

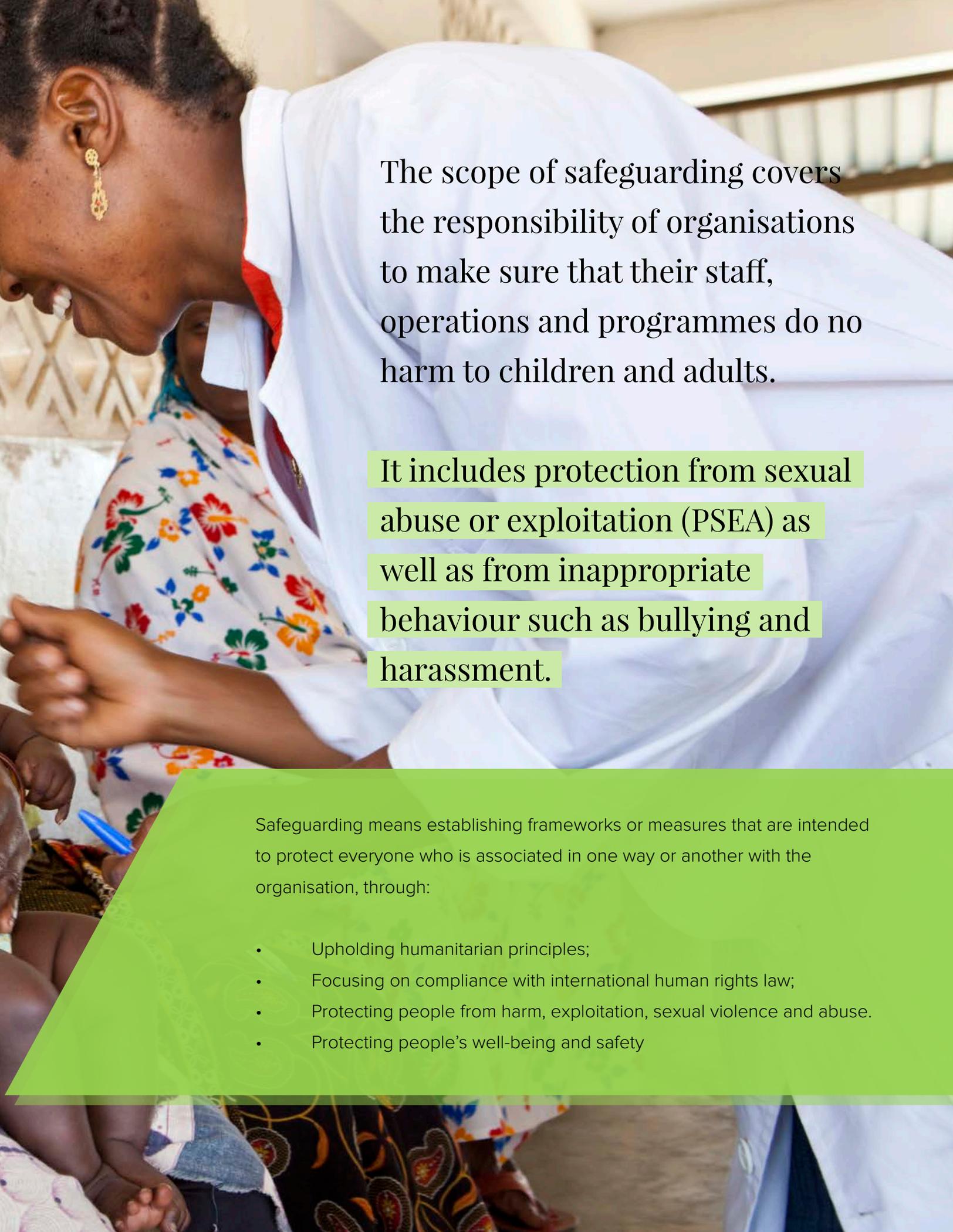


AGA KHAN FOUNDATION

# GLOBAL SAFEGUARDING

MANUAL



A woman in a white lab coat is leaning over a young child wearing a floral dress. The woman is smiling and looking down at the child. The background is slightly blurred, showing what appears to be a hospital or clinic setting.

The scope of safeguarding covers the responsibility of organisations to make sure that their staff, operations and programmes do no harm to children and adults.

It includes protection from sexual abuse or exploitation (PSEA) as well as from inappropriate behaviour such as bullying and harassment.

Safeguarding means establishing frameworks or measures that are intended to protect everyone who is associated in one way or another with the organisation, through:

- Upholding humanitarian principles;
- Focusing on compliance with international human rights law;
- Protecting people from harm, exploitation, sexual violence and abuse.
- Protecting people's well-being and safety



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# Introduction



This Safeguarding Manual has been developed as a global framework document for all AKF Units. It sets out AKF's Safeguarding Policy and Code of Conduct and offers tools and resources to support the development and implementation of minimum standards of safeguarding including protection from sexual abuse, exploitation and harassment (PSEAH). CEOs of individual Units are responsible for developing their own robust safeguarding arrangements based on their assessment of risks in their local context, ensuring they meet these minimum requirements.

The Safeguarding Manual has been reviewed and updated in January 2020, taking account of AKF's experience in implementing its safeguarding policy and procedures over the last year.

It was adopted by the AKF Board on [x date] and will be reviewed again at the end of 2021.

# Safeguarding Policy

## AKF's Commitment to Safeguarding

AKF is committed to safeguarding, which means it promotes respectful relation with and between all staff, associates, beneficiaries and wider communities with whom it works, and takes all reasonable measures to prevent harm, including all forms of exploitation, abuse, bullying, harassment and abuse of power that may arise from contact with its staff, programmes or operations.

AKF is committed to ensuring the identification, mitigation and management of a wide range of risks to:

**Beneficiaries and wider communities** - AKF makes every effort to ensure the safety and protection of individuals and groups, including children and adults with whom it is in contact, particularly those that may be especially vulnerable and at risk

**Staff, volunteers and other associates** - AKF seeks to establish safe and respectful workplaces that ensure the inherent dignity of all persons, where everyone is treated with dignity and respect, in safe environments free from harassment, abuse, and discrimination.

**The organisation** - AKF must preserve its reputation for good governance and sound management by addressing fiduciary and related risks such as Fraud, Theft, Bribery and Corruption, Money Laundering and Aid Diversion.

## Purpose and Scope

Safeguarding is the responsibility that organizations have to make sure their staff, operations, and programmes do no harm to children and adults, especially those who are at risk or vulnerable. It includes protection from sexual abuse or exploitation as well as from inappropriate behaviour such as bullying and harassment (PSEAH).

AKF's work is based on the principles of international conventions and instruments, including the United Nations Convention on the Rights of the Child (UNCRC), Convention on the Elimination of Discrimination Against Women (CEDAW) and the Convention on the Rights of Persons with Disabilities. All people must be treated with dignity and respect. There is zero tolerance for sexual abuse, exploitation, harassment (PSEAH), neglect or other misconduct by AKF staff, representatives or partners.

The policy applies to:

- Staff – permanent or temporary
- External service providers/Contractors
- Interns
- Researchers
- Consultants
- Volunteers
- Members of the organization's governing bodies/Representatives of AKF
- Visitors including journalists, photographers, donors, staff from other AKF units or AKDN agencies, or other organizations
- Implementing or other Partners (unless they have their own safeguarding policy of a similar standard)

AKF requires all staff, volunteers and representatives to commit in writing to upholding the principles and standards in this Safeguarding Policy and the associated Code of Conduct (see Section 3 below), through a Statement of Commitment (see Annex I).



Partner commitments will be reflected in specific clauses in their written agreements with AKF (see Annex II for examples of these). A separate Code of Conduct for Visitors (see sample at Annex IV) will apply to all visitors.

## AKF's Safeguarding Standards

### Standard 01

Everyone connected with the organization knows how to keep children and adults safe and has appropriate learning opportunities to develop and maintain the necessary attitudes, skills and knowledge for this.

### Standard 02

Partners have measures to safeguard beneficiaries that are consistent with AKF's standards.

### Standard 03

Children, adults and their families and caregivers understand AKF's commitments to safeguarding and know what to do if concerns arise.

### Standard 04

AKF's safeguarding beneficiaries' commitments are integrated into existing organizational processes and systems and, where necessary, new procedures will be introduced.

### Standard 05

AKF has measures and mechanisms in place for monitoring and reviewing safeguarding beneficiaries' measures and for both upward and downward accountability in relation to safeguarding.

### Standard 06

AKF will ensure a workplace culture built on respect, tolerance, diversity and inclusion that delivers a respectful environment for all staff

### Standard 07

AKF will promote openness and transparency so that all staff are aware of AKF's commitments to respectful workplaces, are clear on their responsibilities and feel able to raise questions or concerns and challenge and/or report actual/potential inappropriate or harmful conduct in the full knowledge that these will be taken seriously.

### Standard 08

AKF will ensure robust protection for anyone who wishes to raise a concern or make a complaint regarding harassment, sexual harassment or other workplace misconduct.



The measures and procedures for meeting these standards are set out below, with additional guidance material and templates in the annexes.

AKF believes that all employees are entitled to:

- An inclusive working environment, where the input of all employees is valued and where everyone can be themselves and contribute to the success of AKF;
- Work free from discrimination, bullying and harassment, sexual or otherwise;
- The right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimized;
- Report a case of bullying or harassment, have access to and have their case considered by

male or female staff representatives at all points in the process;

- Be accompanied by an appropriate support person/companion<sup>1</sup> if they wish during any formal meetings that take place as part of this policy. The local unit's Disciplinary Procedure will be used, where appropriate, to support this Policy.

<sup>1</sup> This would normally be a colleague. You can ask if someone else can accompany you, but this is subject to agreement

As well as being morally wrong, acts of discrimination, bullying, harassment, or workplace violence are illegal in many contexts and can cause serious damage to the morale, productivity, values, image, and performance of the Aga Khan Foundation. AKF recognizes that such workplace

misconduct can seriously harm staff physical and mental health and well-being.

AKF will not tolerate third-party harassment. This refers to unacceptable behaviour by clients or customers towards an employee of AKF. Employees encountering this should immediately inform their Supervisor, so that corrective measures can be taken.

Any form of sexual harassment is prohibited within AKF premises or outside, including at social events, business trips, training sessions or conferences sponsored by AKF. Anyone, including employees of AKF, casual workers, contractors or visitors who

sexually harasses another will be reprimanded in accordance with this internal policy.

By effectively implementing AKF workplace dignity measures and promoting the Gender Policy and other relevant policies such as the Equal Opportunities Policy, Workplace Discrimination, and Harassment Policy, the Foundation will attract and retain talented staff and create a positive work environment.

Whilst the organization will do all that is necessary to ensure safeguards for all persons associated with AKF everyone has a personal responsibility to actively promote such an environment. In summary:

### **AKF is committed to ensuring**

- Acceptable standards of conduct are observed at all times
- Harassment, discrimination, bullying, and workplace violence complaints are treated seriously;
- Complaints are attended to promptly and confidentially and are investigated impartially;
- Trained male and female representatives are available in the office to assist and support male and female employees with any concerns regarding dignity at work issues
- Action is taken to ensure that misconduct does not continue;
- Complainants and witnesses are not victimized in any way; and
- Learning is fed back into the organization to ensure continuous improvement.

### **Managers or Supervisors must**

- Set a personal example and model appropriate standards of behaviour;
- Be alert to the possibility that bullying, discrimination or harassment may be happening in their teams and take prompt action as per the procedure, should this be taking place;
- Take steps to educate and make staff aware of their obligations under this policy;
- Help staff resolve complaints informally where appropriate;
- Deal with all complaints quickly, sensitively, seriously and in confidence;
- Act fairly to resolve issues and enforce workplace behavioural standards, making sure relevant parties are heard;
- Refer formal complaints about breaches of this policy for investigation.

### All Staff must

- Comply with and follow the standards of behaviour outlined in this policy;
- Treat all colleagues with dignity, courtesy and respect;
- Be aware of inappropriate behaviour that contravenes this policy and report any acts of harassment committed towards them or towards others, and to fully cooperate in the event of an investigation;
- Attend training on this policy and sign a Statement of Commitment (see Annex I) acknowledging they have received, read and understood the policy;
- Report early concerns about unwelcome behaviour before it becomes serious;
- Offer support to anyone who is being bullied, discriminated, harassed, sexually harassed and let them know where they can get help and advice (they should not, however approach the perpetrator themselves); and
- Maintain complete confidentiality if they are required to provide information during the investigation of a complaint.

## Consequences of Non-Compliance

Staff, volunteers and other associates: for staff, disciplinary action up to and including termination of contract, and for others, an end to the relationship either through termination of contract or ending of the agreement/arrangement that covers their association with AKF.

Visitors and Partners: up to and including termination of all relations including contractual and partnership agreements with AKF.

Appropriate legal and other actions may be taken for breaches or non-compliance.



# Measures to implement the Safeguarding Policy

This section provides more detail on the minimum standards for safeguarding at AKF. It sets out the specific measures and procedures that are integrated with existing organizational systems in order to implement the safeguarding policy and meet the standards.

## Safeguarding beneficiaries and communities

AKF embraces its responsibility to uphold national and international safeguarding obligations for both adults and children. We recognize that all children and adults are equal, irrespective of their age, sex, gender identity, ability, language, ethnicity, sexual orientation, marital status, nationality, class, faith or culture. We recognize the right of every person,

without discrimination, to survival, well-being and development, as well as to protection from harm, including protection from sexual abuse, exploitation and harassment (PSEAH).

The over-arching principle of safeguarding beneficiaries is to ensure that AKF serves the needs and protects the well-being of children and adults. AKF's decisions and actions in response to safeguarding concerns and breaches of this Policy will be guided by the principle of 'the best interests of the child or adult'. Accountability to our beneficiaries remains of paramount importance in everything that we do.



STANDARD 1:

Everyone connected with the organization knows how to keep children and adults safe and has appropriate learning opportunities to develop and maintain the necessary attitudes, skills and knowledge to keep children and adults safe.



### 1.1 Designated roles and responsibilities for safeguarding

The designated roles and responsibilities for safeguarding are set out above in section 5 of this Safeguarding Manual.

### 1.2 Training and support

The AKF SM will be translated and made available in local language/s.

As part of the normal induction processes, all new staff, volunteers and representatives will receive a copy of and be oriented to the SP and Code of Conduct as pertinent to their roles ideally as soon as they join, or as soon as practical.

Staff, volunteers and representatives who have any exposure to and/or job-related responsibilities with children or adults will be required to undertake training commensurate with their roles and responsibilities. This training may be outsourced to a reputable agency or consultant working on child/adult protection, and which understands the local context.

The training must be provided within three months of staff taking up her/his position and should be undertaken by all staff, regardless of previous training in safeguarding.

The SFP will be responsible for organizing orientations and trainings on the SM; undertaking self-audits and risk assessments; undertaking partner due diligence; and monitoring and reporting on the implementation of the SM, as well as other tasks related to safeguarding.

Supervisors will use the SM and Code of Conduct to determine what behaviours are appropriate or inappropriate and will guide their staff accordingly. Supervisors will provide staff with regular opportunities to share information on any problems

they are experiencing or anything they are concerned about, including unacceptable conduct.

### 1.3 Codes of conduct for staff, volunteers, representatives and visitors

The Code of Conduct applies to all staff (permanent or temporary, part-time or full-time), volunteers and representatives (defined as all people engaged by AKF on an individual sub-contract basis or on a voluntary or unpaid basis, including interns, researchers, consultants, members of the National Committee, etc.).

A separate Code of Conduct for Visitors (see sample at Annex IV) will apply to all visitors (including journalists, photographers, donors, staff from other AKF units or other organizations, etc.) to project sites. Each site or centre will have a Code of Conduct for Visitors posted in English and local language/s in a visible place on-site and/or made available to visitors prior to their visit in a format that ensures their understanding, taking into account any visual impairment.

