

# Safeguarding Policy



**STAR GHANA  
FOUNDATION**

# **STAR-Ghana Foundation**

## **Safeguarding Policy**

**GC approved Version**

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## Contents

Glossary.....	3
1. BACKGROUND AND RATIONALE.....	5
1.1 <i>The STAR Ghana Foundation</i> .....	5
1.2 <i>Purpose of the safeguarding policy</i> .....	5
1.3 <i>Scope of the policy</i> .....	5
2. SAFEGUARDING COMMITMENTS AND STANDARDS .....	6
2.1 <i>Policy statement</i> .....	6
2.2 <i>Underlying principles</i> .....	6
3. SAFEGUARDING MEASURES .....	7
3.1 <i>Prevention</i> .....	7
3.2 <i>Awareness and capacity building</i> .....	7
3.3 <i>Reporting</i> .....	8
3.3 <i>Responding</i> .....	9
4. GOVERNANCE AND OVERSIGHT .....	9
5. IMPLEMENTATION AND MONITORING.....	10

## Glossary

<b>Abuse</b>	Abuse may include, but is not exclusive to: physical abuse or injury; emotional abuse; sexual abuse and exploitation (all forms of sexual activity, including rape, incest, pornography); neglect (where basic needs such as food and medical care are not met, or when there is a failure to protect a person from exposure to any kind of danger); sexual harassment (unwanted behaviour of a sexual nature that violates dignity, intimidates, degrades or humiliates, or creates a hostile environment); and bullying
<b>Accessibility</b>	Removing barriers faced by individuals with a variety of disabilities (including, but not limited to: physical, sensory, cognitive, learning, mental health) and the various barriers (including attitudinal and systemic) that impede an individual's ability to participate in social, cultural, political, and economic life. Disabilities can be temporary or permanent, visible or hidden.
<b>Adult at risk</b>	Sometimes referred to as a vulnerable adult, an adult at risk is a person over the age of 18 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 exploitative. Adults at risk include marginalised populations.
<b>Child</b>	A person below the age of eighteen years. <sup>1</sup>
<b>Child protection</b>	Child protection seeks to guarantee the right of all children to a life free from violence, abuse, exploitation and neglect. There are many actors engaged in child protection, including children and youth, parents/guardians, families/clans communities, traditional authorities, government, civil society and private organisations. <sup>2</sup>
<b>Discrimination</b>	The denial of rights or access to services based on an individual or group's identity (e.g. racial, gender, disability, economic, social, tribal, religious, sexual, geographical, physical, psychological etc).
<b>Do No Harm</b>	Being aware of how programme activities might interact with existing political, social, cultural, geographical and economic dynamics, with a view to ensuring activities do not cause or exacerbate negative systems or trends. Do No Harm recognises that development interventions do not occur in a vacuum, and are rarely neutral, and thus always have the potential to cause harm. <sup>3</sup>
<b>Exploitation</b>	The action or fact of treating an individual or group unfairly to benefit from their work. Exploitation can be conscious or unconscious, for collective or individual gain. Exploitation commonly involves groups or individuals that are vulnerable or socially excluded marginalised being taken advantage of by more powerful counterparts.

<sup>1</sup> As defined in Ghana's 'Children's Act, 1998 (Act 560)', p. 8

<sup>2</sup> 'Child and Family Welfare Policy', 2014, p. iv

<sup>3</sup> STAR-Ghana Social Inclusion Toolkit (2018), Tool 5: Do No Harm, p. 33

