

# SAFEGUARDING POLICY

NIRAS-LTS International (hereafter NIRAS-LTS) is committed to protecting people, particularly children, vulnerable adults and beneficiaries of project assistance, from any harm that may be caused from their association with NIRAS-LTS. This includes harm arising from:

- The conduct of employees or sub-contractors contracted by NIRAS-LTS; and
- The design and implementation of NIRAS-LTS's projects and activities.

In the UK, safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.<sup>1</sup>

Further definitions relating to safeguarding are provided in the glossary below.

NIRAS-LTS believes that everyone we come into contact with, regardless of age, gender identity, disability, sexual orientation or ethnic origin has the right to be protected from all forms of harm, abuse, neglect and exploitation. NIRAS-LTS will not tolerate abuse and exploitation by employees or sub-contractors.

This policy will address the following areas of safeguarding: protection of children and vulnerable adults from sexual exploitation and abuse.

NIRAS-LTS commits to addressing safeguarding throughout its work, through the three pillars of **prevention, reporting** and **response**.

## 1 Scope

The policy lays out the commitments made by NIRAS-LTS and informs employees and sub-contractors of their responsibilities in relation to safeguarding.

This policy does not cover:

- Sexual harassment in the workplace;
- Safeguarding concerns in the wider community not perpetrated by NIRAS-LTS or NIRAS-LTS' sub-contractors.

This Safeguarding policy is grounded in the legislation and policy framework of Scotland.

## 2 Responsibilities

Safeguarding responsibilities concern:

- All employees of NIRAS-LTS
- Sub-contractors who are contracted by NIRAS-LTS who are engaged with work or visits related to NIRAS-LTS projects.

### 2.1 Prevention

#### 2.1.1 NIRAS-LTS responsibilities

NIRAS-LTS will:

- Ensure all employees and sub-contractors have access to, are familiar with, and know their responsibilities within this policy.
- Design and undertake all its projects and activities in a way that protects people from any risk of harm that may arise from their association with

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<sup>1</sup> Care Quality Commission: <https://www.cqc.org.uk/what-we-do/how-we-do-our-job/safeguarding-people> [Accessed: 25 July 2018]

NIRAS-LTS. This includes the way in which information about individuals in our projects is gathered and communicated.

- Implement stringent safeguarding procedures when recruiting (including reference and anti-terrorism checks, and a Disclosure and Barring Service (DBS) check for those working with children or vulnerable adults), managing and deploying employees and sub-contractors.
- Ensure employees receive training on safeguarding appropriate to their role and responsibilities in the organisation.

### **2.1.2 Employee and sub-contractor responsibilities**

Child safeguarding. NIRAS-LTS employees and sub-contractors must not:

- Engage in sexual activity with anyone under the age of 18;
- Sexually abuse or exploit children;
- Subject a child to physical, emotional or psychological abuse, or neglect; or
- Engage in any commercially exploitative activities with children including child labour or trafficking.

Adult safeguarding. NIRAS-LTS employees and sub-contractors must not:

- Sexually abuse or exploit vulnerable adults; or
- Subject a vulnerable adult to physical, emotional or psychological abuse, or neglect.

Protection from sexual exploitation and abuse. NIRAS-LTS employees and sub-contractors must not:

- Exchange money, employment, goods or services for sexual activity. This includes any exchange of assistance that is due to beneficiaries of assistance; or
- Engage in any sexual relationships with beneficiaries of assistance, since they are based on inherently unequal power dynamics.

Additionally, NIRAS-LTS employees and sub-contractors are obliged to:

- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy; and
- Report any concerns or suspicions regarding safeguarding violations by an NIRAS-LTS employee or sub-contractor to the appropriate staff member.

It is NOT the responsibility of those working on behalf of or representing NIRAS-LTS to decide if a safeguarding incident or concern has occurred. It IS our responsibility to mitigate risks and to ACT on any concerns reported to them.

## **3 Principles**

NIRAS-LTS will ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to employees and the communities with whom we work.

NIRAS-LTS will accept complaints from employees or external sources such as members of the public, partners and official bodies.

### **3.1 How to report a safeguarding concern**

People who have a complaint or concern relating to safeguarding should report it immediately to their NIRAS-LTS manager or Safeguarding Focal Person in the first instance.

If that person does not take action, you are not satisfied with the action they take, or they are the person committing the act being reported, then you should contact the Safeguarding Focal Person at NIRAS-LTS.

