

Safeguarding and Prevention of Sexual Exploitation, Abuse and Harassment:

POLICY AND GUIDELINES FOR DEVELOPMENT PROJECTS

January 2024

Preface and Statement of Commitment

Edmund Rice Development (ERD) partners with development projects working to tackle poverty and injustice in their local communities. We support projects in Africa, Latin America and Asia who respond holistically to local needs in education, health, human rights and livelihoods.

We support projects by:

1. **Supporting access to resources**
2. **Build capacity to govern, plan and manage impactful development projects.**
3. **Facilitating collaboration with partners to maximise impact.**

ERD recognises power imbalances can lead to many forms of exploitation and abuse. The nature of our work creates a power imbalance between those contracted to deliver development projects and the project participants¹ and community members who they are contracted to serve. We acknowledge that there is a potential risk that those who work with project participants could abuse this position of power.

1. Project "Participants" refers to all beneficiaries of ERD-supported development projects and other community members where we work, as well as project staff, volunteers, interns, local partner project staff, contractors, visitors, government partners, and other project stakeholders.

ERD's Commitment

Safeguarding: Developing strong safeguarding cultures ensuring that everyone is provided a safe space free from abuse, harm and neglect is one of ERD's five strategic commitments.

We have a duty to ensure that those who come into contact with our organisation and with all ERD-funded development projects are safe and treated with dignity, care and respect.

We are committed to the protection of all project participants from abuse, harm, and exploitation and have zero tolerance for exploitative or abusive behaviour by anyone associated with our work.

We have put in place, and enforce, measures and controls that demonstrate this commitment and we will respond in a timely and effective manner to any safeguarding reports or concerns shared with us.

This Safeguarding and Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy lays out ERD's commitments to safeguarding and informs all project personnel² of their responsibilities towards the protection of all project participants (children and adults).

Compliance with the principles and reporting requirements specified in this Policy is mandatory for:

1. ER development projects in receipt of funding from ERD
2. ERD personnel – anyone who carries out work for/or represents ERD

Compliance with the principles of this policy is expected by all personal both during and outside working hours.

² Project Personnel refers to all employees, governing body members, contractors, subcontractors, consultants, apprentices and trainees, work experience students, volunteers, employers and any other person who performs work for/or represents ERD-funded development projects.

Policy Requirements

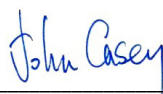
- Governing bodies of ERD-funded development projects must provide safeguarding oversight of the projects under their governance.
- Project-specific Safeguarding and PSEAH Policies, consistent in scope and details with this ERD Safeguarding and PSEAH policy, must be in place and adhered to, in all ERD-funded projects.
- ERD must be immediately informed of any safeguarding incidents or concerns, following the reporting guidelines outlined in this policy.
- Failure by an ERD-funded development project to fully comply with any aspect of this policy could result in immediate termination of funding.

This policy builds on ERD's previous Child Safeguarding Policy (2018) and Child and Vulnerable Adult Safeguarding Policy (2021) taking into account the latest guidelines and international best practice. It now also includes guidance on the prevention and response to sexual exploitation, abuse and harassment.

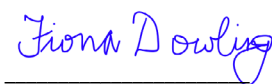
We are committed to working closely with project governing bodies and development projects to ensure that all project participants (children and adults) are safeguarded and do not come to harm as a result of engaging with any ERD supported project.

Date: 22 January 2024

Signed:



Br. John Casey
Chairperson of ERD



Fiona Dowling
ERD Chief Executive



To Report a Safeguarding Incident or any safeguarding concerns, please contact:

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All safeguarding incidents, suspected or alleged, must be reported to the ERD Chief Executive or Safeguarding Officer within 24 hours of them first being identified. For information on incident reporting see [Section 5](#) of this policy.

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Glossary of Terms and Definitions

Abuse Any action or inaction that causes harm to another person. This can include physical, emotional, sexual abuse and neglect. It also includes online abuse and abuse perpetrated through mobile technology.

Adults at risk Any person/people over the age of 18 years, who due to an imbalance of power, may be more at risk of abuse, harm or exploitation, and /or have reduced capacity to report such harm or exploitation (previously referred to as “vulnerable adults”).

This includes:

- Adults in need of care and support as a result of physical or mental impairment or being elderly.
 - Adults in a social or work relationship with a person who seeks to misuse their position of authority or trust to control, coerce, manipulate or dominate them.
 - Adults who have an increased risk of abuse or exploitation due to power imbalances linked to their:
 - Gender • Religion • Social Status • Poverty
 - Dependence or reliance on others for basic needs or protection
 - Displaced / Refugee Status • LGBTQIA+ • HIV Status • Ethnicity
 - Any other form of discrimination or stigmatisation
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Beneficiaries Children and adults who participate in ERD-funded development projects.

Child/Children A person/people under the age of 18 years, regardless of the age of majority or age of consent locally.

Code of Conduct A code of conduct is a set of norms, rules and standards of behaviour which all project personnel are contractually required to adhere to. (See **Appendix 1** for an example)

Complainant A person who reports an allegation of abuse, exploitation or harassment. This person may be a victim / survivor or another person who is aware of the wrongdoing.

Emotional Abuse Emotional or psychological abuse is the systematic emotional or psychological ill-treatment of a child or adult at risk.

Exploitation Any actual or attempted abuse of a position of vulnerability, power differential or trust to profit monetarily, socially, or politically from such abuse.

Grooming Grooming is the process by which an adult establishes or builds a relationship with a child, their guardians or an adult at risk, to facilitate online or offline sexual contact with the child/ adult at risk. This could happen in-person or through the use of the Internet and related technologies.

The abuser uses psychological manipulation to reduce the risk that the abusive behaviour will be rejected or reported.

