



Child and Vulnerable Adult Protection Policy

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Sponsoring Group	Operations Department	Content Owner	Deputy Director of Human Resources
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1. Policy Statement

The purpose of this document is to outline the organisation's policy on protection for children and vulnerable adults with whom the organisation is working. The policy provides a framework for reducing and managing the risk of harm and abuse towards children and vulnerable adults by any person engaged with Afghanaid.

2. Introduction

Afghanaid is committed to actively safeguarding children and vulnerable adults from harm during the course of programme implementation in all of its operational areas. Afghanaid operates with zero tolerance to bullying, harassment, sexual exploitation and abuse of children and vulnerable adults in any shape or form. It is the responsibility of all those involved with Afghanaid, whether directly or indirectly, to ensure that this right is upheld.

For the purposes of this policy, "harm" includes bullying, harassment, sexual exploitation and abuse.

3. Definitions

A child¹ is a person, male or female under the age of 18 years.

A vulnerable adult² is any person aged 18 years or over who is, or may be, unable to take care of him or herself or who is unable to protect him or herself against significant harm or exploitation. This may be because he or she has a mental health problem, a disability, a sensory impairment, is old and frail or has some form of illness, but may also include any person who may feel, by virtue of their gender, race, language group, religion, sexual orientation, age or other grounds for discrimination may feel unable to speak out about the actions of a person or group in authority.

4. Scope

This policy applies to all Afghanaid staff (permanent, full-time and freelance) and non-staff (casual, consultants, Board of Trustee members, volunteers/interns, retainers, fellows, official guests, etc.) as well as partners of Afghanaid.

5. Guiding Principles

¹UNICEF, 2009. Fact Sheet. [pdf] UNICEF. Available at: <http://www.unicef.org.uk/Documents/Publication-pdfs/UNCRC_PRESS200910web.pdf> [Accessed 13 February 2015].

² Volunteer Now, 2013. Safeguarding Vulnerable Adults – A Shared Responsibility. [pdf] Volunteer Now. Available at: <http://www.volunteernow.co.uk/fs/doc/publications/vn-sva-section-1.pdf> [Accessed 9 February 2015].

Our policy on the protection of children and vulnerable adults is guided by the following:

- i. All children have the right to protection from all forms of physical and mental violence, injury, abuse, neglect, maltreat or exploitation, including sexual abuse (UN Convention on the Rights of the Child, 1989, Article 19)³. Though this clause focuses particularly on children, under Afghanaid policy, this applies to everyone.
- ii. The FCDO Safeguarding guidance for Grant holders, March 2018
- iii. The protection of children and vulnerable adults is a collective responsibility; everyone has a duty to protect both groups from harm, abuse and exploitation.
- iv. Everyone has a duty to report suspected cases of harm to children and vulnerable adults.
- v. The Universal Declaration of Human Rights, 1948

6. Policy

6.1 Vigilance in Recruitment

6.1a **All staff, non-staff and partners** are required to read the Child and Vulnerable Adult Protection policy (this document). **It is the responsibility of Human Resources to ensure that everyone understands this policy after reading it.**

6.1b Shortlisted interviewees for positions which involve direct engagement with children and/or vulnerable adults will be asked about any past work experience involving these groups and about their understanding of the Child and Vulnerable Adult Protection Policy, Employee Code of Conduct and Child and Vulnerable Adult Protection Code of Conduct⁴. **It is the responsibility of the interviewer to provide the interviewee with each of these documents prior to the interview date.** Both Codes of Conduct can be found in Appendix B of this document.

6.1c All staff, non-staff and partners whose work will involve direct engagement with children and/or vulnerable adults must undergo a background check as part of the recruitment / reference check process in order to ensure that they are cleared to work with children and/or vulnerable adults⁵. Additionally, they must have read, understood and signed the Employee Code of Conduct and the Child and Vulnerable Adult Protection Policy and submitted at least two references, including at least one from a recent employer.

