

Safeguarding Overarching Policy (Global)

December 2020

1. Purpose

Stonewall's mission is to advance the human rights of lesbian, gay, bi and trans (LGBT) people through: empowering individuals, transforming institutions, changing hearts and minds and campaigning to change and protect legislation.

Safeguarding is extremely important to Stonewall. We believe that no one should ever have to experience or risk experiencing abuse, exploitation or neglect. We are committed to proactively safeguarding and promoting the welfare of our beneficiaries, as well as taking all reasonable steps to ensure that those who come into contact with Stonewall or its programmes do not, as a result, come to any harm.

This policy relates to Stonewall's safeguarding activity outside of the UK. Its purpose is to:

- Protect children and adults at risk who engage with Stonewall or our international partners.
- Make our approach to safeguarding clear to our staff, volunteers, supporters and everyone who engages with us.

2. Scope

These procedures apply to all of our work outside the UK, except where projects or programmes have bespoke safeguarding procedures. All bespoke safeguarding procedures will be agreed by Stonewall's Designated Safeguarding Lead.

This policy is compliant with Charity Commission's guidance, including its guidance on safeguarding duties for charities¹ and Bond's 'Good governance for safeguarding guidance', which sets out recommended practice and advice on safeguarding and people protection.² In some circumstances, Stonewall and its partners will also be subject to safeguarding obligations in funding and partnership agreements as well as the Foreign, Commonwealth & Development Office's ('**FCDO**') guidance on *Safeguarding against Sexual Exploitation and Abuse and Sexual Harassment (SEAH) in the aid sector*³.

These procedures only apply to safeguarding concerns. If you are unsure whether something is within the scope of these procedures, you should seek advice from the Designated Safeguarding Lead.

1 <https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees> (last updated 22 October 2019).

2 https://www.bond.org.uk/sites/default/files/resource-documents/good_governance_for_safeguarding_0.pdf (May 2019).

3 <https://www.gov.uk/guidance/safeguarding-against-sexual-exploitation-and-abuse-and-sexual-harassment-seah-in-the-aid-sector>

If volunteers, beneficiaries or members of the public have complaints about Stonewall, its staff or partners **that do not relate specifically to the welfare of children and adults at risk**, they should follow the procedures set out in Stonewall's Complaints Policy.

For Stonewall's staff: Compliance with these procedures is mandatory (as defined below).

For Stonewall's trustees: Since board members and trustees must act at all times in the best interests of Stonewall and its beneficiaries, they are also expected to comply with these procedures. This expectation is made clear to board members and trustees in their trustee induction process and during board meetings.

For partnership organisations: Stonewall has agreements in place with all partners. These require partners to provide the same, or higher, level of safeguarding for children, adults at risk and those coming into contact with the partner as those set out in these procedures. Partners must have either their own safeguarding procedures or equivalent document in place, and must implement procedures which include substantially the same principles, expectations and responsibilities as these procedures. Otherwise, they must abide by Stonewall's safeguarding procedures as detailed in this document.

Failure to comply with the Stonewall safeguarding policy may be managed in a number of ways, depending on the nature and consequences of any incident. In some cases, a combination of responses may be required, including:

- Local Authority co-ordinated safeguarding investigation
- Police investigation
- Referral to the Disclosure & Barring Service (DBS), Disclosure Scotland or AccessNI
- Serious incident reporting to The Charity Commission in line with our Serious Incident reporting procedure
- Internal review or co-operation with an external review
- Disciplinary Action and/or termination (for staff and trustees)
- Enforcement Action in accordance with the agreed partnership arrangements (for partners)

It is the responsibility of **all** who work with Stonewall to act if there is a cause for concern about a child or an adult at risk.

3. Principles

We believe that:

- No one should ever experience abuse, exploitation or neglect.
- It is everyone's responsibility to safeguard children and adults at risk from abuse and to take action when made aware of the risk of harm.
- Stonewall recognises that it has particular responsibilities to safeguard and promote the welfare of:

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- All children who engage in Stonewall activities, including the children of adults that use Stonewall services or attend Stonewall events.
- All adults at risk who engage in Stonewall activities.

We recognise that:

- The welfare of the child, or adult at risk is paramount including when considering disclosure of confidential information.
- All children and adults at risk, regardless of age, disability, gender identity, racial heritage, nationality, religion or belief, sex or sexual orientation have a right to equal protection from all types of harm or abuse.
- Some children and adults at risk are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues. Research shows that LGBT people are at a higher risk of abuse.

4. Our definitions

Child: means anyone under the age of 18i irrespective of the age of majority in the country where they live or where born.

