

Mphatso Zathu Foundation

Safeguarding Policy

1. Purpose

Mphatso Zathu Foundation is committed to protecting and upholding the rights of our staff, volunteers, partners and all those we work with. We promote a culture of respect for all and do not tolerate any infringement of people's rights including sexual exploitation, bullying, abuse and harassment.

This policy sets out how Mphatso Zathu Foundation will work internally and across all partner organizations to protect people, with particular regard to those who are most vulnerable, including children and young people and vulnerable adults, from any harm that may be caused due to their coming in contact with Mphatso Zathu Foundation or our partners. This includes harm arising from:

- The conduct of staff or personnel associated with Mphatso Zathu Foundation
- The design and implementation of Mphatso Zathu Foundation programs and activities

The policy lays out the commitments made by Mphatso Zathu foundation, and informs staff, volunteers, trustees, consultants and partner organizations, of their responsibilities in relation to safeguarding.

2. What is Safeguarding?

Safeguarding means protecting people's health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.

In relation to our work, we understand it to mean protecting people from harm that arises from coming into contact with our staff or programs.

3. Who does this policy cover?

a) The people we work with

Children: Mphatso Zathu Foundation uses the United Nations Convention on the Rights of the Child (UNCRC) definition of a child, which is any person under the age of 18, regardless of whether a nation's laws recognize adulthood earlier.



Youth or a young people: Youth is best understood as a period of transition from the dependence of childhood to adulthood's independence and awareness of our interdependence as members of a community. The UN defines youth or a young people, as those person between the ages of 15 and 24 years, without prejudice to other definitions my member states.

Vulnerable adults: any person over the age of 18 and who is or may be in need of additional support 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.

Other beneficiaries and stakeholders: this includes all other people we work with, such as girls and women, people with albinism, and anyone whom we have contact with during the course of work. These people may not be defined as vulnerable, but nonetheless may experience harassment, bullying, sexual exploitation or abuse.

b) The people delivering our programs

Staff: This includes all employees.

Associates: This includes all consultants, board members, researchers, volunteers, partner organizations, interns and students.

Other stakeholders: This includes journalist, celebrities, politicians and program visitors.

4. Policy Statement

Mphatso Zathu Foundation is committed to protecting and upholding the rights of our staff, volunteers, partners and all those we work with. We promote a culture of respect for all and do not tolerate any infringement of people's rights including sexual exploitation, bullying, abuse and harassment.

At Mphatso Zathu Foundation:

- We are committed to protecting all those we work with, with particular regard to those who are the most vulnerable – including all children, young people and vulnerable adults – and to ensuring that they are not discriminated against, especially on the grounds of race, gender, religion, disability, sexual orientation, social status or age.
- We will provide training on safeguarding practice and reporting mechanisms for all staff, volunteers, trustees and partner organizations with whom we work.



- We will undertake due diligence checks for all external partners actively implementing projects in collaboration with Mphatso Zathu Foundation and ensure safeguarding standards are upheld across all our operations.
- We will ensure we have policy and practice frameworks in place and that they are actively implemented and monitored, to ensure safeguarding is integral to all our work and consistently applied across our organization.
- We will take seriously and investigate any reported or suspected breaches of the safeguarding policy and take appropriate action.
- We have zero-tolerance approach to bullying, harassment and sexual exploitation and abuse.
- We priorities the wellbeing and care of all staff, volunteers, partners and those we work with.

5. Prevention

a) Safeguarding Children and young people

Mphatso Zathu Foundation staff and associated personnel must not:

- Engage in sexual activity with anyone under the age of 18
- Sexually abuse or exploit children or young people
- Subject a child or young person to physical, emotional or psychological abuse, bullying, harassment or neglect
- Engage in any commercially exploitative activities with children or young people including child labor or trafficking

b) Safeguarding adults

Mphatso Zathu Foundation staff and associated personnel must not:

- Sexually abuse or exploit vulnerable adults
- Subject any adult to physical, emotional or psychological abuse, bullying, harassment or neglect

c) Protection from sexual exploitation and abuse

Mphatso Zathu Foundation 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 dynamics

d) Additionally, all Mphatso Zathu Foundation staff and associated personnel are obliged to:

- Contribute to creating and maintain 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

6. Safeguarding Policy and Implementation Strategy

The safeguarding policy and code of conduct will be implemented through:

- Building the capacity, knowledge and understanding of staff, volunteers, partner organizations and other stakeholders through ongoing training and development.
- Applying and monitoring the safeguarding code of conduct which outlines acceptable and unacceptable behavior – for our staff and other associated personnel. A breach of the code may result in termination of either employment, consultancy contract or other agreement.
- Compliance – staff and associates are required to sign a written statement agreeing to comply with the safeguarding policy and Code of conduct
- Mandatory reporting of alleged or suspected safeguarding incidents – reports will be handled professionally, confidentially and as quickly as possible and will meet country, state or territory-specific legislative requirements. Any employee who intentionally makes a false or malicious allegation will face disciplinary action.
- Risk management – effective child and vulnerable people abuse prevention strategies will be incorporated in all Mphatso Zathu Foundation program designs and activities.
- Due diligence checks – these will be undertaken for all operational partners to ensure partners have in place relevant safeguarding policies and procedures, a named safeguarding lead and all staff have an understanding of safeguarding.
- Recruitment and staff management practices – prospective and current staff will be screened and monitored to ensure the organization does not employ or retain people who pose a risk to children, young people and vulnerable adults. Disclosure and Barring Service checks will be conducted – where available – particular for positions working directly with children, youth and vulnerable people. Additional screening measures will include identity checks, verbal referee checks and the recruitment and interview process.



- Ongoing monitoring and review of safeguarding practices across the organization and our work.

7. How to report a concern or incident

Mphatso Zathu Foundation will ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to the staff and the communities we work with. Any staff reporting concerns or complaints through formal whistleblowing channels will be taken seriously and protected, and where possible their identity will remain confidential. Mphatso Zathu Foundation will also accept complaints from external sources such as members of the public, partners and official bodies.

Who can report?

- Anyone – Children, young people, vulnerable adults, beneficiaries, partners, volunteers, staff
- Whistleblowing – whistleblowing is a system for reporting information which in your reasonable belief points to a wrongdoing at work. Whistle blowers are protected from being retaliated against by their employer if they make a disclosure and it is a) in the public interest or b) the disclosure shows past, present or future wrong doing which is criminal, endangers someone's health and safety, shows lack of compliance with the law or is covering any of these.

Mphatso Zathu Foundation is committed to protecting any whistle blowers and to taking their concerns seriously. Where possible their identity will remain confidential. Anyone wishing to disclose information should do so to their Line Manger in the first instance, or where this is not possible to senior member of staff or Board member.

What to report?

- Allegations, disclosures or observations of child abuse or suspected breaches of the Safeguarding Policy. If you are not sure, report it.

When to report?

- Within 24 hours or as soon as practically possible



Who to report to?

- Any child, young person or vulnerable adult abuse allegations against staff/associates must be reported to Mphatso Zathu Safeguarding Lead. The confidentiality of the individual concerned must be respected as far as possible and sensitive information will only be shared where necessary.
- Concerns for the safety or well-being of any child, young persons or vulnerable adult must be reported to the relevant Safeguarding Lead so they can be acted on promptly.

What will happen?

- Mphatso Zathu Foundation will follow up the safeguarding reports and concerns according to policy and procedure, including conducting investigations, completing proper reports, responding to findings in an appropriate manner, and fulfilling all legal statutory obligations.
- Mphatso Zathu Foundation will apply appropriate disciplinary measures to staff found in breach of policy. These are set out in the disciplinary policy.
- Mphatso Zathu Foundation 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.
- The organization's Safeguarding Lead must always be notified and will ensure that all policies and procedures have been followed.

Confidentiality

It is essential that confidentiality is maintained in all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management should be on a need to know basis only and should be kept secure at all times.

8. Code of conduct and agreement to complying with our safeguarding policy for all staff and associates

- All staff or associates must sign the statement attached to this policy at Appendix 2 prior to commencing employment, or at the commencement of this policy.
- Statements signed by staff and Associates must be returned to Human Resources on or before the first day of work

9. Review

The policy will be monitored on an ongoing basis and reviewed at least annually.

This policy was reviewed in and adopted by the Board of Trustees on

Signed by

Chair of Board of Trustees, Mphatso Zathu Foundation.



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Appendix 1

Glossary of Terms

Beneficiary: Someone who directly receives goods or services from Mphatso Zathu Foundation project or program. Note that misuse of power can also apply to the wider community that the NGO serves, and can include exploitation by giving the perception of being in a position of power.

Child: A person below the age of 18

Young person: Youth is best understood as a period of transition from the dependence of childhood to adulthood's independence and awareness of our interdependence as members of a community. The UN defines youth or a young people, as those persons between the ages of 15 and 24 years, without prejudice to other definitions by member states.

Harm: Psychological, physical and any other infringement of an individual's rights. Includes sexual, physical, emotional or psychological abuse, including (but not limited to) sexual exploitation, humiliating and degrading treatment such as a bad name calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation.

Safeguarding: Safeguarding mean 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 draws from our values and principles and shapes our culture. It pays specific attention to 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 programs, 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 center of all we do.

Sexual abuse: The term 'Sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force of under unequal or coercive conditions.



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Sexual Exploitation: The ‘sexual exploitation’ means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to , profiting, monetarily, socially or politically from the sexual exploitation of another. This definition includes human trafficking and modern slavery.

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.

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.



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