



THE AWAKE SAFEGUARDING POLICY

AWAKE's work is all about Safeguarding – in that it seeks to safeguard and secure opportunities for young people today and in the future. AWAKE will continually review and improve its policies, systems and procedures to ensure they work and that they reflect best practice.

AWAKE believes that Safeguarding is fundamental to its work and embraces the opportunities it presents to share learning from recognized agencies to those it works with around the world. It works with those that share its commitment to Safeguarding and reflect its approach and principles within their Safeguarding policies, procedures and practices.

This Safeguarding Policy and Procedures document ('Safeguarding Policy' or 'Policy') sets out the place Safeguarding holds within the organization and the framework for responding to Safeguarding risks. In association with the Code of Conduct, it describes the appropriate measures AWAKE takes to prevent Safeguarding incidents occurring wherever possible and the steps AWAKE takes to monitor, investigate and report on Safeguarding concerns should they arise. This Policy is to support an improved safeguarded environment for those AWAKE works with or for, or who come into contact with AWAKE and the work of those it supports, and applies to all AWAKE staff members, Trustees, volunteers, consultants, contractors, partners and Grantees.

The process for reporting and recording a Safeguarding incident or concern are detailed in Annexures 1,2 and 3, with guidance for how AWAKE should deal with a Safeguarding incident of concern detailed in Annex 4, and guidance on reporting to the Charity Commission detailed in Annex 5. Additional guidance on confidentiality and information sharing is included in Annex 6.

1. PRINCIPLES AND COMMITMENTS

Awake is committed to transform livelihood and leadership in marginalized communities. We do this through awake changemakers school; committed to producing all round individuals who are committed to transform opportunities for the next generation

AWAKE's approach to safeguarding is found at the heart of its vision, mission and values. AWAKE considers that it is always unacceptable for anyone, young or older, to experience any kind of abuse or exploitation and that safeguarding children, young people and vulnerable adults and protecting them from harm is everyone's responsibility. It looks to all those it works with to share this commitment and alignment to these Safeguarding principles.

This Safeguarding Policy and Procedures document ('Safeguarding Policy' or 'Policy') sets out AWAKE's approach to preventing, reporting and responding to safeguarding incidents. Below we explain who this Policy covers and protects, what is abuse and the behavior we expect, how we work with partners and Grantees, how to report an incident, as well as our approach to investigations and safe recruitment.



AWAKE fosters a culture of Safeguarding where everyone who works with or for or comes into contact with AWAKE and its supported work, feels comfortable to challenge behaviour that does not align with this or other AWAKE policies and to report concerns. AWAKE encourages the reporting of concerns and will look to Grantees to do likewise.

Safeguarding is the responsibility of all those working within and for AWAKE. The Safeguarding Lead is Gloria Njeri Munjogu, the Chief Operating Officer to whom Safeguarding concerns should be reported. The Program associate will deputise for the Safeguarding Lead. Safeguarding concerns can also be reported and discussed with the Trustees or raised through an anonymous channel. **Information about how to report a safeguarding concern through any of these channels is set out in Annex 1.**

The principles in this Policy have been drawn from key international and regional instruments such as the International Standards for Keeping Children Safe and the UN Convention on the Rights of the Child (1989), AWAKE is a Kenya social enterprise and is, as such, required to comply with the requirements of the organizations registration act. AWAKE supports people with diverse culture. AWAKE's commitment to avoid harm to those we intend to assist and the particular protection which should be offered to children, young people and vulnerable adults stands whatever the variation in cultural and legal frameworks and we expect those who receive grants to adopt the same commitment and principles.

The Board of Trustees has agreed this Policy and will review it regularly, and as required, to ensure it always remains fit for purpose. Trustees and staff are responsible to ensure AWAKE complies with this Policy and for making Safeguarding a priority.

AWAKE will publish its Safeguarding Policy, along with other related policies, on its website.

2. DEFINITIONS: WHO DOES THIS POLICY PROTECT, WHO IT APPLIES TO, WHAT IS ABUSE AND WHAT BEHAVIOUR DO WE EXPECT

2.1 Who is protected?

While everyone without exception has the right to protection from abuse regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, the focus of this policy is to protect children, young people and vulnerable adults from harm. These categories are not mutually exclusive.

Children: AWAKE has adopted the definition provided by the UN Convention on the Rights of the Child that a Child is anyone under 18 years of age, irrespective of the laws and customs in their country of residence.

Young people: AWAKE works with young people aged 14 - 35 years of age. Young people are considered by AWAKE to be any individuals who are within this age range.

Vulnerable adult: An adult is vulnerable if they require protection and is or may be in need of protection by reason of age, illness, mental or other disability, and/or who lives with economic dependence, a conflict environment or cultural constraints. Vulnerability can be a transient state, due to changes in environment, capacity or resources. A person who was not before may become vulnerable – and it is possible to be just a 1 temporary state. Other forms of vulnerability may be more permanent and pervasive*.

This policy and its principles apply to all persons who come into contact with AWAKE supported work.

2.2 Who does this Policy apply to?

The Policy applies to: • AWAKE Representatives: including staff, volunteers, Trustees, consultants and contractors; • AWAKE Visitors: those who visit AWAKE supported work with AWAKE’s knowledge and consent (including but not limited to donors, journalists or supporters); and • AWAKE Grantees: this policy will be cascaded to both partners and recipients of AWAKE support (who for the purposes of this Policy will be referred to as “Beneficiaries”) who will be expected to meet the standards set out in this Policy. Where the term Grantee Representative is used this refers to staff, volunteers, Trustees, consultants and contractors of the Beneficiaries. See section 4 below for more in relation to Grantees.

AWAKE makes all groups included in scope aware of their responsibilities under this Policy on an on-going basis.

