

ORGANISATION POLICIES

VULNERABLE ADULT SAFEGUARDING & PROTECTION POLICY

2.1.14 Vulnerable Adult Safeguarding & Protection Policy

EFICOR is committed to take appropriate legal, administrative, social and educational measures to protect the vulnerable adults from all forms of harm, physical or mental abuse, injury or violence, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse and provide them with appropriate safety and protection.

A. DEFINITIONS

1. A vulnerable adult is defined as a person over the age of 18: who is temporarily or permanently unable to manage his/her personal affairs or his/her property because of an impairment or insufficiency of his/her personal faculties, and/or has severe physical or mental disabilities and is vulnerable and/or forced to live in unsafe place and/or depends on others and/or is potentially vulnerable to exploitation or abuse as a result of his/her status or his/her lack of power and control. Also the vulnerable adult is a one who may be in a relationship (work or social) or in contact with another adult who seeks to misuse his/her position of authority or trust to control, coerce, manipulate or dominate them.
2. Vulnerable adult safeguarding: Vulnerable adult safeguarding is the responsibility of the organization and it has to make sure that their staff, operations, and programmes do no harm to vulnerable adults, that is that they do not expose vulnerable adults to the risk of harm and abuse, and that any concerns the organization has about vulnerable adults' safety within the communities in which they work, are reported to the appropriate authorities.
3. 'Do no harm' refers to EFICOR's responsibility to 'do no harm' or minimize the harm they may be doing inadvertently as a result of inappropriate programming.
4. Harm is any detrimental effect of a significant nature on the vulnerable adult's physical, psychological, or emotional wellbeing. For harm to be significant, the detrimental effect of a vulnerable adult's wellbeing must be substantial and serious. The harm should not be transitory in nature and harm should be demonstrable in the vulnerable adult's presentation, functioning, or behavior.
5. Vulnerable adult abuse is either because of gross negligence or abuse either of sexual nature or physical or emotional which harms the vulnerable adult.
6. Neglect and negligent treatment: allowing for context, resources and circumstances, neglect and negligent treatment refers to a persistent failure to meet a vulnerable adult's basic physical and /or psychological needs, which is likely to result in serious impairment of a vulnerable adult's healthy physical, spiritual, moral and mental development. It includes the failure to properly supervise and protect vulnerable adults from harm and provide for nutrition, shelter, and safe living/working conditions.
7. Sexual abuse is forcing or enticing a vulnerable adult in a sexual activity, which the vulnerable adult cannot comprehend or has no choice in consenting to it. This may include but is not limited to fondling, rape, oral sex, penetration, or non-penetrative acts such as masturbation, kissing, rubbing, and touching. These acts may occur whether the vulnerable adult is clothed or unclothed. Non-touching vulnerable adult sexual abuse would include exhibitionism and voyeurism and the involvement of a vulnerable adult in prostitution or pornography.

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8. Physical harm is actual or likely physical injury inflicted upon the vulnerable adult with cruel and/or malicious intent, forced labour and marriage. It may be the result of a deliberate act, but could also be caused through the omission or failure to act to protect the vulnerable adult.

Emotional abuse: persistent emotional maltreatment that impacts on a vulnerable adult's emotional development that includes degrading, bullying (including cyber bullying), actual or likely discrimination (based on gender, race, age, ability, disability, religion, creed, caste, class, culture, sexuality, lifestyle, health and other such unlawful or unjustifiable reasons) rejection (refusing to acknowledge the vulnerable adult's worth and emotional needs), isolation (denying the vulnerable adult's social experiences: locking vulnerable adult in the closet, restriction of movement), terrorizing (verbal assault with or without weapons), ignoring (refusing to show affection), corrupting (reinforcing destructive, antisocial, or sexually exploitative behaviors), verbal assault (extreme sarcasm, name calling, public humiliation), and over-pressuring (criticism of age-appropriate behaviors/skills as inadequate).

9. Vulnerable adult sexual exploitation: a form of sexual abuse that involves vulnerable adults being engaged in any sexual activity in exchange for money, gifts, food, accommodation, affection, status, or anything else that they or their family need. It usually involves a vulnerable adult being manipulated or coerced, which may involve befriending vulnerable adults, gaining their trust, and subjecting them to drugs and alcohol. The abusive relationship between victim and perpetrator involves an imbalance of power where the victim's options are limited. It is a form of abuse that can be misunderstood by vulnerable adults as consensual. Vulnerable adult sexual exploitation manifests in different ways. It can involve an older perpetrator exercising financial, emotional or physical control over a young person. It can involve peers manipulating or forcing victims into sexual activity, sometimes within gangs and in gang-affected neighbourhoods. It may also involve opportunistic or organised networks of perpetrators who profit financially from trafficking young victims between different locations to engage in sexual activity with multiple men.

10. Commercial exploitation: exploiting a vulnerable adult in work or other activities for the benefit of others and to the detriment of the vulnerable adult's physical or mental health, education, moral or social-emotional development. It includes, but is not limited to, vulnerable adult labour.

11. Delinquent Employee: Delinquent Employee is a member of the staff who has been found by the Vulnerable Adult Protection Steering Committee to have committed harm of one or more of the abuses mentioned above.

B. DEFINITION OF STAFF

Definition of Staff Member – Any Member who is defined in EFICOR Employment Policy as Permanent, Probationer, Fixed Term Contract, Temporary, Part-time, Casual/Daily, Voluntary or Trainee.

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C. BELIEFS

- I. The Source of our Principles and practices
 1. Our understanding, principles, and practices on vulnerable adults are guided by the Bible.
 2. In specific instances, we stand to benefit by use of reason and law.
 3. Our involvement will be based on vulnerable adult specific data, the voices of different groups in a community (women, men, girls and boys) and researched data.

II. Our Values

1. Vulnerable adults, along with the rest of humanity, are created in the image of God and therefore have intrinsic worth and dignity.
2. God's desire is for each vulnerable adults to have a secure and caring environment
3. All vulnerable adults have equal rights to protection from harm.
4. Any actions that demean, devalue, or otherwise diminish the vulnerable adults are sinful.
5. Everybody has a responsibility to support the protection of vulnerable adults.
6. EFICOR has a duty of care to vulnerable adults with whom they work, are in contact with, or who are affected by their work and operations.
7. All actions on vulnerable adult safeguarding are taken in the best interests of the vulnerable adult, who are paramount.
8. All vulnerable adults have the right to equal protection from all types of harm and abuse.

D. GOALS

EFICOR will constantly seek to:

1. Work towards rights for justice and dignity for all vulnerable adults.
2. Work towards fulfilling the rights of all vulnerable adults and to be protected from all forms of harm, abuse, neglect, exploitation, and violence as embedded in the international vulnerable adult-rights and human-rights instruments inclusive of The UN Committee Against Torture (UNCAT), UN Convention on the Rights of Persons with Disabilities (UNCRPD).
3. Fulfill and implement all national laws pertaining to vulnerable adults.
4. Encourage individuals, communities, organisations and churches to work towards providing justice, dignity, safety and protection for all vulnerable adults in society, work, church and home.
5. Encourage women and men to work together to address issues of vulnerable adults, challenge oppressive structures, and advocate for change.
6. Empower vulnerable adults by informing and educating them of what is acceptable and unacceptable behaviour.
7. Encourage vulnerable adults to raise their concerns about situations that make them feel uncomfortable and provide them opportunities to raise concerns about people whom they interact with, in a safe way.

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1. ORGANISATIONAL COMMITMENTS

Organisational commitments are specific to time and context and in EFICOR at this present time our commitment towards communities, partner agencies and EFICOR staff are the following:

EFICOR systems and procedures to safeguard vulnerable adults

1. Will form a Vulnerable Adult Safeguarding & Protection Steering and Working Committee and define its roles and functions in safeguarding vulnerable adults and to take appropriate actions as appropriate.
2. Will identify and nominate Vulnerable Adult Protection Officers in each Unit.
3. Will provide a clear guidelines and formats to report vulnerable adult abuse. This is given in Annexure 1.
4. Will provide guidelines on actions to be initiated if a vulnerable adult abuse case is reported.

EFICOR staff and volunteer recruitment process

1. In recruitment of new staff, they will be properly screened during their recruitment period. In their application form, they will agree to EFICOR Vulnerable Adult Safeguarding & Protection Policy and declare that there have been no previous convictions for abuse against vulnerable adults, violent behavior or other convictions that would raise concern about behavior towards vulnerable adults. Their application form will be screened with a minimum of 2 reference checks during their recruitment period. The details will be recorded in the staff files, before the new staff member is invited to take the position.
2. Information on the Vulnerable Adult Safeguarding and Protection Policy will be introduced before and on acceptance of employment.

