

1. **POLICY STATEMENT**

- 1.1 *We believe that everyone we come into contact with, regardless of age, gender identity, disability, sexual orientation or ethnic origin has the right to be protected from all forms of harm, abuse, neglect and exploitation.*
- 1.2 *We are committed to the responsive safeguarding of all children, young people and vulnerable adults from all forms of violence. We take seriously our responsibility and duty to ensure that we, and anyone who represents us, do not in any way harm, abuse or commit any other act of violence against children, young people or vulnerable adults, or place them at risk of the same.*
- 1.3 *We will not tolerate abuse and exploitation by Staff or Associates. We therefore commit to addressing safeguarding throughout our work, through the three pillars of prevention, reporting and response.*

2. **APPLICATION**

- 2.1 This policy applies to all Staff (UK and US) and Associates.
- 2.2 **Associate** refers to anyone who is undertaking duties for, on behalf of or in association with Big Win Philanthropy UK or US, and includes partners, consultants, volunteers, trustees, contractors, programme visitors, journalists, celebrities and politicians.

3. **PURPOSE**

- 3.1 The purpose of this policy is to protect people, particularly children, young people, vulnerable adults and beneficiaries of assistance, from any harm that may be caused due to their coming into contact with Big Win Philanthropy. This includes harm arising from:
- The conduct of Staff or Associates of Big Win Philanthropy; and/or
 - The design and implementation of programmes and activities funded by Big Win Philanthropy.
- 3.2 This policy lays out the commitments made by Big Win Philanthropy, and informs Staff and Associates of their responsibilities in relation to safeguarding.
- 3.3 This policy does **not** cover:
- Sexual harassment in the workplace – this is dealt with under Big Win Philanthropy’s Anti-Harassment and Bullying Policy; or
 - Safeguarding concerns in the wider community not perpetrated by Big Win Philanthropy Staff or Associates.

4. **WHAT IS SAFEGUARDING?**

4.1 Safeguarding is about protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.

4.2 In the sector in which Big Win Philanthropy operates, we understand safeguarding to, in practical terms, be: (i) taking all reasonable steps to prevent harm, particularly sexual exploitation, abuse and harassment from occurring; (ii) protecting people, including children, young people and vulnerable adults, from harm that arises from their coming into contact with our Staff or programmes; and (iii) responding appropriately when harm does occur.

4.3 Further definitions relating to safeguarding are provided in Annex 1.

5. **PREVENTION – ROLES AND RESPONSIBILITIES**

5.1 Ultimate responsibility for ensuring the safety of children, young people and adults rests with the UK and US Boards of Directors (Trustees), Senior Executives and Managers. Big Win Philanthropy will:

- Ensure all Staff have access to, are familiar with, and know their responsibilities within this policy;
- Design and undertake all its programmes and activities in a way that protects people from the risk of harm that may arise from their coming into contact with Big Win Philanthropy. This includes the way in which information about individuals affected by our programmes is gathered and communicated;
- Put in place stringent safeguarding procedures when recruiting, managing and deploying Staff and Associates;
- Ensure Staff receive training on safeguarding at a level commensurate with their role in the organisation; and
- Follow up on reports of safeguarding concerns promptly and according to due process.

5.2 Staff and Associates **MUST NOT**:

- Engage in sexual activity with anyone under the age of 18;
- Sexually abuse or exploit children, young people or vulnerable adults;
- Subject a child, young person or vulnerable adult to physical, emotional or psychological abuse, or neglect;
- Engage in any commercially exploitative activities with children, young people or vulnerable adults, including child labour or trafficking;
- 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 power dynamics;
- Use photographs or images of children, young people or vulnerable adults in such a way as to put them at risk of harm or abuse.

5.3 Additionally, Staff are obliged to:

- Abide by the Safeguarding Code of Conduct set out in Annex 2;
- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of this Global Safeguarding Policy;
- Report any concerns or suspicions regarding safeguarding violations by a Big Win Philanthropy Staff member or Associate to the appropriate staff member.

6. **WORKING WITH OTHERS**

6.1 Big Win Philanthropy relies on partnerships with others in order to carry out its charitable purposes. It needs to be confident that there are clear lines of responsibility and accountability for safeguarding, particularly when working with other organisations to deliver services to beneficiaries of assistance. Big Win Philanthropy should therefore be satisfied that any partner organisation has in place adequate safeguarding arrangements, including appropriate policies and mechanisms to provide assurance on compliance. This is particularly relevant for Big Win Philanthropy, which undertakes development work overseas.