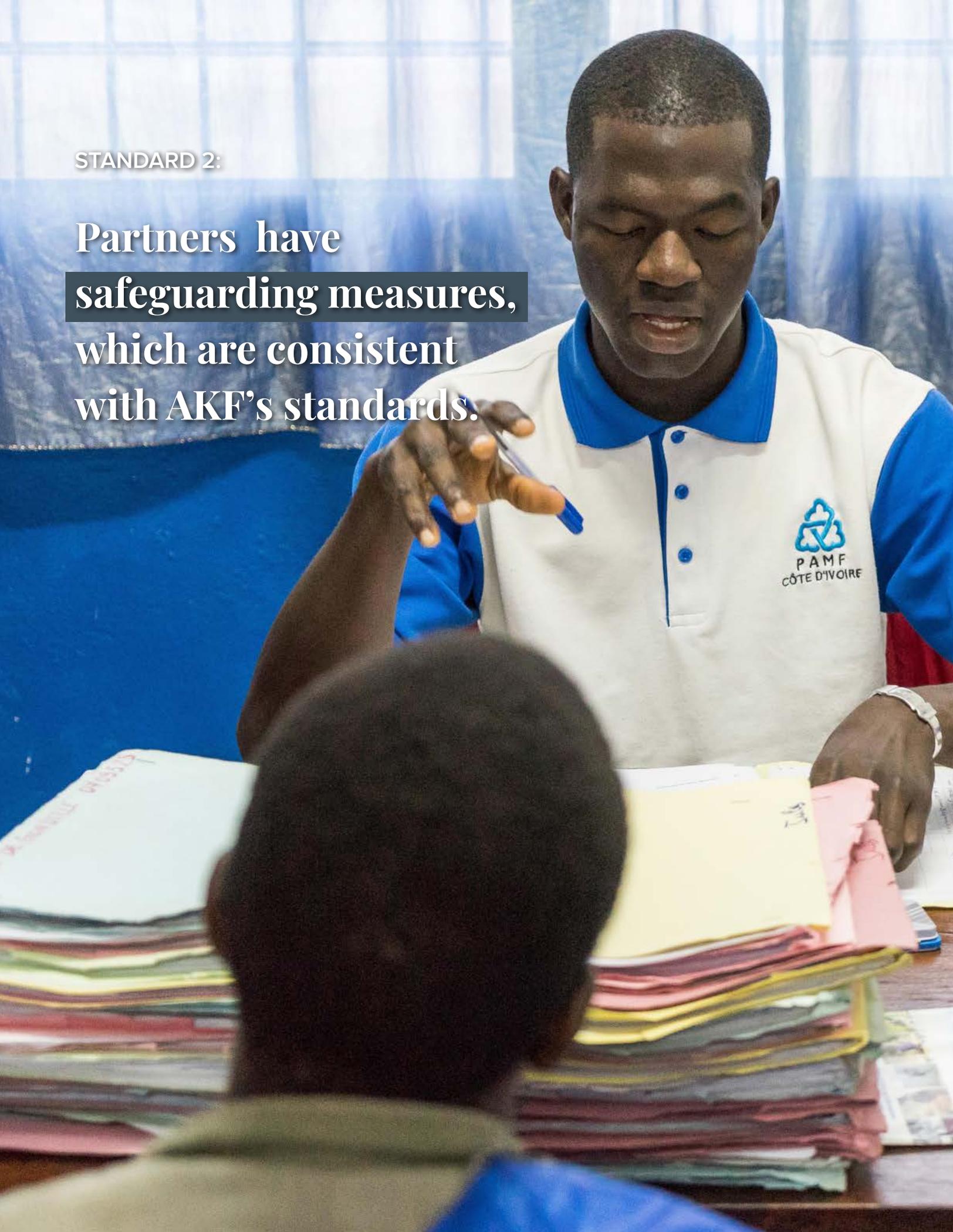
All visitors must be accompanied by a staff member. It is the responsibility of the staff member supervising or accompanying the visitor to ensure that the visitor is properly briefed and supervised through any activity and visit.

Visitors who breach the Code of Conduct for Visitors will be asked to stop the behaviour in question and, depending on the severity of the breach, may be barred from visiting AKF project sites in the future. A formal letter of complaint may also be sent to the visitor's employer.

In all cases of breach, legal action may be taken where deemed necessary and appropriate.

STANDARD 2:

Partners have  
safeguarding measures,  
which are consistent  
with AKF's standards.



## 2.1 Due diligence of partners

It is important that AKF carries out due diligence checks on any partners it works with. This includes organisations in country and other organisations which AKF may fund or use to deliver services.

Units should ensure that safeguarding assurances are carried out on any organisations the foundation is using / working with. This is particularly important if the activities involve children or adults at risk. AKF should be assured that the partner is capable of delivering the proposed activities or services and has in place robust systems of control, including full safeguarding policies and procedures.

## 2.2 Agreements with partners

Prior to signing any agreements with potential partners, the SFP will ensure the partner's safeguarding policy has been assessed to see if it is consistent with AKF's SM. If it is, the contract agreement will indicate that the partner's safeguarding policy will apply. Where the partner's safeguarding policy is not consistent with AKF's SM, the contract sub-agreement will state that AKF's SM will apply. The potential partner's safeguarding policy and practices will be assessed through a written assessment tool with rating criteria, as part of AKF's global due diligence process. See Annex VIII for a partner safeguarding assessment tool.

The contract agreement will outline the process through which the partner will report to AKF on safeguarding concerns raised and how they were handled.

A safeguarding concern raised in relation to a partner does not mean that the partnership must be terminated automatically. The decision to continue with the partnership must take into account the reaction of the partner and their commitment to addressing the situation. However, agreements with partners will contain a clear provision stating that mishandling of safeguarding concerns and/or non-compliance with safeguarding policies may result in termination of the partnership agreement.

## 2.3 Support to partners

Where possible and appropriate, AKF will provide support to the partner to improve its safeguarding policies and procedures, and achieve compliance and competence, including through training and sharing of resources and best practices.

Where possible and necessary, the partner will be encouraged to include funding for safeguarding (e.g. improving organizational policies and procedures) in the project budget.

Donors and regulators may hold AKF to account over the suitability and management of partner relationships, including its supervision of safeguarding risks and any evidence that AKF has exposed the Foundation, its assets, beneficiaries or others connected with it, to harm or undue risk. This can include not following good safeguarding practice, so it is of utmost importance that AKF monitors its partners on these matters.



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### STANDARD 3:

## Children and families understand AKF's commitments to safeguarding and know what to do if concerns arise.

Project or Programme Managers must ensure that children, families and community members with whom the organization works are aware of the SM and the Code of Conduct so that they know what behaviours they can expect from staff, volunteers, representatives, visitors, and partner staff and representatives, as well as from each other. This must be done in ways that are appropriate to the local context and accessible to all community members i.e. so that all children, families, and community members - especially girls and women who may not have access to information, people who have low literacy, and people with visual or hearing disabilities - are aware of the codes and reporting mechanisms.

Project or Programme Managers must ensure that children, families and community members are aware of to whom and how they can report any safeguarding concerns, as well as the ways in which concerns will be handled.

Project or Programme Managers must devise ways of obtaining complaints and feedback from children, families and community members on their perceptions of what is being done well and what could be improved and how, with regard to safeguarding. This must be done in ways that are appropriate to the local context.

A photograph of a male worker in a black t-shirt with 'Brooklyn' written on it, black pants, and an orange hard hat. He is looking upwards and to the left, holding a thick steel cable. The background shows industrial machinery, including a large circular metal component with several holes. The scene is set in a factory or workshop.

STANDARD 4:

AKF's safeguarding policy commitments are integrated into existing organizational processes and systems and, where **necessary**, **new procedures** will be introduced.

#### 4.1 Recruitment and performance

Job or role descriptions for all staff, consultants and volunteers – whether paid or unpaid, full-time or part-time, temporary or long-term – will include a statement on the position or role’s responsibilities to meet the requirements of AKF’s SM. These responsibilities will be taken into consideration in the performance management process, including targets in performance appraisals.

All advertisements for positions involving work with children and adults will reference AKF’s commitment to safeguarding. Use of an application form will allow pre-screening and self-declaration whereby candidates provide information on past and pending investigations into allegations of misconduct and disciplinary proceedings and measures.

For all positions involving work with children and adults, at least one person on the interview panel must be trained on safeguarding and must be responsible for ensuring that some specific questions are asked during the interview to draw out the applicant’s attitudes and values and competencies in relation to safeguarding, and for highlighting and discussing the organization’s commitment to the SM. Any gaps in employment history or frequent changes in employment should be clarified with the applicant. See Annex III for sample questions that can be asked during interviews to assess any safety risk factors. Any gaps in employment history or frequent changes in employment should also be clarified with the applicant.

For all positions involving work with children and adults, at least two references, including from previous

employers or others who have knowledge of the applicant’s experience and suitability to work with children and adults, must be obtained and verified. To this end, a specific question should be included in the reference request, i.e. “To the best of your knowledge, has the candidate ever been subject to any disciplinary measure, contract termination, contract non-extension, or has he/she resigned while under investigation or during disciplinary proceedings, for or in connection with (allegations of) fraudulent, collusive, coercive, obstructive or unethical practices, harassment, sexual harassment, abuse of authority, sexual exploitation or sexual abuse or retaliation?” Any gaps in employment history or frequent changes in employment should be clarified with the referees as far as possible.

AKF’s HR department will conduct a police background check or equivalent for all positions involving direct contact with children and adults or where safeguarding risks relevant to the role have been identified. AKF may also consult the World-Check database. Written permission must be obtained from the applicant prior to conducting a background check. The information obtained will be treated with strict confidentiality within the organization. Work should not commence with AKF until all background checks have been completed.

AKF will not knowingly select or hire someone who has a history of violence, inappropriate behaviour with children or adults, a conviction for abuse or serious drug charges.

All staff employment contracts and contracts with volunteers and representatives will contain provision for

disciplinary action, up to and including termination, as a consequence of breaching the SM or Code of Conduct.

All staff, volunteers and representatives must sign the Statement of Commitment (see Annex I) to AKF's SM and Code of Conduct as a condition of work or engagement with AKF, prior to commencing their duties. Each unit must keep records of these signed statements on file.

#### 4.2 Programme cycle management

New projects that involve contact with children/adults will include a risk assessment at the design stage to understand the situation of children/adults vis-à-vis the project context. The aim will be to try

to prioritize the safeguarding needs of children/adults and take into consideration how the SM standards and guidelines will be followed in project implementation. See Annex VII for a sample risk assessment tool.

When implementing activities for children/adults, the organization will keep the best interest of the child/adult in mind and avoid pursuing activities that might put their physical, mental or emotional well-being at risk.

Evaluations of projects that involve contact with children/adults will include how well the project has met its safeguarding objectives, as well as any unforeseen negative impacts on children/adults' safety.



### 4.3 Communications

The ethical rules below regarding the use of images and information must be observed.

- Respect the SM and Code of Conduct when taking photographs or recordings of children/ adults.
- Make sure that the safety of the child/adult will not be compromised if the images of her/his home, community or environment are disseminated.
- Obtain permission from the adult to take their photo or a recording. In the case of a child, explain the purpose of the photo/recording and obtain permission from the adult/person looking after him or her. Children are not deemed able to give consent themselves.

Where children/adults and their parents/ guardians are illiterate, the staff member should explain the contents of the consent form and then sign on behalf of the child/adult and his/ her parent/guardian, indicating that verbal consent has been given. Alternatively, use a locally agreed or commonly used form of consent giving (thumb print, for example) or audio record verbal consent, taking care to store the audio file appropriately.

- Ensure that the child/adult does not pose in an inappropriate manner.
- Do not take or publish photos or recordings of children/adults who are naked or dressed inappropriately. Images of children/adults which are exploitative, or offensive must not be taken or used.
- Always respect the child/adult's dignity. Do not



represent children/adults as ‘victims’ (weak, desperate, etc.). Images should present children/adults in a positive way. Similarly, stories about children/adults should aim to report not only the negative aspects of their lives, but also their strengths.

- Photos and recordings should only be used for strictly professional purposes. Unofficial photographs must not be posted or uploaded on personal websites or social media.
- Never indicate in the files any information that could endanger the child/adults who are victims of abuse (title, metadata, captions). When publishing/distributing images/stories, personal information must be removed to ensure privacy (i.e., names and addresses must not be included and if necessary other identifying features such as school/centre names should also be omitted).
- Any access to inappropriate websites or other digital content that are illegal, offensive, inappropriate and may be detrimental to the reputation of AKF and in violation of the SM and Code of Conduct is strictly forbidden and can justify a dismissal with immediate effect.
- Any unintended access to or accidental downloading of harmful data or offensive images should be immediately reported to line managers to avoid any misunderstanding.
- Any offensive material or unsolicited messages/chats are received, these must also be reported immediately to line managers. Line managers must report these to the Safeguarding Focal Point and the CEO for further action.

#### 4.4 Protocols for reporting safeguarding concerns

Concerns and reports may be received from a number of sources – including staff, volunteers, representatives, partners, children and families/ community members. All concerns and reports must be taken seriously, and the best interests of

the child or adult kept in mind at all times.

All reports of any concerns must be passed in the first instance to the local SFP. If the SFP is not available (e.g., is on leave), concerns must be passed to the CEO or other designated staff member (see Annex X).

All reports involving beneficiaries must be reported to the Global Safeguarding Lead in Geneva. Contact details are at Annex X

A reporting process flowchart is contained in the section on ‘Speak Up’ policy, which identifies how concerns will be reported and escalated.

Reports about violations by parties external to the organization (e.g., family or community members) will be handled through referrals to those agencies or bodies responsible for receiving and responding to such reports (as identified by local mappings - see Annex IX).

Reports about internal violations (i.e., by staff, volunteers or representatives) will be handled through an internal reporting and investigation process. Where a cause for concern is found about a staff member, AKF’s disciplinary policies will be invoked. Depending on the severity of the violation, consequences may include disciplinary action up to and including immediate dismissal. Where a cause for concern is found about a representative, actions may be taken up to termination of the contract.

Where the concern is regarding a partner, the information will be passed to the Executive Director of the partner organization, to deal with as per the partner’s safeguarding policy.

In cases where the report indicates a criminal offence has or may have taken place, a decision must be made on notifying the local authorities in line with local referral procedures. However, this decision should be made with full consideration of the risks involved, particularly to the alleged victim,

given the local circumstances and what is known about handling of cases, confidentiality of external processes and potential consequences for the individuals involved.

The main point of referral for all safeguarding concerns is the local SFP. This is to ensure that concerns are managed in a systematic way and lessons are learned in terms of the implementation of the policy. This does not mean that the SFP is solely responsible for action, but s/he will take the lead on the process of documenting the concern and ensuring it is taken forward.

It is not necessary for complaints/allegations/ reports of concerns to be submitted in writing, but in all cases, a written Reported Concern form must be completed by the person receiving the concern and submitted to the local SFP.

Decisions about safeguarding incidents must generally not be made by individual workers in isolation. However, in exceptional circumstances – such as a life-threatening situation – staff, volunteers or representatives may take whatever action they deem necessary to protect a child or adult at immediate significant risk. However, this must be reported as soon as possible in accordance with the reporting process.

Local contacts with relevant social service agencies and law enforcement should be identified in advance to enable a referral to an outside agency if required to protect the child or adult (see Annex IX for guidance and tool). Contact details should be retained by the local SFP so a referral can be made quickly and efficiently.

Consideration on whether to refer a child or adult to an outside agency for safeguarding must always be made within the legal framework of the country and with consideration for the best interests and wishes of the child.

Where concerns are raised or reports made, importance must be placed on confidentiality, both of the referrer and also the child/adult involved. Information must be shared strictly on a need-to-know basis as necessary to ensure the child/adult is kept safe and appropriate assistance given.

Where concerns are raised in good faith and with no malicious intent, even if these are not substantiated, no punitive action will be taken against the person raising the concern or making the report.

Written records of all reports received must be kept and maintained in a secure and confidential location by the local SFP. In some cases, where the programme or project specifically addresses safeguarding and case management is part of the intervention provided, as an alternative, records may be kept by the programme team. This needs to be authorized in writing by the CEO at programme inception.

Any monitoring reports on the safeguarding policy must ensure confidentiality (i.e., no mention of any identifying facts).

A man with a grey beard and mustache, wearing a light-colored patterned shirt, is smiling and holding a large bundle of green leafy plants with roots. The background is a blurred green field.

STANDARD 5:

**AKF has measures and mechanisms in place for monitoring and reviewing safeguarding measures and for both upward and downward accountability in relation to safeguarding.**



AKF units will undertake a self-assessment on an annual basis to measure the extent to which it is meeting its Safeguarding Policy and standards, record good practices, and identify areas for improvement. See Annex VI for the self-assessment tool.

The results of the self-assessment will be shared with staff and be used to draw up an annual action plan to address gaps and to mitigate risks.

The CEO will report on the results of the annual self-assessment and action plan to the AKF

National Committee (or equivalent) and to Geneva Global Safeguarding Lead.

The self-assessment and action plan process is a whole team exercise but will be coordinated by the local SFP.

