



## **CHILD AND ADULT SAFEGUARDING/SEAH POLICY**

**VERSION. 2.0**

**June 2025.**

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## ARTICLE 1: PURPOSE

This safeguarding policy affirms MaSP's commitment to protecting all individuals especially children, at-risk adults, and beneficiaries of our programs from harm, including Sexual Exploitation, Abuse, and Harassment (SEAH). It outlines proactive measures to prevent and respond to any safeguarding concerns that may arise through contact with MaSP personnel, activities, or partners. MaSP upholds the dignity, safety, and rights of every person we engage with, and prioritizes survivor-centred approaches in all safeguarding actions.

The policy lays out the commitments made by MaSP and informs staff and associated personnel<sup>1</sup> of their responsibilities in relation to safeguarding.

This policy does not cover:

- Safeguarding concerns in the wider community not perpetrated by MaSP or associated personnel, while outside the organization's immediate jurisdiction, may still require a response. Where staff become aware of such concerns, they are encouraged to report the matter confidentially to the Designated Safeguarding Officer, who will advise on appropriate referral pathways—such as engaging relevant community structures, local authorities, or specialist services—in accordance with national safeguarding protocols.

## ARTICLE 2. WHAT IS SAFEGUARDING?

According to the UN safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.

In our sector, we understand it to mean protecting people, including children and at-risk adults, from harm that arises from coming into contact with our staff or programmes.

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

## ARTICLE 3. POLICY SCOPE

The MaSP Safeguarding policy is survivor centred and all processes regarding investigation including decision making on their recovery and support will involve them as survivors/victims. MaSP will provide all the necessary support to the survivors including psychosocial counselling, protection from further stigma and discrimination and any other harm that can follow as a result of reporting the incident.

This policy specifically applies to:

- All MaSP Board members
- All staff contracted by MaSP
- All volunteers and interns contracted by MaSP

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<sup>1</sup> See 'Scope' for definition of associated personnel

- Associated personnel whilst engaged with work or visits related to MaSP, including but not limited to the following: consultants; volunteers; contractors; programme visitors including journalists, celebrities and politicians
- All organisations which are members of the MaSP network

## **ARTICLE 4. POLICY STATEMENT**

MaSP is committed to the protection of children and vulnerable adults, and to the rights of the child as enshrined in the Constitution of Malawi and the United Nations Convention on the Rights of the Child (UNCRC). MaSP recognizes its responsibility to ensure that these rights are upheld. MaSP does not tolerate any violation or infringement of those rights and strives to ensure that the needs, dignity and safety of all children and vulnerable people, regardless of gender, ethnicity, faith, ability or culture, are protected in our work.

MaSP embraces, and commits itself to, an ethos of 'do no harm' and takes seriously its responsibility to all those affected by our work and we have a zero-tolerance policy to the abuse of power, bullying and harassment, or other forms of misconduct

MaSP commits to addressing safeguarding throughout its work, through the three pillars of prevention, reporting and response.

### **4.1. Prevention**

#### **4.1.1. MaSP Responsibilities**

MaSP will:

- Ensure all staff, volunteers, interns have access to, are familiar with, and know their responsibilities within this policy
- Design and undertake all its programmes and activities in a way that protects people from any risk of harm that may arise from their coming into contact with MaSP. This includes the way in which information about individuals in our programmes is gathered and communicated
- Implement stringent safeguarding procedures when recruiting, managing and deploying staff and associated personnel
- Ensure staff receive training on safeguarding at a level commensurate with their role in the organization
- Follow up on reports of safeguarding concerns promptly and according to due process

#### **4.1.2. Staff responsibilities**

##### **Child safeguarding**

MaSP staff and associated personnel must not:

- Engage in sexual activity with anyone under the age of 18
- Sexually exploit, abuse or harass children in any form
- Subject a child to physical, emotional or psychological abuse, or neglect

- Engage in any commercially exploitative activities with children including child labour or trafficking

### **Adult safeguarding**

MaSP staff and associated personnel must not:

- Sexually exploit, abuse or harass at risk or vulnerable adults
- Subject an at risk adult or vulnerable adult to physical, emotional or psychological abuse, or neglect

### **Protection from sexual exploitation and abuse**

MaSP staff and associated personnel must not:

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

Additionally, MaSP staff and associated personnel are obliged to:

- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy
- Report any concerns or suspicions regarding safeguarding violations by an [NGO] staff member or associated personnel to the appropriate staff member

## **4.2. Reporting safeguarding issues and concerns**

MaSP will ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to staff and the communities we work with.

Any staff reporting concerns or complaints through formal whistleblowing channels (or if they request it) will be protected by MaSP's Disclosure of Malpractice in the Workplace (Whistleblowing) Policy.

### **4.2.1. The Safeguarding Focal Person and safeguarding committee**

The MaSP Safeguarding Focal Person is the Chairperson of the AFAHR Sub Committee with the Chief Executive Officer as a Co-Focal Point.

Whistleblowing regarding safeguarding, bullying, sexual exploitation, harassment and abuse can be made to one or more of the below: members of the Safeguarding Committee

| <b>Name of member</b> | <b>Position</b>                       | <b>Contact Phone number</b> | <b>Email Address</b>       |
|-----------------------|---------------------------------------|-----------------------------|----------------------------|
| <b>Daniel Daka</b>    | Chairperson of the Board of Directors | <b>0888477666</b>           | <b>dandaka77@gmail.com</b> |

|                    |                                                                               |                   |                                             |
|--------------------|-------------------------------------------------------------------------------|-------------------|---------------------------------------------|
|                    |                                                                               |                   |                                             |
|                    | Chairperson - Audit, Finance, Admin and Human Resources (AFAHR) Sub Committee | <b>0999562460</b> | <b>crown75.lucky@gmail.com</b>              |
| <b>Linda Dembo</b> | Chief Executive Officer (CEO)                                                 | <b>0999479042</b> | <b>ldembo@malawiscotlandpartnership.org</b> |

MaSP's will also accept complaints from external sources such as members of the public, partners and official bodies.

#### **4.2.2. How to report a safeguarding concern**

Staff members who have a complaint or concern relating to safeguarding should report it immediately to any member of Safeguarding Committee or any line manager as appropriate using the designated email address accessible to all members of the committee. If the staff member do not feel comfortable reporting to their Safeguarding Committee member or line manager (for example if they feel that the report will not be taken seriously, or if that person is implicated in the concern) they may report to any other appropriate staff member or member of the Board of Directors. For example, this could be a senior manager or a member of the HR Team.

MaSP to share contact details including telephone number, email address and make them accessible to all stakeholders including beneficiaries of MaSP activities.

#### *4.3. Reports and complaints handling procedure*

The purpose of this section of the policy is to provide procedures for dealing with reports of breach of MaSP Safeguarding Policy, where the safeguarding violation is:

- Against staff or members of the public,
- Perpetrated by staff, partners or associated personnel.

##### **4.3.1. Procedures**

###### **a. Report is received**

- Reports can reach the organisation through various routes. This may be in person, 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 a staff member hears something in an informal discussion or chat that they think is a safeguarding concern, they should report this to the appropriate staff member in their organisation.
- ii. 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)
  - iii. The person receiving the report should then document the following information, using an Incident Report Form :
    - Name of person making report
    - Name(s) of alleged survivor(s) of safeguarding incident(s) if different from above
    - Name(s) of alleged perpetrator(s)
    - Description of incident(s)
    - Dates(s), times(s) and location(s) of incident
  - iv. The person receiving the report should then forward this information to the Safeguarding Focal Point or appropriate staff member within 24 hours.
  - v. Due to the sensitive nature of safeguarding concerns, confidentiality must 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.
  - vi. If the reporting staff member is not satisfied that the organisation is appropriately addressing the report, they have a right to escalate the report, either up the management line, to the Board (or other governance structure), or to an external statutory body. The staff member will be protected against any negative repercussions as a result of this report. See Alliance Complaints Policy and Disclosure of Malpractice in the Workplace Policy.

#### ***b. Assess how to proceed with the report***

- i. Conduct an Initial Safeguarding Assessment and Appoint a Decision Maker. Upon receipt of a safeguarding report, the Designated Safeguarding Officer (DSO) or their delegated staff member will conduct a preliminary assessment to determine the nature, severity, and urgency of the concern. Following this assessment, MaSP management will appoint a Decision Maker appropriately positioned within the organization to determine subsequent actions in line with safeguarding protocols and legal obligations.
- ii. The decision maker will ensure that all necessary action to support survivors of abuse, violence, or exploitation. He/she will prioritize the

safety, well-being, and informed choices of the individual affected and will ensure they are protected from further harm.