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| Mandatory Reporting | All project personnel who become aware of an incident or allegation of exploitation or abuse of a project participant, must report this immediately . Failure to do so is regarded as a disciplinary offence. |
| Neglect | Neglect is the ongoing failure of a responsible caregiver, to meet the basic physical, emotional and/or psychological needs of a child or adult at risk, to the extent that they are harmed physically, psychologically or developmentally. |
| Physical Abuse | The use of physical force, the threat of physical force or mistreatment of one person by another which may or may not result in actual physical harm or injury. |
| Power Imbalance | Power imbalance refers to an environment, relationship or interaction where one party has more social and decision-making power and control of resources than the other. This power may be abused for social, financial or sexual purposes. |
| Project Participants | All beneficiaries of ERD-supported development projects, project personnel and other community members where we work. |
| Project Personnel | Employees, governing board members, contractors, subcontractors, apprentices and trainees, work experience students, volunteers, employers and any other person who performs work for/or represents ERD-funded development projects. |
| Safeguarding | <p>Safeguarding means taking all reasonable steps to prevent harm and to protect people, especially children and adults at risk from that harm. Safeguarding also includes responding appropriately when harm does occur.</p> <p>Safeguarding violations can take different forms and include sexual, physical, emotional, economic and verbal abuse. All safeguarding violations are rooted in the underlying problems of power imbalances, inequality – especially gender inequality – bias, privilege and discrimination based on race, ethnicity, religion, sexual orientation, disability, economic and other aspects of status and identity.</p> <p>In the development and humanitarian sector, safeguarding often applies to ensuring the safety and welfare of people engaged in the receipt or delivery of development assistance or humanitarian aid. It seeks to prevent them being harmed as a result of this engagement.</p> |
| Sexual Abuse | Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. |
| 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. |
| Sexual Harassment | Any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation, when such conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile or offensive work environment. Sexual harassment may occur in the workplace or in connection with work. While typically involving a pattern of conduct, sexual harassment may take the form of a single incident. In assessing the reasonableness of expectations or perceptions, the perspective of the person who is the target of the conduct shall be considered. |

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| Transactional Sex | The exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This includes any exchange of assistance that is due to project participants. |
| Vulnerable Adult | The term <i>vulnerable adult</i> is no longer used as it is considered disempowering. It reinforces stigma and may wrongly imply that some of the fault for the abuse lies with the victim of abuse. The term has been replaced with <i>Adult at Risk</i> (see above definition). |
| Victim/Survivor | A person who is, or has been, abused, exploited or harassed. 'Victim' is a term often used in the legal and medical sectors, while the term 'survivor' is generally preferred in the psychological and social support sectors, because it implies resilience. |
| Zero Tolerance | ERD will not tolerate any form of Abuse, Exploitation or Harassment and will actively work to prevent, identify and respond to all violations of this policy. All project personnel will be held to account against the same standards and are subject to the same rules and processes, regardless of their position, status or reputation. |

ERD Development Project Terms

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| Edmund Rice Development Project | An Edmund Rice Development Project is an entity under the governance of an ER Governing body and can comprise several sub-projects. |
| ERD personnel | Employees, board members, contractors, subcontractors, consultants, apprentices and trainees, work experience students, volunteers, employers and any other person who performs work for/or represents ERD. |
| Governing Body | The body who has ultimate responsibility for a development project or group of development projects and who holds the contract with the donor. |
| Head of Development Project | The person responsible for the day-to-day management of an ER Development Project. |

SECTION 1: POLICY OVERVIEW

Introduction

The objective of this Safeguarding and PSEAH Policy is to ensure that those who engage with ERD-funded development projects are not harmed as a result of this engagement. This policy sets out to ensure that abuse and/or exploitation is prevented and any concerns or complaints are responded to in a timely and effective, survivor-centred manner.

The Policy has been developed to provide guidance on the expected behaviours of ERD and project personnel when engaging with both child and adult project participants. All personnel are expected to work respectfully and effectively, whilst promoting a culture of safeguarding against harm. The policy also addresses the prevention of peer-to-peer abuse and exploitation or harassment within project teams.

Policy Scope

This policy applies to all project personnel of ERD and ERD-funded development projects. Project personnel includes; employees, board members, contractors, subcontractors, consultants, apprentices and trainees, work experience students, volunteers, employers and any other person who performs work for/or represents ERD funded development projects. All project personnel are expected to comply with the principles and reporting requirements specified in this Policy both **during and outside** normal working hours.

SAFEGUARDING

Throughout this policy document, the broader interpretation of the term Safeguarding is used, whereby it refers to the prevention and response to actual or potential harms caused to **any project participant, as a result of their engagement with ERD and /or ERD-funded projects.**

This includes **all children and any adult who due to an imbalance of power**, may be at risk of abuse, harm or exploitation, and /or have reduced capacity to report such harm or exploitation.

ERD recognises that certain project participants may be more at risk of abuse of power due to their age, physical, social or economic circumstances. Identification, management, monitoring and mitigation of these risks must be particularly considered in the planning of project interventions.

Legislation, Policy and Best Practice Context

This policy has been developed in accordance with national and international legislation, policy and best practice guidance. As a Company registered in the Republic of Ireland, ERD has a specific obligation to comply with all relevant Irish safeguarding legislation. Furthermore, ERD's funding partnership with Misean Cara requires that all organisations receiving funding ***"shall comply in full with the laws and regulations relating to the protection of Children and Vulnerable Persons both in Ireland and in the country where the Project is located"***.

Relevant legislation, policies and standards include:

International

- Universal Declaration of Human Rights (1948) – ratified by Ireland in 1985
- UN Convention on the Rights of the Child (CRC) (1989) - ratified by Ireland in 1992
- UN Convention on the Rights of Persons with Disabilities (2006) - ratified by Ireland in 2018
- UN Convention for the Elimination of all forms of Discrimination against Women (1979) - ratified by Ireland in 1985
- United Nations Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse (2003)
- United Nations Secretary-General's Bulletin Addressing Discrimination, Harassment, including Sexual Harassment, and Abuse of authority (2019)
- Keeping Children Safe - International Child Safeguarding Standards
- Christian Brothers European Province – Child safeguarding Statement (2018)

Republic of Ireland

- Children First Act (2015)
- Children First: National Guidance for the Protection and Welfare of Children (2017)
- Our Duty to Care: The Principles of Good Practice for the Protection of Children and Young People, Tusla (2002)
- Criminal Justice Act (2006)
- Criminal Justice Act – Withholding of Information on Offences Against Children and Vulnerable Adults (2012)
- Children and Vulnerable Adults Act, National Vetting Bureau (2012)- Updated: August 2021
- Safeguarding Vulnerable Adults at Risk of Abuse: National Policy and Procedures, Health Service Executive (2014)
- Better Outcomes, Brighter Futures - The National Policy Framework for Children and Young People 2014 -2020
- Assisted Decision Making (Capacity) Act (2015)
- Safeguarding Children Policy and Standards for the Catholic Church in Ireland, National Board for Safeguarding Children in the Catholic Church Ireland (2016)
- Misean Cara Child and Vulnerable Adult Safeguarding Policy (2020)
- Safeguarding Guidance for Charitable Organisations working with Children, Irish Charities Regulator (2020)
- Safeguarding Guidance for Charitable Organisations working with Vulnerable Adults, Irish Charities Regulator (2020)
- Dóchas Safeguarding Code
- Dóchas Guide to Ethical Communications (2023)

PRINCIPLES WHICH UNDERPIN THIS POLICY

ERD believes that:

