

Safeguarding Policy for the Consortium of Migrant Assisting Organisations in the Czech Republic

Introduction

The Consortium of Migrant Assisting Organisations (hereinafter Consortium) is an umbrella organisation founded in 2003 in Prague. At present, it unites 15 non-governmental organisations, which either directly assist migrants or contribute to the integration of foreigners in other ways. It facilitates cooperation between its member organisations, channel their requirements and grievances to state administration and other stakeholders and strives to empower the individuals engaged in migration and integration. It advocates on behalf of its member organisations for the improvement of conditions for foreigners in the Czech Republic and is determined to make diversity work and benefit Czech society.

In the context of this safeguarding policy, it is necessary to consider that as an NGO umbrella organisation, the Consortium works primarily with professionals and does not work directly with children and at-risk adults or with vulnerable beneficiaries of assistance. Neither it holds a position of power or superiority vis-à-vis its beneficiaries. However, even in these circumstances, people can become vulnerable because of their gender, ethnicity, age or disabilities, especially as some member organisations' workers are of migrant-background. The safeguarding risks can include sexual harassment, discrimination and other forms of misconduct or harm committed by the Consortium's staff or associated personnel and reporting any disclosures of abuse or exploitation by third parties that we become aware of in the course of our work.

The Consortium sets out this policy to ensure safety of each person working with the organisation and to secure highest professional conduct and practices across all its operations.

Purpose and Aim of the Safeguarding Policy

The purpose of the safeguarding policy is to protect people, regardless of age, gender identity, disability, sexual orientation, religion or ethnic origin, from any harm that may be caused due to their coming into contact with the Consortium. This includes harm arising from:

- The conduct of staff or personnel associated with the Consortium
- The design and implementation of the Consortium's programmes and activities.

The policy lays out the commitments made by the Consortium and informs staff and associated personnel of their responsibilities in relation to safeguarding. Every person working on behalf of the Consortium is obliged to become familiar with this policy at a level commensurate with their role in the organisation. This policy is referenced in contracts with partners. Representatives of Consortium's member organisations also have to be familiarised with the [Code of Conduct](#) (Appendix 1) of the Consortium of Migrant Assisting Organisation, the Consortium's [Statutes](#) and [Organisational and Procedural Rules](#), which complement the safeguarding policy and regulate appropriate behaviour, relations and procedures among members. They have to fully respect and follow their content. Failure to comply with the policy and related procedures will be addressed without delay and may ultimately result in dismissal from the organisation or termination of cooperation.

This policy reflects statutory responsibilities, and government guidance and complies with best practice requirements.

Scope of Safeguarding

This policy applies equally to:

- Director, the Board of Trustees, Senior staff and other paid staff (under any contractual mechanism), interns and volunteers
- Member organisations' representatives whilst engaged with the work of the Consortium
- Associated personnel, contractors or representatives of partner organisations who engage in joint projects, take part in Consortium's working groups or cooperate through long-term provision of services

Acquaintance with the documents is confirmed by each employee (including Director, all paid staff, Trustees, interns or volunteers) with their handwritten signature. This confirmation is placed in the employee's personal file. The Designated Safeguarding Officer is responsible for familiarising the worker with the safeguarding policy, and he/she will ensure the worker's signature.

This policy will be reviewed by the Designated Safeguarding Officer every three years and also by the Board of Trustees upon notice of anyone associated with the Consortium or when there are changes in the applicable legislation. It will also be reviewed by the Director and Senior staff team after any safeguarding incident is reported or investigated.

