

Safeguarding in humanitarian organisations: a practical look at prevention and response

by Kelsey Hoppe and Christine Williamson

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On 9 February 2018, the front-page headline of the UK newspaper *The Times* read: ‘Top Oxfam Staff Paid Haiti Survivors for Sex’. Since then, the British media has been peppered with accusations of sexual exploitation and harassment by staff of UK charities working in international aid, including the news on 11 April that the Charity Commission was opening a statutory inquiry into Save the Children UK’s handling of allegations against its staff. Other international aid organisations have also been drawn into the scandal, with increasing numbers admitting allegations of misconduct and abuse in their organisations.

In this article, Kelsey Hoppe (KH), CEO of Safer Edge, a UK-based security risk advisory company, and Christine Williamson (CW), Director and founder of Duty of Care International and an HR and duty of care specialist, discuss the practical steps organisations can take to improve safeguarding practices. This article focuses on prevention. A subsequent article will discuss how organisations can enhance their safeguarding responses.

For the purposes of this article, ‘safeguarding’ is defined as all actions taken by organisations to protect their personnel from harm and from harming others. This is expanded from the UK’s legal definition of safeguarding, which only applies to children and vulnerable adults. Safeguarding procedures and activities relate to harassment and abuse (including sexual harassment, abuse and violence).

KH: The question at the forefront of our minds is how widespread this issue is in aid organisations, and whether it’s more common in the aid sector than in other sectors, say banking, politics or retail.

CW: While that’s a good question it’s a difficult one to answer as there isn’t information comparing abuse across sectors. We know, however, that when people are entrusted with delivering a public good – like nurses, doctors, teachers, politicians or aid workers – they are often held to a higher standard than those involved in commercial activities. When there are reports of abuse or scandal there is a heightened sense of betrayal or moral affront.

KH: Judging from online aid worker forums, there doesn’t seem to be much surprise that these cases have emerged. In fact, it’s generally being viewed as a positive step – forcing organisations to get serious about safeguarding.

CW: Yes, there has been a distinct lack of surprise within the sector. Aid workers are just people – neither all angels nor all demons. Many are motivated by a desire to help people – but not all. There will be perpetrators who will take advantage of the access or power to abuse others, just as they would if they were a teacher, doctor or politician. It’s the responsibility of the organisation to ensure that they cannot do

this with impunity, and to make sure that the organisation has appropriate mechanisms in place through which abuse can be prevented, reported, investigated and dealt with.

KH: So we're not going to know the extent of the problem until most, if not all, aid organisations have appropriate safeguarding mechanisms. But what is safeguarding in practice? What are we talking about?

CW: This is about having robust mechanisms in place to protect those the organisation works with, and to respond well to cases where there has been harm to others. Monitoring and reporting are at the centre of the issue. Responding to a safeguarding concern depends on those who experienced or witnessed certain behaviours feeling able to report it in a safe and appropriate way. Safeguarding means that organisations must have policies, procedures and trusted mechanisms through which those who observe or experience abuse can raise concerns – either directly or anonymously. Organisations should provide an environment where staff trust the reporting systems and know their concern will be treated seriously and appropriate action will be taken.

To respond to a concern, the organisation must have qualified personnel who are able to act in a timely way, using well-designed and documented policies and practices which respect confidentiality. This is a minimum responsibility in duty of care.

KH: It stands to reason that far more cases of abuse will be reported in an organisation that has a functioning safeguarding mechanism than in one that doesn't, or one that has a mechanism that staff don't trust. How does this en-

courage organisations to institute one or to make the one they have more effective? Essentially, no mechanism equals no reports of abuse.

CW: This should encourage organisations to ensure they have effective safeguarding mechanisms. Legally and morally, organisations must provide a safe working environment for their staff – it is their duty of care.

As you said, no reporting mechanism means no reports of abuse. Does that mean abuse isn't happening? Of course not: it's simply under-reported because those who experience it or observe it fear repercussions to their careers or personal lives. Or they simply don't think they will be believed. The system is not trusted. If abusive behaviour hasn't been tackled in the past, staff will lose faith in the organisation's ability to ever address it.

KH: In the wake of this scandal, what practical steps would you recommend organisations take to prevent abuse?

CW: Safeguarding measures should start well before an individual begins employment. We know that during a funding appeal, most people who visit a charity's website do so for two reasons – to donate or to look for a job. The website is the main way to alert job-seekers to how seriously the organisation takes safeguarding. A pop-up on the vacancy announcement page related to a robust safeguarding practice is a good start towards warning off potential perpetrators. Further practical steps can be taken by referring to the organisation's values and including the accountability the post-holder has for duty of care and safeguarding responsibilities in the job profile.

KH: The interview process seems like the logical next step, but interviews look at a wide range of things – technical or programmatic experience, language ability and managerial capacity, to name a few. They’re often conducted remotely over poor internet connections, with the candidate and interview panel in different locations. These aren’t ideal circumstances for getting a good picture of the trustworthiness of an individual.