Adult at risk: means anyone aged 18 or over who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs) and;
- Is experiencing, or is at risk of, abuse or neglect; and
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

Safeguarding: means both actions we take to prevent harm from occurring to children and adults at risk, and actions we take to protect children and adults at risk where harm has occurred or is likely to occur without intervention. Further definitions of the terms used are in appendix 2 [add link].

Stonewall Designated Safeguarding Lead ('DSL'): means the member of Stonewall Staff designated as the contact person for all safeguarding issues. We also have in place local safeguarding leads in our nations offices and Global team, and a Deputy DSL (UK) who is accountable for addressing safeguarding issues if the DSL.

Where local safeguarding leads exist, decisions to refer will be made in conjunction with the DSL. The DSL will remain accountable for making sure the safeguarding risk is managed properly. Any safeguarding issues in which the DSL is conflicted are dealt with by the Chief Executive.

'Safeguarding Lead Trustee': means the trustee nominated to have oversight of Stonewall's safeguarding arrangements and liaise with the DSL. Safeguarding remains a collective responsibility of all trustees and the Safeguarding Lead Trustee is required to report back and share information with the full board of trustees as appropriate.

‘Staff’: means anyone who works for, or is engaged by, Stonewall (or its partner where the context requires). This can be in a paid or unpaid, full time or part time, capacity. This includes directly employed staff, contractors, agency staff, consultants, volunteers, interns and equivalents.

6. Recognising, responding and reporting concerns

Stonewall is committed to providing safe, appropriate and accessible routes for reporting safeguarding concerns. We will respond efficiently and sensitively to all allegations and suspicions of abuse and harm against children or adults at risk.

Recognising a safeguarding concern:

A safeguarding concern may arise in several ways. The following are examples of how a safeguarding concern may come to your attention:

- You may witness abuse or harm taking place;
- A child, adult at risk or other person may tell you that they have suffered abuse or harm, or are fearful of suffering abuse or harm;
- You may notice behaviour which gives rise to a suspicion that a child or adult at risk has been harmed or is at risk of harm.

Recognising harm or risk of harm can be complicated and it is not Stonewall’s responsibility to decide whether harm has occurred. However, it is our responsibility to look out for signs of abuse and harm and act if there are any concerns. You should therefore ensure that you are aware of the risks of abuse and harm which include:

- **Physical abuse:** including hitting, slapping, punching, burning, misuse of medication, inappropriate restraint.
- **Domestic abuse:** including psychological, physical, sexual, financial, or emotional abuse. It also covers so-called ‘honour’-based violence.
- **Sexual abuse:** including rape, indecent assault, inappropriate touching, exposure to pornographic material, abuse of a position of trust.
- **Psychological or emotional abuse:** including belittling, name-calling, threats of harm, intimidation, isolation and ‘conversion’ therapy.
- **Bullying, harassment, cyber bullying or discriminatory abuse:** including racist, sexist, biphobic, homophobic, transphobic abuse; abuse based on a person’s disability and other forms of harassment; slurs or similar treatment.
- **Criminal exploitation:** including by criminal gangs and organised crime groups such as county lines, trafficking, online abuse, sexual exploitation and the influences of extremism leading to radicalisation.
- **Financial or material abuse:** including stealing, selling assets, fraud, misuse or misappropriation of property, possessions or benefits.

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- **Modern slavery:** covering slavery (including domestic slavery), human trafficking and forced labour. Traffickers and slave masters use whatever they can to pressurise, deceive and force individuals into a life of abuse and inhumane treatment.
- **Neglect and acts of omission:** including withholding the necessities of life such as medication, food or warmth; ignoring medical or physical care needs.
- **Self-neglect:** covering a wide range of behaviour which shows that someone isn't caring for their own personal hygiene, health or surroundings. It includes behaviour such as hoarding.
- **Institutional or organisational abuse:** including regimented routines and cultures, unsafe practices, lack of person-centred care or treatment.
- **Female genital mutilation,** forced marriage and other 'honour-based' abuse.

Abuse may be carried out deliberately or unknowingly. Abuse can be a one-off incident or repeated, ongoing ill treatment. People who behave abusively come from all backgrounds and walks of life. They may be relatives, friends, neighbours, or people who are benefitting from the same Stonewall programme as the person experiencing abuse.

If you are concerned that someone is at immediate risk of harm, whether because of something you have witnessed or something you have been told, you should take steps to ensure that person is not in immediate danger (for example by contacting the emergency services). Where possible, seek advice from the DSL, but do not delay taking action to consult the DSL if that may increase the risk of harm.

