

SAFEGUARDING POLICY



Midlands AIDS Caring Organisation

1. Policy Statement

Midlands AIDS Caring Organisation (MACO) places human dignity at the centre of its humanitarian and development work. At the heart of MACO's efforts to impact health, livelihoods and gender justice is its engagement with marginalised communities. MACO recognises the importance of organisational culture and accountability in creating a safe and supportive organisation for our staff, our partners and the communities with whom we work.

At MACO, we believe all people have a right to live their lives free from sexual harassment, exploitation and abuse, and that no child should be subjected to abuse of any form. We believe that sexual harassment, exploitation and abuse, and child abuse, are more likely to be exerted over particular groups of people due to inequalities and vulnerabilities, particularly those experienced by women, girls and children. MACO recognises that there is unequal power between MACO employees and volunteers/students and the people we partner and work with throughout our programs, and also between people within our organisation. We expect that our power will not be used to advantage ourselves or cause harm to others.

MACO recognises we have a responsibility to protect people we work with, and who work for us, and we will continuously strive to prevent sexual harassment, exploitation and abuse and child abuse from happening. We take seriously all reports of sexual harassment, exploitation and abuse, and child abuse. Our actions are informed by a survivor-centered approach which means that the needs and wishes of survivors guide our response that survivors are treated with dignity and respect, and the rights of survivors to privacy and support are prioritised.

MACO has a zero-tolerance approach toward sexual harassment, exploitation and abuse, and child abuse. MACO will fully examine allegations and investigate, and take appropriate disciplinary action where this is needed, taking into consideration the rights and interests of the survivor, consistent with our survivor-centered approach. We make very clear that sexual harassment, exploitation and abuse, and child abuse in any form, perpetrated by our staff, volunteers/students, towards anyone, will not be tolerated.

2. Scope of Application

This policy applies to all MACO employees, volunteers/students on attachment.

The policy applies both during, and outside, normal work hours. Actions taken by MACO employees and volunteers/students on attachment outside of working hours that are seen to contradict this policy will be seen as a violation of this policy.

Different considerations will arise regarding the enforcement of some of this policy and the principles for volunteers from communities with whom we work. While sexual exploitation and abuse and the misuse of humanitarian assistance will always be prohibited, as expressly set forth in this policy, discretion may need to be used in the application of the Safeguarding Code of Conduct regarding sexual relationships for this category of worker.

MACO's Safeguarding Code of Conduct. Last Updated and Approved: 19 February 2020 Effective from: 15 April 2020 Review date: 15 April 2022 MACO Safeguarding Policy 2 3. MACO's Safeguarding Commitment

3 Organisational Culture, Leadership and Accountability

MACO will make every effort to promote, create and maintain a safe organisational culture for all people who work for and with MACO, including our volunteers and the communities where MACO works. At all times, it is expected that MACO staff will promote MACO's safeguarding values by highlighting the organization's commitment to equality, diversity and respect for others. MACO will create an environment where it is safe to address sexual harassment, exploitation and abuse, and child abuse.

3.2 MACO will develop organization-specific safeguarding strategies, with appropriate levels of dedicated capacity and allocated resources at all levels of the organization, to prevent and respond to sexual harassment, exploitation and abuse, and child abuse

3.3 MACO will ensure high-level oversight and accountability around its safeguarding efforts. We will do this through monitoring and reviewing our safeguarding performance and seeking feedback from MACO staff, volunteers, and students on attachment, program participants and communities where MACO works, on the effectiveness of our safeguarding measures. We are committed to continuous learning and improvement to prevent and respond to sexual harassment, exploitation and abuse, and child abuse. We will be accountable and transparent in communicating our efforts and progress to various internal and external audiences, including MACO governance and leadership structures, staff, donors, partners, and communities. All information shared will be informed by a survivor-centered approach and risk assessment

3.4 MACO will seek to employ staff who are aligned with our vision, mission and values, and, in compliance with applicable laws, prevent known perpetrators of sexual harassment, exploitation and abuse and child abuse from being (re)hired or (re)deployed. We will incorporate appropriate job responsibilities in leadership, managers and other staff positions. Managers and supervisors will ensure

robust recruitment screening processes for all personnel, particularly for personnel who will have any direct or indirect contact with women, girls and children.

3.5 MACO will ensure all personnel are aware of our Safeguarding Policy, our expected behaviours and conduct, and how to report wrongdoing by incorporating MACO's expectations on the prevention of sexual harassment, exploitation and abuse, and child abuse in relevant codes of conduct, new employee orientations, awareness raising training and refresher courses, and through regular internal communications. This is going to be led by the Safeguarding Officer.

3.6 We will choose our partners based on their commitment to social justice and equality, their organisational values, and how they safeguard their staff and program participants, as well as on their suitability to deliver the work we require of them. Failure by partners to take preventive measures against sexual harassment, exploitation and abuse, and child abuse, to investigate and report allegations in a timely manner, or to take corrective actions when sexual harassment, exploitation or abuse, or child abuse has occurred, shall constitute grounds for MACO to terminate such agreements.

