

# ABColumbia Safeguarding Policy

The purpose of this policy is to protect people, particularly our beneficiaries, staff, volunteers, partners and members, from any harm due to the actions of anyone who takes part in the delivery of ABColumbia's work. ABColumbia has a zero-tolerance approach to serious misconduct and will not tolerate its staff, volunteers, Board, partners and members, or any representatives associated with ABColumbia's work carrying out any form of violence, abuse, harassment or exploitation.

Our values commit us to respect the intrinsic dignity of every person and create relationships of mutual respect, regardless of race, gender, religion, sexual orientation, age, ability or beliefs. It is essential that ABColumbia representatives do not in any way exploit any position of power they may hold. ABColumbia is committed to safeguarding all people in the course of our work, recognising that particular attention should be paid to ensuring the welfare of children, as well as, adults with specific vulnerabilities and to ensure that action is taken to support them if they are at risk of significant harm.

## **Personal Responsibility**

It is the responsibility of each person to prevent and report physical, sexual, emotional abuse or neglect. The welfare of individuals is paramount. Everyone without exception have the right to protection from abuse regardless of gender, ethnicity, disability, sexuality or belief. As a part of the ABColumbia, you have the responsibility to raise any concerns you may have or those which are reported to you in accordance with this policy. It is not your responsibility to decide if an incident of violence, abuse, harassment or exploitation has taken place or whether an incident constitutes a safeguarding breach. **ABColumbia management has a duty to ensure that all allegations of sexual exploitation and abuse or investigated and disciplinary action is taken if these allegations are found to be valid. ABColumbia management also has a duty to provide appropriate assistance to survivors of abuse or exploitation.**

## **Code of Conduct**

Our Code of Behaviour makes explicit commitments that the professional conduct of anyone who carries out work for, or represents e.g. volunteers, interns, consultants, board members. ABColumbia is of the highest standard. Our Code of Behaviour strongly condemns all kinds of abuse and exploitation, including sexual exploitation and abuse, and makes clear ABColumbia will not tolerate any form of this behaviour. ABColumbia believes that all people regardless gender, race, ethnicity, age, disability, sexual orientation have a right to be protected from all forms of abuse and exploitation.

The purpose of this Safeguarding Policy is to set out how ABColumbia seeks to ensure our representatives do not abuse their power and that our activities do not expose anyone to harm. ABColumbia is committed to ensuring the application of the commitments within our Safeguarding Policy and related procedures and systems across the breadth of our work, including its application through our work with member organisations.

## **Key Principles**

- Safeguarding is a shared responsibility, within the organisation everyone is involved in ensuring a welcoming, inclusive, dignified and safe environment for those who come into contact with us.
- All ABColombia representatives have a responsibility to act when there is a perceived or actual breach of our Safeguarding Policy or Code of Behaviour and/or a risk of harm to children or vulnerable adults. Anyone who brings concerns or allegations to the notice of ABColombia will be responded to sensitively, respectfully and seriously.
- Any reported concerns or allegations about breaches of ABColombia's Safeguarding Policy or Code of Behaviour will be investigated in accordance with this policy, or the applicable relevant policy and procedure(s).
- Confidentiality is paramount and information relating to safeguarding concerns or allegations will only be shared on a need-to-know basis.
- The principle of the best interest of the survivor is the primary consideration in all safeguarding matters.
- Support will be made available to survivors where there have been concerns or allegations of some form of harm or maltreatment by an ABColombia representative.
- ABColombia is committed to holding perpetrators to account. Sexual exploitation and abuse constitute acts of serious misconduct and are therefore grounds for disciplinary measures for staff, including dismissal.
- ABColombia will report criminal acts to the relevant statutory agency.
- ABColombia will report relevant incidents to our Member Organisations.
- ABColombia expects its member organisations to report any Safeguarding incidents involving their organisations to ABColombia's Programme and Advocacy Manager, these will be kept confidential and shared only with the relevant persons in other member agencies.
- ABColombia will ensure that all of its staff, interns, volunteers and consultants have access to and are familiar with and understand the ABColombia Safeguarding Policy.