Existing staff, non-staff and partners whose work may involve directly working with children or vulnerable adults at a later date, including all those on the Emergency Response Team rosters, will be required to undergo the same aforementioned procedures (a, b and c) as new staff, non-staff and partners. Human Resources will maintain a record as to which staff members have undergone the required steps for working with children and/or vulnerable adults.

6.2 Training and Capacity-Building

³ The UN Convention on the Rights of the Child was ratified by the UK in 1990 and signed into UK law in 1992; it was ratified by the Islamic Republic of Afghanistan in 1994. Please refer to Appendix D for definitions of the terms listed in point (i). UNICEF, 2009. Fact Sheet. [pdf] UNICEF. Available at: http://www.unicef.org.uk/Documents/Publication-pdfs/UNCRC_PRESS200910web.pdf [Accessed 13 February 2015].

⁴ Please also see Appendix A (Afghanaid's recruitment guidelines for working with children). We will update our recruitment guidelines and selection techniques as necessary, ensuring that they are in line with international standards and/or comparable with other organisations committed to child protection.

⁵ The background check will be carried out in accordance with local legislation

Afghanaid will ensure that all of its staff, non-staff and partners who have direct contact with beneficiaries complete mandatory training on the issues relating to the protection of children and vulnerable adults. Training and building the capacities of staff, non-staff and partners to appropriately deal with issues related to child protection and vulnerable adults will be facilitated via orientation sessions, special trainings and workshops which will be organised once in a year.

6.3 Access to Information Relating to Children and Vulnerable Adults

Afghanaid will ensure that access to information relating to children and vulnerable adults is given with discretion; details are held securely and access to all computer systems password-protected.

6.4 Photos and Communications Pertaining to Children and Vulnerable Adults

Photos of children and vulnerable adults and language pertaining to children and vulnerable adults (written, verbal) must be appropriate and respectful. The dissemination of photos of both groups must be approved by the Managing Director. Photos or other materials related to children and vulnerable adults which could compromise their care and protection will not be made available through any means. Images of children and vulnerable adults should not be accompanied by detailed information relating to their place of residence.

6.5 Assessment at the Programme Planning and Design Stage

If a project intervention involves working with children or vulnerable adults, Afghanaid will design a risk matrix, based on the risk management framework and register, which predicts the amount of harm which can be expected to occur as a result of project intervention. If the assessment shows that the risks outweigh the benefits, the project will be re-designed. Afghanaid requires its partner organisations to do the same on any project interventions involving children and vulnerable adults.

7. Reporting Obligations

7.1 Reporting an Incident

It is mandatory for any allegation, suspicion or knowledge of maltreatment, abuse (of any kind), violence and/or exploitation by staff, non-staff or partners of Afghanaid toward a child or vulnerable adult to be reported immediately and directly to the Deputy Director of Human Resources⁶ in the Head Office. Alternatively, the Whistleblowing policy may be used for this purpose and any allegation, suspicion or knowledge of such incidents may be reported to any member of the whistleblowing committee that is the Managing Director, Deputy Director of HR, or either of two designated members of the Board of Trustees.

⁶ Afghanaid's Deputy Director for HR is the Designated Safeguarding Officer

Mujtaba Nooristani – Deputy Director HR
e-mail: mnooristani@afghanaid.org
Cell: +93 799 33 63 61
WhatsApp: 0799 336 361
Skype: mnooristani2

Charles Davy – Managing Director
e-mail: crdavy@afghanaid.org.uk
Cell: +93 729 190 949
WhatsApp: +93 729 190 949
Skype: charles.r.davy

Shirazudine Siddiqi – Board of Trustees - Member
e-mail: shirazsiddiqi@hotmail.com
Cell: (in UK) +44 7711 911545
WhatsApp: +44 7711 911545
Skype: shiraz.siddiqi

Mary Mountain – Board of Trustees – Treasurer
e-mail: mcmoun@googlemail.com
Cell: +44 7798 615320
WhatsApp: +44 7798 615320
Skype: mary.mountain22

It will be determined by the Managing Director and the two members of the Board of Trustees mentioned above to determine if a case reported under this policy should be further investigated and, if so, the actions that will be taken.