<b>Gender Equality<sup>4</sup></b>	The absence of discrimination on the basis of gender in opportunities, the allocation of resources or benefits, or access to services on the basis of gender. It is the full and equal exercise by men and women, girls and boys of their human rights. <sup>5</sup> In this situation: women and men, girls and boys have equal rights and equal access to socially and economically valued goods, resources, opportunities and benefits; different gender roles are valued equally and do not constitute an obstacle to wellbeing and, finally, where the fulfilment of potential of men and women, girls and boys as responsible members of society is possible.
<b>Human Rights</b>	Universal legal guarantees protecting individuals and groups against actions and omissions that interfere with fundamental freedoms, entitlements and human dignity. Human rights law obliges Governments (principally) and other duty-bearers to do certain things that protect and promote the universal rights of persons and prevents them from doing others that infringe on those rights <sup>6</sup>
<b>Oppression</b>	Abuse of power by one group, individual, system or regime over another, violating the rights and liberties of others.
<b>Safeguarding</b>	Safeguarding shapes the organisation's approach, practice and culture to ensuring a comprehensively safe environment for all people with whom the organisation engages (DFID). It is designed to guard all those (including third party) who are associated with an intervention, project or organisation from all forms of exploitation and abuse, including physical, mental, sexual, emotional or economic.
<b>Social exclusion</b>	A process by which certain groups are systematically disadvantaged. Exclusion can involve the lack and/or denial of resources, rights, goods and services, and the inability to participate in the normal relationships and activities available to the majority of people in society. <sup>7</sup>
<b>Social Inclusion</b>	The removal of institutional barriers and the enhancement of incentives to increase the access of diverse individual and groups to development opportunities. These barriers may be formal (written laws on spousal property, for instance), or they may be informal (e.g. time village girls spent carrying water instead of attending school). In short social inclusion is about evening the playing field by making the 'rules of the game' <sup>8</sup> fairer <sup>9</sup> , while incentivising for change.
<b>Vulnerability</b>	A person or group of people who, due to one or multiple factors, is/are at particular risk of exploitation, abuse, marginalisation or exclusion. Contributors to vulnerability might include (but are not limited to) age, gender, disability ethnicity, religion, ability, economic status, social status.

## 1. BACKGROUND AND RATIONALE

### 1.1 The STAR Ghana Foundation

The STAR Ghana Foundation (SGF) was established in November 2018 as Ghanaian-owned and led centre for active citizenship, civil society and philanthropy. It builds on the work of the donor-funded STAR-Ghana Programme which gained national recognition as a high-performing donor grant-making facility.<sup>10</sup> Since 2011, the Programme has worked to advance transformative and inclusive social change by strengthening civil society, accountability and active citizenship.

The Foundation's vision is to see a well-informed and active Ghanaian citizenry able to contribute to transformational change that advances democracy, accountability and social inclusion. The Foundation aims to increase the effectiveness of citizens and civil society to achieve an equitable, inclusive society by convening inclusive dialogue and collaboration; catalysing active citizenship and collective action; coordinating and supporting strategic partnerships; and facilitating continuous learning to fuel wider scale change. This commitment to convening, catalysing, coordinating and learning – the 3C&L approach – is central to the Foundation's work. This, plus the Foundation's commitment to putting gender equality and social inclusion (GESI) at the heart of all activities, is what elevates the Foundation's mission and purpose beyond that of a traditional grant-maker.

### 1.2 Purpose of the safeguarding policy

The STAR Ghana Foundation's Safeguarding Policy sets out measures to prevent and respond to instances of abuse and harm that might be occurring as a result of the Foundation's work. It includes common rules, regulations and principles, and a strategy for ensuring these commitments are meaningfully applied. The policy has been developed in line with DFID's definition of safeguarding, which states that "*safeguarding shapes the organisation's approach, practice and culture to ensuring a comprehensively safe environment for all people with whom the organisation engages*", and is informed by relevant international and national policies, legislation and best practice approaches (see section 2.2. on Underlying Principles).

### 1.3 Scope of the policy

This Safeguarding Policy is intended to inform all Foundation activities, and the actions and behaviour of all associated with the Foundation – including staff, partners, representatives, beneficiaries, third parties and the communities the Foundation engages. As such, the key audiences (or, indeed, 'owners') for this strategy are the Foundation's Governing Council, management, secretariat, staff, and the Foundation's partners and representatives. It is the collective responsibility of these stakeholders to put the strategy into practice – as an active document, to prevent and report on any physical, economic, sexual, emotional abuse or neglect of any actor within the Foundation's community engagement. All those that are engaged, commissioned or contracted to work with or on behalf of the Foundation will need to have a clear understanding of the required standards set out in this policy, and what to do if they have any concerns.

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<sup>4</sup> For more information, see the National Gender Policy (2015), e.g. p. 32, chapter 5.2.5, 'Policy Commitment 5 – Gender Roles and Relations'. For an alternative definition of gender equality, see p. 51 of the National Gender Policy.

