

| AGENTS FOR CITIZEN-DRIVEN TRANSFORMATION (ACT)

DEVELOPING A SAFEGUARDING POLICY



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PURPOSE

The Purpose of this ACT Toolkit is to support CSO partners in Nigeria to implement their activities in a safe and protective environment where harm, exploitation and abuse are prevented as far as is reasonably possible, and the CSOs can respond effectively. The ACT programme believes that everyone its CSO partners come into contact with, regardless of gender, disability, age, ethnicity, religion or sexual orientation, has the right to be protected from all forms of harm, abuse, neglect and exploitation. Increasingly donors require sight of a CSO's Safeguarding Policy prior to making funding decisions. This ACT Toolkit provides guidelines to develop a policy document that outlines procedures of best practice in safeguarding children and vulnerable adults. This is not definitive, but a guide only, there are many other examples available on-line.

The aim of the CSO's Safeguarding Policy is to outline steps to prevent harm, sexual exploitation, abuse and harassment from occurring, and to protect people, particularly children and vulnerable adults, from harm – and to respond appropriately when harm does occur.

The CSO Safeguarding Policy applies to the CSOs' staff, volunteers and Board members, as well as others who may be contracted by the CSO, and the CSO's primary partners.

In line with the ACT's commitment to Human Rights and Gender and Social Inclusion, it is anticipated that CSOs projects and plans demonstrate the mainstreaming of Gender and Social Inclusion and the adoption of a Rights-based Approach.

DEFINITIONS

Safeguarding is defined as:

“

The fundamental standard: that children and adults using services we regulate must be protected from abuse and improper treatment. Providers should establish and operate systems and processes effectively to ensure this protection and to investigate allegations of abuse as soon as they become aware of them. ”

(Care Quality Commission (UK): 2015)

“

Safeguarding is the action an organisation takes to promote the welfare of children and vulnerable adults to protect them from harm including physical, emotional, sexual and financial harm and neglect. ”

OSCR² 2020

PRINCIPLES OF SAFEGUARDING³

1. **Empowerment:** People being supported and encouraged to make their own decisions and informed consent.

2. **Prevention:** It is better to take action before harm occurs.
3. **Proportionality:** The least intrusive response appropriate to the risk presented.
4. **Protection:** Support and representation for those in greatest need.
5. **Partnership:** Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
6. **Accountability:** Accountability and transparency in delivering safeguarding.

Empowerment

Empowerment and choice need to be at the core of safeguarding policy and practice; this means the CSO will work to enable adults at risk to recognise and protect themselves from abuse. If providing a service, it means ensuring that people who use those services have genuine choice within the service provision.

Prevention

- Ensure all staff (including: volunteers, short-term consultants and Board Members) have access to, are familiar with and know their responsibilities concerning the Safeguarding policy.
- Undertake operations in a way that protects people from any risk of harm that may arise from their coming into contact with the CSO.
- 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 the CSO – as the Safeguarding Officer – and a Board Member who will have oversight and will provide support (if possible).
- Follow up on reports of safeguarding concerns promptly, and according to due process.

Reporting

- The CSO 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, the CSO will appoint a named Safeguarding designated person, plus a Safeguarding Board Member who will be responsible for ensuring

² Office of the Scottish Charity Regulator

³ <https://www.scie.org.uk/safeguarding/adults/introduction/six-principles>

that safeguarding is given high priority within CSO and that all safeguarding reports are dealt with in a timely and appropriate manner.

Response

- The CSO will follow-up safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations.
- Apply/recommend appropriate disciplinary measures to staff found in breach of policy. It is the CSO's 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, the CSO 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).

SAMPLE POLICY: THIS CAN BE MODIFIED AS REQUIRED BY THE CSO

Safeguarding Children and Vulnerable Adults Policy

1. Purpose and Aim of the Policy

[Insert CSO name] is committed to ensuring the safety and wellbeing of children and vulnerable adults. This policy outlines the principles and practices that ensure that children and adults are not put at risk.

This policy applies to all staff, volunteers and Board members of [Insert CSO name], regardless of State location. It also applies to those who carry out work on behalf of [Insert CSO name] or partners. All reasonable steps should be taken to ensure the children or vulnerable adults who participate in programmes and projects are safe and protected.

[Insert CSO name] does not tolerate bullying, harassment or sexual exploitation and abuse of children or vulnerable adults.

[Insert CSO name] has a specific staff member and Board member who co-ordinate safeguarding complaints, investigate allegations, and decide on process and outcome.

2. Definition

Safeguarding relates to the prevention of harm, not just to protection.

[Insert CSO name] believes that: to be truly safeguarded children, vulnerable adults, youth and non-vulnerable adults need to be safe, nurtured, respected, empowered and included.

3. Who is Vulnerable?

Children

This policy uses the UN Convention on the Rights of the Child (UNCRC) which defines a child as any person under the age of 18. It is our view that all children should be protected according to their rights under the UNCRC. (At State level, it is possible that there will be legislation in place that will legitimise these demands.)

