

IRCT SAFEGUARDING POLICY

March 2020

The IRCT is a global movement committed to providing high-quality health-based rehabilitation support to torture survivors and to working in an open and accountable way. IRCT has a zero-tolerance policy on harm arising from sexual exploitation, harassment, and abuse of power.

IRCT's safeguarding policy should be read together with the IRCT Standard of Conduct (Rules of Procedure) and the IRCT Anti-Corruption Policy. (For IRCT staff the staff handbook provides essential information on HR policies and protocol.) These policies and procedures reflect our commitment towards protecting people, especially children, at-risk adults, and all beneficiaries of our assistance, from any form of harm that may arise from dealing with our staff, governance, associated personnel, and representatives of the organisation. This includes, but not limited to, harm arising from:

- The conduct of IRCT secretariat staff and associated personnel, IRCT member staff, governance members (hereinafter: stakeholders)
- The design and implementation of our programmes and activities

This policy lays out our commitment and informs IRCT staff, governance, and associated personnel of their responsibilities regarding safeguarding.

The global movement was founded with respect for the independence of its members. At the same time, the IRCT has a collective interest in the performance of individual members and encourages all its members to follow this policy also for their own internal processes.

What is safeguarding?

Safeguarding means taking all reasonable steps to prevent harm, particularly sexual exploitation, harassment, and abuse of power from occurring; to protect people, especially at-risk adults and children, from harm; and to respond appropriately when harm does occur.

Policy statement

At IRCT we believe that it is our overall responsibility to make sure that the stakeholders to this policy are protected from harm and from harming others, nor expose them to abuse or any sort of exploitation. IRCT believes that everyone we encounter, regardless of age, gender identity, disability, sexual orientation, ethnicity or national origin has the right to be protected from all forms of harm and exploitation. IRCT operates a zero-tolerance policy for harm in the workplace, and in our programmes and activities.

For us safeguarding entails a wide range of policies seeking to address the welfare of the stakeholders of this policy and those they encounter. This policy will address the following areas of safeguarding: child safeguarding and adult safeguarding, while emphasizing protection from sexual exploitation, abuse, and any form of harassment. Many of these areas are also punishable crimes under Danish law.

IRCT commits to addressing safeguarding at its workplace and throughout its work, by utilizing the three pillars of prevention, reporting and response. IRCT has an electronic complaints box to which complaints can be submitted. complaints@irct.org

Responsibilities

The ExCom

For breaches perpetrated by IRCT members and the governance, the ExCom is the nominated senior sponsor of this policy, ensuring that all claims are fairly and thoroughly dealt as soon as possible in accordance with the policy.

The Secretary General

For breaches perpetrated by the secretariat staff and associated personnel, the Secretary General is the nominated senior sponsor of this policy, ensuring that all claims are dealt with fairly, thoroughly and in accordance with the policy.

Secretariat Management

In principle, the Director of Operations is responsible for initially handling any harm cases. However, this responsibility may be designated to an internal or external designated officer where deemed appropriate.

All managers are responsible for ensuring that staff are aware of the policy and its application, and for creating an environment in which staff can express concerns freely and without fear of reprisal.

Individual stakeholders

All individuals have a responsibility to raise concerns providing they have a reasonable belief a breach of policy has occurred.

Prevention

IRCT will

- Recommend that all stakeholders complete an annual, online refresher course on Safeguarding (using FABO or similar high-quality training platform)
- Ensure all stakeholder have access to, are familiar with, and know their responsibilities within the safeguarding policy; and publish the policy on its website.
- Design and implement programmes and activities in a way that protects people from any risk of harm that may arise from their encountering IRCT.
- Implement stringent safeguarding procedures when recruiting, managing and deploying staff and associated personnel
- Follow up on reports of safeguarding concerns promptly and according to due process
- Manage whistleblowing and allegations relating to safeguarding effectively; we will follow legislation and guidance when doing so

Child safeguarding

Stakeholders must not:

- Engage in sexual activity with anyone under the age of 18
- Sexually abuse or exploit children
- Subject a child to physical, emotional or psychological abuse, or neglect

- Engage in any commercially exploitative activities with children including child labour or trafficking
- Tolerate discrimination against children based on age, gender identity, disability, sexual orientation, ethnicity or national origin.

Adult safeguarding

Stakeholders must not:

- Sexually abuse or exploit adults, especially at-risk adults
- Subject an adult, especially at-risk adult to physical, emotional or psychological abuse, or neglect
- Tolerate discrimination against at-risk adults based on age, gender identity, disability, sexual orientation, ethnicity or national origin.