CW: Yes, interviews are complicated, but this is even more reason why interviewers should not shy away from safeguarding questions or require verifiable examples of candidate’s experience with safeguarding. You are looking for people who understand how critical safeguarding is, understand what it means to ensure an environment is free from harassment and who will respond to allegations of misconduct appropriately. Interview questions should explore:

- The safeguarding practices that succeeded (and failed) in previous roles.
- The essential elements of a working culture free from harassment.
- The role of a manager with respect to safeguarding – the skills required and how they should be applied.
- The ability to gain a team’s trust to report and appropriately deal with safeguarding issues.
- An understanding of what to look for in terms of safeguarding practices in any organisation.
- An understanding of how to learn from experience on safeguarding issues and practices.

These might seem like obvious questions but I don't think they're asked often enough. Interviews tend to focus on technical competence, skills and experience. Exploring these areas with candidates applying for a management role is critical. Managers are the first people staff go to (or are advised to go to) for advice, guidance and support should harassment be encountered or misconduct observed.

KH: Can organisations ask job candidates directly if they've ever been accused of an issue like harassment, stalking or exploitation? Are candidates obligated to respond?

CW: Individuals are under no obligation to tell a future employer about any convictions or charges they may be facing when seeking new employment, unless asked. Even then, they are under no obligation to disclose previous convictions unless they work in certain regulated professions (such as financial services), or with children and vulnerable adults.⁺ Using the legal safeguarding definition, not all humanitarian aid organisations work directly with 'vulnerable adults'. However, they certainly work with vulnerable people when responding to conflict or disaster. I believe humanitarian organisations have a moral obligation to ask candidates about previous convictions and charges, and to make it policy that any new charges during employment must also be declared.

Even though people may not be obliged to disclose these matters, it doesn't mean that organisations shouldn't ask. Asking short-listed candidates to declare past convictions or offences and any disciplinary action taken by a previous employer should be a necessary step and another measure which can prevent perpetrators from continuing through the recruitment process.

KH: Surely, if an organisation has received complaints against someone and investigated them for misconduct they can then inform other organisations about this?

CW: Yes ... and no. References must contain true, accurate and fair information. If an investigation has been concluded, the facts are clear and the person has been dismissed for misconduct, then yes. If the investigation was inconclusive or the individual resigned before it was concluded, then no.

KH: So, all someone accused of misconduct needs to do is wait until they're being investigated, or the investigation doesn't appear to be going their way, and then quit?

CW: This is a danger, and happens a lot when individuals know the case against them is strong and they want to avoid the investigation being concluded. In this case, the organisation will not be able to tell a future hiring organisation anything about the allegation or the investigation. They cannot, legally, share information about incomplete investigations or their results. However, they do have a right to comment on the person's integrity and performance, which is why the reference checking process is so critical.

KH: Reference checking also seems fraught with difficulty as even the worst offenders appear to be able to find referees who are willing to vouch for them.

CW: Reference checking is an integral part of the safeguarding process, but is often treated as an afterthought. A de facto decision to hire a candidate has been made, and reference checking is often a tick-box exercise. Before references are collected,

organisations only know what the candidate wants them to know. They only have the candidate's expression of themselves and their experience or capabilities. An organisation needs more than this to be certain who they're hiring. I've written more on what can be asked for in a detailed reference and you can find that here (<https://dutyofcareinternational.co.uk/articles>).

Many organisations fail when they don't look closely enough at a candidate's references and instead take them at face value. Are organisations receiving references from the last three line managers? If not, why not? Are references being verified by speaking verbally to the referee? Does the organisation contact the referee through their work email address or a phone call to the company number, to confirm that they are who they say they are? A candidate can be deceptive in their references and organisations often don't spend enough time and energy at this stage of the selection process. Reference checking is a significant part of the selection process and ideally done during the interview stage, so follow-up questions can be asked.

KH: Given that people who commit offences are unlikely to disclose them, are there other legal ways of obtaining information? What other types of checks should organisations consider?

CW: There are different ways of performing background checks. More informal ways are through social media channels like LinkedIn, Facebook and Twitter. We have a window into the life of an individual that was never previously available, and we should use it. There is nothing wrong with checking publicly available information and profiles to ensure that nothing has been said or posted which would indicate harassment.

A criminal records check is a formal background check and can be done for certain roles, for example if the post-holder will be working in healthcare or with children. If a full check is not legally possible then a basic criminal records check can be requested.⁺ It's worth noting that a criminal records check is only as reliable as the criminal data system in the country concerned. Like any system, it's only as good as the data it holds.

KH: After a candidate has been selected how should safeguarding be made part of their induction?

CW: This is one of the most important phases in the employment cycle. Time should be dedicated to safeguarding early on in employment, ideally in the first two to three weeks, and it should include an in-depth explanation of what safeguarding is and the organisation's policy, reporting mechanisms, lessons learnt and how practice is monitored and reviewed. The sanctions for misconduct should be clear, and new staff should be told that they are expected to speak out and report safeguarding concerns, together with examples of how cases will be dealt with.

New staff should sign a safeguarding statement demonstrating they have understood the policy, their conduct with respect to the policy and a commitment to speaking out if they are subject to or a witness of behaviour that violates this policy.

KH: An organisation's ability to prevent abuse is only part of the safeguarding picture. The other part is how the organisation incorporates safeguarding into its ongoing work practices, and builds robust practices and mechanisms for response. In the second article we'll discuss how organisations can improve safeguarding practices and respond effectively to any concerns.

Kelsey Hoppe is the CEO of Safer Edge, a UK-based security risk advisory company

Christine Williamson is the Director and founder of Duty of Care International and an HR and duty of care specialist.

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