



Policy owner:	Human Resources
Approved by:	FGPC
Date of approval:	May 2019
Version:	05/2019
Date of next review:	05/2020
Applicable to:	<b>All of ARTICLE 19 International and affiliate regional offices' staff and associated personnel (consultants, volunteers and interns and representatives of ARTICLE 19)</b>
Related policies:	Bullying and Harassment, Sexual Harassment, Whistleblowing, Grievance and Disciplinary Procedures

## Safeguarding Policy

## Contents

1. Policy Statement.....	3
2. Purpose.....	3
3. Scope.....	3
4. Roles and Responsibilities .....	4
5. Prevention.....	4
5.1 Undertakings.....	4
5.2 Training .....	5
5.3 Safer recruitment .....	5
6. Reporting.....	5
6.1 How to report a safeguarding concern .....	5
7. Response .....	6
7.1 Internal Response .....	6
7.2 Victimisation .....	6
7.3 Outcomes of Misconduct.....	6
7.4 Support for Victims and Survivors .....	6
7.5 Complaints about ARTICLE 19’s Partners.....	7
8. Definitions .....	7

## 1. Policy Statement

ARTICLE 19 believes that everyone, 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. ARTICLE 19 does not tolerate abuse and exploitation of children or at risk adults, in any form.

This policy addresses the following areas: child safeguarding, adult safeguarding and protection from sexual exploitation and abuse. Each of these areas of safeguarding also have other policies and procedures associated with them, such as ARTICLE 19's Bullying and Harassment Policy, Sexual Harassment Policy, Whistleblowing Policy, Grievance and Disciplinary Procedures and Recruitment Policy and Procedures.

ARTICLE 19 commits to addressing safeguarding throughout its work, through the three pillars of **prevention, reporting and response**. Outlined within this policy is the key responsibilities for ARTICLE 19, Line Managers, along with staff and associated parties in our commitments to **Prevent** safeguarding concerns. How to **Report** and where to **Report** is also clearly stated so all staff and associated parties understand their reporting responsibilities and how to undertake them in the instance of a safeguarding concern. Finally, an overview of how ARTICLE 19 will **Respond** to any safeguarding concerns and provide support.

It is the responsibility of all staff and associated personnel to raise any concerns they have or any concerns which are reported to them according to this policy. It is not their responsibility to decide whether or not abuse has occurred.

It is the responsibility of all ARTICLE 19's managers to ensure the delivery of this policy and to promote it as relevant in all aspects of their work, to hold themselves and others to account and to help create a safe environment for all.

## 2. Purpose

The purpose of this policy is to protect people, particularly children, at risk adults and beneficiaries of assistance, including those in the community who may not be direct beneficiaries, from harm as outlined in the 'responsibilities' section below that may be caused due to their coming into contact with ARTICLE 19. This includes harm arising from:

- The conduct of all staff and associated personnel
- The design and implementation of ARTICLE 19's programmes and activities

The policy lays out the commitments made by ARTICLE 19, 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 ARTICLE 19's Bullying and Harassment and Sexual Harassment policies;
- Safeguarding concerns in the wider community not perpetrated by ARTICLE 19 or associated personnel.

## 3. Scope

All staff and associated personnel engaged in the work of or undertaking visits related to ARTICLE 19, including but not limited to the following: partners and downstream partners; board members; trustees; consultants; volunteers; interns; contractors; programme visitors including journalists, celebrities and politicians.

## 4. Roles and Responsibilities

Safeguarding children and at-risk adults is everyone's responsibility and failure to act on or report to a relevant person suspicion of abuse relating to someone else could lead to disciplinary action being taken. For the avoidance of doubt, there is no obligation placed on any individual to report any incident that has happened to them.

It is ARTICLE 19's responsibility as well as its staff and associated personnel's to contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy.

ARTICLE 19 commits to addressing safeguarding throughout its work, through the three pillars of **prevention, reporting and response**.

