

Safeguarding Policy

Date ratified: Sept 2022

Date of next review: Dec 2024

First and foremost, we want all our staff, consultants, trustees, associates, partners and community members to feel safe and respected.

If you feel that you have experienced bullying, harassment, sexual exploitation or sexual abuse please report this incident as soon as possible.

OR if you have reasons to believe someone else has then you also have a duty to report this in the same way.

Any staff member can either raise the issue in confidence with

Your line manager or the CEO OR directly contact the Chair of the Board or any other board member

Any community member partner or partner staff complaints about ITF or its staff should be sent to the Safeguarding focal point:

Email: chair@internationaltreefoundation.org

Phone: +44 07517149524 Kenya: +254 207641354

Please note: complaints of bullying, harassment, sexual exploitation or sexual abuse, or information from staff relating to such complaints, will be dealt with fairly, confidentially and sensitively using the general format set out in ITF's grievance procedures. However sexual exploitation and abuse, bullying or harassment will not be treated as a standard grievance; it is a serious issue and will be treated as such. Where complaints involve your task manager, approaches should be made to another appropriate manager.

1. Purpose

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

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

The policy lays out the commitments made by ITF, 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 in the Employee Handbook
- Safeguarding concerns in the wider community not related to ITF or associated personnel

2. What is safeguarding?

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. In our sector, we often use this to apply to the safety and welfare of people involved in the delivery or receipt of [humanitarian aid and] development assistance.

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

3. Scope

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

4. Policy statement

ITF believes that everyone we come into contact with, regardless of age, gender, disability or ethnic origin has the right to be protected from all forms of harm, abuse, neglect and exploitation. ITF 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).

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



5. Prevention

ITF 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 ITF. 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 organisation.
- Follow up on reports of safeguarding concerns promptly and according to due process.
- Expect partners who work directly with vulnerable adults and children to develop an appropriate code of conduct that identifies the types of prohibited conduct that would cause abuse to vulnerable adults and children and which provides guidance for their staff to avoid any acts of abuse against vulnerable adults and children.
- Actively promote its Policy for Safeguarding of vulnerable adults and children by making this Policy publicly available through the ITF website.

6. Our expectations on sexual harassment, abuse and exploitation

The following principles of sexual behaviour reflect international standards for safeguarding of vulnerable people and are considered an integral part of this:

- Sexual exploitation and abuse by any ITF employee, trustee, associate consultant or contractor constitutes an act of gross misconduct and is therefore grounds for termination of employment and/or legal action;
- Exchange of money, employment, goods, or services for sex (including sexual favours or other forms of humiliating, degrading, or exploitative behaviour) or sexual relations where there is expectation of economic benefit in the course of or in connection with your work, or at any time when you are acting as a representative of ITF is strictly prohibited and is a reason for termination of employment. This includes any time when you are travelling or living outside of your home country because of your work with ITF;
- Sexual activity between any ITF employee and a child¹ is strictly prohibited, regardless of the age of majority or age of consent locally. In such cases, mistaken

¹ A child is defined as a person under the age of 18 in line with the Convention on the Rights of the Child



belief by any ITF employee or visitor regarding the age of a child is not a defence against disciplinary action, termination of employment and /or legal action;

- Where an ITF employee, trustee, associate, consultant or contractor develops concerns or suspicions regarding sexual abuse or exploitation by a fellow employee, trustee, consultant or contractor or partner staff member, s/he must report such concerns via ITF's reporting mechanisms;
- Sexual harassment by any ITF employee, trustee, associate, consultant or contractor may lead to disciplinary action or, for repeated offences or where the conduct amounts to serious misconduct, may be grounds for immediate termination of employment for gross negligence without payment of compensation.
- Bullying and harassment are unacceptable. We are aware of power in all relations and how it can be misused. Bullying and harassment are taken very seriously by ITF. Behaviour amounting to bullying and harassment by any ITF employee, contractor or consultant will be investigated and may lead to disciplinary action or, for repeat offences or where the behaviour amounts to serious misconduct, may be grounds for immediate termination of employment for gross negligence without payment of compensation.

Protection from sexual exploitation and abuse

ITF 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, ITF 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 ITF staff member or associated personnel to the appropriate staff member

7. Enabling reports

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

Any staff reporting concerns or complaints will be protected by ITF's Whistleblowing Policy. ITF will also accept complaints from external sources such as members of the public, partners and official bodies.

8. Response



ITF will follow up safeguarding reports and concerns according to its policy, procedure and guidance.