- Respond promptly and sensitively, respecting the survivor's confidentiality and consent
  - Provide access to psychosocial support, referral services, and emergency care if needed
  - Take steps to safeguard the survivor from retaliation, re-traumatization, or continued abuse
  - Empower the survivor to participate in decisions regarding their protection and recovery
  - Ensure that all actions taken are guided by principles of dignity, empathy, and non-discrimination.
- iii. Determine whether it is possible to take this report forward
- Does the reported incident(s) represent a breach of safeguarding policy? Is there sufficient information to follow up this report?
- iv. If the reported incident does not represent a breach of the MaSP Safeguarding Policy, but represents a safeguarding risk to others, the report should be referred through the appropriate channels (eg. local authorities) if it is safe to do so.
- v. 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 should be filed in case it can be of use in the future, and look at any wider lesson learning we can take forward.
- vi. If the report raises any concerns relating to children under the age of 18, **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, ensure that you have the relevant expertise and capacity to manage a safeguarding case. **If you do not have this expertise inhouse, seek immediate assistance**, through external capacity if necessary.
  - 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. Decide which information needs to be shared with which stakeholder – information needs may be different.
  - You may have separate policies depending on the type of concern the report relates to. For example, workplace sexual harassment is dealt with through the organisations Anti Bullying and Harassment policy.

- If there isn't a policy for the type of report that has been made, follow these procedures.
- Check your obligations on informing relevant bodies when you receive a safeguarding report. These include (but are not limited to):
  - ✓ Funding organisations
  - ✓ Umbrella bodies/networks
  - ✓ Alliance policies and guidelines

Some of these may require you to inform them when you receive a report, others may require information on completion of the case, or annual top-line information on cases. When submitting information to any of these bodies, think through the confidentiality implications very carefully.

### ***c. Appoint roles and responsibilities for case management***

- i. If not already done so (see above), appoint a Decision Maker for the case. The Decision Maker should be a senior staff member, not implicated or involved in the case in any way.
- ii. If the report alleges a serious safeguarding violation, you may wish to hold a case conference. This should include:

- Decision Maker
- Person who received the report (such as the focal point, or manager)
- HR manager
- Safeguarding adviser (or equivalent) if there is one

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).

### ***d. Provide support to survivor where needed/requested***

- i. Provide appropriate support to survivor(s) of safeguarding incidents. Nb. this should be provided as a duty of care even if the report has not yet been investigated. Support could include (but its not limited to)

- Psychosocial care or counseling
- Medical assistance
- Protection or security assistance (for example being moved to a safe location)

- ii. All decision making on support should be led by the survivor.

### ***e. Assess any protection or security risks to stakeholders***

- i. For reports relating to serious incidents: 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.
- ii. Continue to update the risk assessment and plan on a regular basis throughout and after the case as required.

#### **f. Decide on next steps**

- i. The 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
  - Referral to relevant authorities
- ii. If the report concerns associated personnel (for example contractors, consultants or suppliers), the decision making process will be different. Although associated personnel are not staff members, we have a duty of care to protect anyone who comes into contact with any aspect of our programme from harm. We cannot follow disciplinary processes with individuals outside our organisation, however decisions may be made for example to terminate a contract with a supplier based on the actions of their staff.
- iii. If an investigation is required and the organisation does not have internal capacity, identify resources to conduct the investigation. Determine which budget this will be covered by.

#### **g. Manage investigation if required**

- i. Refer to the organisation's procedures for investigating breaches of policy. If these do not cover safeguarding investigations, use external guidelines for investigating safeguarding report.

#### **h. Make decision on outcome of investigation report**

- i. The Decision Maker makes a decision based on the information provided in the investigation report. Decisions relating to the Subject of Concern should be made in accordance with existing policies and procedures for staff misconduct.
- ii. 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 Decision Maker together with other senior staff 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, including the survivor and the Subject of Concern.

#### **i. Conclude the case**

- i. Document all decisions made resulting from the case clearly and confidentially.
- ii. Store all information relating to the case confidentially, and in accordance with [NGO] policy and local data protection law.

- iii. Record anonymised data relating to the case to feed into organisational reporting requirements (eg. serious incident reporting to Board, safeguarding reporting to donors), and to feed into learning for dealing with future cases

### **4.3. Response**

MaSP will follow up safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations (see Procedures for reporting and response to safeguarding concerns in Associated Policies).

MaSP will apply appropriate disciplinary measures to staff found in breach of policy.

MaSP will offer support to survivors of harm caused by staff or associated personnel, regardless of whether a formal internal response is carried out (such as an internal investigation). Decisions regarding support will be led by the survivor.

### **4.4. 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 should be shared on a need-to-know basis only, and should be kept secure at all times.

