

SAFEGUARDING VULNERABLE PERSONS: COMMUNICATION APPROACH AS A WAY FORWARD

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Abstract

Safeguarding is a critical yet often neglected issue in development and social services sectors. It is especially relevant for organisations serving vulnerable individuals or communities. The safeguarding policies and practices have gone through some major changes over the past several years in response to incidents where organisations failed to protect vulnerable individuals from sexual exploitation and other types of abuses. This article analyses some real-life cases, draws lessons from them and argues that organisations particularly the development agencies, social service providers and charities must invest more resources in order to protect vulnerable individuals or groups irrespective of (but not limited to) age and gender from sexual exploitation and other forms of abuse. The article underscores the need for an enabling environment and a communication approach as a way forward to create better institutional safeguards. It emphasises preventive measures based in multi-stakeholder engagement, education of relevant staff members, volunteers, government stakeholders as well as the beneficiaries and local communities.

Keywords: safeguarding policies, abuse, exploitation, development, human resources

What is Safeguarding

Before going into further discussion it is essential to understand what is meant by safeguarding. The term safeguarding is generally used to define the intent and measures taken to prevent and protect vulnerable groups from abuse, exploitation and maltreatment - verbally, non-verbally or physically at any time. An individual's age, gender, class, identity, location, legal status, physical or mental condition might make a person more vulnerable than the others. The idea of safeguarding is embedded in various international human rights instruments such as the United Nations Convention on the Rights of the Child (CRC), Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), Convention on the Rights of Persons with Disabilities (CRPD) as well as International Humanitarian Law (IHL).

UK's Care Quality Commission defines safeguarding as "protecting people's health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect" (Care Quality Commission, 2019). Working for vulnerable groups comes with responsibilities to protect their safety and basic human rights. Safeguarding children and young people and promoting their welfare means: a) Protecting children from maltreatment. b) Preventing wherever possible impairment of children's health or development. c) Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care, and d) Taking action to enable all children to have the best outcomes (Government of UK, 2015).

Safeguarding can be seen as a range of measures in place to protect people in the care of a charity or those coming into contact with persons suffering from abuse, maltreatment and gender based violence of any kind. It is

done by putting processes in place to ensure that the vulnerable groups of people are not abused in any way and are protected from any harm. It also refers to the process of protection by providing safe and effective care and service.

As per the Care and Support Statutory guidance issued under the Care Act 2014. Department of Health in UK, safeguarding adults means: a) protecting the rights of adults to live in safety, free from abuse and neglect. b) people and organisations working together to prevent and stop both the risks and experience of abuse or neglect. c) people and organisations making sure that the adult's wellbeing is promoted including, where appropriate, taking fully into account their views, wishes, feelings and beliefs in deciding on any action. d) recognising that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances and therefore potential risks to their safety or wellbeing (UK Department of Health 2018). Situations such as conflict, displacement and refugee crisis can exacerbate the level of vulnerability and therefore requires special safeguards (Donnelly and Muthiah, 2019).

Key Concepts Related to Safeguarding

The idea of safeguarding involves certain terms which needs to be clarified and understood. Terms like "child/children", "vulnerable adults", "sexual exploitation", "exploitative relationship", "abuse" etc. The United Nations Convention on the Rights of the Child defines "child" as "a human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier" (United Nations 2010). Vulnerable adults are generally those aged 18 or over who are particularly unable to protect and take care of themselves from significant harm, exploitation or abuse due to situational factors. Adults may be at risk due to issues related to gender, age, frailty, mental health, physical capabilities, religion/socially excluded, minority groups, disasters or conflict. (National Health Service 2017). 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 person (United Nations, 2019). An exploitative relationship is a relationship that constitutes sexual exploitation, i.e. 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. (United Nations, 2016) Abuse is the harming of another person, usually by someone in a position of power, trust or authority. Abuse can come in many forms: Physical (including hitting, slapping, pushing, kicking, injuring, restraint or inappropriate sanctions), Sexual (including rape, sexual assault, molestation, sexual acts through coercion), Psychological (including emotional abuse, threats of harm or sanction, verbal abuse, isolation, intimidation, humiliation, restricted movement), Financial or material (including theft, fraud, exploitation, misappropriation of property), Neglect and exclusion (including ignoring medical or physical needs, failure to provide appropriate care, withholding of care or basic services), and Discrimination (including racism, sexism, ageism, faith, based on disability).

To give an idea regarding abuse and exploitation several examples are provided below.