Legal Framework

This policy has been drawn up based on Czech and EU legislation, policy and guidance that seeks to protect people from discrimination, harassment, exploitation and abuse. It encompasses the following:

- The Constitution of the Czech Republic including the Charter of Fundamental Rights and Freedoms
- The Universal Declaration of Human Rights (UN)
- The Convention for the Protection of Human Rights and Fundamental Freedoms (EU)
- The Convention on the Rights of the Child
- The 1951 Refugee Convention
- Act. no. 198/2009 Coll., the antidiscrimination act
- Act no. 273/2001 Coll., the minorities rights act
- Act no. 359/1999 Coll., the social and legal protection act
- Act no. 262/2006 Coll., the labour code
- EU General Data Protection Regulation

Definitions

Safeguarding is about embedding practices throughout the Consortium to ensure taking all reasonable steps to prevent harm, particularly sexual exploitation, abuse and harassment, but also emotional abuse and neglect from occurring; to protect people, especially vulnerable adults and children, from that harm; and to respond appropriately when harm does occur.

Harm or abuse caused by an organisation's staff, member organisations' representative, associated personnel, operations, or programmes is personal abuse, exploitation, violence, harassment, or neglect against members of the affected community – including children and/or adults – or in the workplace against another staff member or associate. It can be caused by those inflicting harm or those who fail to act to prevent harm. Harm and abuse are not restricted to any socio-economic group, gender or culture. It can take a number of forms, including the following:

- Physical abuse
- Sexual abuse, exploitation or harassment
- Emotional or psychological harm
- Bullying, including mobbing and bossing
- Neglect
- Financial (or material) abuse

Definition of a child: A child is under the age of 18 (as defined in the United Nations convention on the Rights of a Child).

Definition of vulnerable adults:

- An adult who has needs for care and support (whether or not the authority is meeting any of those needs),
- Is experiencing, or is at risk of, abuse or neglect, and
- As a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Roles and Responsibilities

All employees, Director, Trustees, member organisation's representatives, interns, volunteers, associated personnel, contractors and representatives of partner organisations are obliged to follow this policy and maintain an environment that prevents harm, maltreatment and abuse, and which encourages reporting of breaches of this policy using the appropriate procedures.

The bare minimum for all persons working for, working with and/or partners is to:

- Read, understand and adhere to the Consortium's Safeguarding Policy;
- Strive to promote a zero-tolerance approach to discrimination, sexual harassment and abuse in all working environments;
- Strive to develop relationships with all stakeholders which are based on equality, trust, respect and honesty;
- Place the safety and welfare of children and vulnerable people above all other considerations;
- Report any concerns they may have about the welfare of a child or vulnerable person;
- Report any concerns they may have about the behaviour of a Consortium representative in relation to safeguarding;
- Report to official authorities if a criminal offence takes place.

They shall not:

- Sexually harass, assault or abuse another person;
- Physically harass, assault or abuse another person;
- Emotionally harm another person, such as engaging in behaviour intended to shame, humiliate belittle or degrade;
- Condone, or participate in behaviour which is abusive, discriminatory, illegal, or unsafe;
- Develop, encourage or fail to take action of relationships with children or other vulnerable people which could in any way be deemed sexual, exploitative or abusive;
- Act in ways that may be violent, inappropriate or sexually provocative;

Senior staff - Senior staff and/or Consortium's working groups' facilitators at all levels are responsible for ensuring employees, volunteers, consultants and partner organisations are aware of the policy and are supported to implement and work in accordance with it, as well as creating a management culture that encourages a focus on safeguarding. They must ensure that they are responsive, acting immediately if they become aware of any safeguarding concerns, and supportive towards employees or volunteers who complain about breaches in this policy. If an incident among the Consortium's staff is reported, a Senior staff member can be approached by the DSO to resolve the concern.

Director - The Consortium Director (as given in the business registry) is responsible for ensuring the effective implementation of this policy and associated procedures and that safeguarding is given a high priority within the organisation. He/she ensures that everyone linked with the Consortium is equipped and supported to meet their responsibilities and that the Designated Safeguarding Officer

(DSO) can work independently. Upon the notice by the DSO, he/she addresses safeguarding concerns and without further ado undertakes the appropriate and necessary steps. The Director also steps in the place of the DSO as his/her Deputy when the DSO is not available or in the conflict of interests (e.g. involved in the safeguarding concern).

The Board of Trustees holds ultimate accountability for this policy. It appoints the DSO, approves the policy and reviews it upon notice or in case of change of relevant legislature. The Board of Trustees resolves safeguarding concerns when notified by the DSO and without further ado carries out the appropriate and necessary steps.

Designated Safeguarding Officer (DSO) - The Consortium will appoint a DSO to ensure that safeguarding is given a high priority within the organisation. The DSO is responsible for handling safeguarding reports or concerns appropriately and in accordance with the procedures that underpin this policy. The DSO is appointed by the Board of Trustees with annual renewal. More specifically, the DSO is responsible for:

- Monitoring, evaluating, addressing and recording safeguarding concerns;
- Ensuring referrals to the relevant authorities happen without delay;
- Ensuring and updating regular safeguarding training for all staff;
- Ensuring this policy is reviewed every 3 years or earlier if necessary.

When the DSO is not available or he/she is gets into a conflict of interests (e.g. is involved in the safeguarding concern or closely related to a person involved), his responsibilities are passed to the Director who serves as his/her Deputy.

Reporting

The Consortium and related personnel have a responsibility to report any suspicion or concern of safeguarding issues they have experienced, witnessed or heard of. Any incident of inappropriate behavior, harm, maltreatment or abuse should be reported directly to the DSO. The DSO shall evaluate the merits of this concern and undertake necessary and adequate steps as described below. The safety of all vulnerable persons is the highest priority throughout the process of raising, reporting and addressing safeguarding concerns.

1. Basic signs of breaching or infringing of this policy and/or signs of abusive or exploitative behavior shall be found in the Appendix 2 of this policy.
2. Any suspicion or possibility of inappropriate behavior, abuse and/or exploitation should be reported directly to the DSO. For reporting, a person can fill out a form (Appendix 3) and hand it to the DSO or approach the DSO for the form to be filled by him/her.
3. The DSO shall in his/her own discretion and on his/her own responsibility evaluate if the infringement of this policy, as well as abusive behavior occurred, bearing in mind that the safety of all vulnerable persons is the highest priority and the purpose of this policy. In other words, the DSO shall investigate severity and merit of the report respecting principles of (i) time is of the essence (ii) survivor-centered approach and (iii) creating a safe environment without delays. In addition to recording the concern, the DSO records also the assessment of

the incident, decisions made and steps undertaken. Only the DSO or his/her Deputy shall have access to the reports.

4. When member organisations' representatives are involved in the concern, the DSO may consider getting in touch with a member organisation's DSO or Executive Managers to further assess the concern or pass the concern to them for further investigation and procedure.
5. If an investigation of the DSO shows merit on the report, the DSO is obliged to take further actions relating to the severity of infringement as well as if the offender is internal or external. He/she also refers the incident to the Consortium's management depending on the following:
 - a. In case of an incident among the Consortium's staff, the DSO refers to the Director or a Senior staff member (who are not in a conflict of interests). If the management does not carry out necessary steps to resolve the concern and secure the safety of the survivor, the DSO reports the incident to the Board of Trustees.
 - b. If the Consortium's management is involved in the raised concern, the DSO reports directly to the Board of Trustees (while excluding the Consortium's Director).
 - c. If a Consortium's member organisations' representative is involved in the concern, the DSO refers to the Board of Trustees as well as the Membership Meeting. When appropriate, the concern will be resolved in cooperation with a DSO or Executive Managers of the member organisation(s) whose employees are involved in the incident.
 - d. If the DSO is not available or in a conflict of interests (e.g. involved in the safeguarding concern or closely related to a person involved), the Director steps in as his Deputy, overtakes his responsibilities and undertakes all steps as described in this section. He/she fulfils the role of the Deputy DSO only for that specific case or period of time when the DSO is not available.
 - e. Moreover, if the survivor is a child, the DSO reports the incident also to the parents or to the custodian.

Should the offense show marks of criminal offense, the DSO should consider reporting the case to the criminal authorities upon the survivor's consent.

