

SAFEGUARDING POLICY (Code of Conduct)

SHRUSHTI SEVA SAMITI

1/13/2020

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1. INTRODUCTION

Shrushti Seva Samiti was founded in 1999 with a vision to create an equal and just society where the vulnerable and marginalized sections of the society effectively participate in the development process leading to control over their resources". SHRUSHTI is having active presence in 12 districts of Rajasthan with reach over more than 59,000 households through direct interventions and many of those benefitting are children, women and youth. Our programmes include education, health, local governance, livelihood, skill training, and environment and implementation government welfare schemes.

This safeguarding policy provides clarity, establishes process manual and give clear guidance on how to apply and implement the policy throughout the organization to minimize risk of harm.

1.1. SAFEGUARDING

Safeguarding means promoting and protecting people's health, wellbeing and human rights and enabling them to live free from harm, exploitation & abuses. Shrushti believe safeguarding is the responsibility of an organization to ensure as far as is reasonably practicable that its staff, volunteers, operations and programmes do no harm to children, young people or vulnerable adults. It is the organisation's responsibility to ensure that it does not expose children, young people or vulnerable adults to the risk of discrimination, neglect, injury or abuse (hereafter referred to as harm), and that any concerns the organisation has about the safety of children, young people or vulnerable adults are addressed and reported to the appropriate authorities.

1.2. PURPOSE

This policy is designed to outline Shrushti commitment to prevent harm, and to promote the health and wellbeing of children, young people and vulnerable adults. This policy is designed to inform, guide and direct staff and volunteers in the use of Shrushti safeguarding framework. It details the framework through which Shrushti can establish a culture of safeguarding at all levels throughout the organisation.

1.3. SCOPE

This policy is mandatory for all Shrushti staff, volunteers and trustees (hereafter referred to as the Addressees). It is for all the aforementioned to understand and abide by the guidelines outlined in this document, and by all policies and documents to which it is directly or indirectly linked.

1.4. ACCOUNTABILITY

Shrushti senior management team will take ultimate responsibility for the welfare and protection of children, young people and vulnerable adults within the context of Shrushti work. It is however recognized that despite varying levels of accountability, safeguarding is everyone's responsibility.

1.5. COMPLIANCE

Compliance with the policy is not optional, it is compulsory for Addressees and concurrent with the start of any kind of relationship with Shrushti. Actions of Addressees found to be in-breach of the policy will be subject to disciplinary procedures and potential legal action. Shrushti believes that safeguarding children, young people and vulnerable adults is the responsibility of all Addressees, and will ensure everyone understands their own

responsibilities including their mandatory obligation to report a concern, allegation or disclosure, and is aware of the mechanisms in place to do so.

1.6. DISTRIBUTION

Key to the successful implementation of this policy is ensuring thorough and comprehensive distribution. To this effect:

- ❖ Shrushti will widely promote and disseminate the policy, making both hard and electronic copies available and accessible to all relevant stakeholders.
- ❖ Shrushti Head Office will be responsible for producing relevant local language versions to ensure as far as is reasonably practicable that the policy is fully accessible and understood by all relevant parties.

2. POLICY STATEMENT

□ Shrushti considers the welfare and protection of children, young people and vulnerable adults to be an organisational imperative with primacy over the success of programmes or strategic objectives.

□ Shrushti has a zero tolerance approach to the harm of children, young people and vulnerable adults. Shrushti recognises that safeguarding is everyone's responsibility and that it has a responsibility to put in place reasonable measures to ensure, as far as possible, the safety and wellbeing of the children, young people and vulnerable adults with whom we work, and to protect the communities in which Shrushti operates from harm caused by its programmes or the Addressees.

□ Shrushti believes that everyone has an equal right to protection from abuse and exploitation regardless of age, race, sex, sexual orientation, appearance, marriage and civil partnership, pregnancy or having a child, gender reassignment, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

□ Shrushti is committed to responding promptly, appropriately and constructively to all information presented from children and young people, and pledges to always believe and act on any disclosures made.

□ Shrushti values the contribution of children, young people and vulnerable adults and considers them to be key partners in developing and improving safeguarding procedures and services.

3. PRINCIPLES

Shrushti commits itself to following principles to safeguarding children, young people and vulnerable adults. These principles should be upheld by all those to whom this policy addresses.

