



# SG01\_Safeguarding Policy

## Purpose

The purpose of the policy is to protect people from any harm that may be caused due to their coming into contact with the International NGO Safety Organisation (hereinafter INSO). This includes harm arising from:

- The conduct of staff or personnel associated with INSO;
- The design and implementation of INSO's programmes and activities.

The policy lays out the commitments made by INSO and informs staff and associated personnel<sup>1</sup> of their responsibilities in relation to safeguarding.

This policy does not cover:

- Harassment, bribery or fraud – these are dealt with under INSO's Legal and Ethical Behaviour Standards and other Human Resources and Finance Policies
- Safeguarding concerns in the wider community not perpetrated by INSO or associated personnel.

This policy is intended to replace INSO's existing safeguarding language in the Legal and Ethical Behaviour Standards. This Safeguarding Policy takes precedent in any conflict between it and any other INSO policy.

This policy has been drawn up on the basis of legislation, policy and guidance that seeks to protect children and adults at risk in the UK, including the Safeguarding Vulnerable Groups Act 2006 and Charity Commission guidance.

INSO has also taken into account international good practice in safeguarding in preparing this policy including the IASC Minimum Operating Standards for Protection from Sexual Exploitation and Abuse for UN and non-UN Staff.

## What is safeguarding and what does it mean for INSO?

In the UK, safeguarding means *"the range of measures in place to protect people in a charity, or those it comes into contact with, from abuse and maltreatment of any kind."*<sup>2</sup>

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<sup>1</sup> See 'Scope of application' for definition of associated personnel

<sup>2</sup> BWB & Bond: 'Safeguarding a summary for Trustees': <https://www.bwbllp.com/file/safeguarding-for-trustees-pdf>

In the NGO sector in general, we understand it to mean 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.

In the context of INSO specifically however it is necessary to consider that, as an NGO-to-NGO service provider, we:

- do **not** work directly or indirectly with children or at-risk adults.
- do **not** work directly or indirectly with vulnerable beneficiaries of assistance.
- do **not** hold a position of power or superiority vis-à-vis our own beneficiaries.
- do **not** delegate or transfer any of our work to implementing partners.

As such, we understand our *specific safeguarding risks* to include, but not be limited to:

- Sexual abuse or exploitation committed *by our own staff or associated personnel* of any third party.
- Sexual abuse or exploitation *of our own staff or associated personnel* by any third party.

This document provides measures to protect against these specific risks along with more general risks common to the sector and matters of law.

Please see **SG01\_Schedule 1** **Defining and recognizing abuse** for a full explanation of what INSO means by abuse and some of the indicators that can be signs of abuse.

## Scope of application

This policy applies equally to:

- The board of trustees.
- All staff contracted by INSO (under any contractual mechanism).
- Associated personnel whilst engaged with work or visits related to INSO, including but not limited to: auditors, trainers, consultants; volunteers; contractors; and programme visitors including but not limited to donors, auditors, journalists, staff relatives, researchers and politicians.

## Review & approval

This policy will be reviewed, approved and endorsed by the INSO Board of Trustees annually, or when there are changes in applicable legislation and/or regulatory guidance.

This document will also be reviewed by the INSO executive management team after any safeguarding incident is reported and/or investigated.

## Policy statement

INSO 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 from all forms of harm, abuse, neglect and exploitation. INSO will not tolerate abuse and exploitation by staff or associated personnel.

This policy will address the following areas of safeguarding: **child safeguarding, adult safeguarding,** and protection from **sexual exploitation and abuse.**

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

## Prevention

### INSO's responsibilities

INSO will:

- Ensure all staff have access to, are familiar with, and know their responsibilities within this policy
- Undertake its operations in a way that protects people from any risk of harm that may arise from their coming into contact with INSO.
- Implement appropriate safeguarding procedures when recruiting, managing and deploying staff and associated personnel
- Ensure staff receive orientation on safeguarding at a level commensurate with their role in the organisation.
- Appoint a Designated Person to ensure that safeguarding is given a high priority within INSO.
- Follow up on reports of safeguarding concerns promptly and according to due process (see SG02\_Dealing with Safeguarding Reports).

### Staff responsibilities

#### Child safeguarding

INSO staff and associated personnel must not:

- Engage in sexual activity with anyone under the age of 18. This does not apply to national staff in *bona fide and consensual* relationships *in respect of local law* and custom. Mistaken belief in the age of a child is no defence.
- Sexually 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.

#### Adult safeguarding

INSO staff and associated personnel must not:

- Sexually abuse or exploit at risk adults
- Subject an at risk adult to physical, emotional or psychological abuse, or neglect

#### Protection from sexual exploitation and abuse

INSO staff and associated personnel must not:

- Sexually exploit or abuse any person.
- Exchange money, employment, goods or services for sex or sexual favours. This includes, but is not limited to, using the services of sex workers, demanding sexual activity in exchange for

assistance/service that is due to beneficiaries and demanding sexual activity in exchange for employment or administrative service.

