

Pratham UK

Safeguarding Policy

May 2020

1. POLICY STATEMENT

Children and vulnerable adults who come into contact with Pratham UK as a result of our activities must be safeguarded to the maximum possible extent from deliberate or inadvertent actions and failings that place them at risk of child abuse, sexual exploitation, injury and any other harm.

Any staff member feeling threatened or abused may also use this policy, alongside the Grievance Procedure (in the Staff Handbook).

This responsibility falls upon all of our staff, volunteers and consultants (“representatives” - see section 2) and is reflected across many policies. This duty of care is enshrined in our Safeguarding Policy.

As a children’s charity our primary focus is on the safety and well being of the children we support, but in our work we will also come into contact with vulnerable adults and we have a duty to ensure their safety and well being and this policy therefore also includes vulnerable adults to who the same principles of care apply. As defined by the Core Humanitarian Standard people may be vulnerable because of individual factors such as age, disability or illness or because they are caring for others who are vulnerable. This includes the parents of children with cancer.

The policy requires:

- Pratham UK to recruit only representatives who are suited to work with children and/or vulnerable adults and to apply strict recruitment practices. All Pratham UK representatives who will come into contact with children as part of their work will be required to have a UK DBS (Disclosure and Barring Service) check, or local equivalent and this should be updated every three years.
- That everyone associated with the organisation is aware of their obligations and responds appropriately to issues of child abuse and the sexual exploitation of children. Further details regarding the reporting of issues under this Child Safeguarding Policy are detailed in section four.

- That anyone who represents our organisation behaves appropriately towards children or vulnerable adults and never abuses the position of trust that comes with being a part of Pratham UK.
- That everyone who works with us must actively create a safe environment for everyone who comes into contact with the organisation.
- All activities and programmes of work are assessed for risks to children which we seek to mitigate or remove. In particular, photographing of children should only take place with prior consent from the parent or guardian and from any school the child may be photographed at.

In this way we make Pratham UK safe for children and vulnerable adults and by creating a child safe organisation; we honour their rights and our aspirations.

2. SCOPE OF THE POLICY

This policy applies to:

- Pratham UK staff, whether national, international, full time, part time or engaged on short-term contracts, e.g. consultants, researchers and our volunteers. Collectively all the people to whom this policy applies are referred to as “representatives” throughout this policy.
- Volunteers, trustees and board members, staff and representatives of partner agencies (including consortium partners) and any other individuals, groups or organisations who have a formal/contractual relationship with Pratham UK that involves any contact with children (unless it is formally agreed that a partner organisation may enforce its own Safeguarding or Protection Policy).
- Journalists, celebrities, politicians and other people who visit Pratham UK programmes or offices and who will make contact with children must be made aware that this policy applies to them while visiting our programmes or offices.
- All of the above must act in accordance with this Protocol in both their professional and their personal lives, while on a programme visit.

BREACHES IN THE POLICY CAN LEAD TO DISCIPLINARY ACTION INCLUDING POSSIBLE DISMISSAL. FOR PARTNERS/CONTRACTORS, BREACHES CAN LEAD TO TERMINATION OF CONTRACT OR PARTNERSHIP AGREEMENT. WHERE RELEVANT, THE APPROPRIATE AUTHORITIES WILL BE NOTIFIED.

THE CHARITY KEEPS A SEPARATE RECORD OF BREACHES OF THIS POLICY WITHIN A FILE CALLED 'DISCIPLINARY, SAFEGUARDING AND WHISTLEBLOWING INVESTIGATIONS'.