The investigation and reporting timespan depends on the case scope and will be determined by the Managing Director or the Board member (mentioned above).

Any child, vulnerable adult or any other person reporting the incident must be taken seriously. Once an allegation has been made or a suspicion expressed, Afghanaid must take immediate action to ensure that the child or vulnerable adult is protected from further maltreatment, abuse, violence and/or exploitation.

The Deputy Director of Human Resources in the Head Office will ensure that the family of the child or vulnerable adult is aware of the allegation(s) made or suspicion(s) expressed and the action(s) proposed. The family or closest relations of the child or vulnerable adult will subsequently be consulted where possible with regards to procedures to follow. The Deputy Director of Human Resources may consult with a legal advisor and/or the local authorities if appropriate and guide the investigation process accordingly. The Deputy Director of Human Resources will work with the Managing Director to appoint an internal committee to assist with the investigation process (see section 7.3).

7.2 Documentation of the Incident(s)

Anyone who has received information pertaining to an alleged incident(s) of maltreatment, abuse, violence and/or exploitation of a child or vulnerable adult is required to document the allegation in an incident report⁷. Documentation of the alleged incident must be completed within 24 hours of disclosure and given to the Managing Director or Deputy Director of Human Resources. The report must contain as much information as possible as it will be used as the basis for investigation and may also be used in court of law in the case of criminal charges.

7.3 Investigation of Complaints

An investigation committee will be set up by the Managing Director and Deputy Director of Human Resources. The entire internal investigation process will be marked by confidentiality⁸, thoroughness,

⁷ Please see Appendix C for the incident report template.

⁸ Confidentiality is extremely important. It is unacceptable and potentially slanderous for suspicions or allegations of child abuse to be spread throughout the organisation rather than being directed through a formal complaints procedure. Afghanaid will take necessary measures that all actors must understand the importance of reporting lines when concerns arise. Confidentiality

impartiality and promptness. The investigation may consist of: interviews with witnesses and others as appropriate; the collection of additional information about the alleged conduct; gathering of documentation and other procedures as appropriate. Where a child or vulnerable adult is interviewed, Afghanaid will ensure they are accompanied by an appropriate adult to ensure their wellbeing during the investigation process. The individual(s) accused of being in violation of the Child Protection and Vulnerable Adult Policy will be given the opportunity to present his/her/ their case. Afghanaid will not make any decisions on the case until the investigation is completed. Where necessary, legal counsel will advise on how the investigation should be conducted in order to ensure that due process is followed and, on the conclusion of the investigation, include any necessary actions to be taken as a result of the findings.

In the best interest of the concerned child or vulnerable adult, it might be appropriate for the accused to be sent on forced leave or suspended while an investigation is underway. The individual(s) accused will continue to receive pay and allowances until the investigation is completed.

It is extremely important that the allegations against the accused are not discussed or communicated to any person outside of the investigation until it is completed.

8. Disciplinary Action

If allegations against the individual(s) are unproven, then he/she/they will be allowed back to the workplace. Proven allegations of maltreatment, abuse, neglect, or exploitation of a child, children or vulnerable adult(s) amount to gross misconduct and will be dealt with in accordance with the Human Resources Policy on Disciplinary Action and may result in immediate dismissal from employment with Afghanaid and possible prosecution under the law.

9. Safeguards for Employees

9.1 False Allegations

The protection of children and vulnerable adults is a very serious matter and should be treated accordingly. If an allegation is made in good faith, but it is not confirmed by an investigation, Afghanaid guarantees that no action will be taken against the complainant. If, however, individuals make malicious or vexatious allegations, disciplinary action will be considered against the individual making the allegation.

9.2 Reprisal

Afghanaid will not tolerate any form of coercion, intimidation, reprisal or retaliation against any person who reports any form of maltreatment, neglect, abuse or exploitation or provides any other information or assistance in an investigation.

10. Authorisation

This policy is agreed and endorsed by the Directors and approved by the Managing Director on 04 May 2023.

