

# Safeguarding policy

Approved by Board 27 May 2021

## 1. Introduction

PAN UK has a zero-tolerance approach to serious misconduct and will not tolerate its staff, trustees, volunteers, consultants, partners or any other representatives associated with the work of PAN UK or its partners carrying out any form of violence, abuse, harassment or exploitation.

This Safeguarding Policy explains how PAN UK puts this zero tolerance approach into practice with respect to the protection of children and adults at risk. It provides clear definitions, sets standards across the organisation, and gives clear guidance on how to apply and implement the policy throughout the organisation and in relation to partner organisations.

This is an organisation-wide policy which is applicable to all staff, trustees, volunteers and other representatives within PAN UK. The policy and code of conduct does not apply to partner staff, however, we expect partners and others working on behalf of PAN UK to act in accordance with the key principles contained within it, and specific compliance requirements in respect of safeguarding as set out in relevant contractual agreements and included in our due diligence process. The policy does explain how PAN UK manages safeguarding risks within partner organisations.

## 2. What is safeguarding?

Safeguarding means promoting and protecting people's health, wellbeing and human rights, and enabling them to live free from harm, exploitation and abuse. A safeguarding approach means identifying and minimising the risk of harm to children and adults at risk from staff, representatives and partners and includes responding appropriately to any safeguarding concerns about children and adults within communities where we work. It entails a range of policies, procedures and activities seeking to address child and adult safety and wellbeing.

## 3. Definitions

**A child** is defined as anyone under 18 years old, irrespective of local definition.

**An adult at risk (sometimes also referred to as vulnerable adult)** is defined as 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 themselves, or unable to protect themselves against significant harm or exploitation. Adults are also more likely to be at risk due to factors such as living in societies where abuses such as gender based violence are more prevalent, unequal power dynamics make people vulnerable, and where local laws and authorities are weak in responding to abuse.

Abuse may include, but is not exclusive to:

**Physical abuse** or physical injury, such as evidence of hitting, kicking or shaking, where there is definite knowledge or reasonable suspicion, that the injury was inflicted or knowingly not prevented.

**Emotional abuse** where harm is done by persistent or severe emotional ill treatment or rejection. This includes acting in ways intended to shame, humiliate, belittle or degrade others.

**Sexual abuse** where exploitation of a person occurs. This includes rape, incest and all forms of sexual activities including pornography. Exchanging of benefits, for example goods, food and money in exchange for sexual favours.

**Neglect**, where basic needs such as food, warmth and medical care are not met, or when there is a failure to protect a person from exposure to any kind of danger, resulting in serious impairment of a person's health or development.

**Sexual Harassment** is unwanted behaviour of a sexual nature which: violates a person's dignity, makes them feel intimidated, degraded or humiliated or creates a hostile or offensive environment.

You don't need to have previously objected to someone's behaviour for it to be considered unwanted. Sexual harassment can include:

- sexual comments or jokes
- physical behaviour, including unwelcome sexual advances, touching and various forms of sexual assault
- displaying pictures, photos or drawings of a sexual nature
- sending texts or emails with a sexual content

**Modern Slavery** is the severe exploitation of other people for personal or commercial gain. Modern slavery takes many forms, some of the most common are: human trafficking, forced labour, bonded labour, child slavery and forced and early marriage.

**Online abuse** can include cyber bullying, harassment and stalking, the creation and sharing of sexually explicit materials, grooming or being persuaded to perform sexual acts online or being exposed to sexual content.

A **PAN UK representative** is anybody that works directly for PAN UK either as an employee, volunteer, trustee, consultant or in another capacity. It does not include partner staff.

#### **4. Measures to implement this policy**

The measures taken to implement the Safeguarding Policy can be split into prevention measures and reporting and responding measures. The specific measures are explored in further detail in the remainder of the policy.

Prevention measures include awareness raising, training of relevant staff, risk analysis, recruitment procedures and codes of conduct for PAN UK representatives and incorporation of the policy into relevant existing systems.

Reporting and responding measures including steps for alerting and reporting safeguarding concerns, investigation and incident management, duties and responsibilities of assigned managers and safeguarding focal point persons.

The policy and the specific measures being taken will be reviewed on an annual basis to confirm that they still respond to the identified risks.

PAN UK has appointed a Safeguarding Manager to ensure that staff are trained on safeguarding procedures and to lead on the investigation of complaints. The Safeguarding Manager is the Head of Finance and Governance.

## **5. Awareness raising and training**

The Safeguarding Manager is responsible for ensuring that all staff within PAN UK are aware of the existence of the policy and their responsibilities under it. All staff will be provided with a copy of the safeguarding Code of Conduct when they join PAN UK and will be introduced to the Safeguarding Policy as part of their induction. The Safeguarding Manager will also publicise the policy from time to time in team meetings and other forums.

