

404 TFDE Child and Vulnerable Adult Safeguarding Policy

Organizational Scope

This policy applies to all Tearfund Germany (TFDE) employees, volunteers, consultants, and board members. Implementing partners who do not have an equivalent policy of their own, must commit to adhere to this policy. Visitors to TFDE programs are required to abide by this policy.

Policy Content and Guidelines

TFDE is committed to implementing and maintaining a Safeguarding Policy for children and vulnerable adults that minimizes risks, protects them from harm, and promotes a safe and healthy environment for them to develop and flourish.

This policy is designed to provide guidance for TFDE staff and partners to:

- Prevent abuse and promote best practices of safeguarding in TFDE operations,
- Prevent opportunity for abusers to infiltrate and perpetrate within TFDE programs,
- Protect the reputation and future operations of TFDE.
- This policy is part of a package of related policies including Prevention of Sexual Exploitation and Abuse, Code of Conduct, and Whistle Blower policies.

Principles

As a Christian humanitarian aid organization, TFDE bases this Safeguarding Policy on an understanding that all people are created and cared for by God, especially children and the most vulnerable among us, and we are called to care for “the least of these” as our priority.

This policy is also based on TFDE’s affirmation of the United Nations Convention for the Rights of Children (UNCRC), the Convention on the Rights of Persons with Disabilities (UNCRPD), the UN Statement of Commitment on Eliminating Sexual Exploitation and Abuse, and the child protection and vulnerable adults’ legislation of the German Criminal Code. TFDE also commits to adhere to related local laws and customs that facilitate safeguarding in areas of operations.

All personnel are required to uphold this policy and to immediately report any violations of it. TFDE has a duty to ensure that allegations of violations of this policy are investigated and that appropriate disciplinary measures are taken. Acts in violations of this policy will result in disciplinary action, up to and including removal from duties, dismissal from roles, and termination of employment.

This policy affirms TFDE’s commitment that:

- It is the right of all children and adults to be protected from harm and be treated with the utmost respect, dignity, sensitivity, and fairness. This applies regardless of race, gender, age, religion, disability, sexual orientation, social background, or culture.
- All actions on safeguarding give first consideration to best interests of the child or vulnerable adult.
- TFDE as an organization, and each individual associated with WRG, has a duty to safeguard children and vulnerable adults in any context that they are encountered.
- TFDE is responsible to help its local and international partners meet the minimum requirements on safeguarding.

Definitions

Safeguarding: Safeguarding is the responsibility of TFDE to ensure that staff, operations, and programs do not expose children and vulnerable adults to the risk of harm and abuse, and that any concerns about potential, observed or reported harm is recorded, reported to the appropriate authorities and addressed in a preventative and restorative process.

Child: Any person below the age of 18, regardless of national laws or cultural practices that may be less restrictive.

Vulnerable Adult: Any person aged 18 or over who:

- Has special needs for care and support and may be at risk of abuse by another person in a position of trust or authority,
- Is dependent on others for the provision of basic services because of their context and are vulnerable to exploitation or abuse as a result of their status or their lack of power and control,
- Is in a relationship (employment or social/cultural) with another adult who seeks to misuse their position of authority or trust to control, coerce, manipulate or dominate them.

Harm:

“Do no harm” refers to TFDE’s responsibility to be aware of and minimize the harm that may be done inadvertently as a result of our operations.

Commercial exploitation: engaging a child or vulnerable adult in voluntary or forced labor or other activities for the benefit of others and to the detriment of the victim’s physical or mental health, or social-emotional development.

Emotional abuse: verbal or other non-physical actions that negatively impact the mental wellbeing of children and vulnerable adults, including degrading, humiliating, bullying, threatening, frightening, ridiculing or other hostile behavior.

Neglect and negligent treatment: a persistent failure to apply available resources to meet basic physical and /or psychological needs of children and vulnerable adults, which is likely to result in serious impairment of their physical, spiritual, moral and mental development. It includes the failure to properly supervise and protect from harm while implementing programs.