- All project participants have a right to be safe at all times. Any form of abuse or exploitation of project participants is unacceptable and it will not be tolerated;
- All project participants are to be equally protected and assisted regardless of their age, gender, sexuality, race, nationality, religious or political beliefs, family background, economic status, physical or mental health or criminal background;
- Preventing harm is a shared responsibility. All ERD and project personnel must commit to create and maintain an environment that prevents abuse and exploitation. They must be familiar with and adhere to the project-specific Code of Conduct. Safeguarding officers and managers at all levels have a particular responsibility to support and develop systems that maintain this environment;
- All project participants should be aware of their right to be protected from abuse and exploitation and have access to a safe, accessible and confidential reporting /complaints mechanism , through which they can raise any concerns;
- All decisions involving project participants must be made to ensure that they receive the maximum benefit possible from the services provided. That their rights, needs and wishes are prioritised and that the positive impacts of any course of action outweigh any negative impacts;
- Project Participants, including children and adults at risk, must be consulted in the development of the safeguarding policies and safe practices;

It is mandatory for project personnel who develop concerns or suspicions regarding breaches of this policy, to report these via the established reporting procedures.

Related policies

1. ERD Funding and Reporting Policy
2. ERD Internal Safeguarding Policy
3. ERD Internal PSEAH Policy
4. ERD Staff Handbook

SECTION 2: WHAT IS SAFEGUARDING?

Safeguarding and abuse of power

In ERD, safeguarding is understood in the broader sense of protecting project participants from all forms of harm and abuse caused by project personnel and/or operations. This includes but is not limited to, sexual, physical, emotional, economic and verbal abuse, sexual exploitation, and sexual violence of any kind, including sexual harassment.

In development and humanitarian projects, **safeguarding** and **power** are inextricably linked. The nature of the work creates a **power differential** between those contracted to deliver development projects and the project participants they are meant to serve.

In some situations the source of “the power” is obvious, e.g. when it is linked to control of resources or assistance, workplace hierarchies, or in a project funding relationship. In other cases, power may be implied or perceived, such as when a beneficiary believes, or is led to believe, that project personnel have more power to influence decision-making than they really have. In all cases, the potential exists for those who work with project participants to **abuse their position of power**, especially over those who are most vulnerable.

ABUSE IS A VIOLATION OF HUMAN RIGHTS

All forms of sexual, physical and emotional abuse and exploitation are **violations of basic human rights**. Abuse is often perpetrated by individuals who are in positions of power or trust. They either do not respect the rights of others or believe that the rights of those who have less power or social status, **are less important** than the rights of others.

- **ERD considers all forms of abuse of power and exploitation to be incompatible with the equality and dignity of persons.**
- **ERD has zero tolerance for any actions by project personnel that cause harm to project participants.**

Within projects, ensuring **effective safeguarding** requires a clear understanding and recognition of the risks associated with real or perceived power imbalances and taking active steps to control and mitigate these risks. It also requires projects to inform project participants of their rights, and of the project's commitments to prevent and respond to all forms of abuse. Project participants must be encouraged to report any concerns or incidents using the safe reporting channels provided.

Social norms, customs and culture can often reinforce power differentials. While project personnel should carry out their work in a manner that recognises and respects local customs, these can never be used as an excuse or a motive for exploitation or abuse. ERD will not accept using **respect for local culture** as a justification for perpetrating or failing to report harmful behaviour.

Persons at greater risk of abuse

As outlined in the principles section above, ERD believes that all project participants have an equal right to be safe and protected from harm. ERD also recognises that some individuals have a greater risk of being abused or exploited due to their age, physical, social, cultural or economic circumstances. Their risk of abuse is influenced by both the context and their individual circumstances. These groups require additional measures to ensure their protection.

Previously safeguarding policies were mainly concerned with protecting individuals who are dependent on others for care and support, including children, the elderly and adults with physical or mental impairments. However, it is now accepted that the context and the power differentials which exist in development situations, expose adults who would otherwise not be considered as 'vulnerable', to increased risks of abuse and exploitation. Therefore this policy also includes any adult who is at risk of being abused due to:

- Age, physical, social, cultural or economic circumstances
- Dependence on project supports and assistance;
- Individuals or groups who are socially stigmatised or discriminated against;
- Workplace hierarchies

(See definition of "adults at risk" for further detail).

When assessing safeguarding risks, project personnel must consider how any project participant may be at risk of abuse and/or exploitation as a result of engaging with the project. Assessment must also consider the risks of harm to project participants resulting from poor project design and/or unsafe communication and media work.

Safeguarding of Children

Under international law and in the development and humanitarian sector, **anyone under the age of 18 years is considered a child**, regardless of the locally accepted age of majority or consent. Because of their dependence on adults, children are particularly vulnerable to multiple forms of abuse and exploitation. In the past, children have been (and continue to be) subjected to significant levels of harm by those in positions of responsibility. Historically, the majority of this abuse is not disclosed until long after it took place. In addition to general safeguarding rules and procedures, working with children requires more specific assessment of risks and additional measures to ensure their protection. The rules and expected behaviours of personnel working with children are outlined in the Code of Conduct (**Appendix 1**) and apply to all face-to-face, online or digital contact with children. Similar measures are necessary when working with adults who are at greater risk of abuse due to physical or mental impairments and/or dependence on others for care and support with daily activities.

The UN Convention on the Rights of the Child clearly defines our obligations to protect children by:

- guaranteeing, without any form of discrimination, the rights of children;
- considering the best interests of children in all actions relating to them;
- recognising the right to life, survival and development of each child;
- reflecting children's views in matters affecting them.

Prevention of Sexual Exploitation and Abuse

Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) is a term used in the development and humanitarian sectors. It refers to measures taken to protect the people and communities we support and work with, from all forms of sexual exploitation, abuse and harassment (SEAH).

As described earlier, there are significant imbalances of power within development projects. These power differentials are compounded by gender inequalities and social /workplace hierarchies. Any type of SEAH constitutes a serious abuse of this power. All project participants have the right to be treated with dignity and respect and to receive assistance without threat of exploitation and abuse. Project personnel are obliged to create and maintain an environment which prevents SEAH and to act with tolerance, sensitivity and respect for diversity. They have the obligation to ensure that they do not engage in, condone or tolerate behaviour that would constitute sexual exploitation, abuse or harassment.

Governing bodies, Safeguarding Officers and managers at all levels have particular responsibilities to support and develop systems which maintain this environment, including staff training and awareness raising for project participants on their rights. They must also ensure that effective reporting mechanisms are in place to raise concerns and that timely, confidential, and effective investigation, assistance and support are provided to survivors.