6.2 Accordingly, it is Big Win Philanthropy's policy to ensure that:

- All individuals engaged directly by us (whether, for example, an independent contractor, consultant or volunteer) sign the Safeguarding Code of Conduct set out at Annex 2;
- All partner organisations and governments to whom Big Win Philanthropy provides funding are provided with a copy of the Guidelines set out at Annex 3; and
- All partner organisations and governments that we work with have in place safeguarding policies and procedures of their own. Staff should feel free to contact the Safeguarding Focal Point for guidance on whether a partner's policy and procedural documentation are appropriate for Big Win Philanthropy's purposes.

7. **REPORTING**

7.1 Big Win Philanthropy will ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to Staff, Associates and any communities we directly work in.

- 7.2 Staff who have a complaint or concern relating to safeguarding should report it immediately to their Safeguarding Focal Point or line manager. If the Staff member does not feel comfortable reporting to their Safeguarding Focal Point or line manager (for example, if they feel that the report will not be taken seriously, or if that person is implicated in the concern) they may report to any other appropriate staff member. For example, this could be the Chief Operating Officer.
- 7.3 Any Staff reporting concerns or complaints through formal whistleblowing channels (or if they request it) will be protected by the relevant Big Win Philanthropy Whistleblowing Policy.
- 7.4 Big Win Philanthropy will also accept complaints from external sources such as members of the public, partners and official bodies.

Safeguarding Focal Point	Shyam Radia shyam.radia@bigwin.org
Chief Operating Officer	Christopher Klatell chris.klatell@bigwin.org

8. RESPONDING TO REPORTS

- 8.1 Staff and Associates should direct all reports to the Safeguarding Focal Point who will then follow up safeguarding incidents and concerns according to policy and procedure, and legal and statutory obligations.
- 8.2 Alleged breaches of this policy will be investigated in accordance with disciplinary procedures and contractual agreements, or a referral may be made to statutory authorities for criminal investigation under the law of the country in which the alleged breach took place. Breaches may result in sanctions including disciplinary action leading to possible dismissal, termination of all relations including contractual and partnership relationships, and, where relevant, appropriate legal or other such action.
- 8.3 If a legitimate concern about the suspected abuse of a child, young person or vulnerable adult is raised but proves to be unfounded on investigation, no action will be taken against the reporter. However, appropriate sanctions will be applied in cases of false and malicious accusations.
- 8.4 We will also offer support to survivors of harm caused by Staff or Associates, regardless of whether a formal internal response is carried out (such as an internal investigation). Decisions regarding support will be led by the survivor.

9. **CONFIDENTIALITY**

9.1 The primary duty of Staff and Associates in respect of responding to safeguarding incidents is to report any and all concerns to the Safeguarding Focal Point or appropriate staff member. It is then essential that confidentiality is maintained at all stages of the process when dealing with the safeguarding concern. Information relating to the concern and subsequent case management should be shared on a need to know basis only, and should be kept secure at all times.

Related documents:

- Global Safeguarding Procedures: Dealing with Reports

ANNEX 1 – DEFINITIONS

Associate refers to anyone who is undertaking duties for, on behalf of or in association with Big Win Philanthropy UK or US, and includes partners, consultants, volunteers, trustees, contractors, programme visitors, journalists, celebrities and politicians.

Beneficiary of assistance is someone who directly receives goods or services from Big Win Philanthropy's programmes. Note that misuse of power can also apply to the wider community that Big Win Philanthropy serves, and can include exploitation by giving the perception of being in a position of power.

Child is a person below the age of 18.

Harm is psychological, physical and any other infringement of an individual's rights.

Psychological harm is emotional or psychological abuse, including (but not limited to) humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation.

Protection from Sexual Exploitation and Abuse (PSEA) is the term used by the humanitarian and development community to refer to the prevention of sexual exploitation and abuse of affected populations by staff or associated personnel. The term derives from the United Nations Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13).

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

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 is 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 is sometimes also referred to as 'at risk adult'. A person who is or may be (i) in need of care by reason of mental or other disability, age or illness, and (ii) unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

Young person / youth, in line with United Nations definitions, includes individuals aged 15 years to 24 years old. This group spans the categories of 'children', 'adolescents' and 'adults' but regards young people as having particular safeguarding needs and requiring distinct consideration aside from younger children and older adults.

ANNEX 2 – SAFEGUARDING CODE OF CONDUCT

The purpose of this Safeguarding Code of Conduct is to set out the conduct expected of Staff and Associates. It is applicable at all times. Breaches are grounds for disciplinary action (up to and including dismissal) for Staff as well as the exercise of termination rights under contract for Associates.