3.7 MACO will collaborate on safeguarding within the sector, including with communities, other organisations, donors, governments, global civil society networks and local partners, to advance our practices and contribute to wider efforts to prevent and respond to sexual harassment, exploitation and abuse, and child abuse.

3.8 MACO will undertake safeguarding risk assessments to identify areas of safeguarding and sexual harassment, exploitation, and abuse, and child abuse risks, and document steps that are being taken to remove or reduce these risks.

3.9 MACO will incorporate safeguarding measures into programs and throughout the project cycle. We aim to identify and mitigate, or minimise, risks arising from our programs.

3.10 MACO will ensure that multiple mechanisms for reporting sexual harassment, exploitation and abuse, and child abuse are accessible and sensitive to the differing needs of anyone wishing to report, including most at risk of sexual harassment, exploitation and abuse, and child abuse, the communities we work with, our volunteers/students on attachment, and MACO staff. We will raise community awareness on the expected behaviours of our staff, volunteers and students and on procedures of report. MACO will ensure that anyone responsible for receiving reports understands how to carry out their duties and handle them in a safe and confidential manner. We will be transparent with survivors around any obligations or actions that may need to be taken as a result of their report, including referral to third parties. All actions will be informed by an assessment of risk to all those involved.

Response and follow up to Reports

3.11 MACO will provide support and assistance to complainants and to anyone who has experienced sexual harassment, exploitation and abuse, or child abuse by MACO staff, volunteers and students on attachment. This may include medical treatment, legal assistance and psycho-social support. Our

support and assistance will be informed by a survivor-centered approach, feasibility, and an assessment of risk to all those involved.

3.12 MACO will take appropriate actions to the best of MACO's abilities to protect persons from retaliation where allegations of sexual harassment, exploitation and abuse, or child abuse involving MACO Employees or Related are reported in good faith.

3.13 MACO will ensure that all allegations of sexual harassment, exploitation and abuse, and child abuse by MACO staff, volunteers and students on attachment are thoroughly examined, risk-assessed, and where needed, investigated and/or referred to another agency for investigation or reported to law enforcement. MACO's investigations will be conducted in a timely, safe and professional manner by those with appropriate training and experience in sensitive investigations and informed by gender-sensitive and survivor-centered approaches. Investigations will include an assessment of risk to all those involved. We will collaborate with our partners to have the capacity to similarly investigate allegations of sexual harassment, exploitation and abuse, and child abuse by their staff.

3.14 MACO will take swift and appropriate action with any member of staff, volunteer, student on attachment who breach this policy by perpetrating sexual harassment, exploitation and abuse, and child abuse. This may include administrative or disciplinary action, legal action, and/or referral to the relevant authorities for appropriate action, including criminal prosecution, in the abuser's country of origin as well as the host country. All actions will be informed by a survivor-centered approach and an assessment of feasibility and risk to all those involved.

3.15 MACO sometimes engages community volunteers and incentive workers and recognises that in these circumstances there may be existing sexual relationships between such volunteers and incentive workers with other community members and program participants, including child marriages that would violate this policy. Information and disclosure of existing sexual relationships/marriages must be made prior to appointment of community volunteers and incentive workers and if/when considering entering into a sexual relationship/marriage once already engaged with MACO. Confidential records must be retained by management.

MACO's Safeguarding Code of Conduct

4. MACO's capacity to achieve its vision and mission depends upon individual and collaborative efforts of all its employees and related auxiliary personnel such as students and professional & non-professional volunteers. All MACO staff, volunteers and students on attachment must uphold and promote the highest standards of ethical and professional conduct and abide by all MACO policies. This Safeguarding Code of Conduct, define the safeguarding conduct to be followed by All MACO staff, volunteers and students on attachment to protect anyone, from sexual harassment, exploitation and abuse, and child abuse, by MACO employees and related Personnel. This Safeguarding Code of Conduct is intended to provide an illustrative guide for MACO employees and related personnel to make decisions that exemplify MACO broader Code of Conduct and core values in their professional and personal lives. Any violation of this Safeguarding Code of Conduct is a serious concern and may result in disciplinary action, up to and including dismissal, in accordance with disciplinary procedures of MACO and applicable laws.

All MACO staff, volunteers and students on attachment must read and sign this Safeguarding Code of Conduct.

Responsibilities

5.1 MACO staff, volunteers and students on attachment share an obligation to prevent, report and respond to sexual harassment, exploitation and abuse and child abuse. It is the responsibility of all MACO staff, volunteers and students on attachment to uphold MACO's Safeguarding Policy and Safeguarding Code of Conduct. All MACO staff, volunteers and students on attachment must read this policy and either sign the Safeguarding Code of Conduct or sign a Code of Conduct that is consistent with or references this policy and Safeguarding Code of Conduct.