The following internationally recognised core principles underpin and inform ERD's approach on PSEAH:

1. Sexual exploitation and abuse by project personnel constitute acts of gross misconduct and are grounds for termination of employment.
2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence.
3. Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited. This includes exchange of assistance that is due to beneficiaries.
4. Any sexual relationship between project personnel and beneficiaries or other vulnerable members of the local community, that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of development work.
5. Where any project personnel develops concerns or suspicions regarding sexual abuse or exploitation, whether in the same project or not, they must report such concerns via established reporting mechanisms.
6. All Project personnel are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their Code of Conduct. Safeguarding Officers and managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

Adapted from Inter-Agency Standing Committee Six Core Principles Relating to Sexual Exploitation and Abuse.

Sexual Harassment

Sexual harassment is an abuse of power which occurs between project personnel in the workplace or in connection with work. Sexual harassment is defined as any unwelcome or unwanted conduct of a sexual nature that might **reasonably be expected or perceived** to cause offense or humiliation. It typically involves a pattern of conduct, but even a single incident may be considered as sexual harassment. When determining whether sexual harassment has taken place, it is important to view the conduct **from the perspective of the person who is the target**, rather than from the stated intent of the perpetrator, when assessing the *reasonableness of expectations or perceptions*.

Although sexual harassment incidents mainly involve male perpetrators and female victims, this is not always the case. Sexual harassment can occur between personnel of the same or opposite sex and victims and perpetrators can be of any gender.

ERD believes that all project personnel must be treated with dignity and respect. ERD has zero tolerance for sexual harassment in any ERD-funded workplace. To ensure that all project personnel understand how to behave towards each other and what behaviour is inappropriate, they must be trained and regularly briefed on the Code of Conduct and rules of behaviour in the workplace. Personnel must also be trained on their responsibility to report suspected or observed breaches of this policy and on how to report such complaints or concerns. Posters should be displayed in all workplaces to remind personnel of the Code of Conduct.



POLICY REQUIREMENT

Project governing bodies must ensure that **all project personnel are made aware of the Code of Conduct and the rules** which apply at all times to their behaviour, both on and offline, when working with children and adults at risk.

All projects and activities must be assessed for safeguarding risks. Specific consideration must be given to managing safeguarding risks when working with or coming into contact with children and with adults who are at greater risk of abuse due.

Project governing bodies must ensure that **all project personnel are made aware of their right to a safe and dignified work environment.**

Project personnel must be clear on **how they are expected to behave towards, and be treated by, colleagues** and how to report complaints or concerns.

Project personnel who witness sexual harassment **must report all incidents immediately.**

SECTION 3:

PROCEDURES TO KEEP PROJECT PARTICIPANTS SAFE

Leadership

Developing and maintaining a culture of safeguarding within a project is a continuous process. The tone needs to be set from the top. Strong leadership and positive role modelling are crucial for successful safeguarding strategies. In all ERD-funded development projects, Governing bodies and Heads of Development Projects are expected to demonstrate exemplary leadership in establishing a strong safeguarding culture, putting in place the necessary systems and monitoring their implementation.



Safeguarding Roles and Responsibilities

Ensuring effective safeguarding in projects is the responsibility of the governing body. However, all staff members have a role to play. A Safeguarding Officer, with specific safeguarding responsibilities as outlined below, must be appointed.

Responsibilities of all Project Personnel

- Sign the relevant Safeguarding Code of Conduct and Self-declaration form.
- Be familiar with and adhere to, the contents of the Safeguarding and PSEAH Policy(ies) and the Safeguarding Code of Conduct.
- Attend safeguarding training every year.
- Be continuously alert for and aware of, potential risks to project participants and report these to the Safeguarding Officer.
- Immediately report any witnessed, suspected or alleged incidents of abuse to the Safeguarding Officer.

Safeguarding Officers' Responsibilities

- Continuously identify and assess potential safeguarding and SEAH risks for all project participants, and put in place appropriate measures to manage these risks.
- Create and update the Safeguarding and PSEAH Policy(ies).
- Monitor compliance with the Safeguarding and PSEAH Policy(ies).
- Safeguarding officer or delegate must be available at all times to respond to any safeguarding queries, reports or issues.
- Nominate a delegate who will be responsible for covering the Safeguarding Officer responsibilities when the Safeguarding Officer is absent for any reason. Ensure all project personnel are aware of who the nominated person is and how to contact them.
- Provide annual safeguarding training for all project personnel and promote regular team discussions on safeguarding.
- Ensure beneficiaries and other project participants are aware of the project commitment to safeguarding, their rights and how to report any concerns.
- Publicly display child-friendly and locally understandable safeguarding posters which include details on how to report witnessed, suspected or alleged incident.
- Report and follow up on any witnessed suspected or alleged incidents of abuse in accordance with the Safeguarding and PSEAH Policy(ies).
- Comply with the agreed ongoing monitoring requirements and report any risks or concerns to project management or the governing body.



POLICY REQUIREMENT

Governing bodies are responsible for ensuring that all personnel and Safeguarding Officers comply with their safeguarding responsibilities.

Safe Employment Procedures

Safe recruitment, selection and screening practices are central to safeguarding project participants. The following safe employment procedures must be applied when engaging project personnel in ERD-funded development projects:

IDENTIFICATION OF CANDIDATES

- All new positions must be assessed for potential safeguarding risks.
- Comprehensive job descriptions that include safeguarding requirements must be provided for all positions (including for volunteers).
- Commitment to safeguarding must be clearly stated in all relevant communication materials, job advertisements, job descriptions, terms of reference and contracts.
- When applying for a position, applicants must show proof of their identity with original documents. They must submit a detailed work history including comprehensive information about their background, employment, education and other activities.

BACKGROUND CHECKS

- Stringent screening processes must be carried out for all potential employees/volunteers. This includes a minimum of two reference checks, one of whom must be the candidate's most recent employer/supervisor.
- Verbal contact must be made with each of the referees. Specific questions on safeguarding and suitability to work with children / adults at risk must be asked. The feedback must be documented in the personnel file. Unverified written references cannot be accepted.
- Applicants may be required to undergo a police clearance or relevant criminal history check depending on the country of work³.

INTERVIEW

- All short-listed job applicants (voluntary or paid) must be provided with the project-specific safeguarding and PSEAH policy(ies) and be made aware of screening requirements.
- Interviews must be conducted for all positions. Applicants must be asked value-based questions to determine their attitudes towards project participants, professional boundaries, accountability, teamwork and capacity to respond to ethical dilemmas.
- Where relevant, applicants should be asked to provide examples of their past experiences working with project participants, especially children or adults at risk.