EFICOR staff and volunteer behaviour protocol while working with vulnerable adults

EFICOR staff, volunteers, and implementing partners must

1. Sign a statement accepting that they have read the Policy, will respect it and understand that action will be taken in case of inappropriate behavior while visiting or working with vulnerable adults.
2. Avoid meeting with individual vulnerable adults when possible or meet within the sight of others.
3. Not make unnecessary physical contact with the vulnerable adult in a way that is against the rights of the vulnerable adult or expose them to inappropriate materials such as pornographic videos and literature.
4. Not take images of vulnerable adults (photos, video etc.), which are detrimental or explicit and undermine the vulnerable adult's dignity.
5. Not initiate or engage in sexually provocative conversations or activity with vulnerable adults, even in fun.
6. Not allow the use of inappropriate conversation between vulnerable adults or about vulnerable adults to go unchallenged.

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7. Not threaten to or use any form of physical punishment.
8. Not allow any allegation of abuse by a vulnerable adult to go unreported or either trivialize or exaggerate vulnerable adult abuse issues.
9. Agree to inform HR person immediately if new information arises that casts doubt on a team member's trustworthiness with vulnerable adults and will not start an investigation personally in a case of suspected vulnerable adult abuse. Such information would be treated as confidential, and appropriate action will be initiated.
10. Take actions if protocols are broken, and the person involved will be disciplined and may lose his/her job and may be subject to criminal proceedings.

In working with community

As per the context and situation in the community

1. EFICOR staff will not allow a vulnerable adult to come to the office premises alone without accompanying with another person. In case of emergency, if the vulnerable adult comes alone, the staff should ensure that there is more than one staff in the office.
2. EFICOR staff will not visit staff house or community family's house when the vulnerable adult is alone.
3. Monitor existing programmes and policies, and take measures to make it vulnerable adult safe.
4. Address and educate to provide safety and protection for vulnerable adults in communities.
5. Ensure that structures do not deny vulnerable adults their due status and rights – social, economical, spiritual or political.
6. Address the rights of the vulnerable adults.
7. Encourage greater participation of vulnerable adults in planning and decision making in programmes implemented.

Implication of Vulnerable Adult Safeguarding & Protection Policy in relation to Partner organization

1. EFICOR would expect the partner organization to have a Vulnerable Adult Safeguarding & Protection Policy. Ensure that staff and volunteer behavior protocol in regard to vulnerable adults are in place while partnering with them. If they do not have a Policy or protocol, then EFICOR will help them to develop one.
2. Where an EFICOR partner organisation is suspected of being involved in vulnerable adult abuse, EFICOR will strongly advise the organisation to deal with the issue and will offer advice and expertise on how to handle the matter.
3. If an EFICOR partner organisation is suspected of abuse and unwilling to address the matter, EFICOR may take further measures, e.g. end the partnership; report the matter to the appropriate authorities etc. EFICOR must first inform the partner organisation of the actions they plan to take in order to give them every opportunity to address the matter.

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EFICOR in its communication

1. EFICOR in its communication about vulnerable adults will reflect images that preserve their dignity and decency and not seek to exploit their circumstances.
2. EFICOR will take special care to protect identities and specific geographic location of vulnerable adults in public documents.
3. Those speaking on behalf of EFICOR will make all possible efforts to ensure that the message communicated in all circumstances will reflect that vulnerable adult abuse is wrong.
4. Disclosure of information about past or present abuse of vulnerable adults and any of the persons involved should be limited to only the people who need to know.

EFICOR in sensitizing Staff on Vulnerable adult Protection Policy

1. EFICOR will sensitize the staff on the Vulnerable Adult Safeguarding & Protection Policy at least once in a year.
2. EFICOR will orient the new staff recruited, on Vulnerable Adult Safeguarding & Protection Policy before being appointed and ensure that the staff give it in writing that they have read and understood the Policy and they will abide by the same.
3. EFICOR will produce a poster and flow chart and paste it in all office locations in the news board to sensitize them on vulnerable adult protection and the process involved in Complaint and Redressal on vulnerable adult abuse.
4. EFICOR will ensure that all staff Members of EFICOR undergo training on vulnerable adult protection and consciously work towards protecting the vulnerable adult.