PAN UK will ensure all supporters, donors, partners and other third parties involved with PAN UK have access to the Safeguarding Policy through its website and will take appropriate steps to communicate that availability.

## **6. Recruitment**

PAN UK is committed to minimising the risk of harm to children and adults at risk from staff, operations and programme activities. We will carefully select, train and support all staff in line with our safer recruitment principles. This includes ensuring that:

- There is a written job description / person specification for the post, including safeguarding responsibilities if applicable;
- Those applying have completed an application form including a self-declaration disclosure in relation to safeguarding;
- Those short listed have been interviewed;
- Safeguarding has been discussed at interview where the applicant will be working with children, adults at-risk or beneficiary communities;
- Two references have been obtained including one from the most recent employer;
- A Disclosure and Barring Service (DBS) check is completed (paid for by PAN UK), where a role is expected to involve unsupervised contact with children and/or adults at risk. This is very unlikely to be required;
- Qualifications where relevant have been verified;
- A suitable training programme is provided for the successful applicant;
- The applicant has completed a probationary period;
- The applicant has been given a copy of the organisation's safeguarding policy and knows how to report concerns;

- The applicant has been given a copy of the code of conduct and informed that compliance is mandatory.

In line with data protection and other relevant legislation, PAN UK will provide a statement confirming the circumstance of the termination of a staff member/representative, and details of disciplinary actions (red flags) in relation to breaches of the safeguarding or code of conduct policies.

## **7. Code of Conduct**

PAN UK has a safeguarding Code of Conduct – see annex to this policy. The Code of Conduct sets out the responsibilities that all PAN UK representatives have to keeping children and adults safe. It also serves to guard the name and reputation of PAN UK and its representatives from false accusations. All staff are responsible for encouraging and promoting the implementation of the Code of Conduct.

The adherence to this Code is mandatory for all PAN UK representatives. Any violation of the Code of Conduct will result in disciplinary procedures in addition to any relevant legal action. To give maximum protection to beneficiaries, the organisation and staff, the Code of Conduct is to be applied both within and outside of working hours.

## **8. Operating in partnership**

PAN UK often implements its projects in partnership with other organisations in order to deliver the desired objectives and impacts. Partners are defined as those organisations that we enter into a relationship with for a specific programme purpose and working towards a shared goal. This does not include donors, international networks that we are part of or contractors providing a service to us.

Given the collaborative nature of this work, it is essential that our partners also follow good safeguarding practice during implementation of the project. PAN UK has therefore designed a set of Minimum Safeguarding Standards for our partners. The Minimum Safeguarding Standards require partners to have the following measures in place:

- A written safeguarding policy;
- An internal awareness raising strategy on the safeguarding measures;
- A clear procedure for reporting and managing safeguarding concerns;
- A framework for accountability where the organisation regularly monitors and reviews safeguarding measures.

Further details of these measures are contained in the annex to this policy.

At the beginning of a partnership, the project manager should work with the partner organisation to identify whether any of the project activities might bring partner staff into contact with children and / or adults at risk. If it is assessed that this is possible, then the project manager should work with partners during project start up to assess their current approach to safeguarding against our

Minimum Safeguarding Standards and put together a plan to strengthen this if required. PAN UK shall support the capacity building of partners with gaps in their safeguarding measures and help them to develop and implement safeguarding policies and procedures.

## **9. Reporting safeguarding concerns**

Actual, potential or suspected incidents of abuse taking place within PAN UK work (by PAN UK representatives or by partners) must be reported immediately. Where appropriate you should make a report to your Line Manager and to the Safeguarding Manager. The Safeguarding Manager will ensure that the matter is appropriately investigated. If the report relates to your Line Manager then the report should only be made to the Safeguarding Manager. If the report relates to the Safeguarding Manager then it should be made to the Director.

The need to report arises in the following instances:

- Abuse is observed or suspected;
- An allegation of abuse is made;
- Someone discloses abuse.

No representative of PAN UK will prejudice their own position or standing with PAN UK by responsibly reporting potential or suspected abuse.

It is important to note that where representatives report concerns, it is not their responsibility to decide if abuse is taking place but it is their responsibility to pass these concerns on. Care must be taken regarding confidentiality and the sharing of information with appropriate people.

Under no circumstances should any individual attempt to deal with the problem of abuse directly. An investigation team will be established supported by the Safeguarding Manager.

Any staff members who raise concerns of serious malpractice should be protected as far as possible from victimisation or any other detrimental treatment if they come forward with concerns, provided that concerns are raised in good faith. Deliberate false allegations will be made a serious disciplinary offence and investigated by PAN UK.

Reports should be made to the Safeguarding Manager in writing by email using the email address [safeguarding@pan-uk.org](mailto:safeguarding@pan-uk.org). Reports should use the incident reporting format in the annex to this policy.

