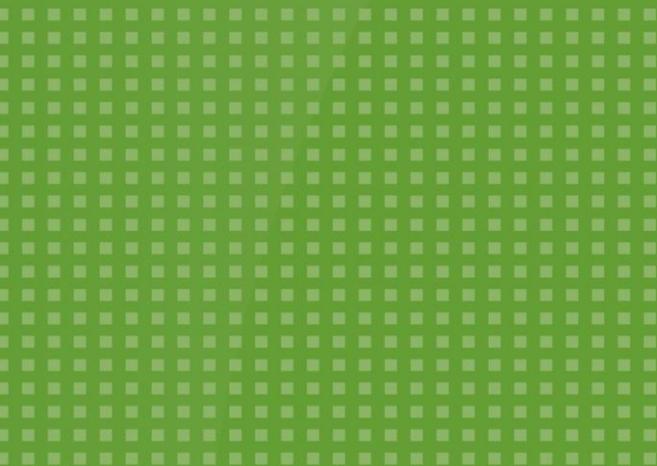




CID Safeguarding Report 2018

November 2018



1. Purpose of the Document

The purpose of this report is to outline and summarise key information and findings from the Council for International Development (CID) Safeguarding Workshops held in Auckland and Wellington respectively on the 24 and 25 of September, and the Safeguarding, Sexual Misconduct and Leadership Workshop survey.

2. Context and Background

On 9 February 2018, [The Times newspaper](#) released an article about allegations of sexual misconduct by Oxfam aid workers in Haiti in 2011 after the earthquake. The article was met with widespread shock from the development aid sector. The way in which the events in Haiti were handled met whistleblowing policy requirements, but it was not enough to address the damage caused and the subsequent issues which arose. In addition to reporting on the events in Haiti, The Times has also reported on sexual misconduct by the co-founder of More Than Me, an NGO operating in Liberia. Sexual misconduct and issues of safeguarding highlighted were not limited to specific NGOs or locations.

As an outcome, the risks that exist and the importance of safeguarding have been highlighted. CID, together with Oxfam, recognised the need to set up and implement the workshops. The workshops were facilitated by Fiona Williams, with a video message for CID members from UK safeguarding expert, Richard Powell and the following paragraphs briefly document the process and outputs of these workshops.

3. Morning Session - Plenary

The morning plenary was focused on 'setting the scene'. The question asked was: What does Safeguarding look like? It was noted that organisations in the sector often work with ambiguity and lack of certainty. The safeguarding of children was noted as critical, and the importance of processes to support awareness, reporting, prevention and response were highlighted. However, it was observed that expertise is not necessarily the key to good management of child safeguarding, but more a culture of open reporting and a genuine commitment to addressing concerns. It was recognised that any Code of Conduct supporting this needs to be a component of everyday practice. CID can assist by ensuring that organisations have the ability, policies and procedures in place to take all practicable steps to influence and protect people at risk and working remotely.

Acknowledging that in our workplaces we are in positions of authority and trust in relation to the communities we work with, especially vulnerable adults and children, the participants were asked to consider the greatest challenges in safeguarding. Leveraging the Inter Agency (IASC) [Six Core Principles](#) relating to sexual abuse and exploitation relating to sexual exploitation and abuse, it was highlighted that we have a fundamental obligation to prevent sexual exploitation and abuse of all who have contact with our agencies.

Referee checks are extremely important, and the value of phone calls to referees, rather than written references, are not to be underestimated. Meanwhile international police checks will only pick up convicted criminals, and it is therefore necessary to be vigilant with all.

4. Morning Session - Scenarios

The morning scenario sessions included discussion on the CID Code of Conduct in the context of Safeguarding. Limitations were acknowledged within the Code; there is complexity and nuance. There was an example from an organisation regarding a partnership with a child support programme located in a brothel and the nuance of that engagement that could be passively endorsing a level of exploitation.

The organisational and individual values of accountability, trust, responsiveness and transparency were identified as essential. Participants identified a spectrum of desired behaviours. There was discussion about 'grey areas' and the question was raised as to how an organisation makes a value judgement regarding behaviours based upon their own mandate. An example was discussed in which a faith-based organisation may wish to exclude gay and lesbian people from recruitment.

Questions were raised as to how exploitation (such as use of sex workers privately) can be managed through the application of a Code of Conduct. This developed into a discussion about the legal boundaries in a New Zealand domestic setting. Not all the Code obligations are legally binding, and yet we want to encourage a culture of adherence to the Code.

