

Safeguarding Policy

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Sponsoring Group	Operations Department	Content Owner	Deputy Director HR
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1. Policy Statement

Afghanaid is committed to actively safeguarding all those who come in contact with the organisation, including children and vulnerable adults, from harm throughout all of its activities and in all of its operational areas. Afghanaid operates with zero tolerance to bullying, harassment, sexual exploitation or other forms of abuse in any shape or form. It is the responsibility of all those involved with Afghanaid, whether directly or indirectly, to ensure that this commitment is upheld.

2. Introduction

This policy lays out Afghanaid's commitment to safeguarding, the policies and practices in place to protect those who work with or come in contact with Afghanaid from abuse and maltreatment, and the procedures for reporting, investigating and responding when abuse and/or maltreatment does occur. In addition to informing those who represent and those who come in contact with Afghanaid about their responsibilities as well as their avenues for reporting safeguarding abuses, this document serves to provide an overview of the various policies related to safeguarding or containing important information pertaining to safeguarding and instances of abuse.

3. Definitions

Safeguarding comprises the range of measures in place to protect those who come into contact with Afghanaid, as well as those within Afghanaid, from abuse and maltreatment. This includes, but is not limited to, sexual exploitation, harassment, bullying and other forms of abuse.

'Harassment', 'bullying' and 'sexual harassment' are defined as follows:

- In accordance with the Equality Act 2010 (United Kingdom), 'harassment' is considered to be unwanted conduct related to a relevant protected characteristic (age, disability, gender reassignment, marital status, pregnancy and maternity, race, religion or belief, sex), which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.
- 'Bullying' may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.
- 'Sexual harassment' means any conduct, comment, gesture or contact of a sexual nature, whether on a one-time basis or a series of incidents that might reasonably be expected to cause offence or humiliation, or that might reasonably be perceived as placing a condition of a sexual nature on employment, an opportunity for training or promotion, receipt of services or a contract.

4. SCOPE

This policy applies to all Afghanaid staff (permanent, fixed-term, freelance and casual, non-staff (consultants, Board of Trustee members, volunteers/interns, retainers and fellows), beneficiaries,

partners and official guests. It covers breaches of rights and harm resulting from any interaction with a person who could be reasonably perceived to represent Afghanaid in that encounter.

Everyone in Afghanaid (Staff, consultants, Trustees, volunteers/interns, retainers and fellows) is responsible for protecting those who come in contact with Afghanaid from harm and ensuring the enforcement of this policy.

While Afghanaid is committed to ensuring the safety and security of all its staff, non-staff, beneficiaries/participants, partners and official guests wherever and whenever it can, this policy does not cover safeguarding abuses that do not result from Afghanaid's activities and in situations in which we may be deemed to have oversight and control.

5. Policy

Afghanaid's commitment to protecting staff, non-staff and beneficiaries/participants from harm is laid out across a number of policies which cover different areas of its activities. This section provides an overview of the range of policies in place to ensure this protection.

5.1 Diversity

Afghanaid recognises and values people's differences in race, colour, sex, sexual orientation, age, language, religion, political or other opinion, national or social origin, marital status, pregnancy, care responsibilities and ability. Afghanaid will do what it can to ensure it recruits, trains, and promotes people from diverse backgrounds whilst simultaneously paying due consideration to their qualifications, experience, and abilities for all roles within the organisation. Afghanaid also does all in its power to make sure that its programming reaches those with the greatest need, regardless of their belonging to any particular group. From the inception stage, great care is taken to make projects accessible to the most marginalised people, and to prevent undue discrimination of any kind.

Afghanaid staff, non-staff and beneficiaries/participants who feel that they have suffered or witnessed any form of discrimination should report this in accordance with the reporting procedure outlined in article 6.1 of this policy. If any of the positions in the regular reporting chain are believed to be involved in discrimination, such incidents may also be reported through the procedures laid out in the *Whistleblower Policy* (see also article 6.2 of this policy).

The *Diversity Policy* includes further details on the protections Afghanaid has in place to ensure that diversity is respected across the organisation.

5.2 Code of Conduct

All permanent, fixed-term, freelance, casual, volunteer workers, consultants, trustees and interns with Afghanaid are required to sign an acknowledgement to comply with the *Code of Conduct*. The code lays out expectations of behaviour for all persons representing Afghanaid in any capacity and includes measures to ensure the wellbeing of all those who come in contact with Afghanaid, including staff, non-staff and beneficiaries.

