

International Civil Society Action Network, Inc.

Safeguarding Policy



# Safeguarding Policy

**Adopted: October 14, 2020**

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## International Civil Society Action Network, Inc.

### Safeguarding Policy

#### Purpose and Values

ICAN's key concepts of peace, rights, equality and pluralism guide our work for an alternative vision of inclusive peace and security in our world. Through our programs and partnerships with members of the Women's Alliance for Security Leadership (WASL), we provide personal, professional, and institutional support and subscribe to the following core values:

- Nonviolence and active support of positive inclusive peace;
- Pluralism, social cohesion, equality, and non-discrimination;
- Social, political, and economic justice;
- Adherence to the [Universal Declaration of Human Rights](#);
- Transforming gendered power relations to realize equality and rights;
- Amplifying community voices and building a progressive majority;
- Building on the history and legacy of women's activism and leadership;
- Mutual empowerment, support, and respect for others' experiences and avoiding duplication of work.

ICAN recognizes the inherent dignity and human rights of every woman, man, girl and boy and advocates to protect their safety and security. The purpose of this policy is to protect people, partners and beneficiaries of assistance, from any harm that may be caused due to their coming into contact with ICAN. This includes harm arising from:

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

The policy lays out the commitments made by ICAN, and informs staff and associated personnel<sup>1</sup> of their responsibilities in relation to safeguarding and the process of dealing with any safeguarding concern.

#### What is Safeguarding?

Safeguarding means protecting people's health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.<sup>2</sup> It also includes the proactive precautionary action necessary to protect people from abuse and maltreatment so as to prevent impairment of their health, development and/or a violation of their human rights.

Safeguarding means taking all reasonable steps to prevent harm, from any potential, actual or attempted abuse of power, trust, or vulnerability, particularly sexual exploitation, abuse and harassment from occurring; to protect people from that harm; and to respond appropriately when harm does occur.

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

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

<sup>2</sup> NHS 'What is Safeguarding? Easy Read' 2011

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and having mature, accountable and transparent systems for response, reporting and learning when risks materialize. Those systems must be survivor-centered and also protect those accused until proven guilty.

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

#### Definition of Abuse

“Abuse” or “maltreatment” constitutes ‘all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to one’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power.’<sup>3</sup>

Somebody may abuse or neglect someone by inflicting harm or by failing to act to prevent harm. People may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. Often those who intend to cause harm will forge or use positions of trust, influence and power to abuse an individual. This abuse may occur physically, mentally or via the internet. This abuse may be perpetrated by an adult or adults, or a child/young person or a group of children/young people.

#### Scope

- All staff contracted by ICAN
- Associated personnel whilst engaged with work or visits related to ICAN, including but not limited to the following: consultants; interns; volunteers; contractors; programme visitors including journalists, celebrities and politicians
- ICAN board members whilst engaged with work or visits related to ICAN

#### Partner Organizations

ICAN’s partners in WASL are independent organizations and are thus free to decide whether to have a safeguarding policy or not, depending on the work that they do. However, when ICAN provides financial support through the Innovative Peace Fund for a project, ICAN will work with the local partner to ensure that a safeguarding policy is in place within a reasonable timeframe. When visiting a partner and a safeguarding concern has arisen, the ICAN representatives will report a concern through the partner’s safeguarding procedures. If the partner organization does not have a procedure for responding to a concern of harm, the ICAN representative should use ICAN’s procedures. Regardless, they must always inform the designated Safeguarding Focal Point within the organization of the report.

#### Policy Statement

ICAN believes that everyone we come into contact with, regardless of age, gender identity, disability, sexual orientation, religion, culture, language or ethnic origin has the right to be protected from all forms

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<sup>3</sup> Adapted from World Health Organisation (1999) Report of the Consultation on Child Abuse Prevention

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of harm, abuse, neglect and exploitation. ICAN will not tolerate abuse and exploitation by staff, the board, or associated personnel.

This policy will address the following areas of safeguarding [as appropriate]: child safeguarding, adult safeguarding, and protection from sexual exploitation and abuse. ICAN commits to addressing safeguarding throughout its work, through the three pillars of prevention, reporting and response.

#### Prevention

##### ICAN responsibilities

ICAN 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 ICAN. 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
- Follow the international and national laws regarding the protection of children and vulnerable adults including United Nations Convention on the Rights of the Child (1989)<sup>4</sup>, Convention on the Rights of Persons with Disability (2006)<sup>5</sup> and the laws governing the US Equal Employment Opportunity Commission<sup>6</sup>
- Support and guide those who raise a query about a suspected breach of this policy
- Investigate and report on all allegations of sexual abuse and exploitation

#### Staff responsibilities

##### Child safeguarding

ICAN staff and associated personnel must not:

- 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

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<sup>4</sup> <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

<sup>5</sup> <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

<sup>6</sup> <https://www.eeoc.gov/laws/types/>

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#### Adult safeguarding<sup>7</sup>

ICAN staff and associated personnel must not:

- Sexually abuse or exploit adults
- Subject adults to physical, emotional or psychological abuse, or neglect

#### Protection from sexual exploitation and abuse

ICAN 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 partners or beneficiaries of assistance
- Engage in any sexual relationships with partners or beneficiaries of assistance, since they are based on inherently unequal power dynamics

Additionally, ICAN staff and associated personnel are obliged to:

- Contribute to creating and maintaining an environment that prevents violations and promotes the implementation of the Safeguarding Policy
- Report any concerns or suspicions regarding safeguarding violations by an ICAN staff member or associated personnel to the Safeguarding Focal Point<sup>8</sup>

## Reporting

### 1. Enabling reports

ICAN will ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to staff and the partners with whom we work through sharing the contact information of the Safeguarding Focal Points.

ICAN aims to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken. ICAN is committed to ensuring that no one suffers any detrimental treatment as a result of reporting in good faith their suspicion that harmful practices are, or may be, taking place in any part of our programs. ICAN will not tolerate retaliation against anyone who, in good faith, reports a concern or participates in an investigation, even if the allegation ultimately is not substantiated.

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

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<sup>7</sup> While this applies to all adults, it's important to highlight those who may be at particular risk due to age, health, ability, or other factors.

<sup>8</sup> The Safeguarding Focal Points will be an ICAN staff member and a member of the board. They are point of contact, and advises, supports and assists the organization in the implementation of the safeguarding policy.

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#### Examples of Situations to Report:

- Unwanted, inappropriate or disrespectful sexual advances or harassment
- Bullying, perceived threats, intimidation, verbal or physical outrages
- Situations that threaten the safety, security or well-being of staff or partners
- Hostility to individuals due to race, religion, gender, gender identity, sexual orientation, disability, veteran status or other characteristic protected by law
- Exploitation of partners in any form
- Corrupt or biased decisions to include or exclude partners
- Abuse of power or position in program delivery
- Inappropriate disclosure of confidential information related to partners

#### 2. 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. If the staff member does not feel comfortable reporting to the Safeguarding Focal Point (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 a senior manager. **The staff Safeguarding Focal Point will consult with the CEO and ICAN board in all cases (excluding anyone potentially implicated in any case).**

#### Response

ICAN will follow up safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations (see Procedure below for reporting and response to safeguarding concerns).

ICAN 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 determined in close consultation with the survivor.

ICAN will apply appropriate disciplinary measures to staff found in breach of policy. ICAN may terminate our relationship with other individuals and/or organizations working on our behalf if they breach this policy.

#### Confidentiality

ICAN aims to ensure that these situations are addressed with the utmost confidentiality, to create an environment where people feel they can safely file complaints, without fearing for their safety, their job, or their confidentiality.

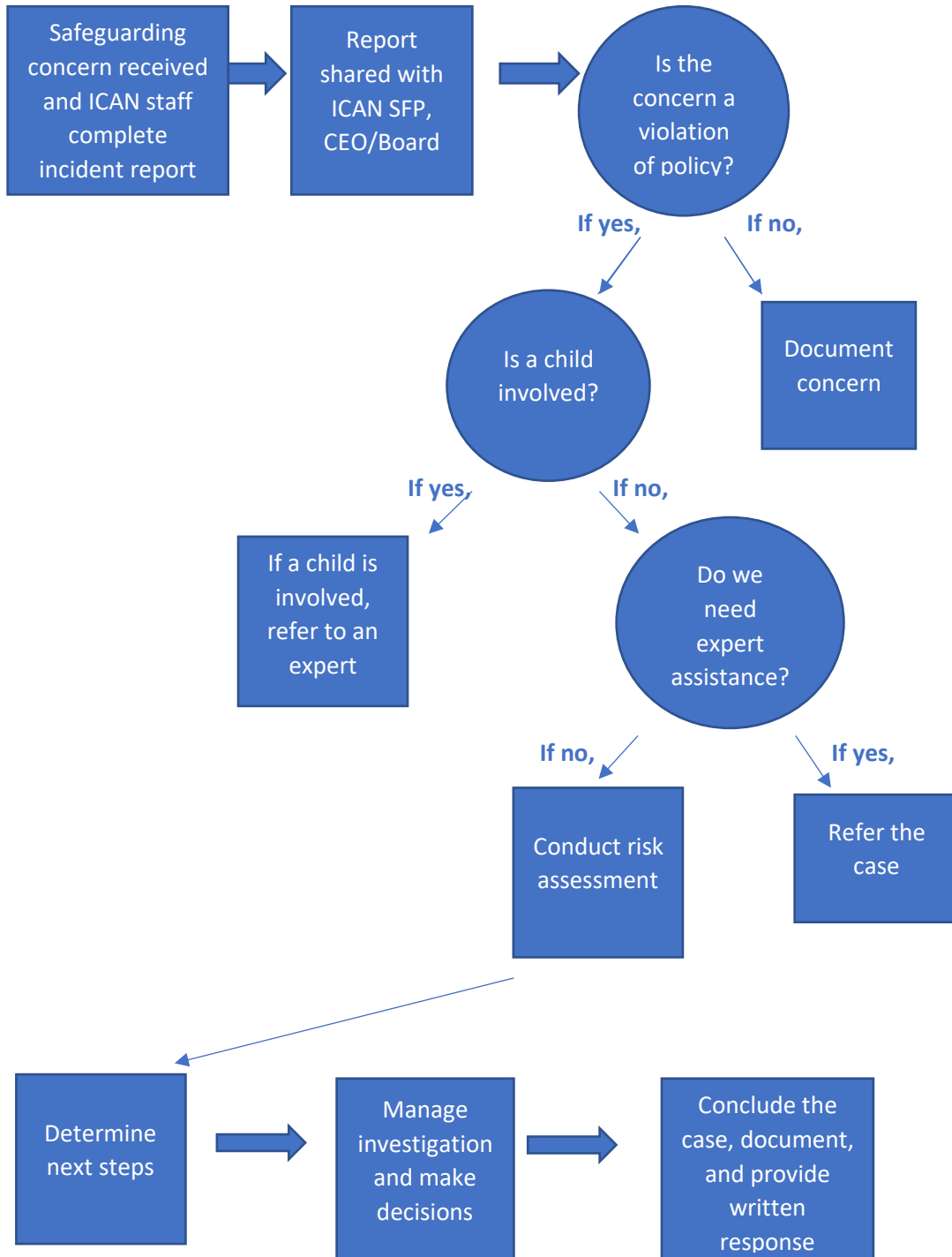
ICAN's first priority when misbehavior is reported is the safety and health of the potential victims/survivors. ICAN always respects their decision to bring – or not – a matter to justice. In the event of sexual abuse against minors, ICAN's policy is to report the case to the board and through them to

