing an individual because of their sex, marital status, or sexual orientation.

## What is victimisation?

*Victimisation* occurs when someone suffers unfavourable treatment because they have, in good faith, made a complaint under this policy, brought employment tribunal proceedings, or acted as a witness or accompanied a complainant to a hearing, or in any other way supported someone else who has complained under this policy. Victimisation is punishable through the same processes as bullying and harassment.

## **5. Sexual exploitation and abuse**

There are multiple ways to define sexual abuse, and interpretations vary depending upon contextual and cultural factors. RFUK considers sexual abuse to be any incidence whereby an individual is forced or coerced to partake in sexual activity, whether it involves physical contact or not. Sexual abuse is a wide-ranging definition; it includes, but is not limited to, the following:

- Rape or sexual assault;
- Inappropriate touching;
- Inappropriate exposure or 'flashing' of private body parts;
- Forcefully sharing/ viewing of images/videos that include sexual content.

*Sexual exploitation* is a specific type of sexual abuse whereby a perpetrator gives, or offers to give, something to an individual(s) in exchange for sex or sexual favours. In some cases in the aid sector, sexual exploitation has involved an exchange of money, food, medicine, or other non-food items, or preferential treatment and/or protection in exchange for engaging in sexual activities.

RFUK considers any form of payment (financial or otherwise) in exchange for sexual services (including the services of sex workers/prostitutes) to be a form of sexual exploitation and a violation of this policy, regardless of whether or not prostitution or payment for sex is legal in the context where the transaction occurred. Any staff member, partner or supplier who, while engaged in RFUK activities, pays an individual for sex or sexual activities will be subject to RFUK's investigative and disciplinary procedures.

## **6. Organisational context and legal framework**

Because RFUK operates in varied and often complex legal and cultural contexts, adopting a narrow definition of safeguarding is challenging. RFUK has based the definitions in this policy on legal requirements (in UK law), contractual obligations, donor standards, international standards and frameworks, experiences of other organisations with expertise in this sector, and current good practice. Local legislation and customs may

deviate from any of the positions stated in this document; the standard applied will be whichever of the two is highest in the specific context (including contexts where partner policies are involved)<sup>1</sup>.

Any sexual activity with a child (any individual under the age of 18 at the time of the encounter), regardless of whether consent was given or the age of consent/common practice in the country where the activity took place, is prohibited under the terms of this policy. Any staff member who engages in sexual activity with a child will be subject to RFUK's internal investigative and disciplinary procedures and may be liable to criminal proceedings, including prosecution in the UK, regardless of where the offense takes place. Mistaken belief or ignorance of the child's age is not a defence for breaching the terms of this policy.

RFUK will not condone sexual relationships between its staff and representatives and beneficiaries/members of communities where it operates.

RFUK requires that this policy be applied in all activities and programmes, regardless of their location or how they are funded. Although cultural norms and legal frameworks vary across different jurisdictions, there is no scope to deviate from this policy when the standards in a specific context differ from what is established here. All persons conducting activities whereby they represent RFUK will be held to the standards and guidelines presented in this document.

## **7. Roles and responsibilities**

Upholding the Safeguarding Policy in its entirety is a non-negotiable obligation of all RFUK staff and any individual engaged in activities or programmes in collaboration with/on behalf of the RFUK. All RFUK staff have been informed of RFUK's Values, disciplinary procedures, grievance procedure and other content and expectations of behaviour, outlined in the Staff Handbook and Code of Conduct.

The Board of Trustees holds ultimate responsibility for ensuring that RFUK upholds its safeguarding commitments, and that the Safeguarding Policy (and related documents) is enforced effectively. The Board reserves the right to scrutinise RFUK's safeguarding activities and to demand regular updates on safeguarding issues. Safeguarding will be a standing item in the agenda of every board meeting. A quarterly safeguarding update will be provided to the designated Trustee, unless there are specific concerns/instances where there

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<sup>1</sup> RFUK has aligned its Safeguarding Policy to the enhanced safeguarding standards set by the UK's Department for International Development (DfID), published in June 2018 and at the October 2018 Safeguarding Summit in London<sup>1</sup>. RFUK is also obliged to report safeguarding incidents to the UK's Charity Commission (see section 11 of this document).

has been significant harm as to warrant more frequent contact. The board will review the RFUK's safeguarding policy and procedures on a periodic basis.

Within this framework, however, certain individuals (or groups of individuals) have *specific* obligations over-and-beyond adherence to the policy's content.

- The **Safeguarding Officer** is appointed by the Executive Director, based upon their experiences and understanding of safeguarding and its relevance to their current position. It is the responsibility of the Safeguarding Officer to suggest amendments to the policy in line with formal developments from donors and regulatory bodies, and good practice, and to advise staff, management and trustees on the application of the policy in their work activities. It is their responsibility to receive complaints and to report concerns and/or violations to senior management, trustees and the relevant regulatory authorities. The Safeguarding Officer will support activities related to the down-streaming of safeguarding practices to RFUK partners;
- The **Human Resources (HR) Advisor** is responsible for disseminating this policy to new staff and ensuring they receive instruction on its content as part of their induction process (and refresher instruction on an annual basis). It is the responsibility of the HR advisor to track and maintain training records for new and existing staff, and to support the Safeguarding Officer in managing complaints and/or concerns that are raised with the organisation. The HR Advisor may be required to support the Safeguarding Officer in the event of any investigations that result from concerns/complaints;
- The **Executive Director** holds ultimate executive authority for management and implementation of this policy across RFUK programming and acts as liaison between the organisation's daily functions and the Board on safeguarding issues. Day-to-day execution of safeguarding tasks is delegated to the Senior Management Team/Safeguarding Officer;
- The **Head of Programmes** has ultimate responsibility for ensuring the implementation and enforcement of this policy in all RFUK overseas activities (including programming), and for ensuring that RFUK overseas activities do not facilitate conditions under which the terms of this policy can be violated by staff, representatives or partners. Daily execution of this responsibility is delegated to the programme coordinators;
- The **Office Manager** is delegated by the Executive Director for ensuring RFUK's compliance with safeguarding regulations. S/he is also responsible for ensuring that all office-based activities are compliant with this policy;
- **Programme coordinators** (and in certain, specific instances, managers of other teams in RFUK) are responsible for ensuring the implementation of this policy in activities and projects under their remit. This includes assessment and mitigation of safeguarding risks when designing and delivering programmes and activities. It is the responsibility of programme coordinators to ensure that RFUK third-party representatives and/or partner organisations have in place their own internal policies and

mechanisms to mitigate against violations of this policy, and to enact measures *in lieu* in instances where such measures and policies do not exist (including supporting partners to develop their own safeguarding capacities, or applying and adapting the content of RFUK's policies to their context). These activities will be supported by the Safeguarding Officer.

All staff and representatives have a responsibility to consider safeguarding risks that relate to their roles and tasks carried out on behalf of the RFUK, and to report concerns when they have reason to believe or suspect that safeguarding concerns have taken, or are taking, place.

## 8. Procedures

RFUK has a reporting mechanism in place for receiving and managing safeguarding concerns, regardless of whether the concern originates internally or externally. Reportees may wish to report concerns anonymously, and their right to confidentiality is protected through this policy. Where an RFUK employee develops concerns or suspicions regarding any form of harassment, bullying, abuse or exploitation by a colleague or other representative, s/he must report these to RFUK.

All reports received by RFUK will be addressed and responded to, and any report that concerns RFUK staff and/or representatives, regardless of the location where the breach is reported to have taken place, will be subject to an investigative process.

Upon receiving a complaint or report of a concern, RFUK has an obligation to consider any further risks that may exacerbate this situation and to take reasonable and proportionate measures to ensure the safety and well-being of the survivor/victim of an alleged offense, *and* the person(s) against whom the complaint has been filed.

There are several ways to report a safeguarding concern, and all concerns will be receipted and responded to within 72 hours of the time they are received:

- 1) By email to [safeguarding@rainforestuk.org](mailto:safeguarding@rainforestuk.org);
- 2) By contacting the Rainforest Foundation UK on +44 207 485 0193 and speaking to the Safeguarding Officer;
- 3) By posting a concern to the Rainforest Foundation UK office, at the following address:

*Safeguarding Officer  
Rainforest Foundation UK  
Unit 2-4  
The Old Dairy Court  
17 Crouch Hill  
London  
N4 4AP  
United Kingdom*

## 9. Implications for partners

RFUK seeks to ensure that, whilst its partners are independent and autonomous organisations, they have safeguarding policies and procedures in place to reduce the risk of harm or abuse, and respond to such instances appropriately if they occur. The organisation expects all downstream partners to maintain policies that explicitly prohibit any acts of bullying and sexual misconduct (abuse, harassment and/or exploitation). In instances where these policies do not exist, downstream partners must adopt and adapt the content of this policy in lieu, for the duration of their relationship with RFUK or until they develop policies and procedures of their own that meet the standards herein.

Policies must be implemented and disseminated to the furthest extent possible; proportionate to the partner's available funding, resources and capacities, with consideration for the local cultural context, and appropriate to the level of assessed safeguarding risk in their operating context. These policies should comply with any relevant legal/regulatory frameworks and international standards, and they must be properly implemented and monitored.

Partners have a responsibility to report to RFUK, using the mechanisms outlined in *section 8*, any safeguarding concerns they have regarding any RFUK staff or representatives.

These are mandatory conditions of partnership with the RFUK. The text of this policy is provided as an annex to all RFUK partner and consultancy contracts.