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StudyBeyondBorders Organisation

POLICY

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# SAFEGUARDING

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*Change begins with Education*

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## Contents

1. INTRODUCTION AND PREAMBLE.....	3
2. PURPOSE OF THE POLICY.....	3
3. STATEMENT OF COMMITMENT.....	3
4. WHAT IS SAFEGUARDING?.....	3
5. SCOPE OF THIS POLICY.....	4
<b>6. DEFINITIONS.....</b>	<b>4</b>
7. GUIDING PRINCIPLES.....	5
8. PREVENTION.....	6
• StudyBeyondBorders’ responsibilities and standards of conduct.....	6
• Personnel responsibilities and standards of conduct.....	6
9. REPORTING.....	7
How to report concerns.....	7
6. RESPONSE.....	8
7. CONFIDENTIALITY.....	8
8. ASSOCIATED POLICIES AND PROCEDURES.....	8
12. POLICY MANAGEMENT.....	9

## SAFEGUARDING POLICY

### 1. INTRODUCTION AND PREAMBLE

StudyBeyondBorders' 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, vulnerable beneficiaries and those who work in our organisation; therefore we have developed this Safeguarding policy and effective procedures to proactively work to mitigate those risks and create a safe working environment.

### 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 StudyBeyondBorders. This includes harm arising from:

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

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

### 3. STATEMENT OF COMMITMENT

StudyBeyondBorders is committed to protect 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. StudyBeyondBorders will not tolerate abuse and exploitation by staff, volunteers or visitors.

This policy addresses the following areas of safeguarding: child safeguarding, adult safeguarding, and PSEAH. These key areas of safeguarding may have different policies and procedures associated with them.

We recognise that the nature of development initiatives can exacerbate inequitable power dynamics and privilege within the communities where we work and within our organisation 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 and privilege are not exploited.

We 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.

### 4. WHAT IS SAFEGUARDING?

Safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from all forms of harm, abuse, neglect and exploitation. Safeguarding means taking all reasonable steps to prevent harm, particularly SEAH from occurring; to protect people, especially vulnerable adults and children, from that harm; and to respond appropriately if harm does occur with a survivor-centred approach.

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.

## 5. SCOPE OF THIS POLICY

This policy applies to all StudyBeyondBorders 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 StudyBeyondBorders.

This policy also applies to other individuals and third parties who through their association with StudyBeyondBorders 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 or Dochas Safeguarding Code. Refer to our Working with Partners policy for further information.

## 6. DEFINITIONS

**At risk adult** : Sometimes also referred to as vulnerable adults. 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 StudyBeyondBorders' program. Note that misuse of power can also apply to the wider community that StudyBeyondBorders 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 is 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)

**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<sup>1</sup>. 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 another<sup>2</sup>. This definition includes human trafficking and modern slavery.

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

<sup>2</sup> Ibid

**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 screensavers (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;
- 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 benefits 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. GUIDING PRINCIPLES

The StudyBeyondBorders' 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 StudyBeyondBorders, including possession of or access to child images or films of children being sexually abused or exploited. StudyBeyondBorders' 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 child and vulnerable protection and Safeguarding procedures.
- **Prioritisation of victim/survivor needs:** 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. StudyBeyondBorders 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.

## SAFEGUARDING POLICY

- **Strong leadership and shared responsibility for child and vulnerable beneficiary protection:** To effectively manage risks to children and vulnerable beneficiaries, StudyBeyondBorders are committed to listening to the views and opinions of staff, vulnerable people, children, stakeholders and communities within which we operate. 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 train and develop our staff to ensure everyone knows their own responsibilities towards safeguarding and PSEAH. StudyBeyondBorders 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 incident 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 review 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 Complaints and Feedback Handling policy. We forward reporting, ensuring any incidents or suspected incidents of SEAH are reported to the most appropriate local authorities as well as relevant external authorities.
- **Gender inequality and other power imbalances are addressed:** 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, biological seniority, social status and 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. We actively promote fair and respectful communication and behaviours ensuring the balance of power is used in a positive way in developing and supporting safe working and learning environments. Where possible, power imbalances will be reduced or eliminated and we will proactively manage the associated risks including raising awareness in the communities where we work.
- **Duty of Care:** StudyBeyondBorders 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.

## 8. PREVENTION

### ● ***StudyBeyondBorders' responsibilities and standards of conduct***

StudyBeyondBorders 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 StudyBeyondBorders. 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 PSEAH is considered in all project-level risk assessments, as well as on the organisational risk assessment, and appropriate mitigating strategies are implemented.
- 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 all staff receive training on safeguarding and PSEAH
- 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***

## **Child safeguarding**

StudyBeyondBorders' 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**

StudyBeyondBorders' 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**

StudyBeyondBorders' 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, StudyBeyondBorders' 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 StudyBeyondBorders' staff member, volunteer or visitor to the appropriate staff member as per the reporting procedures.
- Adhere to the StudyBeyondBorders' 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 local authorities where we work, where it is safe to do so and is in accordance with the wishes of the victims/survivors.

## **9. REPORTING**

StudyBeyondBorders ensures 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 StudyBeyondBorders' Whistleblowing Policy.

StudyBeyondBorders 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 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 SEAH should report it immediately to their Safeguarding Focal Point or If not appropriate, please report to one of the assigned persons as per child protection and safeguarding procedure. This can be done verbally face-to-face or on the telephone, or via email or letter.

StudyBeyondBorders' 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 or email [safeguarding@seebeyondborders.org](mailto:safeguarding@seebeyondborders.org). Alternatively, volunteers, visitors and beneficiaries can report concerns to any other StudyBeyondBorders staff member who will escalate the concern to the most appropriate person.

### ***External Authorities***

All suspected or alleged cases of SEAH will be reported to SeeBeyondBorders in Australia, UK and Ireland respectively via their Safeguarding Focal Point. Cases will be reported using Incident Notification form that can be found on StudyBeyondBorders' Shared Drive.

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

## **6. RESPONSE**

StudyBeyondBorders 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). These procedures include our obligations to report all alleged incidents or policy breaches to external funders, such as SeeBeyondBorders entities in Australia, Ireland and the UK.

StudyBeyondBorders 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.

StudyBeyondBorders 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.

## **7. 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.

## **8. ASSOCIATED POLICIES AND PROCEDURES**

- Anti-Discrimination, Bullying and Harassment policy
- Child and Vulnerable people Protection policy
- Code of Conduct
- Complaints and Feedback Handling Policy
- HR Manual
- Images Policy
- Child and Vulnerable People Protection and Safeguarding procedures
- Risk Management Policy
- Whistleblowing policy

Other policies as appropriate



## **12. POLICY MANAGEMENT**

This policy has been approved by the General Manager Shared Services and the Managing Director of SBBC as noted below.

Amendments will be recommended to the Managing Director from time to time as deemed appropriate by the General Manager Shared Services, usually annually. Formal reviews are recommended every three years from the anniversary date of approval by the Managing Director. Recommendations for minor changes can be approved by the General Manager Shared Services before the Managing Director review every three years.

This policy and any amendments have also been reviewed by the SBBC Board, as noted below.

Doc Ref	Doc Type	GM-Shared Services	Managing Director	Board Review	Minute Ref
SP/09/2024/1.0	Policy	August 2024	September 2024	<a href="#">Reviewed/02/2025</a>	