

# FOREST PEOPLES PROGRAMME

## SAFEGUARDING POLICY

*Adopted September 2018*

*(To be reviewed September 2020)*

The Forest Peoples Programme works to support forest peoples to live safely and securely on their lands, and to be free to decide their futures free from coercion. The Forest Peoples Programme is a human rights organisation with strong values around the respect for the dignity of all individuals. These values are embedded in all aspects of our work and are held true in our commitment to provide a safe and trusted environment in which to work, safeguarding the rights and interests not only of each other but also of all members of our partner organisations and local communities in which we come into contact during our work. Our workplace, and our work with those external to our own organisation, should be free from violence (including sexual violence), harassment, coercion, intimidation or other inappropriate behaviour, in all their forms. We therefore need to conduct ourselves in a manner that reflects honesty and integrity, and that maintains the effectiveness, values and mission of the organisation.

The purpose of this policy is to state FPP's commitment and define conduct that is ethical, legal and consistent with the organisation's values. The policy applies to all FPP staff, trustees, associates and consultants worldwide and includes all forms of employment and volunteering work. This policy needs to be read in conjunction with our Code of Conduct and Grievance Procedure.

**First and foremost**, we want all our staff, consultants, trustees, associates, partners and community members to feel safe and respected.

If you feel that you have experienced bullying, harassment, sexual exploitation or sexual abuse please report this incident as soon as possible.

**OR** if you have reasons to believe someone else has then you also have a duty to report this in the same way.

**Any staff member** can either

Raise the issue in confidence with

- Your line manager, welfare manager, senior member of staff OR
- Louise Henson, Safeguarding Lead (louise@forestpeoples.org) OR
- Directly contact the designated Board member Michel Pimbert (Michel.Pimbert@forestpeoples.org)

**Any community member partner or partner staff** complaints about FPP or its staff should be sent to:

- [complaints@forestpeoples.org](mailto:complaints@forestpeoples.org)
- Or leave a message on the dedicated complaints phone number +44 1608 690766 all messages will be dealt with in strict confidence.

*Please Note: Complaints of bullying, harassment, sexual exploitation or sexual abuse, or information from staff relating to such complaints, will be dealt with fairly, confidentially and sensitively using the general format set out in FPP's grievance procedures. However sexual exploitation and abuse, bullying or harassment will not be treated as a standard grievance; it is a serious issue and will be treated as such. Where complaints involve your line manager, approaches should be made to another appropriate manager.*

**This policy includes:**

- **Sexual Harassment, Abuse and Exploitation – definitions & expectations**
- **Bullying and Harassment – definitions & expectations**

### **Sexual Harassment, Abuse and Exploitation**

#### What is sexual harassment?

Sexual harassment is unwanted conduct of a sexual nature. It has the purpose or effect of violating the dignity of an individual, making an individual feel intimidated, degraded or humiliated, or creating a hostile or offensive environment for them.

Behaviour that has these effects can still be considered sexual harassment even if the alleged harasser didn't mean for it to be. It also doesn't have to be intentionally directed at a specific person.

Behaviour that constitutes sexual harassment includes :

- Unwelcome behaviour of a sexual nature, this may be either physical or verbal,
- Inappropriate or suggestive remarks or verbal sexual advances,
- Indecent comments, jokes or innuendos relating to a person's looks or private life,
- Unwanted physical contact such as hugging, kissing or inappropriate touching,
- Requests for sexual favours,
- Emails with content of a sexual nature,
- The display or circulation of pornography or indecent images.

Often, this kind of behaviour may be brushed off by the harasser as 'banter' or harmless flirting. It is important to remember that the impact the behaviour has on the recipient is the most important factor. So it is not so relevant whether the individual intended to cause offence, but rather whether offence was actually caused by the conduct.

#### What is sexual abuse?

The term sexual abuse is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions (where genuine consent is not or cannot be obtained). An example of this is rape or attempted rape.

## What is sexual exploitation?

The term sexual exploitation is any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes including, but not limited to, using financial, social or political power to obtain sexual favours, or profiting monetarily, socially or politically, from the sexual exploitation of another. An example of this is asking for sexual favours from members of any community with whom we are working.