## **LEGAL COMPLIANCE**

ABCOLOMBIA complies with all relevant Safeguarding Legislation in England and Wales, including, Working Together to Safeguard Children 2018; The Children Act 1989 / Children Act 2004. Each international country has its own specific legislative requirements relating to safeguarding, such as criminal law, recruitment vetting processes, data protection and reporting protocols. If circumstances arise where this policy contravenes or contradicts local legislation, local legislation must be followed with guidance from the Safeguarding Advisor on the ABColombia Board. This document will apply if ABColombia policy is more stringent than local legislation.

ABCOLOMBIA is guided in terms of safeguarding by international standards such as the UN Convention on the Rights of the Child and other relevant Human Rights Conventions, the UN Secretary General's Bulletin for special measures for protection from sexual exploitation and sexual abuse.

## **RISK STATEMENT**

Due to the nature of our operations, there is a minimum risk that 'Our Representatives' present a safeguarding risk to the communities we serve, particularly children and vulnerable adults. This policy aims to prevent/lower this risk and ensure we respond to any safeguarding incidents

without risk of further harm. At an organisational level the impact of any serious complaint is high, due to the potential for reputational damage and possible financial implications.

## DEFINITIONS

- **Safeguarding: it** is the responsibility of ABColombia to make sure our representatives and our activities promote the welfare of people (especially children and vulnerable adults) in our work and that we do not expose people or communities to the risk of harm and abuse, including sexual exploitation and abuse. Safeguarding measures seek to prevent situations where individuals can use their position of power, to abuse or exploit another person.
- **A child** is anyone under the age of 18. This is irrespective of local country definitions, including legal definitions, of when a child reaches adulthood.
- **A vulnerable adult** (international development context) is an individual aged 18 years or over who is at greater risk of significant harm due to factors such as gender, age, mental or physical health, or as a result of poverty, inequality or experience of displacement or crisis. In an international development context, in which our member organisations work, an example might be a person with reliance on humanitarian aid with another intersecting vulnerability such as a disability or their ethnicity. Safeguarding vulnerable adults is the process of protecting adults from abuse or neglect, enabling adults to maintain control over their lives and make informed choices without coercion.
- **A vulnerable adult (UK context)** is an individual aged 18 years or over who has needs for care and support (whether or not the local authority is meeting any of those needs) and; is experiencing, or at risk of, abuse or neglect; and; as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.
- **Grooming:** Grooming is when someone builds an emotional connection with a child or vulnerable adult to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking. Many children and vulnerable adults may not understand that they have been groomed or that what has happened to them is abuse.
- **Abuse:** any action or inaction that causes harm to another person (see section below on obligation to report). It can include physical abuse, emotional abuse, sexual abuse and neglect. It also includes abuse online and/or through mobile technology.
- **Exploitation:** any actual or attempted abuse of a position of vulnerability, differential power or trust to profit monetarily, socially or politically. It includes sexual exploitation.
- **Sexual abuse** means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
- **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.
- **Survivor/victim:** the term survivor refers to the person who it is alleged has been the subject of abuse or exploitation. The term 'survivor' implies strength and resilience. 'Victim' is used to mean the victim of an alleged perpetrator's actions. However, this is not intended to negate the dignity and agency of an individual.
- **Safeguarding concern or allegation:** a suspicion or allegation that a breach of this safeguarding policy has occurred or may be at risk of occurring. This includes disclosures by children and vulnerable adults.
- **Whistleblowing:** A disclosure by a person about serious malpractice carried out by ABCOLOMBIA or our representatives, for example concerns or complaints about criminal acts, abuse or exploitation

## **POLICY SCOPE**

This policy sets out the preventative measures we take to **minimise the risk of our representatives' abusing power and causing specific harm** (for example exploitation or abuse) to any programme participant or member of the wider community, particularly the risk to children and vulnerable adults. The policy also sets out **how we identify and respond to safeguarding concerns or allegations**.

