

POLICY

Safeguarding

Change begins with Education

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SAFEGUARDING POLICY

1. INTRODUCTION AND PREAMBLE

SeeBeyondBorders is a not-for-profit organisation that is registered as a charity in Australia, the UK and the Republic of Ireland, and operates as a registered international non-government organisation in Cambodia. Our vision is to provide Cambodian children with access to quality teaching and learning at school.

SeeBeyondBorders' staff, volunteers and program participants work in schools with teachers, children and young people. We recognise that by the nature of our work, our operations may pose a risk to children, young people and vulnerable beneficiaries; therefore we have developed this Safeguarding Policy and effective procedures to proactively work to mitigate those risks. This Policy and related procedures govern all SeeBeyondBorders entities.

2. PURPOSE OF THE POLICY

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

- The conduct of SeeBeyondBorders Personnel as defined in section 4
- The design and implementation of SeeBeyondBorders' programs and activities

The policy lays out the commitments made by SeeBeyondBorders and Personnel of their responsibilities in relation to safeguarding, which includes the Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH). The Safeguarding Policy operates in conjunction with SeeBeyondBorders' Anti-Discrimination, Bullying and Harassment Policy and SeeBeyondBorders' Child and Vulnerable People Protection Policy.

3. STATEMENT OF COMMITMENT

SeeBeyondBorders is committed to protecting everyone we come into contact with, regardless of age, gender identity, disability, sexual orientation or ethnic origin, because we believe everyone has the right to be protected from all forms of harm, neglect, exploitation, abuse and harassment. SeeBeyondBorders will not tolerate abuse and exploitation by staff, volunteers or visitors.

This policy addresses the following areas of safeguarding: child safeguarding, adult safeguarding, and prevention of sexual exploitation, abuse and harassment. These key areas of safeguarding may have different policies and procedures associated with them (see Associated Policies).

We recognise that the nature of development initiatives can exacerbate inequitable power dynamics within the communities where we work and therefore requires vigilant attention to maintain the highest professional and ethical standards. We are committed to non-discriminatory and respectful behaviour, where misconduct is not accepted, where power is not abused and vulnerabilities and power inequality are not exploited.

We will ensure that safeguarding measures are embedded, accessible and clearly communicated throughout our work to all Personnel, beneficiaries and their communities, in languages and formats they understand.

SeeBeyondBorders is committed to the Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse¹, and to the principles that underpin Australia's DfAT Policy on sexual exploitation, abuse and harassment (SEAH)².

4. WHAT IS SAFEGUARDING?

SeeBeyondBorders recognises safeguarding to mean protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, neglect, sexual exploitation, sexual abuse and sexual harassment.

We understand it to mean protecting people, including children and at-risk adults from harm that might arise from coming into contact with our Personnel.

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

5. SCOPE OF THIS POLICY

This policy applies to all SeeBeyondBorders Personnel, defined as:

- board members and trustees
- current staff and volunteers
- external consultants and contractors (paid or voluntary)
- contracted staff or personnel of contracted organisation and services
- project team participants

and any other person working for or on behalf of SeeBeyondBorders.

This policy also applies to other individuals and third parties who through their association with SeeBeyondBorders may visit our project activities (i.e. donors, partner organisations, service providers) although the management process for these groups may differ in certain aspects given their involvement. Any partners will be expected to adhere to the safeguarding and PSEAH requirements of this Policy, or have their own Policies in place that meet the ACFID Code of Conduct requirements. Refer to our Working with Partners Policy for further information.

6. GUIDING PRINCIPLES

The SeeBeyondBorders' Safeguarding Policy has six guiding principles:

- **Zero tolerance of sexual exploitation, abuse and harassment:**
Abuse and any such behaviour that causes harm to children, young people, vulnerable beneficiaries or other stakeholders is not tolerated by SeeBeyondBorders, including possession of or access to child images or films of children being sexually abused or exploited. Our approach understands that zero tolerance does not mean complete prevention or zero

¹ <https://www.unhcr.org/uk/protection/operations/405ac6614/secretary-generals-bulletin-special-measures-protection-sexual-exploitation.html>

² <https://www.dfat.gov.au/sites/default/files/pseah-policy.pdf>

incidents. SeeBeyondBorders' endeavours to ensure that our working environment is safe for all staff, volunteers, visitors and our beneficiaries. Should an incident occur it will be addressed immediately and in a fair way following our documented procedures.