If the Safeguarding Focal Person does not respond, then the reporting person/survivor has a right to escalate the report, either up the management line, to the Managing Director, or to an external statutory body.

For more information on reporting processes see Annex 1.

### 3.2 Response

NIRAS-LTS will follow up safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations.

NIRAS-LTS will apply appropriate disciplinary measures to employees found in breach of policy.

NIRAS-LTS will offer support to those affected, regardless of whether a formal internal response is carried out (such as an internal investigation), in consultation with those affected.

### 3.3 Confidentiality

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern, and subsequent case management, will be shared on a need to know basis only, and will be kept secure at all times.

### 3.4 Definition of Terms used in this Policy

**Vulnerable adult.** Sometimes also referred to as 'at-risk'. A person who is or may be in need of care by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

**Beneficiary of assistance.** Someone who directly benefits a project or programme that NIRAS-LTS is supporting or implementing. Note that misuse of power can also apply to the wider community that the NGO serves, and also can include exploitation by giving the perception of being in a position of power.

**Child.** A person below the age of 18.

**Harm.** Psychological, physical and any other infringement of an individual's rights.

**Psychological harm.** Emotional or psychological abuse, including (but not limited to) humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation.

**Protection from Sexual Exploitation and Abuse (PSEA).** The term used by the humanitarian and development community to refer to the prevention of sexual exploitation and abuse of affected populations by employees or sub-contractors. The term derives from the United Nations Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13)

**Safeguarding.** In this policy, safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect. In the development sector, it means protecting people, including children and vulnerable adults, from harm that arises from coming into contact with employees or projects. Safeguarding involves taking all reasonable steps to prevent harm, particularly sexual exploitation, abuse and harassment from occurring; to protect people, especially vulnerable adults and children, from that harm; and to respond appropriately when harm does occur. Safeguarding applies consistently and without exception across projects, contracted partners and employees.

**Safeguarding Focal Person.** Lizzy Whitehead, NIRAS-LTS. Contact +44 (0)131 440 5500. [Lizzy-Whitehead@ltsi.co.uk](mailto:Lizzy-Whitehead@ltsi.co.uk)

**Sexual abuse.** The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

**Sexual exploitation.** Any actual or attempted abuse of a person in a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation. This definition includes human trafficking and modern slavery.

### 3.4.1 Other information

Complementary Policies which should be reviewed alongside this policy include:

- Whistleblowing Policy
- Anti-Bullying Policy
- Modern Slavery Policy
- Recruitment Policy
- Staff Handbook

This Policy will be reviewed every 18 months. The next review is due in June 2021. The Safeguarding Focal Point will monitor the use of this policy and ensure NIRAS-LTS employees have access to ongoing training, and are being proactive in creating a safe organisation.

## 4 Process to respond to safeguarding reports

### 4.1 Report is received

Reports can reach the organisation through various routes. This may be in a structured format such as a letter, e-mail, text or message on social media. It may also be in the form of informal discussion or rumour. If an employee hears or sees something online or in an informal discussion that they think is a safeguarding concern, they should report this to the Safeguarding Focal Person.

If a safeguarding concern is disclosed directly to a member of staff, the person receiving the report should bear the following in mind:

- Listen,
- Empathise with the person,
- Ask who, when, where, what but not why,
- Repeat / check your understanding of the situation,
- Report to the appropriate staff member (see below).

The person receiving the report should then document the following information, using the **Safeguarding Incident Report Form (QF29)**:

- Name of person making report,
- Name(s) of the person affected by the incident(s) if different from above,
- Name(s) of alleged perpetrator(s),
- Description of incident(s),
- Date(s), time(s) and location(s) of incident.

The person receiving the report should then forward this information to the Safeguarding Focal Person or appropriate staff member **within 24 hours**.

Due to the sensitive nature of safeguarding concerns, confidentiality will be maintained during all stages of the reporting process, and information shared on a limited 'need to know' basis only. This includes senior management who might otherwise be appraised of a serious incident.

If the reporting person / survivor is not satisfied that NIRAS-LTS is appropriately addressing the report, they have a right to escalate the report, either up the

management line, to the Managing Director, or to an external statutory body. The employee will be protected against any negative repercussions as a result of this report.

## 4.2 Assess how to proceed with the report

The Safeguarding Focal Person may handle this report him- or herself, or may appoint a Decision Maker for handling this report. The first step will be to determine whether it is possible to take this report forward, by considering:

- Does the reported incident(s) represent a breach of safeguarding policy?
- Is there sufficient information to follow up this report?

The Safeguarding Focal Person or Decision Maker will be a senior staff member, not implicated or involved in the case in any way.

If the reported incident does not represent a breach of NIRAS-LTS Safeguarding Policy, but represents a safeguarding risk to others (such as a child safeguarding incident), the report should be referred through the appropriate channels (e.g. local authorities) if it is safe to do so.

If there is insufficient information to follow up the report, and no way to ascertain this information (for example if the person making the report did not leave contact details), the report will be filed in the NIRAS-LTS Personnel folder (restricted access) in case it can be of use in the future and look at any wider lesson learning we can take forward.

**If the report raises any concerns relating to children under the age of 18, NIRAS-LTS will seek expert advice immediately.** If at any point in the process of responding to the report (for example during an investigation) it becomes apparent that anyone involved is a child under the age of 18, the Decision Maker should be immediately informed and should seek expert advice before proceeding.

If the decision is made to take the report forward, NIRAS-LTS will ensure it has the relevant expertise and capacity to manage a safeguarding case. **If NIRAS-LTS does not have this expertise in-house, it will seek immediate assistance**, through external capacity if necessary.

NIRAS-LTS will then clarify what, how and with whom information will be shared relating to this case. Confidentiality should be maintained at all times, and information shared on a need-to-know basis only. NIRAS-LTS will decide which information needs to be shared with which stakeholder – information needs may be different.

## 4.3 Appoint roles and responsibilities for case management

If the report alleges a serious safeguarding violation, NIRAS-LTS may hold a case conference. This should include:

- The Safeguarding Focal Person and Decision Maker (if appointed);
- Person who received the report (if different from above);
- HR manager.

The case conference should decide the next steps to take, including any protection concerns and support needs for the survivor and other stakeholders (see below).

## 4.4 Provide support to survivor where needed/requested

NIRAS-LTS will then provide appropriate support to the person affected. This will be provided as a duty of care even if the report has not yet been investigated. Support could include (but is not limited to):

- Psychosocial care or counselling;
- Medical assistance; and

- Protection or security assistance (for example being moved to a safe location).

All decision making on support should be carried out in consultation with the person affected.

#### **4.5 Assess any protection or security risks to stakeholders**

For reports relating to serious incidents: the Safeguarding Focal Person or Decision Maker will undertake an immediate risk assessment to determine whether there are any current or potential risks to any stakeholders involved in the case, and develop a mitigation plan if required.

It will then continue to update the risk assessment and plan on a regular basis throughout and after the case as required.

#### **4.6 Decide on next steps**

The Safeguarding Focal Person or Decision Maker decides the next steps. These could be (but are not limited to)

- No further action (for example if there is insufficient information to follow up, or the report refers to incidents outside the organisation's remit);
- Investigation is required to gather further information;
- Immediate disciplinary action if no further information needed; and
- Referral to relevant authorities.

If the report concerns associated personnel (for example contractors, consultants or suppliers), the decision-making process will be different. Although sub-contractors are not staff directly employed, we have a duty of care to protect anyone who comes into contact with any aspect of the project from harm. We cannot follow disciplinary processes with individuals outside the organisation, however decisions may be made for example to terminate a contract with a supplier based on the actions of their employees.

#### **4.7 Manage investigation if required**

NIRAS-LTS will use external guidelines for investigating safeguarding reports, such as the [CHS Alliance Guidelines for Investigations](#).

#### **4.8 Make decision on outcome of investigation report**

The Safeguarding Focal Person or Decision Maker will make a decision based on the information provided in the investigation report. Decisions should be made in accordance with existing policies and procedures for staff misconduct.

If at this or any stage in the process criminal activity is suspected, the case should be referred to the relevant authorities *unless this may pose a risk to anyone involved in the case*. In this case, the Safeguarding Focal Person or Decision Maker together with other LTS Directors will need to decide how to proceed. This decision should be made bearing in mind a risk assessment of potential protection risks to all concerned.

#### **4.9 Conclude the case**

NIRAS-LTS will document all decisions made resulting from the case clearly and confidentially. Information relating to the case will be stored in the Personnel folder, in accordance with NIRAS-LTS policy and local data protection law.

Anonymised data relating to the case will be included in into Board reports or safeguarding reporting to clients, as appropriate, to ensure lessons are learnt for dealing with future cases.

*Managing Director, NIRAS-LTS International*

5<sup>th</sup> November 2020