- 3.1. EMPOWERMENT: The importance of beginning with the assumption that each individual is best-placed to judge that individual's wellbeing.
- 3.2. PROTECTION: Support and representation for those in greatest need.
- 3.3. PREVENTION: Prevention of harm is a primary objective.
- 3.4. PROPORTIONALITY: A proportional and least intrusive response appropriate to risk.
- 3.5. PARTNERSHIP: Local solutions through services working in communities.
- 3.6. ACCOUNTABILITY: Accountability and transparency in delivering safeguarding
4. **UNITED NATION CONVENTION ON THE RIGHTS OF THE CHILD (UNCRC) AND CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES (CRPD):**

- It is recognized that how vulnerable groups and behaviors are distinguished within Shrushti area of operation is subject to cultural interpretation and that sensitivities and even taboos may exist as to how these groups and behaviors are recognized, supported or marginalized.
- As an NGO, Shrushti endorses the general principal of the United Nations Convention on the Rights on the Child (UNCRC), that all the rights guaranteed by it must be available to all children without discrimination; and article 19 which accords equal rights of protection for children from abuse.
- Cultural discrepancies are not considered an appropriate reason for Addressees to breach, contradict or dispute the rights guaranteed by the UNCRC
- The recognition of the rights of children and adults with disabilities to access services, justice, and full participation in their communities, in line with the CRPD. This means that effective safeguarding from the additional risks faced by those with disabilities must not include preventing them from accessing these rights.
- In all activities involving children, including fundraising, communications and programme activities, primary consideration should be given to children's rights, following the four key principles of the CRC, namely, the "best interest" of the child, the child's right to life and development, the child's right to be heard/participate, and the child's right to non-discrimination.

5. LEGAL COMPLIANCE

- Shrushti is committed to exercising compliance as far as is reasonably practicable with all safeguarding legislation relevant to its programmes.
- It is recognized that local legislation in the area may vary from state to state, however this policy identifies minimum standards that may exceed the requirements of local legislation, and these standards must be upheld where they do not cause conflict with local law.

6. STAFF REQUIREMENTS

6.1. DUTIES

- All Addressees will receive training in order to fulfil the following duties:

➤ RECOGNISE

To be able to recognise the possible signs that could indicate that harm is occurring to a child, young person or vulnerable adult. To be able to recognise when best practice as identified in this policy is not being observed.

➤ RESPOND

To respond appropriately and proportionally in-light of a disclosure, incident, allegation or concern. The following can be used as guidance on how to respond when receiving a disclosure:

WHAT TO DO WHEN RECEIVING A DISCLOSURE	WHAT NOT TO DO WHEN RECEIVING A DISCLOSURE
✓ Listen ✓ Empathies with the person ✓ Ask Who, When, Where and What but NOT why ✓ Repeat/check your understanding of the situation ✓ Report Appropriately	✗ Become defensive ✗ Argue with the person ✗ Be dismissive ✗ Blame others ✗ Make assumptions without knowing the facts ✗ Make promises you can't keep ✗ Ignore the problem ✗ Try to investigate yourself

➤ RECORD

To record factually and accurately, without speculation, opinion or assumption the details of a concern or disclosure. In the case of a disclosure, a record must be made using, as much as is reasonably practicable the words used by the person when disclosing

➤ REPORT

To report promptly to the most relevant and accessible point of contact. In the first instance this is the HR Lead, and then followed by the Chief Executive Officer, Secretary of the organization, or senior member of staff you feel most comfortable and able to report to.

6.2. PROHIBITED BEHAVIOURS

To ensure that the risk of harm to children, young people and vulnerable adults is kept as low as is reasonably practical, Shrushti strictly prohibits the following behaviours. The prohibitions listed are not exhaustive and are underpinned by the safeguarding code of conduct, which all staff and volunteers are required to sign and uphold.

- Sexual activity with anyone under the age of 18.
- Sexually abuse or exploit children, young people or vulnerable adults.
- Hit or physically assault a child, young person or vulnerable adult.
- Put a child, young person or vulnerable adult at risk of harm.
- Sexual activity with a community member.
- For staff to have a sexual relationship with a volunteer.
- Use a position of power to take unfair advantage of a fellow staff member, community member, partner or volunteer

7. INTERNAL REPORTING

- It is the responsibility of all Addressees to take seriously any safeguarding concerns, allegations, incidents or disclosures, and they are duty bound to report any incidents in compliance with the internal reporting guidelines outlined in this policy. It is essential that timely and effective action is taken, and therefore ensuring that the welfare of those affected is the paramount consideration.
- Any safeguarding concerns, incidents, allegations or disclosures must be reported promptly and documented in writing (using the cause for concern form) to the most relevant and accessible point of contact. In the first instance this is the HR-Lead, secondly a senior member of staff the reporter feels most comfortable and able to report to. In certain circumstances, for example if a staff member is implicated in a disclosure, the whistle-blowing email may be used to report a safeguarding concern, incident, allegation or disclosure (confidential.shrushti@gmail.com).
- If needed or desired and prior to submitting a written report, the reporter can access support, guidance and advice regarding the issue through the HR-Lead.
- It is never an individual's responsibility to investigate a safeguarding case. No leading questions should be asked, and all written reports should be as factual and as objective as possible, and written to the fullest extent possible without speculation, assumption or opinion.
- Once the report has been submitted, the reporter's responsibilities have been effectively fulfilled (unless that individual is later needed as part of an investigative process.)
- Case discussions coordinated and chaired by the Director/Secretary/CEO of the Organization and involving only relevant and necessary staff will take place as soon as possible following the receipt of a report, and should aim to occur within 72 hours. Decisions and actions will be taken on the basis of the case assessment, and appropriate steps, sign-posting or referrals will be made.

Examples of possible outcomes of a case discussion could include:

- No further action needed
- Internal investigation
- External investigation
- Staff suspension
- Programme suspension
- External referral
- External sign-posting
- Notification of authorities
- Contacting emergency services

(See appendix 1 – Cause for concern form)

8. ROLES AND RESPONSIBILITIES

Shrushti will ensure that all Addressees are trained and conversant in their safeguarding responsibilities.

8.1. GOVERNING BOARD MEMBERS:

Shrushti recognizes that in-line with **Rajasthan Society Registration Act 1958** that governing board members are responsible for ensuring that those benefiting from, or working with the charity, are not harmed in any way through contact with it. They have a legal duty to act prudently and this means they must take all reasonable steps within their power to ensure that this does not happen. It is particularly important where the charity comes into contact with children, young people and vulnerable adults at a community level.

Responsibilities are designed so that all reasonable steps to prevent harm have been taken, and include but are not limited to:

- To have primary responsibility for safeguarding in the organization.
- To act in the best interests of children, young people and vulnerable adults.
- Ensure safeguarding policies and procedures are in place.
- To monitor and review safeguards policies and procedures.
- To respond appropriately to allegations of abuse.
- Designated board level lead to take leadership responsibility for the organisation's safeguarding arrangements.

8.2. HR LEAD (ON ROLE OF SAFEGUARDING OFFICER):

- The first point of contact for all staff and volunteers to go to for advice regarding safeguarding and child protection.
- Senior member of staff to take lead responsibility for safeguarding and child protection within the organization.
- To refer all cases of suspected abuse to the local authority.
- Responsible for ensuring that their organization's safeguarding policy is kept up to date, complete and reflects up to date legislation.
- To test and review procedures.
- That a staff structure is in place to fulfill safeguarding responsibilities.

- That safeguarding is afforded the utmost priority at the most senior levels within the organization, including the Senior Management Team and the governing board members.
- To ensure procedures are in place for: managing safeguarding allegations against staff and volunteers.
- That secure records concerning safeguarding are kept and shared appropriately.
- To advocate for resources to fulfill organizational safeguarding responsibilities.

8.3. SENIOR MANAGEMENT TEAM : DIRECTORS/SECRETARY/CEO

- Responsible for the implementation of the Organization Safeguarding Policy.
- That resource is available to fulfill organizational safeguarding responsibilities.
- Promote a culture where safeguarding is prevalent at all levels and in all programmes and activities.
- To champion safeguarding as a primary consideration in decision making processes, including strategic.
- To ensure safeguarding practice is reviewed and maintained across the organization.
- Responsible for the operational management of allegations and disclosures, including coordination with supporting bodies, and sign-posting to relevant organizations.