### Other responsibilities

INSO staff and associated personnel are obliged to:

- Contribute to creating and maintaining an environment that prevents sexual exploitation/abuse and safeguarding violations and promotes the implementation of this Safeguarding Policy.
- Report any concerns or suspicions regarding safeguarding violations by an INSO staff member or associated personnel to the appropriate staff member as set out below.

Additionally, while not prohibited unless stated so by country level policy, the following types of sexual relationships are *strongly discouraged* as they generally involve unequal power dynamics and may be perceived as exploitative:

- Relationships between INSO's international and national staff members.
- Relationships between INSO's international staff and members of the local general public.

### Communicating INSO's Safeguarding policy and procedures

This policy and associated procedures are publicly available on INSO's website and INSO will also communicate them to staff, associated personnel, beneficiaries, donors, other stakeholders and the general public as appropriate. This will include appropriate orientation for staff and associated personnel and public information in public access areas of INSO facilities.

### Relationships with NGO beneficiaries

Without prejudice to the preceding and understanding that INSO's beneficiaries are the staff of other NGOs rather than vulnerable victims of conflict or crisis, relationships between INSO staff and other NGOs' staff, even where those staff are the registered beneficiaries of INSO, are **not prohibited**. However, staff must always apply due diligence in avoiding any impropriety or conflict of interest.

### Safeguarding in recruitment

INSO is fully committed to safe recruitment selection and vetting of potential new staff, trustees and volunteers. We have adopted the following safe recruitment practices:

- a) Those responsible for recruitment and selection are properly oriented on INSO Safeguarding Policy and procedures;
- b) All vacancy announcements will affirm INSO's commitment to our Code of Conduct and Safeguarding Policy;
- c) Applicant screening will pay particular attention to gaps in employment history or frequent changes of employer and address;

- d) All offers of employment will be conditional on receiving at least two professional references which will be rigorously followed up on including questions on disciplinary actions. References from family members will not be accepted;
- e) All essential qualifications and relevant professional accreditations and memberships should be verified to the satisfaction of the relevant recruitment manager;
- f) The successful candidate will be required to provide proof of identity (passport, ID card);
- g) All new hires receive comprehensive orientation in the safeguarding policy and procedures and associated documents (Code of Conduct, Whistleblowing etc);
- h) All new hires are required to sign and abide by the Code of Conduct as a condition of employment.

While noting that INSO does not work directly or indirectly with children or at risk adults, if INSO does ever engage in activities that require staff, trustees, volunteers or other representatives to undertake a criminal record or other background check in accordance with relevant legislation, we will ensure that these are carried out as part of our commitment to safer recruitment and safeguarding.

No staff member, trustee, volunteer or other representative may undertake activities in relation to INSO that involve access to children or adults at risk without supervision unless and until an appropriate background check (which may include a criminal record check, as appropriate) has been completed with satisfactory results.

Where we become aware that any current staff member may pose a risk to children and/or at risk adults we will comply with the legislation and relevant guidance in respect of referring that representative to the relevant authorities if appropriate<sup>3</sup>.

Recruitment of trustees will be undertaken in accordance with applicable guidance from relevant local regulators. In England and Wales, this includes guidance issued by the Charity Commission for England and Wales.<sup>4</sup>

## Reporting

INSO recognises that we have a duty to create a working environment where staff are able to raise concerns and support each other to ensure the risk of a safeguarding incident occurring is minimised.

Therefore, INSO will ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to staff and those we come in to contact with.

To enable this, INSO has appointed the Director of Operations as the safeguarding Designated Person who is responsible for ensuring that safeguarding is given high priority within INSO. Specific responsibilities of this role include:

- Providing an organisation wide focal point for managing and reporting incidents and allegations;
- Providing support and advice to INSO managers and staff on all safeguarding matters;
- Carrying out referrals and reporting to the relevant authorities where sexual exploitation or abuse; abuse of a child; or abuse of an at risk adult is reported or suspected;
- Maintaining an overview of safeguarding issues and monitoring the implementation of the safeguarding policy and procedures throughout INSO;
- Continuous development of a robust and compliant safeguarding policy for INSO;

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<sup>3</sup> For example, for more information about making a referral to the DBS please see: <https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs>

<sup>4</sup> For example, see Charity Commission guidance CC30 *Finding new trustees*: <https://www.gov.uk/government/publications/finding-new-trustees-cc30>

- Supporting the Executive Director in regular and time-sensitive reporting on all relevant safeguarding developments to the Board of Trustees.

In addition to orientation on INSO's safeguarding policy and procedures being integrated into the induction programme of all new INSO staff, the Designated Person can also offer additional responsive supervision and guidance to any member of staff who asks for it on an individual basis and provide further safeguarding training and support to senior managers to enable them to cascade safeguarding expertise and advice to their staff if needed.

More information on safeguarding principles, practices and obligations across the charitable sector is provided in the Further Reading section at the end of this Policy.

As stated above, INSO trustees, staff and volunteers do not work directly with at risk adults or children as part of their mandate. However, should an instance occur where a INSO staff member finds themselves in direct contact with a child or an at risk adult through the course of their work, they shall immediately seek supervision and guidance from the Designated Person who may in turn seek expert professional advice where relevant for example from children's service, health service or police within the jurisdiction.

Any staff reporting genuine concerns or complaints (or if they request it) will be protected by SG04\_Whistleblowing Policy.

INSO will also accept complaints from external sources such as members of the public, service users/beneficiaries, suppliers & vendors and official bodies.

## How to report a safeguarding concern

Safeguarding concerns must be reported directly to INSO's Designated Person (INSO's Director of Operations, **phil.drake[at]oso.ngosafety.org**) or to the dedicated Protect hotline: **protect[at]ngosafety.org** or 0044 208 144 1893.

The Protect hotline is monitored by the Designated Person, the Director of Internal Audit, the Executive Director and a designated Board Member.

## Response

INSO will follow up safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations (see SG02\_Dealing with safeguarding reports)

INSO will apply appropriate disciplinary measures to staff found in breach of policy. It is INSO policy to report all crimes to the relevant law enforcement authorities unless doing so may pose a risk to anyone involved in the case.

Within its means, INSO will offer support to survivors of harm caused by staff or associated personnel, regardless of whether a formal internal response is carried out (such as an internal investigation). This could include consultation with a qualified counsellor, medical assessment or assistance or personal protection such as relocation. Decisions regarding support will be led by the survivor.

## 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 will be shared on a need to know basis only and will be kept secure at all times.

### Associated policies

*SG01\_Schedule 1\_Defining and recognising abuse*

*SG02\_Dealing with safeguarding reports*

*SG03\_Code of Conduct*

*SG04\_Whistleblowing Policy*

*Legal & Ethical Behaviour Standards (LEBS)*

*SOP 3 International Personnel Regulations*

## Glossary of Terms

### Adult Safeguarding

Protecting at risk adults' right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the vulnerable adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action. This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal safety and well-being.

### At risk adult

Sometimes also referred to as vulnerable adult. A person who is 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.

### Child

A person below the age of 18

### Child Safeguarding

This term is broader than 'child protection' and relates to the action taken to promote the welfare of children and protect them from harm. Safeguarding and promoting the welfare of children is defined in UK government guidance Working together to Safeguard Children as:

- (a) protecting children from maltreatment;
- (b) preventing impairment of children's health or development;
- (c) ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- (d) taking action to enable all children to have the best outcomes.

### 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

### 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 and neglect<sup>5</sup>

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<sup>5</sup> NHS 'What is Safeguarding? Easy Read' 2011

In our sector, we understand it to mean protecting people, including children and at risk adults, from harm that arises from coming into contact with our staff 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.*

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 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 proven guilty.

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

### **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.

## Further Reading

**Charity Commission Guidance on Safeguarding:** <https://www.gov.uk/government/news/regulatory-alert-to-charities-safeguarding>

**Charity Commission, How to Protect Children and Adults at Risk:**

<https://www.gov.uk/guidance/charities-how-to-protect-vulnerable-groups-including-children>

**Charity Commission, Serious Incident Reporting:** <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>

**DFID Enhanced Due Diligence (Safeguarding):** <https://www.ukaidirect.org/safeguarding/>

**CHS Alliance PSEA Handbook:** <https://www.chsalliance.org/what-we-do/psea/psea-handbook>

**IASC Minimum Standards on Protection from Sexual Exploitation and Abuse:**

[https://interagencystandingcommittee.org/system/files/3\\_minimum\\_operating\\_standards\\_mos-psea.pdf](https://interagencystandingcommittee.org/system/files/3_minimum_operating_standards_mos-psea.pdf)

**BOND, Safeguarding Guidance, Resources and Tools:**

<https://www.bond.org.uk/resources/safeguarding-guidance-resources-and-tools>

**Secretary-General's Bulletin SGB/203/13 (2003):** <https://undocs.org/ST/SGB/2003/13>

**CHS Guidelines for Investigations:** [https://www.chsalliance.org/files/files/Investigation-Guidelines-2015\\_English.pdf](https://www.chsalliance.org/files/files/Investigation-Guidelines-2015_English.pdf)

**CHS Serious Incidents Investigations Checklist:**

[https://www.chsalliance.org/files/files/Management%20of%20investigations\\_checklist.pdf](https://www.chsalliance.org/files/files/Management%20of%20investigations_checklist.pdf)