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MAC Safeguarding Policy

Purpose

The purpose of this Policy is to protect people from harm that may arise in the course of activities carried out by Mines Action Canada (“MAC”). It is also to inform staff and associated personnel of their contractual and moral responsibilities to safeguard children and vulnerable adults in all areas of MAC’s work. This includes harm arising from:

- The conduct of staff or personnel associated with MAC; and
- The design and implementation of MAC’s programs and activities.

This Policy does not cover:

- Discrimination and harassment covered by MAC’s Discrimination & Harassment Policy; and
- Safeguarding concerns in the wider community not perpetrated by MAC or associated personnel.

Nothing in this Policy affects the right of MAC staff, representatives or anyone else covered by the safeguarding Policy to choose which individuals and organisations to which they wish to be associated.

What is safeguarding?

Safeguarding is the responsibility that organisations have to make sure their staff, operations, and programs do no harm, particularly to children and vulnerable adults, and that they do not expose them to the risk of harm and abuse. MAC defines safeguarding as “protection against any behaviour or act that involves one person using their power or influence over another person in a harmful way”. MAC aims to protect everyone who comes into contact with us from:

- Misuse of power or influence over another person;
- Harm from sexual exploitation, abuse, bullying and harassment; and
- Inappropriate, exploitative or degrading behaviour.

Scope

This Policy applies to all staff or personnel associated with MAC whilst engaged with work or visits related to the activities of MAC, including but not limited to board

members; consultants; volunteers; contractors; students; program visitors including journalists, celebrities and politicians; and sponsored conference participants.

Policy Statement

MAC is committed to undertaking all its work in a manner which does not put people at risk. MAC staff and associated personnel must not:

- Engage in sexual activity with anyone under the age of 18;
- Sexually abuse or exploit people. Any non-consensual sexual activity or sexual, physical or verbal pressure on anyone who has indicated that it is unwanted is considered as abuse. Any sexual exploitation of, or activity with, children under the age of 18 is also considered abuse;
- Engage in any sexual relationships with beneficiaries of assistance, since they are based on inherently unequal power dynamics. Sexual relationships with interns or volunteers are prohibited;
- Engage in any commercially exploitative activities with people including child labour or trafficking;
- Physically assault a person;
- Emotionally or psychologically abuse a person; Put a person at risk as a result of MAC's programs and activities, either through individual action, inaction, or program design and implementation. This includes the way in which we gather and communicate information about individuals in our programs, without appropriate information and consent being given.

MAC staff and associated personnel are obliged to:

- Behave in a courteous and respectful manner towards others at all times and refrain from language and actions that might bring discredit to the individual, MAC, and Canada;
- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy;
- Report any concerns or suspicions regarding safeguarding violations by a MAC staff member or associated personnel to the appropriate staff member (please refer to the Reporting and Response section of this Policy).

MAC will:

- Design and undertake all its programs and activities (including content gathering) in a way that protects people from any risk of physical or psychological harm;
- Implement stringent safeguarding procedures when recruiting, managing, and deploying staff and associated personnel.

Roles and responsibilities

The Safeguarding Policy places a number of responsibilities on various groups of people involved in MAC's work. These are as follows:

MAC's Board of Directors has a duty of care to ensure that appropriate policies and procedures are in place to prevent harm from taking place and to appropriately manage any concerns. The Human Resources Committee provides strategic oversight for all aspects of safeguarding at MAC and will ensure that policies and procedures are up to date, effective, appropriate, and fully implemented.

MAC's Executive Director will ensure:

- To build a culture of openness to enable issues and concerns about safeguarding to be raised and discussed;
- To build a sense of accountability between staff and associated personnel so that potential harmful behaviour can be challenged;
- To maintain high standards of working;
- To set an example ensuring that a culture of dignity and respect is maintained;
- That all staff and associated personnel understand the provisions clearly and challenge any harmful behaviour. In addition, the Executive Director must ensure that any reports or complaints are taken seriously and investigated promptly and thoroughly. All MAC programs and activities must comply with the standards contained within this Policy.
- That this Policy is translated into the relevant local language and understood by all.

