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## MAG Safeguarding Policy

### Policy Statement

MAG's vision is a safe future for men, women and children affected by conflict and insecurity. MAG believes that everyone we come into contact with, regardless of age, gender identity, disability, sexual orientation or ethnic origin has the right to be protected from all forms of harm, from sexual exploitation, abuse, bullying and harassment. MAG will not tolerate exploitation, abuse or bullying and harassment by staff or associated personnel and applies a zero-tolerance approach to any breach of this and associated policies.

MAG, further defines safeguarding as a set of standards, policies and procedures that are intended to safeguard everyone who works in, or comes into contact with the organisation. The scope of this includes behaviour or any act that involves one person using their power or influence over another person; ensuring staff, operations and programmes, do no harm, or expose individuals to sexual exploitation, abuse or neglect, whilst protecting staff from inappropriate behaviour such as bullying and all forms of harassment. All relevant policies are detailed in Associated Policies.

This policy addresses for MAG the following areas of safeguarding:

- Protection from sexual exploitation and abuse
- Bullying and harassment
- Adult safeguarding
- Child safeguarding

MAG commits to addressing safeguarding throughout its work, through the three pillars of prevention, reporting and response.

### Purpose

The purpose of this policy is to protect people, particularly children, vulnerable adults and communities in receipt of assistance, from any harm from sexual exploitation, abuse and neglect that may be caused due to their coming into contact with MAG. It also includes harm caused by bullying and harassment in the workplace. Harm in this policy may arise from:

- The conduct of staff or personnel associated with MAG
- The design and implementation of MAG's programmes and activities

This policy lays out the commitments made by MAG, and informs staff and associated personnel<sup>1</sup> of their responsibilities in relation to safeguarding.

This policy does not cover:

- Safeguarding concerns in the wider community not perpetrated by MAG or associated personnel

### Scope

This safeguarding policy applies to:

- All staff contracted by MAG
- Associated personnel whilst engaged with work or visits related to MAG, including but not limited to the following: consultants; volunteers; contractors; programme visitors including journalists, celebrities and politicians

### What is safeguarding?

Safeguarding broadly means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect. MAG understands safeguarding to mean protecting children and adults, from harm that arises from coming into contact with our staff, operations or programmes. MAG defines safeguarding as 'any

<sup>1</sup> See 'Scope' for definition of associated personnel

behaviour or act that involves one person using their power or influence over another person'. MAG aims to protect everyone who comes into contact with us from:

- i. Misuse of power or influence over another person
- ii. Harm from sexual exploitation, abuse, bullying and harassment
- iii. Inappropriate, exploitative or degrading behaviour

Further definitions relating to safeguarding are provided in the glossary below.

## **MAG Safeguarding Approach**

Our approach to safeguarding is survivor centred, within an organisational culture that aims to prevent harm and abuse from occurring, but which responds quickly and thoroughly when it does happen. We will learn from experience and share good practice throughout the organisation.

We will work towards:

### **Survivor support and enhanced accountability**

- Protecting the dignity and safety of the people our work serves
- Ensuring victims and survivors are central to our safeguarding response
- Being transparent and sharing progress
- Ensuring rigorous and inclusive reporting and complaints processes

### **Cultural change**

- Driving cultural change and addressing structural inequalities from the top
- Ensuring consistency in approach
- Collaborating to improve employment practice

### **Minimum standards**

- Applying internationally recognised standards and practices including the Protection from Sexual Exploitation and Abuse (PSEA) index of the Core Humanitarian Standard (CHS)
- Collaborating with others in our sector to advance global safeguarding practice
- Ensuring policies and practice address the needs of vulnerable groups

### **Organisational capacity and capability**

- Improving and sharing expertise of staff, partners and agencies with whom we work /collaborate
- Equalise relationships between organisations delivering and receiving aid
- Testing and scaling innovative technology solutions and as part of the wider sector

## **Standards based approach**

MAG applies 6 standards to safeguarding:

1. **Safe culture:** *the organisational culture for safeguarding MAG's workplace is built on respect, tolerance, diversity and inclusion that delivers a respectful environment for all staff, and supports staff to create a safe environment in which to deliver the organisation's work.*
2. **Safe People:** *recruitment, induction, training, staff conduct and equal opportunities MAG's HR policies, processes and systems set out, and implement, organisational responsibilities around the employee lifecycle. Ensure staff with responsibilities for safeguarding are appointed and skilled to undertake their roles*
3. **Safe programmes:** *risk assessments, partnership arrangements are designed to prevent harm and abuse to the people with whom we work and the communities in which we work. National context is understood and reporting mechanisms are clear.*
4. **Safe communications:** *use of information and images in MAG's communications activities feature appropriate images and stories of communities and children and ensure that they are not exposed to harm and abuse.*
5. **Safe response:** *MAG treats any allegations related to safeguarding extremely seriously. We strive to learn and identify areas in which we could improve, and welcome feedback from any stakeholders. We commit to respectfully listening and supporting individuals who want to raise a concern or make a complaint. We will also ensure that genuinely held concerns will be thoroughly investigated.*
6. **Safe Governance – account for safeguarding**  
MAG's governance is based on our values, and promotes transparency, probity and accountability

## Roles and responsibilities

The Safeguarding Policy places a number of responsibilities on various groups of people involved in MAG's work. These are as follows:

**MAG's Board of Trustees:** have a duty of care to ensure that appropriate policies and procedures are in place to prevent abuse from taking place and to appropriately manage any concerns.

They also have a responsibility to ensure that all appropriate issues are reported in line with best practice and to appoint a Safeguarding Trustee Focal Point who will provide subject matter expertise and has delegated responsibility on behalf of the Board for ensuring that MAG maintains effective safeguarding policies, procedures and practices.

The Board of Trustees also have responsibility for reporting to the Charity Commission and any other relevant regulatory body in the UK or other location. An issue will be reportable if it results in, or risks, significant loss of MAG's money or assets, damage to MAG's property or harm to MAG's work, beneficiaries or reputation.

The responsibility to report safeguarding issues will apply when:

- Members from a community have been, or alleged to have been, abused or mistreated while under MAG's care, or by someone connected with the MAG, for example a trustee, staff member or volunteer
- There has been an incident where someone has been abused or mistreated (alleged or actual) and this is connected with MAG's activities
- There has been a breach of procedures or policies which has put communities at risk, including failure to carry out checks which would have identified that a person is disqualified in law, under safeguarding legislation, from working with children or adults.
- Issues should be reported as soon as a concern is raised or a suspicion is identified. Regulatory action may be taken against MAG and its Board for failure to report issues in line with the Charity Commission's expectations.
- As well as reporting to the Commission, depending on the incident, there may also be a requirement to notify the police, local authority and the relevant regulator or statutory agency including institutional and/or private donor(s).

## Board Committees:

Delegated responsibility rests with the following board sub-committees in relation to safeguarding:

The **Governance Nominations and Review Committee (GNRC)** maintains oversight of MAG's incident reporting to the Charity Commission and any other relevant regulatory bodies. The committee will ensure that incident reporting practice is in line with the Commission's expectations and with sector good practice.

The **Health, Safety, Security and Safeguarding Committee (HSC)** provides strategic oversight for all aspects of safeguarding at MAG and will ensure that policies and procedures are up to date, effective, appropriate and fully implemented. The HSC will review the Safeguarding Register and will ensure that appropriate action is taken in relation to any issues.

GNRC and HSC will be notified immediately of any potentially serious incidents as soon as they are reported through appropriate channels. This will enable the GNRC to ensure that all reporting to the Charity Commission takes place within recommended timescales. The HSC will be responsible for fulfilling any further reporting requirements including responding to requests for information.

MAG's Leadership: will ensure the following principles are upheld:

- Build a culture of openness to enable issues and concerns about safeguarding to be raised and discussed
- Build a sense of accountability between staff so that potential poor or abusive behaviour can be challenged
- Maintain a reputation of robust standards and high standards of working

MAG's Safeguarding Lead reports to the People and Organisational Development Director, who in turn reports to the Chief Executive.

**Management responsibilities:** all managers have a particular responsibility to uphold the standards within each policy and to set an example ensuring that a culture of dignity and respect is maintained. Managers should encourage an open and transparent way of working that facilitates a strong safeguarding culture within and between teams.

