

# SAFEGUARDING

## Policy & Procedures



OCTOBER 2020





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# PREFACE

Caritas India serves the underprivileged sections of the society, hailing from socially excluded and marginalised communities by exercising preferential actions for the most marginalized. It is committed to protect and promote the dignity of children and young people therefore, CI takes its safeguarding very seriously.

The CI Safeguarding Policy is developed to enable Caritas India to have well-established safeguarding systems, structures and operational mechanisms to ensure that the organization does everything to safeguard the children and adults it works with and to provide a safe and secure working environment for 'CI people'.

The Policy explores some of the key principles and issues relevant to Safeguarding as well as outlining the steps that are needed in order to develop, implement, monitor and evaluate safeguarding policies and procedures within Caritas India.

There are various annexes which serve as further reference and operational procedures to this Policy providing detailed information and guidelines.

This Policy is subject to review and amendments every three years.

# Section I: Safeguarding

## 1.1 Introduction

Caritas India (CI) expects the highest standards of professional practice in all its work and contact with people; and recognizes that 'safeguarding' is an organizational and an individual responsibility. All Board members, staff, volunteers, CI representatives, visitors and vendors (both employed or otherwise and referred to collectively as 'CI people' in this policy) will be made familiar with the value and process of safeguarding children and vulnerable adults, beneficiaries and communities in the CI operational area that we come into contact with, in all that CI does. Safeguarding also extends to CI people with special reference to safeguarding themselves and their colleagues at workplace including work in high risk areas and sensitive thematic concerns in different work contexts.

**Caritas India envisages to have well established safeguarding systems, structures, and operational mechanisms embedded into existing policies to ensure that Caritas India does everything to safeguard the children and adults it works with, and that it provides a safe and secure working environment for everyone.**

## Safeguarding

Safeguarding simply put is to protect adults and children to be safe from harm or damage or abuse with appropriate measure to mitigate risks in any given context. Safeguarding is the proactive steps taken to prevent violence including, all forms of physical or mental violence, injury and abuse, neglect or negligent action. It is about taking responsibility towards the preventive, responsive and referral measures undertaken for protection, ensuring that no child or vulnerable adult is subject to any form of harm as a result of their association with CI. This includes, ensuring that their contact with CI and those associated with CI and/or their participation in our activities, interventions and operations is safe and where there are concerns over a child or vulnerable person's welfare or where a child or a vulnerable person has been subject to violence, appropriate and timely actions are taken to address this and incidents are analyzed so as to ensure continued learning and system strengthening for CI.

## Safeguarding Role for Caritas India

Safeguarding role of Caritas India emanates from the values enshrined in the Catholic Social Teachings. Dignity of every human being is a non-negotiable according to values of Caritas India. This safeguarding policy and procedures cover entities, staff and other relevant people, vulnerable adults, children and CI reputation. These include:

- i. Staff of Caritas India employed on full time or short-term positions, consultants on contracts and interns / volunteers.
- ii. Vendors, visitors
- iii. Partner organizations
- iv. Community especially children and vulnerable adults (in CI operational area)
- v. CI image, use of assets and result based interventions



The organization envisages to build a culture of safeguarding for prevention, identification, reporting and redress processes to keep children and vulnerable adults safe especially those at more risk of harm. The organization is cognizant of special circumstances or contexts of work that can put children and adults at risk. The organisation will promote safeguarding as a culture of vigilance supported by a culture of diligence (safer staff recruitment), a culture of quality (teaching and learning), a culture of respect (equality and diversity) and a culture of safety (health and safety). This culture will shape the organization's approach, practice and procedures to ensure a comprehensively safe environment for all people that the organization engages with.

### **Purpose of the Safeguarding policy**

This policy is to guide CI people with a clear process to ensure:

- Awareness to build safeguarding capabilities: To live and work in a safe environment and protect children and vulnerable adults from all forms of harm, abuse, neglect and exploitation where possible, regardless of gender, age, ethnicity, disability, sexuality, sexual identity or beliefs.
- Learning to report abuse to evolve behaviors: Prevention, identification, reporting and redress processes for behavior change and/or disciplinary measure.
- Monitoring the compliance to revive commitment to safeguard: Ensuring that persons and systems designate for Safeguarding do safeguard CI people including whistle blowers by operating within a clear framework and defined procedures.

The above requires safe recruitment and training to minimize the risk of abusers entering the organization and mechanism to maintain safety and security. The monitoring and reporting process will help CI to grow in the safeguarding role.

### **Implications for the Partners**

A policy on safeguarding is non-negotiable. Each partner will comply with this policy to effectively implement the policy requirements in child protection, gender, inclusion, thematic concerns and financial regulations. Therefore, partners must have their own Safeguarding Policy that provides the same or a higher level of protection than this policy, in full compliance with local law and best practice or abide by Caritas India's Safeguarding Policy for the duration of the partnership agreement/ arrangement. Caritas India will support partners in understanding the concept and develop their own safeguarding policies.

### **1.2 Scope and limitation of this policy**

#### **Scope**

Caritas India takes responsibility to a safeguarding practice that protects its image, its staff, partners, children and vulnerable adults they come in contact with from any harm. This safeguarding policy provides definitions and guidance on how to apply and implement this policy throughout the organization with suggested procedures, in relation to CI, its partner organizations and in the community in CI operational areas.





Safeguarding and protection measures are also implemented through other CI in-house policies and procedures. These policies need to be read along with this safeguarding policy as an umbrella framework.