All staff and associated personnel are responsible for creating a safe working environment at MAC. Failure to act on concerns related to this Policy will result in disciplinary action. MAC recognises that often employees will be the first to know when there is cause for concern. All staff and associated personnel have a responsibility to act with due care and attention to safeguard the wellbeing of every person, specifically those who are vulnerable. All individuals should remain vigilant, be prepared to take action, and understand what to do in the event there is a concern to raise.

Prevention

MAC will:

- Ensure staff and associated personnel are aware of the standards and expectations set out in this Policy;
- Design and undertake all its programs and activities in a way that protects people from any risk of harm that may arise;
- Implement stringent safeguarding procedures when recruiting, managing and deploying staff and associated personnel;
- Ensure staff and associated personnel receive appropriate training and support on safeguarding;

- Provide clear systems on how to report concerns as soon as they are identified or suspected;
- Comply with the Government of Canada's and international standards in relation to safeguarding.

Reporting and Response

Staff members or associated personnel who have a complaint or concern relating to safeguarding should report it immediately to the Executive Director. If the staff member or associated personnel does not feel comfortable reporting or is unable to report to the Executive Director (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 the Chair of the Board of Directors.

MAC will also accept complaints from external sources such as members of the public, partners, and official bodies.

All staff members and associated personnel are obliged to report any suspicions of breach of this Policy. Failure to report could lead to disciplinary action.

Reports under this Policy can be made anonymously. MAC recognises that not all complainants may be willing to reveal their identity. Anonymous complaints will be treated as seriously as complaints where the identity is known. The wish for anonymity only applies to the complainant, and not to the subject of the complaint.

If MAC receives a complaint about a partner organisation, it will advise the partner and expect it to respond quickly and appropriately. MAC will assist the partner to ascertain its obligations under local law to refer the matter to the police or other statutory authorities for criminal investigation. Where appropriate, MAC will work with the partner to address the issue through an appropriate independent investigation. If the outcome is that abuse has occurred, ongoing work with the partner cannot involve the individual(s) concerned. If there is reason to believe that an allegation of abuse has been dealt with inappropriately by a partner, then they risk withdrawal of funding or ending the relationship (including networks and consortia).

Although MAC strongly encourages reporting through the available channels, for the avoidance of doubt, there is no obligation placed on any individual to report any incident that has happened to them. On hearing a complaint or concern, the priority is to check if the complainant is in need of mental or physical support and ensure if needed that it is provided. All further action will only be taken with the complainant's agreement or consent unless they are a child or vulnerable adult. However, where there is a clear legal requirement placed on MAC to report, the decision will be made by the Executive Director in consultation with the alleged subject of harm. If the Executive Director is not present, the senior staff, volunteer, or Board member present will inform the Executive Director immediately and will consult with the Executive Director on the action to be taken.

The decision about whether to refer an allegation to local police, event organizers, heads of delegation, or statutory authorities is made by the person who it is alleged has been the subject of harm (“the victim” - who may or may not be the complainant). MAC will support the victim and/or complainant regardless of whether they wish to report to local police/statutory authorities or not. However, MAC’s approach will always be to comply with reporting obligations under local law. Where there is a clear legal requirement placed on MAC to report, this decision will be made by MAC in consultation with the alleged subject of harm. In particular, MAC recognizes that provincial legislation in Canada requires all suspected cases of child abuse and neglect to be reported to local children’s aid societies or the provincial child welfare authority. If someone’s life is in danger or the matter relates in any way to an adult at risk, then some decisions may have to be taken by MAC (for example, to contact the police or statutory authority). The principle of ‘survivor led’ must be balanced against risk and protection of vulnerable groups in every instance. However, as far as is possible and appropriate they will be engaged in the conversation about their own welfare.

Any breach of the Policy involving an agency funded by Global Affairs Canada (“GAC”) will be reported as per GAC’s requirements, which are available at:
https://www.international.gc.ca/world-monde/issues_development-enjeux_developpement/sexual_exploitation-exploitation_sexuels/expectations-attentes.aspx?lang=eng

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.

Date: September 15, 2021