

7A3 EO001 MSF UK/IE Policy Safeguarding

1. Introduction

- 1.1. Safeguarding is of paramount importance to MSF UK/IE.
- 1.2. In line with the MSF Movement 'Chantilly Principles' 'Médecins Sans Frontières (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 duty 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. MSF UK/IE expects all staff and volunteers recruited to share this commitment. However, we recognise that anybody could cause harm (intentionally or unintentionally) and 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.
- 1.4. Expected behaviours are set out in the OCA Code of Conduct 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 Units that are responsible for policy, process and case management of safeguarding issues that arise in the Movement's operations.
- 1.5. MSF UK/IE works with these Responsible Behaviour Units to ensure safeguarding obligations in respect of UK/IE contracted staff 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.
- 1.6. MSF UK/IE ensures that it complies with all the legal obligations placed upon it by the Safeguarding Vulnerable Groups Act 2006 (England and Wales).

2. Purpose

This policy:

- (a) Outlines the range of measures put in place by MSF UK/IE to safeguard patients and individuals and communities we serve, staff, volunteers, and those that MSF comes into contact with from abuse, maltreatment, or neglect; and
- (b) Sets out the reporting obligations that staff and volunteers must follow to raise safeguarding concerns.

3. Scope

- 3.1 This policy applies to all members of staff. For the purpose of this policy, members of staff are defined as employees (including those on secondment to an Operational Centre), volunteers, workers (e.g., agency workers, casual workers, freelance workers, contractors), association

members, work experience students, interns, self-employed persons, and anyone carrying out duties on behalf of MSF UK/IE or who is perceived as representing MSF UK/IE, including the Board of Trustees and anyone who visit projects. Section 8 of this policy defines employees and representatives responsibilities.

3.2 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. However, failure to adhere to this policy and those to which it refers will be treated seriously and may result in disciplinary action including dismissal or contract/agreement termination.

3.3 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 will take every reasonable measure to address the concern, including where concerns are raised by previous members of UK staff.

3.4 MSF Principles and Values

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.

3.5 Related policy and procedure documents are available on MSF UK/IE Sharepoint Portal and include:

- (a) 7A7 EO002: Whistleblowing Policy and Procedure;
- (b) 5A4 HR003: Grievance Policy and Procedure;
- (c) 5A5 HR001: Anti-harassment and Bullying Policy and Procedure;
- (d) 5A7 HR004: Disciplinary Policy and Procedure;
- (e) 5A6 HR002: Complaints Procedure for Volunteers, Workers and Self-employed;
- (f) 5A2 The complaints procedure for supporters and beneficiaries;
- (g) 2A2 OCA Code of Conduct
- (h) 7A6 Investigation Policy

4. Policy statement

4.1. 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.

4.2. For the purposes of this policy, it encompasses the measures put into place to protect all staff and volunteers in MSF UK/IE, and to protect individuals that MSF UK/IE employees or workers come into contact with, from abuse, maltreatment or neglect of any kind.

4.3. Abuse consists of anything which individuals or organisation's do, or fail to do, which directly or indirectly harms someone's development or dignity who comes in to contact with the organisation. It includes physical abuse; emotional abuse; sexual abuse; neglect; negligent

treatment, online abuse, child abuse images and grooming; domestic abuse; coercive control; or any form of exploitation which results in actual or potential harm to the health, safety, survival or development of a person in the short and longer term. Abuse can be perpetrated by anyone both intentionally or unintentionally. Please see Annex B for further definitions in connection with safeguarding.

- 4.4. Abuse, maltreatment or neglect may be a single incident or may be something that occurs over a long period of time. It can take many forms, including but not limited to: financial or material abuse, physical abuse, mental abuse, neglect and failures to act, sexual abuse, threats of abuse or harm, controlling or intimidating conduct, self-neglect, domestic abuse, poor practices within an organisation providing care, modern slavery, etc.
- 4.5. MSF UK/IE recognises through our commitment to equality, diversity, and inclusion that specific individuals and groups may experience discrimination and or prejudice due to systemic and societal structures. As an organisation we aim to address these power imbalances and bias and strive to ensure that as an organisation we directly address these challenges to safeguard those from diverse background and/or have protected characteristics. For more information regarding our commitment to EDI please see our Equality, Diversity and Inclusion Policy.
- 4.6. For the avoidance of doubt, MSF UK/IE considers transactional sex and/or exploitation of an imbalance of power in any way to comprise abuse (whether or not such conduct is unlawful).
- 4.7. Abuse, maltreatment or neglect may come from a range of sources, including from staff, volunteers, patients, relatives, acquaintances, partnering support services. MSF UK also recognises that abuse can come from members of the public who may not have any connection to our work, specifically where staff work in public facing roles.
- 4.8. MSF UK/IE encourages individuals to raise concerns, suspicions or disclosures which may be made under this policy in relation to current or historical acts or former employees/partners.