Physical abuse: bodily harm that negatively affects the physical wellbeing of the person including striking, shaking, poisoning, burning, drowning, confinement, forcing to be in an unsafe environment or preventing access to basic needs.

Sexual abuse: forcing or enticing children or vulnerable adults to take part in sexual activities that they do not fully understand or have little choice in consenting to. This may include verbal sexual comments and requests for sexual favors, touching, kissing, fondling, masturbation, oral sex, intercourse, or rape. It may also include producing sexual images, watching sexual images or activities, and encouraging inappropriate sexual behavior.

Sexual exploitation: involving children or vulnerable adults in any sexual activity in exchange for money, gifts, affection, status, or anything else that they or their family needs. It usually involves taking advantage of an imbalance of power or gaining trust and then manipulating or coercing a victim who has limited options to resist. It is a form of abuse that can be misunderstood by the victim as consensual. It may also involve the trafficking of victims to engage in sexual activity for the financial gain of the perpetrator.

Spiritual abuse: As a faith-based organization, TFDE also recognizes abuse which threatens or damages a person’s relationship with God or diminishes their understanding of favor in God’s eyes. This includes exerting inappropriate pressure or influence on a child or vulnerable adult when they are unable to understand or respond to it, discrimination based on their religion, sect or denomination, criticism regarding the practice of religion, and coercive use of religious institutions or spiritual authority.

Safeguarding Policy Implementation

Risk assessment/mitigation: TFDE will include an assessment of the risk of harm to children and vulnerable adults as a part of its risk assessment of programs and project activities. Risk mitigation for children and vulnerable adults will be incorporated into the design, delivery and evaluation of all programs.

Safe recruitment: TFDE will include safeguarding vetting in its recruitment of staff, volunteers and consultants. Checking evidence of identity and the authenticity of qualifications as well as requesting self-declarations about previous convictions are included in all cases. Protection checks, such as investigation of previous convictions or police checks may be included as part of the recruitment process. A minimum of at least two references are required for all employees.

Behavior protocols / code of conduct: TFDE will strive to create a culture of program and practice that promotes and models healthy, safe, and affirming attitudes and actions toward children and vulnerable adults. TFDE holds all staff and associates to a high standard of personal and professional conduct. All employees are required to read and sign their understanding and commitment to TFDE's code of conduct, including this Safeguarding Policy. Partner organizations are also asked to sign their commitment to the NGO Code of Conduct and TFDE's Safeguarding Policy. Specifically, TFDE staff and partners commit to:

- Not engage in any activity that results in harm as defined above.
- Create a safe and open environment where it is understood that voicing concerns will not affect the services that are provided by TFDE.
- Follow the "two adult rule" with two or more adults present and supervising all activities with children and vulnerable adults. In situations where this is not possible, find suitable alternatives such as seeking assistance from community members.
- Avoid circumstances of being alone with a child during or outside of work.
- Practice "Appropriate Touch". Where it is appropriate, express warmth and acceptance through touch as well as words but avoid full body contact and excessive/suggestive hugging and touching. Respect boundaries set by a child and ask permission if it is not clear what is appropriate.
- Avoid giving excessive attention or showing favoritism to one child. Do not give false expectations and only promise what is appropriate to offer and can be delivered.
- Exercise particular vigilance engaging with children and vulnerable adults in high risk circumstances such as in emergency situations, severe disabilities, separation from a parent or adult caregiver and homeless,
- Obtain informed consent from a parent or adult guardian before taking photos or video or obtaining quotes from children and vulnerable adults.
- Comply with local laws about child labor and labor exploitation. Do not hire children for any work which is inappropriate for their age, which prevents their education or play, or which places them at high risk of injury. Mistaken belief in the age of the child is not a defense.
- Do not commit any sexual act with a child (up to age of 18), including paying for sexual services or acts. Mistaken belief in the age of a child is not a defense.
- Do not access or create sexually abusive images of children, or use computers, mobile phones, video or digital cameras or any other technology to exploit or harass children.
- Abide by TFDE's Prevention of Sexual Exploitation and Abuse policy.
- Immediately report concerns or allegations of harm or risk of harm, and policy non-compliance as well as disclosure of charges, convictions and other outcomes of an offence, following the reporting procedures outlined below. This is an obligation for any signatory to this policy.