Understanding and managing risks in Stonewall's Global Programme

At Stonewall, we are accountable for understanding and managing risk of harm to children or adults at risk, through our direct actions and through the actions of our partners. We recognise that failure in due diligence when agreeing and delivering partnership programmes may result in risk of harm, or actual harm, to children and adults at risk. Accordingly, we place considerable weight on the importance of identifying and mitigating safeguarding risks in all of our programmes.

Stonewall will maintain a **summary of the programmes operating in each country**, with identification of partners and grantees. This summary will link to the relevant safeguarding policy and will include emergency contacts for the projects.

Alignment and implementation of safeguarding procedures

We expect all partners and grantees to work within Stonewall's Safeguarding Policy, **as amended in order to take account of institutional arrangements in the relevant territories**. The only exception to this rule is where the partner or grantee has safeguarding procedure which is compliant with Stonewall's Safeguarding Policy, or where a bespoke Safeguarding Policy has been agreed between Stonewall and the partner or grantee.

All safeguarding policies should be reviewed and approved by the Global Safeguarding Lead and DSL, and form part of any contractual agreement's terms and conditions.

Due diligence on proposed partnerships should include:

- Ensuring partners and grantees have appropriate controls and safeguarding measures in place, including safer recruitment measures;
- Ensuring they meet locally applicable standards in safeguarding children and adults at risk.

Risk assessment of partnership projects

Prior to commencing new projects, programmes or initiatives, we will conduct a safeguarding risk assessment. This will usually be conducted by the project or programme lead, acting with input and review from the Designated Safeguarding Lead.

The risk assessment will include:

A review and mapping exercise to accurately identify the law and regulation pertaining to safeguarding in the relevant territory. This will include (but is not limited to):

- Which incidents are crimes (e.g. sex work, crimes against the person);
- Mandatory reporting under local law e.g. reporting to local authorities or police;
- A summary of labour/employment law; and
- Locally available resources to support the management of safeguarding concerns and incidents.

Known safeguarding risks associated with:

- Legal protections for LGBT people within the territory;
- Identified safeguarding issues associated with children or adults at risk in within the territory;
- The nature of the work being undertaken in the programme.

Mitigations must be put in place to manage all identified safeguarding risks, with these mitigations clearly owned by Stonewall, their partners and grantees. Mitigating actions might include:

- Publishing the relevant safeguarding policies and procedures so that all those working on, or engaging with, the project are aware of them. These documents should be available in all relevant language(s) and provide clear routes for raising safeguarding concerns that are relevant in the territory;
- Training staff, including partners and grantees, in how to recognise risk and apply the safeguarding policy;
- Ensuring that relevant staff are available to deal with safeguarding concerns and who speak the language(s) in which concerns may be raised by children, adults at risk or others.

Where appropriate, and on the advice of the Designated Safeguarding Lead, these project or programme risks will be reflected in the organisational risk register, which is regularly reviewed by Stonewall's Trustees.

5. Training

Stonewall is committed to ensuring all staff and trustees are trained at the appropriate level to fulfil both their day-to-day role and their safeguarding roles and responsibilities.

Within our global programmes, we will also ensure that staff and volunteers in partner and grantee organisations have access to the relevant safeguarding policies, and, where relevant, have been trained in safeguarding.

Code of Conduct

Our Code of Conduct sets out our culture and expectations of behaviour from all who work for or with us. As part of this policy, all Stonewall staff are required to comply with Stonewall's Code of Conduct for relationships at work [link] and for working with children and adults at risk [link]. In addition, we require all partners engaging in Stonewall-funded activities to work in ways that are consistent with best practice, relevant local laws, and the safeguarding principles and practices described in this policy.

Stonewall is committed to reporting all relevant incidents to the Charity Commission for England and Wales [(the '**Commission**')] via a serious incident report⁴ and/or to the Office of the Charity Regulator and/or the Charity Commission for Northern Ireland (together, the '**Charity Regulators**'), in line with their respective procedures and Stonewall's Safeguarding incident risk rating:

Severe risk	<p>A beneficiary or other individual connected with the charity's activities has/alleges to have suffered serious harm, for instance:</p> <ul style="list-style-type: none"> • Allegation that a staff member has physically or sexually assaulted or neglected a beneficiary while under the charity's care • Allegation that a trustee, staff member or volunteer has been sexually assaulted by another trustee, staff member or volunteer • A staff computer is found to contain images of child sexual abuse • A beneficiary or individual connected with the charity's activities has died or been seriously harmed; a significant contributory factor is the charity's failure to implement a relevant policy • Stonewall failed to carry out DBS/PVG or equivalent checks which would have identified that a member of staff or trustee was disqualified in law (under safeguarding legislation) from holding that position
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⁴ Refer to the Charity Commission's serious incident guidance for more information: <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>. The Commission has also published supplementary guidance setting out its expectations in relation to reporting incidents in partner organisations: <https://www.gov.uk/guidance/reporting-a-serious-incident-in-your-charity-when-it-involves-a-partner>.

	<ul style="list-style-type: none"> • Breach in safeguarding policy/procedure presents risk of legal action • And/or High Risk and there is a likelihood of reputational damage and loss of trust for Stonewall. <p>Immediate escalation to Trustee Board for consideration of reporting under Serious Incident Reporting Procedure.</p> <p>Incident report for Trustee Board required.</p>
High risk	<ul style="list-style-type: none"> • Threshold for Significant harm met; and/or • Response not in line with policy and procedures; and/or • Risk of reputational damage/loss of trust for Stonewall <p>Immediate escalation to Safeguarding Advisory Committee.</p> <p>Incident report for Safeguarding Advisory Committee required.</p>
Moderate risk	<ul style="list-style-type: none"> • Threshold for external referral met. Incident response appropriate. <p>Actioned by Designated Safeguarding Lead.</p> <p>Reported to Safeguarding Advisory Committee in line with Quarterly cycle and included in Safeguarding Metrics to the Board.</p>
Low risk	<ul style="list-style-type: none"> • Threshold for external referral not met. Concern documented and appropriate signposting to support services provided if necessary. Incident response appropriate. <p>Actioned by Designated Safeguarding Lead.</p> <p>Reported to Safeguarding Advisory Committee in line with Quarterly cycle.</p>
Insufficient information for risk evaluation	<p>Themes reported to Safeguarding Advisory Committee in line with Quarterly cycle</p>

Any serious incident reports to the Charity Regulators must be reviewed and approved by the board of trustees in accordance with Stonewall’s Serious Incident Reporting policy.

We will also report incidents to other regulatory bodies and government departments or donors, where appropriate. In the case of programmes funded by the Foreign, Commonwealth and Development Office

(‘FCDO’), this may include reporting to FCDO’s Fraud and Safeguarding Investigation Team at reportingconcerns@fcdo.gov.uk or by calling +44(0)1355 8437475.

8. Confidentiality

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. 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.

Information sharing should always be necessary, proportionate, relevant, accurate, timely and secure.

A record should be kept of what has been shared, with whom and for what purpose, and of every decision made and the reasoning behind it.

It is important to be open and honest with the individual concerned (and their family, where appropriate) from the outset, about why, what, how and with whom information will, or could, be shared, and to seek their agreement, unless it is unsafe or inappropriate to do so.

Wherever possible, referrals to external agencies will always be made with the consent of the person concerned.

If in doubt, and if possible, a staff member should seek advice, without disclosing the identity of the individual concerned.

Any safeguarding issue that may attract media interest should be shared with the Stonewall Communications Team.

9. Connected policies and procedures

The following Stonewall policies and procedures relate to contexts in which safeguarding incidents may arise. These policies may need to be consulted in relation to a particular safeguarding concern, as is relevant in the circumstances:

- [Overarching Safeguarding Policy UK](#)
- [Safer Recruitment and Recruitment of those with experience of offending](#)
- [Safeguarding at Stonewall: Managing Allegations](#)
- [Code of Conduct for working with Children and Adults at Risk](#)
- Digital Safeguarding Policy
- [Photography and Image Capture, storage and Sharing Policy](#)
- [Informal conflict resolution and formal grievance policy](#)
- [Whistleblowing](#)
- Health and Safety Policy
- [Data Protection Policies](#)
- [Complaints Policy](#)
- Equity Diversity and Inclusion Policy *revised December 2020*

⁵ Refer to the relevant grant agreement in place with the FCDO to confirm what steps must be taken.

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- Serious Incident Reporting Policy *new December 2020*

Policies in development for completion by December 2021

- Code of Conduct: relationships at work *new December 2020*
- Safeguarding Management Strategy *new December 2020*
- Risk Assessment policy and procedure
- Volunteering Management Policy
- Partnership Policy
- Dignity at Work Policy
- Staff Safety at work Policy

10 Policy Publication and Review

These procedures were adopted by Stonewall's board of trustees in **December 2020**.

<https://www.legislation.gov.uk/ukpga/1989/41/contents>

Date Approved	16/12/20
Next Review	16/12/21
Approving Body	Trustee Board
Lead Staff Member	Designated Safeguarding Lead
Lead Trustee (where relevant)	Safeguarding Lead Trustee