- a. Vulnerable adult abuse reporting procedure and process:
 - i. EFICOR will use a separate complaint handling mechanism for Vulnerable Adult Abuse and Exploitation to receive the complaint on abuse and exploitation.
 - ii. EFICOR will also use the already existing policies on reporting, like People with Disability Policy, Whistle Blower Policy and Anti-sexual Harassment Policy.
 - iii. On receiving complaint EFICOR will act on it, irrespective of whether it comes through dedicated Vulnerable Adult Abuse and Exploitation Reporting or not.
 - iv. All the abuse would be registered in Vulnerable Adult Abuse and Exploitation Report Register and confidentiality will be maintained optimally in relation to subject of complaint and strictly in relation to victim.
 - v. Staff/Person should inform in writing to the Executive Director/ Governance Standing Committee Convenor/ Chairperson of EFICOR Board either through postal mail or email.
 - vi. In case the perpetrator is the Executive Director, the complaint in writing should be sent only to Governance Standing Committee Convenor/ Chairperson of EFICOR Board either through postal mail or email.
 - vii. If sent by postal mail, write on the cover "Confidential and to be opened only by the person to whom the letter is addressed".
 - viii. If sent by email they can send it to the following email id: ed@eficor.org or convenorgsc@eficor.org; or chair@eficor.org.
 - ix. In case of vulnerable adult giving a direct complaint, it should be recorded and registered by staff/person and certify that it was recorded in their presence (in absence of another adult known to the vulnerable adult).
 - x. The EFICOR Staff member/Project Staff/Community Organizers/ Volunteers are not allowed to conduct any kind of enquiry on their own. Only the Management with approval from the Executive Director will do the enquiry.
 - xi. If any violation is noticed regarding the above said clauses by any EFICOR Staff member/Project Staff or Community Organizers/Volunteers appropriate actions will be initiated against the concerned person.

Actions following the investigation Report:

EFICOR Vulnerable Adult Protection Steering Committee shall investigate the complaint and make its recommendations to the administration, to take necessary steps as recommended. The Vulnerable adult Protection Steering Committee upon investigation may recommend the following punishment to the administration against the delinquent employee:

1. To get an apology letter from the Delinquent employee
2. Issue a Warning letter
3. Reprimand or Censure
4. Withholding of Promotion

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5. Withholding of pay rise or increment
6. Order for a counseling session or carrying out community service.
7. Termination of employment
8. Possible referral to authorities Vulnerable Adult Protection Steering Committee (VAPSC)/ Police

EFICOR shall

1. Provide Ongoing support to survivor(s)
2. Appropriate feedback to complainant, victim, subject of complaint, witnesses, community, staff team, as necessary.
3. Mitigate damage to subject of complaint's reputation, if cleared.
4. Provide training, monitoring to address identified poor practice of subject of complaint, if appropriate.
5. Mitigate damage to relationship with the community
6. Manage morale of the staff team.
7. Review risk matrix and strengthen measures for protection of vulnerable adult in future, as necessary.



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Vulnerable adult Abuse Reporting Format:

PART 1:

Name :

Your role in EFICOR :

Details of any other organisation involved:

Your relationship to the concerned vulnerable adult :

(Your identity as an informer will be kept confidential. despite that if you may, for personal reasons, not want to disclose your identity, you are requested to cooperate fully in sharing the rest of the following information.)

PART 2:

About the vulnerable adult :

Sex :

Age :

Address :

Who does the vulnerable adult or young person live with?

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PART 3:

Please give as much detail as you can, regarding your concern of abuse or danger to a vulnerable adult. Eg of details could be related to:

a. Did a vulnerable adult disclose abuse?

.....

b. Was abuse observed or suspected?

.....

c. Nature of concerns / allegation:

.....

d. Date, time, & place of any incidents:

.....

e. Observation made by you (Vulnerable adult's emotional status, physical evidence)

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f. Write down/share exactly what the vulnerable adult said and what you said:

.....

g. Any other relevant information:

.....

h. Were other vulnerable adults involved, aware?

.....

i. Have you reported this to any relatives of the vulnerable adult or caregiver or any other vulnerable adult protection personnel or agencies?

.....

j. Time and date of reporting:

k. Person to whom report was made:

l. Advice given:

m. Action taken:



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DECLARATION OF SIGNATURE

To be signed by all EFICOR staff (regular, contracted and project) and volunteers. A copy will be kept on file at the appropriate EFICOR office or personnel file.

I declare that:

1. I have read and understood EFICOR Vulnerable Adult Safeguarding & Protection Policy.
2. I will work within the procedure as laid out in the EFICOR Vulnerable Adult Safeguarding & Protection Policy.
3. I have not been accused or convicted of any offence involving physical or sexual abuse of vulnerable adults or young people.
4. I understand that if a complaint is brought against me regarding the abuse of vulnerable adults while being engaged in EFICOR activities, the allegation will be thoroughly investigated in cooperation with the appropriate authorities.

Signature: _____

Name of the Staff: _____

Date: _____