<sup>5</sup> STAR Ghana (2011a)

<sup>6</sup> UNFPA (undated), 'The Human-Rights Based Approach', <http://www.unfpa.org/human-rights-based-approach>

<sup>7</sup> Poverty and Social Exclusion (2016), 'Social Exclusion', <http://www.poverty.ac.uk/definitions-poverty/social-exclusion>

<sup>8</sup> A reference to the spoken or unspoken rules about how things are done

<sup>9</sup> STAR Ghana (2011b)

<sup>10</sup> The STAR-Ghana Programme's core donors are the UK Department for International Development (DFID), the European Union and Danida (Danish Development Cooperation). Since 2015, STAR-Ghana has been managed by a Ghanaian-led Steering Committee and Programme Management Team in partnership with an international consortium led by Christian Aid with Social Development Direct, Humentum, the Overseas Development Institute, and Nkum Associates.

This policy should be read alongside other organisational documents and policies including the:

- Code of Conduct
- Fraud and Misuse of Funds Policy
- Human Resource Handbook
- Disciplinary procedures, including in relation to bullying and harassment

## **2. SAFEGUARDING COMMITMENTS AND STANDARDS**

### ***2.1 Policy statement***

The STAR Ghana Foundation is committed to delivering on its duty of care towards all those it encounters as a result of its work, regardless of their gender, age, race, ethnicity, political orientation, religious belief, spatial location, class, sexuality or ability or other identities.<sup>11</sup> The Foundation will take measures to protect the rights of its constituents, including beneficiaries, communities, staff and all other associates, including third parties. The Foundation will not tolerate any form of abuse, and/or violations, and will take necessary actions, as required within this policy, to respond quickly and appropriately to all reports of abuse, and/or violations against any person working for or representing the Foundation.

The Foundation's commitment to safeguarding is in line with its GESI strategy, which aims to safely and meaningfully engage individuals and groups from diverse backgrounds and of varying identities. This is critical to achieving the Foundation's vision to see a well-informed and active Ghanaian citizenry able to contribute to transformational change that advances democracy, accountability and social inclusion. The Foundation will have a zero-tolerance approach to all forms of physical, sexual, social and verbal/emotional violence and abuse, including bullying and harassment, and to all actions resulting in or contributing to the violation or denial of the rights of any individual or group.

### ***2.2 Underlying principles***

The Foundation has agreed on a set of principles that underpin safeguarding. These have been drawn from key international, regional and national instruments such as the International Standards for Keeping Children Safe, the UN Convention on the Rights of the Child, the Core Humanitarian Standards, the UN Convention on the Rights of Persons with Disabilities, the Convention on the Elimination of all forms of Discrimination Against Women, and the African Charter on the Rights and Welfare of the Child (2005); and national policy and legislation, including the Children's Act (1998), Human Trafficking Act (2005), Persons with Disabilities Act (2006), Domestic Violence Act (2007), Mental Health Act (2012), Child and Family Welfare Policy (2014), National Gender Policy (2015), National Social Protection Policy (2015). It also draws on and is aligned with the STAR-Ghana Social Inclusion Toolkit (2018). The principles are set out below:

- Ensuring all individuals are treated equally regardless of their background and identity
- Ensuring everyone is aware of the Safeguarding Policy and has responsibility for safeguarding, including the governing council, staff, volunteers, consultants, contractors, third parties and partners of the Foundation
- Ensuring concerns or allegations shall be taken seriously, investigated and acted on as appropriate

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<sup>11</sup> This vision is in line with key national policies and legislation, including Article 17 of the 1992 Constitution of Ghana, which prohibits discrimination on the basis of gender; the 1998 Children's Act, Section 3 (p. 8); and the 2012 Mental Health Act, p. 23, Chapters 54 and 55.

- Ensuring that our feedback mechanisms and reporting channels are clear, transparent and accessible to all
- Ensuring all actions and activities are taken in the best interests of the child/adult at risk
- Ensuring that survivors of abuse are supported, and alleged perpetrators are held to account
- Ensuring that recruitment practices are robust enough to stop the recruitment of anyone who poses a known risk

### **3. SAFEGUARDING MEASURES**

#### ***3.1 Prevention***

The Foundation is committed to ensuring a rigorous recruitment process to prevent the recruitment of a person who poses a known risk. This includes:

- A person who has been convicted of, or has received a formal police caution concerning an offence against children or vulnerable adults
- A person who has been convicted of, or has received a formal police caution concerning sexual offences against any individual
- A person who is repeat offender, including offences concerning sexual offences against children and vulnerable adults.
- A person who has been flagged to the Foundation as a safeguarding concern by a former employer or a creditable whistle-blower.

