Policy for ensuring the safeguarding of children, young people and vulnerable/protected adults overseas for the International Development Office of the Open University

1. Context

1.1 The Open University (OU) is committed to ensuring a safe environment for all, free from abuse, neglect, exploitation and violence. The University’s Policy for ensuring the Safety of Children and Vulnerable/Protected Adults (Safeguarding Policy) sets out the Open University’s commitment to safeguarding children and vulnerable/protected adults in accordance with legislation in England, Wales and Northern Ireland and Scotland. It defines the responsibilities and processes to ensure risks are minimised, and where appropriate, dealt with in a robust manner. However, the University also delivers its social justice mission through the creation and implementation of large-scale development projects delivered and managed through its International Development Office (IDO) around the world.

2. Scope

2.1 This Safeguarding Policy for the IDO sets out the expectations for the Open University’s international development work overseas, responsibilities of staff and managers and the procedures that should be followed to ensure safeguarding standards are maintained across the OU’s work. It should be seen as supplementary guidance to the Open University’s Safeguarding Policy available here.

2.2 The IDO Safeguarding Policy applies to all representatives working for or on behalf of IDO, who design and implement the Open University’s international development projects and programmes overseas. This includes staff, contractors (e.g. consultants), volunteers, board members, all partners including local community-based organisations, and guests and visitors.

2.3 Failure to adhere to this policy by employees may result in disciplinary action. Failure to adhere to this policy by non-IDO employees will be raised with the employee’s manager and may result in not being able to participate in IDO-led projects.

2.4 Where the Open University is implementing international development work as a sub-contractor to another lead partner, it is ready, if requested, to adhere to that partner’s safeguarding policy, provided it meets the Open University’s safeguarding policy standards as a minimum.

3. Principles

3.1 This Safeguarding Policy is based on Keeping Children Safe Child Safeguarding Standards¹ and underlying principles; the UN Convention on the Rights of the Child (1989); the national child protection legislation of the UK, and international good practice.

3.2 The Open University respects that all individuals regardless of race, gender, disability, religion, sexual orientation, family status, age or social background have a right to equal protection from all types of harm or abuse.

3.3 Protecting people’s health, wellbeing and human rights, and enabling them to live free from harm, exploitation, victimisation, abuse, neglect, sexual misconduct and violence is fundamental to creating a safe learning environment. In turn, these experiences impact on the working and learning experiences of those directly, or indirectly, affected by such behaviours.

3.4 We believe that:

- All individuals have equal rights to protection from harm
- Everybody has the responsibility to support the protection of children, young people and vulnerable/protected adults
- Organisations have a duty of care to the children, young people and vulnerable/protected adults with whom they work, are in contact with, or who are affected by their activities and operations
- If organisations work with partners, they have a responsibility to help them meet the minimum requirement on protection of children, young people and vulnerable/protected adults
- All actions on safeguarding are taken in the best interests of the child, young person or vulnerable/protected adult

3.5 The Open university has a ‘zero tolerance’ approach to abuse and harassment. We encourage all those we work with to speak out and challenge inappropriate behaviours, wherever they occur. This means reporting and supporting any incidents following our organisational guidelines. We are committed to improving our processes and practices to keep staff, volunteers and beneficiaries safe from harm.

4. Types and definitions of abuse

4.1 Abuse can take many forms including, but not limited to:
- Physical abuse
- Emotional abuse
- Sexual abuse
- Harassment and bullying
- Child sexual exploitation
- Neglect
- Commercial exploitation
- Criminal exploitation

4.2 More detailed definitions of the different kinds of abuse are listed in Appendix A.

Prevention

5. Safer recruitment

5.1 Building safe environments within organisations relies on the appointment of suitably qualified and skilled staff with the appropriate values, attitudes and approach to safeguarding.

5.2 The Open University will make all reasonable efforts, through its recruitment procedures, to ensure that all members of Open University staff, both full-time and part-time, paid and/or unpaid, whose role involves specific activity with vulnerable/protected groups are

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suitable for the position in line with Open University Safeguarding Policy and legislation requirements.