5. Morning Session - Report Back

The first plenary discussion involved questioning who are we safeguarding – is it organisational reputation, staff behaviour, or the provision of duty of care for children and other vulnerable beneficiaries. Participants noted how a 'zero tolerance' approach can sometimes have a counter negative affect as it can prevent opportunity for dialogue.

Building on this, it was discussed how the barriers stopping people from speaking out need to be explored. For example, these could be cultural or logistical; courage in leadership was identified as important; and in all organisations care needs to be taken to ensure that information is staying between the right people.

Partnerships were identified as a critical component – there was discussion around need to avoid assuming that local partners have safeguarding processes and systems in place, while also being mindful of the tension between 'control' and 'influence' in partnership agreements. Local partners need support, as they could be overwhelmed by the level of documentation required for Safeguarding.

It is also necessary to be very clear in the recruitment stage. In an organisation with strong recruitment processes, candidates with problematic profiles may be inclined to self-de-select in the screening process. The optics of having explicit safeguarding practices at recruitment can act as a deterrent for people with problematic behaviours, particularly when relating to interactions with children.

6. Afternoon Session - Scenarios

The afternoon session presented further safeguarding scenarios. Participants defined safeguarding, acknowledging risk and situations where ultimate or absolute control is not possible, and emphasised the importance of ensuring processes to prevent risk (such as briefings, reference checks etc.) Participants placed the safety of victims/survivors as the key focus and priority. This highlighted the issue of language in using the label 'victim' which can remove the sense of agency and empowerment they have.

Another area participants wanted to highlight was that of poor management, where, instead of having the opportunity to work on issues with staff through appropriate whistleblowing mechanisms, staff resign with a desire to protect themselves professionally and psychologically.

An additional priority identified is ensuring that staff have local expertise that they can trust in the field. If staff do not have a trusted relationship with local partners, there needs to be a focus on the development of that partnership. Field staff should not feel isolated and should feel supported by their home organisation, and need adequate debriefs and support when returning from the field. The benefits of this are avoiding burnout and supporting mental health for future work and projects.

It was highlighted that local authorities/police may not always be the most appropriate body to report to. An example was given of Haiti after the earthquake, where a member organisation was given legal advice that referral to the local authorities may not be wise.

The importance of not making assumptions about the power imbalance of sexual engagements without all the information was discussed.

7. Afternoon Session - Plenary

This afternoon plenary focused on the same issues as the morning. Participants shared their experiences and concerns.

8. Action Points – Next Steps

There were several key actions and outcomes that the workshops have recommended as next steps. These are split into two sections: Next steps for the NGO sector/CID; and Next Steps for MFAT/Government.

8.1 Next steps for NGO Sector/CID

Suggestions of next steps for the NGO sector and CID were identified as:

1. A collated document of case studies from different cultural contexts where safeguarding has been implemented well to be used as educational tools and reference points for staff.
2. Clear recruitment standards across the sector, which includes recommended safeguarding questions for recruitment at all levels.
3. Best practice guidelines that include sample policies, checklists and guidance for reference checks.
4. The appointment of an Ombudsman that reports to CID's governing board.
5. The creation of an independent complaints/whistleblowing process – this could be connected to the appointment of an Ombudsman.
6. A review of the CID Code to gauge whether it can be refashioned to reinforce the importance of safeguarding.
7. Greater guidance on reference checks and police checks, with CID investigating how they can support this process to make it more efficient.
8. The establishment of a humanitarian register with a managed database of trusted consultants – there are some limitations/complexities to this, however, CID will investigate how best to approach this.
9. Proactive engagement with governance boards, with a safeguarding board member on each board to ensure safeguarding is at the top of the agenda – the onus of implementing this will fall to the individual member organisations and their respective boards.
10. Engagement with DFID in terms of their review on minimum standards for child protection. The participants requested that CID engage with MFAT to obtain the British Government's white paper on this.
11. The creation of an international code of conduct.
12. A decision on whether safeguarding should be included in health and safety policy documents, or whether it should be a standalone document.
13. The creation of an in-country complaints mechanism to better support and empower field staff to report breaches of safeguarding.
14. The creation of a communal drive/document where key contacts and details for local safeguarding referrals can be stored – this would be particularly beneficial for field staff.
15. Distribute copies of notes and power points from the workshops to participants for future reference.
16. Practical training on how to initiate difficult safeguarding conversations, particularly with individuals who are suspected to be involved in risky behaviour.

