

A08: SAFEGUARDING POLICY (MAY 2022)

8.1 INTRODUCTION

Summary

Safeguarding is generally understood to mean protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.

For REDRESS, this means protecting children and vulnerable adults (including survivors of torture) from harm that might arise from the conduct of our staff or associated personnel or otherwise identified in the implementation of our programmes and activities.

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

This definition 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 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.

Safeguarding puts beneficiaries and affected persons at the centre of all we do. We must also ensure the rights of those against whom allegations are made.

Purpose

The purpose of this policy is to protect people, particularly children, vulnerable adults (including survivors of torture), and beneficiaries of assistance, from any harm that may be caused due to their coming into contact with REDRESS. This includes harm arising from:

- The conduct of staff or personnel associated with REDRESS
- The design and implementation of REDRESS' programmes and activities

The policy lays out the commitments made by REDRESS, informs staff and associated personnel of their responsibilities in relation to safeguarding, and sets out procedures for prevention, reporting, and response.

This policy does not cover:

- Sexual harassment in the workplace – this is dealt with under REDRESS's Dignity at Work Policy (Policy A2).
- Safeguarding concerns not connected with the conduct of staff or personnel associated with REDRESS, or not connected with the implementation of REDRESS' programmes and activities, where there may be a duty to report under other rules or policies.

Scope

This policy applies to:

- All staff employed by REDRESS.
- Associated personnel while they are engaged with work or visits related to REDRESS, which includes but is not limited to: trustees, consultants, volunteers, interns, and contractors.

- The staff and associated personnel of our partner organisations when implementing REDRESS' programmes and activities, unless it has been agreed that the partner organization will be subject to its own safeguarding policy.

Specific policies might be developed where REDRESS implements a project where there is an enhanced need for safeguarding.

Definitions

The following definitions apply to this policy.

- *Beneficiary.* Someone who directly or indirectly receives support from REDRESS's work. This would include clients and their family members, and those involved in program work and training.
- *Child.* A person below the age of 18.
- *Harm.* Psychological, physical and any other infringement of an individual's rights, including but not limited to any form of exploitation, neglect, domestic violence and sexual abuse.
- *Physical harm.* This includes a wide range of physical violence including assault, hitting, slapping, pushing, female genital mutilation, restraint or inappropriate physical sanctions.
- *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, neglect, solitary confinement and isolation.
- *Protection from Sexual Exploitation and Abuse (PSEA).* The term is 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)
- *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.
- *Sexual abuse.* The term 'sexual abuse' means forcing or enticing a person to take part in sexual activities, not necessarily involving a high level of violence. The activities may involve physical or non-contact activities (such as the production of sexual images, watching sexual activities or using technology to facilitate offline abuse, among others). Sexual abuse is not only perpetrated by adult males. Women and children can also commit sexual abuse. All sexual activity with a child is considered sexual abuse.
- *Sexual harassment.* The term 'sexual harassment' means any unwelcome conduct of a sexual nature that might reasonably be expected or perceived to cause offence or humiliation.
- *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 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. Being a survivor of torture is not in itself a reason to be considered vulnerable for safeguarding purposes,

although survivors could present needs that mean that they are a vulnerable adult, or which increase the risk of abuse.

8.2 SAFEGUARDING POLICY

Policy Statement

REDRESS' policy is 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. REDRESS will not tolerate abuse and exploitation by staff or associated personnel.

This policy will address (a) child safeguarding, (b) vulnerable adult safeguarding, and (c) protection from sexual exploitation and abuse. These key areas of safeguarding may have additional policies and procedures associated with them (see Associated Policies).

REDRESS commits to addressing safeguarding throughout its work, through the three pillars of (1) prevention, (2) reporting, and (3) response.

1. Prevention

REDRESS responsibilities. The Charity will:

- Ensure all staff and associated personnel have access to and know their responsibilities within this policy.
- Design and deliver programmes and activities in a way that protects people from any risk of harm that may arise from their coming into contact with REDRESS. This includes the way in which information about individuals in our programmes is gathered and communicated.
- Implement stringent safeguarding procedures when recruiting, managing and deploying staff and associated personnel, including through the use of criminal database checks where necessary for regulated activities.
- Ensure staff receive training on safeguarding at a level commensurate with their role in the organization.
- Follow up on reports of safeguarding concerns promptly and according to due process.

Child Safeguarding. REDRESS staff and associated personnel must not:

- Engage in any form of physical or non-contact sexual activity with children.
- Sexually harass, abuse or exploit children.
- Subject a child to physical or psychological harm.
- Engage in any exploitative activities with children including child labour, trafficking, or any other form of modern slavery.
- Engage in activity, including for media and fundraising purposes, with children under the age of 13, without their parental, caretaker, or guardian consent, except when seeking consent would place the child in higher risk.