AFTER APPOINTMENT

- All new recruits must undergo a monitored probationary period to assess their suitability.
- All staff must be briefed on safeguarding, read the project-specific Safeguarding and PSEAH Policy (ies) and, sign the Safeguarding Code of Conduct and Self-declaration form (examples available in [Appendices 1 & 2](#)).
- Review of issues relevant to safeguarding must be incorporated in staff performance reviews.

³. Obtaining police clearances for project personnel is considered best practice and is mandatory in many countries. However, the availability and time taken to obtain these documents can vary. While every effort should be made to complete this screening for project personnel, it may not be practical to delay appointments until the clearance document is available.

Code of Conduct

To ensure the highest standards of ethics and behaviour, all project personnel are expected to demonstrate personal integrity and live the values and behaviours that underpin our work. Each ERD-funded development project is required to have a project-specific Code of Conduct which clearly outlines the organisational values and rules of behaviour for personnel. Specific rules and behaviours are required when working with children and adults at risk. An example of a Code of Conduct is attached in **Appendix 1**. All project personnel are expected to understand and adhere to the Code of Conduct. A signed copy of the Code of Conduct and Self-declaration form must be annexed to all employment contracts and volunteer agreements.

Safeguarding Training

New personnel must receive training in the Safeguarding and PSEAH policies and procedures on appointment. Care must be taken to ensure that the content is clearly understood. Training for all project personnel must be provided at least annually, in line with the project-specific safeguarding policy. By regularly discussing safeguarding in project team meetings and activity planning, awareness will be maintained and personnel will be more likely to identify safeguarding risks and / or voice concerns.

Safeguarding Awareness

Raising awareness on safeguarding is a key element for the prevention of abuse. Project participants must understand the project's commitment to safeguarding; their right to be safe and treated with dignity; the way project personnel should behave and; how to raise any concerns they have. Awareness-raising tools and information campaigns must be appropriate and relevant to the age, language and capacity of project participants. All project personnel and project participants must have access to and understand this information.

Project participants must be consulted when designing and reviewing safeguarding policies and procedures to ensure they are appropriate and accessible. Care needs to be taken to use simple language that participants can understand. Every project location must have safeguarding posters on display which clearly state the project's zero tolerance for any form of abuse or exploitation and the reporting channels for concerns or complaints. **Appendix 3** is a template which can be adapted for this purpose.

Safeguarding Risk Assessments

ERD recognises that there are a number of potential safeguarding risks in the delivery of any development project. Identifying and planning for the management and mitigation of these risks is a critical element of robust safeguarding practice.

- Project personnel are expected to be continually aware of potential risks to project participants and actively minimise situations where harm can occur.
- Governing bodies are required to conduct a safeguarding risk assessment on every new project and to monitor project risks on an ongoing basis.
- Project teams must complete safeguarding risk assessments for all new activities, trips or events which involve project participants.

- Sample project and activity risk assessment templates are included in **Appendices 4.2 & 4.1**.
- A safeguarding risk assessment must also be completed when planning for activities such as construction work. Even though construction workers will not directly work with project participants, their presence at project sites could potentially pose safeguarding risks and must be managed.

Contractors and Consultants

Anyone who is contracted to work on an ERD-funded development project must be briefed, understand, and sign a safeguarding policy declaration. This is a requirement if their work enables them to engage with or have access to project participants at any level, irrespective of whether the work they have been contracted to do directly involves the project participants.

Visitors

All visitors to ERD-funded development projects, including funders, supporters, journalists and local government officials, must be briefed on the project's safeguarding rules and standards, including those regarding taking photographs. They must be accompanied at all times by a project staff member and never left alone with a project participant. For the protection of project participants and visitors and to avoid any misunderstandings, visitors must be advised that any future contact with project participants (including via social media) must be made through the project office.

Partner Organisations

The governing body of ERD-funded projects that partner with other organisations such as NGOs, local authorities, academic institutions, community organisations, etc. must ensure that these partner organisations commit to uphold the project's safeguarding policies and procedures. This must be specifically stated in any contractual agreements or Memorandum of Understanding (MOU) signed between the two parties.



POLICY REQUIREMENT

ERD-funded development projects must have safe employment practices in place and governing bodies are responsible for ensuring compliance.

All project personnel must understand the Code of Conduct and sign their commitment to adhere to the rules of behaviour therein. All project personnel must read and agree to adhere to the Code of Conduct. They must sign this document.

Annual participation in appropriately designed safeguarding training is obligatory for all project personnel and must be documented in personnel files.

Contractual agreements or Memorandum of Understanding (MOU) signed with contractors and /or partner organisations must specifically state the requirement to uphold the ERD-funded development project's safeguarding policies and procedures.

SECTION 4:

ERD'S SAFEGUARDING REQUIREMENTS FOR DEVELOPMENT PROJECTS

Project-Specific Safeguarding and PSEAH Policies

All development projects receiving funding from ERD must have project-specific Safeguarding and PSEAH Policies and procedures. These policies must:

- Be compliant with ERD's Safeguarding and PSEAH Policy and all relevant national legislation;
- Be approved and signed by the project's governing Body;
- Be reviewed and updated every three years;
- Include definitions of abuse, exploitation and harassment;
- Include procedures for recruitment and training of project personnel;
- Include a Safeguarding Code of Conduct and Self-declaration form; (See templates in **Appendices 1 & 2**)
- Include procedures for assessing safeguarding risks in projects and activities;
- Include procedures for raising awareness and dissemination of the policy to project participants;
- Have specific procedures on reporting (preferably illustrated with a flowchart) and include a reporting form;
- Include contact details for the appropriate local support services and statutory bodies;
- Include annual monitoring requirements;

The design and implementation of the safeguarding policy, should include the inputs of project participants, including children and adults at risk. Any changes or updates to the project's policy must be communicated to ERD.

Safeguarding Monitoring

Monitoring by the governing body of ERD-funded projects

The governing body is responsible for monitoring safeguarding in all ERD-funded projects. Written reports of all monitoring visits must be produced and available for review.