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authorities depending on the child’s best interests and availability of such procedures. Information relating to the concern should be shared on a need to know basis only, and should be kept secure at all times.

Annex: Procedure and Steps to File and Follow up on a Report





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#### 1. Report is received

1.1 Reports can reach the organization 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 rumor. 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 Safeguarding Focal Point.

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
- Empathize 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, using an Incident Report Form if there is one:

- 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 Safeguarding Focal Point 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 needed a reporting staff member may escalate the report up the management line. The staff member will be protected against any negative repercussions as a result of this report. See ICAN Complaint and Grievance Procedures within the ICAN Employee Handbook.

#### 2. Assess how to proceed with the report

2.1 **The Safeguarding Focal Point, in consultation with the CEO and board members, will handle all reports** unless the team or situation requires another Decision Maker.

2.2 In consultation with the CEO and/or board 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?

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2.3 If the reported incident does not represent a breach of ICAN’s Safeguarding Policy, but represents a safeguarding risk to others (such as a child safeguarding incident), the report should be referred to the board and if needed appropriate channels (e.g. local authorities) if it is safe to do so.

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, we will **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 Safeguarding Focal Point should be immediately informed and should seek expert advice before proceeding.

2.6 If the decision is made to take the report forward, we will ensure that we have the relevant expertise and capacity to manage a safeguarding case. **If we do not have this expertise in-house, we will seek immediate assistance**, through external capacity if necessary.

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 We may have separate policies depending on the type of concern the report relates to. For example, workplace sexual harassment is dealt with through ICAN’s Sexual Harassment policy in the Employee Handbook.

If there isn’t a policy for the type of report that has been made, follow these procedures.

2.9 Check your obligations on informing relevant bodies when you receive a safeguarding report. These include (but are not limited to):

- Funding organizations
- Umbrella bodies/networks
- Statutory bodies

Some of these may require you to inform them when you receive 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. Assess any protection or security risks to stakeholders

3.1 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. ICAN’s board should be informed.

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

### 4. Decide on next steps

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4.1 The Safeguarding Focal Point 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 organization's remit)
- Investigation is required to gather further information
- Immediate disciplinary action if no further information needed
- Referral to relevant authorities

4.2 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 organization, however decisions may be made for example to terminate a contract with a supplier based on the actions of their staff.

4.3 If an investigation is required and the organization does not have internal capacity, identify resources to conduct the investigation. If the organization does not have adequate reserve funds to cover the cost of investigations, inform donors about the need to allocate funds to cover the cost of investigations, and seek approval.

### 5. Manage investigation if required and make decision

5.1 The Safeguarding Focal Point 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.

5.2 If at this or any stage in the process criminal activity is suspected, the case should be referred to the board and through them to relevant authorities *unless this may pose a risk to anyone involved in the case*. In this case, the Safeguarding Focal Point 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.

### 6. Conclude the case

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

6.2 Store all information relating to the case confidentially, and in accordance with ICAN policy and local data protection law.

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

6.4 Give the complainant a written confirmation in the form of a letter which describes:

- When and how the organization received the complaint
- How the organization has responded so far
- What is will do next
- Who is responsible for the complaint

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- Whom the complainant should contact with questions or concerns