

# SAFEGUARDING POLICY

## 1. POLICY STATEMENT

TDI Sustainability (TDI) works in communities around the world, and many of the stakeholders that we engage with within our projects are often from marginalised or vulnerable groups. In addition, we are conscious that our work may impact on communities, therefore we are committed to identifying and minimising negative impact by ensuring that we engage responsibly with those communities and groups.

We believe everyone regardless of age, gender, disability or ethnic origin have a right to be protected from all forms of harm, abuse, neglect and exploitation. TDI will not tolerate the abuse of vulnerable parties.

This policy sets out firstly how the organisation will manage recruitment for job roles that involve working with vulnerable groups and how it will manage matters arising during employment where it is believed that vulnerable groups could be, or have been, placed at risk. It will also provide specific guidance on safeguarding issues with children and vulnerable adults.

The policy also explains the responsibilities of staff in relation to the safeguarding of vulnerable groups and the procedure that should be followed when reporting an allegation of abuse to any such individual.

## 2. PURPOSE AND SCOPE OF THIS POLICY

This policy applies to all members of staff engaged by the organisation. It is the responsibility of everyone working on behalf of the organisation to report any allegations of abuse.

All staff are required to adhere to this policy *at all times* and it applies irrespective of cultural 'norms' in the country they reside in, originate from or undertake work in.

Our policy is to:

- uphold the right of everyone to live free from abuse and the fear of abuse;
- undertake due diligence for each project to ensure the communities and people we engage with are not exposed to harm by the work that we do;
- liaise effectively with appropriate agencies and bodies regarding the reporting of abuse or suspected abuse;
- train our workforce to look out for abuse and ensure the risk of abuse or harm is minimised; and
- to ensure all staff have access to and are familiar with this policy and know their responsibilities within it.

## 3. WHO IS COVERED BY THIS POLICY?

This policy applies to those working at all levels and grades, including senior managers, officers, directors, employees, self-employed consultants, contractors, trainees, homeworkers, part-time and fixed-term employees (collectively referred to as **staff** in this policy).

#### **4. PERSONNEL RESPONSIBLE FOR IMPLEMENTATION OF THIS POLICY**

The Company Director(s) have overall responsibility for the operation of this policy. They will ensure that adequate resources are available for the effective implementation of this Policy

It is the responsibility of everyone working for or on behalf of the organisation to work within the organisation's safeguarding code of conduct.

#### **5. TDI SAFEGUARDING EXPECTATIONS AND CODE OF CONDUCT**

TDI expects that staff do not:

- have sexual relationships with children, which is anyone under the age of 18 years (or older if the local law indicates such);
  - engage in sexual activity with staff from its partners where this is an abuse of power; or
  - buy sex or engage in paid for sexual favours in the communities we work in
- and strictly prohibits such actions.

TDI expects that all staff:

- disclose any convictions (spent or unspent) or investigations that they are subject to, to the organisation; especially those related to sexual offences, or child/vulnerable adult abuse;
- familiarise themselves with this policy;
- seek support and clarity if they do not understand any points of this policy; and
- report any allegations of abuse in an appropriate and timely way.

Failure to meet any of these expectations is a breach of policy and could lead to disciplinary action being taken.

#### **6. RECRUITMENT**

We will make it clear to candidates when recruiting for a role that the work is likely to involve engaging with marginalised and vulnerable groups; and that candidates would therefore have a responsibility to adhere to this policy.

Our recruitment policy outlines our recruitment process and approach to vetting. It is the responsibility of recruiting managers to ensure that the policy is followed therefore making sure we meet appropriate recruitment standards and safeguarding steps during recruitment.

Our recruitment policy specifies that:

- Before we work with a candidate, we will require the candidate to provide a satisfactory Enhanced Disclosure with a relevant barred list check from the Disclosure and Barring Service, or to undertake an equivalent process in their home country. The purpose of this check is to confirm that the candidate is suitable to perform this work and is not barred from doing so.
- We will make any offer of work conditional upon satisfactory background checks, including satisfactory criminal record and barred list checks. We reserve the right not to work with a candidate where these conditions are not satisfied (see our Recruitment and vetting Policy for further details).

- Level of checks required will be determined on the job role being recruited for.

## 7. IF AN EXISTING STAFF MEMBER OBTAINS A CONVICTION OR IS ADDED TO A BARRED LIST

If a member of staff is added to a barred list or obtains a criminal conviction while working with us this may bring their suitability for continued work with us into question.

In such circumstances we would undertake a full investigation and the staff member may be subject to our disciplinary process. We reserve the right to re-deploy or dismiss where a continued working arrangement cannot be supported, or where continuing to be associated with the staff member in any capacity causes reputational damage to the company or other reasons that harm its position in the marketplace.

## 8. REPORTING ALLEGATIONS OF ABUSE

Staff must always be vigilant to risks of abuse towards the vulnerable groups that they work with. This may include behaviour from other members of staff and stakeholders.

Abuse is a violation of an individual's civil or human rights by another person. This can be a single act or multiple acts and it may occur in a variety of ways. Abuse of an individual may be verbal, physical or psychological. It may occur from a deliberate act or a failure to act.

Abuse may also occur when an individual is persuaded to do something that he or she has not consented to, or is unable to consent to, or where the individual is exploited by another person.

Abuse can include, but is not limited to, behaviours in the following groups:

- Physical – slapping, hitting, kicking, deliberately injuring, restraining
- Sexual – actual physical sexual abuse or harassment, sexual violence; or threats of such abuse
- Financial or material – withholding of money/wages/items, fraud, financial blackmail or exploitation
- Discriminatory- includes abuse based on an individual's race, gender, disability, faith, sexual orientation, or age; and other forms of harassment, slurs or similar treatment or hate crime/incident
- Neglect – failure to fulfil basic needs, failure to ensure an individual's safety or deliberately exposing them to harm, failing to act when it is appropriate to do so
- Emotional, psychological or mental abuse – lack of help, care, love, encouragement, being ridiculed, derided, intimidated or coerced, threats of abuse or harm
- Self-Neglect - includes a wide range of behaviours such as neglecting to care for one's own personal hygiene or health
- Domestic Abuse – Any form of abuse which is carried out in a domestic environment (i.e. by family)
- Control – Controlling or intimidating conduct

If you believe or suspect that a vulnerable individual has been subjected to abuse, you must refer the matter to your manager or Company Director immediately.

We will take all allegations of abuse seriously and where the suspected abuse is being perpetrated by a member of TDI staff appropriate investigation will take place. Where the suspected abuse is being carried out by a third party, an appropriate individual will be advised (e.g. senior manager within a third-party stakeholder organisation, or other local authority/social services equivalent as appropriate).

When reporting an allegation of abuse, it is important to provide as much detail as possible, including the name of the person who has been subjected to abuse, the nature of the abuse, the dates and times of any specific incidents and details of any evidence or other witnesses that may be available.

#### **9. INVESTIGATION**

We will investigate all complaints of alleged or suspected abuse by a member of our staff fully, in accordance with the disciplinary procedure or other appropriate procedure.

We may consider it necessary to inform the local Police or other relevant authorities of allegations under investigation.

#### **10. SUSPENSION**

We reserve the right to suspend employed members of staff on full pay pending investigation into an allegation of abuse and pending any resulting disciplinary proceedings.

#### **11. DISCIPLINARY ACTION**

Where we have reason to believe that an allegation of abuse by an employed member of staff has foundation, we will arrange a disciplinary meeting with the individual. This could result in a decision to take disciplinary action against the employee, up to and including dismissal.

Where we have reason to believe that an allegation of abuse by a non-employed member (i.e. a self-employed contractor or volunteer) has foundation we may end our working agreement with them with or without notice subject to the circumstances.

#### **12. DUTY TO REFER INFORMATION**

Where the employee is a UK National, we are legally required to refer certain information about an individual to the Disclosure and Barring Service.

This duty applies where:

- (a) An employee is dismissed because they have harmed, or may harm a child or adult;
- (b) we have suspended a member of staff and have reason to believe that they have engaged in relevant conduct or have harmed or may harm a child or adult or have received a caution or a conviction for a relevant criminal offence.; and
- (c) The staff member resigns in circumstances where there is a suspicion that they harmed, or may harm, a child or vulnerable adult. This may, for example, arise where an employee resigns before disciplinary action is taken by the organisation.

#### **13. SUPPORT FOR THOSE WHO REPORT ABUSE**

All those making a complaint or allegation or expressing concern should be reassured that:

- They will be taken seriously and that they will have alleged incidents recognised and taken seriously;

- Their comments will usually be treated confidentially, but their concerns may be shared with the appropriate authorities if they or the vulnerable parties are at significant risk;
- They will be involved in any process as appropriate; and
- They will receive information about the outcome as appropriate

#### **14. GUIDANCE FOR STAFF**

It is not your responsibility to decide whether an individual is being abused or not, but you must fulfil your obligation and requirements to act on any concerns by highlighting them on to your line manager or a Company Director

The notes below form guidance for staff if an individual makes a disclosure directly to them:

- If an individual makes a disclosure of abuse to you, do not dismiss or make light of the concerns being raised.
- Do not promise you will not tell anyone; explain that you may have to.
- Allow the individual to speak without interruption, accepting what is said.
- Do not investigate but record the individual's words in their language. Be supportive but only ask questions to identify what they are telling you. Do not ask leading questions.
- Do not pass judgment on the disclosure or those involved.
- Advise that you will try and help and support but you must pass this information on.
- Record all information as soon as possible and within 24 Hours. Make detailed notes of what you have seen/heard but do not delay in passing on the information.
- Under no circumstances 'gossip' about the information given to you. The information should only be shared with those involved in managing the situation.
- Do not jump to conclusions, speculate, make accusations or assumptions.

#### **15. SAFEGUARDING OF CHILDREN AND CHILD PROTECTION**

TDI will not tolerate the abuse of children in any form and recognises that children need specific protection. We also recognise that in the global communities we work with there may be a higher risk to children and therefore it is necessary to take additional child protection steps, and steps to avoid child sexual exploitation.

Safeguarding children is everyone's responsibility and failure to act on concerns relating to children is not an option.

For the purposes of this policy children are defined as those under the age of 18. This definition is recognised internationally as identifying a population who are particularly vulnerable and require additional safeguards to protect their rights. The definition of a child for the purposes of Safeguarding and child protection should not be confused with the legal definition of a child or age limits set out in other relevant laws. The fact that a person under the age of 18 may have reached the age of majority, age of sexual consent, voting age or such like does not alter their inherent vulnerability as a child.

The whole of this safeguarding policy applies to children, and in addition this section looks at other specific forms of abuse children may suffer from, and additional steps staff must take to ensure child safety.

### 15.1 CHILD ABUSE

Children are vulnerable to the types of abuse listed above in section 7 but can also be subject to specific harm or mistreatment which is generally categorised under the broader term 'child abuse'.

Child Abuse can be:

- Sexual: using a child for sexual stimulation or gratification.
- Emotional: behaviour which attacks a child's self-esteem.
- Sexual Exploitation: when children in exploitative situations or relationships receive something (such as gifts, money or affection) as a result of performing sexual activities or allowing others to perform sexual activities on them.

### 15.2 SAFEGUARDING STEPS SPECIFIC TO CHILDREN

TDI staff must never:

- Seek to make contact or spend time with any child with whom they come into contact with as part of their work for TDI; except as part of the designated activities set out in their role;
- Abuse their position to withhold work or give preferential treatment, gifts or payment of any kind to a child, or another person in relation to a child, in order to solicit any form of advantage or sexual favour from a child;
- Have sexual intercourse or participate in any form of sexual activity, including paying for sex, with any person under 18 years old or under the local age of sexual consent (where higher). This applies to all of TDI's staff regardless of the age of consent locally, and a mistaken belief in the age of the child is not a defence;
- Hit or otherwise physically assault a child irrespective of cultural norms, including as punishment;
- Behave physically in a manner with a child which is inappropriate or sexually provocative;
- Use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative or that is intended to shame, humiliate or emotionally abuse;
- Use computers, mobile phones, video or digital cameras to exploit or harass children or to access child pornography through any medium;
- Recruit or allow the recruitment of children for any labour which is inappropriate to their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at risk of injury;
- Do things of a personal nature for a child with whom they come into contact as part of their work for TDI that the child can do for themselves (e.g. toileting, bathing, dressing);
- Share a bedroom with or sleep close to an unsupervised child or children who they are not related to;
- Visit a child's home alone or invite unaccompanied children into their own accommodation who they are not related to;
- Put a child at risk of harm through inaction (including failure to report a concern);
- Condone or participate in any child related activity which is illegal, exploitative, unsafe or abusive; this includes behaviour by other children; or
- Act in any way that may be abusive or put a child at risk of abuse or exploitation.

TDI staff must always:

- Treat all children with respect regardless of their race, colour, gender, language, religion, opinions, nationality, ethnicity, social origin, property, disability or other status;
- Avoid being placed in a position where they are alone with a child or children with whom they come into contact as part of their work with TDI;
- Act professionally towards children they interact with in their role, following relevant laws pertaining to working with children, including those in relation to child labour; and
- Report any suspicion, allegation or witness of child abuse or other breaches of the Safeguarding Policy

## **16. SAFEGUARDING OF VULNERABLE ADULTS**

The whole of this safeguarding policy applies to vulnerable adults, and in addition this section looks at other specific forms of abuse vulnerable adults may suffer from.

A vulnerable adult is defined as a person aged 18 years and over who is, or may be, vulnerable to harm or serious exploitation by reason of mental health issues, learning or physical disability, sensory impairment, or being unable to protect themselves against significant harm or serious exploitation.

Examples of vulnerable adults may also include asylum seekers, those suffering from Domestic abuse and those suffering from substance addition.

Vulnerable adults are susceptible to the types of abuse listed above in section 7 but can also be subject to specific harm or mistreatment noted below:

- Physical – includes, but is not limited to misuse of medication, unlawful or inappropriate restraint and inappropriate physical sanctions.
- Sexual – unwanted sexual activity or behaviour that happens without consent or understanding
- Psychological – emotional abuse which causes distress, can be verbal and non-verbal.
- Financial and material – includes theft, fraud, exploitation and pressure in connection to wills, property, inheritance and financial transactions, or inciting an adult at risk to do any of these things on another individual's behalf; it may also involve the misuse or misappropriation of property, possessions and benefits of a vulnerable adult.

To ensure appropriate protection of vulnerable adults TDI's staff must implement the steps outlined in 15.2 for any vulnerable adults in the same way as they would for children.

TDI operates a zero-tolerance approach for sexual abuse, exploitation or harassment, both within and outside the workplace and working hours. Further details can be found in TDI's Anti-Harassment and Bullying Policy.

## **17. POLICY REVIEW**

This policy will be formally reviewed every 3 years unless an earlier review is necessary due to changes in legislation, or a need for significant update to reflect our working practices, or updated guidance.