



## SUMMARY SAFEGUARDING POLICY

This policy is Trócaire's summary safeguarding policy for consultants, visitors and other third parties with no access/no unsupervised access to programme participants.

Signed:



Bishop William Crean  
Chairperson of Trócaire



Caoimhe de Barra  
CEO of Trócaire

Date:

16<sup>th</sup> April 2020

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## 1. Purpose / Introduction

Trócaire's Vision, Mission and Values state that we believe in the intrinsic dignity of every person, celebrate difference and aim to create relationships of mutual respect wherein the rights and dignity of every person are respected.

Trócaire's work is inspired and informed by Catholic Social Teaching, one of the fundamental principles of which is the dignity of each individual. The right to freedom from all forms of exploitation and abuse is implicit in this principle. Underpinned by Trócaire's organisational value of accountability, it is our policy to safeguard all individuals involved in Trócaire's work against risks of exploitation and abuse.

Trócaire has zero tolerance to exploitative or abusive behaviour by anyone associated with the implementation of Trócaire's work and highlights this as a core commitment in the organisations' Stakeholder Accountability Framework.

## 2. Policy Statement

Safeguarding in Trócaire means protecting children and adults from harm within or due to our programmes and activities. This includes the prevention of exploitation and abuse as well as any harm caused by our failure to take reasonable care when designing and carrying out our programmes and activities. Trócaire recognises that abuse of power has led, and continues to lead, to many forms of exploitation and abuse. The nature of our work creates a power differential between those employed by or representing Trócaire and programme participants and partners. We acknowledge that the potential exists for those who work with programme participants and partners to abuse their position of power.

Trócaire also recognises that there are specific needs, vulnerabilities and risks that exist for children and is committed to make every effort to ensure children are safe and protected both in its international programme work and outreach programmes in Ireland.

## 3. Scope

Trócaire's expectation is that those who represent our organisation ((members of our governance structure (including board members), staff, volunteers, consultants)) uphold our safeguarding commitments in both their professional and personal lives.

## 4. Guiding Principles

Our approach to safeguarding is guided by a number of key international principles and standards as set out in the Universal Declaration of Human Rights (UDHR, 1948); the UN Convention on the Rights of the Child (UNCRC, 1989); the UN Convention for the Elimination of all forms of Discrimination against Women (CEDAW, 1979); and in the national laws of the countries in which Trócaire works. We aim also to uphold the commitments made under the *Statement of Commitment on Eliminating Sexual*

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*Exploitation and Abuse by UN and Non-UN Personnel and the UN Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse (PSEA) (ST/SGB/2003/13)*<sup>1</sup>.

## 5. Definitions

### 5.1 VULNERABILITY TO EXPLOITATION AND ABUSE

Typically the definition of 'vulnerable adult' in relation to safeguarding refers to individuals who may be more at risk of abuse because of their diminished mental capacity, physical support needs or who are elderly.

However, within the context of Trócaire's work broader considerations are needed to include:

- Power imbalance
- Gender
- Ethnicity
- Affiliation to stigmatised group or religion
- Specific health related conditions (e.g. HIV)
- Poverty
- Displacement
- Other

Trócaire recognises that a power imbalance always exists between people who work for Trócaire and those with whom we work. Equally, this power imbalance exists between partner staff and those with whom they work.

### 5.2 CHILD

Refers to a person under the age of 18 years old.

### 5.3 ABUSE

Any action or inaction that causes harm to another person. It can include physical abuse, emotional abuse, sexual abuse and neglect. It also includes abuse online and/or through mobile technology.

### 5.4 EXPLOITATION

Any actual or attempted abuse of a position of vulnerability, power differential or trust to profit monetarily, socially or politically. It includes sexual exploitation.

### 5.5 CHILD ABUSE

All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or other negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

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<sup>1</sup> UN Secretary-General (UNSG), Secretary-General's Bulletin: Special measures for protection from sexual exploitation and sexual abuse, 9 October 2003, ST/SGB/2003/13, available at: <https://undocs.org/ST/SGB/2003/13>

## 6. Safeguarding Children

It is well recognised that children, because of their evolving capacities and dependency on adults, are particularly vulnerable. History has shown that children have been subjected to significant abuse because of this vulnerability. The UN Convention on the Rights of the Child clearly defines our obligations in relation to children. National legislation in many countries includes specific legislation for safeguarding and protection of children. Equally, as an agency of the Catholic Church, Trócaire upholds the Church's commitment to child safeguarding.

### 6.1 SOME EXAMPLES OF UNACCEPTABLE BEHAVIOUR IN RELATION TO WORKING WITH CHILDREN

- Hit or otherwise physically assault or physically abuse children.
- Engage in sexual activity or have a sexual relationship with anyone under the age of 18 years regardless of the age of majority/consent or custom locally. Mistaken belief in the age of a child is not a defence.
- Develop relationships with children which could in any way be deemed exploitative or abusive.
- Act in ways that may be abusive in any way or may place a child at risk of abuse.
- Use language, make suggestions or offer advice which is inappropriate, offensive or abusive.
- Behave physically in a manner which is inappropriate or sexually provocative.
- Have a child/children with whom they are working to stay overnight at their home unsupervised.
- Sleep in the same bed as a child with whom they are working.
- Sleep in the same room as a child with whom they are working.
- Do things for children of a personal nature that they can do themselves.
- Condone, or participate in, behaviour towards children which is illegal, unsafe or abusive.
- Act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse.
- Discriminate against, show unfair differential treatment or favour to particular children to the exclusion of others.
- Spending time alone with children one to one away from others.
- Expose a child to inappropriate images, films and websites including pornography and extreme violence.
- Place themselves in a position where they are made vulnerable to allegations of misconduct.