The Foundation is committed to ensuring that all staff and representatives are appointed and supervised in accordance with the STAR Ghana Foundation's recruitment policy and other relevant policies, which are in line with national labour laws and national and international policies and best practice. This includes:

- Adding questions about safeguarding in job interviews
- Having a written job description for the post that includes a commitment to safeguarding
- Ensuring all new staff complete a self-declaration disclosure
- Obtaining references including one from a most recent employer
- Verifying qualifications where relevant
- Sharing the safeguarding policy including the code of conduct with all new staff
- Ensuring that new staff sign the code of conduct and a signed copy is safely stored for future reference

The Foundation has developed a mandatory Code of Conduct policy that sets out clear expectations of behaviours – inside and outside the workplace. This is designed to ensure the safety of all associated with the Foundation, whether as a staff member, volunteer or governing council member; a partner; third party or a target beneficiary. All staff, volunteers, consultants and contractors will be required to sign the code of conduct and will be provided with training as part of their induction or contracting requirements.

#### ***3.2 Awareness and capacity building***

The Foundation is committed to providing inductions and training to all staff, governing council, volunteers, contractors, consultants and partners to raise awareness of safeguarding. The Foundation recognises the importance of building the capacity of all those working in or for the Foundation, and an understanding of the safeguarding commitments. It is also important that everyone is aware of the process for raising a concern or a complaint, for the safeguarding policy to be effective and properly implemented. Whistle blowing or the process of escalating concerns is a key element of operationalising the policy. In order to do this, the Foundation will:



- Disseminate relevant Foundation policies, including the Safeguarding Policy and Code of Conduct, to all staff, partners and other associates. Policies will be shared in hard copy and via links to relevant pages on the Foundation website, and discussed in relevant meetings with staff, partners and associates
- Include information about how to raise a safeguarding concern with the Foundation in key public information materials
- Build safeguarding awareness and whistleblowing into all new staff inductions
- Conduct regular internal team trainings and monitoring on safeguarding
- Include information about safeguarding and reporting mechanism in grant agreements and contracts
- Collaborate with relevant institutions to promote a culture of safeguarding across the civil society sector in Ghana
- Create awareness on a reporting and redress mechanism within the Foundation; its availability and working

The Foundation has established expectations with regards to safeguarding, and will provide support and capacity building to staff and collaborators to ensure these expectations are met. The Foundation expects its partners to instil a culture of safeguarding in their own organisations. When working with partners, the Foundation will support partner organisations to develop their own safeguarding capacity and ensure that their policies and practices are aligned with the Foundation's code of conduct. This will include putting in place their own organisational safeguarding policies, which is a mandatory requirement for all organisations looking to establish a partnership with the Foundation.

### **3.3 Reporting**

The Foundation is committed to responding effectively, sensitively and swiftly to *all* allegations and suspicions of violence and harassment. Actual, potential or suspected incidents should be reported immediately. The Foundation places a mandatory obligation and responsibility on all staff, volunteers, consultants or contractors to report concerns, allegations and incidents in a confidential manner and with the appropriate people. Under no circumstances should any individual attempt to deal with the problem directly. Failure to report safeguarding concerns is grounds for disciplinary procedures. The Foundation will respond to allegations and suspicions of violence and harassment in accordance with relevant national instruments and laws.

The following channels have been set up and maintained so that safeguarding concerns can be channelled through a clear, accessible and confidential reporting process. A list of contact details for all safeguarding focal persons, and all those who have access to safeguarding concerns, will be kept and updated regularly.

#### ➤ **Reporting via email:**

- Secretariat's Safeguarding Focal Person email: [safeguarding-stargh@star-ghana.org](mailto:safeguarding-stargh@star-ghana.org)
- Whistleblowing email: [whistleblowing-stargh@star-ghana.org](mailto:whistleblowing-stargh@star-ghana.org)
- Third party safeguarding focal person email: [safeguardingtruste-stargh@star-ghana.org](mailto:safeguardingtruste-stargh@star-ghana.org)

The safeguarding email account is only accessible to the safeguarding focal person who has been trained on the requirement to keep information confidential.