Whilst recognising that local laws and cultures differ considerably from one country to another, Big Win Philanthropy is a charitable foundation that operates internationally. As such, this Code of Conduct is developed from international and United Nations standards. **Staff and Associates are expected to uphold local laws wherever they operate, except where this Safeguarding Code of Conduct is more stringent, in which case this Code shall apply.**

Big Win Philanthropy does not dictate the beliefs or value systems by which Staff and Associates conduct their personal lives. However, actions taken by them outside of working hours that are seen to contradict this policy will be considered a violation of the policy. Our Staff and Associates are required to adhere to the principles of this Global Safeguarding Policy both at work and outside of work.

The below is not an exhaustive list. Staff and Associates should consider all related actions and behaviour which may compromise the rights and safeguarding of children, young people and vulnerable adults.

I agree that I will:

- a. Treat all people fairly with respect and dignity, regardless of their age, sex, gender, gender identity, sexual orientation, nationality, ethnic origin, colour, race, language, religious or political beliefs, marital status, disability, physical or mental health, family, socio-economic or cultural background, class, or any history of conflict with the law.
- b. Display high standards of professional behaviour at all times and seek to ensure that my conduct does not bring Big Win Philanthropy into disrepute.
- c. Be observant of all local laws and sensitive to local customs when working in an international context or travelling internationally on behalf of, or in association with, Big Win Philanthropy.
- d. Encourage the creation and maintenance of an environment which prevents the abuse and exploitation of children, young people and vulnerable adults, ensuring that I am aware of potential risks with regard to my conduct and work, and take appropriate action to minimise risks to vulnerable adults and children.
- e. Respect the privacy and confidentiality of children, young people and vulnerable adults associated with Big Win Philanthropy's work. This means I will:
 - Never ask for or accept personal contact details or invitations to share personal contact details (this includes email, phone numbers, social media contacts, address, webcam, skype, etc) from/with any child, young person, vulnerable adult or family associated or formerly associated with our work, or share my own personal contact details with such individuals except where this has been explicitly authorised by Big Win Philanthropy and/or is for Big Win Philanthropy's business purposes.
 - Never disclose, or support the disclosure of, information that identifies children, young people, vulnerable adults and/or their families, through any medium, unless that disclosure is in

- accordance with Big Win Philanthropy's policies and procedures and/or has the explicit consent of Big Win Philanthropy.
- Never make any contact with a child, young person, vulnerable adult or family members associated with Big Win Philanthropy's work that is not supervised by a (or another) member of Big Win Philanthropy staff.
- f. Always ensure that when on an official or work visit with Big Win Philanthropy and I wish to take photographs or videos of vulnerable adults and children associated with the organisation, I will:
- Always consult first with the Safeguarding Focal Point so as to make sure that it is acceptable to take photographs or videos in the local context and that the intended use of the photographs or videos does not conflict with Big Win Philanthropy's policies.
 - Ask permission of the parent or guardian of the child, young person or vulnerable adult, informing them of the specific purpose(s) and intended use of the photographs or videos (including how and where) and respecting their decision to say 'No', making it clear that there will be absolutely no negative repercussions flowing from the denial of such consent.
 - Ensure the images are respectful and do not impact negatively on their dignity and privacy.
 - Ensure that the use of the images does not put the child, young person or vulnerable adult at risk of being located.
 - Never upload the images of children, young people or vulnerable adults associated with Big Win Philanthropy's work to non-Big Win Philanthropy social media pages without the full and explicit consent of Big Win Philanthropy.
- g. Report and respond to any concerns, suspicions, incidents or allegations of actual or potential abuse to a child, young person or vulnerable adult in accordance with Big Win Philanthropy's procedures.
- h. Co-operate fully and confidentially in any Big Win Philanthropy investigation of concerns or allegations of abuse to children, young people or vulnerable adults.
- i. Immediately disclose all charges, convictions, and other outcomes of an offence, which occurred before or occurs during association with Big Win Philanthropy that relate to exploitation and abuse of a child, young person or vulnerable adult.

I agree that I will NOT:

- a. Engage in any form of sexual activity with children (persons under the age of 18) and I acknowledge that mistaken belief in the age of a child is not a defence.
- b. Engage in any form of sexual activity that involves the exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This includes any exchange of assistance that is due to beneficiaries of assistance.
- c. Engage in sexual relationships with beneficiaries of assistance, since they are based on inherently unequal power dynamics.
- d. Have a child/children/young person(s)/vulnerable adult(s), with whom I am in contact in a work-related context, stay overnight at my home or any other personal residential location or accommodation.
- e. Engage in any commercially exploitative activities with children, young people or vulnerable adults, including child labour or trafficking.
- f. Physically assault a child, young person or vulnerable adult.