Vulnerable Adult Safeguarding. REDRESS staff and associated personnel must not:

- Sexually harass, abuse, or exploit vulnerable adults.
- Subject a vulnerable adult to physical or psychological harm.
- Engage in trafficking in human beings or in any other form of modern slavery.

- Use their position to withhold assistance or services, give preferential treatment, or to demand payment, privilege, or any other benefit.

Protection from sexual exploitation and abuse. REDRESS 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 of assistance.
- Engage in any sexual relationships with beneficiaries of assistance, since they are based on inherently unequal power dynamics.

Additionally, REDRESS staff and associated personnel are obliged to:

- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy.
- Report any concerns or suspicions regarding safeguarding violations by REDRESS staff or associated personnel, in accordance with the procedures in Paragraph 8.3 of this policy.

2. Reporting

REDRESS will ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to staff and the communities we work with.

Any staff reporting concerns or complaints through formal whistleblowing channels (or if they request it) will be protected by REDRESS's Whistleblowing policy (Policy A5).

REDRESS will also accept complaints from external sources such as members of the public, partners and official bodies.

If a safeguarding concern is raised but proves to be unfounded following the investigation set out in paragraph 8.3 below, no action will be taken against the reporter. However, appropriate sanctions could be applied in cases of false and malicious accusations.

How to report a safeguarding concern

Staff members who have a complaint or concern relating to safeguarding should report it immediately to the Safeguarding Focal Point or their line manager. If the staff member does not feel comfortable reporting to their Safeguarding Focal Point or line manager (for example if they feel that the report will not be taken seriously, or if that person is implicated in the concern) they may report to the trustee with responsibility for safeguarding.

- Safeguarding Focal Point: Alejandra Vicente: alejandra@redress.org
- Director: Rupert Skilbeck: rupert@redress.org
- Safeguarding Trustee: Malcolm Evans: M.D.Evans@bristol.ac.uk

3. Response

REDRESS will respond to safeguarding reports and concerns according to the procedure in paragraph 8.3 below, and taking into account applicable legal and statutory obligations.

REDRESS will apply appropriate disciplinary measures to staff and associated personnel found in breach of this policy, in accordance with the Redress Disciplinary Policy (Policy A07).

REDRESS 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). 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 should be shared on a need to know basis only, and should be kept secure at all times.

The duty to safeguard overrides professional confidentiality. Further, data protection legislation, including the General Data Protection Regulation (EU) 2016/679 is not a barrier to sharing information but does provide guidelines to ensure information is shared appropriately.

8.3 PROCEDURE FOR DEALING WITH SAFEGUARDING REPORT

1. Disclosure is received

Disclosure of a safeguarding concern can reach REDRESS through various routes. This may be in a structured format such as a letter, e-mail, text or message on social media. It may also be in the form of informal discussion or by identifying signs of abuse that could involve a safeguarding incident. If a staff member or associated person hears something in an informal discussion or identifies signs of a potential safeguarding concern, they should report this to the appropriate staff member at REDRESS.

If a safeguarding concern is disclosed directly to a member of staff, the person receiving the initial disclosure should bear the following in mind:

- Listen carefully, recording detailed information in writing if possible
- Empathise with the person
- Assess the situation in case there is an immediate risk that requires urgent intervention
- Ask who, when, where, what but not why
- Repeat and check your understanding of the situation
- Maintain any available evidence
- Inform the individual that you need to share this information, how it will be used, and the steps that you will take to report
- Seek the individual's consent to report, unless it may be necessary to override the consent in order to prevent harm to the person or others. In such situations the person receiving the initial disclosure may need to seek expert advice.
- Report to the appropriate staff member (see below)

The person receiving the initial disclosure should then document the following information:

- Name of person making the disclosure
- Name(s) of alleged survivor(s) of safeguarding incident(s) if different from above
- Name(s) of alleged perpetrator(s)
- Description of incident(s)
- Dates(s), times(s) and location(s) of incident

The person receiving the initial disclosure should then report this information to the Safeguarding Focal Point (or the Director or the Safeguarding Trustee) within 24 hours.

If the reporting staff member or associated person is not satisfied that the organisation is appropriately addressing the report, they have a right to escalate the report, either up the management line, to the Board, or to an external statutory body. The staff member or associated person will be protected against any negative repercussions as a result of this report. See *REDRESS Whistleblowing Policy (Policy A5)*.