ERD requires the governing bodies to complete and report on the following monitoring tasks:

| | |
|---|--|
| HISTORICAL SAFEGUARDING ISSUES LOG | <p>This document provides details of any safeguarding issues or incidents that occur or have occurred within the project in the last 5 years. It includes a brief overview of what happened and how it was dealt with. See Appendix 9 for template.</p> <p>The log must be completed, signed by the governing body and submitted at contract stage to enable ERD to assess how safeguarding is addressed within the project. It must be updated and shared with ERD annually.</p> |
| REPORTING | <p>As part of reporting, ERD must be provided with an update on safeguarding within the project.</p> |
| ANNUAL SG AND PSEAH POLICY AND PROCEDURES REVIEW | <p>The governing body must ensure that a participatory review of the project safeguarding and PSEAH policy and procedures is completed annually. Using the ERD Project Safeguarding Capacity & Risk Assessment Framework (see Appendix 12), this review should involve as many project team members as possible. An action plan must be created to address any gaps identified. The completed assessment and action plan, signed by the Governing Body must be forwarded to ERD as outlined in the Reporting schedule.</p> <p>A formal review and updating of Safeguarding and PSEAH policies and procedures should be completed and signed off by the governing body every three years.</p> |
| STANDING AGENDA ITEM | <p>Safeguarding should be a standing agenda item at every governing body meeting. Any incidents, concerns or safeguarding initiatives should be discussed.</p> |
| MONITORING VISITS | <p>Heads of Development Projects and Safeguarding Officers should continually monitor safeguarding practice within the project and document the findings in the project records and Section 4 of the ERD Interim Report Form.</p> <p>At least once per year, a member of the governing body or their delegate, must conduct an in-person safeguarding monitoring visit to each ERD-funded development project. The governing body must provide feedback to the project team during and after the visit. A written monitoring report must be completed and stored in the project files.</p> <p>For projects in receipt of Misesan Cara funding, the Misesan Cara monitoring form in Appendix 6 must be completed during this visit. This report must be submitted to ERD with the end of year reports.</p> |

Monitoring by ERD

ERD monitors safeguarding compliance throughout the project cycle as follows:

| | |
|---|--|
| HISTORICAL SAFEGUARDING ISSUES LOG | <p>This log enables ERD to gain an understanding of safeguarding within a project throughout its life cycle. It must be updated and submitted annually alongside the project contract.</p> |
|---|--|

| | |
|---|--|
| REVIEW OF PROJECT-SPECIFIC SAFEGUARDING POLICIES | The ERD Safeguarding Officer will assess the Safeguarding Policy of each development project every three years. This will happen following the governing body's review and sign-off of the revised policy. Development projects will be considered eligible to apply for funding only if the project-specific policy is compliant with ERD's requirements. |
| REPORTS | ERD Safeguarding Officer will review all reports to gain an understanding of safeguarding training, incidents/concerns and safeguarding monitoring within a project. |
| REVIEW OF COMPLETED ANNUAL SG POLICY AND PROCEDURES REVIEW | ERD will review the project's completed safeguarding assessments and action plans annually to monitor progress with establishing and maintaining robust safeguarding systems within the projects. |
| MONITORING VISITS | <p>ERD personnel will periodically conduct in-person monitoring visits to ERD-funded development projects. Monitoring visits may take place without advance notice. ERD commits to providing feedback to the development project team and the governing body during and after the visit.</p> <p>Likewise, donors such as Misesan Cara may also carry out monitoring visits on any project they fund.</p> |



POLICY REQUIREMENT

The following documents and procedures must be in place and functioning to be eligible for funding:

1. Project-specific Safeguarding and PSEAH Policies which include at a minimum:

- Code of Conduct
- Safe recruitment procedures
- Safeguarding training of all personnel
- Safeguarding risk assessment procedures
- Safeguarding monitoring
- Safeguarding incident reporting procedures

2. Appointment of a Project Safeguarding Officer

3. Historical Safeguarding Issues Log

SECTION 5:

PROCEDURES FOR RECEIVING AND RESPONDING TO SAFEGUARDING COMPLAINTS AND CONCERNS

Receiving a Safeguarding Complaint

Mandatory Duty to Report

All project personnel have a mandatory duty to immediately report any suspected or witnessed incident of exploitation, abuse, inappropriate behaviour or breaches of this policy to the project Safeguarding Officer. This is regardless of whether the incident is internal or external to the project, or whether the information concerns current, recent or historical abuse. It is not the responsibility of the team member to investigate or determine if the abuse occurred. Failure to report will result in disciplinary action.

While project personnel are obliged to report safeguarding concerns, nothing in this policy should be read as compelling a team member who has been abused, or any other victim/survivor of abuse to disclose their own experiences against their wishes.

Responding to Disclosure by a Project Participant

When any project participant discloses abuse, they may be feeling afraid, guilty, ashamed, angry and powerless. The person to whom the disclosure is made, in turn, may feel a sense of outrage, disgust, sadness, anger and sometimes disbelief.

Any disclosure of abuse must be taken seriously. It is important to remain calm and in control and to reassure the complainant that they have done the right thing in reporting the abuse. Listen carefully to what the complainant wants to tell you. **Remember that it is not your role to conduct an investigation.** Beware of asking any leading questions as this may prejudice any subsequent investigation.

When a complainant discloses that they are being harmed, care and concern can be shown by:

- Listening carefully;
- Telling them you believe them;
- Telling them it is not their fault and they is not responsible for the abuse;
- Telling them you are glad they have told you.

It is not helpful to:

- Make promises you cannot keep, such as promising that you will not tell anyone;
- Push them into giving details of the abuse;
- Indiscriminately discuss the circumstances of the complainant with others not directly involved.

Try to obtain some basic details such as:

- Where the abuse is taking place: at school, home, work etc.;
- Whether it is currently occurring or did occur in the past;
- The name of the alleged perpetrator.

Complete the incident reporting form, recording the information received.

Immediately inform the Project Safeguarding Officer who will inform the governing body and determine how the complainant can be supported.

Convening the Governing Body Safeguarding Panel

The Project Safeguarding Officer must immediately inform the relevant person in their governing body that a safeguarding incident or concern has been reported. The Project Safeguarding Officer **must not carry out any further information gathering** unless instructed to by the governing body.