This is not an exhaustive or exclusive list. The principle is that all TFDE staff, volunteers, visitors, and partners, should avoid actions or behavior that undermine the dignity and basic rights of a child or vulnerable adult or could be potentially abusive.

Education / training: In addition to reading and signing the policies, staff and partners of TFDE, especially those regularly engaged in working with children and vulnerable adults, receive protection and safeguarding training to help them understand safeguarding in their particular context and to be fully aware of the implications of failure to protect as well as the procedures for reporting concerns.

Children, vulnerable adults and their families will be sensitively informed about the principles of safeguarding and TFDE's commitment to it. This includes providing information about the steps to take if they have concerns about a program or person who is creating a risk or causing harm, along with information about who they can safely contact to relay those concerns.

Communications: TFDE is committed to maintain the protection, respect and dignity of our beneficiaries in our portrayal of children, families and their communities. This is applicable to any publication and to any TFDE activity on Social Media. Please refer to the TFDE "Use of Images and Messaging Policy" for further guidelines and details about TFDE procedures.

Legal Obligations: TFDE is bound to report any legal violations to the appropriate authorities, expediently in a way that protects the safety of the victim and will cooperate with local authorities in case of prosecution.

Responsibilities: TFDE has assigned the executive board member in charge of HR at the International Office to be the Safeguarding Focal Point person responsible to ensure the policy is implemented throughout the whole organization. Country Representatives or their designates are assigned as the Safeguarding Focal Point person at each field office.

Reporting and Responding to Concerns

TFDE staff and partners are responsible to immediately report concerns or allegations of harm or risk of harm, and policy non-compliance following regular reporting processes or anonymously following the TFDE Whistle Blower Policy. In addition, TFDE will invite beneficiaries and beneficiary communities to report observations of abuse. When abuse is reported:

- Receive disclosures with sensitivity and attention not to retraumatize the victim in handling the report
- Listen and accept what the person says but do not press for information.
- Record carefully what you have heard.
- Take all reports of abuse seriously.
- Take care to protect the identity of the one reporting the abuse. Treat the information as confidentiality and share only on a 'need to know' basis.
- Let the person know what you are going to do next and that you will let them know what happens.
- Do not investigate and do not inform, question or confront the alleged abuser.
- Report the alleged abuse or concern to the Safeguarding Focal person within 48 hours of receiving the report.
- Follow up the concern with the TFDE Safeguarding Focal person at IO if response is delayed or denied.

It is the responsibility of the Safeguarding Focal person to initiate a full investigation into the alleged violation and notify the IO Safeguarding Focal person of the occurrence. The Safeguarding Focal person will lead the investigation effort, taking care to treat both the victim(s) and the alleged perpetrator(s) with respect and dignity. When allegations involve employees, the IO HR officer will be involved in the investigation and in disciplinary action or dismissal as necessary on conclusion of the investigation.

Monitoring and Review

Reports of abuse or safeguarding concerns are incorporated into TFDE’s risk register and quarterly reporting process. The executive board will review the risk register to ensure that safeguarding measures are in place and effective.

This policy will be reviewed every 2 years or when additional issues need to be addressed through this policy.

References

Safeguarding and Protection Policy documents from Tearfund UK and World Relief US were used with permission as templates in drafting this document.

Approval Dates

This policy was updated / approved on: **04 September 2018**
 This policy will be reevaluated on: **Q4 2020**

Policy Contact Person

Executive Board Member – Safeguarding Focal Point, TFDE International Office, Berlin

Revision Log	
Date	Description
19 May 2020	Update due to name change, policy remains effective without changes
04 Sept 2018	Revised, brought into current format and approved
30 Jul 2018	Revised as Safeguarding Policy, including both child and vulnerable adult protection
22 Mar 2018	Policy updated with Logo and formatting
07 Jul 2017	Policy revised and adapted for WRG by WRG Jordan Team
01 Oct 2014	Updated with new logo and name
09 May 2010	Child Protection policy created