2.3 What is abuse? “Abuse”: can take many forms and may be perpetuated by adults or peers who know a child or young person well, by institutions, or by those in organisations that work to support the child or young person. Abuse includes: • physical abuse is the actual or likely physical injury, and neglect is the failure to prevent it; • emotional abuse is the actual or likely adverse effect of threatened abuse; • sexual abuse and exploitation including all forms of sexual activity, exchange of benefits (including food and money) for sexual favours; • physical or emotional intimidation; • neglect, where basic needs such as food, warmth and medical care are not met; • sexual harassment is unwanted conduct of a sexual nature. The effect of sexual harassment is to violate the dignity of another person and to create an intimidating environment for them; • commercial exploitation, including child and people trafficking; • use of email, internet or social media to bully, harass or coerce others (including cyber bullying and grooming); and • an abuse of a position of trust by charity employees, Trustees, partners, those in receipt of support or volunteers.

*1 The term ‘Vulnerable Adult’ is used due to the global nature of AWAKE’s activities. In the context of the UK this term should be read as equivalent to ‘Adult at Risk’, as defined by the UK Care Act 2014.

3. EXPECTED BEHAVIOUR



AWAKE expects the highest standards of personal and professional behaviour from its staff, both during their time at work but also in their private lives. This is explained more fully in the AWAKE Code of Conduct. AWAKE will look to all AWAKE Representatives, Visitors and Grantees to observe the same high standards in their behaviour (as appropriate to their roles) including that they will:

- create and maintain an environment that prevents all forms of abuse including sexual abuse and exploitation. Managers at all levels have a particular responsibility to support and develop systems that maintain this environment;
- treat everyone with respect, recognizing others' right to personal privacy, although this may not apply where there is information about a safeguarding concern which can be legitimately shared in order to protect the individual at risk;
- plan and organize events in a manner which reduces risk; and
- report any concern or suspicion regarding sexual exploitation or sexual abuse by a fellow worker, whether in the same organization or not, without delay in accordance with this Policy.

And that they will not:

- engage in any type of sexual relationships with any person under the age of 18 regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defense;
- enter into a sexual relationship with any person benefiting from AWAKE support;
- exchange money, employment, goods or services, including any exchange of assistance that is due to persons who benefit from AWAKE support for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior;
- use the organization's computers or other equipment to view, download, create or distribute inappropriate material, including but not limited to pornography or obscene or abusive images of children;
- use email, the internet or social media to bully, abuse, harass or coerce others (including cyber bullying and grooming);
- invite or respond to an invitation to become a friend on social media platforms, or share or ask for the personal contact details, including mobile phone numbers, social media handles or email addresses of children, young people or vulnerable adults;
- take advantage of a position of power to enter into a relationship with those who benefit from AWAKE's support;
- behave physically in a way which is inappropriate or sexually provocative;
- engage in physical contact unless it relates to a pre-planned and necessary part of the work that is being done, or would constitute responding to an emergency;
- develop inappropriate relationships or use behavior which could in any way be deemed exploitative or abusive;
- invite to a meeting outside the working environment or spend excessive time alone with children, young people or vulnerable adults, away from others, in a secluded area or behind closed doors, including on car journeys, unless it is absolutely necessary and with parental or guardian consent; and use language, gestures, make suggestions or offer advice which is discriminatory, inappropriate, offensive, or abusive.

4. WORKING WITH AWAKE PROGRAM BENEFICIARIES

AWAKE SUPPORTS both through partner organisations, that use AWAKE programs. All AWAKE Representatives, Visitors and donors are expected to create a positive environment in which reporting of any safeguarding incidents is encouraged so that children, young people and vulnerable adults, in particular, are protected from harm. We want to ensure that Grantees work



together with AWAKE to protect those who are at risk of abuse and exploitation because of their age and/or vulnerability.

AWAKE performs due diligence on beneficiaries and will only enter into Agreements with those that have, or demonstrate a willingness to adopt, a safeguarding culture that includes prompt reporting of any incidents or concerns. AWAKE encourages those it works with to be open and honest about incidents that occur. AWAKE is most concerned where issues arise but are not properly dealt with by recipients of AWAKE.

Through signing the Agreement all beneficiaries are required to sign their compliance with the principles of this AWAKE Safeguarding Policy. Beneficiaries are required to have their own safeguarding policy that in AWAKE's opinion, while being proportionate, is equally robust.

5. COMMUNICATIONS AND DIGITAL SAFEGUARDING

AWAKE works in the digital space and captures and communicates content online about young people and their projects. Social media and other digital platforms play an important role in AWAKE's engagement with young people and wider stakeholders around the world. AWAKE is committed to respecting the rights of children, young people and vulnerable adults featured in its online communications, the correct handling of data, and enabling a safe online environment for all users. Please see summary below and refer to the Digital Safeguarding Policy for full details:

5.1 Informed Consent AWAKE will only publish stories and images, still or moving, where it is satisfied that informed written consent has been received, from the child if of an age and maturity to provide consent, or guardian or adult as appropriate. AWAKE will ensure individuals can see how content featuring them is being used and shared, disclose any potential risks, and ensure individuals are aware of their rights so that informed consent can be given. Third parties supplying content will be required to demonstrate that they have acquired consent from those featured.

5.2 Protection of users' and contributors' privacy and data AWAKE seeks out best practice to protect the privacy of others and adheres to data protection laws in relation to any personally identifiable information that is collected, stored, used, or shared. In situations where children or vulnerable adults may need extra protection, AWAKE seeks to protect identities and moderate content accordingly, with only first names and non-identifiable locations used. In extremely sensitive cases, a first name can be changed, or a pseudonym used, to protect an individual's identity, and will be footnoted with the following: "Names have been changed in order to protect the identities of those involved."

5.3 Responsible use of technology and content placement AWAKE will not use or align AWAKE with any organisations or websites that deploy the use of excessive tracking software, adware, malware or spyware. AWAKE will take steps to ensure that its social media content does not appear alongside undesirable advertising content (e.g. political extremism).

5.4 Trustworthy content and transparent user journeys AWAKE is committed to sharing content that does not mislead viewers, is factually accurate, and does not seek to control the conversation. Due diligence will be carried out to ensure that content shared is truthful and representative of reality. Social media content will not click through to unexpected destinations and will only link out to third parties that are trusted and relevant.

5.5 Platform moderation AWAKE will monitor and moderate its social media and network management platforms and report or remove comments which could be deemed harmful or offensive to other users. Such content may include, but is not limited to, abuse, bullying, harassment or impersonation of any kind. Reports will be made to the relevant social media channel and escalated to relevant authorities if appropriate. All users are expected to read the Digital Safeguarding Policy and the Code of Behaviour before being accepted into any online group or AWAKE networking platform.

5.6 Official communications channels When working with children and young people connected with AWAKE, official communication channels will be used. AWAKE staff should only use official email accounts, phones and social media. Personal email, social networking, mobile phones or other means of communication are an inappropriate communication method.

5.7 Guidelines on user conduct Guidelines for online conduct is provided to all AWAKE Representatives and users of AWAKE platforms. Please refer to Section 2 of the Digital Safeguarding Policy.

6. VISITING GRANTEES AND HOLDING EVENTS

When AWAKE Representatives and Visitors visit a AWAKE supported activities they should expect to be asked to see, sign and abide by the Safeguarding or Child Protection Policy of those responsible for the activities they are observing.

AWAKE will consider safeguarding risk when organizing any event, including fundraising, profile raising, networking or other events for AWAKE or those that AWAKE engages with or supports. AWAKE will ensure appropriate safeguarding risk mitigations are in place which will include a safeguarding briefing to all event attendees.

7. RESPONDING TO A SAFEGUARDING INCIDENT (CONCERN OR ALLEGATION)

The guiding principle in responding to any concerns around safeguarding is that the protection and welfare of the child, young person or vulnerable adult should always come first. No child, young person or vulnerable adult should be put at more risk by any action that may be taken at any stage including during an investigation of a concern or allegation.

Safeguarding incidents include concerns or allegations about an individual child, young person or vulnerable adult or between beneficiaries and can be against AWAKE Representatives,



Visitors, or beneficiaries of AWAKE supported work. **Annex 2** includes guidance about what might constitute a safeguarding incident.

Annex 2 also includes guidance about what to do if in receipt of a disclosure, allegation, concern or suspicion of abuse of someone connected to AWAKE emphasises listening, reflecting back, avoiding making comments about the alleged perpetrator, not promising confidentiality and explaining the next steps. A Safeguarding Incident Report form (**Annex 3**) should be completed, or if not available then notes taken. The Safeguarding Incident Report form, notes, or an oral report should be provided or reported immediately wherever possible or otherwise within 24 hours of the incident to the AWAKE Safeguarding contacts (**Annex 1**).

Whoever is notified of a safeguarding concern or incident should always take it seriously. Those making reports of concerns or an allegation about a safeguarding incident DO NOT need to decide whether or not abuse has taken place. They DO need to pass on at the earliest to the AWAKE Safeguarding contacts any information about a safeguarding incident which they identify or which has been raised with them.

Unless in an emergency situation no individual should attempt to deal with a safeguarding incident alone.

7.1 In an emergency If a child, young person or vulnerable adult is at immediate risk of harm (e.g. assault) or has been seriously injured then act immediately in the best interests of the child, young person or vulnerable adult. Act in line with this principle and if uncertain about what to do and time permits then consult the Safeguarding Officer or Safeguarding Lead. They must always be informed once any emergency action has been undertaken anyway and the Safeguarding Incident Reporting Form (**Annex 3**) completed and sent to them.

Acting in the best interests of the child, young person or vulnerable adult will usually mean the need to contact the emergency services (police/hospital) but this will depend on the country and how safe it is to do so.

8. RESPONDING TO AND INVESTIGATING SAFEGUARDING INCIDENTS

Safeguarding Incident reports will always be acted upon and investigated swiftly, making the welfare of the child, young person or vulnerable adult paramount. AWAKE will adopt different procedures when dealing with a safeguarding incident report against a AWAKE Representative, AWAKE Supporter, partner organisation of AWAKE, or where it is external to the activity of AWAKE, Grantee or partner organisation, and these are listed at **Annex 4**.

8.1 Investigating Safeguarding Incidents All investigations will be conducted by an individual with the requisite experience. The process for initiating investigating safeguarding incident reports is outlined in **Annex 4**.

At the point at which the safeguarding incident is reported, AWAKE will report serious incidents to the responsible Kenyan government authorities. AWAKE will take advice on reporting to



other authorities and, if appropriate and safe for the individuals concerned, inform them of the concern or allegation.

AWAKE Representatives, Visitors and Grantees will be expected to work with any investigating authority and provide witness statements as required and cooperate with other requests during an investigation.

8.2 Outcomes of a safeguarding investigation The following definitions should be used when recording the outcome of a safeguarding allegation: • Substantiated: there is sufficient evidence to prove the allegation; • False: there is sufficient evidence to disprove the allegation; • Malicious: there is sufficient evidence to disprove the allegation and that there has been a deliberate act to deceive; or • Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation.

Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references.

AWAKE will not use a 'settlement agreement' or non-disclosure agreement with any person in respect of safeguarding incidents. This is where the individual subject to the allegation agrees to resign, the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in future references.

9. SUPPORT AND TREATMENT OF THOSE INVOLVED

9.1 Support for victims of safeguarding incidents AWAKE will treat all safeguarding allegations seriously and treat as paramount the welfare of the child, younger person or vulnerable adult. Upon receipt of a safeguarding incident report AWAKE will put in place a process to ensure that the victim / survivor is removed from harms way, in as far as this is reasonably possible, and will ensure that no child, young person or vulnerable adult is put at more risk by any action that may be taken at any stage including during an investigation of a concern or allegation.

The Safeguarding Lead will ensure that the victim / survivor is kept up to date of the progress of any investigation and provided with feedback at the end of the investigations.

AWAKE may offer support to victims and survivors in relation to Safeguarding breaches in relation to work carried out by AWAKE Representatives.

9.2 Information for the accused person(s) The Safeguarding Lead is responsible for ensuring that the person who is the subject of the allegation is:

- informed of the allegation against them (once agreed by the local authority/police), notified of the processes that will follow and signposted to support should they require it;
- kept up to date about any progress in relation to their case;

- kept up to date about what is happening in the workplace in cases where the person is suspended or AWAKE has ceased to use their services, to enable reintegration should they return to work/ volunteering;
- sent correspondence confirming all of the above including the arrangements for support;
- and provided with feedback at the end of any investigation, clarifying the outcome and any implications for their employment or volunteering.

9.3 Protection of those raising a concern Any AWAKE staff member who raises concerns of serious malpractice is protected from victimisation or any other detrimental treatment, if concerns are raised in good faith.

10. CONFIDENTIALITY, INFORMATION SHARING AND RECORD KEEPING

10.1 Confidentiality and information sharing All parties must maintain confidentiality and therefore sharing of information, which could identify a child, young person or vulnerable adult or an alleged perpetrator should be purely on a ‘need to know’ basis. This includes AWAKE senior management who might otherwise be informed of other types of serious incidents.

Any information offered in confidence to AWAKE should be received on the basis that it will or may well need to be shared with relevant authorities, or may legitimately be shared to protect the child, young person or vulnerable adult, and this should be made clear.

There may be times when the individual concerned would not feel safe were the incident to be reported to the relevant authorities. If the individual concerned, being the subject(s) of a safeguarding concern, do(es) not want their case brought to the attention of the authorities, the concern must be noted and the reluctance for reporting must be communicated to the AWAKE Safeguarding Lead. The Safeguarding Lead will assess the related safeguarding risks in these circumstances before deciding on a course of action.

Further guidance on the information sharing is contained in **Annex 6** (Confidentiality and Information Sharing Principles).

10.2 Record keeping and retention AWAKE will keep a safeguarding incident log in which all reports will be kept confidentially and securely. Safeguarding records, should distinguish between fact, opinion and hearsay.

The duration for which safeguarding records should be kept is detailed below. Where there is a discrepancy between duration for which records should be held, the longer duration should be adhered to. At the conclusion of the periods listed - and before any records are destroyed – kenyan legislation should be reviewed to ascertain whether there is a requirement to keep records for a longer period. For safeguarding records that relate to:

- an incident where the victim is a child, these will be kept for 15 years from the date that the safeguarding incident is reported. For incidents where the victim is a young person or vulnerable



adult who is 18 years old or over, the safeguarding records will be kept for 7 years from the date that the safeguarding incident is reported; • a concern or incident involving a AWAKE staff member, the safeguarding records will be kept for 15 years from the date that the safeguarding concern or incident is reported; or • a concern or incident involves a AWAKE Representative who is not a staff member, a AWAKE Beneficiary or Visitor, the safeguarding records will be kept for 7 years from the date that the safeguarding concern or incident is reported.

11. MONITORING SAFEGUARDING INCIDENTS

Safeguarding is a key risk on the AWAKE risk register, along with oversight of the Code of Conduct. The risk register is reviewed and assessed every month by the AWAKE Senior Management Team and every six months by the AWAKE Board of Trustees. Safeguarding is a separate risk category on the risk register.

Statistics on safeguarding and Code of Conduct concerns are reviewed alongside the risk register so that trends in reporting can be captured and monitored, and learning incorporated back into policies, procedures and practice.

The Safeguarding Lead will advise the Safeguarding Trustee of safeguarding reports at the earliest opportunity. The Board of Trustees will receive reports on all investigations and the outcome within the confines of confidentiality.

AWAKE will report annually on their safeguarding approach, practices and experience.

12. RESPONSIBILITY OF QCT STAFF AND THE BOARD

All AWAKE staff have the responsibility to ensure that all AWAKE Representatives, Beneficiaries and Visitors are made aware of this Safeguarding Policy. Regular due diligence, risk assessment and risk mitigation are incorporated into AWAKE's systems and processes.

The Board of Trustees has ultimate accountability for safeguarding. The Board of Trustees must act at all times in the best interests of those who AWAKE's work is intended to support and assist. All Trustees will receive training appropriate to their role. The Board of Trustees will appoint a Safeguarding Trustee.

13. SAFE RECRUITMENT OF STAFF AND VOLUNTEERS

13.1 Recruitment checks and references Safeguarding considerations should be considered at all stages of the recruitment process. AWAKE operates strict procedures to ensure it recruits only those staff, volunteers or other representatives who are suitable to work with children, young people and vulnerable adults. Where roles involve working directly with children, young people and vulnerable adults, or in some instances indirectly such as handling imagery and personal data of children, young people and vulnerable adults, AWAKE obtains a Disclosure and Barring Service (DBS) check in the Kenya, or from the closest relevant authority elsewhere, as part of the recruitment process.



AWAKE always asks for and takes up references and will stipulate in a reference if someone has been disciplined in connection with a breach of this Safeguarding Policy. Reasons for leaving previous employment will be checked with the most recent employer.

13.2 Advertisement All adverts state that AWAKE is an equal opportunities employer and that its recruitment and selection procedures reflect our commitment to Safeguarding. DBS or other relevant checks will be required and will be clearly stated in the recruitment advertisement.

13.3 Interview For roles which involve working directly with children, young people and vulnerable adults, the interview will include a discussion of the individual's previous work with children, young people and vulnerable adults, with questions designed to explore the person's approach, attitude and experience. Interview questions will include questions on the understanding of and the suitability to work in an organisation which works with children, young people and vulnerable adults in diverse cultures and countries.

13.4 Induction All new AWAKE Representatives will have a mandatory induction on joining or commencing work for AWAKE that covers the Code of Conduct and this Safeguarding Policy.

13.5 Training All AWAKE Representatives will receive mandatory safeguarding training consistent with their job roles and responsibilities including as part of their induction, and subsequent refresher training. Grantees will be offered training as appropriate. Creating an 'aware culture' in which all AWAKE Representatives, Visitors and Grantees contribute to both the protection of children, young people and vulnerable adults and prevention of abuse and exploitation is crucial.

13.6 Disciplinary actions AWAKE will apply appropriate disciplinary measures to any staff found in breach of this and other relevant policies. During investigation, alleged perpetrators may have their duties changed or may be asked to take paid leave.

