

7A3 MSF UK/IE POLICY: SAFEGUARDING

1 Introduction

- 1.1 Safeguarding is of paramount importance to MSF UK/IE and is central to our commitment to being a safe organisation that prevents harm, protects individuals from abuse and exploitation, and responds appropriately when concerns arise. Safeguarding is an organisational approach to being a safe organisation. It recognises that an organisation itself can facilitate the abuse of vulnerable people through not having effective preventative and responsive measures in place and takes every step to ensure that those gaps are filled, that risk is identified and mitigated, and that its activities do not expose people to harm.
- 1.2 Reflected in the MSF Movement's Chantilly Agreement, MSF was founded to contribute to the protection of life and alleviation of suffering out of respect for human dignity. At MSF UK/IE we believe that safeguarding is a key pillar within our organisational work to deliver on this principle and to prevent, protect and respond to suffering or harm for those working with or are supported by the organisation.
- 1.3 The MSF Movement in general and MSF UK/IE specifically has a zero-tolerance response to abuse, maltreatment and/or neglect of any kind and is committed to safeguarding, protection and fulfilling our requirement of care to our patients and the individuals and communities we serve, people working and volunteering in the organisation, and to those that MSF otherwise comes into contact with. In this policy, a zero-tolerance approach to abuse means that MSF UK/IE will take all allegations seriously, investigate concerns appropriately, and take proportionate action where misconduct is substantiated.
- 1.4 MSF UK/IE also upholds a zero-tolerance approach to inaction on abuse, meaning that all staff have a requirement to report concerns about harm or abuse. Employees and related personnel are not expected to determine whether abuse has occurred before reporting a concern. MSF UK/IE expects all employees and related personnel recruited to share this commitment. However, we recognise that safeguarding risks can arise in any organisation and may result from deliberate misconduct, abuse of power, poor practice, negligence, or failures in organisational systems and controls, and that people may seek to work for the organisation to exploit and abuse their position of trust or otherwise engage in misconduct which poses a risk to individuals to whom MSF UK/IE may owe a duty of care.
- 1.5 Expected behaviours are set out in the OCA Code of Conduct¹ which forms part of every MSF UK/IE employee's contract. Each section of the MSF Movement has policies and procedures designed to assure the clarity of these expectations and explain the process for reporting concerns. All Operational Centres have Responsible Behaviour/Safeguarding Units that are responsible for policy, process and case management of safeguarding issues that arise in the Movement's operations.
- 1.6 MSF UK/IE works with these Responsible Behaviour/Safeguarding Units to ensure safeguarding obligations in respect of UK/IE contracted employees working in projects are fulfilled. Where applicable to an individual's working context, this policy should be read in conjunction with the relevant Operational Centre's Responsible Behaviour frameworks.

¹ 2A2 OCA Code of Conduct

- 1.7 MSF UK/IE complies with applicable safeguarding and vetting legislation in the United Kingdom and Ireland, including (in Ireland) the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012–2016, and relevant UK safeguarding legislation including the Safeguarding Vulnerable Groups Act 2006 (England and Wales). MSF UK/IE also operates in accordance with the requirements and expectations of the Charities Regulator in Ireland and the Charity Commission for England and Wales.
- 1.8 MSF UK/IE has a survivor-centred approach to its safeguarding. This means that the needs and wishes of anyone who has experienced abuse (victims/survivors), by MSF UK/IE Employees or Related Personnel, guide our response to reports and investigations, that victims/survivors are treated with dignity and respect, and the rights of victims/survivors to privacy and support are prioritised. Where the victim/survivor is a child we will take a child-centred approach. We also learn from the experiences of victims/survivors to inform our strategies and practices to prevent abuse from happening.

