



FSD AFRICA

PROCEDURES FOR DEALING WITH A SAFEGUARDING CONCERN

2nd Draft dated: 04 May 2020

Title	Procedures for handling a safeguarding case	
Owner	Human Resources Director	
Review date	1 year from date of operation and biennially thereafter	
Background	<p>There has been a significant increase in the efforts made by development organisations to ensure that no harm results from the contact their employees, volunteers and other representatives have, either directly or indirectly, with their target populations or communities. Considerable efforts have also been made to ensure no harm results to their employees and volunteers from within their organisation.</p> <p>Accordingly, FSD Africa has put in place various guidelines and procedures to safeguard employees, volunteers and associated persons from harm. At a Board meeting in March 2020, the Board recommended that a Safeguarding Policy be created to complement the underlying procedures.</p> <p>This document represents additional procedures to be used together with the Safeguarding Policy.</p>	
Reviews	COO	
Executive summary	<p>These procedures show how a safeguarding concern should be handled by FSD Africa. It lays out principles that ought to be followed in handling safeguarding incidences. It helps establish consistency and fairness in managing reported concerns. It provides assurance to external stakeholders that all reported concerns will be managed fairly and transparently.</p>	



PROCEDURE FOR DEALING WITH SAFEGUARDING REPORTS

Date of Review:	1 Year from date of operation and biennially thereafter)
Scope:	FSD Africa and its subsidiary FSD Africa investment staff
Owner	Human Resources Director
Confidentiality:	Confidential: FSD Africa and its subsidiary FSD Africa investment staff

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1. Purpose and scope

The purpose of this document is to provide procedures for dealing with reports of any breach of the FSD Africa Safeguarding Policy, where the safeguarding violation is:

- Against staff or members of the public
- Perpetrated by staff, partners or associated personnel

2. Principles of responding to the concern

The following principles govern how FSD Africa will respond to concerns:

1. Confidentiality – information will be shared only on a *need to know* basis
2. Transparency – the response will show a clear audit trail of decisions taken and activities done
3. Protection – actions will be taken to protect those involved.
4. Independence and objectivity – Personnel handling the concern will at all times assess potential conflict that may impair decision making

5. Report is received

Reports can reach the organisation through various routes. This may be in a structured format such as the whistleblowing hotline, a letter, e-mail, text or message on social media. It may also be in the form of informal discussion or rumour. If a staff member hears something in an informal discussion or chat that they think is a safeguarding concern, they should report this to the **Designated Safeguarding Officer** in FSD Africa **without delay**.

The Designated Safeguarding Officer on receiving the report should then document the following information, using the appropriate Incident Report Form:

- Name of person making the report
- Name(s) of alleged victim (s) of safeguarding incident(s) if different from above
- Name(s) of alleged perpetrator(s)
- Description of incident(s)
- Dates(s), times(s) and location(s) of incident

Inform the Human Resources Director as needed. The Human Resources Director will be involved in making strategic decisions regarding the incident. . Where risks increase escalation should be made up the line to the Chief Executive Officer. The Human Resource Director and the Designated safeguarding officer may consult with experts such as legal counsel as needed.

6. Assess how to proceed with the report

The Designated Safeguarding Officer will determine whether it is possible to take this report forward. In determining that, the designated safeguarding officer will consider the following questions:

- Does the reported incident(s) represent a breach of **FSD Africa** safeguarding policy?

- Is there sufficient information to follow up this report?
- If the reported incident does not represent a breach of **FSD Africa** Safeguarding Policy but represents a safeguarding risk to others (such as a child safeguarding incident), the report should be referred to the appropriate channels (local police/social services).
- If the report raises any concerns relating to children under the age of 18 the **Designated Safeguarding Officer** should seek expert advice immediately. If at any point in the process of responding to the report (for example during an investigation) it becomes apparent that anyone involved is a child under the age of 18 the **Designated Safeguarding Officer** should seek expert advice before proceeding.
- If the decision is made to take the report forward, ensure that you have the relevant expertise and capacity to manage a safeguarding case. **If you do not have this expertise in-house, seek immediate assistance**, through external capacity if necessary.
- Clarify what, how and with whom the information will be shared relating to this case. Confidentiality should be maintained at all times, and information shared on a **need-to-know** basis only. Decide which information needs to be shared with which stakeholder – information needs may be different.

7. Inform relevant authorities

It is the remit of external authorities (police) rather than anyone connected with the FSD Africa to investigate safeguarding concerns where it is suspected that a crime has been committed. All suspected criminal activity will be reported to the statutory authorities (police). Any reporting to external authorities has to be done through the Human Resources Director.

Check your obligations on informing other relevant bodies when you receive a safeguarding report. These include (but are not limited to):

- Funding organisations. For example, DFID makes it clear that reports ought to be made at the earliest possible opportunity.
- Umbrella bodies/networks
- Statutory bodies such as social services

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

8. Provide support to victim/ survivor where needed/requested

Provide appropriate support to victim(s) of safeguarding incidents. This should be provided as a duty of care even if the report has not yet been investigated. Support could include (but it is not limited to)

- Psychosocial care or counselling
- Medical assistance
- Protection or security assistance (for example being moved to a safe location)
- All decision making on support should be led by the victim/survivor.

9. Assess any protection or security risks to those involved

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

Continue to update the risk assessment and plan regularly throughout and after the case as required.

10. Decide on next steps

The Designated safeguarding officer decide the next steps. These could be (but are not limited to)

- a) No further action (for example if there is insufficient information to follow up, or the report refers to incidents outside the organisation's remit)
- b) An investigation is required to gather further information
- c) Immediate disciplinary action if no further information needed

11. Appoint an investigating officer

If not already done so appoint an investigating officer for the case. The investigating officer should be a senior staff member, not implicated or involved in the case in any way.

12. Manage investigation if required

Refer to the organisation's procedures for investigating breaches of the policy. If these do not cover safeguarding investigations, use external guidelines for investigating safeguarding reports, such as the CHS Alliance Guidelines for Investigations.

13. Make decisions on the outcome of the investigation report

Decisions relating to the Subject of Concern and staff conduct should be made in accordance with existing policies and procedures for staff misconduct.

If at this or any stage in the process criminal activity is suspected, the case should be immediately referred to the relevant authorities unless this may pose a risk to anyone involved in the case. In this case, the Designated Safeguarding Officer and the case stakeholders will need to decide how to proceed. This decision should be made bearing in mind a risk assessment of potential protection risks to all concerned, including the survivor and the Subject of Concern.

14. Referral to relevant authorities

If the report concerns associated personnel (for example contractors, consultants or suppliers), the decision-making process will be different. Although associated personnel are not staff members, we have a duty of care to protect anyone who comes into contact with any aspect of our programme from harm. We cannot follow disciplinary processes with individuals outside our organisation, however, decisions may be made for example to terminate a contract with a supplier or grantee based on the actions of their staff.

15. Conclude the case

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

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

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