Example 1: Meena (not a real name) is a 13-year girl who is a student of a middle school. Her grades are not up to the mark. Meena's teacher asking Meena to help him grade papers after school, promising to help her bring her an excellent grade, if she wants. Meena believes her teacher. So she begins going to his class each day after school is out. Her teacher gets physically closer to her every day, often standing right behind her, and soon begins touching her in ways that make her uncomfortable. As the touching becomes more intimate, her teacher warns her that she shouldn't tell her parents about this as they would not want their teenager to be so grown up. Her teacher has used his position of authority and dependence. He committed child sexual abuse, or sexual exploitation of a child (Meena). This is an offence.

Example 2: Mtoto (not a real name) is a 22 years old mother of three children who has fled persecution in her home country and become a refugee in a neighbouring country. Mtoto and her children live in a refugee camp and depend on food supply from a humanitarian agency. One day an authorised humanitarian aid distributor tells her that her supply for the week will be cut into half, but if she sleeps with him, he will ensure that her food

supply remains the same. This is an offence. Because aid is free for refugees and displaced persons and authorised distributors should not set any condition on this. International donors, government agencies and collaborators are working jointly on safeguarding issues to ensure the protection of beneficiaries and vulnerable groups.

Example 3: Layla (not a real name) who is 11 years old, lives in an orphanage run by a charity. She works as a domestic hand and carer for the younger children at the orphanage. She used to clean the unit of the priest. After she finishes her work, she has to sit on the lap, and he used to play with private parts of her body. Then she gets chocolates. She is sexually abused by the priest. The priest is using his position of authority and power. He is committing sexual exploitation of a child (Layla). This is violence.

Case Studies

Several case studies are given below to develop in-depth understanding of safeguarding issues. Moreover, these incidents improved, developed and implemented better safeguarding monitoring policies of the relevant organisations.

Case 1: Failure of a Charity to Protect a Vulnerable Community

One of most widely covered case of a charity's failure to protect vulnerable community took place in Haiti after the 2010 earthquake. Oxfam GB faced scrutiny criticism by the Charity Commission of U.K. for the way it dealt with claims of sexual misconduct by its staff in Haiti. Furthermore, the development world also shocked by the Haiti humiliation. It led to further revelations about the use of sex workers by aid professionals at various organisations, alongside other cases of sexual misconduct. After this incident, international donors scrutinised the situation and withdrew huge amounts of allocated funds from various projects of Oxfam GB. On the other hand, Oxfam GB has developed a list of steps the organisation plans to take in response to the "crisis management", implemented significant improvements to its safeguarding procedures and established mandatory safeguarding training for all staff members. Moreover, the organisation also reviewed recruitment policy and procedures such as pre-employment screening, and global reference checks (Edwards, 2018).

Case 2: Conditional Protection

The United Nations upholds a policy that does not tolerate sexual exploitation and abuse in any form. The organisation explicitly prohibits the exchange of money, recruitment, goods or services for sex, and prohibits any relationships between UN staff members and those who are under their care and protection. Any misconduct in this area violates everything the UN stands for. However, an enormous number of cases of sexual abuse and exploitation by members of UN peacekeeping missions were documented in various reports and in media coverage as well.

- i. United Nations peacekeepers deployed in Haiti were involved in interaction sexual relationships for food and medicine with women and girls. In 2015, a UN report interviewed a large number of Haitian women. As per the interviewee, they were forced to have sex with UN soldiers in exchange of material aid. However, several victims were aware and knew about the United Nations policy prohibiting sexual exploitation and abuse (RT, 2015).
- ii. Forced into Bestiality: In 2014, French peacekeepers had four girls tied up and forced them to have sex with a dog in the Central African Republic. According to AIDS Free World report, the United Nations International Children's Emergency Fund (UNICEF) conducted an interview session with almost 10 girls in one province. The all interviewees said they had been sexually abused by international peacekeepers (Oakford, 2016).

Case 3: Sexual Abuse Scandal

Catholic priests abused thousands of children in Germany: In 2018, a report explained that 1,670 church workers were blamed of molesting 3,677 children throughout Germany between the years 1946 - 2014. The victims were mostly male and more than 50 per cent of them were 13 years of age or younger. Moreover, each sixth case involved a rape, and in three-quarters of the cases, the sufferer and the person responsible for the offence knew each other through the church. A number of the priests who committed crimes were also relocated to other parishes to avoid scrutiny and additional files containing more reports of sex abuse were also destroyed by local archdioceses. (Deutsche Welle, 2018).

