



JESUIT WORLDWIDE LEARNING
HIGHER EDUCATION AT THE MARGINS

Safeguarding Policy for the Protection of Children and Adults at Risk

January 2020

The Policy

Jesuit Worldwide Learning (JWL) aims to ensure the protection of all children, young people and vulnerable adults who are involved in any way with JWL around the world, and to give staff (employees, temporary employees, volunteers, third party contractors and freelancers) a clear structure within which they can work safely.

This document outlines minimum standards for JWL staff worldwide and applies to all JWL Community Learning Centre Locations & Local Partners.

JWL acknowledges that the issue of Child Protection and Protection of Vulnerable Adults is a global challenge. JWL clearly states that sexual exploitation and abuse represent a betrayal of trust as well as a devastating failure of protection.

Since JWL is committed to acting at all times in the best interests of children, women and all vulnerable people in need, and it shares the view that the Catholic Church, and any Catholic agency, should be an example of best practice in the issue of child protection and adults at risk, JWL regional and country offices must adopt and implement policies and procedures to ensure this happens. This policy is a step towards addressing the issue. By introducing and implementing this policy, JWL commits itself to making the issue of protection a priority in every situation where it is present.

1 Principles

JWL's Safeguarding Policy and Procedures are underpinned by the principles derived from the UN Convention on the Rights of the Child.

- All children have equal rights to protection from abuse and exploitation and should be encouraged to fulfil their potential and inequalities should be challenged
- Everybody has a responsibility to support the care and protection of children
- International non-government organizations (NGOs) have a duty of care to children with whom they work & with whom their representatives work
- If agencies work through partners they have a responsibility to meet minimum standards of protection for the children in their partners' programmes

1.1 Definition of JWL staff

JWL staff refers to and is defined as, but not limited to, employees, temporary staff including student and part-time employees, volunteers (non-paid), tutors and teachers (either paid or non-paid), all third-party contractors and freelancers, independent contractors (includes Subject Matter Experts), which are either contracted by JWL or another organization that is contracted or has an agreement with JWL.

1.2 Definition of a Child

Child Protection Procedures apply to children and young people who have not yet reached their 18th birthday.

****Please note that JWL does not work directly with any students under the age of 18. It is the local staff's responsibility to ensure that all students admitted into JWL programmes are 18 or older. Any mention of children in this policy refers to JWL students' family members that may come into contact with JWL staff.***

1.3 Definition of a Vulnerable Adult at risk

Adults, aged 18 and over, who:

- are unable to safeguard their own well-being, property, rights or other interests;
- are at risk of harm; and
- because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

1.4 Definition of Abuse

Child Abuse as defined by UN Convention on Right of the Child refers to circumstances where a child's basic needs are not being met in a manner that is appropriate to his/her individual needs and stage of development and the child is, or will be, at risk through avoidable acts of commission or omission (neglect, emotional abuse, physical abuse and sexual abuse).

Abuse of vulnerable adults can constitute the physical, psychological, emotional, financial or sexual maltreatment (including pornography) or neglect of a vulnerable adult by another person. The abuse may be a single act or repeated over a period of time, it may take one form or a multiple of forms (neglect, emotional abuse, physical abuse and sexual abuse). The lack of appropriate action can be a form of abuse.

Abuse has also been defined as the wrongful application of power by someone in dominant position. Whether abuse occurs in institutions or in the home, it involves the elements of a power imbalance, exploitation and the absence of full consent. It also involves acts of omission and commission.

1.5 Definition of Sexual Abuse & Exploitation

Sexual Abuse is actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions. For a child under 18, consent is not a defence.

Sexual Exploitation -Sexual coercion and manipulation (which includes all types of sexual acts including pornography) by a person in a position of power providing any type of assistance in exchange for sexual acts. In these situations, the survivor believes that she or he has no other choice than to comply; this is not consent and it is exploitation. Exploitation happens when a person misuses his or her power to profit sexually or otherwise from someone who needs something from the exploiter.

1.6 Specified Policy Objectives:

- to ensure that all JWL staff (as defined in 1.1) take responsibility in order to protect children, young people and adults at risk.
- to make all JWL staff (as defined in 1.1) aware that they have a role in protecting children and vulnerable adults from harm and must give paramount concern to their welfare
- to ensure all JWL staff (as defined in 1.1) are informed of the relevant responsibilities in identifying and reporting possible abuse so that children and vulnerable adults are safe
- to ensure that JWL provides an environment in which everyone, particularly children, young people and vulnerable adults feel safe, secure and valued.

2.0 Justification

This policy and the related procedures have been drawn up in accordance with current legislation and principles derived from the following:

- United Nations Convention on the Rights of the Child
- The Human Rights Act 1998.
- Centre for Child Protection 2012 – Pontifical Gregorian University in Rome, Archdiocese of Munich & Freising and Department of Child & Adolescent Psychiatry & Psychotherapy of the State University Clinic of Ulm

3.0 Link to JWL's Core Values & Code of Conduct

3.1 Core Values

- Value a working environment built around the key values in Jesuit Higher Education: Cura Personalis, Magis, Men and Women for and with Others, Unity of Mind and Heart, Contemplatives in Action and Finding God in All Things.

- Providing all learners with the highest quality learning experience.
- Valuing colleagues and treating others with respect and integrity.
- Embracing diversity as a cornerstone of our learning community.
- Accepting accountability and responsibility for our actions.

3.2 Code of Conduct - Brief

- Treat everyone with respect, recognizing their right to personal privacy.
- Be aware of situations which may present risks and manage these.
- Plan and organize any events involving children so that risks are minimized.
- Recognize that caution is required in all one-to-one situations.
- Provide access for children & young people to talk to others about any concerns they have.
- Encourage young people and adults to feel comfortable enough to point out attitudes and behavior they do not like.
- Avoid inappropriate physical or verbal contact with others.
- Avoid showing favoritism to any individual.
- Never make suggestive remarks or gestures, even in fun.
- Do not trivialize or exaggerate child abuse or other forms of abuse issues.

3.3 Code of Conduct in relation to contact with children, young people or vulnerable adults

- The safety and welfare of children, young people or vulnerable adults is paramount and must be first consideration in any contact with them.
- Respect the rights, dignity and worth of every child, young person or vulnerable adult treating each equally regardless of age, gender, ability, ethnic or cultural origin, or religion
- Physical or verbal interactions with children, young people or vulnerable adults should never be punitive, aggressive, embarrassing or humiliating
- Be aware of and sensitive to culture difference and engage with children, young people or vulnerable adults in a culturally sensitive way
- Do not spend time alone with children or young people in services one visits
- Do not spend time or meet with children or vulnerable adults outside of services
- Do not take children or young people in a car or to other locations or premises
- There should be no unnecessary physical contact between an adult and a child or young person. Physical contact should only be in response to the needs or initiative of the child and should be appropriate to their age and the level of development
- If you think you may have caused offence, however unintentionally, acknowledge and offer an apology or explanation as soon as possible
- Any observations or witnesses to any action, behavior or symptoms that indicate a concern in relation to a child's safety or welfare, must be reported immediately

4.0 Recruitment and Training of Staff and Volunteers

4.1 Recruitment Procedures

Safe recruitment is an integral part of good Safeguarding practice. In addition to standard good HR practices, recruitment will include:

- That references (a minimum requirement of two) will be checked as fully as possible.
- Where recruitment agencies are employed, the selection procedures of such agencies will be scrutinized.
- Where legally possible, background checks will be carried out on those in positions that have direct contact with children.
- All new JWL staff, as defined in 1.1, must complete the confidential self-disclosure form at the end of this policy.
- All JWL staff, as defined in 1.1:
 - should be familiar with, and sign the Safeguarding code of conduct and acceptance form at the end of this policy

- will have clear job descriptions and roles, and clear management structures in place,
- provide evidence of their identity (official identification card or passport)

4.2 Training

Induction: An initial induction on the Safeguarding Policy and Procedures will be carried out by CLC coordinators following appointment of new JWL staff and within two weeks of commencing the post. All JWL staff, whether directly or indirectly dealing with children or vulnerable adults shall receive a briefing regarding their obligations under the policy not to harm individuals and how to report allegations of abuse to the Designated Safeguarding Officer (DSO) or Deputy Designated Safeguarding Officer (Deputy DSO).

ALL JWL staff (both current and new as defined in 1.1) will carry out the following online **Safeguarding Essentials** training course as part of their induction:

<https://kayaconnect.org/course/info.php?id=1424>.

A certificate proving successful completion of the course must be sent to JWL.

Non-completion could result in termination and/or withholding of payment.

Regular Trainings: Regular trainings (at least once a year) will be facilitated by the DSO or Deputy DSO to all centre coordinators on Safeguarding to ensure they are aware of their responsibilities, the process for reporting a concern, disciplinary actions and their role in strengthening monitoring systems. Records of trainings provided to personnel will be kept by the DSO or Deputy DSO.

Additional Training: Any staff who require specific training or upskilling in relation to their work, if it improves the quality of Safeguarding and protection services, should receive support in doing so. This may apply to external online training courses through thru Kaya - Humanitarian Leadership Academy (<https://kayaconnect.org/>) on protection and rights of children and vulnerable adults.

5.0 Reporting and Responding to Concerns, Allegations or Suspicions of Abuse

5.1 Designated Persons for reporting

Any concerns, allegations or suspicions of abuse by any JWL staff member (as defined in 1.1), should be reported immediately to one of the following two JWL leaders, who will take such steps as considered necessary to ensure the safety of the child or vulnerable adult in question and any other person who may be at risk. This could include contacting the local appropriate authorities.

Designated Safeguarding Officer

Name: Christa Bathany
 Mobile/Landline:+49170 918 9781
 Email: Christa.Bathany@jwl.org
 Location: Munich, Germany

Deputy Designated Safeguarding Officer

Name: Armando Borja
 Mobile/Landline:+1 571 239 6097
 Email: Armando.Borja@jwl.org
 Location: Washington, USA

In situations where a person prefers to place an anonymous report in confidence, they are encouraged to use JWL's third party hotline provider, EthicsPoint. Persons are encouraged to submit reports relating to violations stated in this policy or JWL Greater Good Principles policies or any other JWL policy. The information provide will be sent to JWL by EthicsPoint on a totally confidential and anonymous basis if this should be chosen.

www.jwl.ethicspoint.com

5.2 Raising a Concern or Disclosure

Anyone can raise a concern or make a complaint about something they have experienced or witnessed or disclose information in relation to Safeguarding or any other JWL Policy that they've been informed about.

Those who have disclosed a concern or allegation should receive a compassionate response from JWL staff and be offered access to appropriate care, advice and support. Complainants need to be listened to and heard to ensure that any allegation or disclosure of abuse is handled compassionately, effectively and professionally. Disclosing abuse takes enormous courage and calls for a high level of trust. Abuse by its very nature can damage trust; it is therefore imperative that when a complainant is ready to tell their story, the listener responds with great sensitivity and compassion.

The following can assist in guiding any staff member receiving a concern or disclosure:

- **Keep calm** and act normally; do not say or show that you are shocked.
- **Do not investigate** or question the individual. If an individual reports abuse directly to you, only ask questions to get enough information to understand the complaint (e.g. 'who, what, where, when' questions, but not 'why' questions). Do not ask the individual for specific or graphic details which may re-traumatise them. Accept what the individual says. **It is not your responsibility to judge or investigate an allegation.**
- **Reassure the individual** that they have done the right thing by telling you and let them know you need to tell someone else. Never agree to keep a secret. Our staff (as defined in 1.2) must not keep confidences when it involves Safeguarding concerns. Any information offered should be received on the basis that it will have to be shared with the DSO or Deputy DSO. This applies to all our staff and representatives as defined in 1.2. In circumstances where a person has shared a Safeguarding concern or disclosure in a conversation that was initially understood as being in confidence, the staff involved are required **to report the concern to the DSO or Deputy DSO.**
- **Let the individual know what you are going to do next** and that you will let them know what happens. If you are unsure if the concern raised is a violation of national law, refer the concern with the DSO or Deputy DSO.
- **Avoid delay.** Do not dwell on allegations or suspicions of abuse or disclosures. While counselling will form part of the response, this must not be the immediate reaction. The first priority is the immediate safety and welfare of the individual and raising the concern to the DSO or Deputy DSO. If you are unsure if there's criminality involved, you must still raise the concern to the DSO or Deputy DSO.
- **Do not directly challenge** parents, guardians, teachers or the alleged perpetrator about the disclosure.
- **Record all the details** as soon as possible while the information is still clear and **raise the concern or disclosure verbally or in writing immediately to the DSO or Deputy DSO**, even if it relates to something that has happened a long time ago.

All our staff (as defined in 1.2) are obliged to raise any Safeguarding concerns **immediately** to the DSO or Deputy DSO. Failure to report suspicion of abuse relating to any individual is a breach of our Safeguarding policy and could lead to disciplinary action being taken.

5.3 All Suspicions, Allegations and incidents will be recorded and acted upon

- JWL recognizes that disclosures (i.e. when a specific allegation of abuse is made against a named individual) and suspicions (i.e. when concern is expressed about abuse that may have taken place or be in prospect) will always be investigated and acted upon swiftly, making the welfare of a child or vulnerable adult the paramount consideration.
- Any information offered in confidence will be received on the basis that it will be shared

with relevant people in authority: this might include a JWL senior staff and, if appropriate, child protection personnel in statutory agencies. Parents or care-takers will also be informed, if appropriate but apart from this confidentiality will be carefully observed.

- If a member of JWL's staff (as defined in 1.1) is the subject of an allegation of child abuse and/or abuse of humanitarian aid, that staff member will be asked to take leave from their duties until an investigation has been completed. It should be made clear that such suspension does not imply guilt but rather protects all parties whilst an investigation is undertaken.
- No action will be taken against staff (as defined in 1.1) who report in good faith information indicating perceived misconduct.
- Where it is established that abuse has taken place, the guilty party will be terminated, dismissed or contractually terminated from their position immediately and the matter handed over to the local police and Social Services.
- Where it is established that abuse has not occurred, steps will be taken to sensitively reinstate the staff member without delay.

6.0 Ensuring Awareness and Prevention

6.1 Communicating the Safeguarding Message

- **Access to the policy:** JWL will ensure that a hard copy of the Safeguarding policy will be available in the management office. CLC coordinators will be responsible for ensuring that a hard copy is available in the local CLC. The policy will be translated into local language where possible.
- **Sensitisation:** All children and vulnerable adults will be made aware of their rights, what constitutes abuse, exploitation and neglect against them and the message should be communicated to them regarding whom they should report to, or seek advice from, if they feel they have been violated or offended in any way.
- **Who to contact:** JWL Staff (as defined in 1.1) should know the identity and contact details of the relevant person responsible as well as that of those of the relevant persons within JWL and have contact details for statutory authorities including Social Services and the Police, as appropriate.
- **General Awareness:** CLC coordinators will ensure that notices are displayed about the existence of this policy in appropriate language in all local CLCs where possible. The policy will also be circulated to other stakeholders and opportunities will be taken to promote the policy and keep Safeguarding front of mind for everyone by including short sessions on the policy or related Safeguarding matters during staff meetings, other trainings and via regular communications.
- **Online information:** All organizational policies related to JWL's Greater Good Principles are available online to the public on JWL website and social media platforms.