14. REVIEW

Safeguarding is a standing item at all Board meetings. AWAKE is committed to reviewing its policy and good practice on an annual basis, or sooner if there is a change in legislation or learning from an incident.

ANNEX 1: Contacts for reporting a Safeguarding Incident

- All Safeguarding incidents or concerns should be reported to the Safeguarding Lead via awakeyouthinitiative@gmail.com or at 0770 531493 (text or call, voicemail will be active out of office hours) and to the Safeguarding Officer via meshacknan@gmail.com.
- If the incident or concern relates to the Safeguarding Officer then this should be reported to the Safeguarding Lead, and if the incident or concern relates to the Safeguarding Lead then contact the Chair and Safeguarding Trustee; awakeyouthinitiative2gmail.com



- Having your details helps AWAKE to follow up but if you want to be anonymous you can submit information relating to a Safeguarding incident or concern via awakeyouthinitiative@gmail.com

ANNEX 2 - Steps to take when you receive or identify a safeguarding incident (concern or allegation)

Guidance for what do to do immediately when you receive a direct disclosure or receive allegations of a safeguarding incident

- Listen to the person, allow them to say what they feel they want to say, but don't ask leading questions
- Ask who, when, where, what but not why;
- Reflect back to the person what you have heard them say, to ensure there is no misunderstanding;
- Avoid making comments about the alleged perpetrator, if there is one;
- Don't promise to keep it a secret. As we are concerned about welfare it is likely that information will need to be passed on to the Safeguarding Lead and potentially the Safeguarding Officer and Safeguarding Trustee; and
- Explain what steps you will take next, and understand whether the discloser is happy to share their contact details as this helps AWAKE to follow-up including understanding more fully the nature of the concern or allegations which may be important for allowing AWAKE to act on the information provided.

Step 1 As soon as is possible, write down everything you can remember that the person said or that you observed, as well as where and when the conversation took place. Include:

- Name of person making the report • Name(s) of who has been harmed • Name(s) of alleged perpetrators(s) • Description of incident(s) • Date(s), time(s) and place(s) of incident(s) • Anything that upon receiving or observing the disclosure or allegation you have said or done already

Ensure your notes are factual and as accurate as possible. The above information is the key information that you will require when completing a Safeguarding Incident Report form, which you should complete if you have the form to hand otherwise make notes. Opinions and presumptions should be avoided but, where it is felt relevant or important to include these, they should be clearly indicated as such.

Step 2 Call or email the Safeguarding Lead and/or Safeguarding Officer who should be contacted as soon as possible after the concern was raised (and no later than 24 hours). Send the Safeguarding Incident Report Form or otherwise your notes (see contacts listed in **Annex 1**) to the Safeguarding Officer. Contact the Safeguarding Lead if the Safeguarding Officer is unavailable. All written notes or the Safeguarding Report Form must be kept securely in a locked place or password protected if online.



- If the alleged incident relates to the Safeguarding Officer you should contact the Safeguarding Lead; or
- If the alleged incident relates to the Safeguarding Lead then contact the Chair and Safeguarding Trustee at the confidential email address (details can be found in **Annex 1**).

Step 3 The Safeguarding Lead will then determine the response to the concern or allegation in conjunction with others in AWAKE who have specific safeguarding responsibilities. Concerns and allegations will be acted upon and investigated swiftly, making the welfare of the child or vulnerable adult paramount. Any delay must be avoided.

Step 4 If you have made a report and need support afterwards then you can seek this from the Safeguarding Officer or Safeguarding Lead. Identifying a concern or allegation can have an impact, so seeking advice or support during or afterwards is completely acceptable.

Step 5 Due to the sensitive nature of safeguarding Incidents, confidentiality must be maintained during all stages of the reporting process, and information shared on a limited 'need to know' basis only (see **Annex 6** - Confidentiality and Information Sharing Principles). This includes AWAKE senior management who might otherwise be informed of other types of serious incidents.

Guidance about what might constitute a safeguarding incident:

Safeguarding incidents include concerns or allegations about an individual child, young person or vulnerable adult or between beneficiaries and can be against AWAKE Representatives, Visitors or beneficiaries of AWAKE supported work. They could, for example, include the following situations:

- Abuse of a child, young person or vulnerable adult is observed or suspected;
- A child, young person, vulnerable adult or another individual discloses that abuse – including online - has occurred;
- The behaviour (including online abuse), of an adult towards a child, young person or vulnerable adult;
- The behaviour, including bullying and cyberbullying, of those that a Grantee is supporting (child, young person or vulnerable adult) towards each other -;
- Information about a AWAKE Representative, Visitor or Grantee provided by statutory agencies or another organisation, or identified through the press/media;
- Allegations of abuse perpetrated by a AWAKE Representative, Visitor or Grantee;
- Risks identified through AWAKE recruitment processes (e.g. criminal records information);
- Allegations or concerns being identified that arise during a disciplinary or a complaint;
- Concerns raised about harm to a child, young person or vulnerable adult occurring 'outside' of activities/projects provided by a AWAKE Representatives or Grantee (e.g. at home, school, another organisation or in the local community)

ANNEX 3: Safeguarding Incident Report Form

Form for completion by AWAKE staff member, volunteer or other representative, beneficiaries, partner organisation or those in receipt of AWAKE support.



If the individual concerned is in immediate danger, or needs urgent medical treatment, call emergency services

ANNEX 4 - AWAKE Procedures upon receipt of a report of a safeguarding incident

Annex 4a - How to proceed with a safeguarding incident report if it concerns harm to a child, young person, or vulnerable adult which is external to the activity of AWAKE or a Grantee

Upon notification of a concern the Safeguarding Lead (or Officer) must:

Step 1 If the Safeguarding Officer has been informed they will immediately notify the Safeguarding Lead and agree if any further information is needed for clarification purposes. This must be done on the same working day or quicker considering the nature and risk of harm. The Safeguarding Lead and Safeguarding Officer should assess the information they have received and decide if any further information is needed for clarification, however it is not their role to start any investigative process. Complete the Safeguarding Incident Report form.

Step 2 If the concern is about a child, young person or vulnerable adult being subject to harm which is being perpetrated within their home, school, community then there is a need to consider how best to protect the child or adult. The options include:

- Taking no action as the concern raised does not constitute a safeguarding one;
- Monitor the situation and review again;
- Consult with an external agency (e.g. statutory agencies or NSPCC Helpline if in the UK) or the Safeguarding Lead;
- Make a formal referral to statutory services (children's services and police, if a crime may have been committed) and only if it is safe and appropriate to do so depending on the country where the child or adult lives and the systems they have in place.

Step 3a Safeguarding Manager (or Lead) should make an immediate referral into children's services (or equivalent) and the police (if a crime may have been committed) having first discussed this decision with the Safeguarding Trustee. When this course of action is taken there is a need to consider whether to get consent or notify the person or their parents/carers of the action being taken. See Annex x about information sharing and confidentiality to help guide decision making about this aspect of safeguarding.

Step 4 The Safeguarding Lead (or Officer) must record all actions taken, decisions and outcomes. They should follow up any referral made to statutory services/ police after three working days to check that action has been taken.

Step 5 The Safeguarding Lead (or Officer) should also consider if there is any additional support that Awake can provide for the child or vulnerable adult or signposting to other support services in the locality.

Annex 4b - How to proceed with a safeguarding incident report where it is against a AWAKE Representative(s)

In instances where there are allegations or observations that a AWAKE Representative has harmed or may have harmed a child, young person or vulnerable adult then the allegations management process which follows will apply. A AWAKE Representative refers to AWAKE staff, volunteers, Trustees, consultants and contractors but not AWAKE Grantees, their representatives or AWAKE Visitors.

Step 1 If the Safeguarding Officer has been informed they will immediately notify the Safeguarding Lead and agree if any further information is needed for clarification purposes. This must be done on the same working day or quicker considering the nature and risk of harm. The Safeguarding Lead and Safeguarding Officer should assess the information they have received and decide if any further information is needed for clarification, however it is not their role to start any investigative process. Complete the Safeguarding Incident Report form.

Step 2 If there is a child or vulnerable adult that has been harmed then the Safeguarding Lead (or Officer) will as a priority ensure that the protection of anyone who has been harmed first of all.

Step 3 The Safeguarding Lead will call a Safeguarding Strategy Group meeting to determine together the approach to manage the allegation. The members of the safeguarding strategy group as follows: Safeguarding Lead, Safeguarding Manager, Safeguarding Trustee, and CEO. The meeting may take place face to face or virtually.

Step 4 The Safeguarding Strategy Group will have several options to consider in managing any allegation. Firstly, they will need to assess, on the information they have, whether the allegation is about safeguarding as oppose to misconduct or poor working practices.

Step 5 If, after the initial consideration, the Safeguarding Strategy Group do not consider the matter constitutes a safeguarding allegation then they must decide if an internal investigation is required to determine if the behaviour/incident was related to poor practice or misconduct and then follow the appropriate internal procedures to address this. All decisions and reasons for decisions, including there being no need to take safeguarding action, must be recorded and kept separate from an individual's file but cross-referenced to it.

Step 6 If it is agreed that it is a safeguarding allegation, then the Safeguarding Strategy Group must make an initial plan which considers the following:

(a) the immediate safety of any relevant children, young people or vulnerable adult involved, for example those that are the subject of the safeguarding allegation or other children, young people or vulnerable adults that the individual has contact with through work or family; (b) what information to share with the individual(s) who is the subject of the safeguarding allegation; (c) whether any immediate decision should be taken about suspension of the individual (either from paid work or volunteering) subject to the allegation, pending further enquiries and/or investigation. The act of suspension does not indicate a person's guilt. An individual must not be suspended automatically when there has been an allegation without careful thought. Suspension should be considered in any case where: • there is cause to suspect a child/vulnerable adult is at risk of significant harm; • the allegation warrants investigation by the police; • there is so serious that it might be grounds for dismissal; or • there are concerns that the person about whom the allegations are made may put pressure on or interfere with potential witnesses. (d) if any records need to be secured or 'locked down', or any work equipment be removed from the individual who is the subject of the allegation (e.g. laptop, mobile phone, iPad) if the concerns relate to their online behaviour being abusive e.g. grooming a person with the intent to abuse or exploit them; (e) what other information is required; (f) identifying who else is aware of the safeguarding allegation and who has been spoken to; (g) whether advice should be sought from the local statutory authorities (i.e. children's or adult services and police);

*2 A Safeguarding allegation is where a person (child or adult) has (NSPCC provided definition): a) Behaved in a way that has harmed a person, may have harmed a person or might lead to a person being harmed; b) Possibly committed or is planning to commit a criminal offence against a person or related to a person; or c) Behaved towards a person in a way that indicates s/he is or would be unsuitable to work with children, young people and/or adults.

Step 8 The Safeguarding Strategy Group will need to determine if the allegation needs to be reported to children's or adult services (or the equivalent if they exist) and the police. This will depend on many factors such as the law in the country, whether it is safe to report to the police or the children's or adult services (or equivalent if they exist) in the location where the abuse is alleged to have taken place. In the UK the expectation is that the statutory services will undertake the investigation of an allegation before any internal procedures of the organisation follow such as performance or disciplinary. This position will not necessarily be applicable in other countries where such formal systems either don't operate or are inadequate or unsafe. In such circumstances, the Safeguarding Strategy Group may have to conduct the investigation themselves or appoint an independent body to do this.

Step 9 Full records of the allegation, decisions, actions and outcomes must be kept securely with restricted access to them.

Step 10 The Safeguarding Strategy Group will need to maintain oversight over any external or internal investigations and determine the necessary actions once the outcomes of any investigation is completed.

Annex 4c – How to proceed with a safeguarding incident report in respect of a Beneficiary

Step 1 Beneficiaries must alert the AWAKE Safeguarding Lead and Safeguarding Officer if they identify a safeguarding concern about a child, young person or vulnerable adult or if there is an allegation of abuse against a Grantee Representative. This must be done within one working day of the incident being identified or received (see Annex 1 for contacts). The Grantee must provide full written details of the concern (ideally on a **Safeguarding Incident Report Form - Annex 3**) and the protective action taken or proposed.