2 Scope

- 2.1 This policy applies to all colleagues. For the purpose of this policy, colleagues are defined as all staff on an MSF UK/IE contract (including hosted and internationally mobile staff), agency workers, board members, volunteers, interns, visitors, consultants, vendors, individual and corporate contractors, and any other person acting on behalf of or representing MSF UK/IE.
- 2.2 All colleagues of MSF have a role to play in creating a safer organisation. MSF UK/IE has a zero-tolerance approach to all forms of abuse, and we make it very clear that any form of abuse, perpetrated by our employees and related personnel towards anyone, during or outside of working hours, in-person or online, will not be tolerated². Safeguarding is everyone's responsibility in the movement.
- 2.3 This safeguarding policy does not cover:
 - 2.3.1 Medical mistakes or medical malpractice.
 - 2.3.2 Fraud, misappropriation of funds, or other financial crimes.
- 2.4 There is no time limit on when someone can raise a concern about something they have experienced. There may be limitations to how a historical concern can be managed but MSF UK/IE will take every reasonable measure to address the concern, including where concerns are raised by previous employees or related personnel.
- 2.5 This policy is not a contractual term of employment. It is intended to act as a general framework only. It may be varied where MSF UK/IE deems it reasonably necessary. Failure to report safeguarding concerns may be treated as a disciplinary or equivalent matter, particularly where an individual knew or reasonably suspected abuse and failed to take appropriate action.

3 Roles and responsibilities

- 3.1 This policy is owned by the Director of People in the UK and the Head of Office in Ireland. The policy author is the Safeguarding Manager, and the approving authority is the Board of Trustees.

² We will take disciplinary action, up to, and including, dismissal for any behaviours that are in breach of this Policy and the Safeguarding Code of Conduct.

4 Organisational roles and responsibilities

- 4.1 All colleagues and related personnel of MSF UK/IE have responsibilities for safeguarding and commit to creating an organisation free from abuse and inappropriate behaviour. Specific roles will evolve to include more specific responsibilities for safeguarding, the below is a general outline.
- 4.1.1 **All MSF UK/IE employees and related personnel:** All MSF UK/IE employees and related personnel have a role to play in ensuring that MSF is an organisation committed to ensuring that its values, policies, and processes promote the highest standards of behaviour. In every area of work, in every location, all members of MSF must work to prevent and detect abuse, as well as report concerns about, suspicions of, or actual abuse. It is the responsibility of all MSF UK/IE to uphold MSF UK/IE's Safeguarding Policy and Code of Conduct both in person and online.
- 4.1.2 **MSF UK/IE Managers and Directors:** MSF UK/IE leadership and managers are expected to work to prevent abuse by reinforcing, discussing, and modelling the MSF Safeguarding Policy and the Code of Conduct. Managers are expected to support employees and related personnel to detect abuse, welcome complainants, promote and create an environment that does not tolerate abuse or inappropriate behaviour, and ensure that employees and related personnel understand their responsibilities with respect to required behaviour and reporting abuse while working for MSF UK/IE. Preventing the onward reporting of safeguarding concerns may result in disciplinary action. They are expected to ensure that employees and related personnel know how to report and keep them updated on reporting mechanisms. This also means ensuring respectful management and communication at all levels of MSF.
- 4.1.3 **MSF UK/IE Safeguarding Manager:** The Safeguarding Manager acts as the primary point of contact for UK and Ireland employees and related personnel raising safeguarding concerns, including those on secondment, and advises MSF UK/IE on appropriate responses. The role oversees the recording and reporting of incidents to key governance bodies, supports access to Operational Centre reporting mechanisms, and, where appropriate, assists employees and related personnel through complaints and investigations. It also leads the development of policies, training, and practices to strengthen a robust safeguarding culture.
- 4.1.4 **MSF UK/IE People Committee:** Providing oversight of safeguarding trends, themes, lessons learned, organisational risks, and improvement actions
- 4.1.5 **MSF UK/IE Board:** The MSF UK and IE Boards of Trustees are responsible for approving and updating the safeguarding policy, setting and championing a strong safeguarding culture, and maintaining oversight of safeguarding risks across MSF UK/IE activities. They receive and oversee reports of safeguarding incidents and concerns, ensure appropriate management and consideration of external reporting obligations (including to the Charity Commission), and appoint a designated Safeguarding Trustee to support the handling of safeguarding matters where required.
- 4.1.6 **MSF Operational Centres:** MSF UK/IE expects its Operational Centres to implement and enforce context-appropriate safeguarding policies, take reasonable steps to prevent harm, and ensure all employees and related personnel are informed, trained, and briefed on expected standards of behaviour. They must respond promptly to concerns in line with due process, and report safeguarding issues and serious incidents involving MSF UK/IE employees and related personnel. Operational Centres

