

South Sudan webinar on safeguarding effectively in partnerships

Questions and Answers

- 1. NNGOs work with variety of International partners and sometimes each partner requires the NNGOs to fill in their org risk assessment formats on safeguarding and at the end of the day overwhelming the NNGO with multiple formats. Is there a way to overcome this?**

NNGOs need to understand that different partners place emphasis on safeguarding practices differently based on their mandates or niche of programming (strong area of focus). For example, Save the Children International will always emphasize Child Safeguarding (Child Protection Policy) because it is a child-based partner organisation. By contrast, a bilateral agency like the USAID will tend to stress Adult Safeguarding (PSEA Policy, etc.) since it focuses on youth and women in its program work. So safeguarding practitioners should be able to align continuously with the specifics of every partnership and flexibly address safeguarding concerns as per partner focus. Importantly, NNGOs should develop own contextualized and comprehensive safeguarding risk assessment template that can be shared with partners to simplify the paperwork and also influence joint take on safeguarding practice. There is also need for NNGOs to train various staff on different projects to be able to appropriately manage risks. Organizations with risk registers should share with partners to understand the specific risks in implementing projects within that context.

- 2. NGOs have the capacity to learn and adapt to new ways of doing things but are tied up with financial constraints. How can we overcome this?**

It is true that NNGOs have little by way of financial resources to support their safeguarding practice. Nonetheless, the distinction between internal safeguarding and project safeguarding should be noted. Internal safeguarding is more of staff wellbeing and safe recruitment. It is therefore more of a commitment from the NNGOs and rarely has costs attached to it. In this regard, one quick win is to use platforms such as RSH to access valuable resources online and offline and closely work to improve an NNGO's safeguarding practice. On the other hand, project safeguarding is more of delivery and needs financial resources. To overcome the financial constraints, NNGOs need start to embedding safeguarding in individual project budgets by requesting for small amounts of cash to address specific safeguarding actions such as mandatory training for staff and improving investigation

capacity to address allegations, concerns or even incidents. NNGOs would do well to develop staff development plans. Assigning a Focal Point for Safeguarding can also improve chances of mobilising resources for safeguarding practice. Likewise, working with South Sudan NGO Forum to promote localisation can help NNGOs access massive resources from the South Sudan NGO Forum. NNGOs leaders can similarly form a Working Group on Safeguarding and use that to lobby for more recognition and support for their safeguarding needs.

3. What are your thoughts on budgeting to support safeguarding...some partners want this covered as part of admin cost which is so little. How do you negotiate with partners to cover safeguarding as part of core activities?

For NNGOs, the budget negotiation is a tight one when it comes to including safeguarding as a key project activity as opposed to its being an admin cost. Safeguarding is essentially about keeping the people we work for and the ones we work with safe from ourselves (as aid workers) or others associated with our work (suppliers, contractors, vendors, consultants, visitors, etc.). So, it is about our programme, not a support function such as admin or otherwise. We need to assess the risk of contact or activities with children, for example. We also need to be able to receive feedback from our beneficiaries and address all their concerns as they arise. There are certain core things that NNGOs can do without financial resources from partners. For example; systematically vetting staff/volunteers, conducting regular staff performance appraisals in relation to safeguarding, training staff to improve safeguarding practice, educating beneficiaries on reporting channels to use should they have any concerns and setting up accessible reporting channel. These are all safeguarding actions and are mainly programmatic.

4. What strategies needs to be adopted to convince partners that safeguarding is not just to please donors and its an integral aspect of their work?

Safeguarding is one of the core beliefs of any aid agency and is at the heart of the mandate to save lives and build resilience across communities. Aid agencies work to ensure vulnerable people have dignity and opportunity to bounce back better and stronger and lead meaningful and fulfilling lives. Safeguarding is not and should not be about ticking a box in a donor's partner assessment exercise and once the donor is out of sight, safeguarding is out of mind! Safeguarding is about accountability to the affected populations NNGOs serve. It is, therefore, about the beneficiaries not donors; about making sure staff are safe while at work and should be integral to NNGOs work.

NNGOs need to emphasize on staff assessments, surveys and trainings. RSH's e-learning modules (1-5) are a good start for staff learn how to deal with critical issues and determine areas of improvement in terms of values, attitudes, skills and policies. They should also conduct some research into their staff attitudes towards safeguarding. For example, CMD (NNGO) is currently undertaking an exploratory survey of its staff perceptions about their competences or meta (self-concepts, suppositions, etc). This will help the organisation to position staff knowledge as an important point for resilience and learning about critical issues such as safeguarding.

5. What happens in a situation that you are working with partners who do not have effective safeguarding in place (it may be written in paper but not practical)?

