

SAFEGUARDING POLICY

ROSE MASHEMO

JAMNEL CARE ORGANIZATION WWW.JAMNELCARE.ORG

1. INTRODUCTION

The projects and programmes that JCO implements address the needs of vulnerable communities and groups. There is potential for abuse to take place in the context of these projects and programmes.

Through its mission, JCO is well positioned to promote and ensure good practice by its staff and by with those of its partners who directly or indirectly work with Vulnerable Persons.

The aim of this policy is:

- To promote and ensure the safeguarding of Vulnerable Persons directly served by JCO and its partners.
- To ensure that any abuse of Vulnerable Persons that occurs in the context of JCO's projects and programmes is reported and addressed.
- **VULNERABLE PERSONS COVERED BY THE POLICY**
- All children and young people below the age of eighteen years should be protected from all forms of abuse, neglect, exploitation and violence and adheres to the fundamental rights of the child as spelled out in the UN Convention on the Rights of the Child of 1989.
- Vulnerable adults, persons over the age of eighteen years who are unable to take care of or protect themselves against harm or exploitation for whatever reason, require particular protection.
- Both children and vulnerable adults (hereinafter referred to as the "**Vulnerable Persons**") have rights as individuals and shall be treated with dignity and respect.

2. RESPONSIBILITIES

Members of the Board are responsible for:

- Ensuring adequate measures are in place to assess and address safeguarding risks.
- Putting in place adequate safeguarding policies and procedures, including relevant HR matters.
- Making sure policies and procedures are effectively applied in practice and that mechanisms are in place to provide assurance on compliance.
- Ensuring those safeguarding policies, practice, and performance are robustly and regularly reviewed to ensure they are up to date and fit for purpose.
- Actively promoting a safe culture and strong awareness of everyone's safeguarding responsibilities.
- Taking steps to help deter and prevent safeguarding issues from occurring.
- Ensuring there are mechanisms in place to promptly identify and act upon emerging safeguarding trends or issues.
- Ensuring that serious incidents are reported to the appropriate authorities.

The Strategic Management Team is responsible for:

- Ensuring the policy is implemented.
- Discussing safeguarding matters at Strategic Management Team meetings at periodic intervals to help ensure progress and address any challenges with implementing the policy and any cases arising.
- Presenting an annual safeguarding report on any instances and action taken/lessons learned to the Board.

The Safeguarding Officer is also responsible for:

- Ensuring awareness raising/training is undertaken for staff and stakeholders.

All Managers are responsible for:

- Ensuring all new employees receive policy training as part of their induction.
- Ensuring measures are implemented within their area of responsibility.
- Following up and addressing issues appropriately.

HR staff are responsible for:

- Implementing the necessary protective procedures when recruiting new staff.
- Documenting who has signed the policy.
- Ensuring that briefing on this policy is built into Induction processes.

All staff are responsible for:

- Adhering to this policy and the Code of Conduct.
- Reporting concerns using the Whistleblowing policy and procedures set out in the Code of Conduct.

3. CONTEXT

JCO expects a commitment and action by its staff and all stakeholders at national and international levels, to stop and prevent abuse of vulnerable persons.

- a. **Abuse** is any behaviour towards a person that causes harm, endangers life or violates rights. Examples of abuse include:

- I. Physical abuse.
- II. Sexual abuse.
- III. Sexual exploitation including:
 - i. Sexual relations with a person below the age of 18 regardless of the age of consent.
 - ii. Use of prostitutes even if locally legal.
- IV. Commercial exploitation, including child labour and modern slavery.
- V. Financial or material – stealing or denying access to money or possessions, expecting favours of any kind in exchange JCO assets or involvement in a project.
- VI. Emotional abuse.
- VII. Neglect and negligent treatment;
- VIII. Discrimination – abuse motivated by discriminatory attitudes towards age, race, religion, gender, disability, sexual orientation or cultural background.

Promoting and ensuring the protection of Vulnerable Persons from abuse and exploitation is an important element of JCO's mission.