6. The DSO shall address if there is a need for any support or protection of the survivor. The DSO shall proceed in a manner to not escalate but rather to mitigate the situation towards closing the case with the wellbeing of the survivor and the purpose of this policy in mind.
7. The incident can be internally closed after no further actions are required from the Consortium and/or the DSO.
8. The DSO shall still observe what impact the incident had on other persons, the Consortium as well as on the survivor and his/her peers.

Procedure Overview

Training and Awareness

The DSO will ensure that staff and associated personnel receive orientation on safeguarding policy at a level commensurate with their role in the organisation and that new employees, including Director, Senior staff, Trustees, volunteers and interns, confirm the acquaintance with the policy with their handwritten signature. He/she will also ensure that they are familiar with and know their responsibilities within this policy and procedures for reporting concerns. The policy is also referenced in contracts concluded with partners or subcontractors. The Consortium's Director and staff will reflect upon the safeguarding environment and risks during their annual strategic meeting.

Safe Recruitment & Selection

The Consortium is committed to safe employment and safe recruitment practices that reduce the risk of harm. Those responsible for recruitment and selection are properly oriented on safeguarding policy and procedures. Interviews are conducted according to equal opportunity principles and interview questions are based on the relevant job description and person specification. Safeguarding policy is referenced in the job advert and discussed in the interview. Reference checks are undertaken to assess safeguarding awareness and skills. All new hires are required to sign and abide by this policy as a condition of employment.

Recording and Record Keeping

A written record must be kept about any concern regarding an adult with safeguarding needs. This must include details of the person involved, the nature of the concern and the actions taken, decision made and why they were made.

All records must be signed and dated. All records must be securely and confidentially stored in line with General Data Protection Regulations (GDPR), Czech and EU regulations.

Confidentiality and Information Sharing

The Consortium expects all employees, volunteers and trustees to maintain confidentiality. Information will only be shared in line with the General Data Protection Regulations (GDPR) and Data Protection.

Whistleblowing

The Consortium is committed to creating a work environment that fosters open threat-free communication, where every member of our community should feel safe to speak up if any violations of the safeguarding policy take place.

It is important that Consortium's employees and cooperating parties have the confidence to come forward to speak or act if they are unhappy with anything. Whistleblowing occurs when a person raises a concern about dangerous or illegal activity, or any wrongdoing within their organisation. This includes concerns about another employee or volunteer. There is also a requirement by the Consortium to protect whistleblowers.

Important Contacts

Designated Safeguarding Officer

Name: Blanka Tollarová

Email address: tollarova@migracnikonsorcium.cz

Telephone number: +420 776 709 766

Director

Name: Andrea Krchová

Email address: krchova@migracnikonsorcium.cz

Telephone number: +420 777 231 668

Chairperson of the Board of Trustees

Name: Magda Faltová

Email address: faltova@migrace.com

Telephone number: +420 731 584 126

Appendix 1: Code of Conduct

Ethical principles

Working with migrant women and migrants is based on the values of democracy, human rights and non-discrimination. The staff of the Consortium's member organisations are therefore committed to respecting the human rights of groups and individuals as expressed in the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms and the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Member organisations:

- They contribute to a better coexistence between migrants and the majority society and strive to eliminate racial and national prejudices and xenophobia in the Czech Republic.
- They respect the uniqueness of every person regardless of their origin, ethnicity, race or colour, mother tongue, age, health, sexual orientation, economic situation, religious and political beliefs.
- Respect the right of every person to make free choices in all aspects of his or her life, including the right to choose to migrate.
- Respect the right of each individual to self-realisation to the extent that it does not restrict the equal rights of others.
- They support individuals, families, groups and communities with their knowledge, skills and experience in navigating their way through society, with the aim of maximising their autonomy and access to rights and information, by all means at their disposal.
- They consider professionalism, accountability, expertise and the best interests of the individual, family, group or community they support to be key.
- They oppose professional work being done by unqualified staff without proper training.
- They are accountable for the professionalism of their staff and promote continuous lifelong learning and training, which is essential to maintain a set level of professional work and the ability to address ethical issues and dilemmas.