### **Limitation**

This safeguarding policy limits itself to the communities CI and its partners work in.

### **1.3 Policy authority and designate**

Currently, the policy authority is the CI Management and the policy designate is the Administrator for the implementation of all in-house policies.

An internal 'Safeguarding Committee' will be constituted for a period of two years, while the policy authority and the policy designate continue their role. This safeguarding committee will be responsible to revise all internal policies and guidelines for inclusion of appropriate safeguarding procedures. This committee will also be responsible for overseeing the process of embedding safeguarding policy practice and monitor the change in behavior and program approach. A term of reference for the Safeguarding Committee is attached to this policy. (Refer Annexure 4)

### **1.4 Safeguarding Policy Principles**

This CI safeguarding policy underpins the social teachings of the Church and Caritas India's vision and mission as mentioned in the CI strategic plan (2018 to 2023). It focusses on the principles of Diakonia which includes the mission for establishing and safeguarding justice and dignity. Thus, safeguarding as a duty is sacred. It will follow the path of truth to prevent harm and when any incident occurs, after corrective action, there has to be healing of both the victim and the perpetrator to reform and accept the repentance. Following are the safeguarding policy principles:

- a. CI social teachings of justice and dignity
- b. Values and Mission of CI
- c. Compliance to the safeguarding policy is non-negotiable
- d. It is everyone's responsibility

### **1.5 Legal backdrop**

The CI safeguarding policy will be implemented within the relevant Indian legal framework. Given below is a list of relevant legislations for reference. It is indicative and not exhaustive.

- a. Government safety standards; The Forest Rights Act, The SC/ST (Prevention of atrocities) Act 1989; (Panchayat) Extension to scheduled areas act 1996, POCSO Prevention of Sexual Harassment Act 2013, Juvenile Justice and Care Act, Child Protection Act and the new amendment; Child Labor Prohibition Act 1986, Migrant Workmen (regulation of employment and conditions of service 1979), Rights of Persons with Disabilities Act; Mental Health and Care Act, Anti-trafficking bill; Immoral Traffic (Prevention Act) 1956, Child Marriage Act.
- b. Reference to the various judgements; the CSR discourse; Workmen compensation etc.
- c. The emerging relevant draft bills in the making are – Draft Personal Data Protection bill 2018 of



India; Compliance of the existing General Data Protection Regulation (GDPR) of the European Union; Trafficking of Persons bill 2018.

## 1.6 Definitions

**Manager:** Manager refers to a Staff member who has responsibility for line managing or supervising the work of Staff or Partners or Associates.

**Staff:** Staff refers to individuals who receive a regular salary for work in CI as well as individuals paid by or through CI but located in another entity. For the purposes of this Policy only, Consultants, interns and volunteers whose services are engaged on short- or long-term basis will also be considered staff.

**Visitor:** Visitors refers to a range of persons who are visiting CI offices or programmes and may come into contact with children and vulnerable adults through CI, including journalists, media, researchers, visiting sponsors and celebrities.

**Child:** In the context of CI work with Children, Child is defined as any person – girl, boy, young woman, young man, and children of other gender identities - under the age of 18 years (UNCRC Article 1)

**Vulnerable adult:** Vulnerable adult in context of CI work is a person aged 18 or over, in need of community care services by reason of mental or other disability, age or illness; poverty or powerlessness; and who is or may be unable to take care of himself or herself, or unable to protect himself or herself against significant harm or exploitation. CI's policy applies to all children and vulnerable adults with whom CI has contact regardless of gender, sexuality, religion or ethnicity. CI has in place other employment and organizational policies that complement the Safeguarding Policy and help ensure the safety of everyone.

**Gender Responsive Safeguarding:** This is a safeguarding approach that takes full account of gender in considering the specific safeguarding needs of girls, boys and other gender identities. This approach integrates safeguarding measures that address protection risks that stem from issues relating to gender bias and discrimination; and supports the empowerment and fosters the inclusion of girls, particularly in the safeguarding process, in a manner that promotes equality, equity and ultimately their increased safety and protection.

**Child Protection:** Child Protection is the response to concerns and/or disclosures that a child may be experiencing or be at risk of physical and/or mental violence, injury and/or abuse, neglect and/or negligent treatment, maltreatment and/or exploitation, and/or sexual assault.

**Harm:** Harm is any detrimental effect on a child's or young person's physical, psychological, or emotional wellbeing. Harm may be caused by abuse or exploitation whether intended or unintended.

**Abuse:** Abuse is a general term used about situations where the child or a vulnerable adult may experience harm, usually as the result of failure on the part of the parent or carer to ensure a reasonable standard of care and Safeguarding. Somebody may abuse or neglect a child by inflicting, or by failing to act to prevent, significant harm to the child. It is normally categorised into four main forms - physical,



sexual and emotional abuse, and neglect.

**Exploitation:** Any actual or attempted abuse of a position of vulnerability, differential power or trust to profit monetarily, socially or politically. There are various types of exploitation including:

1. **Sexual Exploitation:** The 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.
2. **Trafficking:** The recruitment, transportation, transfer, harboring, or receipt of children or vulnerable adults for the purpose of exploitation such as for labor, prostitution and sexual exploitation.
3. **Child Labor:** Any economic activity performed by a person under the age of 15
4. **Survival Sex:** Occurs when a child or vulnerable adult living in poverty or in an emergency situation chooses to engage in or is coerced into sex as a last resort for survival. It is transactional sex in exchange for food, water, drugs, shelter, money and any other essential needs for integral human survival.