2. Risk assessment and support to survivors

The Decision Makers will undertake an immediate risk assessment to determine whether there are any current or potential risks to any individuals involved in the case, and develop a mitigation plan if required. This may include the victim, their family, any witnesses, and the alleged perpetrator.

The risk assessment plan will be reviewed on a regular basis during and after the case as required.

REDRESS will consider providing appropriate support to survivor(s) of safeguarding incidents where needed or requested, by either covering the costs or by referring the survivor to the appropriate services. This will be considered even if the report has not yet been fully investigated. Support could include (but is not limited to)

- Psychosocial care or counseling
- Medical assistance
- Protection or security assistance (for example being moved to a safe location)

All decision making on support should be consulted with and agreed upon by the survivor or parent, caretaker, or guardian.

3. Assess how to proceed with the report

The report will be handled by the Safeguarding Focal Point, the Director, and/or the Safeguarding Trustee. If any of them is involved in the incident, the other two will deal with the matter (as Decision Makers).

The Decision Makers will determine, within 24 hours, whether it is possible to take the report forward considering the following:

- Does the reported incident(s) represent a potential breach of the Safeguarding Policy?
- Is there sufficient information to follow up this report?

If the report alleges a serious safeguarding violation, the Decision Makers may wish to hold a case conference. This can include:

- The person who received the report
- The Safeguarding Focal Point
- The Director
- The Safeguarding Trustee
- Others with relevant knowledge or expertise.

If the report raises any concerns relating to children, the Decision Makers shall **refer it to the relevant statutory authorities**.

If further information is needed on the allegation, the Decision Makers may decide that an Investigation is required to gather further information. They will decide the scope of any such investigation, who will conduct it, the terms of reference, and the timeline.

If the report raises concerns relating to conduct by REDRESS staff members or associated personnel, the Decision Makers may refer the case at this stage to an external *pro bono* law firm or another third party who may be able to assist and ensure an impartial and independent examination of the matter.

Once a relevant report has been received, REDRESS may have an obligation to inform the relevant statutory bodies, such as the police or social services, as well as the Charity Commission in the UK, the project donor (where there is one), and also larger core donors.

Regardless of whether the disclosed incident represents a breach of this Safeguarding Policy, the Decision Makers may refer it through the appropriate channels (e.g. local authorities) particularly if it represents a safeguarding risk to others (such as a safeguarding incident not related to REDRESS's staff, associated personnel, or activities).

If there is insufficient information to follow up the report, and no way to ascertain this information (for example if the person making the report did not leave contact details), the report should be filed in case it can be of use in the future.

Donors may require REDRESS to inform them when reports are received. REDRESS will consider confidentiality implications carefully when submitting information to donors.

4. Response to the Report

The Decision Makers will make a prompt decision based on the information provided or the report of any investigation carried out.

The Safeguarding Focal Point (or the Director if need be) is responsible for recording all safeguarding reports and for documenting clearly all decisions made resulting from the case.

All information relating to the case will be stored confidentially, and in accordance with the REDRESS GDPR policy. This may include recording anonymised data relating to the case to feed into organisational reporting requirements. For REDRESS this includes a serious incident report to the Board, the Charity Commission, and our core donors.

The Decision Makers will decide how to respond to the Safeguarding Report. The response could be (but is not limited to)

- No further action (for example if there is insufficient information to follow up, or the report refers to incidents outside the organisation's remit)
- Commencing a disciplinary procedure under the Redress Disciplinary Policy (Policy A07), which may involve the temporary suspension of a staff member pending an investigation.
- Referral to relevant authorities if this has not been done already.

If the report concerns associated personnel or partners, the Decision Makers may decide to:

- Terminate or suspend a contract with a partner.
- Report to the relevant authorities

8.4 ASSOCIATED POLICIES

Staff should be aware of the following associated policies.

- A02: Dignity at Work Policy
- A05: Whistleblowing Policy
- A09: Code of Conduct
- A13: Complaints Policy
- D09: Procedures for safeguarding in staff recruitment

8.5 TRAINING

All staff and associated personnel will receive training on this policy as part of their induction. REDRESS keeps a training record that identifies who was trained on what date.

A refresher training session is conducted for all staff at least annually to remind them of the policy and to inform them of any changes.

8.6 POLICY REVIEW

This policy was first approved by the Board of Trustees on 14 July 2020. It was reviewed by the Risk Committee on 5 May 2022 and the revised policy was approved by the Board of Trustees on 10 May 2022.

This policy is subject to revision at any time REDRESS considers it necessary to do so.

In any event, the policy will be reviewed again in May 2025.

8.7 FORMS AND DOCUMENTS

- None