➤ Prioritisation of victim/survivor needs:

SeeBeyondBorders is committed to do no harm and will always prioritise the victim/survivor whilst maintaining procedural fairness. Victims/survivors will be treated with respect and dignity, be involved in the decision making process, be fully informed throughout and provided with all relevant information and where appropriate be referred to additional/specialist support services. SeeBeyondBorders recognises that some children and at-risk adults, such as those with disabilities or living in areas impacted by disasters (natural or conflict based), are particularly vulnerable and their needs must be prioritised.

➤ Strong leadership and shared responsibility for child and vulnerable beneficiary protection:

To effectively manage risks to children and vulnerable beneficiaries, SeeBeyondBorders requires the active support and cooperation of all its Personnel. Our leaders are committed to modelling behaviour that is inclusive, compassionate and ensures anyone who is a victim or witness to an incident is supported and feels safe and secure to make a report. We are committed to training and developing our staff to ensure everyone knows their own responsibilities towards safeguarding and prevention of sexual exploitation, abuse and harassment. SeeBeyondBorders Personnel must comply with this Policy and will be held accountable for complying with it.

➤ Use of a risk management approach:

Careful management can reduce the incidence of child and vulnerable beneficiary exploitation, abuse and harassment associated with development activities. This policy introduces strategies for mitigating a range of recognised risks to children and vulnerable beneficiaries and we are committed to reviewing those risks on a regular basis, together with the associated Policies, processes and procedures to ensure they are fit for purpose. We train our staff, volunteers and visitors to recognise safeguarding concerns and identify SEAH and to follow our reporting procedures as documented in this Policy, as well as our Child and Vulnerable People Protection Policy and our Complaints and Feedback Handling Policy. We are committed to forward reporting, ensuring any incidents or suspected incidents of SEAH are reported to the most appropriate local authorities as well as relevant external authorities such as the Department of Foreign Affairs and Trade (DfAT) in Australia and the Foreign, Commonwealth and Development Office (FCDO) in the UK.

➤ Gender inequality and other power imbalances are addressed

SeeBeyondBorders recognises that whilst many victims/survivors of SEAH are women and girls and perpetrators are men and boys, this is not always the case and there are other power imbalances that can lead to SEAH and other safeguarding concerns. Power imbalances such as race/ethnicity, gender, ability, socio-economic background, programme implementers versus beneficiaries, seniority in the workplace all can impact and result in SEAH and this may be accentuated if there is more than one power imbalance at play at a time for example, women beneficiary with a disability versus a male employee. Where possible, power imbalances will be reduced, but we appreciate that it is not always possible to completely eradicate and

proactively manage the associated risks including raising awareness and training amongst our staff and the communities where we work.

➤ Duty of Care:

SeeBeyondBorders recognises its Duty of Care responsibilities and takes all reasonable steps to do no harm and safeguard the children and vulnerable beneficiaries in its programs.

6. DEFINITIONS

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 harm or exploitation.

Beneficiary of Assistance

Someone who directly receives goods or services from SeeBeyondBorders' program. Note that misuse of power can also apply to the wider community that SeeBeyondBorders serves, and also can include exploitation by giving the perception of being in a position of power.

Child

A person under 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, shaming, solitary confinement and isolation

Protection from Sexual Exploitation, Abuse and Harassment (PSEAH)

The term used by the humanitarian and development community to refer to the prevention of sexual exploitation, abuse and harassment 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 protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.

In our sector, we understand it to mean protecting people, including children and at-risk adults, from harm that arises from coming into contact with our staff, volunteers, visitors or programs. One donor definition is as follows:

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.

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 programs, partners, staff, volunteers and visitors. 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. Those systems must be survivor-centred and also protect those accused until proven guilty.

Safeguarding puts beneficiaries and victims/survivors 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 conditions³. It covers sexual offences including but not limited to: attempted rape (which includes attempts to force someone to perform oral sex); and sexual assault (which includes non-consensual kissing and touching). All sexual activity with a child is considered to be sexual abuse.

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 another⁴. This definition includes human trafficking and modern slavery.

Sexual Harassment

Sexual harassment involves any unwelcome sexual advance, request for sexual favour, verbal, non-verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another. This includes sexual harassment that is conducted online or via social media.

Sexual harassment has nothing to do with mutual attraction or consenting friendships, whether sexual or otherwise. Sexual harassment is unlawful in pre-employment activities and in the workplace. The workplace includes any place a person goes for the purpose of carrying out any function in relation to his/her employment and can also extend to social functions.