Case 4: Other Side of Sir Jimmy Savile

Sir James Wilson Vincent Savile (1926 - 2011) was a renowned English media personality who was well known in the UK for his unconventional behaviour. During his lifetime, he was widely praised for his charity fundraising and voluntary activities as well as his entertainment work. Savile raised approximately £40 million for charity. After his death, Meirion Jones and Liz Mackean from the BBC programme *Newsnight* began to investigate reports that he had sexually abused children. As a result of his celebrity profile, his generous volunteering activities, and his charity fundraising activities he had exceptional access to a number of hospitals and took the opportunities that access gave him to abuse patients, staff and others. His suspected victims ranging from prepubescent girls and boys to adults. Moreover, he had sexually assaulted victims aged between 5 and 75 in NHS hospitals. Furthermore, Savile obtained access to teenage girls through his television programmes *Top of the Pops* and *Clunk* and his charity work. Several women interviewed by the media said that, as teenagers, they had been sexually abused by Savile. One of his former colleagues said he made no attempt to hide his interest in girls from them. He had committed sexual abuse against hundreds of individuals throughout his career (BBC, 2013).

Case 5: Sexual Abuse of Nursing Home Residents

Residents in long-term care settings are especially vulnerable to abuse, and exploitation. Because they often are increasingly dependent on others. Sexual abuse of nursing home residents is unthinkable. A study conducted by Burgess et al. focused on sexual abuse of long-term care settings in 2000. They picked 20 nursing home residents reported to Burgess et al. as part of their study analysis. From their investigation, they discovered that the victims were predominately older, had cognitive deficits, and exhibited rape-related suffering indications. In 14 cases, the persons behind these symptoms were nursing home staff members. In three cases, the offenders were residents of the long-term care home. As per the study, 11 of the 20 victims died within 12 months of the physical attack (Burgess, 2000).

Another research conducted by Teaster et al. regarding abuse of male nursing home residents. Teaster et al examined cases from 50 to 93 years who had been subjected to sexual abuse. More than 80% of the victims had decreased self-care with cognitive disability. The found that types of abuse were unwanted sexual attention, rape, and anal penetration. 75% were offenders were staff members and 25% were other nursing home residents (Teaser, 2007).

Case 6: 'Sex for Aid'

As per the report on 'Sexual violence and exploitation: the experience of refugee children in Liberia, Guinea and Sierra Leone' of the United Nations High Commissioner for Refugees (UNHCR) and Save the Children 2002, the researchers found that not only was sexual exploitation widespread, it was also committed by relief workers/distributors, peacekeepers, and local community leaders as well. Humanitarian workers traded food and aid items for sexual favours (United Nations, 2002). Educators in camp based schools exploited children in exchange for passing grades. Moreover, medical care and medicines were given in return for sex. Furthermore, parents forced their children to enter sexually exploitative relationships in order to secure aid items for the family. The report also documented the types of sexual violence included rape, the abduction and abuse of

children by military forces, female genital mutilation, and rape as a weapon of war. The team wrote the report after a field mission by the team which conducted interviews and focus groups with approximately 1,500 individuals (both children and adults) in Guinea, Liberia and Sierra Leone (UNHCR and Save the Children, 2002).

Case 7: Community Leaders Exploited Cyclone Victims

More than 1,000 people died (BBC 2019) and tens of thousands were displaced (Bhalla, 2019) due to cyclone Idai in one of worst climate disasters in April 2019 in Mozambique. As per a published report of Human Rights Watch (HRW), female survivors said that they were abused by local leaders. HRW report details also mentioned that hunger and damage caused by the cyclone have left hundreds of thousands of women vulnerable to abuse. Victims, residents, and aid workers reported that local community leaders demanded money from people affected by the cyclone in exchange of sex for food. In some cases, women without money were instead forced into engaging in sex with local leaders in exchange for a bag of rice (Human Rights Watch, 2019).

Changes of Development World in Safeguarding Policy Statement Awareness and Training

After some of the biggest charities' misconduct scandals involving aid distribution and development works, many international development organisations are more conscious about the institutional safeguards and establishment of the safeguarding policies that cover areas like recruitment and talent acquisition, code of conduct harassment and anti-bullying. Thus, they endeavour to create a strong and effective enabling environment and a safeguarding culture to support the rights and protection of beneficiaries, volunteers, community members, workers or anyone else impacted by development organisations' work and its subsidiaries.