5.2 Management must ensure that All MACO staff, volunteers and students on attachment understand and comply with MACO's Safeguarding Policy and either sign the Safeguarding Code of Conduct or sign a Code of Conduct that is consistent with or references this policy and Safeguarding Code of Conduct. Managers must ensure that all staff with specialised duties towards this policy have the appropriate experience, training and support available to them, including staff responsible for receiving and handling sensitive reports and staff responsible for investigations. MACO will ensure performance management of staff, supports an accountable and safe organisational culture to prevent sexual harassment, exploitation and abuse, and child abuse. Management must provide clear guidance and demonstrate how the organisation, across its operations, will make every effort to protect all people from sexual harassment, exploitation and abuse, and child abuse in the delivery of MACO projects. Management must ensure that culturally appropriate, safe and accessible, community-based reporting mechanisms are developed, implemented, and monitored and reviewed for effectiveness. This includes awareness-raising with program participants and All MACO staff, volunteers and students on attachment about protection from sexual harassment, exploitation and abuse, and child abuse, and how to use the reporting mechanisms.

Any violation of this Safeguarding Code of Conduct is a serious concern and may result in disciplinary action, up to and including dismissal, in accordance with disciplinary procedures of each MACO Member or Affiliate and applicable laws. All MACO staff, volunteers and students on attachment must read and sign this Safeguarding Code of Conduct.

8 As a MACO employee, I will:

1. Create and maintain a safe and equitable organisational culture that prevents and opposes sexual harassment, exploitation and abuse, and child abuse.

2. Treat everyone with dignity and respect and challenge attitudes and behaviours that contravene the MACO Safeguarding Code of Conduct.

3. Immediately report any concerns I have regarding possible violations of the MACO Safeguarding Policy or Safeguarding Code of Conduct, whether by a MACO Employee or by related Personnel. I understand that failure to report any concerns may lead to disciplinary action. I will ensure I am aware of the options available to me to report and that when I report a concern or allegation, I will do so confidentially.

4. Share sensitive information I may be aware of that relates to concerns of sexual harassment, exploitation and abuse or child abuse, whether involving staff, program participants or others in the communities where MACO works, through the reporting options available to me. I understand that for respect, dignity and safety of everyone involved, it is essential that I maintain confidentiality about any concerns or information I am aware of and only share information with staff of the appropriate function who need to know such information. I am aware that breach of this policy may put others at risk and will therefore result in disciplinary procedures.

5. Disclose to MACO any civil judgment or criminal conviction that relates to allegations made against me of sexual harassment, exploitation or abuse of anyone. Always make sure I have another adult present when working with children.

7. Always ensure that for work-related purposes when I photograph or film a child, I:

- comply with local traditions or restrictions for reproducing personal images,
- obtain informed consent from the parent or guardian of the child, before photographing or filming a child, explaining how the photograph or film will be used,
- ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner,
- ensure children are adequately clothed and not in poses that could be seen as sexually suggestive,

8. Protect, manage and utilise MACO human, financial and material resources appropriately and will never use MACO resources, including the use of computers, cameras, mobile phones or social media, to exploit, groom or harass participants of MACO programs, children or others in the communities in which

MACO works. I am aware that this means that it is prohibited for staff to access, display or transmit offensive and/or pornographic material on any MACO-provided or subsidized electronic device.

As a MACO employee, I will not:

1. Sexually harass, exploit or abuse anyone and understand that these behaviours constitute acts of gross misconduct and are therefore grounds for disciplinary action, up to and including dismissal.
2. Engage in any form of sexual activity or develop physical/sexual relationships with children (persons under the age of 18) regardless of the age of consent locally. I understand that ignorance or mistaken belief in the age of a child is not a defence.
3. Exchange money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. I understand this means I must not buy sex from anyone at any time, or exchange assistance that is due to programme participants / beneficiaries for sex.
4. Engage in any sexual activity or sexual relationship with staff, program participants/ beneficiaries. I am aware that such relationships are prohibited. I understand that such relationships are based on an improper use of my position and inherently unequal power dynamics and may undermine the credibility and integrity of MACO's work. I understand I must declare any previously existing relationships with programme participants/ beneficiaries to my line supervisor. I will seek guidance on this prohibition from appropriate management.
5. Request any service or sexual favour from participants of MACO programs, children or others in the communities in which MACO works, and will not engage in sexually harassing, exploitative or abusive relationships.
6. Support or take part in any form of sexually exploitative or abusive activities, including, for example, child pornography, trafficking of human beings or child marriage.
7. Hire children for domestic or other labour, which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities or which places them at significant risk of injury or exploitation.
8. Use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.

<i>Effective Date</i>	<i>Chairperson Name</i>	<i>Signature</i>

Organisation Stamp