This policy does not cover abuse and exploitation occurring **within a community** (for example forced marriages, other harmful traditional practices, or trafficking). These issues are addressed through legal measures. This policy does not cover bullying or harassment in the workplace which occurs when differences in power are abused between staff members of the same agency, even though these issues may be interrelated. These are governed by separate internal HR policies.

## **POLICY DETAIL: BEHAVIOUR PROTOCOLS FOR SAFEGUARDING**

Listed below are the commitments within our 'Code of Behaviour' that are most relevant to safeguarding. The Code of Behaviour also applies to any online activity, including use of social media. This section includes additional commitments for direct work or contact with children and vulnerable adults.

### **Obligation to report.**

Our representatives have a mandatory duty to report all concerns or allegations about breaches of organisational policies (including the Code of Behaviour and this Safeguarding Policy). Anyone can raise a concern or make a complaint to ABColombia about something they have experienced or witnessed.

### **With regards safeguarding concerns and complaints:**

- Our representatives have a mandatory duty to report all safeguarding concerns or allegations immediately (see also Code of Behaviour and Complaint Policy). This is regardless of whether it is internal to ABColombia or not. It is not the responsibility of staff to decide whether or not exploitation or abuse has occurred, but they must pass their concerns on. The need to report safeguarding concerns may arise when:
  - You witness or suspect abuse or exploitation, or grooming type behaviour
  - You receive a concern, allegation, or complaint that indicates abuse or exploitation
  - A survivor discloses abuse or exploitation.
- Staff who fail to report a concern may be subject to disciplinary action in accordance with ABColombia's Disciplinary Policy.
- Although rare, deliberate false allegations are a serious disciplinary offence and will be investigated in accordance with ABColombia's disciplinary policy.
- We manage safeguarding reports (and other complaints) in a manner that prioritises the safety of the complainant and those affected at all stages.

### **Relevant sections of ABColombia's Code of Behaviour**

Representatives of ABColombia must:

- Ensure their personal and professional conduct is, and is seen to be, of the highest standards and in keeping with ABColombia's Vision, Objectives and Values and does not bring ABColombia into disrepute.
- Act in good faith and treat other people with dignity and respect, without discrimination, harassment, abuse or neglect.
- Take reasonable action to protect others from harm and to challenge infringements.
- Act in accordance with health, safety and security guidelines and endeavour to safeguard others.
- Ensure contact with children, young people and vulnerable adults (whether by phone, online or direct contact) is supervised, accompanied, or at least in sight of other adults.

Representatives of ABColombia must NOT:

- Use the position of power conferred by their role to exert pressure, gain economically, professionally or sexually, or extract or accept favours, bribes, gifts or other forms of personal enrichment.
- Enter a sexual relationship with any member of a community or partner organisation we assist with whom we hold a position of power or authority.
- Exchange money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour.
- Take advantage of a position of power to enter into a relationship with a colleague.
- Use their power or position to withhold assistance or services, or to give preferential treatment.
- Use the organisation's computers or other equipment to view, download, create or distribute inappropriate material, including but not limited to pornography.

### **Additional commitments for contact with children**

Representatives of ABColombia must:

- Challenge bullying and child-to-child abuse in all its forms.
- Raise any concerns about grooming or grooming type behaviour
- Disclose all charges or convictions if they relate to child abuse or exploitation.

### **Representatives of ABCOLOMBIA must NOT:**

- Engage in any type of sexual relationship with any person under the age of 18 or under the local age of sexual consent (where higher). This applies to all ABCOLOMBIA representatives regardless of the age of consent locally and mistaken belief in the age of the child is not a defence.
- Physically abuse children (even where this is culturally acceptable). Representatives of ABColombia must use non-violent methods to manage children's behaviour.
- Do things of a personal nature for a child with whom they come into contact as part of their work for ABColombia that the child can do for themselves (e.g. toileting, bathing, dressing).
- Recruit children for any labour which is inappropriate to their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at risk of injury.
- Seek to make contact or spend time with any child with whom they come into contact as a part of their work with ABColombia except as part of the designated activities set out in the role.