9. TYPES AND INDICATORS OF ABUSE

Shrushti does not limit or restrict its view on what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual case should always be considered. Types of abuse and indicator of abuse organization identified or defined as;

9.1. PHYSICAL ABUSE

Including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.

Signs of physical abuse can include:

- ◆ Fractures, bruising, burns, pain, marks, not wanting to be touched.
- ◆ No explanation for injuries or inconsistency with the account of what happened.
- ◆ Injuries are inconsistent with person's lifestyle.
- ◆ Frequent injuries.
- ◆ Subdued or changed behaviour in the presence of a particular person.

9.2. SEXUAL ABUSE

Including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

Signs of sexual abuse can include:

- ◆ Bruising, particularly of the thighs, buttocks and upper arms and marks on the neck.
- ◆ Uncharacteristic use of sexual language or significant changes in sexual behaviour or attitude
- ◆ Self- harming
- ◆ Poor concentration, withdrawal, sleep disturbance
- ◆ Excessive fear / apprehension of, or withdrawal from, relationships
- ◆ Displays a level of sexual knowledge that is inappropriate for age.

9.3. FINANCIAL OR MATERIAL ABUSE

Including theft, fraud, internet scamming, coercion in relation to financial affairs or arrangement, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Signs of financial or material abuse can include:

- Missing personal possessions
- Unexplained withdrawal of funds from accounts
- Person allocated to manage financial affairs is evasive or uncooperative
- Colleagues or others show unusual interest in the assets of the person

9.4. MODERN SLAVERY

Encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Signs of modern slavery can include:

- Signs of physical or emotions abuse
- Appearing malnourished, unkempt or withdrawn
- Isolation from the community, seeming under the control or influence of others
- Living in dirty, cramped or overcrowded accommodation and or living and working at the same address
- Lack of personal effects or identification documents
- Always wearing the same clothes
- Avoidance of eye contact, appearing frightened or hesitant to talk to strangers.
- Fear of law enforcers.

9.5. DISCRIMINATORY ABUSE

Includes slurs or similar treatment, due to race, gender, age, disability, sexual orientation or religion;

Signs of discriminatory abuse can include:

- Person appears withdrawn and isolated
- Expressions of anger, frustration, fear and anxiety
- The support on offer does not take account of the person's individual needs in terms of protected characteristics

9.6. ORGANISATIONAL ABUSE

Including neglect and poor care practice within an institution. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies processes and practices within an organization.

Signs of organizational abuse can include:

- Lack of flexibility and choice for people using the service
- Inadequate staffing levels
- Lack of adequate procedures
- Poor record keeping and missing documents
- Public discussion of personal matters
- Lack of management overview and support

9.7. ABUSE OF POWER

This covers a wide range of behaviour related to the dynamics of power (in the workplace, community or home). It refers to using a position of power to take unfair advantage of a fellow staff member, community member, partner or volunteer.

Examples of abuse of power can include:

- A member of staff using their position to gain sexual favours from anyone else
- A person with authority controlling or attempting to control the actions of another in the same organisation, project, community etc.

10. SAFE PROGRAMME DESIGN :

10.1. DO NO HARM :

Shrushti is committed to the ethical principle 'do no harm', where by it must be considered that in any given situation it may be better not to do something, or even to do nothing - than to risk causing more harm than good through intervention or action. Shrushti will never knowingly implement a programme that could directly or indirectly cause harm.

10.2. RESIDUAL RISK :

It is recognized however that there is always a residual level of risk of harm that despite rigorous mitigation would never be possible to completely eliminate. Shrushti is committed to ensuring that this level of residual risk is kept as low as is reasonable practical.

10.3. GUIDELINES ON IMPLEMENTING SAFEGAURDING IN PROGRAMMES :

To ensure the level of residual risk remains as low as is reasonably possible, Shrushti aims to adopt the following minimum standards to bench mark all programmes:

- At least one safeguarding focal point is identified who has clearly defined safeguarding responsibilities. (In programmes – this is likely to be the organization Director or Secretary, who also assumes the position of proxy safeguarding lead.
- A risk assessment is conducted considering all aspects of the programme that may directly or indirectly harm children, young people or vulnerable adults.
- Design should consider limiting as far as is practical the potential for anyone working for or on behalf of Shrushti from being in a position where they might find themselves in a completely private, or one – on – one situation with a child, young person or vulnerable adult.