The *Code of Conduct* requires persons representing Afghanaid to perform their duties from a position of neutrality and impartiality. It also prohibits them from using the power of their position for their own benefit or for the benefit of family members or friends, which includes kickbacks, bribes or other forms of personal enrichment (see also the *Anti-Fraud, Anti-Bribery, Anti-Corruption and Loss Management Policy*).

All persons representing Afghanaid are expected to maintain and contribute to positive, non-harmful relationships with members of the local community. Afghanaid staff and non-staff should not engage in any kind of personal, romantic, physical or sexually intimate relationship with any

beneficiary/participant. They are also prohibited from receiving personal gifts of money, materials or services from beneficiaries or sub-contractors. Considerable care should be exercised when working with children or vulnerable adults (see also article 5.4 of this policy as well as the *Child and Vulnerable Adult Protection Policy*).

Those who are found to be in breach of the *Code of Conduct* may be subject to disciplinary action. The Deputy Director of HR is responsible for initiating disciplinary action in accordance with the *Terms and Conditions of Employment*.

5.3 Anti-Harassment Policy

Afghanaid is committed to fostering a harassment-free environment in which all those who come in contact with the organisation are treated with respect and dignity. Afghanaid operates with zero tolerance to bullying, harassment, sexual exploitation and abuse in any shape or form.

Afghanaid staff and non-staff should report all incidents of harassment to their line manager in accordance with the reporting procedure outlined in article 6.1 of this policy. If the line manager is believed to be the harasser, the line director should be notified. The reporting staff and non-staff may also follow the procedures laid out in the *Whistleblower Policy* (see also article 6.2 of this policy).

All claims of harassment are investigated by a committee appointed by the Managing Director. After the conclusion of this investigation, the committee submits its investigative report to the Managing Director, who then decides on appropriate further action. Persons representing Afghanaid who are found to have harassed another individual may be subject to disciplinary action as outlined in section 8.1 of this policy. This includes anyone who interferes with the resolution of a harassment complaint, retaliates against an individual for filing a harassment complaint, or files an unfounded harassment complaint intended to cause harm.

The *Workplace Harassment Policy* provides further details on the measures Afghanaid has in place to ensure zero tolerance of all types of harassment.

5.4 Protection of Children and Vulnerable Adults

Afghanaid works with some of the most marginalised people in Afghanistan, including children and vulnerable adults. Afghanaid has specific measures in place to safeguard children and vulnerable adults from bullying, harassment, sexual exploitation and abuse.

The terms 'child' and 'vulnerable adult' are defined as follows:

- Any person under the age of 18 is considered a child.
- A vulnerable adult 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 or 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, unable to speak out about the actions of a person or group in authority.

All Afghanaid staff, non-staff and partners have an obligation to immediately report 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 in line with the reporting procedure laid out in article 6.1 of this policy. Any such incident must be documented in an incident report (see Appendix C to the *Child and Vulnerable Adult Protection Policy*) and submitted to the Deputy Director of Human Resources within 24 hours of disclosure. Alternatively, the whistleblowing procedure detailed in section 5.4 and in the *Whistleblowing Policy* may be used for this purpose.

All reported incidents are investigated by a committee set up by the Managing Director in accordance with the investigation procedure detailed in section 7 of this policy.

All staff, non-staff are required to read the *Child and Vulnerable Adult Protection Policy*. All partners for whom it is revealed through due diligence exercises to not have a comparable child and vulnerable adults protection policy in place are also required to read Afghanaid's *Child and Vulnerable Adult Protection Policy*. All Afghanaid personnel whose work will involve direct engagement with children and/or vulnerable adults must undergo a background and reference check as part of the recruitment process in order to ensure that they are cleared to work with children and/or vulnerable adults. Additionally, they must have read, understood and signed the *Code of Conduct* and the *Child and Vulnerable Adult Protection Code of Conduct* (see annex B to the *Child and Vulnerable Adult Protection Policy*). All staff and non-staff working with children and/or vulnerable adults must also complete mandatory training on issues relating to the protection of children and vulnerable adults as a part of their orientation to Afghanaid. Sections 9 and 10 of this policy provide more details on recruitment and training. Moreover, when it has been revealed through due diligence exercises that a partner organisation does not have a comparable training program for staff working with children and vulnerable adults, those organisations will be given support and guidance in providing mandatory training.

The *Child and Vulnerable Adult Protection Policy* provides further details on the measures Afghanaid has in place to safeguard children and vulnerable adults from harm.

5.5 Other Associated Policies

The *Anti-Fraud, Anti-Bribery, Anti-Corruption and Loss Management Policy* details Afghanaid's stance on fraud, bribery, corruption and loss management for existing and prospective staff and non-staff members, partners and donors. It prohibits staff and non-staff from offering and soliciting cash, gifts and other benefits such as sexual favours, and it also provides information on reporting obligations and mechanisms in cases of suspected or alleged financial malpractice.

The *IT Policy* details expectations for all Afghanaid staff and non-staff regarding their use of IT equipment, including responsible use and storage of images and other data relating to children and vulnerable adults as well as respectful and non-harmful digital communications.

The *Social Media Policy* provides a set of standards for the use of social media by Afghanaid staff and non-staff. All social media posts and interactions of Afghanaid staff and non-staff must be in accordance with the *Code of Conduct*, *Diversity Policy*, *Child and Vulnerable Adult Protection Policy* and *Workplace Harassment Policy*.

The *Drugs and Alcohol Policy* prohibits staff and non-staff members from being under the influence of drugs and/or alcohol, bringing drugs and/or alcohol to any areas where Afghanaid works or giving drugs and/or alcohol to others.

6. REPORTING

6.1 Reporting Procedure

Experiencing exploitation, harassment, bullying or another form of abuse: Any Afghanaid staff, non-staff, partners, beneficiaries/participants, children or vulnerable adults who believe that they have been a victim of exploitation, harassment, bullying or another form of abuse is **encouraged** to report the incident to the relevant line manager. If the line manager is believed to be the harasser or is compromised in any way, the line director should be notified. If they do not feel comfortable speaking to their line manager or line director, then the person reporting the abuse may write or speak in confidence to the Provincial Gender Focal Point or Lead Gender Focal Point in Head Office, Deputy Director of HR, Managing Director and/or a designated Board-level Safeguarding officers.

Witnessing or otherwise becoming aware of exploitation, harassment, bullying or another form of abuse: Any Afghanaid staff, non-staff, partner, beneficiary, who witnesses or otherwise becomes aware of exploitation, harassment, bullying or another form of abuse of an Afghanaid staff, non-staff, partner, beneficiary, child or vulnerable adult by any Afghanaid staff, non-staff, partner or beneficiary is **obliged and must** report this to their line manager. If the line manager is believed to be the harasser or compromised in any way, the line director should be notified. If they do not feel comfortable speaking to the line manager or line director, then the person reporting the abuse may write or speak in confidence to the a member of the Safeguarding Committee, that is the Gender Focal Person, Deputy Director of HR, Managing Director and/or a designated Board-level Safeguarding officer.

Documentation and upward reporting: Anyone in a supervisory, managerial, directorial, Gender Focal Point, or Board-level Safeguarding officer role receiving information pertaining to an alleged incident of exploitation, harassment, bullying or another form of abuse must ensure that the incident is documented within 24 hours of hearing about the incident, using Appendix C to the *Child and Vulnerable Adult Protection Policy* and that it is reported directly to a member of the safeguarding committee, i.e. either the Gender Focal Person, Deputy Director of HR, Managing Director and/or a designated Board-level Safeguarding officer. This group will share reports confidentially among themselves and with the Chairperson of the Board of Trustees, and they will ensure that all complaints are investigated promptly and the necessary steps are taken to stop the exploitation, harassment, bullying or other form of abuse. If necessary, disciplinary action will be taken.

The Deputy Director of Human Resources in the Head Office will, on a case-by-case basis, determine if and how the family of a child or vulnerable adult alleged or suspected to have experienced exploitation, harassment, bullying or another form of abuse is to be made aware of the allegation(s) or suspicion(s) and the action(s) proposed.

Alternatively, anyone who believes that they have been a victim of abuse or has witnessed or become aware of abuse by anyone associated with Afghanaid may follow the procedures laid out in the *Whistleblower Policy* (see article 5.4 of this policy).

6.2 Whistleblowing

Whistleblowing is the confidential reporting of serious misconduct by an employee or stakeholder, by a means that circumvents normal chain of command and gives all personnel and stakeholders direct access to the highest authorities in the organisation.

Concerns regarding safeguarding abuses should normally be raised with a line manager or their superior. In cases where concerns cannot be reported to a line manager or superior, they may be reported in person, by Teams, phone or in writing, to the Deputy Director of HR, the Managing Director or one of two designated members of the Board of Trustees, in Pashto, Dari or English.

Once a concern has been raised through the whistleblowing procedure, the Managing Director and designated Board of Trustees members determine whether further investigation is warranted. All concerns are treated in confidence and every effort is made not to reveal the identity of the whistleblower (a person using the whistleblowing procedure to report misconduct). Though concerns may also be reported anonymously, whistleblowers are encouraged to include their name in their report whenever possible, as this can help the investigation process. Whistleblowers may be asked to make a legal deposition or come forward as a witness at a later stage, but always have the right to decline.

All staff, non-staff and partners receive mandatory training on the whistleblowing procedure as part of their orientation. Additional trainings are organised throughout the year and at various locations to further train staff and non-staff on the subject of whistleblowing and safeguarding.

The *Whistleblower Policy* provides further details about the whistleblowing procedure. The contact information of senior management and the Board-level Safeguarding officers who may be contacted as part of the procedure is as follows:

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

Shirazudine Siddiqi – Board of Trustees - Member
e-mail: shirazsiddiqi@hotmail.com
Cell: (in UK) +44 7711 911545
WhatsApp: +44 7711 911545
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Charles Davy – Managing Director
e-mail: crdavy@afghanaid.org.uk
Cell: +93 729 190 949
WhatsApp: +93 729 190 949
Skype: charles.r.davy

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

7. INVESTIGATION

The Safeguarding Committee will consider all cases within 24 hours of receiving a report and determine whether the case warrants further investigation. The Managing Director with the support of the Deputy Director of Human Resources will assign an investigation committee comprising of three to six appropriate staff members and/or potentially Board of Trustee Members and/or external experts to investigate the allegations raised. An investigation committee leader will be appointed from among the investigation committee. The investigation committee leader, the Deputy Director for HR and the Managing Director will jointly establish the Terms of Reference (TOR) for the investigation, based on the nature of the incident reported.

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

The investigation may consist of interviews with witnesses and others, the collection of additional information about the alleged conduct, and the 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.

Any claim or allegation of exploitation, harassment, bullying or another form of abuse will be treated in confidence. The identity of the victim and any other complainant will always be kept secret until those same individuals consent to their identity being revealed to an investigation committee and/or the appropriate authorities or counsellors. The nature and information pertinent to the case will be kept confidential until the Managing Director and/or Board-level safeguarding officers determine to share pertinent and critical information with an investigative committee, appropriate authorities or counsellor. All investigative committee members must still endeavour to maintain confidentiality at all times to the extent possible.

Afghanaid will not tolerate any form of confrontation, coercion, intimidation, reprisal or retaliation against any victim of exploitation, harassment, bullying or another form of abuse, or any other person who reports a case or provides any other information or assistance in an investigation. Nor will Afghanaid tolerate any effort by or on behalf of an alleged or identified perpetrator of

exploitation, harassment, bullying or another form of abuse, or their supporters, to discover or to reveal the identity of a victim, a reporter, or any person giving information in an investigation.

The individual accused of abuse will be given the opportunity to present 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, including any necessary actions to be taken as a result of the findings.

In the best interest of the victim, it might be appropriate for the accused to be sent on forced leave or suspended while an investigation is underway. The individual accused will continue to receive pay and allowances until the investigation is completed and a decision made on the action to be taken.

The Safeguarding Committee of the Gender Focal Point, the Deputy Director for HR, the Managing Director and the two Board-level Safeguarding Officers will consider the findings of the investigation committee, if necessary requiring further investigation and follow up, and collectively make decisions on resolution of the case and actions to be taken.

8. RESPONSE

8.1 Disciplinary Action

Proven allegations of exploitation, harassment, bullying or another form of abuse amount to gross misconduct and may result in immediate dismissal from employment with Afghanaid and possible prosecution under the law.

As outlined in the *Terms and Conditions of Employment*, gross misconduct is an offence whose nature or seriousness undermines Afghanaid's reputation or ability to work effectively. Full investigation will be made of any employee who is alleged to have committed gross misconduct. If, after investigation it is confirmed that an employee is guilty of gross misconduct, the employee's contract will be terminated immediately.

8.2 Unproven and False Allegations

If an investigation into claims/allegations of abuse by staff, non-staff partners or beneficiaries does not find sufficient evidence of such behaviour, then the person in question will be allowed back to the workplace. If it is determined that the allegation was 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 are found to have made malicious or vexatious allegations, disciplinary action will be considered against the individual making the allegation.