- Share a bedroom or sleep close to an unsupervised child or children where that child/children are ones with whom they come into contact as part of their work for ABColombia.
- Visit a child's home alone or invite unaccompanied children into their own accommodation, where that child/children are ones with whom they come into contact as part of their work for ABColombia.
- Shame, belittle or degrade a child.
- Touch a child in a manner which is considered culturally insensitive or inappropriate.

#### **POLICY DETAIL: SAFE RECRUITMENT**

ABCOLOMBIA applies recruitment procedures that, to the best of our ability, ensure appointed representatives are suitable to work with children and vulnerable adults.

Staff must follow the relevant procedure to, as appropriate:

- Reflect safeguarding commitments and responsibilities in job adverts, role descriptions and terms of reference as applicable.
- Request confidential disclosure of convictions within the parameters of local employment law.
- Ask appropriate screening questions during selection/interview processes for relevant roles.
- Undertake appropriate levels of reference checks dependent on the position (Staff, Intern, Board member)
- Perform police checks when appropriate.

ABColombia will not employ any member of staff, Board member, Intern or volunteer, where, during or upon recruitment, concerns arise in relation to ABColombia's duty to the protection of children and vulnerable adults.

#### **POLICY DETAIL: SAFEGUARDING ROLES & RESPONSIBILITIES**

While safeguarding is a shared responsibility, with all parts of the organisation and all levels of staff involved in ensuring a welcoming, inclusive, dignified and safe environment for those who come into contact with us, there are specific responsibilities within key roles:

The Chair of the ABColombia Board is responsible for safeguarding issues and will be supported by the Board member who has responsibility for HR, and when appropriate by the Programme and Advocacy Manager (PAM) of ABColombia. All concerns are forwarded to the Chair of the Board who is responsible for informing the HR Board member and the PAM. It is the responsibility of the Chair to advise ABColombia members of all safeguarding concerns or complaints related to ABColombia's work, within 7 days (this includes sexual exploitation and abuse of children or adults, and other abuses of power).

#### **PAM is responsible for:**

- preventing and respond to abuse and exploitation by receiving and forwarding concerns
- developing safeguarding policies and procedures
- raising awareness and promote best practice
- providing advice to staff, volunteers, Members and the Board
- ensuring that ABColombia keeps abreast of best practice in the sector and legislative changes
- ensuring that the Safeguarding Policy is implemented

- ensuring staff undertake safeguarding risk analysis for relevant activities and to minimise risks.

## **POLICY DETAIL: SAFEGUARDING & SHARING DATA AND INFORMATION**

ABColumbia representatives must protect the personal data of children and vulnerable adults by processing and storing it in accordance with the General Data Protection Regulation in the European Union Act (2018) and ABColumbia's policies including ABColumbia's Data Protection Policy. The list below are the commitments within those policies and guidelines that are most relevant to sharing and managing data information in line with good safeguarding practice.

- Ensure that all pictures of children and programme participants taken in relation to work with ABColumbia are decent and respectful. Images of anyone that in any way has a negative impact on their dignity or privacy are not acceptable. Stories and images of children should be based on the child's best interest.
- Obtain informed consent before taking images (e.g. photographs and videos) of people in communities and respect their decision to say no.
- Protect children's identity in any media involving under 18's. For example, by ensuring information, including combinations of information, which could be used to identify a child is not published in images and/or interviews.
- Apply a safeguarding lens to all promotional communications and fundraising activities and prioritise the protection of community members who share stories for communication or advocacy purposes.