As well as upholding standards themselves, managers are expected to ensure that all staff understand the provisions clearly and challenge any unacceptable behaviour. In addition, managers must ensure that any reports or complaints are taken seriously and investigated promptly and thoroughly. All MAG programmes have a responsibility for ensuring that standards contained within each policy are upheld in each location and policies are translated into the relevant local language and understood by all.

**All individuals:** creating a safe working environment at MAG is everyone's responsibility and failure to act on concerns or disclosures relating to sexual harassment, abuse and exploitation is not an option.

MAG recognises that often employees will be the first to know when there is cause for concern. All staff and partners have a responsibility to act with due care and attention to safeguard the wellbeing of every person, specifically those who are vulnerable. All individuals should remain vigilant, be prepared to take action and understand what to do in the event there is a concern to raise. Therefore, all MAG representatives should understand and abide by the standards set out within the policies that uphold this policies.

All MAG employees are obliged to report any suspicions of sexual exploitation, abuse or harassment of others. Failure to report suspicion of abuse relating to someone else to a relevant person is a breach of MAG's policy, and could lead to disciplinary action being taken. If necessary, this report can be made anonymously. Although we strongly encourage reporting through the available channels, for the avoidance of doubt, there is no obligation placed on any individual to report any incident that has happened to them. However, where there is a clear legal requirement placed on MAG to report, the decision will be made by MAG in consultation with the alleged subject of abuse.

Additionally, MAG staff and associated personnel are obliged to:

- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy
- Report any concerns or suspicions regarding safeguarding violations by an [NGO] staff member or associated personnel to the appropriate staff member

## **Prevention**

MAG will:

- Ensure staff and personnel associated with MAG are given every opportunity to become aware of the standards and expectations that we have set ourselves
- Design and undertake all its programmes and activities in a way that protects people from any risk of harm that may arise from their coming into contact with MAG.
- Implement stringent safeguarding procedures when recruiting, managing and deploying staff and associated personnel
- Ensure staff receive appropriate training and support on safeguarding
- Provide clear systems on how to report concerns as soon as they are identified or suspected
- Comply with international standards in relation to safeguarding

## **Reporting and Response**

MAG will ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to staff and the communities we work with.

MAG recognises that the standards outlined in each policy can only be upheld if strong reporting channels exist and are understood by all. As such, each policy outlines how concerns should be raised. Each policy also outlines what action may be taken where incidents or concerns arise.

The Policy on Personal Conduct states that it is the duty and responsibility of all managers, employees and representatives to report any suspicions or incidences of inappropriate behaviour. All MAG employees are obliged to report any suspicions or incidences of inappropriate behaviour towards others. This can be done without sharing details of cases where information has been shared in confidence. Failure to report suspicion of abuse relating to someone else to a relevant person is a breach of MAG's policy, and could lead to disciplinary action being taken. Although we strongly encourage reporting through the available channels, for the avoidance of doubt, there is no obligation placed on any individual to report any incident that has happened to them. However, where there is a clear legal requirement placed on MAG to report, the decision will be made by MAG in consultation with the alleged subject of abuse.

MAG recognises that not all complainants may be willing to reveal their identity. This does not necessarily have any bearing on the truth of the complaint, but may be an indication of fear of reprisal. Anonymous complaints will be treated as seriously as complaints where the identity is known. The substance of the allegation should still be reported to the SMiC along with the identification of the alleged perpetrator, if known. The wish for anonymity only applies to the complainant and not to the subject of the complaint.

In addition, rumours must not be left unchecked and may be an early warning of a greater problem. MAG will take rumours seriously and must they therefore must be reported and investigated.

**Support for Survivors and Victims:** MAG will always offer support to survivors and victims, regardless of whether a formal internal response is carried out (such as an internal investigation). Support can include specialist psycho-social counselling, and/or access to other specialist and appropriate support as needed (medical and where possible legal). Survivors and victims can choose if and when they would like to take up the support options available to them. On hearing a complaint or concern, the priority is to ensure and check if the complainant is in need of mental or physical support. All further action will only be taken with the survivor's agreement or consent unless they are a child or vulnerable adult.