Some examples of sexual harassment include:

- Persistent, unwelcome demands or even subtle pressures for sexual favours or outings;
- Staring or leering at a person or at parts of their body;
- Unwelcome patting, pinching, touching or unnecessary familiarity, such as unnecessarily brushing up against a person;
- Unwanted sexual comments
- Offensive comments or questions about a person's physical appearance, dress or private life;
- Sexually explicit pictures or posters or screen savers (words and images);
- Sexually explicit telephone calls, letters, faxes, emails or voice mail messages;
- Humour such as smutty or suggestive jokes or comments;
- Innuendo, including sexually provocative remarks, suggestive or derogatory comments about a person's physical appearance, inferences of sexual morality, or tales of sexual performance;
- Requests for sex;

³ <https://www.unhcr.org/uk/protection/operations/405ac6614/secretary-generals-bulletin-special-measures-protection-sexual-exploitation.html>

⁴ Ibid

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- Insults or taunts based on sex;
- Sexually explicit physical contact.

This list is not exhaustive.

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.

Transactional Sex

The exchange of money, employment, goods, services or other benefit for sex, including sexual favours.

Young Person

The UN defines this to include individuals – young women, young men, and young persons of other gender identities – aged 15 to 24 years old.

7. PREVENTION

● *SeeBeyondBorders' responsibilities and standards of conduct*

SeeBeyondBorders will:

- Ensure all staff, volunteers and visitors have access to, are familiar with, and know their rights and responsibilities within this policy;
- Design and undertake all its programs and activities in a way that protects people from any risk of harm that may arise from their coming into contact with SeeBeyondBorders. This includes the way in which information about individuals in our programs is gathered, retained and communicated, such as ensuring photography guidelines in our Images Policy are adhered to;
- Ensure safeguarding and prevention of sexual exploitation, abuse and harassment is considered in all project-level risk assessments, as well as on the organisational risk assessment, and appropriate mitigating strategies are implemented in line with DfAT's Minimum Standards⁵;
- Implement stringent safeguarding procedures, as set out in our HR Manual, when recruiting, managing and deploying staff and volunteers (this includes reference checks and police checks);
- Ensure staff receive training on safeguarding and PSEAH at a level commensurate with their role in the organization;
- Prohibit any form of sexual exploitation, abuse or harassment;
- Communicate clearly who our Safeguarding Focal Points are and how to report any safeguarding concerns;
- Communicate clearly to staff how to report any incidents or suspicions of SEAH;
- Follow up on reports of safeguarding or SEAH concerns promptly and according to due process.

● *Personnel responsibilities and standards of conduct*

⁵ www.dfat.gov.uk/pseah

Child safeguarding

SeeBeyondBorders' Personnel must not:

- Engage in sexual activity with anyone under the age of 18
- Sexually abuse, exploit or harass 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.

Adult safeguarding

SeeBeyondBorders' Personnel must not:

- Sexually abuse, exploit or harass at-risk or other adults
- Subject an at-risk or other adult to physical, emotional or psychological abuse, or neglect.

Protection from sexual exploitation, abuse and harassment

SeeBeyondBorders' 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, SeeBeyondBorders' Personnel are obliged to:

- Contribute to creating and maintaining a 'do no harm' environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy
- Report any safeguarding concerns or suspicions regarding SEAH violations by a SeeBeyondBorders' staff member, volunteer or visitor to the appropriate staff member as per the reporting procedures.
- Adhere to the SeeBeyondBorders' Code of Conduct which sets out a broader set of expectations in relation to safeguarding and standards of expected behaviour.

Failure to comply with the standards of conduct outlined in this Policy is grounds for disciplinary action, may be considered as gross misconduct and may result in termination of employment. Any criminal conduct will be reported to the relevant authorities in the countries where we work, where it is safe to do so and is in accordance with the wishes of the victims/survivors.

8. REPORTING

SeeBeyondBorders will ensure that safe, appropriate, accessible and confidential means of reporting safeguarding and SEAH concerns are made available to staff, volunteers, visitors and the communities we work with.

Any staff reporting concerns or complaints through formal whistleblowing channels or otherwise will be protected by SeeBeyondBorders' Whistleblowing Policy.

SeeBeyondBorders will also accept complaints from external sources such as members of the public, partners and official bodies and anonymous reports will always be accepted. We will ensure all reports are treated confidentially although any criminal acts will be referred to the relevant authorities.

How to report concerns

Personnel

Staff members who have a complaint or concern relating to safeguarding or sexual exploitation, abuse or harassment (SEAH) should report it immediately to their Safeguarding Focal Point (see Appendix A) or line manager. This can be done verbally face-to-face or on the telephone, or via email or letter. If the staff member does not feel comfortable reporting to their Safeguarding Focal Point or line manager (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 any other appropriate staff member. For example, this could be the HR manager or another member of the leadership team or manager in another country office.