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

ITF 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.

9. 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.

10. Glossary of terms

Beneficiary of assistance

Someone who directly receives goods or services from ITF's programme

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)

This 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)

Safeguarding

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. In



our sector, we often use this to apply to the safety and welfare of people involved in the delivery or receipt of humanitarian aid and development assistance.

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.

What is sexual harassment?

Sexual harassment is unwanted conduct of a sexual nature. It has the purpose or effect of violating the dignity of an individual, making an individual feel intimidated, degraded or humiliated, or creating a hostile or offensive environment for them. Behaviour that has these effects can still be considered sexual harassment even if the alleged harasser didn't mean it to be so. It also doesn't have to be intentionally directed at a specific person. Behaviour that constitutes sexual harassment includes:

- Unwelcome behaviour of a sexual nature, this may be either physical or verbal,
- Inappropriate or suggestive remarks or verbal sexual advances,
- Indecent comments, jokes or innuendos relating to a person's looks or private life,
- Unwanted physical contact such as hugging, kissing or inappropriate touching,
- Requests for sexual favours,
- Emails with content of a sexual nature,
- The display or circulation of pornography or indecent images.

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.

Bullying



Is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. Bullying or harassment may be by an individual against an individual or involve groups of people. It may be obvious or it may be insidious. It may be face to face or in written communications, e-mail, phone or social media. It may involve repeated incidents which, taken alone, might not be considered bullying but, when taken together, constitute a pattern of behaviour that does so. Whatever form it takes, it is unwarranted and unwelcome to the individual. It may take place in private or in public.

Legitimate, constructive and fair criticism of an employee's performance or behaviour at work is not bullying. An occasional raised voice or argument is not bullying.

How can bullying and harassment be recognised?

Behaviour that is considered bullying by one person may be considered firm management by another. Most people will agree on extreme cases of bullying and harassment but it is sometimes the "grey" areas that cause most problems.

Bullying and harassment can often be hard to recognize – they may not be obvious to others, and may be insidious. The recipient may think "perhaps this is normal behaviour". They may be anxious that others will consider them weak, or not up to the job, if they find the actions of others intimidating. They may be accused of "overreacting" and worry that they won't be believed, that the behaviour will be trivialised, or that nothing will be done, if they do report incidents.

People being bullied or harassed may sometimes appear to overreact to something that seems relatively trivial but which may be the "last straw" following a series of incidents. There is often fear of retribution if they make a complaint.

Bullying and harassment makes someone feel anxious and humiliated. Feelings of anger and frustration at being unable to cope may be triggered. Some people may try to retaliate in some way. Others may become frightened and demotivated. Stress, loss of self-confidence and self-esteem caused by harassment or bullying can lead to job insecurity, illness, absence from work, and even resignation. Almost always job performance is affected and relations in the workplace suffer.



Dealing with Safeguarding Reports

Purpose and scope

The purpose of this document is to provide internal guidance for dealing with reports of breach of ITF Safeguarding Policy, where the safeguarding violation is:

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

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 ITF.

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, 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 or 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 apprised 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 (or other governance structure), or to an external statutory body. The staff member will be protected against any negative repercussions as a result of this report. See ITF Complaints Policy and Whistleblowing Policy.

2. Assess how to proceed with the report

2.1 Appoint a Decision Maker for handling this report

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 ITF Safeguarding Policy, but represents a safeguarding risk to others (such as a child safeguarding incident), the report should be referred through the 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, **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, ensure that you have the relevant expertise and capacity to manage a safeguarding case. **If you do not have this expertise in-house, 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 You may have separate policies depending on the type of concern the report relates to. For example, workplace sexual harassment is dealt with in accordance with ITF's 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 organisations
- Umbrella bodies/networks
- Statutory bodies (such as the Charity Commission in the UK)



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. Appoint roles and responsibilities for case management

3.1 If you have 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:

- Decision Maker
- Person who received the report (such as the focal point, or manager)
- HR manager
- Safeguarding adviser (or equivalent) if there is one

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 is not limited to):

Psychosocial care or counselling

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 ITF'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 ITF, 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 ITF does not have internal capacity, identify resources to conduct the investigation. Determine by which budget this will be covered.

7. Manage investigation if required

7.1 Refer to ITF's procedures for investigating breaches of policy. If these do not cover safeguarding investigations, use external guidelines for investigating safeguarding reports, such as the CHS Alliance Guidelines for Investigations.

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

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