are also responsible for promoting transparency, accountability, and community engagement through accessible information, feedback, and reporting mechanisms, and for embedding a person-centred, rights-based approach across programme cycles. This includes promoting inclusion, strengthening participation, addressing risks and inequalities, and establishing effective community reporting and referral pathways. Safeguarding requirements must also be integrated into partnerships, with MSF UK/IE undertaking due diligence to ensure appropriate standards are in place.

5 MSF Definition and guiding principles of safeguarding

5.1 MSF defines safeguarding as:

- 5.1.1 *Safeguarding refers to the comprehensive set of measures implemented by MSF to prevent, detect, and respond to abuse (and harm resulting from abuse) caused by MSF, or by the actions or inaction of MSF and its staff towards individuals who come into contact with the organization and its staff—including but not limited to –patients, caretakers, communities, MSF staff, partners, and associated personnel.*
- 5.1.2 *Safeguarding, therefore, encompasses proactive measures to create care and work environments free from abuse (and resultant harm), the continuous review of safeguarding practices and shared learning of best practices and lessons learned, and the promotion of transparency and trust within and outside MSF.*

5.2 The MSF guiding principles of safeguarding are:

- 5.2.1 **Do No Harm:** MSF is committed to proactively creating a safe, inclusive, and respectful care and work environment free from harm and abuse for all who come into contact with the organisation.
- 5.2.2 **Zero-Tolerance of Abuse/Zero tolerance of inaction on abuse:** Zero tolerance of abuse/inaction on abuse means that MSF takes all allegations of abuse seriously; addresses and manages such allegations as appropriate. When MSF determines abuse has taken place after an investigation, it will take proportionate action against the perpetrator of the abuse.
- 5.2.3 **A Victim/Survivor-Centred Approach:** A survivor-centred approach seeks to empower survivors of abuse or inappropriate behaviour by protecting their rights, safety, well-being, and understanding their needs, and wishes. A survivor-centred approach aims to protect survivors from stigma, discrimination, retaliation, or other harmful consequences. Adopting a survivor-centred approach does not mean that there will not be due process for all parties involved in an investigation. MSF UK/IE will ensure that individuals who are the subject of concerns are treated fairly and that investigations are conducted in accordance with principles of natural justice and procedural fairness.
- 5.2.4 **Trauma-informed:** MSF views safeguarding and abuse from a perspective based on the impact and effects of trauma. Trauma-informed is defined as practices that promote a culture of safety, empowerment, and healing. A trauma-informed approach aims to recognise, understand, and empathize with the impact of trauma on an individual and those around them.
- 5.2.5 **Equality, Diversity and Inclusion:** EDI serves as a lens through which MSF views and achieves its organisational vision. EDI is integral to all MSF's activities, operations, and policies. EDI promotes inclusion, non-discrimination, and equity, creating an environment where all feel welcomed, where diverse voices are heard, supported,

and respected. EDI means being person-centred. EDI involves actively listening to and including individuals of diverse backgrounds, acknowledging their unique lived experiences, respecting their differences, and ensuring equitable access to opportunities and resources. With respect to safeguarding, EDI is foundational to the promotion of respect, inclusion, and an environment that does not tolerate any form of abuse.

- 5.3 As part of the MSF movement, MSF UK/IE upholds the fundamental and operational principles of the wider movement. In conjunction with MSF's behavioural commitments and OCA Code of Conduct this policy has been developed to ensure organizational practice is of the highest quality.