Reports can be made anonymously by post to the Head of Finance and Governance at the PAN UK head office. However, if a report is received anonymously then it may make it harder for an investigation to take place.

## **10. Investigating safeguarding concerns**

On receiving a safeguarding report, the Safeguarding Manager will make an assessment of the severity of the incident and recommend to the Director and

Chair of Trustees the steps that should be taken. These may include any or all of the following:

- Reporting the incident to relevant local law enforcement agencies if the matter is of a criminal nature;
- Reporting the incident to the Charity Commission in the UK using their serious incident reporting procedure (regardless of where the incident occurred);
- Advising other affected organisations of the incident (e.g. project funders, other regulatory bodies etc);
- Referring the affected individual to the relevant support services;
- Establishing an internal investigation if the matter is viewed as a breach of this policy.

Internal investigations will be undertaken by the Safeguarding Manager supported by other staff and third parties (e.g. lawyers, HR) as required. Subsequent to the investigation, the Safeguarding Manager will compile a written report including all necessary information on the nature of the case, safeguarding concerns, investigation process and any learning to inform policy and / or practice.

PAN UK can and will take any disciplinary action necessary against staff or others if they are found to have breached our Code of Conduct and Safeguarding Policy. If such an incident occurs, PAN UK's Disciplinary Policy will be invoked. Disciplinary action may include dismissal, even if the behaviour is not criminal, for example a gross violation of the Code of Conduct. There will be times when the behaviour of employees may constitute a breach of the Code of Conduct, but not be considered criminal conduct under UK or local legislation. In this instance PAN UK may consider providing other support to these staff, for example, training, counselling, increased supervision or transfer to other duties. This will be cognisant of any ongoing risk to beneficiary communities, staff and volunteers and we will always err on the side of caution.

Every effort will be made to maintain confidentiality throughout our response to a complaint. Case information will be limited to essential personnel and will not be shared further without obtaining the informed consent of those involved. Representatives involved in the investigation process will be made aware of the importance of maintaining confidentiality. Representatives who breach confidentiality may be subject to disciplinary action. Where we are required to share information with third parties (e.g. Charity Commission, donors etc) this will be non-identifying information as far as possible.

## **Annex 1: Code of Conduct**

The Code of Conduct sets out the responsibilities that all PAN UK representatives have to keep children and adults safe. The adherence to this Code is mandatory for all PAN UK representatives. Any violation of the Code of Conduct will result in disciplinary procedures in addition to any relevant legal action. To give maximum protection to beneficiaries, the organisation and staff, the Code of Conduct is to be applied both within and outside of working hours.

### **I will:**

Be committed to playing my part in creating a culture of openness and mutual accountability in the work place. This culture will enable all safeguarding concerns to be both raised and discussed. This will in turn ensure inappropriate and abusive behaviour is challenged.

Help create and/or uphold an environment that is safe, positive and encouraging, where people are listened to and respected as individuals.

Ensure the use of the 'Two Adult Rule'. This means, when interacting with at-risk adults and/or children in a work context, I will ensure that another adult is present or within reach at all times.

Ensure physical contact is at all times appropriate and not an invasion of the individual's personal space or privacy.

Use positive, non-violent methods to manage behaviour.

Respect an individual's dignity and their need to be safeguarded at all times when taking photographs, filming or writing reports.

Ensure that when photographing, filming or interviewing children and adults that consent has been obtained, individuals are properly dressed and are not depicted in a way that is abusive, sexually provocative, demeaning or culturally inappropriate or that characterises them as being reliant on the viewer.

Protect and handle personal data of others with care, to minimise the risks posed by third parties who receive information about children and adults from PAN UK or its partner organisations.

Respond to safeguarding concerns according to the reporting protocol.

Comply with any investigation led by official bodies (including interviews) and make available any information necessary.

### **I will never:**

Engage in sexual activity or have a sexual relationship with a child (defined as under 18 years old), regardless of consent or local custom. Mistaken belief in the age of a child is not a defence.



Condone or in any way force an adult at risk, or a child, to participate in any form of sexual activity, real or simulated, on the internet or in any other medium.

Make sexually suggestive comments or actions to a child, even as a joke.

Touch, hold, kiss or cuddle an adult at risk, or a child, in an inappropriate and/or culturally insensitive way.

Marry a person below the age of 18, regardless of consent or local custom.

Help at-risk adults or children with acts of an intimate or private nature, which they can do for themselves.

Engage in activities involving close body contact with at-risk adults and/or children.

Hit or otherwise physically assault, or physically abuse anyone, nor use any form of corporal punishment as a disciplinary measure.

Condone, or participate in behaviour with at-risk adults or children that is illegal, unsafe or abusive, including being part of harmful traditional practices, spiritual, ritualistic or substance abuse.

Act in ways intended to shame, humiliate, belittle or degrade others, or otherwise perpetrate any form of emotional abuse.