The SM will be reviewed every year to take account of legal, regulatory or sector developments and ensure contact details are up to date. This will be led by the CEO with support from the Global Safeguarding Lead, the local SFP and other colleagues as required.

STANDARD 6:

**AKF will ensure a workplace culture built on respect, tolerance, diversity and inclusion that delivers a respectful environment for all staff**



- AKF will provide training for all staff on respectful workplaces and in particular will provide leaders/line managers with additional training on how to meet their responsibilities under this policy
- AKF will ensure partners and other stakeholders are clear on AKF's commitments in this area and support them to work in ways that are consistent with its values and principles

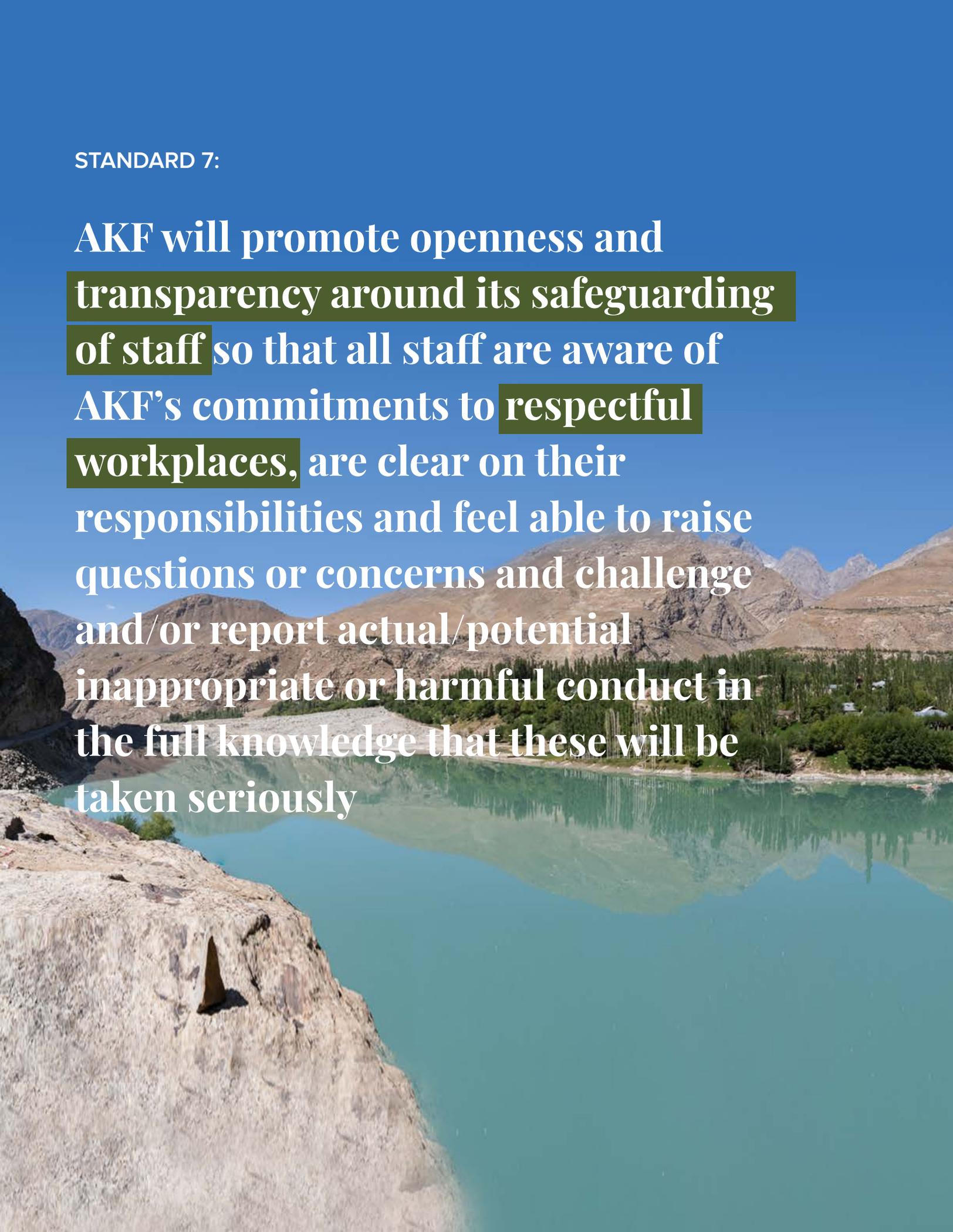
so that staff are not exposed to harassment, bullying, discrimination and so on in contact with other organisations

- AKF will expect all units to establish clear plans to address workplace culture and ensure all aspects of respectful workplaces are being addressed
- AKF will conduct regular staff surveys to gather views from staff and support performance monitoring and improvements in this area

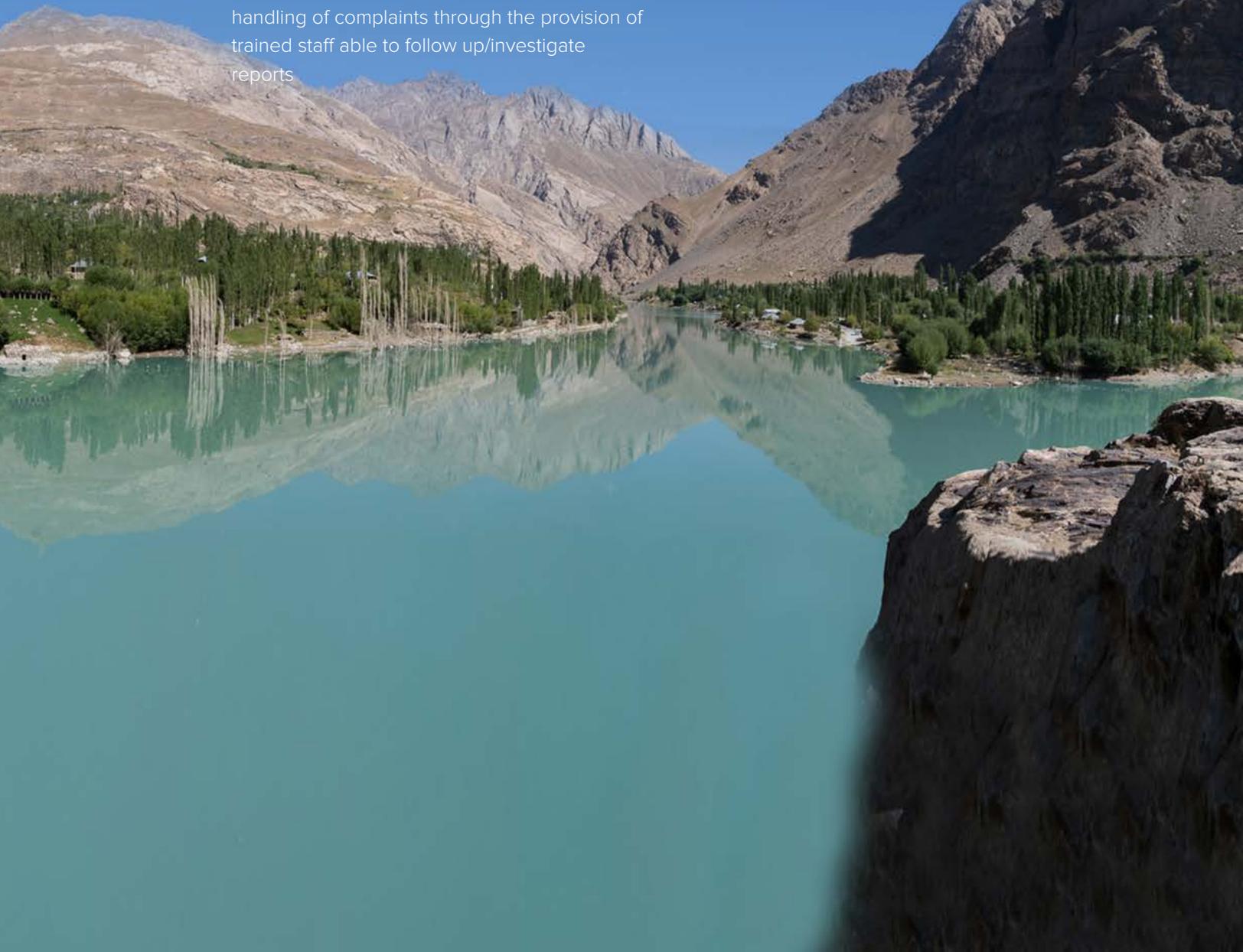


STANDARD 7:

AKF will promote openness and transparency around its safeguarding of staff so that all staff are aware of AKF's commitments to respectful workplaces, are clear on their responsibilities and feel able to raise questions or concerns and challenge and/or report actual/potential inappropriate or harmful conduct in the full knowledge that these will be taken seriously



- AKF will ensure that policies and processes are communicated through induction and training and ensure that all staff and other stakeholders know their rights and responsibilities
- AKF will provide a range of channels for staff to raise concerns, including anonymous reporting mechanisms, that will allow anyone to speak up about harassment and other misconduct towards them. We will measure usage of the speak up line and reporting of concerns more generally
- AKF will ensure all reports are taken seriously, responded to appropriately and unbiased handling of complaints through the provision of trained staff able to follow up/investigate reports
- AKF will treat all complaints in a sensitive, fair, timely and confidential manner monitoring the time it takes to complete investigation
- Supervisors, managers and those responsible for dealing with sexual harassment cases will report at least annually to the Geneva Global Safeguarding Lead on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations to evaluate the effectiveness of this policy and make any changes/improvement



STANDARD 8:

AKF will ensure **robust protection** for anyone who wishes to raise a concern or make a complaint regarding harassment, sexual harassment or other workplace misconduct.



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- AKF will establish procedures to protect people reporting sexual harassment from victimisation, to ensure a rapid response and include provision for immediately removing the alleged perpetrator from his/her role pending investigation
  - AKF will ensure a range of protection for complainants such that feel fully supported in making a complaint and able to access support and protection appropriate to their situation
  - AKF will prohibit practices such as settlements that require confidentiality about harassment or force victims of harassment to resign

Please see Annex XII for definitions and examples of bullying, harassment, abuse, exploitation, discrimination and victimization.

# Safeguarding the Organisation

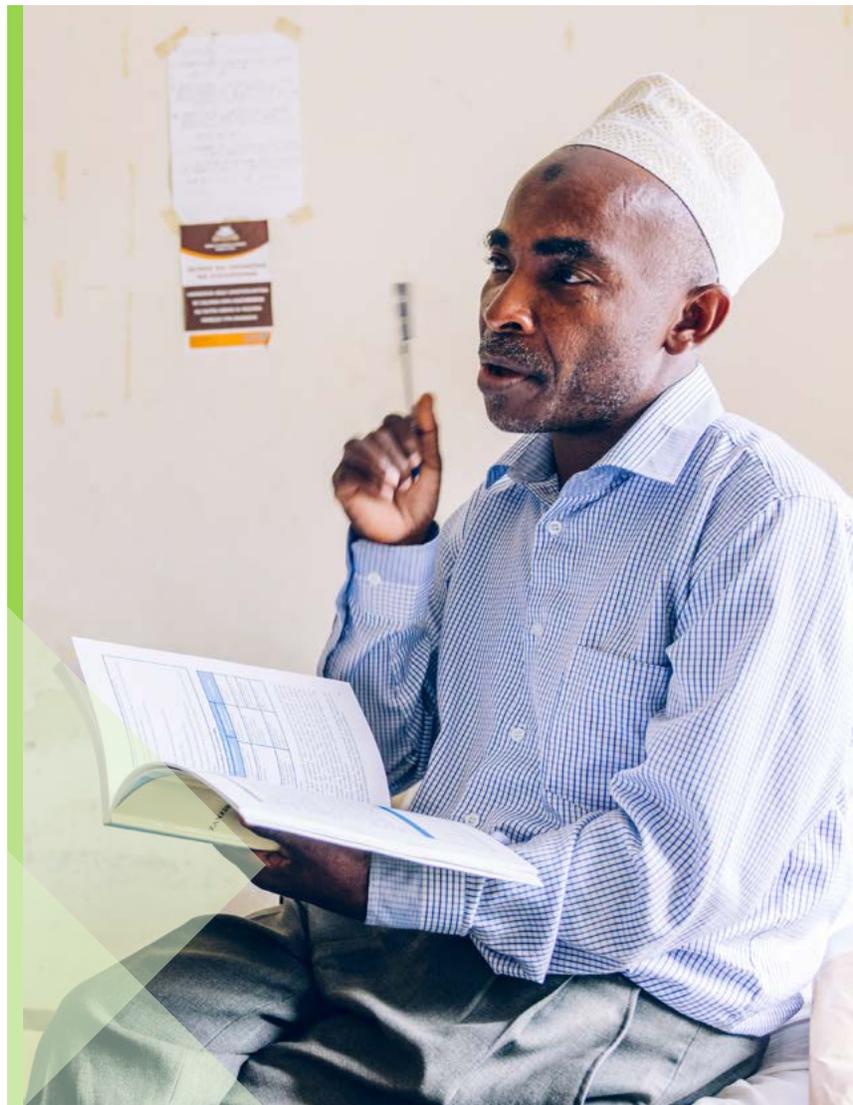
## Financial and related misconduct

As stated in the AKDN Code of Business Ethics, the governance of its agencies, affiliates and programmes is based transparency, honesty, trust, probity, equity and accountability.

It is therefore AKF policy to ensure that activities are conducted by AKDN personnel and all other associated individuals in accordance with the highest ethical standards of honesty, integrity and professionalism.

We require total compliance and we have a zero-tolerance of corrupt activities of any kind, whether committed by AKF employees or by third parties acting for or on behalf of AKF.

Financial misconduct which includes fraud; bribery, money laundering, funding terrorist activity or aid diversion of any kind and observation of corrupt practices by colleagues or others is prohibited and will be dealt with by the highest extent of the law. Bribery is a criminal offence in many countries. Money laundering is the term used for a number of offences involving the proceeds of crime or terrorist funds. It includes possessing, or in any way dealing with, or concealing, the proceeds of any crime. CEOs must ensure that no staff engages in corrupt behaviour of any kind.



## Safeguarding beneficiaries and communities

AKF embraces its responsibility to uphold national and international safeguarding obligations for both adults and children. We recognize that all children and adults are equal, irrespective of their age, sex, gender identity, ability, language, ethnicity, sexual orientation, marital status, nationality, class, faith or culture. We recognize the right of every person, without discrimination, to survival, well-being and development, as well as to protection from harm, including protection from sexual abuse, exploitation and harassment (PSEAH).



## To safeguard the organisation:

- AKF will clearly document fraud and anti-corruption procedures and instructions and clearly communicate these to all employees, sub-contractors, grantees, and other stakeholders; no staff may engage in any fraud
- AKF will conduct a fraud risk assessment and produce a fraud control strategy that clearly outlines fraud prevention, detection, investigation and reporting processes and procedures, including externally to relevant authorities and donors, for example, in line with their fraud reporting requirements.
- AKF will recover any funds or property acquired or distributed through the fraud, including taking recovery action in accordance with recovery procedures (including civil litigation) available in country.
- AKF will manage programme finances and assets thoroughly including the use and maintenance of asset registers.
- AKF will ensure sub-contractors; grantees or representatives are compliant with AKF's requirements and manage the risk of fraud and corruption .
- AKF will ensure staff who are primarily engaged in detecting or investigating fraud or corruption are appropriately skilled and experienced.
- AKF will deliver appropriate fraud awareness training for staff, including a rolling programme of regular fraud awareness raising and prevention training for all staff, sub-contractors, grantees, agents and representatives.
- AKF will provide fraud training in employee induction programmes which will be recorded in a training register
- AKF will evaluate training programmes to determine whether participants are in fact more aware of fraud control and their responsibilities.
- AKF will require implementing partners and suppliers to present a code of conduct, fraud control policy and anticorruption/bribery policy to ensure their compliance with AKF standards

## Measures to address bribery and corruption include but are not limited to:

- It is prohibited to, directly or indirectly, offer, give, request or accept any bribe i.e. gift, loan, payment, reward or advantage, either in cash or any other form of inducement, to or from any person or company in order to gain contractual or regulatory advantage for AKF, or in order to gain any personal advantage for an individual or anyone connected with the individual in a way that is unethical.
- It is also prohibited to act in the above manner in order to influence an individual in his capacity as a foreign public official. AKF should not make a payment to a third party on behalf of a foreign public official.
- If anyone is offered a bribe, or a bribe is solicited, this is refused unless immediate safety is in jeopardy and the matter is reported immediately to relevant manager/s i.e. Line Manager, or any member of the Senior Management Team.
- Facilitation payments or “grease payments” to Public Officials made to secure or expedite the performance of routine or expected action to which the payer is entitled are not permitted. These are equivalent to bribes.
- Appropriate checks are made before engaging with suppliers or other third parties of any kind to reduce the risk of AKF business partners breaching our anti-bribery rules.
- AKF must ensure that all of its transactions, including any sponsorship or charitable donations, are made transparently and legitimately.
- AKF will uphold laws relating to bribery and will instigate disciplinary procedures and take appropriate disciplinary action against any employee, or other relevant action against persons working on our behalf or in connection with us, should we find that an act of bribery, or attempted bribery, has taken place. This action may result in staff dismissal if they are an employee, or the cessation of AKF’s arrangement with others if self-employed, an agency worker, contractor etc.



## Money laundering risk assessment

There are a number of specific areas where AKF is potentially vulnerable to falling prey to money laundering:

- Units may receive requests for unusual transactions, such as a request to pass funds through an office account, or to hold cash on behalf of a third party, or to pass this in some way back to AKF
- Programmes and partners may be subject to suspicious or unusual transactions resulting from money laundering
- Interest-free loans
- Donors requesting unusual or over-specific restrictions on a gift, or requesting its return in whole or part
- Requests to use AKF as a conduit to pass money through
- Using staff as couriers to carry cash or small items of value to persons or organisations overseas; and
- Suppliers may be set up to provide such money laundering facilities, so AKF must ensure that due tender and procurement process is followed, and due diligence conducted to ensure that suppliers are confirmed as bona fide.

For the purpose of clarity, definitions of these corrupt practices are clearly listed on the next page.





## FRAUD

- Theft;
- Obtaining property, a financial advantage or any other benefit by deception;
- Causing a loss, or avoiding or creating a liability by deception;
- Providing false or misleading information, or failing to provide information where there is an obligation to do so;
- Making, using or possessing forged or falsified documents;
- Bribery, corruption or abuse of position;
- Unlawful use of AKF computers, vehicles, telephones and other property or services;
- Divulging confidential information to outside sources;
- Hacking into, or interfering with AKF's computer systems;
- Facilitation of payments or similar



## MONEY LAUNDERING

Money laundering has three stages:

- Placement, through which the funds (often in cash) enter the financial systems;
- Layering, by which the funds pass through a complex sequence of transactions designed to make it impossible for investigators to follow a trail of evidence back to the origin of the funds; and
- Integration, the point at which the funds emerge from the process back into the legitimate economy in a way that they are unrecognisable as the proceeds of crime.



## BRIBERY

- Offer a bribe
- Accept a bribe
- Fail to prevent a bribe

Anyone found guilty by a court of committing bribery could face a substantial prison sentence and/or an unlimited fine. The organisation could also face prosecution and be liable to pay a fine.

Employees are reminded of the Speak Up policy and procedure for reporting concerns regarding bribery and corruption.

If any staff member or person working on behalf of AKF, suspects that an act of bribery, or attempted bribery, has taken place, even if they are not personally involved, they are expected to report this to their line manager, who in turn is expected to report it to any member of the Senior Management Team.

AKF must take any actual or suspected breach of this policy extremely seriously and will carry out a thorough investigation should any such instances arise.

Foundations can be especially susceptible to the attentions of potential money launderers. An international presence often in regions where there are serious issues in control and regulation, make them particularly attractive for use as a stage in the layering process.

### Anti-Terrorism Considerations

AKF receives and allocates funds to partners for their exclusive use on development activities. Terrorism, in common with other criminal acts, infringes the fundamental rights of the innocent and the powerless and diverts money and attention from the real needs of the communities we are committed to helping.

AKF does not give money or support to terrorist organisations or give money to partners who carry out, or fund, or advocate terrorist activity. AKF is fully committed to ensuring all its business processes minimise the risk of funds being diverted

for terrorist or any other criminal purposes. AKF works within the law to ensure that its operations and that of its partners is free from interference and that resources are used for the purposes intended.

### Obligations of all employees, trustees, volunteers, consultants, seconded and interns

Current criminal law places three obligations on all persons:

- not to assist in the money laundering process through acquiring, concealing, disguising, retaining or using the proceeds of crime
- not to prejudice an investigation
- not to contact any person who has been suspected of and reported for possible money laundering in such a way as to make them aware of the suspicion or report (“tipping off”). It is important to bear in mind that the law requires all cases of suspicion to be reported, regardless of size.

### Money laundering reporting procedures

In some countries, UK for example, it is a legal requirement to appoint a Money Laundering Reporting Officer (‘MLRO’) to be responsible in law for receiving suspicion reports in an organisation and for passing these on to relevant authorities .

Unless otherwise determined by local law/ regulations, any concerns of this kind should be raised via AKF’s reporting procedure described in the ‘Speak Up’ policy and in line with concerns or suspicions around any of the safeguarding matters described above, suspicions of fraud or money-laundering should be reported immediately and will be handled in line with the process described in this document.

## Other types of financial misconduct

AKF prohibits any practices which have as their object or effect the prevention, restriction or distortion of competition.

All individuals who are AKF and/or AKDN entity nominees and/or representatives who may be involved in AKF or in AKDN affiliated companies which are in the public domain or are quoted on a stock exchange, will be expected to follow the rules and regulations set forth by the regulators, authorities and stock exchanges in their respective countries of operation.

Individuals will adhere to all listing, disclosure and/or any other reporting requirements and shall discharge their duties with honesty and follow best practices at all times.

All business transactions and payments must be properly documented. All contracts must be written. In addition to the above, the following practices are prohibited:

- Bid rigging
- Collusion or coercion by bidders
- Fraudulent bids
- Fraud in contract performance
- Product substitution
- Defective pricing or parts
- Cost/ labour mischarging
- Bribery and acceptance of gratuities
- Travel/travel expenses fraud
- Theft and embezzlement
- Professional expenses fraud

## Gifts and Hospitality

The organization expressly prohibits the giving and receiving of hospitality/ gifts and similar where the intention is to receive or confer an advantage in return for giving or receiving the hospitality/ business gift or similar.

Individuals associated with AKF are prohibited from offering gifts, entertainment or hospitality that they know or believe will constitute a bribe or which they know or believe will breach any gifts and entertainment policy applicable to the recipient. Particular vigilance is necessary when dealing with public officials because anything beyond common courtesies and reasonable promotional expenses can appear as a bribe.

No gift above the value of \$50 should be given nor hospitality offered by an employee or anyone working on behalf of AKF to any party without receiving prior written approval from the CEO or Head of Finance. Similarly, no gift or offer of hospitality above the value of \$50 should be accepted by an employee or anyone working on our behalf without receiving prior written approval from the Head of Finance or CEO.

All expenses for gifts or hospitality provided must be put through the relevant expenses systems. As such, a record of all such expenditure will be maintained.

## Donations

Any charitable donation must be consistent with AKF's charitable objects as defined in its founding charter and in line with the requirements set out by any local regulators.

The organisation expressly prohibits the giving of donations to political parties.

This policy is subject to review and the organisation reserves the right to amend this policy without prior notice to ensure compliance with current legislation.

## Conflict of Interest

AKF shall not request an individual to undertake work that could result in a conflict of interest

All individuals associated with AKF, irrespective of their status or position, shall exercise the utmost objectivity and avoid conflict of interest situations between their direct or indirect personal interests (including of members of their immediate family) and the interests of AKF.

Individuals must notify their direct supervisor in writing of any actual or potential conflict of interest situation. Failure to do so will result in the instigation of disciplinary procedures. If in doubt, the individuals concerned should consult their direct supervisor without delay.

An individual shall also be deemed to have a conflict of interest or an apparent conflict of interest, in a situation, which may affect their judgment or loyalty towards AKF or the wider Network.

## Prohibited activities

### Probity Obligation

All individuals who are part of AKF, may not take up positions and/or be part of, or have affiliations with, any organization (commercial or non-commercial) which may be involved in or have links with institutions which may bring disrepute to AKF or to any of its affiliated organisations.

### Insider information

No individual associated with AKF, irrespective of their status or position, may buy or sell shares or other securities of a business undertaking, or give advice on the same, if they have access, by reason of their professional activities, to any non-public information about that business undertaking.



# Code of Conduct



AKF's Code of Conduct establishes the ethics and behaviour required of every individual associated with AKF, irrespective of hierarchy, status or position. It is designed to maintain a culture of best practice to ensure a strong safeguarding environment that is fundamental to AKF's values. Everyone associated with AKF is expected to demonstrate the highest standards of honesty, integrity and professionalism.

The Code also establishes the basis for a reporting and protection mechanism designed to ensure the strict application of the described principles.

This Code of Conduct applies within and outside of working hours; it must be recognized that misconduct beyond AKF in the private domain may also need to be addressed where this comes to light. Criminal or unethical acts committed outside AKF could result in disciplinary action.

All personal and professional interactions within AKF, irrespective of hierarchical or other power relationships, shall be based on integrity and mutual respect.

### **In relation to beneficiaries and communities**

All our work with children with whom we come into contact is based on the principles of the UN Convention on the Rights of the Child. Equally, the adults we are in contact with and especially those that may be vulnerable or at risk, must be treated with dignity and respect and in line with relevant conventions and international instruments such as the Convention on the Elimination of Discrimination Against Women and Convention on the Rights of Persons with Disabilities.

Everyone is expected to consistently demonstrate high standards of personal, ethical and professional conduct and to share a common commitment to prevent misconduct and to safeguard children and adults.

In relation to children and adults at risk, it is prohibited to:

- sexually exploit or sexually abuse a child (i.e. any individual under the age of 18 ) or an adult who may be vulnerable/at risk;
- engage in any sexual activity with a child or children regardless of the age of majority or age of consent locally; mistaken belief in the age of the child is not a defence;
- act in a way that may place a child or adult at risk of abuse, including not undertaking a proper risk assessment before implementing activities or events;
- engage in violent/abusive behaviours and actions. These include, but are not limited to using inappropriate language or behaviour when dealing with a child or children, bullying and harassing a child verbally or physically, persuading a child to engage in activities which are not age-appropriate or child affirming, physically punishing a child, exposing a child to indecent images, online grooming and trafficking, any behaviour that represents emotional/psychological, abuse;
- engage in sexual or inappropriate relationships with beneficiaries
- consume, purchase, sell, possess, create and distribute any forms of indecent images;
- engage in any forms of humiliating, degrading or exploitative behaviour
- use IT technology for inappropriate professional or private use, (it is never appropriate and is an offence in some countries to view abusive images of children online);
- obtain or use images without informed consent or in other ways that breach good practice guidance contained in this document.

### In relation to staff

Hierarchical authority shall not be used for ends other than ensuring that AKF is properly run. It must be exercised appropriately and with discernment and must not lead to any abuse or harassment. AKF will not discriminate in any way whatsoever and will treat everyone with dignity and respect.

In relation to safeguarding in the workplace AKF is guided by the provisions of ILO Convention 190 (2019) on Eliminating Violence and Harassment in the World of Work.

All individuals associated with AKF, especially when they have managerial functions, should respect and adhere to the values upheld by AKF. Their professional behaviour should not damage or cause any prejudice to the institution's image, either internally or externally. Furthermore, they should recognize their 'ambassadorial' role on the part of AKF and be a good role model for their staff and the organization as a whole.

No individual should be subjected by colleagues or supervisors (direct or indirect) to any kind of offensive or humiliating behaviour, language, gestures or contacts of a sexual nature, or acts of bullying or harassment (including sexual harassment). Such behaviour would violate their fundamental rights, dignity, physical or mental health or professional future, and also cause or result in a deterioration of working conditions.

Any act or suspected act of bullying, harassment or discrimination must be reported in accordance with the 'Speak Up' process described in this document, so that appropriate measures may be taken where it is found that breaches of this code and other elements of the safeguarding framework have occurred.

### Compliance with laws and regulations

AKF activities and operations shall be carried out in strict compliance with the highest legal and ethical standards. All interactions with customers,



suppliers and business partners shall be fair, honest and in strict compliance with contractual undertakings and applicable laws and regulations.

#### Compliance with local customs and traditions

All individuals associated with AKF must respect the customs and traditions of the countries in which they work, unless to do so would bring them into conflict with the provisions of the safeguarding policy and code of conduct.

#### Speak Up policy and procedure

Anyone with suspicions or concerns of a safeguarding nature, such as abuse of a beneficiary, harassment of a staff member, fraud or corruption practices should speak up as soon as possible to their line manager or Safeguarding Focal Point or any other designated staff member (see Annex X) or use the confidential 'Speak Up' service provided (details below).

#### Disciplinary Procedures and Sanctions

Individuals who fail to comply with the terms of this

Code of Conduct will be subject to disciplinary action and may incur sanctions (consistent with the laws and regulations of the countries where these individuals work) that could include contract termination, dismissal and/or exclusion from any further involvement in AKDN activities.

#### Other reporting

Some cases may require AKF to refer or report serious incidents to external agencies, such as law enforcement or other statutory authorities, regulators, donors, professional bodies, and so on (for more information, please refer to the Global Safeguarding Lead).



# Reporting breaches or non compliance with AKF Safeguarding Policy and Standards



## The importance of speaking up

Employees, beneficiaries and other stakeholders must have a voice in matters affecting them. Within AKF we want to encourage the practice to 'speak up'. This is a positive action that allows us to remedy problems as and when they occur or prevent the escalation of problems. AKF has a clear process that is accessible to all staff. When someone is unhappy or uncomfortable about something - maybe because they think it is not right or damaging or harmful to an individual, group or to the organisation as a whole, they must speak up. Speaking Up allows safeguarding concerns to be raised and resolved as soon as possible at the appropriate level.

AKF wants to reassure everyone that comes forward with a concern, that it will be taken seriously and support provided to ensure, as far as possible, that the whistle-blower is not negatively affected as a result of their action. AKF understands that it is not always easy to speak up about a concern, especially if it involves a colleague and is explicit in that there will be no reprisals for the whistle blower. If a concern about a suspected safeguarding issue is raised that proves to be unfounded, no action will be taken against the reporter. AKF does not condone victimization or retaliation against those who speak up. Any staff reporting concerns or complaints will be protected by AKF's 'Speak Up' Policy. However, disciplinary action is likely to be followed and appropriate sanctions applied in cases of deliberately false or malicious accusations.

Through this policy AKF wants to ensure staff and others are clear about how to speak up in AKF and about its commitment to hearing and acting on concerns that are raised.

## Reporting and responding - what to do if you have a safeguarding concern

Speak to your line manager, Safeguarding Focal Point or other designated person as soon as possible. You do not need to have all the facts or details. This will ensure that the matter is addressed promptly before it becomes a more serious problem. If you are uncomfortable speaking to one of these, or if you believe that the person is implicated in the concern, or you have reported the concern previously and it was not taken seriously, raise it with a senior manager or a member of the HR Team.

You may prefer to use the 'speaking up' hotline, which is an external, independent service that AKF provides. This service is available 24 hours a day and you can talk to someone in your own language. The call handlers will take details of your concern and then pass this on to AKF Geneva. You can remain completely anonymous if you wish. See more details here: [https://www.safecall.co.uk/SAFECALL Speak Up service](https://www.safecall.co.uk/SAFECALL%20Speak%20Up%20service)  
24/7 Hotline number: [country local hotline number]  
Web portal: <https://www.safecall.co.uk/file-a-report/>

If you wish, you may contact AKF's Global Safeguarding Lead, AKF's Global Director of Operations, and/or AKDN's HR Director & AKF Human Resources Committee Board member (see Annex X for details)

AKF will also accept complaints from external sources such as members of the public, partners and official bodies.

## What to report?

This list is not exhaustive but provides some sense of the issues that might arise that AKF needs to hear about.

- Mistreatment, abuse or exploitation of beneficiaries
- Harassment of junior staff by a senior
- A staff member being discriminated against because of their sex
- Instances of sexual harassment within AKF or in a partner organisation
- Someone is suspected of stealing from AKF
- A programme activity has been designed or is being delivered in a way that puts beneficiaries at risk of harm

- Any urgent attention required should be provided to parties involved in an incident (e.g. where a child or adult has been harmed) such as medical attention or immediate protection from further harm
- The allegation, suspicion, or incident should be reported to Geneva (Global Safeguarding Lead) immediately or as soon as reasonably possible
- In discussion between unit and Geneva staff, the report will be assessed, and decisions taken on the nature of the safeguarding concern, its seriousness, the need to inform/ involve others (including informing donors ), next steps, etc.
- A senior manager (normally the CEO or if referred to Geneva the Global Director of Operations with the Global Safeguarding Lead) will take responsibility and have oversight of the case.
- A team will be formed comprising staff that are most relevant based on the nature of the case to take advice on immediate steps to address the concern.
- A preliminary enquiry will be done to gather more information relating to the allegations. Based on the outcome, the matter may require no further action, further investigation, or may be referred externally if it appears to be a criminal case.
- Subsequently however, if it appears there is a clear case for follow up, a confidential and in-depth investigation will be carried out.

Further details on the responding processes are detailed in Annex IX. Details of the investigation process are contained in a separate document not for wider publication.

When speaking up, please be as specific as possible regarding your concern, for example:

- nature of the wrongdoing being reported;

AKF's Speak Up Policy and procedure are as follows:

- Anyone receiving a report or information on a safeguarding concern must notify the designated staff (SFP/Senior Manager) immediately or within 24 hours. The report should be recorded using the format at Annex V.

- time/s when it occurred;
- specific location/s where it occurred;
- manner in which the alleged wrongdoing was committed by the individual or organisation;
- any existing documentation to corroborate the allegations;
- details of any other witnesses to the alleged wrongdoing.

However, it does not matter if you do not have all the information – you should still report your concern so that it can be looked into.

## What will happen?

1. AKF will take all complaints that are raised seriously and will handle them in a consistent, timely and fair manner
2. AKF will take appropriate steps to ensure there is no retaliation against an employee who raises a complaint.
3. AKF will deal with all complaints confidentially and all those involved will be expected to keep their involvement and all details relating to the complaint confidential.
4. Employees who wish to report cases of sexual harassment will have their case considered by male or female staff representatives at all points in the process.
5. During any meetings that take place as part of this policy, employees may be accompanied by an appropriate representative if they wish.
6. The Disciplinary Procedure of the unit concerned will be used, when appropriate, to support this policy.

## Protection of those speaking up

AKF will take appropriate steps to ensure there is no retaliation against an employee who raises a complaint.

Individuals who have reported cases of, for

example, abuse, exploitation, discrimination, harassment, fraud or corruption practices within AKF are entitled to the full support and protection of the organisation and must not be sanctioned or discriminated against (directly or indirectly) as a result of their declarations.

Individuals who feel that they are being or may be subjected to acts of harassment, reprisal, retaliation by colleagues or supervisors (direct or indirect) as a result of their speaking up, should notify the relevant senior manager, or other AKF safeguarding representatives, and steps will be taken immediately to address the situation. If necessary, AKF will investigate and instigate disciplinary action against the perpetrators, which may result in contract termination, dismissal and/or exclusion from any further involvement in AKF activities. In some cases, such breaches may also constitute breaking the law.

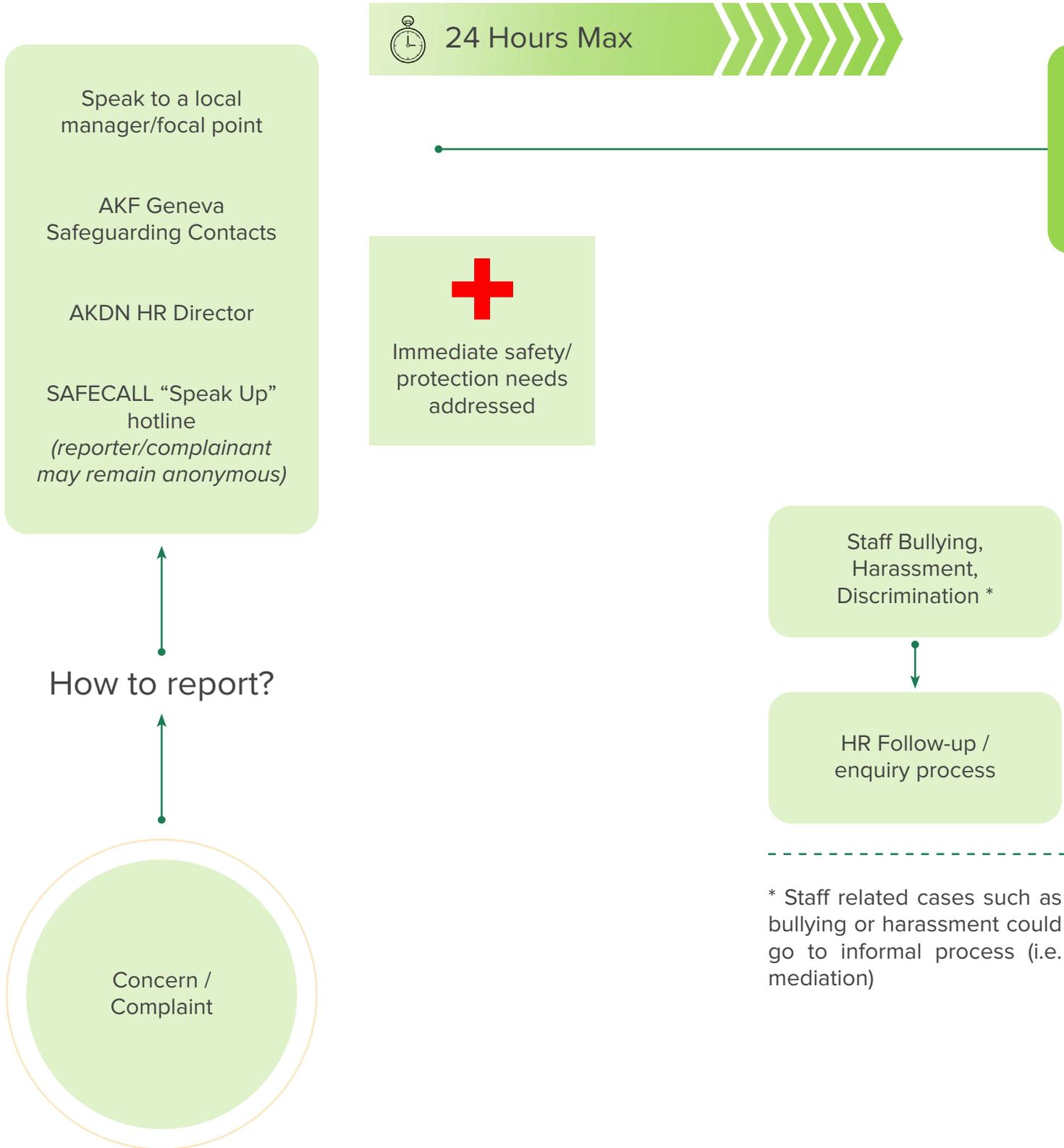
Depending on the nature of the case, to protect victims or those who report misconduct, AKF may need to take immediate action at the point of speaking up to remove an alleged perpetrator from duties pending an investigation. AKF will ensure full protection of the person/s reporting and prevent any possible interference in the process of investigation.

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management should be shared on a need to know basis only and should be kept secure at all times.

If it appears there is a clear case for follow up and this is possible, a confidential and in-depth investigation will be carried out.

Further details on the responding processes are detailed in Annex IX. Details of the investigation process are contained in a separate document not for wider publication.

## Overview of Speakup Process





24 - 72 Hours



**Concern defined**  
Safeguarding issue relates to beneficiaries / staff/ other

 Reporting form completed

 Criminal matters may be reported to authorities following a risk assessment

Case Management group

Team assembles and evaluates nature of the case.

Cases involving SMT member, beneficiary or of sexual nature are escalated to GVA and include crisis management response.

Financial Misconduct

Sexual Abuse / Exploitation / Harassment (PSEAH)

Any beneficiary related misconduct

Financial / audit follow up / process

Safeguarding Follow-up / Investigation process

Enquiry/Investigation findings may result in a range of outcomes – matter may be resolved, dismissed, found to be false/malicious, upheld and so disciplinary process would be initiated

Findings drive disciplinary decisions

# Roles & Responsibilities

Notwithstanding individual roles, the responsibility for safeguarding rests with everyone connected with the organization.

**CEOs** are responsible for addressing any safeguarding concerns raised in their unit but ultimate accountability for safeguarding at AKF lies with Michael Kocher as General Manager of AKF and Shams Jaffer, AKDN HR Director and a member of the Global AKF Human Resources Committee, a sub-committee to the Board.

**The CEO** of each unit will be ultimately responsible for all members of the unit adhering to the principles of the Safeguarding Manual (SM) at local level and the associated standards. S/he will be accountable to the National Committee/AKF Geneva Leadership and will provide regular management reports on progress and performance in this area.

In each unit an appropriate member of staff will be the **Safeguarding Focal Point (SFP)**. This person will have the relevant training on how to support staff, representatives and partners in adhering to the SM, as well as refer them to specialist agencies or professionals as required.

**The Safeguarding Focal Point** is responsible for organizing orientation/ training on the SM; undertaking self-audits and risk assessments; undertaking partner due diligence; and monitoring and reporting on the implementation of the SM, as well as other safeguarding related tasks.

**All Managers** are responsible for ensuring that the safeguarding measures that guide the implementation of the SM are fully integrated within their areas of responsibility.

Within each project or programme, the responsible project or programme manager will be accountable for implementing the SM and Guidelines within his/her project or programme.

The CEO must assign one or more **project/ programme Safeguarding Focal Point**, in addition to the SFP, to liaise with communities and beneficiaries on safeguarding issues.

A safeguarding contact will be designated on the AKF National Committee (where applicable) or on the Geneva Senior Management Team. His/her/ their responsibility will be to hold the CEO accountable for reporting on safeguarding.

**Supervisors** will use the SM and Code of Conduct to determine what behaviours are appropriate or inappropriate and will guide their staff accordingly. Supervisors will provide their staff with regular opportunities to share information on any problems they are experiencing or anything they are concerned about, including unacceptable conduct.

# Annexes



# Safeguarding Statement of Commitment

ANNEXE I

This Statement of Commitment to Aga Khan Foundation's Safeguarding Policy and Code of Conduct must be signed by all AKF staff and representatives, as defined in the Global Safeguarding Manual, and retained on record before commencing duties.

I, \_\_\_\_\_, have received, read and understood the contents of the AKF Global Safeguarding Manual.

I agree to work in accordance with the AKF Global Safeguarding Manual while working with the Aga Khan Foundation.

I understand that any failure to uphold the AKF Safeguarding Policy and Code of Conduct may result in the termination of my engagement with AKF or other disciplinary action and possible referral of matters to relevant external bodies including statutory authorities, for example where a possible criminal breach is involved.

By using the Safecall Speak-Up hotline and/or web platform, you hereby explicitly consent to the processing of your personal data by Aga Khan Foundation (1-3 Avenue de la Paix, 1202 Geneva, Switzerland) (hereinafter referred to as "AKF") and SAFECALL LIMITED (100 Wood Street, London, EC2V 7EX, United Kingdom) (hereinafter referred to as "SAFECALL") that you provide them with in order to benefit from the telephonic and online services offered by SAFECALL. Subject to any applicable legal requirements, your personal data will be stored only as long as it is necessary for the purposes for which it was provided. You acknowledge that your personal data will be processed in accordance with the requirements of the Swiss Federal Act on Data Protection and the European General Data Protection Regulation 2016/679 (including any future amendments of such laws), which may differ from the data protection requirements in your country. Even though your personal data will mainly be processed by AKF in Switzerland and SAFECALL in the United Kingdom, you further acknowledge that (i) AKF may need to transfer your personal data to any of its affiliated companies to allow reported cases to be handled. Such AKF's affiliated companies might be located inside and outside the European Economic Area, including in countries that are considered by the EU Commission and/or the Swiss Federal Data Protection and Information Commissioner as not ensuring an adequate level of protection for personal data. For such particular cases, AKF and SAFECALL implemented appropriate safeguards, such as the EU Commission's standard contractual clauses or any other appropriate safeguards as foreseen under the EU and Swiss data protection laws. You might obtain a copy of such appropriate safeguards by contacting AKF and/or SAFECALL at the contact details below.

To exercise any of your rights (i.e. right of access, right to rectification, right to erasure, right to restriction of the processing, right to object to the processing, right to data portability, withdrawal of any previously given consent), please contact AKF at [data.protection@akdn.org](mailto:data.protection@akdn.org).

Please however note that SAFECALL will act as an independent data controller with respect to personal data that you provide to SAFECALL but withhold from AKF or personal data that are not disclosed to AKF to protect your identity. For such personal data, please contact directly SAFECALL at Safecall's own Privacy Policy found at [www.safecall.co.uk/pp](http://www.safecall.co.uk/pp) to exercise any of the abovementioned rights. Please also note that (i) withdrawal of your consent does not affect the lawfulness of the processing of your personal data based on consent before your withdrawal, (ii) the exercise of some of

your rights (e.g. objection to the processing, withdrawal of any previously given consent, etc.) may in some cases prevent SAFECALL from providing you with its services and (iii) your rights can in certain circumstances be limited (e.g. when personal data is required by AKF and/or SAFECALL to comply with the law or assert or defend against legal claims, etc.). AKF and SAFECALL are committed to working with you to obtain a fair resolution of any complaint or concern about privacy. If, however, you believe that the latter have not been able to assist with your complaint or concern, you have the right to make a complaint to the competent data protection authority.

Name (printed)

Date

Designation / Role

Signature

## Examples of Partnership Clauses

ANNEXE II

### Example 1<sup>10</sup> :

The AKF Global Safeguarding Manual (Annex ...) forms an integral part of this agreement. The partner/volunteer group has read and understood this policy before signing this agreement and agrees to fully comply with it.

The Partner/volunteer group shall ensure:

- (i) that its staff attend training/briefing on the AKF Global Safeguarding Manual provided by AKF and;
- (ii) that concerns about possible breaches of the Global Safeguarding Manual are brought immediately to the attention of AKF. The parties will agree how such concerns will be investigated safely, confidentially and in a timely manner. Any investigation in relation to violations of the AKF Global Safeguarding Manual must take into consideration the best interests and safety of those involved.

### Example 2<sup>11</sup>:

The Company/Organisation (THIS SHOULD BE DEFINED EARLIER IN THE DOCUMENT IN WHICH THIS CLAUSE APPEARS) acknowledges that it has received a copy of and has read AKF's (THIS SHOULD BE DEFINED EARLIER IN THE DOCUMENT IN WHICH THIS CLAUSE APPEARS) Global Safeguarding Manual ("GSM") and such supporting and briefing materials as AKF deems necessary describing AKF's safeguarding commitments.

It is an absolute requirement of AKF and a condition of this agreement that no person or body who/which carries out work on AKF's behalf pursuant to this agreement is or has been or becomes in any way involved in or associated with the abuse or exploitation of vulnerable groups as described in the GSM.

The Company/Organisation as a condition of this agreement agrees that it will bring the contents of the GSM to the attention of any employees, agents, sub-contractors or other workers who are engaged to carry out part or all of the work contracted to be done for AKF and to instruct them to observe and apply the GSM strictly in all of their dealings with and on behalf of AKF.

If it became known that the Company/Organisation or any of its employees, agents, sub-contractors or other workers were or are or become involved in breaches of the GSM or otherwise conducted themselves in such a way that compromised the safety of beneficiaries, staff or other individuals and assets and thereby also compromised the integrity and reputation of AKF, this would constitute a breach of the terms of this agreement and result in AKF being entitled summarily to terminate the agreement. Such breaches must be notified to AKF immediately.

<sup>10</sup> Based on work of save the children UK

<sup>11</sup> Ibid

# Safer Recruitment – Interview Questions

ANNEXE III

## 1. Introduction and purpose

Within a short interview it may only be possible to ask one safeguarding question, in which case the most appropriate should be selected from the ones below. Wherever possible, however, a general and then a more specific question should be asked – one from both sets of questions detailed below. The safeguarding section of the interview should be treated as an area for questioning rather than simply seeking a response to a one-off question .

Behavioural questions (based on what a candidate has done in the past) are generally more reliable than and preferable to situational questions (usually based on scenarios and what a candidate might do in the circumstances described).

Questions should also be as specific to the issue of safeguarding as possible – a general question regarding relationships with staff may give little or no indication of the candidate’s approach to work with and protecting vulnerable groups.

Questions that begin to test competence in relation to awareness of abuse, protecting vulnerable groups, responding to concerns and so on should follow on from initial discussion and any general questions.

It is important to try and test awareness of the risks both external and internal. Some of the questions below focus on sensitivity to abuse of children/groups external to the organization and also internal safeguarding issues – potential risks posed by AKF staff, volunteers, partners etc. It is also important in this context to look at professional/personal boundary issues covered by the safeguarding policy.