## 7. Preventing Sexual Exploitation and Abuse

Trócaire has a zero-tolerance approach to sexual exploitation and abuse of any person, child or adult, involved with its programmes, including:

- Any sexual activity with children under the age of 18, regardless of the age of consent locally (mistaken belief of age being no defence).
- Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This includes exchange of assistance that is due to partners and programme participants.

- Sexual relationships between organisational representatives and beneficiaries are prohibited since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.

### 8. Preventing Sexual Harassment against Staff

Sexual harassment is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. While typically involving a pattern of behaviour, it can take the form of a single incident. Sexual harassment may occur between persons of the opposite or same sex. Both males and females can be either the victims or the offenders.

Trócaire does not tolerate sexual harassment involving staff and/or organisational representatives (including consultants and visitors). Trócaire will follow-up on all complaints in relation to sexual harassment.

### 9. Mandatory Duty to Report

All Trócaire employees and representatives have a mandatory duty to report any suspected incident of exploitation or abuse to

- the Country Director (international)
- the Designated Child Protection Officer (Ireland/Northern Ireland)
- by e-mail to [safeguarding@trocaire.org](mailto:safeguarding@trocaire.org)

This is regardless of whether it is internal to Trócaire or not. It is not the responsibility of Trócaire representatives to decide whether exploitation or abuse has occurred, but they must pass their concerns on.

It should be noted that abuse may be current, recent or historical. There are no time constraints for reporting and taking action within the remit of this procedure, although Trócaire requires that reports be made as soon as knowledge, or suspicion, of an act of exploitation or abuse occurs.

Trócaire will endeavour to protect all individuals in reporting, unless they make allegations they know to be false or vexatious. An individual who makes a report against another that they know to be false or vexatious, if proven to be so, will result in appropriate corrective action under the Disciplinary Procedure up to and including dismissal if they are an employee.

#### 9.1 RESPONDING TO REPORTS AND ALLEGATIONS

By creating safe environments, we work to reduce the potential for things to go wrong. However, in the event when there is a concern, it is important that our response is appropriate, professional and limits any further possible stress or impact. We are therefore committed to doing the following:

- Take all complaints and concerns seriously
- Conduct initial risk assessments and put in place measures to maintain safety pending investigation
- Respect confidentiality in relation to all complaints and concerns
- Consider support for all parties to a concern
- Follow up and act on all investigation recommendations
- Liaise with the relevant national authorities as appropriate in each country

### 9.2 HOW TO RESPOND TO A PERSON BRINGING A REPORT ON POSSIBLE ABUSE OR EXPLOITATION

Receive:	Listen, believe
Reassure:	Make no promises, but communicate that what is being reported is not the fault of the survivor/victim. Communicate no judgement.
React:	Be non-intrusive, ask open questions, remain calm
Record:	Contemporaneous notes (observable / verifiable facts)
Remember:	The safeguarding guidelines (and training you have received)

### 9.3 ALLEGATIONS RELATING TO TRÓCAIRE CONSULTANTS AND VISITORS

If the allegation/complaint relates to a Trócaire consultant or visitor, they will be informed of the allegation/complaint/suspicion and the external reporting requirements that must be followed by the organisation. The consultant or visitor will be informed after an initial assessment and based on consideration of risks or potential implications for investigations. All activities involving the consultant or visitor will be suspended while the complaint is being followed-up. This decision will be made using the guiding principle that the safety of the person reported to have been harmed is always the most important consideration. Procedures will be conducted in accordance with national guidelines.

If the findings conclude that Trócaire Safeguarding Policies have been breached then contracts / agreements with the consultant or visitor will be immediately cancelled.

Note: Trócaire's safeguarding policies are available on the Trócaire website.

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## 10. Related Documents

### 10.1 Declaration Form

*I have read and fully understand Trócaire's Safeguarding Commitment and agree to adhere to the behaviour requirements within the Summary Policy*

*I am aware that I can seek further guidance from my contact person in Trócaire and that I can also access the full policies documents on Trócaire's website*

*I understand my duty to report safeguarding concerns*

**Signed:**

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**Name (capital letters):**

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**Title:**

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**Date:**

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### 13.4 Self-Declaration Form

In order to comply with Trócaire's Safeguarding Policies, this form must be completed and signed by all employees, representatives and third parties. Consultants and visitors can return this form to their contact person in Trócaire, for filing in the relevant Country Office or Maynooth safe filing cabinets.

**Full Name (capital letters):** \_\_\_\_\_

**Address (capital letters):** \_\_\_\_\_

\_\_\_\_\_

**Date of Birth:** \_\_\_\_\_ **Place of Birth:** \_\_\_\_\_

1. Do you have any prosecutions pending or have you ever been charged or convicted of a criminal offence relating to the exploitation or abuse of a child or adult?

Yes  No

If yes, please state below the nature and date(s) of the offence(s)

Date of offence: \_\_\_\_\_

Nature of offence: \_\_\_\_\_

\_\_\_\_\_

2. Have you ever been the subject of disciplinary procedures, or have left or been asked to leave employment or voluntary activity due to inappropriate behaviour towards children?

(Please tick)

Yes  No

If yes, please give details including date(s) below:

Name of Employer: \_\_\_\_\_ Date of incident(s): \_\_\_\_\_

Nature of incident(s)/inappropriate behaviour: \_\_\_\_\_

\_\_\_\_\_

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 Trócaire will keep this information securely in accordance with Data Protection legislation. I hereby declare the information I have provided above is accurate.

Signed: \_\_\_\_\_

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

For recording official receipt of signed declaration: (CD, HR, relevant Trócaire Representative):

Received by: \_\_\_\_\_

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