6 Safeguarding in MSF UK/IE – Pillars of Action

- 6.1 The following four pillars frame MSF UK/IE's approach to creating a safer organisation and guide the safeguarding work. Safeguarding is an approach not a stand-alone activity and that means that safeguarding principles are integrated into our ways of working.
- 6.1.1 **Prevention:** MSF UK/IE takes measures to prevent all forms of abuse and inappropriate behaviour.
 - 6.1.2 **Detection:** MSF UK/IE takes measures to detect abuse and inappropriate behaviour
 - 6.1.3 **Reporting:** MSF UK/IE works to ensure that reporting mechanisms are accessible, inclusive, safe and trusted.
 - 6.1.4 **Response:** MSF UK/IE takes prompt action to respond to reports of abuse, addresses reports, investigates fairly and in line with survivor-centred and trauma informed principles and takes decisions in relation to those who engage in abuse and misconduct. Responses should seek to learn and better prevent such behaviour and lessons learned are a key part of the safeguarding response.

Prevention and Detection

- 6.1.5 Safer recruitment measures are in place, employees and related personnel are briefed on the Code of Conduct and Safeguarding (and related policies) and are expected to engage in mandatory safeguarding induction and refresher trainings (both online and in-person).
- 6.1.6 Vetting procedures, including where applicable Garda vetting in Ireland and Disclosure and Barring Service (DBS) checks in the UK.
- 6.1.7 MSF UK/IE will only recruit and retain those who are in line with our vision, mission and values.
- 6.1.8 MSF UK/IE includes safeguarding responsibilities for all employees and related personnel for safeguarding and leadership, and management roles have specific safeguarding responsibilities.
- 6.1.9 MSF UK/IE has in place structures to identify, prevent, mitigate and respond to safeguarding risks and will continuously assess and monitor safeguarding risks and take appropriate measures to mitigate risk.

Reporting and Response

- 6.1.10 MSF UK/IE will ensure safe, accessible, inclusive reporting procedures and complaints/feedback mechanisms and will regularly review these to ensure that they feel safe and accessible for all.

- 6.1.11 All MSF UK/IE employees and related personnel have a requirement to report concerns, suspicions or incidents of abuse, this helps us to create environments free from abuse. Employees and related personnel are not expected to determine whether abuse has occurred before reporting a concern.
- 6.1.12 Those who report abuse will be protected and MSF UK/IE takes a zero-tolerance stance to retaliation or interference in case management. The whistleblowing procedure is in place, and employees and related personnel are made aware of its existence and the protections for whistleblowers within it.
- 6.1.13 There is no time limit on when someone can report abuse. There may be limitations on how historic reports can be managed, but MSF UK/IE will take all reasonable measures to address the reported abuse, including where such reports are raised by former MSF employees or related personnel.
- 6.1.14 MSF UK/IE will address all reported incidents and concerns which includes support for those who have experienced or are affected by abuse. MSF UK/IE adopts a survivor centred approach.
- 6.1.15 All those working with or on behalf of MSF UK/IE must fully cooperate with an investigation of a safeguarding concern. Failure to report safeguarding concerns may be treated as a disciplinary or equivalent matter, particularly where an individual knew or reasonably suspected abuse and failed to take appropriate action.
- 6.1.16 MSF UK/IE must hold every person who has engaged in abuse accountable, and this will follow a fair investigation and outcome process. The position or status held by the person accused must not affect the management of the reported incident or the consequences they face for the abuse if it is substantiated.
- 6.1.17 Where concerns indicate that a child or adult may be at risk of significant harm, MSF UK/IE will consider its legal, safeguarding and regulatory obligations in the relevant jurisdiction and may refer concerns to statutory authorities, regulators, or law enforcement as appropriate. Wherever possible and appropriate, MSF UK/IE will seek to consult with and support the individual throughout this process. MSF UK/IE will assess all safeguarding concerns and determine the most appropriate response, which may include internal investigation, referral to another MSF entity, referral to statutory authorities, or other protective action.

7 Reporting a concern

- 7.1 Safeguarding concerns should be reported as soon as reasonably possible after becoming aware of the issue. There is a requirement to report safeguarding concerns and failure to report safeguarding concerns may be treated as a disciplinary or equivalent matter, particularly where an individual knew or reasonably suspected abuse and failed to take appropriate action
- 7.2 When raising a concern individuals will be asked to provide as much information as possible, but it is not expected for them to provide detailed evidence or a report. It is recommended to discuss concerns with the safeguarding team, who can provide guidance and collectively discuss next steps on raising concerns formally and providing a formal statement.
- 7.3 Employees and related personnel must take appropriate emergency action if someone is at immediate risk of harm or in need of urgent medical attention and seek any assistance required. This may include, but not be limited to, contacting local emergency authorities (where safe to do so).