17. Develop a culture of reporting on safeguarding issues.
18. Creation of safeguarding key performance indicators.
19. Distribution of the mapping exercise.
20. A review in a year of how organisations have improved/changed their safeguarding policies and procedures.
21. Facilitation of sharing the learnings and best practice between organisations.
22. Distribute frameworks and models of best practice for safeguarding practices in the Pacific.

8.2 Next steps for MFAT and Government

Suggestions of next steps for MFAT and Government were identified as:

1. Engagement with MFAT on budget streams regarding thematic priorities, with safeguarding being one of these.
2. Funding from MFAT for an opportunity to develop policy and review existing policy.

The CID team is giving consideration to the recommendations for next steps raised at the Safeguarding workshops and will consult with members and MFAT, and prioritise accordingly, building the next steps into the CID Business plan.

9. Survey Findings

CID sent out a survey to gauge the efficacy of the workshops, and to determine what actions the sector wanted to see moving forward. The results of the survey are summarised below.

1. How useful did you find the workshop overall?
 - a. 25% found the workshop **exceptionally useful**
 - b. 66.67% found the workshop **very useful**
 - c. 2% did **not find the workshop useful**
2. What elements of the workshop were most useful?
 - a. Content **(72.73%)**
 - b. Process **(9.09%)**
 - c. Networking **(18.18%)**
3. Will you use the learnings from the workshop at work?
 - a. 88.33% answered **yes**
 - b. 12.5% answered **maybe**
 - c. 4.17% answered **no**
4. If yes, how will you use the learnings?
 - a. Develop and implement policy **(42.11%)**
 - b. Share information with colleagues **(57.89%)**

Appendix A: CID Safeguarding workshop Sep 2018: Speaking notes

Oxfam NZ Executive Director: Rachael Le Mesurier

- 2011 Haiti scandal –
 - Upsetting for all
 - Whilst not directly involved in NZ – the brand meant we were
 - Our supporters felt betrayed, the media will fuel this outrage
 - Never lead a response to such a crisis by trying to explain, must always respond with sincere humility and an authentic commitment to do better
 - Show this with action
 - Like all Aid iNGOs and Institutional donors, lawyers firms and the Human Rights Commission – all are now involved
 - This is not just about safeguarding children or ‘vulnerable’ women in humanitarian contexts. We are all at risk of failing to challenge all abuse if we limit it to this view.
 - Once we open our understanding to all types of abuse or power and how widespread it is in all of our lives it helps us beg the question – if all women and disadvantaged groups are at risk – why do we label half the world and more as ‘vulnerable’?
- Learnings -
 - that being best in class is not good enough
 - that reporting the annual cases is essential, even if it causes us difficulties with supporters, donors and media
 - that all sexual misconduct findings need to be placed squarely in the public and donor eye
 - that our supporters deserved to know we weren’t and aren’t perfect but that we have no tolerance for these behaviours
 - that an iNGO having no complaints of misconduct over a 10 year period must be seen as unreliable at the least, deeply concerning in many cases, and not a source of relief
- That it is fundamentally about power and the exploitation of power. For Oxfam NZ we have broadened the approach of SHEA to SHEA+P - to be one that opposes any Sexual Harassment and the Exploitation and Abuse of Power. That this occurs wherever humans come together and therefore we cannot and must not treat a HQ any differently from a humanitarian context. It may just be harder to identify or better disguised.
- Feminist principles help us – they guide us to see the inter-connectedness of the abuse of power across bullying, fraud, racism, homophobia and transphobia, anti-disability to sexual abuse, exploitation and child abuse. They require us to understand our own power and privilege and, equally, understand our own experiences of disadvantage and vulnerability.
- Bystanders are crucial to changing the culture. They will be the majority but they will also reflect the culture. They will come from the diverse views of our society. What they feel is safe and what is not, what is expected by their organisation’s culture and what is not.
- The survivor led approach is a core principle of SHEA/safeguarding practice. The survivors need to be central to all of our policies and processes, not just SHEA. They must lead the design and have guidance over the delivery of the policies and procedures. They’re safety and wellbeing is essential. They are both the experts and those we need to protect and support.