## **ARTICLE 5. ASSOCIATED POLICIES AND DOCUMENTS**

- 1) Code of Conduct
- 2) Anti Bullying and Harassment policy
- 3) Disclosure of Malpractice in the Workplace (Whistleblower) policy
- 4) Child Safeguarding policy
- 5) Adult Safeguarding policy
- 6) PSEA (Protection from Sexual Exploitation and Abuse by staff) policy
- 7) Complaints Policy
- 8) Procedures for reporting and response to safeguarding concerns
- 9) Procedures for safeguarding in staff recruitment

## **ARTICLE 6. POLICY CONTINUOUS IMPROVEMENT**

In keeping with our core values, MaSP is a learning organisation, striving for continual development. We therefore invite and encourage all feedback to this policy and the processes described herein. Feedback can be sent to the Chief Executive Officer, the Chair or AFAHR Sub Committee Chairperson at any time

## **ARTICLE 7. GLOSSARY OF TERMS**

### **Sexual Exploitation, Abuse, and Harassment (SEAH)**

SEAH refers to any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes, but is not limited to:

- **Sexual Exploitation:** Acts such as profiting, socially or financially, from the sexual use of another person (e.g., offering assistance, goods, or services in exchange for sex).
- **Sexual Abuse:** Physical sexual acts forced upon a person against their will, whether through coercion, threat, deception, or manipulation.
- **Sexual Harassment:** Unwanted sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that creates an intimidating, hostile, or offensive environment.

## **Beneficiary of Assistance**

Someone who directly receives goods or services from MaSP's programme. 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**

As per the laws of the government of Malawi, a person below the age of 18 (reference). This is also based on the Convention on the Rights of a child (CRC)

## **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 staff or associated personnel. 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 the UK, safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect<sup>2</sup>

In our sector, we understand it to mean protecting people, including children and at risk adults, from harm that arises from coming into contact with our staff or programmes. One donor definition is as follows:

Safeguarding means 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. This definition pays specific attention to

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<sup>2</sup> NHS 'What is Safeguarding? Easy Read' 2011

preventing and responding to harm from any potential, actual or attempted abuse of power, trust, or vulnerability, especially for sexual purposes.

Safeguarding applies consistently and without exception across our programmes, partners and staff. It requires proactively identifying, preventing and guarding against all risks of harm, exploitation and abuse and having mature, accountable and transparent systems for response, reporting and learning when risks materialize. Those systems must be survivor-centered and also protect those accused until proven guilty.

Safeguarding puts beneficiaries and affected persons at the centre of all we do.

### **Survivor**

The person who has been abused or exploited. The term 'survivor' is often used in preference to 'victim' as it implies strength, resilience and the capacity to survive, however it is the individual's choice how they wish to identify themselves.

### **At risk adult**

Sometimes also referred to as vulnerable adult. 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.

## **ARTICLE 8. REVIEWS AND APPROVAL HISTORY**

|                                  |          |
|----------------------------------|----------|
| <b>Version</b>                   | <b>2</b> |
| <b>Approval Date</b>             |          |
| <b>Approved By</b>               |          |
| <b>Designation</b>               |          |
| <b>Date of Previous Approval</b> |          |
| <b>Date of next Review</b>       |          |

## **ARTICLE 9. ANNEXES**

### **MaSP Safeguarding Incident Report Form**

This form should be used to record safeguarding concerns relating to Children and/or Vulnerable persons. In an emergency please do not delay in informing the police or social services. All the information must be treated as confidential and reported to the Designated Safeguarding Officer within one working day or the next working day if it's a weekend.

The form should be completed at the time or immediately following disclosure, but after all necessary emergency actions have been taken. Please complete the form as fully as possible.

| 1. Your Details- the person completing the form |       |
|-------------------------------------------------|-------|
| Name                                            |       |
| Position                                        |       |
| Telephone                                       | Email |

| 2. Details- of the person affected |       |
|------------------------------------|-------|
| Name                               |       |
| Position                           |       |
| Telephone                          | Email |

|                                                                                    |
|------------------------------------------------------------------------------------|
| <b>3. Details of the incident (please describe in detail using only the facts)</b> |
| Date.....Time.....Place.....<br>.....                                              |
|                                                                                    |

|  |
|--|
|  |
|--|

|                                                                                                                    |       |
|--------------------------------------------------------------------------------------------------------------------|-------|
| <b>4. Details of others present/ potential witnesses</b>                                                           |       |
| Name                                                                                                               |       |
| Address                                                                                                            |       |
| Telephone                                                                                                          | Email |
| Name                                                                                                               |       |
| Address                                                                                                            |       |
| Telephone                                                                                                          | Email |
| <b>5. Additional relevant information (please detail anything else that you believe to be helpful or important</b> |       |
|                                                                                                                    |       |

I have completed this form and provided information that is factual and does not contain my own views or opinions on the matter.

Name.....Signature.....  
 ...Date.....