- 7.4 MSF UK/IE recognise that sometimes employees and related personnel talk to their line managers first about concerns. Whilst this is reasonable, managers must ensure that it is then reported, or concerns are passed on to, the Safeguarding Manager as soon as reasonably practicable and ordinarily within 24 hours after the original concern arose.

Who to contact

- 7.5 Employees and related personnel's first point of contact for safeguarding concerns will depend on where they are based:
- 7.5.1 Employees and related personnel based in the UK/IE should report safeguarding concerns to the UK Safeguarding Manager: Safeguarding@london.msf.org
 - 7.5.2 MSF UK/IE employees and related personnel who are based in projects should follow the specific reporting mechanisms outlined to them within the project or alternatively report to the relevant Operational Centre reporting channel.
 - 7.5.3 MSF UK/IE employees and related personnel who are based in projects should also inform the UK Safeguarding Manager of any complaint or concern.
- 7.6 When reporting a concern to the **UK Safeguarding Manager** you will receive a response within 24 hours to acknowledge that your report has been received. Ordinarily, within 72 hours of receiving your report you will be contacted by the Safeguarding Team to discuss your report.
- 7.7 If the Safeguarding Manager is implicated in the report, or if the concern relates to the governance of safeguarding, concerns should be raised with the Safeguarding Trustee:
- 7.7.1 Safeguardingtrustee@london.msf.org
 - 7.7.2 Safeguardingtrustee@dublin.msf.org
- 7.8 Where concerns involve the Safeguarding Trustee, the concern may be raised directly with the Chair of the Board. Where concerns involve the Chair, they may be raised with another Trustee nominated by the Board for this purpose, to be determined on a case-by-case basis.
- 7.9 If the concern is relating to a worker from another agency, whether they be a partner or another organisation working in the same area, and the individual is not aware of their reporting pathways they can be reported to the Safeguarding Manager who will ensure that these are shared with the relevant organisation where it is safe to do so.

Protections

- 7.10 The following protections apply to reporting abuse allegations:
- 7.10.1 **No Adverse Action/No Retaliation:** No adverse or retaliatory employment actions will be taken against employees in retaliation for reporting allegations they reasonably believe to be true. Any individual found to have engaged in retaliation against a person who has raised a concern under this policy may be subject to appropriate action, up to and including disciplinary action, dismissal, removal from office, or termination of their engagement with MSF UK/IE.
 - 7.10.2 **Anti-Harassment:** Harassment of anyone who has reported a concern in good faith will not be tolerated. Any individual found to have harassed a person who has raised a concern under this policy may be subject to appropriate action, up to and including disciplinary action, dismissal, removal from office, or termination of their engagement with MSF UK/IE.

- 7.10.3 **Confidentiality:** MSF UK/IE will, to the fullest extent possible, maintain confidentiality in the investigation of any allegation subject to legal, safeguarding, regulatory, and investigative requirements. Investigations and the results of investigations will be discussed only on a need-to-know basis.
 - 7.10.4 **Anonymous Allegations:** Individuals are strongly encouraged, but not obliged, to share their name when reporting allegations. In some cases, appropriate follow-up questions and investigation procedures may not be possible unless the source of the information is identified.
 - 7.10.5 **Deliberately False or Malicious Allegations:** Any individual found to have made deliberately false allegations may be subject to appropriate action, up to and including disciplinary action, dismissal, removal from office, or termination of their engagement with MSF UK/IE.
- 7.11 **Please note:** If abuse occurs within a community which may not be due to our organisation's programmes or operations, we still have a responsibility to report, which we encourage **employees and related personnel** of MSF UK/IE to do so through established reporting mechanisms.