## 2. Shaping safeguarding Qs to match the individual posts

The questions below represent a minimum set of interview questions from which to choose. Depending on the nature and location of the post, whether candidates are internal or external, the specific experience they may have in relation to this subject area, and so on, it may make sense to adapt these questions or use alternative ones that are more relevant. As long as the questions still relate to the criteria we are selecting against, then this is fine.

## 3. How far should we probe in relation to these questions?

If there is any query or doubt relating to the response of the candidate or if a panel member feels unsure or uncomfortable about a response, it is important to probe further.

It is also important to pay attention to non-verbal communication when these questions are asked. Signs of anxiety, discomfort, hesitancy or evasiveness, for example, may suggest there is a problem and this should be probed further. “I couldn’t help notice that you seemed uncomfortable talking about the problem of child abuse - can you explain why that was?” for example.

Aside from responses to questions, other factors might also suggest that it is important to ask probing questions. If someone has, for example, worked in countries that may be viewed as high risk in relation to sexual exploitation of children and has had many short periods of employment and this, possibly combined with other factors, raises a doubt in

the interviewers' mind, then it is acceptable to ask the candidate about their reasons for their employment pattern.

However, although we are asking in some instances about the applicant's values and beliefs, we must be careful not to probe on personal issues that are unrelated to the role or to this area of questioning (a person's sexuality, for example).

#### 4. Following up outstanding concerns

If there are any remaining concerns these should be discussed with other panel members at the end of the interviewing process to establish the basis for these concerns, the 'evidence' for and validity of these, and to determine any further action. If there are any responses that give cause for particular concern, then advice can be sought through line management or possibly via the Safeguarding Focal Point.

Where all other responses indicate that a candidate is appointable and/or the preferred candidate, remaining concerns may be addressed in particular ways – by going back to the candidate to discuss outstanding concerns, or through specific checks with referees/previous employers and so on. However, if the concerns and the potential risks of appointing are judged as serious and these are not allayed by any subsequent discussions or checks, then this should be sufficient to disqualify a candidate.

#### 5. Who should ask the safeguarding questions and respond to queries from candidates?

The chair of the panel is responsible for all the questions asked and all panel members are responsible for follow up questions and probing. However, as work with vulnerable groups and also implementation and operation of the safeguarding policy are clearly management responsibilities, it follows that managers are best placed to ask safeguarding questions.

Where a candidate asks a question about the safeguarding in general, all panel members should be able to answer this. If the question relates to how it works in practice in the part of the organisation where the prospective employee may be based, then the recruiting manager will most probably be the best person to respond.

#### 6. Questions and Responses

##### 6.1 General questions on awareness of the problem and understanding of/commitment to AFK's safeguarding approach

a. You have received details of AKF's safeguarding policy. What do you think are its main strengths and weaknesses? Tell us about similar policies you have operated elsewhere. (If no similar experience: What do you see as the main challenges you might face in operating such a policy and how will you seek to overcome these?)

b. Based on your experience of work in overseas countries/local country, in what ways do you think children/adults are vulnerable to abuse. What are the responsibilities of international agencies in responding to children/adults they are in contact with that are being abused in some way?

c. AKF believes that abuse/exploitation is never acceptable and is committed to protecting beneficiaries it is in contact with. How have you been able in the past to protect children/adults as part of your work?

Positive Indicators	Negative Indicators
<ul style="list-style-type: none"> <li>• Demonstrates awareness of problem</li> <li>• Sensitive to situation of children/ adults</li> <li>• Displays knowledge of issues</li> <li>• Describes specific issues or incidents or gives examples</li> <li>• Awareness of AKF approach</li> <li>• Able to identify key elements of safeguarding policy/ safeguarding approach</li> <li>• Supportive of approach</li> <li>• Committed to safeguarding principles</li> <li>• Knowledge of how these are applied in practice</li> <li>• (Critical) questioning of AKF aimed at developing understanding</li> </ul>	<ul style="list-style-type: none"> <li>• Lacks awareness of risks</li> <li>• Lack of sensitivity to issues and situation of children/adults</li> <li>• Denial or diminishing of problem</li> <li>• Lacks awareness of AKF approach</li> <li>• Has not read or understood the materials</li> <li>• Unsupportive or even dismissive of approach</li> <li>• Questioning of rationale/need for safeguarding approach</li> </ul>

## 6.2 Personal/professional values, approach and competencies

a) Tell us about a time when you were concerned about the safety of a child/adult. What steps did you take protect the child/adult? If you didn't take steps, what prevented you? What do you think you could have done (differently)?

b) Tell us about a time when you have felt uncomfortable about the way a colleague or another adult was behaving towards a beneficiary? What made you uncomfortable? How was the conduct inappropriate? What did you do about it? If nothing, what stopped you? Looking back, what do you think you could have done?

c) How would you describe your professional values in relation to working with children/adults? To what extent do these carry over into the contact you have with children/adults in a personal capacity? Give us an example of this?

d) You are being posted to ..... (role) in ..... (country/community) where there are many vulnerable people who are abused and exploited in various ways (possibly by humanitarian staff). Have you encountered this situation in the past? What issues did it pose for you? How did you address these? What steps would be important for you to take if posted by AKF to ensure children/adults are not put at risk by AKF staff, volunteers, partners or those working in other agencies?

e) You have been/are going to be working in close contact with children/adults - how do you ensure that professional boundaries are maintained and that vulnerable groups are not put at risk? Can you give us an example of where your professional boundaries in working with children/adults have been challenged in the past? How did you deal with that situation?

Positive Indicators	Negative Indicators
<ul style="list-style-type: none"> <li>• Awareness of risks/vulnerabilities for children/adults, internal and external, and need for protection</li> <li>• Clear on approach to dealing with protection issues</li> <li>• Able to articulate professional/personal principles &amp; values in relation to work with children/adults,</li> <li>• Clear on responsibilities for protection of vulnerable groups</li> <li>• Capacity to recognise and respond to those in distress/in need of protection</li> <li>• Recognises position of trust, power and authority role confers and associated risks</li> </ul>	<ul style="list-style-type: none"> <li>• Lacks awareness of or denies risks to children/adults</li> <li>• Lacks awareness of role and responsibilities in relation to protection/responding to possible abuse</li> <li>• Unable to identify protection issues and appropriate practical steps to address these</li> <li>• Unable to articulate personal &amp; professional values and approach to work with children/adults</li> <li>• Unable to recognise those in need of protection</li> <li>• Lacks insight into the power/authority role confers and risks this may pose</li> </ul>

# Visitor Code of Conduct Sample

ANNEXE IV

## AGA KHAN FOUNDATION

(Bangladesh)

### SAFEGUARDING POLICY

Code of Conduct for Visitors

#### Introduction

Aga Khan Foundation is a private, international, non-denominational, non-profit development agency established in 1967. It seeks to bring together the required technical, human and financial resources to assist the poorest and most marginalized, especially women and girls, within strategic geographic areas, such that they achieve a level of self-reliance and improved quality of life. The Foundation has branches and affiliates in 21 countries, including Bangladesh, with its headquarters in Geneva.

Children and adults at risk have a right to protection and as a branch of an international organization, Aga Khan Foundation (Bangladesh) [AKF(B)] has an obligation to make sure that we safeguard all those that we work with. It is the responsibility of all AKF(B) staff, representatives, and visitors (including journalists, photographers, donors, staff from other AKF units or AKDN agencies or other organizations) to ensure that we serve the needs and protect the well-being of children and adults at risk to whom we have a special duty of care, including those with whom we work, are in contact with or who are affected by our activities.

For this reason, we have policies and systems in place to prevent abuse, neglect and exploitation and to safeguard all those we work with (as detailed in our Safeguarding

Policy). These measures also protect visitors from actions that could be misconstrued and lead to false or malicious accusations.

Visits to projects, partners and communities are opportunities to see our work first-hand. We would like you to enjoy your visit and at the same time help us to keep children and adults safe by introducing you to the key elements of our policy that affect you as a visitor. If you have any questions, you should refer to your main point of contact within AKF(B) or to the Safeguarding Focal Point. You can also request to see a full copy of our Safeguarding Policy.

#### Definition of a Child and Vulnerable Adult

A child is a person under the age of 18 years, according to the United Nations Convention on the Rights of the Child (Article 1).

A **vulnerable adult or adult at risk** is a person, 18 or above, who, by reason of disability, age or illness, the context they are in or as a result of social or other inequalities, is or may be unable to take care of or protect him or herself against significant harm or exploitation.

## Guidance on Responsible Behaviour

This information is designed to protect children and vulnerable adults first and foremost, but also to minimize the risk to visitors of being wrongly accused of inappropriate behaviour or abuse. By agreeing to be a visitor, you are agreeing to abide by this guidance on the understanding that if you do not adhere to it, your visit will be ended.

### As a visitor, you will:

- Always arrange your visit through the AKF(B) office.
- Follow the directions and instructions of the staff member of AKF(B) who is assigned to supervise your work or accompany you on the visit.
- Treat children/ adults, their families and their communities with equality and respect their privacy (for example, not entering their homes without an invitation).
- Take photographs or recordings only after consultation with AKF staff and in line with the good practice outlined below
- Discuss any concerns you have regarding the well-being of a child/ adult with an AKF(B) staff member or the Safeguarding Focal Point.
- Ask the AKF(B) staff member when you are not sure of what is acceptable behaviour.

### As a visitor, you will never:

- Use language make suggestions or offer advice that is inappropriate, offensive or abusive.
- Behave physically in a manner that is inappropriate or sexually provocative. For example, fondle, hold, hug, kiss or touch children/vulnerable adults in an inappropriate or culturally insensitive way.
- Do things for children/ adults of a personal nature that they can do for themselves.
- Condone or participate in behaviour with children/ adults that is illegal, unsafe or abusive.
- Act in ways intended to shame, humiliate, belittle or degrade people or engage in any form of emotional abuse or physically hit a child.
- Discriminate against, show preferential treatment to or favour particular children/ adults to the exclusion of others.

- Develop physical and/or sexual relations with children/ adults or their family members.
- Develop relationships with children/ adults that could in any way be deemed exploitative or abusive.
- Spend time alone with children/ adults at risk away from others.
- Assist a child/ adult at risk to leave their community, even with the consent of parents/guardians, or offer them a chance to visit your country of residence.
- Exchange personal contact details with children/ adults at risk.
- Arrange to stay overnight with a child/ adult or their family.
- Introduce other visitors to the community without prior clearance from AKF(B).
- Return to the community without prior clearance from AKF(B).

### Guidance on Taking Photos or Recordings

- Obtain informed consent of the child/ adult and their parents/guardians before taking photographs and images, under guidance from an AKF staff member. This means explaining what you will do with the image or recording and would normally require a signature for agreement from an adult. Children cannot themselves give consent.
- Take and use photographs and images that are dignified and respectful and that do not present them as victims, vulnerable or submissive.
- Ensure children/ adults are adequately dressed in photograph and recordings and not in poses that could be interpreted as being sexually suggestive.
- Protect the safety and privacy of children/ adults by not using their images on the internet or social media without explicit consent from AKF(B), or using them in any way that reveals the identify or location of the child/ adult and their family.
- Do not use photographs and recordings of children/ adults to benefit financially or for journalistic purposes without express permission from AKF(B).

## Reporting Format

ANNEXE V

Form for recording safeguarding concerns/allegations:

Name of Person receiving / recording the Concern	
Date and Time	
Name of person making allegation/raising concern	
Date and Time	
Does the concern relate to a beneficiary or staff member? In which case:	
Name of any person allegedly harmed or at risk	
Date of birth (if known, or approximate age)	
Status:	
Child beneficiary	
Adult beneficiary	
Staff member	
Other (specify)	
Nature of concern/allegation	
Brief summary of concern, allegation - who is supposed to have done what, to whom, when, where, who else was present?	
Action taken	
Dates and times	
Brief summary of any steps already taken. Has anyone else been informed of the matter?	

Date
Time
Witnessed

Signature

## Self-assessment tool

See separate spreadsheet tool

ANNEXE VI

## Safeguarding risk assessment tool

ANNEXE VII

See separate spreadsheet tool

## Partner assessment/monitoring checklist for safeguarding

ANNEXE VIII

See separate spreadsheet tool

# Model reporting procedures including mapping tool

ANNEXE IX

## AKF Reporting and Responding Procedures: Dealing with Reports of Safeguarding Concerns

### Purpose and scope

The purpose of these procedures is to provide protocols for dealing with reports of breaches of AKF's Global Safeguarding Manual and Code of Conduct, where the safeguarding violation is alleged to be:

- Against staff or members of the public,
- Perpetrated by staff, volunteers or representatives<sup>13</sup>.

### Responding Procedures

#### 1. Report is received

1.1 Reports can reach AKF through various routes. This may be in a structured format such as a letter, e-mail, text or private message on social media. It may also be in the form of informal discussion or rumour. If a staff hears something in an informal discussion or chat that they think is a safeguarding concern, they should report this to the appropriate staff member in AKF. It may come via a third party, including AKF's 'Speak Up' service.

1.1 If a safeguarding concern is disclosed directly to a member of staff, the person receiving the report should bear the following in mind:

- Listen
- Empathise with the person
- Gather some basic details - who, when, where, what, etc. (try and write down these details at the time or as soon as it is possible to do so)
- Repeat/ check your understanding of the situation
- Report to the appropriate staff member (see below)

1.2 The person receiving the report should then document the following information:

- Name of person making report
- Name(s) of alleged survivor(s) of safeguarding incident(s) where relevant (not all incidents/issues will involve victims/survivors) if different from above
- Name(s) of alleged perpetrator(s)
- Description of incident(s)
- Dates(s), times(s) and location(s) of incident

1.3 The person receiving the report should then forward this information to their line manager/Safeguarding Focal Point immediately, but certainly within 24 hours

1.4 However, if for any reason a staff member does not want to report to their line manager or Safeguarding Focal Point, they can report to any senior member of staff, or the AKF Head Office in Geneva (see Annex X of the Global Safeguarding Manual) or AKF's 'Speak Up' service (see AKF's Global Safeguarding Manual for details of ways to 'speak up').

1.5 If the Subject of Concern is not an employed staff member (for example a contractor staff member or consultant), the concerns should be reported to the relevant organisation.

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<sup>13</sup> Representatives include (but is not limited to) consultants, volunteers, contractors, programme visitors including journalists celebrities and politicians, interns

1.6 Due to the sensitive nature of safeguarding concerns, confidentiality must be maintained during all stages of the reporting process, and information shared on a limited 'need to know' basis only. This includes senior management who might otherwise be appraised of a serious incident.

1.7 If the reporting staff member is not satisfied that AKF is appropriately addressing the report, they have a right to escalate the report, either up the management line, to the AKF Head Office in Geneva (see Annex X), or to an external statutory body or AKF's 'Speak Up' service.

The staff member will be protected against any negative repercussions as a result of this report as detailed in the Global Safeguarding Manual.

## 2. Assess how to proceed with the report

2.1 Determine whether it is possible to take this report forward

- Does the reported incident(s) represent a breach of safeguarding policy?
- Is there sufficient information to follow up this report?

2.2 If the reported incident does not represent a breach of AKF policy but represents a safeguarding risk to others (such as a child safeguarding incident), the report should be referred through the appropriate channels (e.g. local authorities) if it is safe to do so.

2.4 If there is insufficient information to follow up the report, and no way to ascertain this information (for example if the person making the report did not leave contact details), the report should be filed in case it can be of use in the future and look at any wider lesson learning we can take forward.

2.4 If the report raises any concerns relating to children under the age of 18, seek expert advice immediately. If at any point in the process of responding to the report (for example during an investigation) it becomes apparent that anyone involved is a child under the age of 18,

immediately inform the relevant senior manager and seek expert advice before proceeding.

2.5 If the decision is made to take the report forward, ensure that you have the relevant expertise and capacity to manage a safeguarding case. If you do not have this expertise in-house, seek immediate assistance e.g. through another organisation or external capacity (for more information refer to the Global Safeguarding Lead).

2.6 Clarify what, how and with whom information will be shared relating to this case. Confidentiality should be maintained at all times, and information shared on a need-to-know basis only. Decide which information needs to be shared with which stakeholder – information needs may be different.

2.7 AKF has consolidated safeguarding policies but depending on what the report relates to, for example, workplace sexual harassment, this may be dealt with by colleagues from different departments working with senior managers and safeguarding staff.