#### ➤ **Reporting via phone:**

- Programme Safeguarding Focal Person phone: +233501305356/+233 302774488
- Whistleblowing phone: /+ 233 302774488
- Chair of the Gender and Social Inclusion Committee email: /+ 233 302774488

➤ **Reporting in person:**

- Programme Safeguarding Focal Person
- Chair of the Gender and Social Inclusion Committee
- Third party safeguarding focal person

**3.3 Responding**

Allegations concerning Foundation staff, governing council members, volunteers, consultants, contractors or partners will be investigated by the Foundation through its Gender and Social Inclusion Committee. Investigations may also be referred to relevant local or national law enforcement institutions, in addition to relevant national commissions, such as the Commission on Human Rights and Administrative Justice.

Confidentiality must be maintained at all stages when dealing with a safeguarding concern. Information given should be written in a report as soon as possible after the concern is raised (within 24 hours if possible). All information relating to a report or a concern and subsequent case management should be shared on a need to know basis only, and all related information securely stored (in a secure, locked location or a confidential electronic folder).

Third parties shall be availed all mechanisms for reporting and redress as set out in this policy.

**4. GOVERNANCE AND OVERSIGHT**

<b>Position</b>	<b>Responsibility</b>
Gender and Social Inclusion Committee	<ul style="list-style-type: none"> <li>• Reports to the Governing Council on implementation of safeguarding policy</li> <li>• Advises Secretariat on policy implementation</li> <li>• Recommends actions on safeguarding concerns to the Governing Council</li> </ul>
Executive Director	<ul style="list-style-type: none"> <li>• Oversight for staff induction on safeguarding policy and code of conduct</li> <li>• Ensures staff have signed code of conduct and uphold it</li> <li>• Ensures associates of STAR Ghana Foundation have endorsed policy and code of conduct</li> <li>• Reviews safeguarding register regularly and supervises implementation of mitigation strategies</li> <li>• Files reports on safeguarding register to the Governing Council, GSIC, donors and statutory agencies</li> </ul>
Foundation Safeguarding Focal Person	<ul style="list-style-type: none"> <li>• Ensures staff have undergone induction on safeguarding policy and code of conduct</li> <li>• Ensures staff have signed code of conduct (annually) and uphold it</li> <li>• Ensures that clear investigation and disciplinary procedures are used when allegations and complaints are made</li> <li>• Receives all complaints / allegations on safeguarding and leads on case management</li> <li>• Records cases, and is responsible for updating and managing the safeguarding register</li> <li>• Reports on a quarterly basis to the management</li> <li>• Communicates to the programme team around safeguarding concerns</li> <li>• Monitors and reports on a quarterly basis to the management.</li> </ul>

	<ul style="list-style-type: none"> <li>• Initiates swift action in collaboration with relevant stakeholders/actors regarding safeguarding concerns</li> </ul>
All staff, GC members, volunteers, interns, consultants, contractors	<ul style="list-style-type: none"> <li>• Read the safeguarding policy and the code of conduct</li> <li>• Sign the code of conduct</li> <li>• Escalate concerns immediately as per this policy (including concerns about their own staff/colleagues).</li> </ul>
Partners	<ul style="list-style-type: none"> <li>• Read the safeguarding policy and the code of conduct</li> <li>• Sign the code of conduct</li> <li>• Provide assurance to develop and implement safeguarding policies</li> <li>• Develop, implement and monitor their safeguarding policies</li> <li>• Uphold the safeguarding values</li> <li>• Endorse policy and code of conduct</li> <li>• Keep the Foundation informed of any safeguarding issues related to partnership with the Foundation.</li> </ul>

## 5. IMPLEMENTATION AND MONITORING

- Annual re-signing of the code of conduct by staff/associates
- Review of organizational assessment tools to reflect safeguarding e.g. GESI scans
- Annual review of relevant policies
- Semester training for staff on safeguarding
- Monitor partners' implementation of their safeguarding policies and code of conduct

### **DECLARATION AND CONSENT**

I have read carefully and understand the STAR-Ghana Foundation Safeguarding Policy. I hereby agree to abide by its requirements and commit to upholding the standards required. I undertake to discharge my duties and to regulate my conduct in accordance with the requirements of the policy.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_