Vulnerable Adults

At [Insert CSO name] we believe a youth or an adult may be vulnerable if:

- they have a physical, visual, hearing or intellectual impairment
- they have a mental illness or reduction in mental capacity
- they live in poverty
- they are at risk of discrimination on the grounds of sex, age, race, disability, religion, ethnicity, refugee status, sexual orientation, etc

4. Equality Statement

All persons are entitled to the same protection regardless of gender, disability, age, racial heritage, ethnicity, religious belief, sexual orientation or identity.

5. Procedures

5.1 Awareness

We ensure that all staff, volunteers, Board members and consultants are made aware of the problems caused by abuse and the risk to children, youth and vulnerable adults.

We ensure that all staff, volunteers, Board members and short-term staff/consultants are made aware of this policy, and that everyone understands her/his role and responsibilities with regard to safeguarding children and vulnerable adults.

We ensure that all new staff, volunteers, Board members and consultants read this policy as part of their induction to the work of [Insert CSO name].

5.2 Prevention

5.2.1 Code of Conduct

When working with vulnerable adults, youth or children, staff and relevant others must abide by [Insert CSO name]'s Code of Conduct

This is a sample Code of Conduct, that provides guidance for CSOs – this can be used as a guide to modify and develop your own CSO's Code of Conduct:

- Always treat all children, youth and adults with respect and dignity.
- Always respect the rights of children, youth and vulnerable adults and empower them to exercise their rights.
- Empower children, youth and vulnerable adults to do things which they are able to do themselves.
- Never use disrespectful language, or mentally or physically abuse a child, youth or a vulnerable adult.
- Never discriminate on the basis of age, disability, gender, racial heritage, religious belief, sexual orientation or identity.
- Never have sexual contact or use sexual language with a child, youth or vulnerable adult, nor develop a personal relationship that could lead to, or be interpreted as, abuse.
- Always be aware of the health and safety of children, youth and vulnerable adults and ensure that they are protected from harm.
- Be aware of what is acceptable behaviour when working with [Insert CSO name] project participants.

Anti-Harassment Policy

- Ensure there is more than one adult present when working with children.
- Avoid being alone with children.
- Do not make any suggestive remarks to children, youth or vulnerable adults which could be misinterpreted.
- Consider the well-being of children, youth and vulnerable adults when planning any training or project activities.
- Never hire or employ a child, youth or vulnerable adult in any way that is exploitative.
- Take allegations or concerns about abuse seriously, always follow them up.
- Report and respond quickly to all reports of malpractice in line with policy and procedures.

- Treat all children, youth and vulnerable adults fairly and do not show any favouritism.
- Work with partner organisations to ensure that project participants are safeguarded.
- Never smoke, use illegal drugs or be under the influence of alcohol when working with children, youth or vulnerable adults.
- Ensure project constituents are familiar with the appropriate procedures for reporting any abuse they see and that they understand the importance of reporting this.
- Do not take children, youth or vulnerable adults to their home or see them on a one-to-one basis outside project activities.
- Protect the reputation of [Insert CSO name] by working actively to protect children, youth and vulnerable adults by complying with [Insert CSO name] Children, Youth and Vulnerable Adults Policy, and, for example its: Anti-Harassment Policy, IT Policy, Code of Governance and Anti-bribery Policy.

The [Insert CSO name] code of conduct notes that abuse can take place in person, online, via social media, by email, by telephone or by post.

5.2.2. Working with Partners

- [Insert CSO name] will work with project/programme partners to ensure that they are aware of safeguarding concerns and practices.
- [Insert CSO name] will strive to help partners to create or develop their safeguarding policies where there is capacity to do so.
- [Insert CSO name] will share their policies with partners.
- [Insert CSO name] and partners will share mutual learning and develop their policies accordingly.

5.2.3 Photography and Filming

Photographs of [Insert CSO name] constituents/training participants, etc, where the individual is easily identifiable, will only be used with the permission of the individual. In the case of children under the age of 16 their parent or guardian will be consulted. The risks in disseminating any material in relation to children, youth or vulnerable adults are always carefully considered before posting on social media.

5.3 Reporting a concern

[Insert CSO name] takes any/all allegations of abuse seriously.

5.3.1 What to do if a child or vulnerable adult discloses something to you

- Listen to what the person has to say and let them speak freely.
- Do not try to confront the alleged perpetrator.
- Do not promise confidentiality, it is not fully possible. Instead, state that you will only speak to the necessary people (do not discuss with others).
- Inform the person alleging the abuse of the next steps you will take.
- Record immediately, or as soon after as possible, what the person has disclosed to you, noting time, date and place.
- If the matter is urgent – please go straight to the relevant authorities.
- Contact the Safeguarding Officer in [Insert CSO name], and the Safeguarding Board Member (if possible).

5.3.2 If you want to report an incident or are suspecting malpractice

If any staff, volunteers, Board members, or consultants of [Insert CSO name], or their stakeholders, have any concerns about staff, Board members, consultants or volunteers' behaviour or the activities of [Insert CSO name], these should be raised in writing to the Safeguarding Officer [Insert CSO name], and the Safeguarding Board member (if one has taken on this role, which is recommended).