Step 2 On receiving this information the Safeguarding Officer will notify the Safeguarding Lead who will in turn call a Safeguarding Strategy Group meeting. The purpose will be to determine what action will be taken and by whom at AWAKE and the Grantee.

Step 3 The Safeguarding Strategy Group will have to decide whether to make a serious incident report to the Charity relevant authorities.

Annex 4d – How to proceed with a safeguarding incident in respect of organisations partnering with AWAKE

AWAKE partner organisations provide an avenue for Awake's program expansion and therefore it is the partner organisations who are responsible for the oversight and management of safeguarding incidents in those organisations. This is not to say that partner organisations cannot seek advice from AWAKE's Safeguarding Officer or Safeguarding Lead. A process for monitoring and reporting on safeguarding incidents that occur in partner organisations, and those that they in turn provide onward grant support to, should be agreed with the partner organisation and kept under review by the Safeguarding Lead. In the absence of an agreed process, the process which applies to Grantees should be adopted.

Annex 4e - Action relating to a AWAKE Representative following the conclusion of the investigative process

At the conclusion of any investigations:

Step 1 At the end of an investigation the following terms should be used when recording the outcome of a safeguarding allegation: • **Substantiated:** there is sufficient evidence to prove the allegation • **False:** there is sufficient evidence to disprove the allegation • **Malicious:** there is sufficient evidence to disprove the allegation and that there has been a deliberate act to deceive • **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation.

Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references.

Every effort should be made to reach a conclusion in all cases even if:

- the individual refuses to cooperate, although they should be given a full opportunity to answer the allegation and make representations;
- it is difficult to reach a conclusion;
- the individual has resigned or person withdraws their services; or
- the person is deceased.

Step 2 The Safeguarding Strategy Group will formally review the outcome and determine if any further action is required by AWAKE. The range of options open will depend on the circumstances of the case and will need to consider the result of any police investigation or trial, any investigations in respect of the child/young person/adult victim(s), as well as the different standard of proof required in disciplinary and criminal proceedings. Options include:

- reintegration of the AWAKE Representative;
- instigate the disciplinary process in respect of staff or the volunteer resolution process in respect of volunteers;
- alerting other known employers of the individual concerned which is normally the responsibility of the statutory authorities to do;

Step 3 If an allegation is determined to be false or malicious, the Safeguarding Lead must consider if any further action is required which includes:

- if the safeguarding allegation was deliberately invented or malicious then this should be discussed with the police and advice sought (depending on the country in which this occurred) to determine if it constituted a criminal offence
- deliberate false or malicious allegations, or the leaking or misuse of confidential information whether false or not, are serious disciplinary offences and will be investigated in accordance with AWAKE's Disciplinary Policy.

Step 4 At the end of the process of managing an allegation, the Safeguarding Lead and Safeguarding Officer are responsible for the identification of any lessons learned. This learning may have implications for the safeguarding policy and procedures and/or training. This learning must be shared with the Lead Trustee for Safeguarding.

ANNEX 5 - AWAKE's Reporting of Serious Safeguarding Incidents to the concerned Authorities

1. Introduction

1.1 AWAKE's Reporting of Serious Safeguarding Incidents is applicable to all AWAKE Representatives. Its purpose is to ensure that AWAKE Representatives can identify serious incidents, escalate them as appropriate and report them internally so that the Trustees can exercise adequate oversight and together with the Safeguarding Lead consider whether to make a serious incident report to authorities.

1.2 Safeguarding incidents fall within the category of a serious incident for the purposes of reporting to the Commission.

1.3 This Annex outlines the procedures to be followed in respect of reporting safeguarding incidents to the Commission.

2. The Commission's role in relation to safeguarding incidents

2.1 The Commission's role is to ensure that Trustees are handling the incident appropriately and, where necessary, that they are putting in place improved governance and internal controls, to prevent further harm.

2.2 The Commission is not responsible for dealing with incidents of actual abuse or mistreatment and it does not administer safeguarding legislation. It cannot prosecute or bring criminal proceedings although it may refer concerns on to 'lead agencies', such as police, local authorities and the Disclosure and Barring Service, as well as to specialist bodies responsible for designated areas, such as education or health and social care.

3. Reporting to the Commission

What is a serious incident in respect of safeguarding?

3.1 This means an adverse event, (whether actual or alleged) which results in or risks significant harm to a charity's beneficiaries, staff, volunteers or others who come into contact with the charity through its work. In this context "significant" means significant in the context of the charity, taking account of its staff, operations, finances and/or reputation.

3.2 AWAKE is required to make a report to the Commission if a serious safeguarding risk materialises.

3.2.1 This will usually be if incidents of abuse or mistreatment (alleged or actual) of beneficiaries of the charity (adults or children) which have resulted in or risk significant harm to

them **and**:

- this happened while they were under the care of the charity;
- other incidents of abuse or mistreatment (alleged or actual) of people who come into contact with the charity through its work, which have resulted in or risk significant harm to them and are connected to the charities activities;
- or
- breaches of procedures or policies which has put people who come into contact with the charity at significant risk of harm, including failure to carry out relevant vetting checks which would have identified that a person is disqualified in law from holding their position within the charity. (This might be, for example, because they are disqualified in law, from working with children or adults⁴).

The above may include incidents in the workplace that have resulted in or risk significant harm to Trustees, staff or volunteers. AWAKE is expected to make a judgment call about which incidents either individually, or as a collection, are serious in the context of the charity.

3.2.2 A report should always be made to the Commission where the level of harm to the victims and/or likely damage to the reputation of, or public trust in the charity, is particularly high.

3.2.3 A report should be made if the number and nature of staffing incidents indicate there are widespread or systematic issues connected to sexual harassment, abuse and/or other misconduct in the charity.

3.2.4 Awake may be alerted to alleged abuse of a beneficiary, staff member, volunteer or someone else who it meets through its work, which has occurred **outside** of the charity (e.g. in the family home or community) and where:

- The abuse was not connected to its activities in any way; and
- The person responsible for the abuse was not a trustee, staff member or volunteer.

In such incidents, AWAKE is **not** expected to report to the Commission **unless** it's found (or alleged) that the incident wasn't handled appropriately by AWAKE and this resulted in harm to the person or persons concerned. In such circumstances a report should also be made to the police and local authority country context permitting.

The online guidance (How to report a serious incident in your charity, June 2019) provides some examples of the types of incidents that should be reported ⁵.

3.3 The process for reporting a safeguarding incident to the Commission

Step 1 Staff should report their safeguarding concerns or allegations by following the AWAKE'S safeguarding policy which applies to all AWAKE's work.

Step 2 Once notified of the safeguarding concern/allegation, the Safeguarding Lead will complete the serious incident notification form (Appendix 1) and make a recommendation as to whether the concern/allegation warrants making a serious incident notification to the Commission.

Step 3 The Safeguarding Lead sends the serious incident notification form to the Safeguarding Trustee for consideration and a timely response. The urgency of reporting will depend on factors including the nature and seriousness of the incident, the potential impact on AWAKE and whether it is likely that there will be media coverage of the incident.

Step 4 The Safeguarding Trustee is ultimately responsible for the decision making but they will take into account any recommendation made by the Safeguarding Lead in reaching a decision.

Step 5 The Safeguarding Lead will then follow the recommendation of the Safeguarding Trustee.

Step 6a If the decision is that no serious incident report is required, then the rationale for this must be recorded on the serious incident notification form and filed within the relevant section of the safeguarding recording system, or

Step 6b If the decision is that the concern or allegation meets one or more of the criteria (see 3.2) then the safeguarding Lead will make that report to the Commission via its online portal.

Step 7 The Commission will reply with an incident report number and specify if it wants any further information or actions. The Safeguarding Lead is then responsible for all follow up and reporting back to the Commission as required by them and will log any further information on the Commission's portal if required to do so e.g. if new information emerges or there is an outcome to an investigation.

3.4 What to report to the Commission

3.4.1 The Commission's Serious Incident Reporting Guidance notes that it is important to provide enough detail in the report to give the Commission a clear picture of what happened and when, the extent of any loss or harm, how the charity is dealing with it and the planned/possible next steps. It is important to balance the fact-finding exercise with the need to report incidents promptly.

3.4.2 If AWAKE becomes aware of any material changes to the facts reported or significant developments, AWAKE must inform the Commission as soon as it becomes aware of them.

3.4.3 Information to be included in the report to the Commission:

Contact details, including: • your own contact details (these would usually be those of the COO as Safeguarding Lead); • the organization name and its registration; • reference numbers and contact details if you've reported it to other organisations, like the police; and • names and registration numbers of other charities involved in the incident, if relevant.

Details of the incident, including: • date of the incident; • what happened; • date the charity found out about the incident; • how the charity found out about the incident; • what impact the incident



has had on the charity's beneficiaries, finances, staff, operations or reputation; and • whether Trustees are aware of the incident.

Details of how your organization is handling the incident, including:

- which of the charity's policies or procedures relate to the incident and whether they were followed; what steps the charity has taken to deal with the incident;
- what steps the charity has taken to prevent similar incidents; and
- where applicable, the charity's media handling or press lines, including a link to a press release if available.

Note: it is not necessary to provide the names or any other personal details of any individuals involved in the incident in the initial report that AWAKE makes to the Commission. The Commission will request this information if they need it.

3.5 Additional considerations

3.5.1 AWAKE may need to prepare a communications plan covering what it will say to staff, volunteers, beneficiaries, members, supporters, patrons, the public and the media.

3.5.2 AWAKE will review what happened and identify and take steps to prevent it from happening again – this may include strengthening internal controls and procedures, and/or seeking appropriate help from professional advisers.

3.5.3 Consideration must also be given to whether a serious incident should be reported to AWAKE's insurers in accordance with the relevant insurance policy.

In 3.6 Confidentiality and data protection

All serious incident reports should be marked as confidential (unless the information is already wholly available in the public domain, which is highly unlikely). In addition: • any personal data should be removed to the greatest extent possible and, if appropriate, the risk of identification of individuals (though unnamed) should be highlighted; • any particularly sensitive information in the report should be identified; • any specific exemptions from disclosure (such as an exemption under the Freedom of Information Act) should be specifically referred to and relied upon; and • the report should contain a request that it is not disclosed to third parties and that the Commission notifies the charity if it receives a request to disclose information to third parties (e.g. the media or individuals).

3.7 What happens next?

The Commission will typically acknowledge receipt of the report. It will assess the risk and look at how AWAKE is dealing with the incident, and may take steps to verify the details, for example and where relevant, by contacting the police. The Commission may also follow up if it: • needs more information about the incident: • considers AWAKE needs regulatory advice and

guidance; • has to use its legal powers to protect the charity and/or the people who come into contact with the charity through its work; • decides to request updates on future development; • needs to monitor the charity's progress in dealing with it.

In very serious cases the Commission may take steps to exercise its enforcement powers, for example, issuing a warning or opening a statutory inquiry into the charity, though it is rare that it would do so without some form of preliminary communication or dialogue.

4. Learning from serious incidents

4.1 It is important that AWAKE appropriately manages and responds to a serious incident. This includes learning from the incident and taking steps to prevent similar incidents from occurring in the future.

4.2 The Safeguarding Lead and Safeguarding Trustee should consider whether AWAKE has taken appropriate steps to respond to a serious incident and ensure that sufficient controls and procedures are put in place to mitigate and manage any future risks to AWAKE and its beneficiaries. This should be documented and shared with the Trustees.

ANNEX 6 - Confidentiality and Information Sharing Principles

The following principles should help inform whether you can share information. Note there are occasions in safeguarding when it will be necessary to share information if operating in the best interests of the victim.

1. Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice from other practitioners, or your information governance lead, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, there is a lawful basis to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be clear of the basis upon which you are doing so.



Where you do not have consent, be mindful that an individual might not expect information to be shared.

5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
 6. Necessary, proportionate, relevant, adequate, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
 7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.
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