4. PROTECTING VULNERABLE PEOPLE

- a. JCO staff, Board members, volunteers and contractors (refer to as "staff" hereafter)

shall adhere to the following principles:

- I. All Vulnerable Persons have rights as individuals, without discrimination of any kind and irrespective of race, colour, sex, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability, sexual orientation, birth or other status.
 - II. All Vulnerable Persons have equal rights to protection from abuse and exploitation.
 - III. All Vulnerable Persons shall be encouraged to fulfil their potential and inequalities shall be challenged.
 - IV. The welfare of Vulnerable Persons should be safeguarded and promoted.
 - V. Everybody has a responsibility to support the care and protection of Vulnerable Persons.
 - VI. Non-profit or development organisations have a particular duty of care to Vulnerable Persons with whom they work and come into contact with and with whom their representatives work.
 - VII. Staff will be viewed as representatives of JCO even when not in working hours and their responsibility to act in accordance with this policy therefore applies at all time.
- b.** JCO staff shall strive to make JCO's activities safe and caring environment(s) for all people, and in particular Vulnerable Persons.

A **Caring Environment** is one:

- I. in which the health, safety and welfare of Vulnerable Persons have been assessed and catered for;
 - II. in which staff are aware of the possibility of abuse and take reasonable measures to prevent that possibility; and
 - III. where there is a sound and known reporting system for any incident.
- c.** Activities undertaken by JCO shall be planned, organised and delivered in accordance with the principles of JCO's Policy for Safeguarding of Vulnerable Persons.
- a.** JCO expects JCO staff to be alert to signs that may suggest a Vulnerable Person is at risk of abuse or exploitation.
 - b.** JCO shall treat any allegation or concern regarding the abuse of a Vulnerable Person seriously. The reporting procedure outlined below shall be followed strictly by JCO staff. In following the reporting procedure, particular care shall be taken with regard to an individual's right to privacy and confidentiality when information is shared with appropriate people in the course of following up an allegation.
 - c.** To facilitate reporting, JCO has designated a **Safeguarding Officer**, who shall be responsible for ensuring that the Policy for the Safeguarding of Vulnerable Persons is implemented and followed. The Safeguarding Officer is the Director of Strategic Operations.

The role of the **Safeguarding Officer** is to:

- I. Receive and register reports of abuse of Vulnerable Persons from JCO staff.
- II. Collect additional information as appropriate.
- III. Assess risk.
- IV. Consult with JCO's leadership, legal staff, and programme staff as appropriate.

- V. When appropriate, consult with external organisations including, local agencies, and community leaders.
 - VI. Make a formal referral if appropriate to the JCO Senior Management (Operations) Committee or local authorities.
- d.** If any of the following incidents occur, a JCO staff member must make a report to the Safeguarding Officer:
- I. Abuse is observed or suspected.
 - II. An allegation of abuse is made.
 - III. A Vulnerable Person discloses abuse.
 - IV. A complaint is made about the possible abuse or exploitation of a Vulnerable Person by a JCO staff member.

Upon receipt of the report, the Safeguarding Officer shall act as appropriate, following the reporting procedure as outlined above.

- e.** JCO staff working on project development or monitoring have to be alert to possibilities of the abuse and exploitation of Vulnerable Persons. If such abuse or exploitation is observed, it is the duty of JCO staff to inform the Safeguarding Officer. The staff member should not attempt to investigate the allegation or to discuss it further other than with the Safeguarding Officer who is responsible for further investigation and, if necessary, referral to the police and/or appropriate local authority in the jurisdiction where the reported incident has or may have taken place.
- f.** Where a JCO project includes working directly with vulnerable persons (e.g. young people taking part in a workshop), a risk assessment must be carried out in advance and approved by a member of staff. This will include factors such as travel to/from the event; the need for chaperones; safe spaces; access to washrooms and parental consent.

5. REPORTING ABUSE

The Safeguarding Officer, after being informed of an allegation, will make a preliminary assessment and determine the course of action appropriate to the seriousness of the alleged offence. As a matter of principle, once it is decided that an alleged abuse needs to be investigated, then the Safeguarding Officer will disclose all relevant information to the Senior Management (Operations) Committee.

The following are key steps in any process to substantiate any reported allegations:

a. Investigate

The Safeguarding Officer will consult with the JCO managers as appropriate; if the abuse occurred within the context of a project, the Program Director and the relevant programme lead will be consulted.