Charles Davy

Date

protects the child or vulnerable adult, the complainant, the respondent and the organisation.

Managing Director, Afghanaid

Acknowledgement

I have received Afghanaid's Child and Vulnerable Adult Protection policy, which I have read and understood.

Name:

Staff ID Cod:

Position:

Signature:.....

Date:

APPENDIX A

Recruitment Guidelines Relating to Child and Vulnerable Adult Protection

The Deputy of Human Resources at Afghanaid is responsible for ensuring that positions involving working with children and vulnerable adults are identified as such during the recruitment period. If a position requires interaction with children on a regular basis, it is deemed a 'child-related position'. Similarly, if a position requires interaction with vulnerable adults on a regular basis, it is deemed a 'vulnerable adult-related position'. Therefore, the recruiting manager, in consultation with the Deputy Director of Human Resources, will ensure that the following practices are implemented:

Job Adverts

The Human Resources Department /recruiting manager must ensure that all adverts include a statement that Afghanaid is a child-safe and vulnerable adult-safe employer.

Past History

The Human Resources Department /recruiting manager must ask every new recruit to provide a complete work history and ensure that there are no suspicious patterns or unexplained gaps in the applicant's work history. Original versions of certificates of for all qualifications must be seen, and copies, certified by the Human Resources Department, retained on the applicant's personal file.

Interviews

If there are any unaccounted for breaks in employment, the Human Resources Department and/or the recruiting manager should use the interview to discuss these with the applicant. The manager must inform all candidates that Afghanaid is a child-safe and vulnerable adult-safe employer and that these questions are standard for all interviews. Questions on the topic of child or vulnerable adult protection will be included in the interview, depending on the position. Interview questions will include some or all of the following:

- 1) What is your understanding of our Child and Vulnerable Adult Protection Policy and Codes of Conduct?
- 2) In what way(s) do you think that our Child and Vulnerable Adult Protection Policy and the Codes of Conduct will apply to you in this role? What steps would you take to comply with the policy?
- 3) Do you have any issues and/or concerns in terms of working directly with children or vulnerable adults?

- 4) Have you worked with children or vulnerable adults before? If so, where, when and what methods have you used to advocate for child or vulnerable adult rights?
- 5) Please tell us about a time when you were directly working with children or vulnerable adults and you noticed a case of child or vulnerable adult maltreatment, abuse, violence and/or exploitation. What happened and how did you manage it?
- 6) Give us an example of where you acted to protect a child or vulnerable adult from maltreatment, abuse, violence and/or exploitation.

Reference Questions

At least two references should be taken up, at least one of which should be from the current or most recent employer. The Deputy Director of Human Resources at Afghanaid should inform each candidate's referees that Afghanaid is committed to the protection of children and vulnerable adults and that the following question is standard for all reference checks:

'Do you have any concerns about recommending this person to work directly with children, vulnerable adults?'

Reference checks can also be used to raise any issues that may have been cause for concern during the interview process.

Criminal Records Check

A criminal records check should be undertaken, where possible.

Contract of Employment

Afghanaid's Code of Conduct will be included in the contract of employment, alongside a statement confirming the organisation's commitment to safeguarding children and vulnerable adults. The HR department will ensure that all new employees sign the contract with these statements.

Appendix B Continued

Child and Vulnerable Adult Protection Code of Conduct

I, _____, agree that while in the employ of Afghanaid, I will:

- 1) Treat children and vulnerable adults with respect regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status,
- 2) Not use language or behaviour towards children or vulnerable adults that is inappropriate, abusive, sexually provocative, demeaning or culturally inappropriate,
- 3) Not engage children or vulnerable adults in any form of sexual activity or acts, including paying for sexual services or acts,
- 4) Never exploit or harass children or vulnerable adults,
- 5) Wherever possible, ensure that another adult is present when I am working with children or vulnerable adults,
- 6) Not invite unaccompanied children or vulnerable adults into my home, unless they are at immediate risk of injury or in physical danger,
- 7) Not sleep close to unsupervised children or vulnerable adults unless absolutely necessary, in which case I must obtain my manager's permission,
- 8) Not access child pornography,
- 9) Refrain from physical punishment or discipline of children or vulnerable adults,
- 10) Refrain from hiring children or vulnerable adults for domestic or other labour which is inappropriate given their age and/or developmental stage,
- 11) Comply with all relevant Afghanaid policies as well as local legislation, including the constitution and labour laws in relation to child labour and
- 12) Immediately report concerns or allegations of child or vulnerable adult abuse in accordance with appropriate procedures to my line manager.