## 5. Prevention

### 5.1 Undertakings

#### **ARTICLE 19 will:**

- Root out bullying, harassment and incivility and ensure no abuse of power is tolerated, addressing the gender, race and other inequalities that drive these behaviours;
- Ensure all the people we serve, our staff and the organisations we work with are aware of their safeguarding rights and obligations through mandatory and regular training and a code of conduct that is championed by senior managers and linked to performance management work with communities, staff and survivors;
- To build and maintain systems that are well understood and give people the confidence to come forward and report concerns;
- To take any necessary action during recruitment and onboarding to prevent perpetrators entering our organisations;
- 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 minimises and mitigates the risk of harm that may arise for individuals from their coming into contact with ARTICLE 19. 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 induction training and regular refresher training on safeguarding at a level commensurate with their role in the organization;
- Follow up on all reports of safeguarding concerns promptly and according to due process;
- Incorporate safeguarding into Memorandums of Understanding, terms of reference and contracts.

#### **ARTICLE 19 line managers:**

- Have a responsibility to understand the safeguarding policy and the commitment of ARTICLE 19 to ensure all staff are supported to maintain training and awareness;
- Must conduct reviews of the standards required for each role. A full reassessment will be required if changes are made to the duties of the role which warrant a new and different level of employment check (e.g. if the post holder takes on new duties involving children or adults at risk of harm or abuse).

#### **ARTICLE 19 staff and associated personnel must not:**

- Engage in sexual activity with anyone under the age of 18 regardless of the age of consent in country;
- Sexually abuse or exploit children or at-risk adults;

- Subject a child or an at-risk adult to physical, emotional or psychological abuse, or neglect;
- Engage in any commercially exploitative activities with children, or at-risk adults, including child labour, trafficking, or modern slavery;
- 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 ARTICLE 19.

**In addition, ARTICLE 19 staff and associated personnel are obliged to:**

- Report any concerns or suspicions regarding safeguarding violations by an ARTICLE 19 staff member or associated personnel to the appropriate staff member;
- Perform their professional duties through the values and behaviours that underpin the vision and mission of ARTICLE 19;
- Treat children and at-risk adults with respect irrespective of age race, gender, religion/or none, sexual orientation or disability.

## **5.2 Training**

ARTICLE 19 is committed to have arrangements in place to ensure effective training of all staff and associated personnel. Training on Safeguarding policy will be provided to all both as part of induction process for new joiners and refresher training will be provided annually for existing staff and associated personal. In addition, the Safeguarding team will have relevant training and will have access to guidance on how to appropriately review the case.

## **5.3 Safer recruitment**

Recruiting managers shall seek guidance from Human Resources, to determine the level of background check required for the role. The manager shall ensure clearance is obtained before the applicant commences employment. ARTICLE 19 may have an obligation to refer concerns to the Disclosing and Barring Service of the UK in accordance with the Safeguarding Vulnerable Groups Act 2006 or similar body in the relevant country. As such, managers must report concerns to International Human Resources team.

## **6. Reporting**

ARTICLE 19 is committed to ensuring that safe, appropriate, accessible means of reporting safeguarding concerns are made available and actively promoted 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 ARTICLE 19's Whistleblowing policy.

ARTICLE 19 will also accept complaints from external sources such as members of the public, partners and official bodies.

### **6.1 How to report a safeguarding concern**

The safety of the child and an adult at risk is of paramount importance. Immediate action may be required to safeguard investigations and any other children or adults at risk. Any concern that children, or adults may be at risk of harm or abuse, must immediately be reported.

Safeguarding children and at-risk adults is everyone's responsibility and failure to act on or report to a relevant person suspicion of abuse relating to someone else could lead to disciplinary action being taken.

ARTICLE 19 recognises that disclosures and suspicion should always be acted upon swiftly and if there is an urgent vulnerable adult protection situation, for example if a vulnerable adult at risk is in imminent danger of

abuse, then immediate protective action must be taken.

Staff members who have a complaint or concern relating to safeguarding must report it immediately to the Safeguarding Team, their line manager, or the human resources team.

You can contact the Safeguarding Team who undergo a specific training programme so they are well-versed in advising in safeguarding cases. confidentially on [safeguarding@article19.org](mailto:safeguarding@article19.org) or telephone +44 (0) 207 3242501. The Safeguarding Team are:

1. Judy Taing – Head of Gender
2. Sara Wilbourne – Director of Communications and Information
3. Grace Turner – International Human Resources Officer

If you are unsure whether to use this policy or you want confidential advice at any stage, ARTICLE 19 has also set up a confidential, 3rd party, independent Whistleblowing hotline (Public Concern At Work). You may contact them on +44 (0)20 7404 6609 or by email at [helpline@pcaw.org.uk](mailto:helpline@pcaw.org.uk). Their lawyers can talk you through your options and help you raise a concern about malpractice at work. This is available to anyone who wishes to report a concern. Please also refer to ARTICLE 19's Whistleblowing policy (External Disclosure) for further details.