8 Response and Follow-up to concerns

- 8.1 MSF UK/IE will ensure that all allegations of abuse by MSF UK/IE Employees and Related Personnel are thoroughly examined, risk assessed, and where needed, investigated and/or referred to another agency for investigation, or reported to law enforcement. MSF UK/IE 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, survivor-centred, trauma-informed and where appropriate, child-centred approaches. Where children are involved, investigations must only be conducted by a person trained and experienced in conducting child safeguarding investigations. Investigations will be conducted in accordance with the principles of fair procedures and natural justice.
- 8.2 MSF UK/IE will take swift and appropriate action in relation to any Employee or Related Personnel who is found, following due process, to have breached this Policy or the Code of Conduct. Such action may include interim measures (such as suspension or temporary reassignment of duties pending investigation) and, where appropriate, disciplinary action up to and including dismissal or termination of engagement.
- 8.3 In addition, MSF UK/IE may refer matters to external authorities, regulators, or law enforcement where appropriate, and may take or support legal action where necessary. All decisions will be informed by a survivor-centred approach and a risk assessment that considers the safety, wellbeing, and rights of all individuals involved, as well as the requirements of procedural fairness.
- 8.4 Should formal action be required as a result of the disclosure made under this policy, this action will be carried out in line with the applicable, internal policy.
- 8.5 MSF UK/IE will take all appropriate actions to protect persons from retaliation where allegations of abuse involving MSF UK/IE Employees or Related Personnel are reported in good faith. We will maintain confidentiality subject to legal, safeguarding, regulatory, and investigative requirements. to protect anyone reporting in good faith and throughout investigations.

- 8.6 MSF UK/IE will support in assisting survivors to access external resources relevant to their safety and wellbeing in accordance with the individuals risk assessment/action plan.
- 8.7 MSF UK/IE has a range of internal wellbeing resources such as Counselling services, EAP (Employee Assistance Programme), Occupational Health, WRAP (Wellbeing Recovery Action plan) and a range of other resources to support survivor wellbeing.

9 Child safeguarding

- 9.1 While MSF UK/IE does not directly work with children through operations, we may encounter children through the course of our work. In the delivery of our work and associated activities, MSF UK/IE is committed to upholding the rights of children and safeguarding them from all forms of harm.
- 9.2 MSF affirms that all children have the right to protection from violence, abuse and exploitation and neglect as outlined in the Convention on the Rights of the Child 1989 and Ireland's Children First National Guidance (2017). MSF UK/IE aims to ensure that the 'best interests of the child' principle, as set out in the Convention on the Rights of the Child 1989 , guides all decisions relating to children that we interact with in all settings.
- 9.3 MSF UK/IE acknowledges that children may have intersecting vulnerabilities which put them at a greater risk of harm due to their age, dependence on others and lack of equal power with adults; in addition, children may have intersecting vulnerabilities relating to their age, gender, disability status, race, ethnicity, class and other characteristics.
- 9.4 MSF UK/IE will create and proactively maintain an organizational culture and operational environments which prevent and deter any actions or inaction, whether deliberate or inadvertent, that place children at the risk of any kind of abuse. MSF UK/IE adopts safer recruitment measures to mitigate the risks of hiring anyone who poses a risk to children.
- 9.5 To affirm our position on child safeguarding, MSF UK/IE has put in place a list of non-exhaustive prohibited behaviours in relation to children³. These apply to interactions between MSF employees and related personnel and children we may interact with, provide support to, or deliver services to.

10 Data protection

- 10.1 MSF UK/IE is committed to processing data securely and transparently, in accordance with the EU General Data Protection Regulation (GDPR) as applied in Ireland, and the UK GDPR and Data Protection Act 2018. Safeguarding information may include special category personal data and criminal offence data. Such information will only be processed where necessary and lawful for safeguarding, employment, legal, regulatory, or duty-of-care purposes. For more information, please refer to the Data Protection Policy³ or MSF UK's Data Privacy Statement at <https://www.msf.org.uk/msf-uk-privacy-notice> or MSF IE's Data Privacy Statement at <https://www.msf.ie/msf-ireland-privacy-notice>.

11 Annexes

- 11.1 7A3 MSF UK/IE Safeguarding Policy - ANNEX A Child Safeguarding

³ 7A3 MSF UK/IE Safeguarding Policy – ANNEX A Child Safeguarding