With specific regard to the use of photos in work related-communications, I will:

- 1) Ensure that I follow and respect the norms and local traditions (which may restrict taking photos of children or vulnerable adults),
- 3) Ensure that movies, documentaries, photos and DVDs present children or vulnerable adults with dignity and not in a vulnerable or submissive manner and
- 4) Ensure that photos, films, etc. provide an honest reflection of the context.

Affirmation

I affirm that I have a responsibility to use common sense and avoid actions or behaviours that could be construed as child or vulnerable adult maltreatment, abuse, violence and/or exploitation when undertaking activities for Afghanaid. I also understand that any lapse from my side to stop child or vulnerable adult maltreatment, abuse, violence, and/or exploitation may lead to my termination from Afghanaid employment or services.

I have received the Child and Vulnerable Adult Code of Conduct of Afghanaid, which I have read and understood. **After signing below, please return this page to Human Resources.**

NAME: _____

SIGNATURE: _____

DATE: _____

APPENDIX C

Incident Report

This report is to be completed by the person receiving information from the complainant and must be submitted to Deputy Director of Human Resources within 24 hours of receiving information.

Name of complainant:
Contact details:
Age:
Sex:
Name of alleged victim (if different from complainant and known):
Age:
Sex:
Name and address of parent or guardian, if applicable and known:
Has the victim given consent to fill this form? YES <input type="checkbox"/> NO <input type="checkbox"/>
When did the incident happen? (date and time):
Location of the incident (exact location e.g. village, district & province):
Describe the incident and the state of the victim (physical e.g. cuts, bruises, lacerations; emotional and behavioural) Attach additional pages if necessary:
Witnesses' names and contact information:
Brief account of the incident (in chronological order; attach additional pages if necessary):
Name of accused person or persons:
Job title of accused person:
Organisation/employer of accused person:
Address of accused person: (if known):
Age:
Sex:
Has the incident been reported to the police? YES <input type="checkbox"/> NO <input type="checkbox"/>
If yes, when? (date and time)
What was the response from the police (i.e. what did the police say or do?)
If the incident was not reported to the police, why not?
Does the victim want police assistance? If not, please explain why:
Has the alleged victim been informed about available medical treatment? YES <input type="checkbox"/> NO <input type="checkbox"/>

If yes, has the alleged victim already sought medical treatment for the incident? YES <input type="checkbox"/> NO <input type="checkbox"/>
If yes, who provided treatment (please provide the name of the doctor/nurse and address if possible)?
What was the diagnosis and what is the prognosis?
What immediate security measures have been taken to protect the victim and his/her family?
Who is responsible for ensuring a safety plan for the victim and his/her family? (please provide name, title and role of the person responsible):
Date and time report completed:
Location the report was completed:
Have/has the complainant(s) been informed about the organisation's policies and procedures for dealing with complaints? YES <input type="checkbox"/> NO <input type="checkbox"/>
Has the complainant given consent for his/her data to be shared with other entities? (check any that apply): Afghanaid investigation committee <input type="checkbox"/> Police <input type="checkbox"/> Other <input type="checkbox"/> (Please specify 'other'):
Date report forwarded/dispatched:
Mode of submission (e-mail, post, etc.):

NAME OF PERSON WHO COMPLETED REPORT: _____

SIGNATURE: _____

DATE AND TIME of REPORT COMPLETION: _____

LOCATION WHERE REPORT WAS COMPLETED: _____