## Our expectations on Sexual Harassment, Abuse and Exploitation

The following principles of sexual behaviour outline international standards for safeguarding of vulnerable people and are considered an integral part of this guideline and in line with FPP's Children and Vulnerable Adults Protection Policy:

- Sexual exploitation and abuse by any FPP employee, trustee, associate consultant or contractor constitutes an act of gross misconduct and is, therefore, grounds for termination of employment and/or legal action;
- Exchange of money, employment, goods, or services for sex (including sexual favours or other forms of humiliating, degrading, or exploitative behaviour) or sexual relations where there is expectation of economic benefit in the course of or in connection with your work, or at any time when you are acting as a representative of FPP is strictly prohibited and is a reason for termination of employment. This includes any time when you are travelling or living outside of your home country because of your work with FPP;
- Sexual activity between any FPP employee and a child<sup>1</sup> is strictly prohibited, regardless of the age of majority or age of consent locally. In such cases, mistaken belief by any FPP employee or visitor regarding the age of a child is not a defence against disciplinary action, termination of employment and /or legal action;
- Where an FPP employee, trustee, associate, consultant or contractor develops concerns or suspicions regarding sexual abuse or exploitation by a fellow employee, trustee, consultant or contractor or partner staff member, s/he must report such concerns via FPP's reporting mechanisms;
- Sexual harassment by any FPP employee, trustee, associate, consultant or contractor may lead to disciplinary action or, for repeated offences or where the conduct amounts to serious misconduct, may be grounds for immediate termination of employment.

## Bullying and Harassment

### What are Bullying and Harassment?

**Harassment**, in general terms is unwanted conduct affecting the dignity of any person in the workplace, where actions or comments are viewed as demeaning and unacceptable to the recipient. It may be related to age, gender, sexual orientation and identity, race, colour, national, ethnic or class origin, religious or philosophical belief, marital status, parental

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<sup>1</sup> A child is defined as a person under the age of 18 in line with the Convention on the Rights of the Child

status or impairment, and may be persistent or an isolated incident. Harassment often involves behaviour that is similar to bullying but is based on one of the discriminatory characteristics above.

**Bullying** is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. Bullying or harassment may be by an individual against an individual or involve groups of people. It may be obvious or it may be insidious. It may be face to face or in written communications, e-mail, phone or social media. It may involve repeated incidents which, taken alone, might not be considered bullying but, when taken together, constitute a pattern of behaviour that does so. Whatever form it takes, it is unwarranted and unwelcome to the individual. It may take place in private or in public.

Legitimate, constructive and fair criticism of an employee's performance or behaviour at work is not bullying. An occasional raised voice or argument is not bullying.

#### Our expectations on Bullying and Harassment

Bullying and harassment are unacceptable. We are aware of power in all relations and how it can be misused.

Examples of bullying/harassing behaviour include:

- Spreading malicious rumours, or insulting someone by word or behaviour;
- Copying memos that are critical about someone to others who do not need to know;
- Ridiculing or demeaning someone, including by picking on them or setting them up to fail;
- Exclusion or victimisation;
- Unfair treatment;
- Overbearing supervision or other misuse of power or position;
- Unwelcome sexual advances - touching, standing too close, the display of offensive materials;
- Physically intimidating behaviour – standing too close, adopting physically threatening postures, regularly yelling or using physical means to dominate discussions etc;
- Making threats or comments about job security without foundation;
- Deliberately undermining a competent worker by overloading or constant, excessive and/or inappropriate criticism;
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.

Bullying and harassment is taken very seriously by FPP. Behaviour amounting to bullying and harassment by any FPP employee, contractor or consultant will be investigated and may lead to disciplinary action or, for repeat offences or where the behaviour amounts to serious misconduct, may be grounds for immediate termination of employment.

#### **Annex: How can bullying and harassment be recognised?**

Behaviour that is considered bullying by one person may be considered firm management by another. Most people will agree on extreme cases of bullying and harassment but it is sometimes the “grey” areas that cause most problems.

Bullying and harassment can often be hard to recognize – they may not be obvious to others, and may be insidious. The recipient may think “perhaps this is normal behaviour”. They may be anxious that others will consider them weak, or not up to the job, if they find the actions of others intimidating. They may be accused of “overreacting” and worry that they won’t be believed, that the behaviour will be trivialised, or that nothing will be done, if they do report incidents.

People being bullied or harassed may sometimes appear to overreact to something that seems relatively trivial but which may be the “last straw” following a series of incidents. There is often fear of retribution if they make a complaint.

Bullying and harassment makes someone feel anxious and humiliated. Feelings of anger and frustration at being unable to cope may be triggered. Some people may try to retaliate in some way. Others may become frightened and demotivated. Stress, loss of self-confidence and self-esteem caused by harassment or bullying can lead to job insecurity, illness, absence from work, and even resignation. Almost always job performance is affected and relations in the workplace suffer.

For further guidance on bullying and harassment see:

[www.gov.uk/workplace-bullying-and-harassment](http://www.gov.uk/workplace-bullying-and-harassment)

<http://www.acas.org.uk/media/pdf/r/l/Bullying-and-harassment-at-work-a-guide-for-employees.pdf>