2.8 AKF will check its obligations to inform relevant bodies when it receives a safeguarding report. These include (but are not limited to)

- Funding/donor organizations<sup>14</sup>
- Umbrella bodies/networks
- Statutory bodies

Some of these may require us to inform them when we receive a report, others may require information on completion of the case, or annual top-line information on cases. When submitting information to any of these bodies, AKF will consider the confidentiality implications very carefully.

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<sup>14</sup> Actual/potential serious breaches of the safeguarding policy such as alleged sexual misconduct towards staff or beneficiaries by AKF staff, volunteers or representatives or those involving serious fraud/aid diversion or involving a member of the Senior Management Team might need to be notified at the earliest possible opportunity to relevant donors (for guidance refer to the Global Safeguarding Lead)

### 3. Roles and responsibilities for case management

3.1 The Case Management Team will act as the Decision Body for each case. Those on this team should not be implicated or involved in the case in any way

3.2 If the report alleges a serious safeguarding violation, we will hold a case management meeting. This should include:

- CEO
- Person who received the report (such as the focal point, or manager)
- HR manager
- Safeguarding Focal Point
- Global Safeguarding Lead / Geneva senior management (depending on the case)
- Possibly others such as legal adviser, as required

The table below summarizes the responsibilities for case management.

Who	Case management area of responsibility
Safeguarding Focal Point	<ul style="list-style-type: none"> <li>• Ensure immediate protection, health and support needs are addressed</li> <li>• Ensure appropriate support to survivors of safeguarding incidents in conjunction with survivors</li> <li>• Convene and chair Case Management meeting</li> <li>• Ensuring that appropriate support and assistance is provided to the survivor such as medical referral, psychosocial support etc</li> <li>• Documenting the concern and ensuring it is taken forward (NB, others, such as the person reporting the concern, should be responsible for documenting this unless this is not possible/appropriate)</li> <li>• Ensure process is survivor centred</li> <li>• Initial liaison assessment of concerns with Geneva</li> <li>• Assessing protection risks, in cooperation with the Investigation Manager as well as the CEO if appropriate</li> <li>• Provide access to support for complainants/SOCs especially in sexual harassment cases (with HR Manager)</li> <li>• Making recommendations/observations on the policies and practices that may have enabled the exploitation/abuse to occur</li> <li>• Take oversight responsibility for less serious cases</li> <li>• Attend Case Management meetings to discuss concerns</li> </ul>

Who	Case management area of responsibility
HR Manager	<ul style="list-style-type: none"> <li>• Receive reports in the absence of the SGFP</li> <li>• Instruct the SOC not to contact the complainant regarding the complaint, and not to engage in conduct that is – or might be viewed as – retaliatory. If the SOC violates the instructions, take action immediately</li> <li>• Take immediate remedial or disciplinary action</li> <li>• Altering work assignments so that an SOC does not work directly with or supervise the complainant</li> <li>• Making recommendations on the work status of the SOC for the duration of the investigation, in accordance with labour law</li> <li>• Maintain records of all reports received and keep in a secure and confidential location</li> <li>• Work with SGFP to provide access to support for complainants/SOCs especially in sexual harassment cases</li> <li>• Attend Case Management meetings to discuss concerns</li> </ul>
Managers	<ul style="list-style-type: none"> <li>• Informing the SGFP within 24 hours of a report</li> </ul>
Case Management Group	<ul style="list-style-type: none"> <li>• Agreeing the terms of reference for the investigation/investigation team</li> <li>• Appointing personnel to the investigation team</li> <li>• Ensure confidentiality is maintained at all times</li> <li>• Decides next steps with any concerns</li> <li>• Initiate an investigation</li> <li>• Making key decisions about the direction of the investigation, eg whether to investigate, whether to suspend /redeploy the subject of concern during the investigation</li> <li>• Receive the investigation report and take decisions based on the information provided</li> <li>• Ensure complainants/survivors are protected from retaliation</li> <li>• Taking appropriate action to prevent retaliation or prohibited conduct from recurring</li> <li>• Receiving the final investigation report on behalf of the organisation and, if the complaint is substantiated, determining if disciplinary measures are appropriate</li> </ul>
AKDN/HQ Geneva	<ul style="list-style-type: none"> <li>• Make reports to external authorities/stakeholders including major donors and other donors from whom AKF receives funding</li> <li>• Convene a Crisis Communications group and manage all communications</li> <li>• Liaising with external stakeholders, eg national authorities/other agencies</li> </ul>

Who	Case management area of responsibility
CEO's	<ul style="list-style-type: none"> <li>• Take the responsibility for and have oversight of less serious cases managed at Unit level</li> <li>• Ensure Case Management meeting has access to specialist advice as required, eg legal, HR, communications</li> <li>• Identify resources to conduct the investigation</li> <li>• Attend Case Management meetings to discuss concerns</li> </ul>
Investigation Manager	<ul style="list-style-type: none"> <li>• Maintain a case file comprising all documentation relating to the investigation</li> <li>• Facilitating the investigation team by providing access to information or providing an appropriate location or other logistical support in interviewing witnesses</li> <li>• Developing the investigation plan</li> <li>• Preparing and submitting the investigation report</li> <li>• Liaising with the managing office for the location of the investigation, if different</li> <li>• Ensuring that safety and confidentiality plans are implemented and that the investigation is conducted according to key principles and procedures</li> <li>• Managing the relationship between the investigation team and the rest of the organisation</li> </ul>
Investigation Team	<ul style="list-style-type: none"> <li>• Gathering and securing evidence</li> <li>• Conduct interviews</li> <li>• Making a finding on the evidence</li> <li>• Continue to update the risk assessment and plan on a regular basis through and after the case as required</li> </ul>
Global Safeguarding Lead	<ul style="list-style-type: none"> <li>• Receive reports especially if serious eg involve beneficiaries</li> <li>• Take responsibility for and have oversight of serious cases</li> <li>• Feed into learning for dealing with future cases</li> <li>• Seek expert advice, eg where a child may be involved</li> <li>• Convene and chair Case Management meeting for serious cases</li> <li>• Support case management with oversight of the case</li> <li>• For serious incidents, undertake an immediate risk assessment and develop a mitigation plan if required</li> <li>• Ensure that investigators are trained, supervised and referred for emotional/ psychological support when necessary</li> </ul>

#### 4. Support to survivor where needed/requested

4.1 AKF will provide appropriate support to survivors of safeguarding incident(s).

NB this should be provided as a duty of care even if the report has not yet been investigated. Support could include (but is not limited to):

- Psychosocial care or counseling
- Medical assistance
- Protection or security assistance (for example being moved to a safe location)

4.2 All decision making on support should be led by the alleged victim/survivor and evaluate all potential risks a referral may pose.

#### 5. Assessing protection or security risks to stakeholders

5.1 For reports relating to serious incidents: AKF will undertake an immediate risk assessment to determine whether there are any current or potential risks to any stakeholders involved in the case, and develop a mitigation plan if required

5.2 Continue to update the risk assessment and plan on a regular basis throughout and after the case as required

#### 6. Deciding on next steps

6.1 The Case Management Team decides the next steps. These could be (but are not limited to):

- No further action (for example if there is insufficient information to follow up, or the report refers to incidents outside AKF's remit)
- Investigation is required to gather further information
- Immediate disciplinary action if no further information needed
- Referral to relevant authorities

6.2 If the report concerns representatives (for example volunteers, contractors, consultants), the decision-making process will be different. Although associated personnel

are not staff members, we have a duty of care to protect anyone who comes into contact with any aspect of our programmes/activities from harm. We cannot follow disciplinary processes with individuals outside AKF, however decisions may be made for example to terminate a contract with a supplier based on the actions of their staff.

6.3 If an investigation is required and the organisation does not have internal capacity, identify resources to conduct the investigation (refer to the Global Safeguarding Lead). If using external capacity, determine which budget this will be covered by.

#### 7. Managing investigations if required

7.1 Refer to the AKF's procedures for investigating breaches of policy.

#### 8. Making decisions on outcomes of investigations

8.1 The Case Management Team makes a decision based on the information provided in the investigation report. Decisions relating to the Subject of Concern should be made in accordance with AKF's policies and procedures for staff misconduct.

8.2 If at this or any stage in the process criminal activity is suspected, the Case Management Team together with AKF HQ Leadership will need to decide whether to refer the report to the relevant authorities. This decision should be made bearing in mind a risk assessment of potential protection risks to all concerned, including the survivor and the Subject of Concern

#### 9. Concluding the case

AKF will:

9.1 Document all decisions made resulting from the case clearly and confidentially

9.2 Store all information relating to the case confidentially, and in accordance with AKF policy and local data protection law

9.3 Record anonymised data relating to the case to feed into organizational reporting requirements (e.g. serious incident reporting to Board, safeguarding reporting to donors), and to feed into learning for dealing with future cases

## Mapping of local protection systems<sup>15</sup>

In order to respond effectively to any safeguarding concerns involving harm to individuals, it is important to understand and engage with the local protection systems. Details to be recorded (and updated at least annually) on local systems and referral pathways into protection and response agencies should include:

### 1. Summary

1.1. Summary and brief analysis of main protection risks and issues facing vulnerable groups including children locally incl. details of commonplace/culturally accepted practices that may be harmful (e.g. FGM, child labour)

1.2. Local attitudes towards child abuse (e.g. possibility of reprisals towards victim, perpetrator, reporter and witnesses and what forms they might take etc)

### 2. Statutory Child Protection – Government Ministries etc.

2.1. Details of any government bodies or agencies with statutory authority for the protection of vulnerable groups including children – include names and contact details of Senior Officers

2.2. Brief assessment of the effectiveness of protection resources

2.3. Summary of legislation governing welfare/protection of vulnerable groups including children

2.4. Brief analysis of implementation/enforcement of legislation as far as this is known

### 3. Criminal Investigation/Prosecution – Police and Judiciary

3.1. Local police position on investigation of criminal assault against vulnerable groups including children and likelihood of prosecution of such offences

3.2. Legal age of consent in country and legislation covering this

3.3. Name and contact details of Senior Police Officer spoken to regarding above

### 4. Other Agencies – Health Services, NGOs, Interagency Forums

4.1. Details of health and other services that may be accessed as part of victim response

4.2. Names and contact details of NGO's, other agencies, other relevant bodies and professional networks, including any local joint arrangements for dealing with protection issues

### 5. Community

5.1. Details of informal/community-based justice and protection mechanisms and how these function

## NOTES

- It is recommended that the local CEO assume overall responsibility for the mapping exercise and completion of the analysis.
- As this task is detailed and somewhat technical, it may make sense to ensure the work is wholly, or in part, delegated to/supported by other staff, for example the Safeguarding Focal Point.
- It may be useful to carry out some of the mapping as a team exercise.
- The Global Safeguarding Lead may be in a position to assist with the mapping process.

<sup>15</sup> Based on a template provided by Plan International

- Please ensure a record is kept of all dates, names and discussions held between agencies as part of the completion process.
- On completion, copies should be made available to all staff within the unit. It should also be sent to and held by the Global Safeguarding Lead in Geneva.
- The results should be updated annually or when there is significant change with revised copies being sent to the Global Safeguarding Lead in Geneva.

### Based on information gathered, list the key contacts for each type of Protection Issue.

Complete one for each location/office:

	Agency	Protection Function	Senior Officer	Title	Contact Details
External reporting of abuse					
<b>Responding</b>					
Emergency medical treatment of abuse					
Ongoing protection and support of victim, during and after reporting and/or investigation.					
Ongoing medical input with regard to injury, pregnancy, STD and HIV Issues					
Counseling services to abuse victims					
Agencies/resources for safe placement of victim.					
Other (please specify)					

### Responding procedure for sexual harassment

Unlike other forms of harassment, sexual harassment is not dealt with via the informal complaints route. Where an employee has a complaint of sexual harassment:

- The employee should raise a formal complaint by informing their Supervisor, the HR Department or Safeguarding Focal Point
- For any third party with a complaint of sexual harassment, they should raise a formal complaint through the alleged perpetrator's supervisor.
- In certain circumstances, sexual harassment may be a criminal offence. In such a case, AKF reserves the right to contact the legal authorities so that they can conduct an investigation and take whatever action may be necessary. The consent of the victim/survivor will be sought.

**PLEASE NOTE:** victims in cases of sexual violence<sup>16</sup> and assault have a right to directly report to the police. This right cannot be limited and remains the victim's prerogative; reporting to the police may be done alongside AKF's internal adjudication procedures.

In the event the alleged perpetrator is arrested by the police; the rights of arrested persons shall be as enshrined in Country's statutory laws.

When a designated person receives a complaint of sexual harassment, he/she will:

- a) Immediately record the dates, times and facts of the incident(s)
- b) Ascertain the views of the victim/survivor as to what outcome he/she wants
- c) Ensure that the victim/survivor understands AKF's policy for dealing with the complaint
- d) Discuss and agree the next steps: i.e. formal complaint
- e) Keep a confidential record of all discussions
- f) Respect the choice of the victim/survivor as far as possible, e.g. if you are made aware of serious breaches of conduct or crime, there is a Duty of Care to take action whether individual wants this or not. This must be discussed with the victim/survivor and their agreement sought.
- g) Ensure that the victim knows that they can lodge the complaint outside of the organisation through the relevant country/legal framework

### **If a Complaint is Upheld**

If the sexual harassment took place, this will be classified as gross misconduct and will be dealt with as per the provisions of the AKF disciplinary procedure. AKF in consultation with the victim, will decide on appropriate remedy for the victim.

The employee who made the complaint will be informed

of the outcome and, where this would not breach confidentiality, may be informed of the actions resulting from the complaint.

AKF will protect employees who raise a complaint or take part in an investigation from intimidation, victimization or discrimination. Retaliation against someone who has made a complaint will be treated as a serious disciplinary offence.

### **If a Complaint is not Upheld**

If employees raise a complaint but it is not upheld, AKF recognizes that this can affect working relationships and will work with both parties to maintain the relationship. Employees will be expected to co-operate and continue to work normally. Failure to do so will result in action under the Disciplinary Procedure specific to your unit.

If an employee raises a complaint which, upon investigation, proves to have been with malicious intent, they will become the subject of disciplinary proceedings in line with AKF Disciplinary Policy.

### **Support**

Throughout the complaints procedure, the complainant is entitled to receive support from an appropriate staff within the organisation, for example HR staff or other staff responsible for issues relating to staff wellbeing.

AKF recognizes that because sexual harassment often occurs in unequal relationships within the workplace, victims/survivors often feel that they cannot come forward. AKF understands the need to support victims/survivors in making complaints.

AKF will also need to consider what "duty of care" responsibilities it has to the Subject of Complaint (SoC) and witnesses and whether any support is needed.

If at any stage throughout the procedure the complainant or respondent or any other person requires to speak with a third party and/or indicates the need for specialist support services, contact should be made via HR with an external counsellor.

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<sup>16</sup> Sexual violence is any sexual act or attempt to obtain a sexual act by violence or coercion, acts to traffic a person or acts directed against a person's sexuality regardless of the relationship to the victim. It's an all-encompassing term that refers to crimes like sexual assault, rape and sexual abuse.

## Victimisation

Retaliation for reporting any incidents of sexual harassment or participating in any investigation of incidents of sexual harassment or perceived sexual harassment is strictly prohibited.

Any report of retaliation by the one accused of harassment, or by co-workers, supervisors, or managers, will also be promptly and thoroughly investigated in accordance with AKF's investigation procedures outlined above. If a complaint of retaliation is substantiated, appropriate disciplinary action, up to and including discharge, will be taken.

## Other reporting

In some cases, it will be necessary to make a serious incident report to an external body or bodies - to the police, for example, where a concern involves an actual/possible criminal act, and/or to a donor, regulator, professional body, etc. if any of the following things occur:

- Beneficiaries have been, or alleged to have been, abused or mistreated while in contact with AKF, or by someone connected with AKF, e.g. trustee, staff member or volunteer. An incident of abuse or mistreatment includes neglect
- There has been a breach of procedures or policies at AKF which has put
- beneficiaries at risk, including failure to carry out checks which would have identified that a person is disqualified or unsuitable to work with children or adults
- Someone has been abused or mistreated (alleged or actual) and this is connected with the activities of AKF, or its partners/agencies if there is a reputational risk to AKF from the incident. This includes staff harassment and sexual or other serious misconduct.

It is essential that every AKF entity is clear on its reporting obligations under national legislation, to donors, to regulators, and so on. Details on who to contact and what information to provide will also be required at local level - be prepared to state what happened and explain how you are dealing with it, so this information can be then handled by the Global Crisis Communications Team.

Communication on cases to external stakeholders, press and donors is a responsibility of the Global Crisis Communications Team. Units should refer any requests for information to this team and not provide any statements on their behalf.