**Raising a complaint:** anyone can raise a concern or make a complaint to MAG about something they have experienced or witnessed. Reporting/complaints mechanisms are encouraged at all levels of the organisation. Complaints or concerns can be made in any language and arrangements will be made for a confidential translation. In addition, anonymous complaints are accepted and MAG will investigate as far as is reasonably possible.

**Safeguarding Focal Points:** MAG's global network of Safeguarding Focal Points support MAG to prevent and respond to sexual harassment, abuse and exploitation by receiving concerns and forwarding these to the team, raising awareness and promoting best practice. Focal points are not required to investigate concerns or complaints themselves.

**Community complaints:** communities will be informed of how they can make a complaint or raise a concern if necessary. Arrangements will vary between each programme.

**Complaints about partners:** if MAG receives a complaint about a partner organisation, it will expect the partner to respond quickly and appropriately. MAG will assist the partner to ascertain its obligations under local law to refer the matter to the police or other statutory authorities for criminal investigation. Where appropriate, MAG will work with the partner to address the issue through an appropriate independent investigation. If the outcome is that abuse has occurred, ongoing work with the partner cannot involve the individual(s) concerned. If there is reason to believe that an allegation of abuse has been dealt with inappropriately by a partner then they risk withdrawal of funding or ending the relationship (including networks and consortia).

**Complaints from outside of MAG:** can be sent in writing to [reporting@maginternational.org](mailto:reporting@maginternational.org) or directly to the Leadership Team or anyone on the Board of Trustees. This can include someone in receipt of MAG's assistance (beneficiaries); other people directly affected by MAG policies, actions or our staff; partners and their staff

(humanitarian partners and contractors); MAG staff or any visitor to a MAG site or office. The email address is monitored by the Company Secretary and the email received will be forwarded to the appropriate people with oversight by whoever the email was addressed to.

**Statutory and external reporting:** the decision about whether to refer an allegation to local police or statutory authorities is made by the person who it is alleged has been the subject of abuse (“the victim/survivor” - who may or may not be the complainant). MAG will support the victim/survivor and/or complainant regardless of whether they wish to report to local police/statutory authorities or not. However, MAG’s approach will always be to comply with reporting obligations under local law. Where there is a clear legal requirement placed on MAG to report, this decision will be made by MAG in consultation with the alleged subject of abuse. If someone’s life is in danger or the matter relates in any way to a child or adult at risk, then some decisions may have to be taken by MAG (for example, to contact the police or statutory authority).

The principle of ‘survivor led’ must be balanced against risk and protection of vulnerable groups in every instance. If the victim/survivor is a child or adult at risk, then decisions about their welfare may have to be made by others. However, as far as is possible and appropriate they will be engaged in the conversation about their own welfare.

**Regulatory and donor reporting:** MAG’s regulatory authorities and donors have different reporting mechanisms in relation to safeguarding incidents. All incidents that involve national, international staff or partners, must be reported immediately to the Regional Director and HQ HR who will be able to advise accordingly.

## Implementation

Implementation of the safeguarding policy will be supported by:

- **Staffing** – a senior level full time safeguarding position will be in place, safeguarding focal points will be recruited across the organisation, safeguarding responsibilities will be included in job descriptions. All staff with responsibility for implementation will receive training.
- **Prevention** – safeguarding will be integrated into all aspects of MAG’s work and systems, including awareness raising from application stage and continuous throughout an employee’s employment at MAG. Risk assessment will be considered at all levels including when working with partners, when designing new programmes and setting up new operations at local and national level.
- **Reporting and responding mechanisms** – steps for raising or reporting safeguarding concerns will be known to all, investigation and incident management procedures are clear and understood: duties and responsibilities are clear for those who have safeguarding responsibilities, in particular managers, HR teams and focal points
- **Implementing, maintaining, reviewing and monitoring** the safeguarding policy – training and capacity building of staff and partners, monitoring and reporting and continuous review of the policies
- **Budget** – will be available to support with organisation wide safeguarding activities.
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## Monitoring and review

To ensure this policy remains relevant and appropriate, it will be reviewed every 12 months, alongside the associated policies. Progress on implementation will be reported to the Board sub-committees and Board every quarter. Programmes report to HQ on safeguarding every quarter. All case management is monitored and reported as appropriate to Trustees every month.