9. RECRUITMENT

All candidates for positions with Afghanaid are carefully screened before any offer of employment is made. Afghanaid aims to ensure that candidates for positions which involve direct engagement with children and/or vulnerable adults are asked at the interview stage about any past work experience involving these groups and about their understanding of the *Child and Vulnerable Adult Protection Policy*, *Code of Conduct* and *Child and Vulnerable Adult Protection Code of Conduct* (see annex B to the *Child and Vulnerable Adult Protection Policy*). Candidates are provided with these documents prior to the interview.

Employment is subject to reference checks. All candidates must submit at least two references, including at least one from a recent employer. Those whose work will involve direct engagement with children and/or vulnerable adults must undergo a background check as part of the recruitment and reference check process in order to ensure that they are cleared to work with these groups. A criminal records check will be undertaken where possible. Additionally, candidates must have read, understood and signed the *Code of Conduct* and the *Child and Vulnerable Adult Protection Code of Conduct*.

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 procedures 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.

10. TRAINING

Afghanaid will ensure that all of its staff, non-staff and partners complete mandatory training on issues relating to safeguarding, including the protection of children and vulnerable adults, as part of their orientation. This also includes mandatory training on the *Code of Conduct* and *Whistleblowing Policy*. Training and building the capacities of staff, non-staff and partners to appropriately prevent and deal with safeguarding issues will be facilitated via orientation sessions, special trainings and workshops which will be organised throughout the year in various locations.

An individual not yet having received training or an orientation into safeguarding will never be considered a defence for exploitation, harassment, bullying or another form of abuse.

11. GOVERNANCE AND MANAGEMENT

11.1 Management of Safeguarding Risks and Incidents

Afghanaid continually reassesses its safeguarding practices to identify areas of potential risk. These risks, along with a list of preventative measures to mitigate them, are recorded in the *Security Risk Register*. The Managing Director oversees the implementation of the mitigation measures, and the Directors of Afghanaid hold quarterly meetings to review the register and implementation progress. Safeguarding risks are also considered in the general *Risk Register*.

When potential safeguarding abuses are reported, they are recorded in the *Safeguarding Register*. The register details each original report of an alleged safeguarding abuse, subsequent findings by the investigation committee, any corrective action agreed on as well as the progress made with implementing any corrective action. The register is maintained by the Deputy Director of Finance and Administration and reviewed on a quarterly basis by the directorate.

11.2 Programme Design

Afghanaid ensures that potential safeguarding risks in all of its activities are identified and addressed as early on in the design as possible. In the design process, the Afghanaid PRDR team will assess the extent to which harm can be anticipated as a result of project intervention, especially to children and vulnerable adults, based on the risk management framework and register. 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 Afghanaid-supported project interventions involving children and vulnerable adults.

Afghanaid also takes care to include target communities in the programme design and implementation. Community Development Councils (CDCs) are the legal representatives of villages and communities across the country and are in place in most areas where Afghanaid operate. Their members are locally elected, and their membership is gender-balanced to the extent possible. CDCs are mandated to coordinate with development actors, including managing and reporting grievances raised by community members. Where possible, Afghanaid's programmes are designed, conducted, monitored and evaluated in cooperation with CDCs and occasionally with sub-committees of the CDCs.

11.3 Partner Organisations

Before Afghanaid agrees to partner with any organisation, a thorough due diligence exercise is carried out to ensure that the prospective partner organisation has the required policies, practices and controls in place to protect those involved in Afghanaid-supported projects. Where potential partners have insufficient controls in place, a decision is made not to proceed with the partnership or

to support the partner organisation in developing and putting in place policies and practices to minimise safeguarding risks.

11.4 Governance

The Board of Trustees oversees and regularly reviews Afghanaid's safeguarding policies and practices. The *Risk Matrix*, the *Security Risk Matrix* and the *Safeguarding Register* are reviewed biannually by the Board to ensure any reports of safeguarding abuses have been handled appropriately and to identify any areas of potential risk as well as measures to mitigate them.

Cognisant of confidentiality, the Managing Director discloses all reports of safeguarding abuses to the Chairman of the Board of Trustees as well as the two designated safeguarding officers on the Board of Trustees, who are the same two Board of Trustees members cited in the *Whistleblowing Policy*. Safeguarding abuses may also be directly reported to these two designated safeguarding officers on the Board based on this policy or through the whistleblowing procedure detailed in section 6.2 of this policy (see also the *Whistleblower Policy*).

12. Authorisation

This policy is agreed and endorsed by the Directors and approved by the Managing Director on 12 June 2023.

Charles Davy
Managing Director

Date: -----