Relationship of member organisations to the Consortium:

- They strive to spread the good name of the Consortium and present its mission externally.
- They contribute their expertise and knowledge to the activities of the Consortium, and are actively involved in upcoming and ongoing initiatives and activities of the Consortium.
- They consider the Consortium as a higher level of their own organisation, which enables them to achieve their professional goals more effectively through interaction with other members.

Relationship between Consortium members:

The underlying principles of the relationship between members: transparency, openness, belonging, accountability.

- It honours the principles of cooperation, mutual respect, openness and confidentiality in relation to the internal information of the Consortium and its individual members.
- Respect the knowledge and experience of other member organisations and other professional staff of the Consortium.
- They shall implement and expand cooperation with them, thereby enhancing the expertise and, where appropriate, the quality of the services provided.
- Respect the competences of individual members as defined by the standards or methodologies adopted by the Consortium; in these areas, respect the territorial coverage of the member organisations. In cases of dispute, respect the decisions of the Board of Trustees. The implementation of activities not covered by these common procedures shall not be considered as competitive behaviour.
- Respect differences of opinion and practice among colleagues of the Consortium and other professional and voluntary staff.
- They make critical comments in an appropriate place and manner.
- They shall observe the principle of open discussion and, for items requiring a common position, respect the vote of the members in accordance with the Consortium's Statutes.
- They shall cooperate fully in the preparation and implementation of those projects of the Consortium in which they participate as partners, using to the best of their knowledge and experience.

Rules of Ethical Conduct for Employees of Member Organisations

Workers in relation to all persons with whom they come into contact in the course of their work:

- Seek to promote a zero-tolerance approach to discrimination and any form of abuse, mistreatment or exploitation, including sexual abuse and harassment
- Seek to develop relationships that respect the dignity of all persons and are based on equality, trust and fairness
- Place the safety and health of children and vulnerable adults above all other considerations
- Report to the appropriate authorities any suspicions they have in relation to the safety and health of children and vulnerable people

Workers in relation to the target group:

- Promote and strengthen in all their activities the rights of migrant women and men with regard to their dignity, privacy, family life, protection of personal data and their best interests.
- They strive for the independence and autonomy of migrant women and migrants and their ability to make informed decisions about their lives.
- With regard to the best interests of migrant women and migrants, they shall inform them about organisations that provide specialised services in the field, if their organisation cannot offer such services itself.
- They assist all clients with the same efforts. They do not engage in any form of discrimination.

- They shall protect the client's right to privacy and confidentiality of their communications. They shall request data and information on the basis of necessity in order to provide the services to be provided to the client. They shall not provide any information about the client without the client's consent. Exceptions to this are persons with limited legal capacity or where other persons are at risk. In cases of administrative proceedings, they shall allow the parties to such proceedings to consult the files.

Workers in relation to their profession and expertise:

- They are concerned with maintaining and enhancing prestige. They continuously strive to maintain and increase the professional level of their work with migrant women and migrants and to apply new approaches and methods.
- They use the knowledge and skills of their colleagues and other professionals to grow professionally, and in turn expand their knowledge and skills throughout the field of work with migrants.

Workers in relation to society:

- They support the education of the general and professional public on migration and human rights issues (with an emphasis on the rights of migrant women and men) and seek to raise awareness of migration-related issues in society through available means.
- They contribute to the improvement of legislative and non-legislative measures concerning the rights and status of migrant women and migrants both in the Czech Republic and internationally.
- They strive to expand the possibilities and opportunities to improve the quality of life of all people, with special attention to migrants.
- It seeks to improve conditions that enhance appreciation and respect for all cultures.

Unacceptable workers' behaviour includes:

- Sexual harassment, exploitation or abuse of another person
- Physical harassment, abuse or exploitation of another person
- Mental abuse or emotional harm to another person, such as humiliation, bullying, ridicule or shaming
- Endorse or participate in behaviour that is discriminatory, exploitative, abusive or illegal
- Develop, encourage or fail to prevent a relationship with a child or vulnerable adult that could be considered sexual, abusive or exploitative
- Behave in a way that is violent, inappropriate or sexually provocative

Violations of this Code will be sanctioned by termination of the worker's cooperation with the Consortium and will be reported to the leadership of the worker's member organization for further investigation and action.