The partner with effective safeguarding policies and practice should use the new partnership to introduce the other partner to safeguarding practice or strengthen their safeguarding action in a systematic way such as identifying risks of activities to children, women, persons with disabilities and own staff. The working partnership should be used as an opportunity to engage in a conversation about what needs to be in place. Training sessions should be conducted to raise awareness and secure buy-in; safeguarding clauses should be built into each and every contract/supply chain, etc; use of tools such as Incident Reporting Template and Staff Code of Conduct to point out the actual ways of carrying out safeguarding action and use your Safeguarding Policies as mandatory in the conduct of the partnership. The partner with the policies should therefore do the following;

- Require that partners read and acknowledge your Sexual Exploitation and Abuse Policy, sign your Code of Conduct, and commit to put appropriate safeguarding measures in place.
- Require that the partner develop a Sexual Exploitation and Abuse Policy or incorporate this within a safeguarding policy as part of their collaboration with you;
- Require all partners, from the day of signing the Contract and the Code of Conduct, without exception, to report any suspected Sexual Exploitation and Abuse incidents to you within 24 hours, in addition to responding to the incident. Failure to do so, will result in suspension and potentially termination of any Project Agreement; and
- Provide assistance and resources to partners to develop their own Policy in line with international standards and specific donor requirements.

6. What is the risk of whistle blower's failure to prove his/her claim and what can be done to protect a whistle blower where policies are either in place and not implemented or where there are no policies in place?

Confidentiality of reporting is ensured to protect the identity of the survivor, the whistleblowers, and alleged perpetrators. All details of the reporting process and investigation process must be kept confidential, and only shared with relevant parties if required. Provisions will be made for the protection of the person reporting an issue or concern if they have a fear for their wellbeing, but the case must still be reported.

Anonymous, confidential and accessible reporting processes (e.g. whistleblowing mechanisms) is always encouraged in safeguarding. Most Organizations aim to provide safe space where all allegations of misconduct are pursued transparently and impartially and concerns are heard and acted upon, and eventually survivors are protected.

Protected Disclosure: is any good faith communication that discloses or demonstrates an intention to disclose information that may evidence (a) an improper activity, or (b) any condition that may significantly threaten the health or safety of employees or the public. A protected disclosure may lead to a whistleblowing disclosure.

Employees who intentionally make false allegations or make a report that is misleading or with malice, will be subject to the disciplinary procedure. This is a breach of an organisation's acceptable standards of conduct and will be considered a serious matter that may result in administrative or disciplinary action, or legal consequences.

7. How should situations where cases of assault are reported to the authority(police) and sent back to the community to talk about it by themselves be handled? At the end of the day justice is not served.

Safeguarding is essentially an organisation's internal response to risks and not an external pressure to address concerns. The organisation's role is to ensure its staff and associates do not put beneficiaries or other staff in harm's way. Once a safeguarding allegation, concern or incident is investigated and it is established that it is of a criminal behaviour and warrants police action, that case should be immediately reported to the police. If the police choose to return it to the community and in the shuffle the whole case is lost, this should be raised with protection partners so that they could look for alternative ways to raise the concern as a wider protection concern other than safeguarding. Safeguarding here means what organisation's can CHANGE (staff behaviour and associates' actions) so that others are not harmed and it is about what the organisation can CONTROL (use tools and procedures to assess the risks of its work and associations). This is called Duty of Care (a common law concept that refers to the responsibility of the organisation to provide vulnerable people

with an adequate level of protection against harm. It is the duty of the organisation to protect children and vulnerable adults from all reasonably foreseeable risk of harm).

Therefore, in this case the organisation can express concern by raising the matter with protection partners since it is beyond the organisation's control.

8. In most cases donors have their different interest and objectives towards funds allocated to NNGOs, with this how can we ensure safeguarding component is supported in every program funded especially in conflict zone like South Sudan and Western Equatoria in particular?

Remind donors that safeguarding practice is core to the organisation's response plan and/or strategy and that this has to be translated into a budget to cater for the following activities:

- Mandatory staff training on PSEA Policy, their obligations, and the reporting and complaints handling process. Additional training and support will be provided as required, to ensure commitments are met.
- A focal person for Sexual Exploitation and Abuse to support the implementation of the Policy and be the first point of contact to receive reports on complaints and incidents.
- The Organization will sensitize the community on what is the expected staff conduct when engaging with the communities, where to report allegations and how the Organization will respond and manage such cases.

9. Elaborate more about rumours in terms of reporting?

It is the responsibility of all NNGOs that work with highly vulnerable children and adults to do everything in their power to ensure that they are safe and cared for. In the event of any incidents, comments, suspicions or concerns (including RUMOURS), the case must be immediately reported to the existing complaint structure or senior management and an investigation commenced. All cases of abuse will be investigated thoroughly in line with established procedures within the Organization. Where the rumours involve the senior management, then:

- Report directly to the Executive Director or whoever is in charge of a different department.
- If the Executive Director is a suspect or is the alleged perpetrator, then the concern should be reported to the safeguarding focal person on the Board of Directors or any of the directors who can be trusted.

- If the Board of Directors are either not accessible or not trusted, the concern should be reported to a donor or any international partner to advise or support with the investigation.

When responding to concerns or allegations of harm or abuse, the ultimate guiding principle will be the best interests and well-being of the child or children or adults involved.