5. Reporting a Concern

When to report a concern

- 5.1 Safeguarding concerns should be reported as soon as reasonably possible after staff or volunteers become aware of the issue. Information contained in a report should be kept strictly confidential and shared on a need to know only basis. Staff or volunteers should not attempt to investigate the issue themselves.
- 5.2 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. See Annex C & D for detail on reporting concerns and handling disclosures.
- 5.3 No member of staff or volunteer should allow safeguarding concerns to go unreported internally, even if the concern is based only on a suspicion. Safeguarding is everyone's responsibility.

- 5.4 Staff and volunteers 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).
- 5.5 MSF UK / IE recognise that sometimes staff talk to their line managers first about concerns, whilst this is reasonable, managers **must** ensure that staff then report, or concerns are passed on to, the Safeguarding Lead as soon as possible, and no longer than 24 hours after the original concern arose.

Who to contact?

- 5.6 Staff or volunteers' first point of contact for safeguarding concerns will depend on where they are based.
- 5.7 Staff and volunteers based in the UK/IE should report safeguarding concerns to the UK Safeguarding team. See Annex A for all contact details.
- 5.8 MSF UK/IE staff who are based in projects should follow the specific reporting mechanisms outlined to them within the project or alternatively report to the relevant Responsible Behaviour Unit.
- 5.9 MSF UK/IE staff who are based in projects should also inform the UK Safeguarding Team of any complaint or concern.
- 5.10 When reporting a concern to the **UK Safeguarding Team**, you will receive a response within 24 hours to acknowledge that your report has been received. Within 72 hours of receiving your report you will be contacted by the Safeguarding Team to discuss your report.
- 5.11 If the Safeguarding Lead or Safeguarding Officer is implicated in the report, or if the concern relates to the governance of safeguarding, concerns should be raised with the Safeguarding Trustee.
- 5.12 If the concern is relating to a member of staff from another agency, whether they be a partner or another organisation working in the same area, and staff are not aware of their reporting pathways they can be reported to the Safeguarding Team who will ensure that these are shared with the relevant organisation where it is safe to do so.

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 staff and other representatives (as defined in 3.1) of MSF UK/IE to do so through established reporting mechanisms.

6. Appeal

- 6.1. All allegations, suspicions and concerns are taken seriously, although subsequent action will be taken upon appropriate consideration of the safety, wishes and dignity of the victim or person at risk, as well as the local law, customs, and culture. MSF UK/IE will not knowingly take any action that will make the situation worse for, or otherwise endanger or degrade, the victim or person at risk. To understand the investigation procedure in more detail please see Investigation Policy.

6.2. If a staff member or volunteer is not satisfied with how MSF UK/IE has addressed a safeguarding report or has concerns about the governance of safeguarding, they can raise the matter with the Safeguarding Trustee or, if they are implicated or unavailable, the Chair of Trustees.

7. Data Protection

7.1. MSF UK/IE is committed to processing data securely and transparently, in accordance with the General Data Protection Regulation and the UK Data Protection Act 2018. For more information, please refer to the Data Protection Policy and to 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>

8. Key roles and responsibilities

Responsibility of MSF UK / IE

6.1 MSF UK / IE will:

- a) Ensure all staff, volunteers and, where appropriate, other associated personnel perceived as representing MSF UK/IE have access to, are familiar with, and know their responsibilities in connection with this policy.
- b) Provide standard induction training to the MSF UK / IE safeguarding policies and procedures and associated requirements to new starters as part of the onboarding process within the first **two months** of employment
- c) Provide specialised training as needed for MSF UK / IE staff and volunteers and will ensure all staff undergo refresher training every two years
- d) Design and undertake all activities in a way that takes reasonable steps to protect people from reasonably foreseeable risks of harm that may arise from their coming into contact with MSF UK/IE's activities, staff, and volunteers. This includes the way in which information about individuals is gathered and communicated.
- e) Implement robust procedures for safe recruitment, especially, but not only when, managing or deploying staff or other representatives (defined in 3.1) to overseas assignments.
- f) Follow up on reports of safeguarding concerns promptly, utilising survivor-centred and trauma-informed approaches and in accordance with due process.
- g) Work with Operational Centres to support their development and delivery of best practice safeguarding policy and process and fulfilment of MSF UK/IE's expectations.

Responsibility of MSF Operational Centres

6.2 MSF UK / IE's expectations from its operational partners are that they will:

- (a) Develop and enforce policies and procedures that are appropriate to local risks, cultures, and laws.
- (b) Take reasonable steps to protect people from reasonably foreseeable risks of harm that may arise from their coming into contact with MSF's activities, staff, and volunteers. This includes the way in which information about individuals is gathered and communicated.

- (c) Ensure all staff and volunteers have access to, are familiar with and know the relevant responsible behaviour policies and processes.
- (d) Ensure that all staff, volunteers, and programme visitors receive relevant safety, security, and safeguarding briefings either prior to or on arrival at project sites
- (e) Follow up on reports of violations of the Code of Conduct and other related policies and procedures promptly and in accordance with due process.
- (f) Ensure that MSF UK/IE is informed of any safeguarding concerns related to MSF UK/IE staff, volunteers, or other representatives (defined in 3.1).
- (g) Ensure that MSF UK/IE is informed of Serious Incidents in accordance with the Serious Incident Reporting Standard Operating Procedures and Serious Incident Reporting Thresholds.
- (h) Promote accountability towards our patients and individuals and communities we serve through, but not limited to:
 - I. Being transparent about our programming, activities, and services people are entitled to.
 - II. Raising awareness about our Code of Conduct, behavioural commitments, safeguarding policies, and reporting channels.
 - III. Actively seeking feedback from communities about our work, individual behaviours, and complaints; and
 - IV. Presenting feedback to communities on what changes have been made resulting from community feedback.