Appendix 2: Signs of infringements/abuse/exploitation

1. Introduction

- Every person is obliged to report any behavior, which is infringing the policy and/or can be regarded as harmful, abusive or exploitative toward any person, especially towards vulnerable persons.
- Signs of potential harm or abuse are vast, complex and mutually linked with other behavior, which can be otherwise regarded as in accordance with the safeguarding policy. Signs described in this Appendix are far from exhaustive but can provide a certain lead that harm or abuse occurs and therefore, such behavior can be subject of a report to the DSO or other responsible person.
- The Consortium is aware that recognizing any unwanted, abusive or criminal behavior towards another person can be difficult as well as that it can bear other consequences should it prove of no merit. Should anyone see any following signs, he/she should not act on their own but instead approach the DSO or other responsible person to evaluate the concern and take any necessary action towards specific persons.
- In serious and presumably criminal cases, the DSO shall report/contact responsible authorities.

2. Signs of physical abuse

- Any visible superficial injuries (bruises, sprains, burns, cuts, bite-marks);
- Excuses and/or refusal of discussion regarding injuries;
- Covering and refusing or reluctant to change clothes (unravel the skin), incl. unsuitable clothes given to the weather (long sleeves and legs);
- Passive behavior, signs of fears, avoiding physical contact, running away;
- Distrust towards other person(s), aggression.

3. Signs of emotional harm

- Anxiousness, unfit reactions related to a given situation;
- Noticeable, sudden speech problems;
- Fear of new or stressful situations, low self-esteem;
- Substance abuse.

4. Signs of sexual abuse or harassment

- Inappropriate behavior regarding sexual areas and/or topic;
- Distrust or fear being with other persons;
- Promiscuity behavior.

Appendix 3: Report and Assessment Form

Information regarding the offender	
Name:	
Job title:	
Organisation:	
Title during activities of the Consortium:	
Phone:	
E-mail:	

Information regarding the survivor	
Name:	
Age:	
Address:	
(in the case of child fill below):	
Parent/custodian	

Address:	
Phone:	
E-mail:	

Information regarding the incident	
Type of incident (physical, emotional, sexual, other):	
Your status during incident (witness, hearsay):	
Status of confidentiality (has it been disclosed to third person):	
Please describe the incident (when, where, who, why, how), as well as your reaction or response to the incident:	
Please describe your observation regarding the subject (emotions, behaviour, reactions):	
Other witnesses?	

Are there other persons in the harm in the moment of this report?	
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Name:	
Date:	
Signature:	

ASSESSMENT REPORT

Date concern received:	Date and Time (of writing):
Name of the DSO/responsible person:	

INITIAL SAFEGUARDING ASSESSMENT	
Level of Safeguarding Concern	
High risk – Protection concern (<i>Action needed in 24 hours – call the local authority social care team</i>)	
Medium risk – person in need of help (<i>Risk Assess and refer to agencies - action needed in 3 days</i>)	

Low Risk – Early help and targeted support (<i>Risk Assess, signpost and refer to agencies if necessary - action needed in 7 days</i>)				
Not a safeguarding concern (<i>Complaint, management issue or concern to be dealt with separately</i>)				
If the person concerned has endangered the safety or wellbeing of others -				
Are they external of the Consortium? <i>If yes, the incident needs to be reported to the DSO immediately.</i>	YES		NO	
Are they a family member? <i>If yes, the incident needs to be reported to authorities (social services) for advice and guidance.</i>	YES		NO	
If no, which agency or organisation does the information need to be passed to?				
Does the matter need to be reported to external agencies (police, social care, healthcare)?				
What immediate actions need to take place to reduce any risks to the person, the family or the group?				

Actions and information Log

Date	Actions taken or information received	Names and roles	Additional notes	If action, date of completion