Protection from sexual exploitation, harassment, and abuse of power

Stakeholders must not:

- Exchange money, employment, goods or services for sexual activity. This includes any exchange of assistance that is due to beneficiaries of assistance
- Make sexual advances where he/she knows or ought to know that the solicitation is unwelcome or in any other way sexually harass another person
- Engage in any sexual relationships with beneficiaries of assistance, since they are based on inherently unequal power dynamics
- Discriminate against any other person regardless of their age, gender identity, disability, sexual orientation, ethnicity or national origin.
- Abuse or deliberately intimidate any other person
- Tolerate aggression, violence and any form of harassment

Stakeholders are obliged to:

- Conduct themselves with respect and integrity towards all persons while doing their work
- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the safeguarding policy
- Report any concerns or suspicions regarding safeguarding violations by an IRCT staff member or associated personnel to the designated sponsor of the policy

Reporting

IRCT will ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to staff and the communities we work with. IRCT has a complaints mailbox to which informal and formal complaints can be submitted: complaints@irct.org

Any stakeholder reporting concerns or complaints through formal channels (or if they request it) will be protected by IRCT's confidentiality policy (See below). IRCT will also accept and review complaints from external sources such as members of the public, partners and official bodies.

Complaint process

Anyone who is subject to harm should, if possible, inform the alleged person that the conduct is unwanted and unwelcome. IRCT recognises that sexual exploitation, harassment, and abuse of power may occur in relationships with unequal power (e.g. between a manager and employee) and that it may not be feasible for the victim to inform the alleged person.

If a victim cannot directly approach the alleged person, they can approach one of the designated staff members responsible for receiving complaints of harm, such as a manager or the Secretary General (See above).

When a designated person receives a harm complaint, they will:

- Immediately record the dates, times and facts of the incident(s)
- Ascertain the views of the victim as to what outcome they want
- Ensure that the victim understands IRCT's procedures for dealing with the complaint
- Discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he/she is not satisfied with the outcome
- Keep a confidential record of all discussions
- Respect the choice of the victim

Informal complaint procedure: Informal concerns or grievances should be raised and discussed with the responsible stakeholder as close to the activity as possible so that informal discussion can resolve the issue quickly and effectively.

If the victim wishes to deal with the matter informally, the designated person will:

- Provide an opportunity to the alleged person to respond to the complaint
- Ensure that the alleged person understands the complaints procedure
- Facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant, or refer the matter to a designated mediator within the IRCT to resolve the matter
- Ensure that a confidential record captures what happens
- Ensure that the behaviour has stopped by following up after the outcome of the complaint procedure

Formal complaint procedure

If the victim wishes to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism should be used to resolve the matter.

The designated person who initially received the complaint will refer the matter to Secretary General to instigate a formal investigation. It may then be referred to another internal/external case handler where appropriate.

The person carrying out the investigation will:

- Interview the victim and the alleged person separately

- Interview other relevant third parties separately
- Decide whether the incident(s) of harm took place
- Produce a report detailing the investigations, findings and any recommendations
- If the incident took place, decide what the appropriate remedy for the victim is, in consultation with the victim
- Follow up to ensure that the recommendations are implemented, that the behaviour has stopped, and that the victim is satisfied with the outcome
- Keep a record of all actions taken
- Ensure that the all records concerning the matter are kept confidential

Confidentiality

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management should be shared on a need to know basis only and should always be kept secure.

All reports and the information they contain will be handled with strictest confidentiality to protect the identity of the individuals concerned, the victim and the accused, both appropriately and in accordance with the relevant national legislation.

Response

IRCT will follow up through safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations.

IRCT will apply appropriate disciplinary measures to stakeholders found in breach of the policy.

IRCT will offer support to survivors of harm caused by the stakeholder, regardless of whether a formal internal response is carried out. Decisions regarding support will be led by the victim.

Sanctions and disciplinary measures

Anyone who has been found to have harmed another person under the terms of this policy is liable to one or more of the following sanctions:

- Verbal or written warning
- Change of job or demotion
- Suspension or dismissal
- Termination of contract
- Suspension or termination of relationship
- Suspension or termination of IRCT membership

The nature of the sanctions will depend on the severity and extent of the harm caused. Suitable deterrent sanctions will be applied to ensure that incidents of harm are not treated as trivial.

Monitoring and evaluation

IRCT recognises the importance of monitoring the safeguarding policy and will ensure that it anonymously collects statistics and data as to how it is used and whether it is effective. Anonymized

data will be published annually. Lessons learned will be taken into consideration for the future work of the organisation and the policy will be adjusted as needed and relevant.

Glossary of Terms

Abuse

The term 'abuse' means the actual or threatened physical intrusion of any nature, whether by force or under unequal or coercive conditions.

At risk adult

A person who is or may need care by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

Beneficiary of Assistance

Someone who directly receives goods or services from IRCT's programmes and activities.

Child

A person below the age of 18

Harm

Psychological, physical and any other infringement of an individual's rights. This includes sexual exploitation, harassment, and abuse of power

Sexual exploitation

The term 'sexual exploitation' means any actual or attempted abuse of a 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.

Victim

The person who has been abused or exploited.