### **Sharing data and information**

- ABColumbia commits to ensure we publicise our safeguarding policy on our website and make it clear how stakeholders, communities or others can feedback and/or raise a complaint with ABColumbia.

### **How to report & manage safeguarding concerns or allegations**

- **The safeguarding issue should be raised with the** Chair of the ABColumbia Board and/or the Programme and Advocacy Manager (PAM) of ABColumbia immediately and it can be raised verbally or in writing.
- All concerns are forwarded to the Chair of the Board who is responsible for informing the HR Board member and the PAM.
- It is the responsibility of the Chair to advise ABColumbia members of all safeguarding concerns or complaints related to ABColumbia's work, within 7 days (this includes sexual exploitation and abuse of children or adults, and other abuses of power).
- Staff who raise a concern or allegation about potential or actual serious malpractice carried out by ABColumbia or our representatives (which includes safeguarding concerns) will be legally protected from detrimental treatment in accordance with ABColumbia's Whistleblowing Policy, provided concerns and allegations are raised in good faith. Although legal protection for whistle-blowers cannot extend beyond staff.

### **ABCOLOMBIA procedure: how issues are handled**

ABCOLOMBIA manages safeguarding concerns and allegations in accordance with this policy and investigations guidelines, prioritising the safety of the person raising the concern/allegation and those affected at all stages. Upon receipt of a safeguarding concern or allegation, ABColumbia will:

- Act, avoiding unnecessary delays and prioritising the safety of the survivor.

- Hold a meeting within 48 hours to:
  - assess the concern and consider if further investigation is required (based on an indication that there may have been a breach of our code of behaviour)
  - decide next steps, including if anyone else needs to be informed (on a “need to know” basis)
  - decide on whether this allegation needs to be reported to the appropriate authorities
  - where an ABColombia representative is the subject of an allegation, discuss whether suspension is required until an investigation is completed. Suspension does not imply guilt; it may be taken as a temporary measure to separate/protect all parties.
- Investigate the allegation
- An initial communication should be sent to the complainant as soon as possible acknowledging the complaint and when appropriate, keep the person raising the concern/allegation updated of progress and resolution, unless:
  - the situation means we must respect the privacy of individuals who may be affected
  - the survivor has expressly indicated a preference not to receive contact
  - the report has been made anonymously and this is not possible
- Observe our policy commitments on confidentiality (if children have been involved, we will inform parents or carers, if appropriate). Strong action will be taken against anyone who knowingly shares confidential information about the case.
- Staff must comply with safeguarding related investigations (internal and external) and make available any documentary or other information necessary for the completion of the investigation.

### **Notifying authorities or other organisations**

Referral to authorities. We will refer any reports involving criminal activity to the relevant authorities responsible for investigation, when safe to do so. Any representatives who believe a child or adult in the UK is at imminent risk of significant harm should contact the police.

ABColombia reports all safeguarding concerns or complaints related to ABColombia’s work, to the dedicated person in each of our member organisations. ABColombia member organisations are required to do the same when the safeguarding concern or complaint happens in Colombia.

ABColombia commits to supporting survivors by ensuring any process is non-directive, and non-judgmental.

### **POLICY DISSEMINATION AND TRAINING**

In order that ABColombia can meet its safeguarding commitments, it is essential that everyone associated with the organisation is clear about these commitments, the expectations ABColombia has of them, and what this means in practice. Creating an ‘aware culture’ in which all staff, volunteers and other representatives contribute to the protection of people/individuals and prevention of abuse is crucial.

All staff are required to:

- Be aware of and sign the Code of Behaviour and Safeguarding Policy upon joining the organisation
- Discussion on the Code of Behaviour will be part of the general induction



- Staff arranging visits to international programmes must carry out relevant risk assessments
- Ensure that visitors (e.g. donors, trustees, supporters, journalists) receive an appropriate briefing before visits to Colombia (i.e. expectations on behaviour, relevant protocols and how to raise concerns)

The process for reporting safeguarding concerns is publicised during induction sessions and on our website.