6. Investigation

Once a case is reported, the Safeguarding Officer (and Safeguarding Board member) will define the process and the person who will undertake the investigation by taking into consideration the following selection criteria:

- Firstly, the investigation officer should consider whether she/he can investigate the case neutrally
- Is the Investigation Officer:
 - A manager or a person in a position of sufficient seniority who has not directly managed or supervised the person(s) concerned with the incident?
 - A manager or professional who has the level of experience or knowledge who will be able to critically analyse the situation as well as analyse the situation from a variety of sources
 - A manager or professional who is sufficiently independent of the person(s) and the project?

[Insert CSO name] will notify relevant authorities where there are reasonable grounds for reporting abuse, in line with local or national legislation and [Insert CSO name] and may follow clear disciplinary procedures.

In deciding the most appropriate course of action,

consideration should be taken of possible secondary harm to the victim through reporting some contexts. Where there are concerns, this should be discussed at senior management level, involving the Safeguarding Board member, and a decision taken on the balance of risk. The principle of do no harm should prevail when reporting to authorities. The decision should be documented and a record kept as to the course of action decided upon.

[Insert CSO name] will ensure that action is taken to support and protect children and adults where concerns arise regarding possible abuse.

- Each safeguarding report will be recorded in a Safeguarding Register and all actions and referrals recorded. The Safeguarding Officer will keep the Executive Director fully informed of all concerns and cases relating to safeguarding.
- [Insert CSO name] will apply appropriate disciplinary measures to staff found in breach of policy.
- [Insert CSO name] 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.

7. Confidentiality

Confidentiality is crucial to a fair and effective reporting procedure. 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. Records will be stored in line with [Insert CSO name] data protection policy.

It is unacceptable for concerns of abuse (and abusers) to be spread through [Insert CSO name] rather than being directed through a formal complaints procedure. All participants must understand the importance of following the set reporting lines when concerns arise. Protection of the child or vulnerable adult who has been subject to harm must be the primary consideration. Breaches of confidentiality may be treated as a disciplinary offence under [Insert CSO name] Disciplinary Policy.

8. Reprisal

[Insert CSO name] will not tolerate any form of coercion, intimidation, reprisal or retaliation against any employee who reports any form of abuse or exploitation, provides any information or other assistance in an investigation. Any such behaviour may be treated as a disciplinary offence under [Insert CSO name] Disciplinary Policy.

9. Supervision and support for Investigating Officers

Safeguarding Officer and Safeguarding Board member will offer supervision, support and guidance in relation to the

safeguarding investigation. Investigating officer, in collaboration with the Safeguarding Officer and Safeguarding Board member, will develop a schedule and a timeline. If there is a need to operate outside of timescale, it must be discussed with the Safeguarding Officer and Safeguarding Board member, as well as the person who made the complaint.

GLOSSARY

Board Members	Individuals who have the powers of decision-making over the leadership and management of a CSO. They are entrusted with the legal obligations to ensure compliance with legal requirements, and to oversee due diligence, risk management, accountability and transparency. They also approve organisational policies and plans and monitor progress towards them. The Board Members (or Trustees) do not have day-to-day management responsibility of the CSO.
Code of Conduct	The code of conduct for a CSO (or other organisation) is an agreement of the rules of behaviour for the staff, board, volunteers and consultants who work with the CSO.
Equality	Equality is about ensuring that every individual either working with, or benefiting from the work of the CSO has an equal opportunity either in the workplace or to access the benefits of the CSO's work. It is the belief that no one should have poorer life chances because of their sex, where they come from, what they believe, or whether they have a disability.
G&SI	Gender and Social Inclusion (G&SI) is a concept that addresses improved equal access for all, including women, girls, youth, poor people, people with disabilities, ethnic minority groups, older people, children, LGBTQI, etc – those people who are often traditionally excluded from development initiatives. It supports more inclusive policies and mindsets and increases voice and influence by all.
Rights-based Approach	A rights-based approach to development (or a human rights based approach to development) means that all forms of discrimination, based on human rights, must be prevented. It also means that priority should be given to people who are often the most marginalised or excluded from development, and who face the biggest barriers to realising their rights.
Policy	Policy is a system of guidelines that guide decisions within a CSO. A policy statement (like the Safeguarding Policy) is a statement of intent and is implemented as a procedure within the CSO. Policies are generally adopted by the Board of Trustees/Board Members of the CSO and shared with all staff/vols.
Safeguarding	Safeguarding means protecting individuals' health, wellbeing and human rights, enabling them to live free from harm, abuse or neglect. This should be within the CSO and externally within its constituent group. It is integral to a CSO providing fair support to its constituents/beneficiaries in a safe and secure environment. Safeguarding children, youth and vulnerable adults is a collective responsibility.

References/Sources of Information

Action on Disability and Development International:
www.add.org.uk

CARE International:
www.careinternational.org.uk

GAIA Education:
www.gaiaeducation.org

International NGO Safety Organisation:
www.ngosafety.org

Sightsavers International:
www.sightsavers.org

Social Care Institute for Excellence:
www.scie.org.uk

Find out more

Agents for Citizens Driven Transformation (ACT)
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