SeeBeyondBorders' Personnel can also report a concern following the process outlined in the Whistleblowing Policy (see Associated Policies).

Volunteers, visitors and communities

Volunteers, visitors and the communities we work with should report any safeguarding or SEAH concerns to the Safeguarding Focal Point in their country (see Appendix A for telephone numbers) or email safeguarding@seebeyondborders.org. Alternatively, volunteers, visitors and beneficiaries can report concerns to any other SeeBeyondBorders staff member who will escalate the concern to the most appropriate person.

External Authorities

All suspected or alleged cases of SEAH related to DFAT funded programs will be reported to DFAT in Australia by SeeBeyondBorders. Cases will be reported using DFAT's Sexual Exploitation, Abuse and Harassment Incident Notification form that can be found on DFAT's website or on SeeBeyondBorders' shared drive under Published Procedures and emailed to seah.reports@dfat.gov.au.

All suspected or alleged cases of SEAH related to FCDO funded programs must be reported to Mannion Daniels, the FCDO Fund Manager in the UK, via ukaid safeguarding@manniondaniels.com

SeeBeyondBorders will immediately investigate all concerns that are reported to us and provide a response as detailed below.

9. RESPONSE

SeeBeyondBorders will follow up safeguarding and SEAH reports and concerns according to policy and procedure, and legal and statutory obligations (see Child and Vulnerable People Protection and Safeguarding Management procedures in Associated Policies). These procedures include our obligations to report all alleged incidents or policy breaches to external funders, such as DfAT in Australia and FCDO in the UK.

SeeBeyondBorders has zero tolerance to abuse and exploitation and will apply appropriate disciplinary measures (e.g: termination of contract) to staff found in breach of policy.

SeeBeyondBorders will offer support to survivors of harm caused by staff, volunteers or visitors, regardless of whether a formal internal response is carried out (such as an internal investigation). Decisions regarding support will be led by the victim/survivor.

10. CONFIDENTIALITY

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding and/or SEAH 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.

11. ASSOCIATED POLICIES AND PROCEDURES

Anti-Discrimination, Bullying and Harassment policy

Child and Vulnerable Beneficiary Protection policy

Code of Conduct

Complaints and Feedback Handling Policy

HR Manual

Images Policy

Child and Vulnerable People Protection and Safeguarding Management procedures

Procedures for safeguarding in staff recruitment

Risk Management Policy

Risk Assessment Matrix

Whistleblowing policy

Other policies as appropriate

12. POLICY MANAGEMENT

This Policy has been approved by the Australian Board and the Trustees of SeeBeyondBorders’ other entities as noted below.

Amendments and or developments will be recommended to the Board from time to time as deemed appropriate by senior management. Formal reviews are recommended within three years from the anniversary date of approval by the Board. Recommendations for minor changes can be approved by the CEO before the Board review every three years, and recommendations for changes to the background or policy in practice can be approved by the relevant Sub-Committee.

| Doc ref | Doc type | Approved by Australian Board Date | Minute ref. | Approved by UK Trustees Date | Minute ref | Approved by Irish Board Date | Minute ref |
|----------------|------------------|-----------------------------------|-------------|------------------------------|-------------------|------------------------------|------------|
| | Policy Original | Board 21 Aug 2018 | | 11 Oct 2018 | Minutes: 11/10/18 | N/A | N/A |
| SP/06/2020/1.0 | Policy Update | Board 29 June 2020 | Item 8 | 21 July 2020 | Agenda item 5 | | |
| SP/06/2020/1.1 | Policy Amendment | CEO Note 11 Nov 2020 | | CEO Note 11 Nov 2020 | | | |
| SP/02/2021/2.0 | Policy Review | Board 28 June 2021 | Item 3 | UK Trustees 11 Aug 2021 | Item 5 | | |

Appendix A: Safeguarding Focal Points

| Country | Name | Position | Telephone |
|----------------|-----------------|--------------------------|---------------------|
| Cambodia | Taing-Im Lok | Child Protection Officer | +855 (0)63 5070 888 |
| Australia | Priscilla Chang | Board Member | +61 (0)2 9960 7077 |
| UK | Jayne Crow | Trustee | +44 (0)7834 536334 |
| Ireland | Maeve Corish | Chair | +353 (0)86 375 6554 |

All Safeguarding Focal Points can be contacted via email: safeguarding@seebeyondborders.org