



1. Safeguarding Policy

Purpose

The purpose of this policy is to protect people, particularly children, at risk adults and beneficiaries of assistance, from any harm that may be caused due to their coming into contact with AGSD UK. This includes harm arising from:

- The conduct of staff or personnel associated with AGSD UK
- The design and implementation of AGSD UK's programmes and activities

This policy also covers safeguarding emergencies. The policy lays out the commitments made by AGSD UK and informs staff and associated personnel of their responsibilities in relation to safeguarding.

This policy does not cover:

- Sexual harassment in the workplace – this is dealt with under AGSD UK's Disciplinary policy and Volunteer performance policy.
- Safeguarding concerns in the wider community not perpetrated by AGSD UK or associated personnel

What is safeguarding?

In the UK, safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect

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.

Further definitions relating to safeguarding are provided in the glossary below.

Scope

- All staff contracted by AGSD UK
- Associated personnel whilst engaged with work or visits related to AGSD UK including but not limited to the following: consultants; volunteers; contractors; programme visitors including conference speakers and trainers.

Policy Statement

AGSD UK 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. AGSD UK 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. These key areas of safeguarding may have different policies and procedures associated with them (see Associated Policies).

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

Prevention

AGSD UK responsibilities

AGSD UK will:

- Ensure all staff have access to, are familiar with, and know their responsibilities within this policy
- Design and undertake all its programmes and activities in a way that protects people from any risk of harm that may arise from their coming into contact with AGSD UK. 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
- 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

Staff responsibilities

Child safeguarding

AGSD UK staff and associated personnel must not:

- Act in a manner that would be recognised as abusive under the most recent applicable legislation [currently Care Act 2014]
- Engage in sexual activity with anyone under the age of 18
- 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
- Engage in financial/material abuse, discriminatory abuse, organisational abuse or modern slavery.

AGSD UK staff and associated personnel must not:

- Act in a manner that would be recognised as abusive under the most recent applicable legislation [currently Care Act 2014]
- Engage in any commercially exploitative activities.

- Engage in financial/material abuse, discriminatory abuse, organisational abuse or modern slavery.
- Sexually abuse or exploit at risk adults
- Subject an at risk adult to physical, emotional or psychological abuse, neglect or coercive control.

Protection from sexual exploitation and abuse

AGSD UK 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, AGSD UK 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 an AGSD UK staff member or associated personnel to the appropriate staff member

Safeguarding, emergencies and data protection

- You must report all abuse or suspected abuse to the Safeguarding Officer even if you have not been able to obtain permission.
- If someone's life is in immediate danger, data protection laws do not prevent you from acting immediately to share information with the emergency services, health professionals or other authorities.
- However, if your group is approached by the Police or any other authority asking for information about a person in anything other than a life or death situation, you must always refer them to our Chair of Trustees.

Enabling reports

AGSD UK 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 AGSD UK Whistleblowing Policy.

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

How to report a safeguarding concern

Staff members who have a complaint or concern relating to safeguarding should report it immediately to AGSD UK Safeguarding Lead or Officer. If the staff member does not feel comfortable reporting to their the Lead or Officer (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 any other appropriate staff member. For example, this could be a senior manager or a member of the HR Team.

1. Allan Muir Development Manager
2. Nick Jones, Chair of Trustees

Response

AGSD UK will follow up safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations (**see appendix, Dealing with Safeguarding Reports**).

AGSD UK will apply appropriate disciplinary measures to staff found in breach of policy.

AGSD UK 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.

Associated policies

- Complaints Policy
- Disciplinary policy and Volunteer performance policy.
- Policy on Dealing with Safeguarding Reports
- Whistle blowing policy
- Other policies as appropriate

Glossary of Terms

Beneficiary of Assistance

Someone who directly receives goods or services from AGSD UK's programme. Note that misuse of power can also apply to the wider community that the AGSD UK serves, and also can include exploitation by giving the perception of being in a position of power.

Child

A person below the age of 18

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 neglect¹

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.

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.

Sexual abuse

The term 'sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

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.

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.

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.

¹ NHS 'What is Safeguarding? Easy Read' 2011

2. Appendix: Dealing with Safeguarding Reports

Purpose and scope

The purpose of this document is to provide procedures for dealing with reports of breach of AGSD UK Safeguarding Policy, where the breach is:

- Against staff or members of the public,
- Perpetrated by staff, partners or associated personnel,
- A safeguarding emergency.

Procedures

1. Report is received

1.1 Reports can reach the organisation 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 rumour. If a staff member hears something in an informal discussion or chat that they think is a safeguarding concern, they should report this to the appropriate staff member in their organisation. If concerns are raised at any time first contact is;

1. Safeguarding Officer Jane Lewthwaite 07484 055334, If she is unavailable contact;
2. Allan Muir CEO on 07950 646265 if he is unavailable contact;
3. Safeguarding Lead Ailsa Arthur on 07545 122224

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

- Listen
- Empathise with the person
- Ask who, when, where, what but not why
- Repeat/ check your understanding of the situation
- Report to the appropriate staff member (see below)

1.3 The person receiving the report should then document the following information;

- Name of person making report
- 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

1.4 The person receiving the report should then forward this information to the appropriate staff member within 24 hours.