The governing body must immediately establish a Safeguarding Panel, which includes at least one person with safeguarding expertise. The role of the Safeguarding Panel is to:

- Ensure the alleged victim is safe and has received the necessary medical, legal and psychosocial support;
- Comply with all local statutory reporting requirements e.g. Police, Social welfare, in accordance with the project-specific policies and informed by national legislation;
- Inform ERD within 24 hours of becoming aware of the alleged incident/concern and keep ERD updated on status of case;
- Review the Safeguarding Incident Report Form and interview the person who received the complaint and the Project Safeguarding Officer;
- Gather more information as necessary to determine if a breach of the safeguarding policy has occurred and if further investigation is required;
- If the need for a full investigation of the case is indicated, develop the terms of reference, identify the expertise required, form the investigation committee and commission the investigation;
- Complete an assessment and mitigation plan for any individual or organisational risks associated with the complaint and /or subsequent investigation;
- Maintain confidentiality on the case, only informing those who need to know;
- Ensure accurate and comprehensive documentation of the allegation/report and any steps taken. These records must be securely maintained;

- If an investigation is undertaken, **the investigation committee must be unbiased and independent.** They must follow the principles of investigation (listed in **Appendix 8**);
- Once the investigation is completed, the safeguarding panel reviews the report and findings e.g. Allegation upheld, not upheld due to evidence that disproves the allegation, not upheld due to insufficient evidence to prove allegation;
- Decide on the next steps in relation to; (1) breach of safeguarding policy, (2) disciplinary procedures, (3) informing any other relevant donors, (4) reporting to any relevant professional conduct bodies;
- If disciplinary procedures and/or reporting to the statutory agencies is involved, the panel follows the procedures set out in their Safeguarding Policy. All actions taken are documented and copies of any reports submitted are stored in the case file;
- While maintaining confidentiality, all learning from the incident should be fed back into the project and the Safeguarding Policy and Procedures updated accordingly.

Protecting the Victim/Survivor

A survivor-centred approach must be adopted when responding to safeguarding violations. Once an allegation is made, there must be an immediate response that protects the victim/survivor from further potential abuse or victimisation. They may require medical assistance, psychosocial support, protection and / or legal assistance. Contacts for local referral services must be available in every project location.

Where possible and safe to do so, they should remain in their place of residence or relevant project location. Exceptions may be made where the victim/survivor is deemed to be at risk of victimisation by staff or peers as a result of the allegation, or is at risk of further abuse or intimidation by the alleged perpetrator. If the victim/survivor is in immediate danger of further abuse or harm, arrangements must be made for them to be moved to a safe place.

In the case of abuse or exploitation of adult project participants, the wishes of the victim/survivor must be respected when deciding on reporting to local authorities, removal to a place of safety, and/or the provision of medical and psychosocial assistance and support. However, in all cases, internal & ERD incident reporting procedures must be followed and clear documentation of steps and decisions maintained.

Response to the Alleged Perpetrator

The best interest of the victim/survivor may warrant the suspension of a staff member pending the outcome of the investigation. In the case of an ERD-funded project, ERD requires the governing body to advise the ERD Safeguarding Officer in writing of this course of action. Any staff member suspended in this manner must continue to receive full pay; this measure recognises that the staff member is entitled to a just process that does not pre-judge guilt or innocence. Any volunteers who are suspended should similarly receive reasonable reimbursement of costs.

The governing body has a responsibility to ensure that the alleged perpetrator, victim and the persons reporting and/or investigating the allegations are protected against all forms of retaliation.

Confidentiality

Confidentiality is a key principle of reporting and managing safeguarding concerns. All information regarding a safeguarding concern must only be shared with the designated Safeguarding Officer and relevant governing body. The names of people involved, and the details of the report must remain confidential. Information must only be released on a “need to know” basis, or when required by Irish or overseas law, or when a report to police or child protection authorities is made. All project personnel must be aware of the principle of confidentiality and that discussing cases or sharing information without authority, is prohibited and may result in disciplinary action.

When reporting to ERD, the names and identifying details of both the victim/survivor and alleged perpetrator **must not be shared**.

Record keeping

When an incident is reported, details must be recorded as soon as possible after speaking with the informant and before the end of that day. The form must be signed and dated. This form becomes the basis of a Case File, which includes a log of all actions taken, events and information received. Copies of any documents or written records in relation to the alleged incident must be kept in this file. It should be stored in a secure location such as a locked cabinet / drawer, or in password protected digital files with restricted access. Managing each case file is the responsibility of the Safeguarding Officer. In the case of ERD-funded projects, an abridged version with no identifying information of the individuals concerned, must be given to the ERD Safeguarding Panel. **All case files must be stored securely and retained indefinitely.**

Reporting a Safeguarding Incident to ERD

It is mandatory that any witnessed, suspected or alleged incident of abuse, exploitation or harassment is immediately reported to ERD and no later than 24 hours after the incident has been identified. This includes incidents which occur as a result of ERD-funded project activities or within a project site which receives ERD funding (irrespective of whether the individuals and activities concerned are directly funded or benefiting from ERD funding). Incidents may be current, recent or historical and concerns may relate to any project participant (child, adult at risk, staff member, or any other person involved with an ER development project). It is not the responsibility of project personnel to decide if exploitation or abuse has occurred. All concerns must be reported and failure to report could result in disciplinary action. ERD takes all concerns and reports of abuse seriously and will act on these reports immediately. We are committed to ensuring that all parties are treated fairly and the principles of natural justice are considered. We commit to handling all reports confidentially and without delay.

Procedure for reporting an Incident to ERD

The governing body must inform the ERD Safeguarding Officer or Chief Executive of the incident verbally or via email, and through the ERD Safeguarding Incident Report Form (**Appendix 7**), within 24 hours of it first being reported or as soon as possible thereafter. Reports should be submitted to either of the following people:

ERD Chief Executive: Fiona Dowling
Email: fdowling@edmundrice.org
Phone: +353 86 818 6107

ERD Safeguarding Officer: Naidi McDonnell
Email: naidi@edmundricedevelopment.org
Phone: +353 87 393 2971

The governing body must update ERD as further information becomes available – see sections 2 and 3 of the ERD Safeguarding Incident Report Form.