Recruitment, talent management and policy of employment of the international development organisations currently focus on global recruitment and selection process such as interviews, pre-employment criminal record checks and the use of local checking services (i.e. police checks). The reviewed recruitment policy focused on how to attract, select and verify new staff members, consultants, collaborators, stakeholders and volunteers in the context of its approach to safer recruitment and secure work environment. Moreover, upgraded policy provides guidance on the policies and procedure of full-cycle of global recruitment and selection, conjunction with the equal opportunities and dignity at work place and the safeguarding. It includes a number of key techniques to apply when seeking to appoint someone who will work with children, vulnerable adults and other beneficiaries.

In recent years many international development organisations are emphasising on appropriate and quality training on work policy and safeguarding. It helps to ensure that employees or anyone acting on their behalf can carry out their responsibilities justly and also ensuring the safety of persons receiving assistance. The training includes helping the development professionals, trustees, volunteers, consultants, partners and other acting on behalf and communities to understand which individuals are at risk of harm or are particularly vulnerable. Moreover, the policy guidelines mention the prevention and suitable response to sexual exploitation and abuse. Measures of development agencies force the workforce to become aware of appropriate behaviours and develop their understanding on how to safeguard individuals.

Challenges

Safeguarding of vulnerable groups affected by abuse and exploitation is a key responsibility for all professionals working with vulnerable persons. It can be hard to achieve in practice. However, development agencies are improving their policies and practices to develop local arrangements in different countries. Safeguarding has now getting more attention. However, there are many challenges.

Firstly, a key challenge many organisations working in international development find it difficult to reach the partner organisations' volunteers and collaborators of consultants to provide the necessary awareness, information and training sessions related to relevant policies.

Secondly, the terms of policies are often not easy to explain to all levels of people delivering care or aid to vulnerable persons.

Thirdly, the involvement of government, local agencies, NGOs is still inadequate in most of the countries as a result a large number of social service providers including those in healthcare and education sector are not under any mandatory safeguarding implementation requirement.

Safeguarding: Quest for a New Communication Approach

Safeguarding in practice presupposes a significant awareness, or, in some cases, behavioural change in the conduct of social services providers, aid workers or healthcare professionals as well as the beneficiaries. Sexual abuse and exploitation can happen in anywhere and can be perpetrated by anyone. However, age, gender, or disability or situational factors or environment can be made a person more vulnerable. Safeguarding in essence is a development communication issue aimed at influencing human behaviour at both individual and societal level. To achieve this goal a wide variety of development communication tools can be used.

The crucial step towards safeguarding is to ensure an enabling environment at the national level through appropriate legal and policy support for making safeguarding in general a legally-binding requirement for all types of social service providers. This then goes down to the organisational level where every organisation can come up with specific organisational policy to ensure safeguarding against exploitation and abuse.

Safeguarding policies especially at the organisational level should be drafted by subject matter experts with in-depth knowledge and understanding of beneficiary communities as well as the organisation and the cultural contexts in which it operates. Cultural sensitivity and awareness are key eliminates of formulating a sound safeguarding policy. In their article Sarah Blakemore and Rosa Freedman emphasised on “organisational development through allocating staff time to safeguarding, and through ensuring that all personnel are trained and that there is effective and accessible communication on safeguarding.” (Blackmore and Freedman 2019).

Once the organisations have their safeguarding policy in place, they should deploy qualified human resources (HR) professionals into forefront of implementation. HR professionals are key actors as they are the one who deal with recruitment, induction, people management and defining organisational policies and compliance issues, and positioning and overseeing the employees of the organisation.

The implementation of safeguarding policies requires rigorous training and standard evaluation of staff members including those from the HR, partner organisations, collaborators, stakeholders, interns, volunteers, and consultants. Standardised as well as role-specific training modules can be used. It is essential to ensure that training materials are appropriate and easy to understand for the target audience. These materials can be suitable combination of texts, images, videos, flow-charts, diagrams etc. Case-studies are usually useful in such trainings and they keep the audience engaged.

There are a number of training methods to provide effective training to learners. Such methods include role playing, an active learning system in which learners act out situations under the guidance of a trainer. Management game technique is another training method which is useful for all types of trainees including active, practical and reflective workforce. Management game technique helps instructors to find creative ways to solve problems in the workplace, or to implement innovative ideas.