- g. Emotionally or psychologically abuse a child, young person or vulnerable adult. This includes the use of language or behaviour that is inappropriate, offensive, abusive, sexually provocative, demeaning or culturally inappropriate.

Name: _____

Signed: _____

Date: _____

ANNEX 3 – GUIDELINES FOR IMPLEMENTING SAFEGUARDING IN PRACTICE

Safeguarding is the responsibility that organisations have to make sure their staff, operations and programmes do no harm to children, young people and vulnerable adults.

These guidelines outline the requirements for safeguarding children, young people and vulnerable adults in keeping with the International Child Safeguarding Standards, and illustrate Big Win Philanthropy's commitment to respecting and supporting them.

Organisations and institutions funded by Big Win Philanthropy are expected to build on these guidelines as appropriate based on the nature of their activities and risks to children, young people and vulnerable adults.

For the avoidance of doubt, a 'child' is any person under the age of 18, in accordance with the definition provided under the United Nations Convention on the Rights of the Child.

1. Avoiding harm: The Organisation/Institution should take appropriate steps to ensure: (i) that they do not expose children, young people or vulnerable adults to the risk of abuse or exploitation; and (ii) that any concerns the Organisation/Institution has about children's/young people's/vulnerable adults' safety within the communities in which they work are reported appropriately. Prevention measures should include organisational/institutional safeguarding policies, codes of conduct and associated procedures; safeguarding risk assessments in relation to operations, activities and interventions; and the production and promotion of 'child, young person and vulnerable adult friendly' safeguarding information and resources. The Organisational/Institutional policies and procedures should provide for appropriate sanctions and disciplinary measures which ensure that children, young people and vulnerable adults are protected from further potential harm.

2. Reporting: Mechanisms should be established which encourage and enable the safe reporting of safeguarding concerns. Such mechanisms should ensure: (i) appropriate escalation of concerns within the Organisation/Institution, (ii) referral to the appropriate authorities; and (iii) confidentiality. In addition, child, youth and vulnerable adult reporting mechanisms should be accessible, friendly and sensitive to their differing needs. The Organisation/Institution should advise Big Win Philanthropy of any complaints of abuse to children, young people or vulnerable adults in line with the working agreement.

3. Behaviour protocols/codes of conduct: The Organisation/Institution is required to ensure that staff at all levels avoid any behaviour or conduct that compromises the safety and protection of children, young people and vulnerable adults within the Organisation/Institution's activities, operations and programmes. As such, there should be clearly written guidelines setting out information on what is appropriate and inappropriate behaviour of (i) adults towards children, young people and vulnerable adults, and (ii) children/young people/vulnerable adults towards one another.

4. Gender equality and non-discrimination: The Organisation/Institution should ensure that all policies and procedures take into account gender equality and non-discrimination requirements, recognising that girls, boys, young women, young men, and vulnerable adults of different gender identities may face different risks relating to their safety and protection, and that all children, young people and vulnerable adults have an equal right to protection, irrespective of age, sex, gender, gender identity, sexual orientation, nationality, ethnic origin, colour, race, language, religious or political beliefs, marital status, disability, physical or mental health, family, socio-economic or cultural background, or class.

5. Recruitment & selection: There should be detailed screening procedures for all personnel (including unpaid volunteers) who will come into contact with children, young people and/or vulnerable adults, whether directly or indirectly. Screening procedures may include: a certificate of good conduct; police reference checks or equivalent; verification that applicants are not listed in national registries of child offenders; a detailed application and interview process, which draws out an applicant's attitudes and values in relation to the protection of the vulnerable; and verifiable references who support the applicant's suitability to work with children, young people and/or vulnerable adults.

6. Awareness & education: Everyone connected to the Organisation/Institution should know how to keep children, young people and vulnerable adults safe and have appropriate learning opportunities to develop and maintain the necessary attitudes, skills and knowledge. The Organisation/Institution should ensure that all personnel, sub-contractors, consultants or affiliates involved with children's, young people's and vulnerable adults' programmes are aware of safeguarding risks, policies and procedures, and of their safeguarding responsibilities. In addition, children, young people and vulnerable adults and their parents, guardians or carers should be informed of the same so that they know what behaviours to expect and how to report any concerns.

7. Participation: Children, young people and vulnerable adults should be actively, meaningfully and ethically engaged in the development of safeguarding measures in accordance with their evolving capacities. Children, young people and vulnerable adults must not be treated simply as objects of concern but rather listened to, taken seriously and treated as individual people with their own views.