The above steps should occur regularly throughout the lifecycle of the programme or activity.

- (i) Embed a person-centered and rights-based approach throughout the programme and project cycle, including assessment, design, implementation, complaints, and feedback mechanisms, monitoring and evaluation and close out. This should include, but not be limited to:
 - I. Promoting and respecting the rights of all people regardless of age, sex, nationality, status, sexual orientation, identity, faith, racial heritage, or disability
 - II. Increase and strengthen the participation of all stakeholders in programming
 - III. Reduce vulnerability and risk factors for all stakeholders, particularly those at risk of marginalization and discrimination
 - IV. Challenge unequal power relations, rights violations, and injustice whenever and wherever recognised in our programmes
 - V. Plan, develop and ensure community reporting mechanisms are in place for patients and communities we support and where required and available, develop programme referral pathways for support and expertise to ensure high quality responses to disclosures.

- 6.3 All partnership contracts and agreements will include clauses on proactively managing safeguarding risks and procedures on reporting safeguarding incidents, allegations, and concerns.
- 6.4 MSF UK / IE will carry out due diligence to ensure that all partners can properly carry out the intended activity or service and have adequate safeguarding measures in place.

Responsibility of MSF UK/IE staff, volunteers, and other representatives

- 6.5 Everyone is responsible for safeguarding. No member of staff or volunteer or other representative (defined in 3.1) should allow safeguarding concerns to go unreported, even if the concern is based only on a suspicion. We are all required to hold accountable everybody who carries out duties on behalf of MSF or who is perceived as representing the MSF Movement. Failure to report safeguarding concerns in line with relevant reporting mechanisms could lead to disciplinary action.
- 6.6 All staff, volunteers, and other representatives (defined in 3.1) are required to conduct themselves in line with the MSF UK/IE and Operational Centre policies, procedures, and frameworks applicable to their role and contract or agreement with MSF UK/IE.
- 6.7 Individuals will be made aware of the policies, procedures, and standards applicable to them and their role during induction and all staff are required to undertake safeguarding training during their probation period.
- 6.8 All staff and volunteers are encouraged to utilise well-being initiatives and services offered by MSF UK/IE.
- 6.9 As part of our individual safeguarding responsibility, we encourage all MSF representatives to advocate and build capacity within communities, office, and project teams about preventing, detecting, reporting, and responding to safeguarding concerns.

6.9 The Safeguarding Team are responsible for:

- (a) being the first point of contact for UK/IE based staff and volunteers who have safeguarding concerns.
- (b) being an available point of contact for UK/IE staff on secondment for advice or if they feel that their complaint or concern has not been addressed by a relevant Operational Centre.
- (c) advising MSF UK/IE on how it should respond to safeguarding concerns.
- (d) recording and reporting safeguarding incidents, allegations and concerns to the Executive Office, Duty of Care Committee and Board of Trustees.
- (e) developing safeguarding policies, practices, raising awareness and providing training to facilitate a strong safeguarding culture.
- (f) providing the link (where appropriate) to assist MSF UK/IE members of staff access and navigate OC reporting mechanisms

- (g) [when requested and where appropriate, and in agreement with the relevant OC] providing support to MSF UK/IE members of staff through the process of making a complaint to the OCs and any subsequent investigation

6.10 The UK Board of trustees are responsible for:

- (a) approving this policy and any updates to it.
- (b) setting and leading the implementation of a safeguarding culture across MSF UK/IE
- (c) maintaining oversight of safeguarding risks in relation to MSF UK/IE activities.
- (d) receiving reports of safeguarding incidents, concerns, allegations and/or suspicions.
- (e) overseeing the management of safeguarding incidents.
- (f) ensuring that appropriate reports to external agencies are considered and made, including but not limited to the Charity Commission.
- (g) having on its Board of Trustees a designated **Safeguarding Trustee** which will, where required, support in the management of incidents, allegations, and concerns regarding safeguarding.

6.11 The UK Safeguarding and Duty of Care committee is responsible for:

- (a) advising the UK Board of trustees in relation to points (a) to (e) of paragraph 5.13 above.
- (b) monitoring trends, lessons learnt and advising on interventions to improve safeguarding practices where appropriate.

6.12 Managers are responsible for:

- (a) applying the Leadership and People Management Framework
- (b) Modelling and promoting our safeguarding values and approach throughout our organisational activities.
- (c) ensuring that staff and volunteers are appropriately trained in and know what to do if they have safeguarding concerns.
- (d) creating and maintain an environment that prevents all types of exploitation and abuse.
- (e) Encouraging an environment of speaking up and reporting concerns as soon as is practicably possible. Preventing the onward reporting of safeguarding concerns may result in disciplinary action.