There is a perception that safeguarding is an in-house matter. It may be asserted that safeguarding is not an internal or in-house issue. For example, there are clearly situations where the beneficiaries also need training or at least are well-informed and aware of their rights and entitlements and personal boundaries for mutual respect.

When an organisation deals with a large number of persons especially with vulnerabilities, there are higher chances of lapses of regulations, exploitation and abuse. The safeguarding policies can be published by using mass media such as community radio, internet, television, and newspaper or any other social media or even through educational stage performance. The most important aspect of communication on safeguarding is the clarity of the message and the attraction of the content.

It is an area where development communication practitioners can contribute by producing content accessible and comprehensible by a population which may or may not be aware of the safeguarding policies and practices. It is also necessary to ensure the safeguarding publicity content caters to special group such as children or persons with disabilities.

Why a Greater Partnership and Collaboration Needed to Manage Challenges of the Concern

Collaboration and cooperation among government, development agencies and communities are essential to help decrease the risk of violence and prevent maltreatment occurrences. While the charitable and donor organisations are maintaining regulatory oversight, governments of developing countries should emphasise a neutral multi-agency response team to protect the vulnerable groups from abuse and exploitation, rapidly responding to their issues and priorities. Furthermore, public sector organisations can play a significant role in this regard by providing the appropriate level of training and support to the communities and to prevent vulnerable groups experiencing abuse.

Moreover, governments of developing countries should extend a distinct agenda of safeguarding training that is planned and implemented every year. This will help those professionals involved in the delivery of training and ensure that training is scheduled for in an efficient way. Additionally, to oversee and coordinate safeguarding training delivery, multi-agencies should consider creating a committed resource to supervise this activity.

Way Forward

This article has discussed the concept of safeguarding, discussed several cases, implementation challenges and highlights the need for adopting a communication approach. It underscores that safeguarding of vulnerable individual should be a social priority and that it requires a co-ordinated and multi-stakeholder response. The paper emphasises on the urgency of adopting and implementing policies for safeguarding in the social sector as it deals directly with the vulnerable individuals. There should be a zero-tolerance policy towards misconduct and maltreatment and there should be a functioning system to investigate abuses and exploitations and to ensure redress for the victims. Implementation of safeguarding lessons and policies are still in early stages and is still evolving. It is a long and challenging journey for the development sector. Safeguarding involves significant areas of action, monitoring techniques, changes of culture and progress in human behaviour and attitude. There are three key way forward:

Firstly, to ensure support for victims, survivors and whistle-blowers. Every organisation must ensure accountability and transparency especially if their work caters to vulnerable individuals. The responsible team must clarify the meaning of safeguarding, abuse and exploitation to the beneficiaries and vulnerable groups to prevent any occurrence and strengthen the reporting process. The authority should create and nurture an organisational culture that encourages the reporting of, and dealing with, exploitative situations or events. (Olusesea and Hingley, 2019) The authority could create small working groups to focus on safeguarding training. Moreover, mandatory training to build staff members' and relevant persons' confidence and ensure that everyone knows their responsibilities on abuse and exploitation. Engagement, training and support of a safeguarding focal point is necessary to co-ordinate and implement the policy and handle reports of abuse initially. In addition, organisations should establish and ensure that systems for reporting sexual exploitation and abuse are easy to get to the safeguarding focal point, particularly for beneficiaries of the aid programmes.

Safeguarding focal point personnel are responsible for receiving complaints, and understand how to undertake their duties as well.

Secondly, community awareness is necessary to make sure that beneficiaries are conscious of their rights and their entitlements regarding safeguarding. Cultural transformation through efficient leadership, organisational accountability and better human resource processes play a significant role to prevent any offence and crime. Organisations must adopt minimum standards to improve the safeguard policy across the employment cycle, and ensure collaborators and partners meet those values as well.

Thirdly, both internal and external auditing is necessary for any organisation to maintain the safeguarding standards. Proper auditing on safeguards is a valuable tool for managing risk appropriately and an organisation can thereby demonstrate all the financial exchanges, safeguard compliance agenda and ethical issues addressed by that organisation.

Finally, recruitment is a vital part to prevent people who are not suitable for working with vulnerable persons. Employers should emphasise the safeguard issue on job posting, ask specific questions regarding safeguarding issues during interviews, conduct pre-employment checks of candidates, and utilise appropriate induction techniques. Prior to hiring an individual as a development professional, it is necessary to verify pre-employment screening such as appropriate background and criminal reference checks, and then use of employment references - one should be from the person responsible for human resource management from a recent employer.

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