Please also remember that this process should be survivor-led. Reporting to police, for example, may be re-traumatizing or dangerous for the survivor depending on the context. Adult survivors should give their consent to reporting to the police and the wishes of children should be taken into account as far as possible.

# Speak-Up Contact Details

ANNEXE X

## AKF Global Safeguarding Lead

**Ms. Kasia Bartman**

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Tel. +41 22 9097226

Mob. +41 787152695

## AKF Global Director of Operations

**Mr. Tom Austin**

Tom.austin@akdn.org

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Mob. +41 792011484

## AKDN HR Director & AKF Human Resources Committee member

**Ms. Shams Jaffer**

Shams.jaffer@akdn.org

Tel. +33 344 584012

Mob. +33 675077437

## SAFECALL

<https://www.safecall.co.uk/file-a-report/>

+44 (0) 800 915 1571

# Resources

ANNEXE XI

## International contacts

### Prevention of Sexual Exploitation and abuse Task Force

Useful site for resources and tools

<http://www.pseatactaskforce.org/>

### Children and Families Across Borders

Free and confidential advice and information helpline for enquiries concerning children and family welfare matters across international borders

Tel: 0207 735 8941

[info@cfab.org.uk](mailto:info@cfab.org.uk)

### Child Helpline International (CHI)

Provides child helplines and works to strengthen national child protection systems in 142 countries. Website includes helpline numbers for individual countries.

<http://www.childhelplineinternational.org/>

### INHOPE – International Association of Internet Hotlines

<http://www.inhope.org/gns/home.aspx>

To report suspected child sexual abuse images on the internet click here.

For up-to-date information and to report the viewing of or display of sexual images online contact:

### Internet Watch Foundation

[www.iwf.org.uk](http://www.iwf.org.uk)

### CEOP – Child Exploitation and Online Protection Centre

[www.ceop.gov.uk](http://www.ceop.gov.uk)

### Contact the National Crime Agency to report online sexual abuse

<https://www.ceop.police.uk/safety-centre/>

### The UK Government has provided guidance for children on indecent images online

<https://www.gov.uk/government/publications/indecent-images-of-children-guidance-for-young-people/indecent-images-of-children-guidance-for-young-people>

## HELPFUL INFORMATION

(Mainly UK based but of some general help)

### The National Association of People Abused in Childhood

<https://napac.org.uk>

### NSPCC – Safeguarding Children

<https://www.nspcc.org.uk/preventing-abuse/safeguarding/>

### NSPCC - Detailed definitions of forms of child abuse

<https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/>

### NSPCC online child protection training

<https://www.nspcc.org.uk/what-you-can-do/get-expert-training/child-protection-introduction>

### The Charity Commission

<https://www.gov.uk/government/publications/safeguarding-children-and-young-people/safeguarding-children-and-young-people>

<https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees>

### CHS Alliance – guidance and resources on best practice in conducting investigations

[www.chsalliance.org](http://www.chsalliance.org)

### Interagency Standing Committee – principles and guidance on sexual exploitation and abuse

<https://interagencystandingcommittee.org/inter-agency-standing-committee/iasc-six-core-principles-relating-sexual-exploitation-and-abuse>

### UK Government – Working Together to Safeguard Children

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

**Save the Children Safeguarding Policies**

<https://www.resourcecentre.savethechildren.net>

**ACT Alliance Code of Conduct**

[www.actalliance.org](http://www.actalliance.org)

**NAPAC** – National Association of People Abused in Childhood

<https://napac.org.uk/>

**UK contacts and support organisations****NSPCC Helpline**

Phone 0808 800 5000

**NSPCC online safety line**

0800 800 5002

**UKCCIS Council for Child Internet Safety**

<https://www.gov.uk/government/groups/uk-council-for-child-internet-safety-ukccis>

**Childline** - Confidential counselling and advice for children

Phone 0800 11 11

**FGM helpline**

0800 028 3550

**National Human Trafficking hotline**

1 888 373 7888

**NAPAC** – National Association for People Abused in Childhood

**Offers support for survivors of all types of childhood abuse**

0808 801 0331

10am – 9pm (Monday – Thursday) 10am – 6 pm (Friday)

## Definitions

A **child** or **minor** is any person under the age of 18, according to the UNCRC (Article 1). Minors are considered unable to evaluate and understand the consequences of their choices hence unable to give informed consent, especially for sexual acts.

A **vulnerable adult** or an **adult at risk** is a person, 18 or above, who, by reason of disability, age, sex, gender identity, ethnicity, race, class/caste, religion, or illness, the context they are in or as a result of social or other inequalities and power relations, is at increased risk of significant harm or exploitation.

**Child abuse** includes all forms of physical and emotional ill-treatment, sexual abuse, neglect and exploitation that results in actual or potential harm to the child's health, development or dignity.

**Physical abuse** is the actual or potential physical harm perpetrated by another person, adult or child, against a child or adult. It may involve hitting, shaking, poisoning, drowning, biting or other harmful behaviours. Physical harm may also be caused when a parent or caregiver fabricates the symptoms of or deliberately induces illness in a child or adult.

**Emotional abuse** refers to persistent emotional maltreatment that impacts on a child or adult's emotional development. Emotionally abusive acts include restriction of movement; degrading, humiliating, bullying, threatening, scaring, or ridiculing; discrimination; or other non-physical forms of hostile treatment or rejection.

**Sexual abuse** is forcing or enticing a child or adult to take part in sexual activities that s/he does not consent to. This may include, but is not limited to, rape, oral sex, penetration, or non-penetrative acts such as masturbation, kissing, rubbing and touching. It also includes involving children and adults in looking at or producing sexual images, watching sexual activities, and encouraging children and adults to behave in sexually inappropriate ways.

**Exploitation** is the use of children or adults for activities for someone else's advantage, gratification or profit, often resulting in unjust, cruel and harmful treatment of the child or adult. These activities are to the detriment of the victim's physical or mental health, education, moral or socio-emotional development. Economic exploitation is the use of a child or adult in work or other activities for the benefit of others.

**Sexual exploitation** is a form of sexual abuse that involves children or adults being engaged in any sexual activity in exchange for money, gifts, food, accommodation, affection, status or anything else that they or their family need. It usually involves a child or adult being manipulated or coerced, either by an adult or a peer. The abusive relationship between victim and perpetrator involves an imbalance of power where the victim's options are limited. It is a form of abuse that can be misunderstood by children and adults as consensual.

**Neglect** is the chronic failure to meet a child's or adult's basic needs – where parents or caregivers are in a position to do so – in one or more of the following areas: health, education, emotional development, nutrition, shelter and safe living. Neglect is thus distinguished from circumstances of poverty in that neglect can occur only in cases where reasonable resources are available to the family or caregiver.

**Protection** is a set of measures and structures to prevent and respond to abuse, neglect, violence and exploitation affecting children and adults.

**Informed consent** is the conscious, fully understood, and willing agreement of a person of the age of consent, expressed through mutually understandable words or actions, to engage in a particular activity at a particular time.

## Bullying<sup>17</sup>

Bullying is seen by AKF as: offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

If staff complain they are being bullied or harassed, then they have a grievance which must be dealt with under AKF grievance procedures regardless of whether or not their complaint accords with the definitions contained in this policy.

Examples of bullying at work may include; sabotaging someone's work or their ability to do their job by not providing them with vital information, appropriate training and/or resources.

Other behaviours include:

- spreading malicious rumours, or insulting someone by word or behaviour
- copying memos that are critical about someone to others who do not need to know
- ridiculing or demeaning someone – picking on them or setting them up to fail
- exclusion or victimisation
- unfair treatment
- overbearing supervision or other misuse of power or position
- making threats or comments about job security without foundation
- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities.

Bullying is not necessarily face to face, it may occur through written communications, visual images (for example pictures of a sexual nature or embarrassing photographs of colleagues), email, phone, and automatic

supervision methods – such as computer recording of downtime from work or recording of telephone conversations – if these are not universally applied to all staff.

Not all behaviour that makes a worker feel upset or undervalued is workplace bullying. Examples include:

- Reasonable management action is not workplace bullying.
- Supervisors are responsible for monitoring the quality and timeliness of work and providing staff with feedback on their performance.
- If performance issues need to be addressed, the conversation needs to be constructive and supportive, and focus on the positives as well as the negatives.
- Feedback should not be humiliating or demeaning.
- Differences of opinion and disagreements are also generally not workplace bullying.
- However, in some cases, a conflict that is not managed may escalate to the point where it becomes workplace bullying.

It should also be noted that bullying can be peer based or a team colluding to bully their manager although these forms are less common as bullying is usually about positional power and abuse of authority.

## Discrimination

Discrimination, which includes both direct and indirect discrimination, is essentially any practice that makes distinctions between individuals or groups so as to disadvantage some or advantage others. Direct discrimination refers to individual actions or behaviour usually resulting from prejudice or stereotypical thinking. Indirect discrimination involves instances where certain groups are unreasonably excluded or otherwise disadvantaged by apparently neutral policies, practices, procedures or decisions that are unfair or unequal in their effect.

AKF will ensure that direct or indirect discrimination grounds do not occur in AKF's work environment or

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<sup>17</sup> This section adapted from 'Bullying and harassment at work', (Acas publications 2014)

dealings with the public and that current and prospective staff receive fair and equitable treatment.

The recognized grounds for discrimination include race, ethnicity, class/caste, sex, age, disability, marital/social status, family/caring responsibilities, religious beliefs or activities, pregnancy/possible pregnancy, gender identity and sexual orientation.

## Harassment

Harassment is a form of discrimination and is unwanted conduct related to a relevant protected characteristic. It consists of unwelcome, embarrassing, unsolicited, offensive, abusive, belittling or threatening behaviour directed at an individual or group because of some real or perceived attribute such as a person's ethnicity, sexuality, or disability in circumstances which a reasonable person, would have anticipated that the person harassed would be offended, humiliated or intimidated. Harassment may be related to any personal characteristic listed above and may be persistent or an isolated incident.

Harassment may involve one or more of the following:

- practical jokes
- swearing
- bullying
- a demand or inappropriate request for sexual/romantic favours
- crude jokes, derogatory comments, offensive messages or phone calls
- pictures with racial overtones
- name calling, physical threats, and offensive gestures
- campaigns of hate and silence
- leering, patting, pinching, touching
- displays of offensive posters, pictures

Harassment can occur on the basis of any of the grounds of discrimination referred to above. If such behaviour occurs, whether or not it makes an employee feel offended, humiliated or intimidated, but would seem to an informed person to represent unreasonable

behaviour, (and taking into account local legislation) then harassment and/or discrimination is occurring in the workplace, and immediate action is required.

## Sexual Harassment<sup>18</sup>

Sexual harassment is a particular form of harassment. Sexual harassment is conduct that is sexual in nature or relates to the sex, gender identity, or sexual orientation of the target.

AKF defines sexual harassment as unwanted conduct of a sexual nature, which has the purpose or has the effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Examples include, but are not limited to, unwelcome physical contact, sexual comments, inappropriate SMS messages or messages via platforms such as WhatsApp, social media postings, promises in return for sexual favours, and displaying sexually graphic pictures.

Even if unwanted conduct is not intended to cause distress, it can still have the effect of violating a person's dignity or creating an offensive environment.

Examples of conduct or behaviour which constitute sexual harassment include, but are not limited to:

### Verbal/non-verbal Sexual Harassment

- a) Comments on a worker's appearance, age, private life, or demeaning references and disparaging remarks about one's gender or physical appearance
- b) Sexual comments, stories, jokes, propositions, lewd remarks, demands for sex,
- c) Sexual advances; requests or demands for sex or repeated unwanted requests to go out on dates after prior refusal;
- d) Repeated and unwanted social invitations for dates or physical intimacy;

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<sup>18</sup> Turning the Tables: Ending sexual harassment at work, Equality and Human Rights Commission, March 2018

- e) Insults based on the sex of the worker; heckling, teasing or name calling, and verbal sexual abuse disguised as humour;
- f) Condescending or paternalistic remarks of a sexual nature;
- g) Demands for sexual favours and threats of firing if the demands are not met;
- h) Obscene communication and sexual innuendos;
- i) Sending sexually explicit messages (by phone or by email)
- j) Sex-based harassment e.g. harassment that relates to the sex of the target but is not necessarily sexual in nature
- k) Display of sexually explicit or suggestive material;
- l) Sexually-suggestive gestures or inappropriate advances including on social networking sites;
- m) Loading sexually explicit content into a colleagues' computer
- n) Leering/staring at a person or parts of their body in a sexually suggestive manner;
- o) Whistling in a suggestive or derogatory way

### Physical Sexual Harassment

- a) Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fiddling, fondling, any inappropriate touching and includes lifting up of skirts/dresses, shirt, flickering bra straps or putting hands in a person's pockets.
- b) Physical violence, including attempted or actual sexual assault or coercion of any kind; indecent exposure of genitalia;
- c) Blocking the victim's path in an aggressive way; standing very close to the victim; rubbing genitals on a person; stalking with an intention to sexually harass the victim; massaging a person without invitation;
- d) The use of job-related threats or rewards to solicit sexual favours.

The Aga Khan Foundation prohibits any and all conduct that may reasonably be interpreted as harassment as defined above and whether or not such conduct is pervasive enough or severe enough to meet the technical legal requirements of harassment.

Sexual harassment is not behaviour that is based on mutual attraction, friendship or respect. Where the interaction is consensual, welcome and reciprocal it will not amount to sexual harassment. However, judgements about what constitutes consensual, welcome and reciprocal interaction may be influenced by the relative power of the people involved. The capacity of persons in positions of authority to influence others and affect their well-being is a factor that will be taken into account in the management of any sexual harassment allegation.

### Victimisation and retaliation

Victimisation broadly refers to detrimental treatment directed towards someone who has made or is believed to have made or supported a complaint under the safeguarding policy or for example, punishing or threatening to punish because they have asserted their rights under equal opportunity law or refused to do something because it would involve discrimination or sexual harassment.

It includes situations where a complaint has not yet been made but someone is victimised because it's suspected they might make one.

AKF will not condone victimisation of anyone who speaks up or reports concerns about misconduct of any kind. Any such behaviour is prohibited and will be subject to disciplinary procedures, including dismissal.

Examples of victimisation or retaliation could include

- Being treated unfairly because you made or supported a complaint to do with safeguarding, or someone thinks you did.
- Being isolated or ignored by peers, subordinates or managers after blowing the whistle on wrong-doing
- Being treated unfairly if you give evidence as a witness or support a colleague who has made a claim of sexual harassment against someone in authority

However, if an individual gives false evidence or makes an allegation in bad faith, they will likely be subject to disciplinary action.

### Important Points to Remember in relation to harassment and bullying

- Behaviour and materials which one person might think of as harmless may be offensive to another.
- “Offensive behaviour” cannot simply be decided on the basis of the experience of the ‘victim’, but rather must be judged on whether the behaviour would be seen as offensive by someone with a reasonable amount of knowledge and experience.
- It does not depend on the severity of the behaviour for it to be classed as harassment

### Fraud

Fraud can be defined as ‘dishonestly obtaining a benefit or causing a loss by deception or other means’ <sup>9</sup>.

### Bribery

Bribery is defined as the offering or accepting of any gift, loan, payment, reward or advantage for personal gain in the conduct of the organisation’s business as an encouragement to do something which is dishonest, illegal or a breach of trust.

### Money Laundering

Money laundering is the term used for a number of offences involving the proceeds of crime or terrorist funds. It includes possessing, or in any way dealing with, or concealing, the proceeds of any crime.

### Gifts

Gifts include money; goods (flowers, vouchers, food, drink, event tickets when not used in a hosted event context); services given or received as a mark of friendship or appreciation.

### Hospitality

Hospitality includes entertaining; meals or event tickets (when used in a hosted event context) given or received to initiate or develop relations. Hospitality will become a gift if the host is not present.

### Conflict of Interest

An individual shall be deemed to have a conflict of interest, or an apparent conflict of interest, if they find themselves in a situation which may lead them, directly or indirectly, to choose between the interests of the institution where they work, its clients or suppliers, and their personal or business interests or the interests of a person with whom they are related in any way whatsoever.

An individual shall also be deemed to have a conflict of interest or an apparent conflict of interest, if they find themselves in a situation which may affect their judgement or loyalty towards AKF or the wider Network.

<sup>9</sup> The Commonwealth Fraud Control Framework 2014

This manual has been approved by:

1 July 2020
Date

Michael Kocher
Name

General Manager, Aga Khan Foundation
Position


Signature