8. Survivor support: Organisational/Institutional policies and procedures should include appropriate measures to support and protect children, young people and vulnerable adults when concerns arise. All measures taken to respond to a safeguarding concern should take into account the best interests of the child, young person or vulnerable adult and be sensitive to their differing genders and other identities. Response measures should be appropriately risk-assessed and seek to ensure that no further harm comes to the child, young person or vulnerable adult as a result of any actions taken by the Organisation/Institution.

9. Implementation & review: Safeguarding policies and practices should be reviewed at regular intervals and formally evaluated every three years. Learning from practical case experience should inform policy review and changes to safeguarding measures.

10. **Data protection:** Personal information regarding any child, young person or vulnerable adult – whether or not such information has been obtained as part of the programmes involving them – should be treated confidentially. There should be clear procedures showing the responsibilities within the Organisation/Institution for accessing and using such data with appropriate authorisations. In addition, such data should not be disclosed to any third party, except in accordance with the policies of the Organisation/Institution or as required by applicable local laws. Personal information includes, but is not limited to, any information that can be linked to or used to identify a child, young person or vulnerable adult. Use of information, photographs or videos should only take place after consent is obtained from the parent, guardian or carer.

11. **Working with others:** The Organisation/Institution should ensure adequate safeguarding assessments are carried out as part of its due diligence processes when working with others. Third party entities that are contracted to work with children, young people and vulnerable adults ought to be subject to the same safeguarding principles and approaches outlined in the Organisation's/Institution's policies and procedures. Vendors, suppliers and other contractors that may be in direct or indirect contact with children, young people and vulnerable adults should also be subject to appropriate safeguarding measures. Partner organisations should be obligated and supported to develop minimum safeguarding measures appropriate to their organisation.



ANNEX 4 – SAMPLE CONSENT FORM FOR THE USE OF PHOTOGRAPHS/VIDEOS

*** This Consent Form can be tailored for use with the assistance and approval of the Legal Director or Chief Operating Officer***

Big Win Philanthropy is a charitable foundation that invests in programmes that seek transformational change for children and young people.

This consent form should be completed by children, young people or adults who are involved in interviews, photography or filming organised by Big Win Philanthropy. Where participants are under 18 years of age or are over 18 but do not have capacity to provide consent, their parent, guardian or other legal representative should give consent by signing this form.

This consent form must be completed before the interview/photography/filming takes place.

Subject of contribution:

.....

Date of contribution:

.....

Country:

.....

To be completed by the contributor or subject of photograph/video/statement

- 1) I agree to participate in the above interview / filming / photography.
- 2) I agree that some or all of the information, interview statements, images, video footage or other contributions I make/appear in may be used for any of the following purposes: (a) to publicise and promote Big Win Philanthropy’s work; (b) in connection with Big Win Philanthropy’s programming, research, monitoring and evaluation, advocacy, educational and/or media work; (c) by a partner to publicise its relationship with Big Win Philanthropy and/or its support for a programme.
- 3) I understand and agree that the information, statements, images, and video footage that I provide may be used in many different forms, including: in newspapers, magazines and books; on television and radio; on social media and on the internet; in reports, leaflets and letters.
- 4) I agree that my contributions may be used in these ways in any country in the world by Big Win Philanthropy and I understand that Big Win Philanthropy may share my contributions with parties outside of Big Win Philanthropy, including, for example, companies that provide services to Big Win Philanthropy and media organisations.



5) I understand that if my comments, information, image or video footage is uploaded to social media or other websites, then Big Win Philanthropy has no control over the copying or distribution of such material by other internet users.

6) I understand that I will not receive any money or gift now or in the future as a result of giving my consent to be interviewed, photographed or filmed. I also understand that my consent or participation in the above interview / filming / photography does not affect my involvement in Big Win Philanthropy programmes or projects. I can still participate in Big Win Philanthropy programmes or projects even if I do not sign this form.

7) I understand that Big Win Philanthropy will store and be able to use my contribution in the ways described above for a period of time that it considers appropriate, after which Big Win Philanthropy will move the material into its archives.

8) I understand that I can withdraw my consent for Big Win Philanthropy to use all or part of my contribution by contacting the Big Win Philanthropy Programme Director. Big Win Philanthropy will comply with my requests to amend or delete my contribution, where it is possible to do so. I understand that it is not possible to withdraw images, videos, case studies or television or radio content where already published.

9) I understand that I do not own copyright or have any rights of ownership or other claim over the written copy, photographs or films that Big Win Philanthropy produces.

Name:

Address / community name:

.....

Signature: Date:

Parent, Guardian, Legal Representative

I confirm that I am the contributor's parent/guardian/legal representative and agree to the above on behalf of the contributor.

Name:

Address / community name:

.....

Relationship to contributor:

Signature: Date: