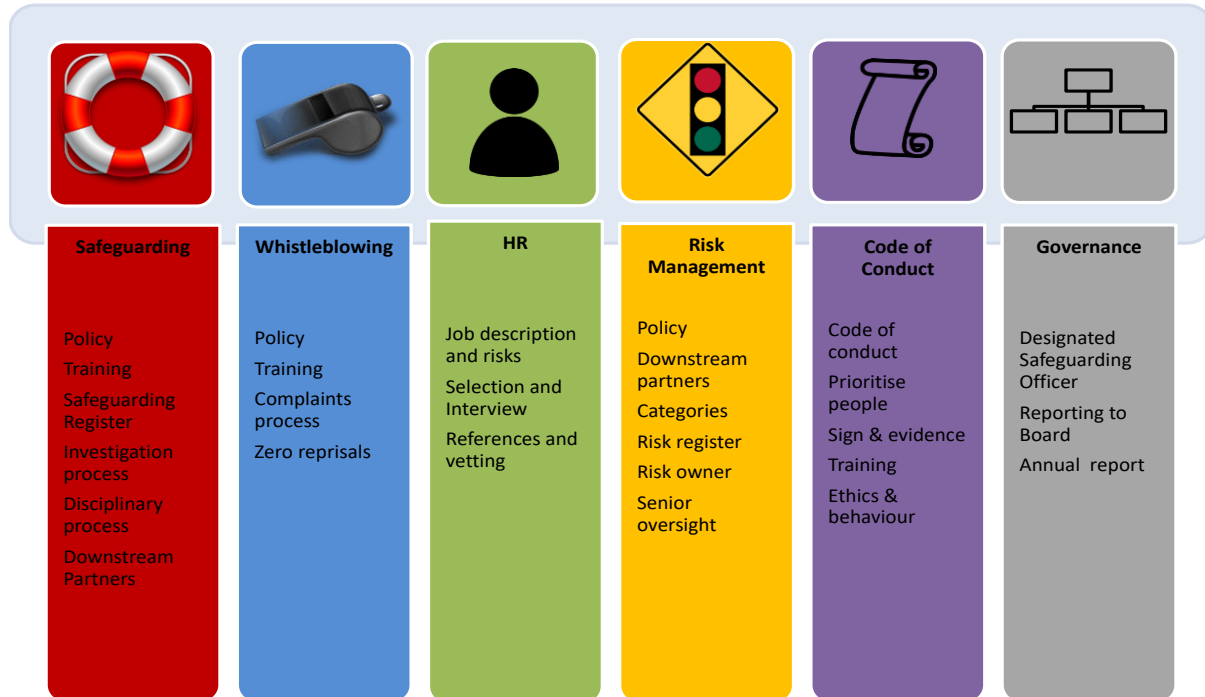


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1.0 Background

At the Safeguarding Summit on 5 March 2018, the Secretary of State (SoS) announced that DFID would put in place new, enhanced and specific standards for UK Charities and NGOs. The standards cover partner policies and processes on safeguarding, whistleblowing, human resources, risk management, codes of conduct and governance.

This guidance provides partners with details of the new standards and how they will be used in enhanced due diligence assessments (DDAs) to assess an organisation's ability to protect from sexual exploitation and abuse and harassment, children, young people and vulnerable adults they work with as well as their own staff and volunteers.

2.0 Which partners do the enhanced standards apply to?

DFID wants to be satisfied that any organisation it decides to directly fund can meet and apply the enhanced safeguarding standards. Section 6 below provides more details of the roll-out of the new standard. Partners are encouraged to move beyond compliance to the minimum standard and commit to adopting a more comprehensive safeguarding practice and culture.

3.0 Principles of safeguarding

Safeguarding in its broad sense means protecting people and the environment from unintended harm, but in this guidance, DFID is focusing on preventing and responding to harm caused by sexual exploitation, abuse, harassment or bullying. The aim is to minimise the likelihood and impact of these actions towards both the people we are trying to help, and also people who are working in the sector.

DFID is committed to applying the following principles in relation to safeguarding. We expect our partners to apply these principles in their work and through their delivery chains.

The safeguarding principles that will underpin all our due diligence are as follows:

- Everyone has responsibility for safeguarding.
- Do no harm
- Organisations have a safeguarding duty of care to beneficiaries, staff and volunteers, including where down-stream partners are part of delivery. This includes children and vulnerable adults in the community who are not direct beneficiaries but may be vulnerable to abuse
- Act with integrity, be transparent and accountable
- All activity is done in the best interests of the child/vulnerable person
- A child is defined as someone under the age of 18 regardless of the age of majority/consent in country.

- All children shall be treated equally, irrespective of race, gender, religion/or none, sexual orientation or disability
- Organisations that work with children and vulnerable adults should apply a safeguarding lens to their promotional communications and fundraising activities.

These principles are aligned with the UN Convention on the Rights of the Child (UNCRC).

4.0 What policies do we expect our partners to have?

All of **the six areas below** are essential to promote a safeguarding environment that protects all children and vulnerable adults.

The enhanced due diligence approach reflects the assumption that **all six areas** are relevant and achievable for all organisations and sets a benchmark of minimum standards that all DFID partners, regardless of size or type, should aspire and work towards.

1.



Safeguarding shapes the organisation's approach, practice and culture to ensuring a comprehensively safe environment for all people that the organisation engages with.

Not all organisations may have an overarching/combined safeguarding policy, which is reasonable in the short term.

If the organisation works with children or vulnerable adults or young people they must have a child protection policy and/or a vulnerable adult's policy. If they do not have those policies then they cannot pass the due diligence assessment.

If they do not work with children and/or vulnerable adults and do not have an overarching safeguarding policy then they must have bullying, sexual exploitation and harassment and abuse policies. These may be 'stand-alone' policies or part of the organisation's overall HR Manual. If they are UK based and are compliant with the new Charity Governance Code - www.charitygovernancecode.org/en/front-page then that should cover some areas. **If the organisation does not have these policies it will not pass the DDA.**

2.



Whistleblowing allows concerns to be raised and resolved at the appropriate level. This area is concerned with having a clear process that is widely understood and accessible to all staff, for dealing with concerns and a handling framework with identified owners of each step. The policy (which may not be referred to as whistleblowing but might be a complaints and/or concerns policy) should be explicit that there can be no reprisals for the whistle blower. There should also be a clear process to follow if the complaint / concern is being raised against an individual in the organisation who manages internal complaints or concerns. **If the organisation does not have these policies and processes in place it will not be compliant with the enhanced standards and will not pass the DDA.**

3.



Human Resources focuses on recruitment and vetting processes to support recruitment of the right people and on-going training and awareness for all staff and volunteers. Organisations should have an awareness of the level of safeguarding risk in each role. If the organisation uses interviews that are competency based, and if a job role is to work with children and or vulnerable adults, then the interview should address the requisite competencies needed. For all other roles that do not work directly with children, young people and vulnerable adults then there should be mandatory safeguarding and whistleblowing training as part of the induction. For all staff there should be regular refresher training on safeguarding and whistleblowing.

4.



Risk Management: This area considers the risk management framework of the partner which sets out the approach to risk, the risk appetite to guide risk identification and the assessment of safeguarding risks, and promotes the use of risk registers for each programme. Risk management at the project level will include a risk register with clear mitigating actions and identifiable owners. Risks should be reviewed regularly. If the organisation is working with vulnerable people, safeguarding should be a separate risk category on the organisation's register or framework.

There should also be clarity for escalation of safeguarding risks. The expectations of risk management for downstream partners should be made explicit in the risk policy or approach.

5.



The Code of Conduct describes the ethics and behaviours required of all parties to ensure a robust safeguarding environment. It is designed to create a culture of best practice which all partners should adhere to. We expect our partners to have their own internal robust code of conduct that clarifies the values, principles and the acceptable behaviours within that organisation and which should influence and drive the organisation's culture – it reflects the tone from the top which is vital to address safeguarding risks.

In the future, DFID's Supplier Code of Conduct will be required to be adopted by all our implementing partners. The process will require an overarching Service Level Agreement between the NGO partner and DFID that requires all grant allocations to that organisation to be assigned on the basis of compliance with DFID's Supplier Code of Conduct.

6.



Governance & Accountability standards create, foster and ensure safeguarding through requisite controls and oversight. They identify the responsibility of those who are custodians of the organisation's values ensuring people are put first. Corporate governance is the system by which organisations are directed and controlled including its oversight structure and its effective operation. It is intended to increase the accountability of an organisation; it is the way that the organisation polices itself.

The organisational Board (be they trustees appointed or elected or shareholders) has ultimate responsibility for safeguarding and should always act in the best interests of the beneficiaries, staff and volunteers. The board should not be unduly influenced by those who may have special interests and should always place the interests of the organisation before any personal interest. It is vital that it is independent in its safeguarding decision making.

There should be a designated safeguarding officer at Board level who is engaged with the senior leadership teams or management of the organisation. Engagement should be evidenced by regular reporting directly to the senior leaders and Board either through a standing agenda item in regular meetings or through the risk register update.

5.0 Proportionality and how it will be applied.

Not all of the sub-headings in each policy area will be met as this will depend on the size of the organisation, its role and mandate and the programme it is setting out to deliver. However, it is not enough for an organisation to be compliant in one or two areas. They **must be compliant in all six standard areas, on a risk-based approach**. Our goal is to improve safeguarding across the aid sector. This means encouraging our partners to improve, even when we consider them to have met a basic standard.

Not all partners will be involved in programmes that engage with or deliver to children, young people or vulnerable adults. We also recognise that the standards may go beyond the policies and processes in place in smaller organisations. In those situations teams will take a proportionate approach which is in accordance with the level of risk associated with the programme, in order to gain a level of assurance commensurate with those risks. They will also confirm whether adequate controls are in place to mitigate identified risks.

Attached to this guidance is Annex A that lists the type of questions that will be asked by DFID teams as they review and assess each policy area. The assessment will consider both the quality and the implementation of each policy.

6.0 Timing

The new enhanced due diligence standards on safeguarding will be applied first to new accountable grants or existing accountable grants which involve new funding.

For larger UK NGOs with multi-programme or multi-country grants, a central assurance type review will be applied over the coming months, similar to the arrangements for the headquarters systems review of multilateral organisations and development banks. These central assessments will form the basis of due diligence at the programme level and will be used as a source of reference for local due diligence assessments. This means that the central assurance will assess overall systems, but a proportionate local assessment will still need to be done to assess how these are applied at local level. We anticipate central assessments to be in place by the end of August 2018.

The assessment of **existing** Accountable Grants will take place at the next Annual Review of the programme in question, provided the Accountable Grant has 12 months or more to run, starting from 1st September. This should give partners time to further assess their position, and increase the likelihood of meeting the minimum standards at the time of assessment.

In summary the order of application is:

- apply the new standards to new Accountable Grants or existing accountable grants with new funding, with immediate effect;
- apply new standards to existing Accountable Grants with more than 12 months to run at their next Annual Review from 1st September at the latest, and for AG extensions;
- Incorporate standards for MoUs and in the MOU template by October 2018.

7.0 What will happen if partners do not meet the enhanced standards?

In the case of prospective partners, DFID may decide to postpone issuing a grant while the organisation works to meet the minimum standards. DFID can provide support to these organisations to achieve this, within an agreed timeline.

[FROM SEPTEMBER] In the case of partners with existing agreements who do not meet the new enhanced standards, DFID will decide whether to immediately suspend funding or put in place an improvement plan, with protection measures where needed, to allow time for the organisation to meet the standards. This decision will depend on how strong existing arrangements are and whether the organisation is working with children and/or vulnerable people. The timeframe and monitoring of any improvement plan will be agreed locally. There may be cases where organisations cannot meet the standards and funding arrangements will need to be ended.

8.0 What is expected of downstream partners?

First tier partners are reminded of their responsibility to ensure appropriate safeguarding standards have been cascaded down the delivery chain. This means that we expect the new enhanced standards to be applied throughout their delivery chains and we would expect to see evidence that the standards have been shared and that partners are clear about those expectations.

9.0 Further Support

In line with standard due diligence assessments this enhanced due diligence will be undertaken as much as possible in partnership with each organisation. This approach will provide prospective partners with the opportunity to discuss any areas of the process they are unclear about with the DFID programme team and to ask for further clarification if required. A draft of the assessment will be shared with the partner on completion **DFID reviews all its guidance regularly to reflect current practice. Any major updates or amendments to this enhanced due diligence guidance will be communicated to partners.**

10. Reporting a safeguarding concern

If there is an episode of abuse, exploitation or harassment, our expectation is that the organisation takes it seriously through reporting, learning (e.g. changes made to policies and practices) and providing support to those affected. It is also important to take account of local context where reporting to authorities would cause further harm to the beneficiary/survivor. Consideration should also be given by the organisation to the support needed by staff and volunteers aiding victims of sexual abuse, exploitation and harassment.

Concerns regarding a breach in safeguarding policy should be reported immediately to DFID's Reporting Concerns inbox at reportingconcerns@dfid.gsx.gov.uk or through the confidential reporting hot line +44 (0)1355 843 747.

Annex A – Standard questions on each policy area

Below are the areas that will be covered by DFID teams carrying out an enhanced due diligence assessment. A risk-based assessment will be made as to whether some or all of these areas are required by the organisation in the context of the programme to be delivered. For organisations working with children and vulnerable people, then all six areas must be adequately covered.

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|--|
| Safeguarding |
| Do you have a safeguarding policy? Does the policy include a statement of your commitment to safeguarding, including a zero tolerance statement on bullying, harassment and sexual exploitation and abuse? |
| Do you keep a detailed register of safeguarding issues raised and how they were dealt with? Do you treat historical allegations separately and differently from current disclosures? |
| Does your recruitment policy include a criminal background check on candidates? In particular, specifically where the programme would involve working with children or vulnerable adults. |
| Do you have clear investigation and disciplinary procedures to use when allegations and complaints are made and does the organisation have clear processes in place for when a disclosure is made? |
| Do you share your safeguarding policy with downstream partners? |
| Do you have a designated senior safeguarding officer who reports regularly to the senior leadership and Board? |
| Do you provide mandatory training on safeguarding to new trustees/staff/volunteers within a suitable and appropriate timeframe of them joining your organisation? Do you provide regular (mandatory refresher training on safeguarding to staff/volunteers? |

| |
|--|
| Whistleblowing |
| Do you have a whistle-blowing policy which protects whistle blowers from reprisals and includes clear processes for dealing with concerns raised and by whom and the timelines involved? |
| Do you provide mandatory training on whistle-blowing to new trustees/staff/volunteers within a suitable and appropriate timeframe of them joining your organisation? |

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| HR. Recruitment and Selection |
| Does your recruitment process consider and evidence the level of safeguarding risk in a job role? Do you have different levels of recruitment and security checks commensurate with safeguarding requirements of the role? |
| Does your HR. policy depict a well-planned interview process? Do interviewers have the relevant experience and knowledge of current safeguarding practices? |
| If the role is for those working directly with vulnerable groups then does your policy include specific questions in the interview that draw out people's attitudes and values in relation to the protection of children and/or vulnerable adults? |
| Do you require up to two references including from previous employers or others who have knowledge of the candidate's experience and suitability to work with children? Does your policy require that background checks should be carried out for all prospective employees? |
| Do you make use of probationary periods of employment to ensure suitability once in post? |

Risk Management

Do you have a risk management policy or framework capturing risk appetite and risk categories including safeguarding?

Do you share your risk management policy where it relates to safeguarding risks with your downstream partners i.e. are downstream partners advised on escalation procedures around safeguarding issues?

Do you have risk registers for all programmes that feed into an overall organisational risk framework?

Is there regular senior oversight of your risk register?

If applicable - are fundraising ideas and external communications risk assessed to ensure no harm is done by the activity? E.g. Fundraising is delivered in the context of safeguarding e.g. 'sponsorship'

Code of Conduct

Does the organisation have in place a Code of Conduct for staff and volunteers that sets out clear expectations of behaviours -- inside and outside the work place -- and what will happen in the event of non-compliance or breach of these standards?

Does the code of conduct prioritise the wellbeing and care of all people including beneficiaries?

Are all staff and volunteers provided with training on the code of conduct as part of their induction?

Are there policies and practices for the management of downstream partners and affiliates aligned to the Code of Conduct?

Governance & Accountability

Does the governance structure reflect regular review of management of safeguarding issues internally and externally?

Do you have a designated safeguarding officer at board level who is responsible and accountable for safeguarding standards and reporting across the organisation and also includes downstream partners approach to safeguarding?

Are your beneficiaries actively involved in any of the governance structures of the organisation and/or specifically within programmes which affect them and their communities?

Do your downstream partners have in place procedures to ensure safeguarding issues are escalated to the Board?