6.2 Monitoring Compliance

On-going monitoring and evaluation will indicate the extent to which Safeguarding is being effectively implemented and any need in training for staff. Resources will be made available for the full implementation of the JWL Safeguarding Action Plan and this will form the basis of monitoring progress. Records will be kept tracking:

- the numbers of Self-Disclosure and Acceptance Forms completed, comparable with the number of JWL staff appointed.
- Inductions and trainings provided in Safeguarding, numbers attended and dates.

There are no exemptions to this policy.

This policy will be reviewed and updated in January 2023.

Jesuit Worldwide Learning Safeguarding Code of Conduct & Acceptance Form

I, _____ (staff name as defined in 1.1) working/volunteering with or visiting _____ (Location/Online) confirm that I have taken the time to read and understand JWL's ***Safeguarding policy for the protection of children and adults at risk*** and will abide by the policy and statements stipulated below. I have also taken the online training course, **Safeguarding Essentials**. I have had the opportunity to ask questions and seek clarification on any points that were not clear to me. I will:

- Treat everyone with respect, recognizing their right to personal privacy.
- Be aware of situations which may present risks and manage these.
- Plan and organize any events involving children and young people so that risks are minimized.
- Recognize that caution is required in all one-to-one situations.
- Provide access for children & young people to talk to others about any concerns they have.
- Encourage young people and adults to feel comfortable enough to point out attitudes and behavior they do not like.
- Avoid inappropriate physical or verbal contact with others.
- Avoid showing favoritism to any individual.
- Never make suggestive remarks or gestures, even in fun.
- Never trivialize or exaggerate child abuse or other forms of abuse issues.

I understand and will abide by the following:

- The safety and welfare of children, young people or vulnerable adults is paramount and must be first consideration in any contact with them.
- Respect the rights, dignity and worth of every child, young person or vulnerable adult and treat each one equally regardless of age, gender, ability, ethnic origin, cultural background or religion
- Physical or verbal interactions with children, young people or vulnerable adults should never be punitive, aggressive, embarrassing or humiliating
- Be aware of and sensitive to cultural difference and engage with children, young people or vulnerable adults in a culturally sensitive way
- Do not spend time alone with children or young people in services one visits
- Do not spend time or meet with children, young people or vulnerable adults outside of services
- Do not take children or young people in a car or to other locations or premises
- There should be no unnecessary physical contact between an adult and a child or young person. Physical contact should only be in response to the needs or initiative of the child and should be appropriate to their age and the level of development
- If you think you may have caused offence, however unintentionally, acknowledge and offer an apology or explanation as soon as possible
- Any observations or witnesses to any action, behavior or symptoms that indicate a concern in relation to a child's safety or welfare, must be reported immediately

Signature: _____ **Job title:** _____

Country: _____ **City:** _____

Date: _____

Jesuit Worldwide Learning Confidential Self-Disclosure Form

JWL is committed to the protection of all children and vulnerable adults, in line with the Committee of the Rights of the Child, the monitoring body for the UN Convention on the Rights of the Child. The Convention states that a child has a right to be protected from physical and mental violence, injury, abuse or exploitation including sexual abuse. In accordance with this Convention, persons working or volunteering with JWL abide by good practice and agree to keep children and vulnerable adults safe from harm when working with them. In addition, we ask that all persons declare the following:

Have you ever been convicted of a sexual or child Safeguarding offence or are subject to an on-going sexual or child Safeguarding investigation?

Yes No

If yes, please state below the nature and date(s) of the offence(s), case(s) or allegation(s):

Have you ever been the subject of disciplinary procedures or been asked to leave employment or voluntary activity due to inappropriate behaviour towards a child or vulnerable adult?

Yes No

Full Name (Print):

Any name previously known by: _____

Address: _____

Date of Birth: _____ **Place of Birth:** _____

Declaration: I understand that, if it is found that I have withheld information or included any false or misleading information above, I may be removed from my post whether paid or voluntary, without notice. I understand that the information will be kept securely by the works/project. I understand that if an allegation is made against me, I must inform my manager immediately.

I hereby declare the information I have provided is accurate.

Country: _____ **City:** _____

Signed: _____ **Date:** _____