3. PRINCIPLES

The Safeguarding Policy is committed to and guided by the principles of:

- **Personal responsibility.** All representatives of Pratham UK must demonstrate the highest standards of behaviour towards children and vulnerable adults both in their private and professional lives. They have a responsibility to understand and promote the policy. They must do all that they can to prevent, report and respond appropriately to any concerns or potential breaches of the policy.
- **Universality.** The policy includes mandatory requirements that apply to everyone in all aspects of Pratham UK's work regardless of how and where they work.
- **Standards based approach.** Pratham UK's safeguarding standards and standards of staff behaviour may be higher than those of the national laws and community custom or tradition. Nevertheless, it is our standards that representatives agree to when they join Pratham UK and it is to these that they will be held account.
- **Openness.** We aim to create an environment in relation to Safeguarding, where any issues or concerns can be raised and discussed.
- **Transparency and accountability.** This is essential in order to ensure that poor practice can be addressed, potentially abusive behaviour can be challenged, and best practice promoted.
- **Accountability to children and their communities.** Through strengthening our internal systems, standards and practice we will be more accountable to the people we aim to serve.
- **Vulnerable adults.** Whilst this policy is principally concerned with the safeguarding of children, it also applies to vulnerable adults. For the avoidance of doubt, the definition of vulnerable adults includes the parents of children seeking treatment for cancer.

- **Children participation and non- discrimination.** Children should be empowered to understand their rights in this area, and made aware of what is acceptable and unacceptable, and what they can do if there is a problem or a concern.
- **The best interest of any victim involved.** When dealing with a Safeguarding concern, the best interest of the victim will be our priority and we will strive to ensure their safety, health and well- being including meeting their emotional, psychological and physical needs.
- **Confidentiality.** All Safeguarding concerns/reports/ investigations will be dealt with on a need to know basis and all records will be held securely. Likewise, communication will be confidential and secure.
- **Timeliness.** Given the potential for increased or repeated abuse, timely responses are essential. If abuse is suspected, action to ensure the child's safety must be done with maximum urgency.
- **Compliance.** The policy will be implemented in adherence with the U.N. Convention on the Rights of the Child 1989; The Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse 2003, the U.K. Charity Commission Safeguarding Policy and guidance on reporting serious incidents and with due consideration to the local legal frameworks.
- **Uniformity.** This policy applies both during, after and in between work hours, while in a programme country with Pratham UK.
- **Ambition.** Pratham UK aims to be able demonstrate that it meets best practice in the field of safeguarding.
- **Partnership.** We will work together with other agencies to promote Safeguarding within organisations and Child Protection within the wider community.

4. DEFINITIONS AND FULLER EXPLANATION

4.1 Child

Child is defined as anyone under the age of 18 years as defined in the UN Convention on the Rights of the Child.

4.2 Safeguarding

Within Pratham UK, the term refers to the set of policies, procedures and practice that we employ to ensure that Pratham UK itself is a safe organisation for children and vulnerable adults.

We know that harm can befall children as a result of deliberate actions by a tiny minority of staff and representatives. We have zero tolerance to such behaviour and pursue rigorous policies to prevent and respond to these issues. We aim to ensure that everyone associated with the organisation is aware of and responds appropriately to issues of child abuse and the sexual exploitation of children. We aim to ensure that anyone who represents our organisation behaves appropriately towards children both in work and outside work and never abuses the position of trust that comes with being a part of Pratham UK.

However, we also know that inadvertent actions, the lack of preventative actions and other failings on our part can and do sometimes have the unintended consequence of causing harm. Plus, preventable accidents can happen. Applying a safeguarding approach to the planning of programmes or in a myriad of other forms of engagement we have with children can be effective in mitigating and removing those risks.

In other words, safeguarding is our attempt to ensure that everything which lies within our control is done to ensure the safety and welfare of children that we work with.

It helps in ensuring the rights of children within their communities are based on sound foundations.

4.3 Child Abuse

Child Abuse consists of anything which individuals, institutions or processes do or fail to do which directly or indirectly harms children or damages their prospect of safe and healthy development into adulthood. The main categories of abuse are defined by WHO as Physical Abuse, Emotional Abuse, Neglect and Negligent Treatment, Sexual Abuse, and Exploitation, Physical Abuse involves the use of violent physical force so as to cause actual or likely physical injury or suffering, (e.g. hitting, shaking, burning, female genital mutilation, torture).

Emotional or psychological abuse includes humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation).

Sexual Abuse includes all forms of sexual violence including incest, early and forced marriage, rape, involvement in pornography, and sexual slavery. Child sexual abuse may also include indecent touching or exposure, using sexually explicit language towards a child and showing children pornographic material.