## Harassment

Harassment can take many forms. It may be, but is not limited to, words, signs, offensive jokes, cartoons, pictures, posters, statements, pranks, intimidation, physical assaults or contact, or violence. Harassment is not necessarily sexual in nature. It may also take the form of other verbal activity including derogatory statements not directed to the targeted individual but taking place within their hearing. Other prohibited conduct includes taking retaliatory action against an employee for discussing or making a harassment complaint. It is also against Caritas India policy to download inappropriate pictures or materials from computer systems.

## Sexual Harassment

Sexual harassment may include any form of unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person in particular when it contributes at creating an intimidating, hostile, degrading, humiliating or offensive environment. It may include unwelcome sexual advances, requests for sexual favors, or other verbal or physical contact of a sexual nature. It is important to note that sexual harassment crosses age and gender boundaries.

**Safety and health of staff** and CI people within a work context involves risk/hazard identification and mitigation according to government standards. This involves ongoing safety training and education for staff to prevent, report and address abuse and harm.

**Security at work** is often considered by a person before joining an organization and this is gender neutral and ability sensitive. It is the responsibility of the organization to provide safety at work and to secure working environment for not only its staff but for those who come in contact with its workforce. It is also important to conduct safety and security checks from time to time for further strengthening and improvement.

**Suspect**

An individual, who is suspected of having abused, exploited or knowingly allowed the ill treatment of a child or vulnerable adult. Such abuse or exploitation may cause physical, sexual, emotional, psychological or other harm to an individual. Investigation would determine whether the suspect is guilty or not.

**Reporter/ Whistle blower**

An individual who identifies and reports suspected incidents of abuse or exploitation of a child or vulnerable adult.

# Section II:

## CI Safeguarding Policy

### 1. Policy statements

#### 1.1. At the community level

- i. CI recognizes the need to safeguard the wellbeing, safety and protection of all people, be it children, adults, partners and other institutions it works with in different work spaces, work contexts and thematic concerns undertaken by CI or indirectly through a contracted agreement with another entity.
- ii. CI strongly emphasises on building awareness, developing capacities, monitoring mechanisms, compliance and reporting and closure.
- iii. CI strongly believes and is committed to safeguarding; hence, CI recognizes the need to develop and implement appropriate mechanisms for safety, protection, monitoring, reporting, redress and healing.
- iv. CI expects all partners to provide at least the same, or a higher, level of protection for children and vulnerable adults provided for in this policy in accordance with applicable law, regulation and best practice.
- v. CI believes all children and adults without exception have the right to protection from abuse regardless of gender, age, caste, religion, place of birth, PL HIV status, ethnicity, disability, sexuality, sexual identity or beliefs.

#### 1.2. At the level of CI people

- i. CI recognizes its responsibility and commitment to promote and ensure security, safety and wellbeing of CI people in its offices/work spaces/locations and different work contexts.
- ii. CI strongly affirms that no individual or group will be treated less favorably than others at workplace/location and in the community.
- iii. CI people would ensure to protect the image of Caritas India, its resources, including data and assets, its workplace/building/location and its programs.
- iv. CI is committed to safeguard its colleagues from emotional trauma/burnout, false allegations by operating within clear and mutually understood frameworks.
- v. CI is committed to safeguard itself from wrong people entering and working in the organization.
- vi. CI recognizes the need to safeguard CI people from external troublemakers especially while working on sensitive themes/areas.
- vii. CI recognizes the need for capacity and appropriate mechanisms for awareness, safety, protection, monitoring, reporting, redress and healing. It will prescribe and ensure acceptable procedures and behaviors in the organization.

#### 1.3 No Harm Statement

Caritas India commits to ensure, our safeguarding policy and procedures seek to avoid, minimize or mitigate adverse impacts that may result from our humanitarian and development interventions, the 'Do No Harm' principle. Thus, we will strive to ensure that the contact we have with children and vulnerable adults does not add to the burden of suffering they already endure. In the context of safeguarding, 'the Do No Harm' principle refers to every aspect of our work to safeguard children and vulnerable adults



and the communities they live in. It refers to our action across the different departments and functions of the organisation. Therefore, we will strive to mitigate risks that could result from all our operations (programming, media, communication etc)

## **2. Putting Policy into Practice**

### **2.1 Capacity for Safeguarding**

- i. To begin, CI commits to communicating this policy throughout the organization, its partners and other vendors; ensure a buy-in and commitment to fulfill their safeguarding obligations. The onus is also on the staff to seek information and study the policy and transfer it into their programming.
- ii. All CI people, partners and relevant others introspect, review implications and standards for their domain; become aware of; are committed to and implement their safeguarding obligations. CI will ensure its support to meet their safeguarding responsibilities and requirements, understand the specific risks involved in a given context and how they can work and engage in ways that increase the safety and protection of their constituencies. This approach supports the embedding process to become part of all- time behavior.
- iii. Caritas India will make efforts to ensure that all staff and others (covered by this policy) understand their responsibility and role in prevention and redress of safeguarding at all times and its implications in their individual job functions.
- iv. Caritas India will make efforts to build individual, departmental and organizational capacity to fulfill safeguarding role and functions efficiently and effectively.
- v. Caritas India will try to ensure that a safe and trusted environment is always available.

### **2.2 Demonstrate commitment and accountability:**

Caritas India will

- i. Respond quickly and appropriately to concerns raised. If more time is needed, it will convey a time period for action.
- ii. Have clear lines of accountability for safeguarding throughout the organization by maintaining safety and security procedures.
- iii. Develop a sense of accountability between staff so that actual and potential abusive behavior is challenged.
- iv. Allocate a safeguarding budget as per priority needs.

### **2.3 Enable support through the governing process:**

Caritas India will

- i. Provide all CI people with guidance to plan and incorporate safeguarding in all social development projects.
- ii. Provide training on how they should conduct and respond, if they suspect a child or adult is experiencing or is at risk of abuse or harm.
- iii. Guide CI staff on how to conduct themselves in prevention and if any incident occurs, then how to behave and report concerns.



- iv. Support and guide to 'move on' and heal individually and organizationally.

## **2.4 Monitor, report, redress and record the healing / disciplining process**

- i. Breaches of this policy need to be reported to the relevant authority. Following which the case will be investigated for its veracity.
- ii. Subsequently appropriate decision in accordance with disciplinary procedures and contractual agreements will be taken and communicated.
- iii. Healing through correction of behavior is a first choice where appropriate. Sanctions, including disciplinary action leading to dismissal, termination of all relations including contractual and partnership agreements, and where relevant, appropriate legal or other such actions would also be an option where behavior change is not agreed and adhered to.
- iv. If a legitimate concern about the suspected abuse of a child or young person or adult is raised but proves to be unfounded on investigation, no action will be taken against the reporter.
- v. Appropriate sanctions will be applied in cases of false and malicious accusations.
- vi. Recording each case for learning and monitoring is a must. A summary of safeguarding on financial fraud, sexual harassment and child protection will be reported to the authorities where needed by the national legal framework.

## **2.5 Safeguarding framework for Caritas India**

- I. Prevention and Protection Mechanisms
  - A. Awareness (Safeguarding, specific job related, conscious of non-negotiables)
  - B. Capacity Building (Converge with core values and approach of organisation, linked to role, task and performance, embedded in core training programme e.g. CRC, gender)
  - C. Compliances (Periodic monitoring to check and ensure compliance, Monitoring merged with regular monitoring framework and system)
  - D. Risk Reduction (Pre-emptive actions, Insurance and other financial safeguards, Code of ethics)
- II. Redress and Protection Mechanism
  - A. Reporting (of potential hazard and/or violation, by complainant to formal authority, whistle blowing)
  - B. Case Management (Redress, investigation, protection of victim, protection of reported/ whistle blower, protection of accused till proven guilty)
- III. Healing, Closure and Protection Mechanism
  - A. Disciplinary Action (correction within a time span, monitor behavior correction, further serious disciplinary action in case of no correction including suspension/ dismissal, protection of individuals and teams involved)
  - B. Healing (Assess need for procedural correction, Healing of individual(s), team and organization Mechanism for Closure and move on, Protection of individuals and the organization)

# Section III:

## Safeguarding Procedures

### A. Procedure for reporting a safeguarding concern.

#### A.1. Understanding Concern and its context

##### i. Definition of a concern

A concern is an expression and a statement that something is unsatisfactory or unacceptable vis-a-vis the prescribed standard of quality work or is related to the actions taken or lack of action by staff or associates that directly or indirectly cause distress to the affected party.

##### ii. Anonymous concern

It can be difficult in some circumstances to speak out openly therefore CI will accept and handle anonymous complaints with caution if there is sufficient information to clarify the issues, substantiate claims and investigate allegations properly.

##### iii. Malicious concern

When the investigation finds that an accusation was deliberately made falsely and with the aim of causing harm, and if the complainant is a staff of CI, appropriate disciplinary action will be taken including dismissal. Reporting which proves to have been made maliciously will be viewed as a serious disciplinary offense. If the identity of the person against which the malicious accusation was made publicly known, CI will take due care to rehabilitate and restore their reputation.

##### iv. Whistle Blower

It takes one person to recognize abuse, violation or a safeguarding misconduct. This person who raises the concerns and reports to the Administrator by a safe guarding complaint is the Whistle Blower.

Whistle blowing as an important safe guarding role is encouraged and protected by CI. Reporting of the matter is to be done in confidence to the Administrator, who will take charge of the issue to take it to a positive resolution. (Refer Annexure 3 for reporting a concern)

#### A.2. Structure for Action

CI Administrator will be responsible for managing safeguarding within the organisation, by regularly reviewing and improving systems, policies and procedures and overseeing the handling of safeguarding cases. S/he will be the executive secretary to the Safeguarding Committee that can be called to action when deemed necessary by the Executive Director who regularly participates in meetings. The Administrator will be responsible to implement the Safeguarding Policy and Plan agreed by the board based on the availability of resources. The Executive Director may depute staff to raise resources for the safeguarding mandate of CI. The terms of reference for the CI's Safeguarding Committee is annexed for a reference. (Refer Annexure 4 )

#### A.3. Working with partner organizations

CI recognizes that the primary responsibility to handle complaints from the community is with the partner organizations. CI will strategically and consistently encourage partner organizations to develop





their own complaints handling mechanism by:

- i. Providing support for setting up contextualized Concern Handling Mechanism (CHM) and raising awareness on expected behavior and channels for complaining by providing support for capacity building with regards to investigations and attempt to build a harmonized system of support
- ii. Handling abuse with the principle of best interest of the child and vulnerable adults in view. CI recognizes that allegations (i.e. when a specific allegation of abuse is made against a named individual) and concerns (i.e. when concern is expressed about abuse that may have taken place or be in prospect) would always be taken seriously and acted upon swiftly, making the welfare of victim the paramount consideration. The principle of 'best interests of the victim' and the desire to secure the best outcomes for the victim will govern decisions regarding what action to take in response to concerns.

## **B. Safeguarding Human Resources**

### **B.1. Safe Recruitment**

CI's current recruitment and employment policies and procedures already provide the framework for good practices. These policies have been reviewed and strengthened in the light of the principles and outcomes described in this safeguarding policy. Additionally, the candidates will be asked to describe their previous experience of working with children and vulnerable adults, to provide two referees who can comment on their work with children and vulnerable adults. This will happen with internal and external candidates as well as for consultants and volunteers.

Advertisements and job descriptions for identified posts will include a reference to CI's commitment to a Safeguarding Policy with a special reference to children and vulnerable adults.

Job offers made in relation to identified posts will be subject to a self-disclosure, satisfactory clearance and satisfactory verification of qualifications and work history.

The existing practice of reference check from past employers or attestation with a PAN card plus the Aadhar card is applicable now for all entrants. CI already has a well worked out system of a sign off of a child protection statement for each new entrant.

### **B.2. Orienting and capacitating staff from induction to exit**

On arrival at CI workplace, Manager- HR will make the new entrant understand the implication of the Safeguarding Policy as well as give advice to make sure that the new comer will cause no harm and is not harmed during the time they are termed as CI person.

CI undertakes to ensure that all CI people whose work might involve contact with children and vulnerable adults, will have completed the safeguarding orientation that will be included in induction and in an annual refresher for all CI people. CI may consider introducing an online course that asks to clear a test and obtain a satisfactory performance appraisal score on their safeguarding role.



CI will promote training for additional conceptual clarity to apply safeguarding in Child Rights, gender, inclusion, consent and related law. Staff will be oriented to translate these into their job roles and functions.

### **C. Safeguarding Children**

CI will ensure that children are growing up with safe and effective care and they get optimum life chances and enter adulthood successfully. For example:

- CI expects that contact with children in schools and other children's spaces by staff and volunteers, will be supervised by school staff to minimize the likelihood of situations occurring in which they are the lone adult with one or more children. For example, by having another school staff present when with children in a workshop or in an interview. If such situations are unavoidable, precautionary measures should be taken, for example leaving the door to the room open or moving to an area where each is in plain view of others.
- In any activity or event involving children which CI or its partner has directly organised, a member of staff will be designated who has received Safeguarding training.

To promote safeguarding of children below 18 years, Caritas India will

- Add special focus on vulnerable and marginalized children in operational areas
- Add special focus on children with disabilities
- Promote safe and inclusive communities
- Promote safe and inclusive services, buildings, public spaces and pathways/roads
- Promote active participation of children, adults and local institutions in developing and practicing protection guidelines.

#### **Build capacity of children in safeguarding**

In line with the UNCRC, Caritas India will work for building capacities of children in her work areas. It will

- Develop capacity and responsibility of children on safety of self and safety of other children
- Develop a list of disciplinary measures with children in the event of a child to child injury or harm that is done intentionally
- Promote correct behavior in an enabling manner by building capacity in positive disciplining techniques
- Develop capacity of children on safeguarding at home, in the neighborhood, in children's parliaments, bal sabhas, schools, health centers, on the roads and any other spaces where children congregate.

#### **Build local capacity in safeguarding**

To fulfill adult obligations as per the UN CRC mandate and agreed by the Indian state, CI and its partners and local interested institutions will work to develop local capacity and build consensus for change. Caritas India will make efforts to

- Build perspectives and promote the need to safeguard children and the responsibility of adults at homes; in anganwadis, schools, tuition centers, arts and craft, dance, music, painting, sports centers; in the community and in the local institutions (panchayat, PHC etc) in CI operational areas
- Promote the development of guidelines for practice in the above listed institutions and public spaces



- Build capacity of adults and institutions who directly or indirectly work with children
- Develop capacity in inclusion and safeguarding children including children with special needs
- Develop capacity in risk assessment, planning, monitoring, reporting and correction in safeguarding.

#### **D. Safeguarding Vulnerable Adults**

CI works with vulnerable and marginalized communities who are more at risk to safety, security and harmful practices rooted in the local culture, beliefs and local power equation. Similar to working on safeguarding with and for children; safeguarding vulnerable and marginalized adults will also entail working with them, the larger community and the local institutions. A doubly disadvantaged group within them will be persons with disabilities, poor, women and girls, the dependent frail and elderly, the very ill with near absence of any support mechanism for day to day needs and/or financial assistance.

CI will make efforts to see that vulnerable adults receive safe and effective care and get optimum life chances with dignity.

To promote safeguarding of vulnerable adults, Caritas India will

- Promote safety and security of all vulnerable and marginalized adults in the CI operational areas
- Promote safe and inclusive communities
- Promote safe and inclusive services, buildings and pathways/roads
- Promote active participation where feasible in developing and practicing protection guidelines
- Promote the need for support services especially targeted for vulnerable adults.
- Build local capacity to deal with drug peddlers and other related substances in the community
- Build capacity of vulnerable adults in safeguarding
- Promote the development of guidelines for practice in institutions and public spaces
- Build capacity of adults and institutions who directly or indirectly work with vulnerable adults
- Develop capacity in inclusion and safeguarding vulnerable adults
- Develop capacity in assessment, planning, monitoring, reporting and correction in safeguarding.

#### **E. Safeguarding in CI programming**

##### **E.1.Safeguarding in over-all programming**

- CI will inform all partners about the need for a safeguarding policy and procedure with each partner as a mandatory requirement. If they do not have but in principle agree with the concept and practice of safeguarding and are willing to follow the CI safeguarding policy and procedure document and subsequently want to develop their own policy, then the partnership will be positively considered if all other requirements are met.
- CI will motivate its teams for theme specific risk assessment, prevention and mitigation requirements and the need to incorporate them in the design of the thematic strategy and programmes.
- CI will include safeguarding risks (potential or real) to children and vulnerable and marginalized adults in all relevant strategies and programmes of CI.
- A risk assessment will also be conducted for any other activity directly involving vulnerable adults



and/or children, including fundraising and communications activities where contact is made and information on individuals is gathered.

- v. The risk assessment will include mitigating actions, which will be incorporated into project design/documentation. This may include supporting training of partner staff.
- vi. Safeguarding issues will also be covered during programme evaluations.
- vii. CI will Document lessons for institutional learning to improve programming and HR capacity development.

## **E.2.Safeguarding in theme specific risk assessment, protection and mitigation**

The thematic teams of Caritas India will

- i. Examine the effects of the thematic work on children and vulnerable adults and the inherent risks
- ii. Develop procedures needed to prevent harm and respond to concerns appropriately
- iii. Identify the safeguarding induction and training needed to ensure staff of CI and partner know about expectations from them and action needed in case of any concern.
- iv. Develop a clear code of conduct so that all staff of CI and partner understand their professional boundaries when working with children and vulnerable adults about the acceptable behavior.

## **E.3.Safeguarding in project cycle management**

CI teams will look into safeguarding issues at each stage of the project cycle – situational assessment, planning, implementation and monitoring, and evaluation. CI will conduct a Safeguarding risk assessment as a bench marking exercise in the proposed operational area to look into the following:

- Environmental sensitivity, protection and sustainable growth especially in areas prone to natural and/or man-made disasters
- Social discrimination or harmful practices including neglect and acts of omission towards children and vulnerable adults in the community
- Map the safeguarding risks they face on a day to day basis
- Documentation of safe and positive practices as part of local culture
- All the above would feed into design of project strategies.

## **E.4. Safeguarding risk assessment of potential and current Partners**

CI will look into the following points while assessing the potential or current partners.

- i. Availability of a written safeguarding policy and procedure document
- ii. Practices to monitor safe relationships in controlled groups in projects e.g. children's parliament, bal sabhas, women's groups, community- based organizations etc.
- iii. Infrastructure related safety and security measures
- iv. Availability of financial and/or material safety and security policy
- v. Availability of a code of conduct for staff and others

# Annexures

The following Annexures should be considered integral part of the policy document:

- Annexure 1 - Safeguarding the communication about children and vulnerable adults
- Annexure 2 - CI People Safeguarding Code of Conduct
- Annexure 3 - Safeguarding Concern Report Form
- Annexure 4 - The safeguarding mechanism/Committee
- Annexure 5 - Safeguarding CI assets and Organizational Image

# Annexure 1: Safeguarding the communication about children and vulnerable adults

- CI people will try and make sure that those who may wish to use images/stories of children or vulnerable adults cannot misuse or exploit them. Producing communications about children would count as indirect contact if consent is not signed up from the child and their guardian or the vulnerable adult.
- CI people will always acquire informed consent from the child's parent/guardian, the child's school or the NGO/Partner responsible for the child, and from the children themselves to use the images and stories for CI publications. However, it is not necessary to gain specific individual consent for those in crowd shots. With vulnerable adults their consent or depending on the nature of their vulnerability, their guardian's consent must be sought.
- Personal information about a child that could be used to identify his/her specific location within a country would not be used to accompany images.
- In addition, CI communications about children and vulnerable adults would respect their dignity and identity and would not degrade them.
- CI people will make the communication as realistic as possible and communications about children and vulnerable adults would not be sensational, or overtly sentimental.
- CI will take care to represent the ethnic diversity of the children and vulnerable adults in areas where CI works
- CI will try to represent children and vulnerable adults as individual human beings, with their own opinions and history
- CI will not use images of nude or partially clothed children or adults normally.
- CI acknowledges the fact that certain children and vulnerable adults may need extra safeguarding, for example, former child soldiers, those suffering from HIV and AIDS and victims of violence, abuse and exploitation.
- CI, in many cases, may decide to withhold or change names
- Decisions about the appropriateness of the use of images of children and vulnerable adults by CI would be made by the Communications Manager.
- Journalists and photographers working with, or on behalf of CI will be asked to sign the Code of Conduct as all CI People.

# Annexure 2: CI People Safeguarding Code of Conduct

As an employee or representative of CI, I will promote its values and principles and protect its reputation by:

- Respecting the basic rights of others by acting fairly, honestly and tactfully, and by treating people with dignity and respect, and respecting the national law and local culture, traditions, customs and practices that are in line with moral teachings and UN conventions
- Working actively to protect children and vulnerable adults by complying with CI's Child and Vulnerable adults Safeguarding Policy and Procedures
- Maintaining high standards of personal and professional conduct
- Protecting the safety and well-being of myself and others
- Protecting the organization's assets and resources
- Reporting any matter that breaks the standards contained in this Code of Conduct.
- Maintaining high standards of personal and professional conduct means I will not behave in a way that breaches the code of conduct, undermines my ability to do my job or is likely to bring CI into disrepute.

I will not:

- Engage in sexual relations with a child or a vulnerable adult or abuse or exploit a child or a vulnerable adult in any way regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not an excuse
- Exchange money, employment, goods, assistance or services for sexual favors or other forms of humiliating, degrading or exploitative behavior
- Engage in any form of harassment, discrimination, physical or verbal abuse, intimidation, favoritism or exploitative sexual relations
- Drink alcohol or use any other substances in a way that adversely affects my ability to do my job or affects the reputation of the organisation
- Be in possession of, nor profit from the sale of, illegal goods or substances
- Accept bribes or significant gifts (except small tokens of appreciation) from governments, beneficiaries, donors, suppliers or others, which have been offered as a result of my employment
- Undertake business for the supply of goods or services to Caritas India with family, friends or personal contacts or use CI assets for personal benefit
- Behave in a way which threatens the security of myself or others
- Use the organisation's computer or other equipment to view, download, create or distribute inappropriate material, such as pornography.

I will

- Be aware of situations which may present risks and manage these
- Plan and organise the work and the workplace so as to minimize risks
- As far as possible, be visible in working with children or vulnerable adults
- Ensure that a culture of openness exists to enable any issues or concerns to be discussed
- Ensure that a sense of accountability exists within my team so that poor practice or potentially abusive behaviour does not go unchallenged



- Empower children or vulnerable adults - discuss with them their rights, what is acceptable and unacceptable, and what they can do if there is a problem.

I will never:

- Hit or otherwise physically assault or physically abuse children or vulnerable adults
- Develop physical/sexual relationships with children or vulnerable adults
- Develop relationships with children or vulnerable adults which could in any way be deemed exploitative or abusive
- Act in ways that may be abusive or may place a child or a vulnerable adult in a state of abuse.
- Use language, make suggestions or offer advice which is inappropriate, offensive or abusive
- Behave physically in a manner which is inappropriate or sexually provocative
- Spend excessive time alone with children away from others
- Take children or vulnerable adults to my home, especially where they will be alone with me.
- Sleep in the same room or bed as a child or vulnerable adult with whom I am working
- Do things for children or a vulnerable adult of a personal nature that they can do for themselves
- Condone, or participate in, behavior with children or vulnerable adults which is illegal, unsafe or abusive
- Act in ways intended to shame, humiliate, belittle or degrade children or vulnerable adults, or otherwise perpetrate any form of emotional abuse
- Discriminate against, show differential treatment, or favor particular children or vulnerable adults to the exclusion of others.

I..... do hereby confirm that I have read, understood and commit myself to comply and to be held accountable for any non-compliance and non-reporting.

I also have read and understood the CI Safeguarding policy and procedures document to know about the aspects of safeguarding that relate to my role.

(Signature)

Date:



# Annexure 2: Safeguarding Concern Report Form

## Confidential Information

1. Nature of concern (Violation of Child or Adult or security/financial breach of organizations code of conduct/ Security breach):
2. Evidence of complaint mode (Telephone/email/what's app/in person):
3. Information received by:  
Name: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

## People involved

	Name	Age	Gender	Address	Telephone	Email
4. Whistle Blower:						
5. Alleged victim/survivor:						
6. Parent/Guardian/Carer:						
7. Alleged person against whom complaint is made						

## The Concern

7. Record details of allegations/concerns. If information is given in person, record as precisely as possible what was actually said, the location of the conversation and the identities of persons present. If the space provided is not sufficient please continue on a separate sheet and attach herewith.
  - What abuse/ harm/breach took place?
  - Where did the harm take place?
  - Witnessed by: \_\_\_\_\_ Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_
  - Are there more people involved apart from those listed in point 4 and 5?
  - Person recording the details. \_\_\_\_\_ Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Action and further information

8. What actions were taken?
  - Agencies/People contacted
  - Information/advice received with times and dates.
  - Person taking action \_\_\_\_\_ Name: \_\_\_\_\_ Age: \_\_\_\_\_ Gender: \_\_\_\_\_ Address: \_\_\_\_\_ Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

## Resolution statement by the victim

9. Is the concern addressed adequately? (Yes / No / Maybe / Don't know)

10. Signed off as involved with date by

Whistle Blower	Person against who complaint was made	Safeguard Representative	Expert Internal	Expert External

# Annexure 4: The safeguarding mechanism/Committee

## Terms of Reference for Caritas India (CI) Safeguarding Committee

### 1.1. Background

CI as part of an ongoing move to improve accountability towards all those it serves; individuals and communities, and partner organizations, will establish a Safeguarding Committee as part of a Concern Handling Mechanism (CHM) that is user-friendly, safe and accessible, but is also simple, efficient and effective and does not create undue burden.

The legal basis of this CHM is the CI Safeguarding Policy and Procedure document that is applicable to CI staff, board members, volunteers, interns, consultants, contractors, and partner organizations' staff. The Safeguarding Committee does not replace individual complaints mechanisms that partner organizations and staff members already have in place. It provides an alternative & complementary channel for managing complaints that can be activated in predetermined circumstances and when certain conditions are met. The Safeguarding Committee is instrumental to ensure that all complaints received will be dealt with according to agreed procedure and guidelines.

### 1.2. Objective

To support the Caritas India Administrator in making appropriate decisions on complaints received through the CI CHM, in accordance with agreed procedures and guidelines.

### 1.3. Composition

The Safeguarding Committee is composed as follows:

1. The Manager HR; 2. The Administrator 3. The CI Executive Director 4. Invited specialist (internal) 5. Invited specialist (external).

Invited specialist members of the Safeguarding Committee are nominated by the Executive Director of CI in consultation with the Administrator.

### 1.4 Responsibilities

The Safeguarding Committee is responsible to

- Review the complaint and suggest the course of action
- Review and approve the final investigation report or seek additional information if applicable;
- Request an independent investigation following reports which are not deemed satisfactory and/or are not reconsidered for revision
- Recommend appropriate disciplinary actions, if applicable. The final decision is taken by the Executive Director.

### 1.5 Confidentiality

Members of the Safeguarding Committee are bound to treat all information received with utmost confidentiality.



### **1.6 Meetings**

The CI Administrator is responsible to organize the meetings of the Safeguarding Committee. The members of the Safeguarding Committee are required to prioritize their participation in meetings to make sure that complaints are dealt with in a timely manner.

### **1.7 Duration**

Safeguarding Committee members are appointed for a duration of two years. Their membership can be renewed.

# Annexure 5: Safeguarding CI assets and Organizational Image

## Safeguarding safety and security

### Security at work

Caritas India will conduct safety and security checks from time to time for further strengthening and improvement of the system.

### Importance of Safety and Security

CI recognizes the need to have a workplace safety plan in place. Caritas India will protect an employee from work related illness and injury and make the workplace (building etc.) safe from any injury or harm and secure from intruders and internal pilferage.

Security systems like CCTV and other security equipment will continue to be in place not only to monitor the incomings and outgoings but also understanding if any harm is visible to CI building, assets or its people.

CI also acknowledges that along with the physical security of the employees, it is essential to ensure that important data (including the human resource data), networks, software, equipment and organisations assets are also protected. With a proper security program in place, the organization's premises will have higher standards. It will also ensure that a neat and clean environment is maintained.

### Aspects of building/workplace security

**Security awareness** - Caritas India will build security awareness, the in-house security plan and related responsibility to all staff. The office administration, the front office receptionist, security guards and the IT unit have additional responsibilities compared to other staff.

**Building security guidelines** - CI will develop office building security guidelines and place them on notice board with special notices in potentially risky rooms such as those with equipment, inflammable material or kitchen for quick reference.

**Building maintenance** - CI will develop guidelines to monitor building maintenance such as any weak structures that can cause injury or serious accidents; lighting of rooms, corridors, washrooms etc; hanging live electric wires; regular maintenance of the lift system; fungal infected walls in work spaces; use of pesticides; quality of drinking water etc.

**Access control facility and authority** - At the entry level, all the CI people will have to sign a conflict of interest agreement where all data of the CI remains within CI interests. Guidelines will be developed for server security, information security especially employee data and any other confidential data, Data, encrypted information and Network security, Store spaces and warehouses areas where materials (for relief or otherwise), general authorized and unauthorized access .

**Building surveillance:** Caritas India will consider developing safe and secure gates, exterior doors, biometrics etc. to avoid entrance of the unsafe elements.



## Security of CI people

### **Medical emergencies:** Caritas India will

- Keep medical emergency numbers of ambulance service, doctors, nearby hospitals for ready use; pin them on the notice board for quick access; it will consider having couple of doctors screened from the neighborhood for consultations on any emergencies;
- Develop guidelines on how to address emergencies while on official travel or in the field.
- Develop guidelines on informing key people in office(s) and family of the person especially in serious cases.

### **Protection from accidents including fire, hooliganism, other reasons**

#### **Fire safety:** Caritas India will

- Strengthen the fire safety system in workplace / office
- Include safety and security knowhow as part of inducting new staff
- Train all staff to operate a fire extinguisher
- Develop guidelines and train staff on what to do and how to evacuate a room or the building.

#### **Hooliganism:** Caritas India will

- Develop prevention and protection guidelines with the support of local police
- All staff to be aware of what to do when there is potential danger or sudden actual episode takes place

#### **Others:** Caritas India will

- Develop safety guidelines for use within office and on travel including cash in transit especially while bringing cash from the bank/ATM for use in emergencies
- Develop guidelines for use of personal equipment and vehicles for sudden emergencies when official equipment or vehicle is not available.
- Emergency exits – safeguard these exits by keeping them open without any clutter
- Periodically check whether the doors open out in emergencies. Do not block the exit with anything even with a pile of papers.

## Security Audit

### **Yearly safeguarding audit:** Caritas India will

- Conduct periodic and surprise checks to see and improve safety and security measures
- Develop tailor made skills, security and safeguarding audit checklist.
- Set a date for organizational safeguard audit for both safety and security to ensure that all staff have received safeguard training and all safety drills have been conducted within the year.

### **Monitor maintenance and capacity of assets and hardware as part of safeguarding**

- Timely, regular maintenance of office assets and hardware is critical for its smooth and efficient function for higher productivity, safety and emotional wellness of staff
- Monitor vendors for quality against a checklist and timely output. If not delivered, change vendors after 2 or 3 warnings.







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