## REFERENCES

### Internal

This Policy must be read in conjunction with: *Gender Statement; Policy on Personal Conduct; Safeguarding Framework; Protection of Children and Vulnerable Adults Policy; Dignity at Work Policy; Recruitment and Selection Policy; Disciplinary and Grievance Policy, Reward Policy, plus guidance on local customs and national legal requirements in the country of operation.*

### External

- IASC Core Principles on PSEA
- UN Secretary General’s Bulletin: Special Measures for protection from sexual exploitation and sexual abuse, 9 October 2003

- UN Convention on the Rights of a Child - [https://downloads.unicef.org.uk/wp-content/uploads/2010/05/UNCRC\\_summary.pdf?\\_ga=2.101087496.849048267.1554717839-1023692847.1554717839](https://downloads.unicef.org.uk/wp-content/uploads/2010/05/UNCRC_summary.pdf?_ga=2.101087496.849048267.1554717839-1023692847.1554717839)
- The Core Humanitarian Standard (including the PSEA index)
- FCDO's Enhanced Due Diligence Checklist

### **APPROVAL AND DATES**

The Safeguarding Policy replaces MAG's Safeguarding Framework.

This policy was approved by the Leadership Team and the HSC on 8<sup>th</sup> April 2021. This version of the policy takes effect on 8<sup>th</sup> April 2021 and will be reviewed at the October 2021 Board meeting in line with the Policy on Personal Conduct.

### **POLICY OWNER**

Director of People and Organisational Development Director

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## Appendix: Glossary of terms

TERMINOLOGY	DEFINITION	SOURCE
Adult abuse	Adult abuse can happen to anyone over the age of 18 years. Adult abuse is not specifically defined by the UN but can be defined as the violation of human rights that results in significant harm to an individual. Adult abuse can happen in any relationship and includes (but is not limited to) physical, emotional, sexual and financial abuse, neglect and gender-based violence.	Not specifically defined by UN. General definition
Associated personnel	A person who is engaged with work or visits related to a MAG including but not limited to the following: consultants, volunteers, contractors, programme visitors including journalists, celebrities and politicians	UN
Bullying	Seek to harm, intimidate, or coerce (someone perceived as vulnerable).	Dictionary
Child	A person below the age of 18	UN
Child Abuse	Mistreatment of a child, either intentional or unintentional that may result in harm to the child's physical, emotional and psychological welfare. This could be a result of physical, emotional, sexual abuse and / or neglect	WHO
Elder abuse	Elder abuse can be defined as "a single, or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person". Elder abuse can take various forms such as financial, physical, psychological and sexual. It can be the result of intentional or unintentional neglect	WHO
Exploitation	Exploitation includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs	UN
Emotional abuse	Including but not limited to humiliating and degrading treatment such as bad name-calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation. Includes coercive control.	General
Emotional abuse	Including but not limited to humiliating and degrading treatment such as bad name-calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation. Includes coercive control.	General

Gender based violence	Gender-Based violence refers to harmful acts directed at an individual based on their gender. It is rooted in gender inequality, the abuse of power and harmful norms. Gender-based violence (GBV) is a serious violation of human rights and a life-threatening health and protection issue.	UN
Harassment	Harassment is any improper and unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person. Note: further definitions for harassment are contained within the MAG dignity at work policy.	UN Women
Neglect	Neglect is a form of abuse where the individual, who is responsible for caring for someone who is unable to care for themselves, fails to do so. It can be a result of carelessness, indifference, or unwillingness and abuse.	General
Physical abuse	Intentional use of force that results in bodily injury, pain, or impairment. This includes, but is not limited to, being slapped, burned, cut, bruised or improperly physically restrained.	General
Sexual abuse	Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.	UN
Sexual exploitation	Any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.	UN
Sexual harassment	Sexual harassment is unwanted behaviour of a sexual nature which: violates your dignity makes you feel intimidated, degraded or humiliated. Creates a hostile or offensive environment.	UN
Vulnerable adult	Once a person passes the age of 18, they are an adult	UN
Victim	Victim is a person who is or has been sexually exploited or abused	UN
Survivor	The person who has been harmed. The term survivor is often used in preference to victim as it implies strength, resilience and the capacity to survive. It is an individual's choice to identify themselves.	UN