1.5 Due to the sensitive nature of safeguarding concerns, confidentiality must be maintained during all stages of the reporting process, and information shared on a limited 'need to know' basis only. This includes senior management who might otherwise be appraised of a serious incident.

1.6 If the reporting staff member 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 of Trustees or to an external statutory body. The staff member will be protected against any negative repercussions as a result of this report [see AGSD UK Whistle blowing policy].

2. Assess how to proceed with the report

2.1 Appoint a Decision Maker for handling this report. This will be the Safeguarding Lead Ailsa Arthur or the Safeguarding Officer Jane Lewthwaite. If either cannot be contacted or the report is about their conduct, contact Development Manager Allan Muir or Chair of Trustees Mike Porter.

2.2 Determine whether it is possible to take this report forward

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

2.3 If the reported incident does not represent a breach of the AGSD UK Safeguarding Policy, but represents a safeguarding risk to others (such as a child safeguarding incident), the report should be referred through the appropriate channels if it is safe to do so. These channels will either be the management of the responsible organization or the local authority safeguarding adults/children board.

2.4 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, and look at any wider lesson learning we can take forward.

2.5 If the report raises any concerns relating to children under the age of 18, **seek expert advice immediately**. If at any point in the process of responding to the report (for example during an investigation) it becomes apparent that anyone involved is a child under the age of 18, the Decision Maker should be immediately informed and should seek expert advice before proceeding.

2.6 If the decision is made to take the report forward the Safeguarding Officer and Safeguarding Lead should work together to assess whether the report can be managed in-house. External advice and capacity may be sought if the investigation is beyond internal capacity.

2.7 Clarify what, how and with whom information will be shared relating to this case. Confidentiality should be maintained at all times, and information shared on a need-to-know basis only. Decide which information needs to be shared with which stakeholder – information needs may be different.

2.8 The Safeguarding Lead or Officer should also check whether any other AGSD UK policies apply to the case and require extra actions [for example AGSD UK Disciplinary policy and Volunteer performance policy].

2.9 The Safeguarding Lead or Office should check AGSD UK obligations on informing relevant bodies when you receive a safeguarding report. These include (but are not limited to):

- Funding organisations
- Umbrella bodies/networks
- Statutory bodies (such as the Charity Commission in the UK)

Some of these may require AGSD UK to inform them when it receives a report, others may require information on completion of the case, or annual top-line information on cases. When submitting information to any of these bodies, think through the confidentiality implications very carefully.

3. Appoint roles and responsibilities for case management

3.1 If not already done so (see above), appoint a Decision Maker for the case. The Decision Maker should be a senior staff member, not implicated or involved in the case in any way.

3.2 If the report alleges a serious safeguarding violation, you may wish to hold a case conference. This should include at least two from the list below;

- Safeguarding Lead
- Person who received the report (such as the focal point, or manager)
- Chair of Trustees
- Safeguarding Officer

The case conference should decide the next steps to take, including any protection concerns and support needs for the survivor and other stakeholders (see below).

4. Provide support to survivor where needed/requested

4.1 Provide appropriate support to survivor(s) of safeguarding incidents. Nb. this should be provided as a duty of care even if the report has not yet been investigated. Support could include (but it is not limited to)

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

4.2 All decision making on support should be led by the survivor.

5. Assess any protection or security risks to stakeholders

5.1 For reports relating to serious incidents: undertake an immediate risk assessment to determine whether there are any current or potential risks to any stakeholders involved in the case, and develop a mitigation plan if required.

5.2 Continue to update the risk assessment and plan on a regular basis throughout and after the case as required.

6. Decide on next steps

6.1 The Decision Maker decides the next steps. These could be (but are 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)
- Investigation is required to gather further information
- Immediate disciplinary action if no further information needed
- Referral to relevant authorities

6.2 If the report concerns associated personnel (for example contractors, consultants or suppliers), the decision making process will be different. Although associated personnel are not staff members, we have a duty of care to protect anyone who comes into contact with any aspect of our programme from harm. We cannot follow disciplinary processes with individuals outside our organisation, however decisions may be made for example to terminate a contract with a supplier based on the actions of their staff.

6.3 If an investigation is required and the organisation does not have internal capacity, identify resources to conduct the investigation. Determine which budget this will be covered by.

7. Manage investigation if required

7.1 Refer to the organisation's procedures for investigating breaches of policy.

8. Make decision on outcome of investigation report

8.1 The Decision Maker makes a decision based on the information provided in the investigation report. Decisions relating to the Subject of Concern should be made in accordance with existing policies and procedures for staff misconduct.

8.2 If at this or any stage in the process criminal activity is suspected, the case should be referred to the relevant authorities *unless this may pose a risk to anyone involved in the case*. In this case, the Decision Maker together with other senior staff will need to decide how to proceed. This decision should be made bearing in mind a risk assessment of potential protection risks to all concerned, including the survivor and the Subject of Concern.

9. Conclude the case

9.1 Document all decisions made resulting from the case clearly and confidentially.

9.2 Store all information relating to the case confidentially, and in accordance with AGSD UK policy and local data protection law.

9.3 Record anonymised data relating to the case to feed into organisational reporting requirements (eg. serious incident reporting to Board, safeguarding reporting to donors), and to feed into learning for dealing with future cases.

END

January 2019