4.4 Sexual Exploitation of a Child

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. ¹

The sexual exploitation of a child who is under the age of consent, is child sexual abuse and a criminal offence. An underage child cannot legally give informed consent to sexual activity.

Pratham UK considers that:

- a. sexual activity with a child with or without their consent is child abuse and a crime e.g. rape, indecent assault;
- b. any sexual activity with a child who is under the age of 18 regardless of whether they consent is child abuse and a crime;
- c. consensual sexual activity with a child over the legal age of consent of the country in which she/he lives and/or in which the offence occurs, but below 18 years (although not a crime) will be dealt with as a breach of this Child Safeguarding Policy and the Code of Conduct.

5. SAMPLE LIST OF UNACCEPTABLE BEHAVIOUR FOR PRATHAM UK REPRESENTATIVES, BOTH IN PERSONAL LIFE AND PROFESSIONAL LIFE

Staff, partners and other representatives must never:

1. Hit or otherwise physically assault or physically abuse children or vulnerable adults
2. Engage in sexual activity or have a sexual relationship with anyone under the age of 18 years regardless of the age of majority/consent or custom locally. Mistaken belief in the age of a child is not a defence.
3. Develop relationships with children or adults which could in any way be deemed exploitative or abusive.
4. Act in ways that may be abusive in any way or may place a child at risk of abuse.
5. Use language, make suggestions or offer advice which is inappropriate, offensive or abusive.

¹ Secretary General's Bulletin Special Measures for Protection from Sexual Exploitation and Sexual Abuse 2003 ST/SGB/2003/13

6. Behave physically in a manner which is inappropriate or sexually provocative.
7. Have a child/children/vulnerable adults with whom they are working to stay overnight at their home unsupervised unless exceptional circumstances apply and previous permission has been obtained from their line manager.
8. Sleep in the same bed as a child with whom they are working.
9. Sleep in the same room as a child with whom they are working unless exceptional circumstances apply and previous permission has been obtained from their line manager.
10. Do things for children of a personal nature that they can do themselves.
11. Condone, or participate in, behaviour towards children/vulnerable adults which is illegal, unsafe or abusive.
12. Act in ways intended to shame, humiliate, belittle or degrade children/vulnerable adults, or otherwise perpetrate any form of emotional abuse.
13. Discriminate against, show unfair differential treatment or favour to particular children/vulnerable adults to the exclusion of others.
14. Spend excessive time alone with children away from others in a manner which could be interpreted as inappropriate.
15. Expose a child to inappropriate images, films and websites including pornography and extreme violence.
16. Place themselves in a position where they are made vulnerable to allegations of misconduct.

This is not an exhaustive or exclusive list. Staff, partners and other representatives should at all times avoid actions or behaviour which may allow behaviour to be misrepresented, constitute poor practice or potentially abusive behaviour.

6. REPORTING UNDER THE SAFEGUARDING POLICY

Anyone who has concerns regarding this Safeguarding Policy or anyone who suspects child abuse or exploitation should contact the designated Protection Officer, details of which are below.

Pratham UK Safeguarding Officer

Nick Sankey

Director of Fundraising

Email: nick@pratham.org.uk

Phone: +44 7977 070073

Deputy Pratham UK Safeguarding Officer

Vinati Sukhdev

Executive Director

Email: Vinati@pratham.org.uk

Phone: +44 7796 090358

Concerns should be raised as soon as possible and will be dealt with on an urgent basis.

The Confidential Reporting Policy should also be used if the complainant would prefer not to report to a member of staff. The Board takes safeguarding issues very seriously and accepts collective responsibility for seeing that this policy is rigorously enforced. The Board has appointed the Chair of the Governance and Audit Committee as the lead Board member for Safeguarding – and any report will be referred to them in the first instance:

Any complaint will be dealt with in accordance with the process set out in the Whistleblowing Policy and the Disciplinary Policy.

The Safeguarding Policy and the Confidential Reporting Policy are Publicly available on the website.