11. CONFIDENTIALITY

Shrushti is committed to maintaining the confidentiality of personal information that it handles. Any information given or received in confidence for one purpose will not be used for another purpose, or passed to a third party, without the express consent of the individual except in special circumstances e.g. to prevent further harm to an individual.

11.1. CONFIDENTIAL INFORMATION

Examples of confidential information include:

- Personal information of a private or sensitive nature.
- Information that is not already lawfully in the public domain or readily available from another public source.
- Information that has been shared in circumstances where the person giving the information could reasonably expect that it would not be shared with others.

12. MEDIA AND THE USE OF IMAGES

12.1. COMMITMENT

All photos taken should respect human dignity and consider the rights, safety and well-being of the person or people being portrayed.

12.2. MINIMUM STANDARDS

- Comply with local traditions or restrictions when taking photos of people, objects or places.
- Inquire into national laws related to photography and privacy rights.
- Gain verbal or written consent before taking photographs.

- Respect a person's right to refuse to be photographed. If you sense any reluctance or confusion, refrain from taking the photo.
- Do no harm. Individuals or groups may be put at risk of reprisal, violence or rejection in their communities as a result of exposing their identity or personal story through the publication of their image.
- Do not misrepresent the individual, situation or context of the photo.
- Absolutely no payments or any other form of compensation are to be provided to subjects in exchange for their photo or consent.

12.3. LARGE CROWDS

When taking images at an event attended by large crowds, such as a sports event, this is regarded as a public area and so permission is not required from everyone in a crowd shot. People in the foreground are also considered to be in a public area

12.4. SAFE STORAGE OF IMAGES

Once a picture has been taken and written consent to use it has been obtained, it is necessary to store the images appropriately. A risk based approach should be adopted to determine what measures are appropriate for the safe internal storage of images.

12.5. DATA PROTECTION

It is important to remember that images of people constitute personal data, particularly if they are processed in conjunction with other personal data such as names and addresses..

12.6. ETHICAL USE OF PHOTOGRAPHY

Photos and captions used to illustrate or support written materials should be factual and in keeping with the context of the story.

- No photo of a recognizable individual(s) to be falsely captioned or used in such a way as to imply information about that person.
- Use disclosures where there is the risk of misunderstanding.
- Care needs to be taken not to stereotype certain groups e.g. beware of the repeated use of images of particular ethnic groups, nationalities or genders when illustrating particular issues.
- If photos are edited to protect identities, this must be noted and explained.
- Photos of individuals should illustrate autonomy and dignity of person.

CAUSE FOR CONCERN FORM

SECTION A
PART 1- FORM COMPLETED BY
Date:
Name:
Position:
E-mail :
Contact Number:
PART 2- NATURE OF INCIDENT
Are You Reporting (Insert Here)
1. A disclosure
2. A concern
3. An allegation
4. An incident
PART 3- DETAILS OF INDIVIDUAL CONCERNED
Name:
Date Of Birth:
Gender:
Date And Time Of Concern:
Programme/Project/Department:
Present Location (Full Address)
PART 4 : CAUSE FOR CONCERN
Detail below an account of your concern. REMEMBER: It is never an individual's responsibility to resolve a case. No leading questions should be asked, and all reports should be factual and objective, and contain zero speculation, opinion or assumption.

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**SECTION B - REMAINING SECTIONS TO BE COMPLETED BY HR LEAD/Director/Secretary
(SAFEGUARDING OFFICER/SENIOR MANAGEMENT)
PART 1A – ACTIONS TAKEN**

Detail here immediate actions taken (add as needed).

Action	Responsible	Time Frame
1.		
2.		
3.		
4.		

PART 2A – EXTERNAL AGENCIES CONTACTED

YES / NO :

IF YES, THEN PROVIDE FOLLOWING INFORMATION;

AGENCY NAME :

NAME AND CONTACT NUMBER:

DETAILS OF ADVICE RECEIVED:

Completed By :

Name

Designation

Date