Exploit adults or children for their labour (e.g. domestic servitude, street begging) or for sexual purposes, or participate in the trafficking of children. 'Child domestic servitude' does not include occasional house help, babysitting, kitchen gardening during school holidays or general domestic tasks out of school time.

Develop relationships with children or adults that could be deemed exploitative or abusive.

Spend excessive time alone with an at-risk adult, or a child, away from others, behind closed doors or in a secluded area (in line with the 'Two Adult Rule')

Take an at-risk adult, or a child, who has been involved in our programmes, home, or visit them in their home where I may be alone with them.

Sleep in the same bed or the same room as an at-risk adult or a child met through work, or allow them to stay overnight at home.

Take an at-risk adult or a child met through work alone in a vehicle unless it is absolutely necessary, and only with parental/guardian and managerial consent.

## **Annex 2: Partner minimum safeguarding standards**

The Minimum Safeguarding Standards require partners to have the following measures in place if there is any risk at all that the project activities might bring partner staff into contact with children and / or adults at risk:

- A written safeguarding policy;
- An internal awareness raising strategy on the safeguarding measures;
- A clear procedure for reporting and managing safeguarding concerns;
- A framework for accountability where the organisation regularly monitors and reviews safeguarding measures.

The Minimum Safeguarding Standards leave the development of the specific policy to the partner and there is flexibility in developing the safeguarding measures in any presentable form. The partner is encouraged to customize the safeguarding measures to the local legislation and circumstances.

### **1. A written safeguarding policy**

The partner maintains a policy that describes how it is committed to preventing, and responding appropriately to, harm to children and adults at risk. Such a policy needs to cover the following topics as a minimum:

A definition of a child and a general recognition that all children should be protected from all forms of abuse, neglect, exploitation and violence.

A definition of an adult at risk and a general recognition that all adults at risk should be protected from all forms of abuse, neglect, exploitation and violence.

A zero-tolerance approach towards harm, including abuse, exploitation and neglect of children and adults at risk which is openly communicated.

A clear statement on scope of the policy, and who is covered including staff, board members, consultants and other representatives connected to the organisation.

A statement in the policy on the obligation of all staff and representatives to report all concerns to the focal point.

The commitment to report any violations of local laws to the relevant authorities.

The policy is approved and signed off by Senior Management/board of Trustees.

### **2. Awareness raising strategy**

The partner places clear responsibilities and expectations on its staff and associates and supports them to understand and act as appropriate.

There are written guidelines for appropriate and inappropriate behaviour of adults towards children and adults at risk – a code of conduct or analogous publicly available articulation of the policy.

A staff awareness and training plan which ensures that the written policy is adhered to and a culture is created in which any safeguarding concerns can be safely shared.

A commitment to safer recruitment and a formal selection procedure to facilitate this, i.e. job descriptions including safeguarding responsibilities are mentioned, to refrain from the engagement of any staff, on a voluntary basis or otherwise, that may pose any risks to children and adults at risk.

### **3. Reporting**

A clear and accessible formal reporting procedure, expressing the requirement for staff to immediately report any concerns regarding safeguarding through an incident reporting form.

A reporting procedure for anyone who wishes to make a confidential or an anonymous report of safeguarding concerns.

A commitment to report serious incidents (a crime under local law, such as incidents of sexual abuse, exploitation, domestic violence or child abuse) to the appropriate authorities and to PAN UK.

The appointment of at least one senior staff member who will deal with all safeguarding matters within the organisation and who shall be the recipient of any concerns raised and who supervises yearly reviews of safeguarding measures.

### **4. Accountability**

The partner regularly monitors and reviews its safeguarding measures, including a review of the policy.

Internal mechanisms are in place for reporting on safeguarding activity in the organisation – reports to senior management and board members.

### Annex 3: Incident reporting format

Incidents should be reported in writing using the following reporting format:

#### Information about your concern

<b>Nature of concern / suspicion / incident</b> Describe your concerns, what you have witnessed and what has been reported to you. Give as many details as possible; take as much space as needed.
<b>Country where the incident or concern has arisen</b>
<b>If the concern is linked to a PAN UK project, please provide details of which project</b>
<b>Date (or time period) of the incident or concern</b>
<b>Is there a concern that specific individuals still are, or could be, at risk of harm?</b> If yes, please provide details below

#### Actions

<b>Action taken</b> Have any measures been taken, for example to improve the safety of facilities, and / or to protect any affected individuals? If so, please describe.
<b>Any additional measures not yet undertaken</b> Do you feel that any other measures – in addition to those already undertaken – are necessary to ensure people’s immediate safety? If so, please give details.
<b>What communication (if any) have you had with the suspected individual / organisation regarding this concern?</b>

What communication (if any) have you had with the victim and / or any authorities / bodies regarding this incident?