Response by ERD to Reported Incident – The ERD Safeguarding Panel

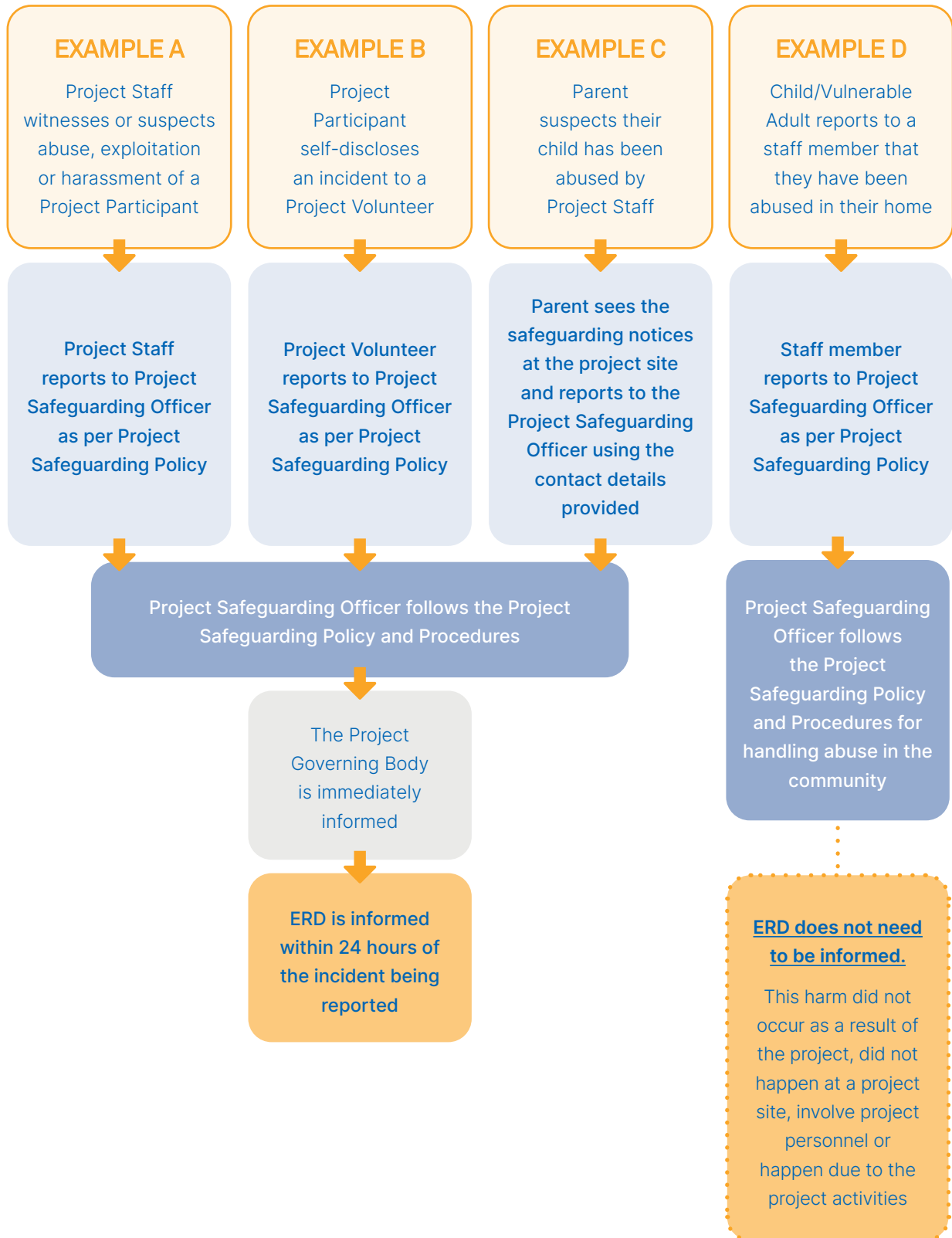
An ERD Safeguarding Panel will be formed and will include the ERD CE, ERD Safeguarding Officer, ERD Board Chairperson and the ERD Board Safeguarding Representative. The panel will engage with the project governing body and relevant Safeguarding Officers to discuss the incident.

The panel will:

- Assess the information around the alleged incident that has been provided to ERD by the governing body. If additional information is required, the specific request and timeline will be communicated to the governing body;
- Determine if adequate steps have been taken by the governing body that meet ERD's Safeguarding policy and Donor reporting requirements;
- Inform relevant Donors of the incident;
- Decide status of funding and next steps.

Depending on the nature and circumstances of the case, ERD will inform the appropriate local and Irish authorities, including the Irish Charity Commissioners, to ensure the protection of all programme participants and the transparency of our safeguarding processes.

Examples of Reporting Pathways for Safeguarding Incidents



SECTION 6: IMAGE AND VIDEO FOOTAGE OF PROJECT PARTICIPANTS

Photographs and video footage of project participants are powerful tools for communicating the work of development projects. However, these images must be collected and utilised in an ethical manner, with the informed consent of the subjects and portraying people in a dignified, positive and respectful way.

ERD complies with the '**Dóchas Guide to Ethical Communications**'. The guiding principles of the Code stipulate that use of images and messages will be made based on the four principles of:

- Authentic representation
- Contributor-led stories and locally-led content development
- Informed consent
- Upholding standards and doing no harm

Prior to interviewing and /or taking photographs or video of a project participant, details of how and where the information/image/video will be used must be shared. Their informed consent must be obtained and an Image & Story Use Consent form must be completed (see **Appendix 11**). In the case of a child or adult who is unable to give informed consent, permission must be sought from their family prior to the image/video being taken.

Where possible, information which identifies the name and location of the photo subject should be removed, especially if the subject is a child or adult at risk.



POLICY REQUIREMENT

- **All projects funded by ERD must also comply with the Dóchas Guide to Ethical Communications.**
- **An Edmund Rice Missions Consent form must be completed prior to capturing images or video footage of project participants.**

SECTION 7: PARTICIPATION IN DEVELOPMENT OF SAFEGUARDING POLICIES

ERD-funded development projects must involve project participants in the development and review of their project-specific safeguarding policies. Project participants should also have opportunity to input into the Safeguarding Code of Conduct and their feedback should help to inform what is considered to be appropriate and inappropriate behaviours.

SECTION 8: SAFEGUARDING AND PSEAH POLICY ROLL-OUT

ERD is committed to educating ERD and project personnel on our Safeguarding and PSEAH Policy for Development Projects and how to create a safe environment and reduce risks. This policy and any of its future revisions will be rolled out in collaboration with ER governing bodies. It is the responsibility of the governing body to ensure that all aspects of the policy are clearly understood by project personnel of all ERD-funded development projects.

SECTION 9: ERD POLICY REVIEW

The ERD Safeguarding and PSEAH Policy for Development Projects will be reviewed every three years, or sooner if necessary. The ERD Safeguarding Officer will manage the review of this policy, in consultation with ERD personnel and Board. The governors and staff of the projects with whom we work will be consulted to assist in this process. Any changes made to this Policy must be approved by the ERD Board and will be communicated to ERD-funded development projects.

Appendices

The following Appendices are available as separate attachments.

Appendix 1: Example of Safeguarding Code of Conduct

Appendix 2: Example of Safeguarding Self-Declaration and Agreement

Appendix 3: Template for Public Display

Appendix 4.1: Project Safeguarding Risk Assessment Template

Appendix 4.2: Activity Safeguarding Risk Assessment Template

Appendix 5: Interim Narrative Report Form

Appendix 6: Misean Cara Safeguarding Monitoring Form

Appendix 7: Safeguarding Incident Reporting Form

Appendix 8: Principles of Investigation

Appendix 9: Historical Safeguarding Issues Log

Appendix 10: Dóchas Guide to Ethical Communications

Appendix 11: Image & Story Use Consent Guidelines and Form

Appendix 12: Safeguarding and PSEAH Capacity Assessment Framework for development projects funded by ERD

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