## **7. Response**

Procedure for Handling Complaints:

### **7.1 Internal Response**

Within 72 hours of receiving a complaint or concern by the Safeguarding Team, an email will be sent to the complainant acknowledging the complaint. The Safeguarding Team will start an investigation immediately.

It is essential that every effort must be made to maintain confidentiality and manage communications while an allegation is being investigated. Anyone who breaches confidentiality will be subject to disciplinary action up to and including termination of employment. In some cases, such breaches constitute breaking the law.

### **7.2 Victimisation**

Victimisation occurs specifically when a person is treated less favourably because they have asserted their rights under this policy, either by making, or intending to make, a complaint or has given, or intends to give, assistance and/or evidence in an investigation. ARTICLE 19 is committed to ensuring that anyone making a complaint will not be victimised. Such victimisation is a disciplinary offence.

The victimisation of witnesses or others involved in a complaint in any capacity, including but not limited to the individual(s) against whom the complaint is made, is a disciplinary offence.

### **7.3 Outcomes of Misconduct**

If the decision is that the allegation is well-founded, the staff who are found to contravene this policy will be subject to disciplinary action that may result in dismissal in accordance with our disciplinary procedure.

ARTICLE 19 associated personnel will have the relationship with ARTICLE 19 terminated.

Where possible, ARTICLE 19 will refer cases of child abuse to local authorities and the process and outcome will be handled by said authority.

### **7.4 Support for Victims and Survivors**

ARTICLE 19 will offer support to victims or survivors of harm caused by staff or associated personnel, at the time of their choosing. Decisions regarding when and if to access support will be led by the survivor.

They can seek the support of a counsellor at Health Assured to get confidential staff counselling and are able to self-refer.

Health Assured will offer a range of flexible options:

1. Face-to-face counselling: in a private practice or a confidential area.
2. Telephone counselling: structured sessions at an agreed time.
3. Secure chat & email counselling: for those who prefer to write.

Health Assured can be reached using the following local numbers:

UK	0844892 2493
Mexico	01800 00 49500 - 5255 5550 7400
Brazil	0800 718 7815
Senegal	221 772689254
Tunisia	212 522 985353 - 212 659 874133
Kenya	254 203741051
Bangladesh	91 2591 3469 - 91 98187 11035
USA	18004337916

## 7.5 Complaints about ARTICLE 19's Partners

All partners have a responsibility to ensure appropriate safeguarding standards have been cascaded down the delivery chain. All partners must report any incidents or alleged incidents to ARTICLE 19 immediately. ARTICLE 19 will expect the partner to respond quickly and appropriately and to ensure their associated personnel are aware of how to report an incident or alleged incident directly to ARTICLE 19 safeguarding team. They can report according to their own organisational safeguarding channels but they must be able to report incidents directly to ARTICLE 19.

## 8. Definitions

**Beneficiary of Assistance** - Someone who directly receives goods or services from ARTICLE 19's programme. Note that misuse of power can also apply to the wider community that the NGO serves and also can include exploitation by giving the perception of being in a position of power.

**Child** - A child is defined as anyone under 18 years old. This definition is recognised internationally as identifying a population who are particularly vulnerable and require additional safeguards to protect their rights. The definition of a child for the purposes of Safeguarding and child protection should not be confused with the legal definition of a child or age limits set out in other relevant laws. The fact that a person under the age of 18 may have reached the age of majority, age of sexual consent, voting age or such like does not alter their inherent vulnerability as a child.

**At risk adult** - any person aged 18 years and over who is or may be in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, or unable to protect themselves due to age or illness and who may be unable to take care of themselves or unable to protect themselves against significant harm or serious exploitation.

**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, constant criticism, belittling, persistent shaming, solitary confinement and isolation.

**Safeguarding** - 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. 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.