The allegation will be investigated and the individual(s) concerned informed of the allegations against him or her, and the course of action to be taken. At the same time, the Safeguarding Officer will ensure that all information in the possession of the individual suspected is secured for investigation. If appropriate to safeguard JCO during the investigation period, the individual alleged to have committed the abuse may be taken out of his/her position. This may mean the individual is put into another position, put on leave with pay or suspended without pay.

b. Collect evidence

Depending on the magnitude and the complexity of the offense, investigations will be carried out by the Head Office or where deemed appropriate, by local authorities. The involvement of external parties must be approved by the Safeguarding Officer.

c. Report

Ensuring a report is issued on a timely basis detailing the findings and conclusions of the investigation including recommendations for action to be taken. The report will only be disclosed to the Program Director and Board, and others with a need to know. This is important to avoid damaging the reputation of those suspected of wrongdoing and subsequently found innocent.

6. ACTION

In all cases the course of action will be determined in consultation with the relevant Director and JCO's legal staff

7. PREVENTION

- a.** JCO will follow preventative measures to make the workplace and JCO's projects and programmes safe for vulnerable people. Such measures will also protect staff and the reputation of the organisation.
- b.** JCO will ensure that all JCO staff working directly with Vulnerable Persons and, in particular, with children, introduce a system of checks when recruiting new staff that considers the following if appropriate:
 - I. The same standards should be applied for paid, non-paid, short-term or permanent staff.
 - II. When a new job is being designed, the role and the issues of child and vulnerable adult protection and risk in that job shall be carefully considered:
 - i. What contact with children or vulnerable adults will the job involve?
 - ii. Will the employee have unsupervised access to children or vulnerable adults, or hold a position of trust?
 - iii. What other sort of contact may the person have with children or vulnerable adults (e.g. via email, telephone, letter, Internet)?
 - III. Making clear in job descriptions, terms of reference/role briefs for all posts (including where short-term contracts or consultants are being recruited) – whether the role includes any specific responsibility for working with Vulnerable Persons and for safeguarding.
 - IV. For all positions, the selection criteria will include the need to understand and abide by JCO's organisational policies and values.
 - V. Where relevant, the selection criteria shall outline the relevant experience needed and:
 - i. Application forms that ask for consent to gain information on a person's past

convictions/pending disciplinary proceedings shall be developed and documentation to confirm identity and proof of relevant qualifications shall be requested, this is applicable for roles that involve safeguarding issues.

- ii. The interview process shall be well planned and the interviewers have the relevant experience and knowledge about child and vulnerable adult protection and best practice and how to question the candidate appropriately to elicit responses on this subject.
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- VI. Up to three employment-based references including the most recent employer shall be taken and the identity of referees shall be verified by ensuring that references are received on headed paper or company email addresses. Questions should be asked regarding conduct as well as job performance. Where the postholder will have responsibility for working with children or vulnerable adults, the reference request will include a particular question regarding the suitability of the candidate to work with this group.
 - VII. As many background checks as possible shall be conducted.
 - VIII. The use of probationary periods of employment to ensure suitability once in post shall be considered.
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- c. Staff and partners working directly with Vulnerable Persons and, in particular, with children, should assess the possible ways that children come into communication contact with staff, and to decide what procedures they need to follow to prevent possible abuse through digital communication such as SMS text, email, internet chat rooms, photo phones, digital cameras etc.

8. SELF-ASSESSMENT TOOLKIT FOR CHILD PROTECTION

JCO expects its staff, partners and in particular those working directly with children, to use the Civil Society Challenge Fund (CSCF) Child Protection Self Audit Toolkit to assist in good project design and delivery. This toolkit is annexed to this Policy as Annex 1.

ANNEX 1

CHILD PROTECTION

The list below provides additional standards to support effective child protection and will assist staff and partners when working with children and young people.

Children and the organisation

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- 1 The organisation and its local partners are very clear about its responsibility to protect children and make this known to all who come into contact with them.

 - 2 The way staff and local partners behave towards children suggests that they are committed to protecting children from abuse.

 - 3 There is good awareness of the *UN Convention of the Rights of the Child* (UNCRC) or other children's rights instruments and this is seen as a basis for child protection in the organisation.

 - 4 Managers and senior staff ensure that children are listened to and consulted and that their rights are met.

 - 5 The organisation and its local partners make it clear that all children have equal rights to protection.

 - 6 The organisation and its local partners manage children's behaviour in ways which are non-violent and do not degrade or humiliate children.
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Policies and procedures that help keep children and young people safe

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- 1 The organisation and its local partners have a written child protection policy or some clear arrangements to make sure that children are kept safe from harm.

 - 2 The policy or arrangements are approved and endorsed by the relevant management body (e.g. senior management, board, executive, committee).

3 The policy or arrangements have to be followed by everyone.

4 There are clear child protection procedures in place that provide step-by-step guidance on what action to take if there are concerns about a child's safety or welfare.

5 There is a named child protection person/s with clearly defined role and responsibilities.

6 The child protection procedures also take account of local circumstances.

Preventing harm to children and young people

1 There are policies and procedures or agreed ways of recruiting staff and for assessing their suitability to work with children, including where possible police and reference checks.

2 There are written guidelines for behaviour or some way of describing to staff and local partners what behaviour is acceptable and unacceptable especially when it comes to contact with children.

3 The consequences of breaking the guidelines on behaviour are clear and linked to organisational disciplinary procedures.

4 Guidance exists on appropriate use of information technology such as the Internet, websites, digital cameras etc. to ensure that children are not put at risk.

5 Where there is direct responsibility for running/providing activities, including residential care, children are adequately supervised and protected at all times.

6 There are well-publicised ways in which staff can raise concerns, confidentially if necessary, about unacceptable behaviour by other staff or representatives.

Implementation and training

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- 1 There is clear guidance to staff, local partners and other organisations (including funding organisations) on how children will be kept safe.

 - 2 Child protection must be applied in ways that are culturally sensitive but without condoning acts that are harmful to children.

 - 3 There is a written plan showing what steps will be taken to keep children safe.

 - 4 All members of staff and volunteers in the organisation and its local partners have training on child protection which includes an introduction to the organisations' child protection policy and procedures where these exist.

 - 5 All members of staff and local partners are provided with opportunities to learn about how to recognise and respond to concerns about child abuse.

 - 6 Work has been undertaken with all local partners to agree good practice expectations based on these standards.
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Information and communication

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- 1 Children are made aware of their right to be safe from abuse.

 - 2 Everyone in the organisation and the local partners know which named staff member has special responsibilities for keeping children safe and how to contact them.

 - 3 Contact details are readily available for local child protection resources, safe places, national authorities and emergency medical help.

 - 4 Children are provided with information on where to go to for help and advice in relation to abuse, harassment and bullying.

 - 5 Contacts are established at a national and/or local level with the relevant child protection/welfare agencies as appropriate.

 - 6 Staff members with special responsibilities for keeping children safe have access to specialist advice, support and information.
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Monitoring and review

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- 1 Arrangements are in place to monitor compliance with child protection measures put in place by the organisation.

 - 2 Steps are taken to regularly ask children and parents/carers their views on policies and practices aimed at keeping children safe the effectiveness of these.

 - 3 The organisation uses the experience of operating child protection to influence policy and practice development.

 - 4 All incidents, allegations of abuse and complaints are recorded and monitored.

 - 5 Policies and practices are reviewed at regular intervals, ideally at least every three years.

 - 6 Children and parents/carers are consulted as part of these reviews of safeguarding policies and practices.

Adapted from Keeping Children Safe

SAFEGUARDING BEHAVIORAL GUIDE

JCO believes that all children and adults in vulnerable circumstances have equal rights to protection from violence, abuse, and exploitation, and takes seriously its duty of care towards the children and adults in vulnerable circumstances it works with and its staff come into contact with. Part of safeguarding is ensuring that all JCO staff and partners understand clearly the behaviour that is expected of them when they come into contact with children and adults in vulnerable circumstances.

I will:

1. Treat all children and adults in vulnerable circumstances with respect, regardless of race, colour, sex, sexual identity, social group affiliation, language, religion, political or other opinion, national, ethnic or property, disability, birth or other status
2. Conduct myself in a manner that is consistent with the values of JCO
3. Provide a welcoming, inclusive and safe environment for all children and adults in vulnerable circumstances
4. Respect cultural differences which do not harm children and adults in vulnerable circumstances
5. Encourage open communication between all children, young people, parents, staff and volunteers and enhance and promote the participation of children and adults in vulnerable circumstances in the decisions that affect them
6. Refrain from touching any member of the beneficiary community especially children and adults in vulnerable circumstances unless it is part of my role.
7. Be transparent in my actions and whereabouts
8. Take responsibility for ensuring I am accountable and transparent, and that I do not place myself in positions where there is a risk of allegations being made. Wherever possible, I will ensure that another adult is present when I am working in the proximity of children.
9. Keep confidential all information that I am party to regarding safeguarding cases, disclosing and discussing information only with the relevant parties
10. Report any concerns or suspicions regarding abuse or policy non-compliance by a fellow staff member or JCO partner in line with JCO's reporting procedures
11. Comply with all relevant national legislation, including labour laws in relation to child labour
12. Immediately disclose all abuse charges, convictions and other exploitation and abuse and policy non-compliance in accordance with appropriate procedures

I will not:

1. Engage in behaviour that is intended to shame, humiliate, belittle or degrade children or adults in vulnerable circumstances
2. Use inappropriate, offensive, harassing, abusive, sexually provocative, demeaning, culturally inappropriate or discriminatory language when speaking with a child or adult in vulnerable circumstances
3. Do things of a personal nature that a child or adult in vulnerable circumstances can do for him/herself, such as assistance with toileting or changing clothes. If this is necessary, for example for someone with a disability, I will inform my line manager first and be as open as possible in my behaviour, which includes explaining what I can do to assist them
4. Invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger
5. Sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my line manager's permission, and ensure that another adult is present.
6. Hit or physically assault children
7. Engage in any form of sexual activity or acts, including paying for sexual services or acts, with a child or adult in vulnerable circumstances. This includes not physically touching a baby's genitals, of either gender, even if it is not intended for sexually exploitative purposes.
8. Encourage or condone behaviour on the part of others which constitutes abuse or exploitation of a child or adult in vulnerable circumstances. This includes not encouraging children to engage in

sexual acts with other children.

9. Behave provocatively or inappropriately with a child or adult in vulnerable circumstances. Hold, kiss or cuddle in an inappropriate, unnecessary or culturally insensitive way.
10. Seek to make contact, in person, by phone, or electronically, and/or spend time with any child/adult in vulnerable circumstances that I come into contact with in my role as a representative of JCO, outside of designated work and activity times of my role
11. Discriminate against any children/adult in vulnerable circumstances for any reason or show special favour towards any individual or group
12. Release or discuss any personal confidential information about suspected or proven abuse or protection cases other than with the relevant persons
13. Use any computer, mobile phone, or video and digital camera to exploit or harass children/adults in vulnerable circumstances. I will not access obscene child abuse material through any medium
14. Hire children to perform domestic labour or any other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury or any other harm.

When photographing or filming a child or children for work purposes, I must:

1. Assess, and endeavour to comply with, local traditions or restrictions for reproducing personal images (taking photos or videos)
2. Obtain consent (documented through the JCO Photography Release Consent Form) from the child and a parent/guardian of the child. As part of this I must explain how and where the photograph or film will be used. I must follow JCO guidance on obtaining consent for taking photos of groups of children
3. Ensure photographs or films present children in a dignified and respectful manner, not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive
4. Ensure images are honest representations of the context and the facts
5. Ensure children are portrayed as part of their community
6. Ensure file images do not reveal identifying information about a child when sending images electronically
7. Ensure there is no identifying information of the child used in the publication of images with their location I will ensure all recorded identifying details are stored confidentially.
8. Ensure all photographers I am supervising are screened for their suitability, including police checks where appropriate
9. Not post images or details of children associated with JCO's work on personal social media sites
10. Only use the photograph for the circumstances agreed upon. Photos older than three years will be labelled "not for use" and archived, but will not be destroyed as they may be useful as historical reports

As a person engaged or associated with JCO staff are required to use common sense and avoid actions or behaviours that could be construed as abuse when engaging in activities or visiting projects of JCO or partner agencies.

JCO expects staff and partners to uphold at all times the standards of behaviour described in the Safeguarding Behavioural Guide above and that disciplinary measures and/or legal steps will be taken if staff are found to be in breach of the Safeguarding Behavioural Guide.

Sign

Employee Name.....

Designation:

Signature.....

Date.....