5.3 In addition to existing recruitment procedures and practices, for all representatives working for or on behalf of IDO, this will also include:

- Assessment of the role for the type and frequency of potential contact with children, young people and/or vulnerable/protected adults and/or access to sensitive data pertaining to these groups.
- Applicants and successful representatives will be advised to familiarise themselves with the IDO Safeguarding Policy regarding their responsibilities towards vulnerable groups and, for roles that are likely to have contact with vulnerable groups and/or data pertaining to these groups, applicants will be assessed on their awareness of safeguarding practices.
- For people who will have contact with children, young people and/or vulnerable/protected adults and/or data pertaining to these groups, applicant's referees shall be specifically asked to provide a view on candidate’s suitability to be working with these groups.

5.4 All successful applicants whose role is judged to involve significant and/or frequent contact with vulnerable groups and data concerning them shall be required to undertake a disclosure check. Such checks will be conducted and handled in accordance with the Open University’s ‘Disclosure Information Policy’ and the Open University’s ‘Handling and Safekeeping of DBS Certificate Information Policy’. Failure to undergo disclosure checks, may result in the offer of employment being retracted.

5.5 In line with the OU’s ‘Recruitment of ex-offenders’ policy, we reserve the right to request disclosure checks around anyone whose role is judged to bring them into significant and/or frequent contact with vulnerable groups and data concerning them. Offer of employment is conditional upon a satisfactory disclosure check and can be withdrawn if any matter revealed by the disclosure check is deemed to be unacceptable to the particular role.

5.6 Disclosure checks or equivalent should be updated every 3 years.

5.7 For successful applicants whose role is not judged to have significant and/or frequent contact with vulnerable groups and/or data concerning them but who may on occasion have cause to come into contact with them or their data, the expectation is that they will adhere to the Code of Conduct, which can be found in Appendix B. This Code of Conduct is binding for all representatives working for or on behalf of IDO.

6. Disclosure checks for existing staff

6.1 Existing staff will be required to undergo disclosure checks, appropriate to the jurisdiction of residence, where their role is judged to bring them into significant and/or frequent contact with vulnerable groups and/or data concerning vulnerable individuals.

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3 The Department for International Development defines significant or frequent contact as twice per year or more. The IDO policy embraces this definition. [https://dfid-gec-api.s3.amazonaws.com/production/contacts/4.pdf?1542722045](https://dfid-gec-api.s3.amazonaws.com/production/contacts/4.pdf?1542722045)


6 The Department for International Development defines significant or frequent contact as twice per year or more. The IDO policy embraces this definition. [https://dfid-gec-api.s3.amazonaws.com/production/contacts/4.pdf?1542722045](https://dfid-gec-api.s3.amazonaws.com/production/contacts/4.pdf?1542722045)
6.2 Disclosure checks or equivalent should be updated every 3 years.

6.3 Failure to undergo disclosure checks by existing IDO employees may result in disciplinary action. Failure to undergo disclosure checks by non-IDO employees may result in disciplinary action and/or non-participation of IDO-led projects.

6.4 Disclosure checks will be conducted and handled in accordance with the Open University’s ‘Disclosure and Barring Services (DBS) Code of Practice’ and the Open University’s ‘Handling and Safekeeping of DBS Certificate Information Policy’.

7. Training

7.1 Representatives working for or on behalf of IDO will need to ensure they fully understand the Open University’s Safeguarding Policy and the IDO Safeguarding Policy. All staff should also be aware of the designated Safeguarding Focal Point within IDO who is responsible for receiving reports and concerns and understand that role and its responsibilities.

7.2 New joiners

7.2.1 On joining the Open University, all representatives working for or on behalf of the IDO will be provided with and sign a copy of this policy and the associated procedures as part of their induction and will receive a briefing to raise awareness of this policy, including the duty to report any suspected or actual breaches.

7.2.2 Staff with responsibility for line management of IDO staff and contact people for the referral of incidents or concerns under this policy will receive additional information and briefing on what to do when an incident or a concern is reported to them.

7.3 Existing staff

7.3.1 Periodic refresher training will be given to all representatives working for or on behalf of the IDO, as appropriate to their role, and at least once every year. This will cover any changes to the IDO Safeguarding Policy and provide a recap of the reporting procedures.

8. Code of conduct

8.1 All representatives working for or on behalf of IDO are required to sign and comply with this policy and the Code of Conduct that provides a behavioural protocol for working with children, young people and vulnerable/protected adults overseas (Appendix B). The Code of Conduct should be read in conjunction with local legislation (where possible). However, should the Code of Conduct demand a higher standard than the local laws, then the Code of Conduct will prevail.

8.2 All representatives working for or behalf of the IDO must follow the Code of Conduct within and outside the workplace.

8.3 Failure to follow this policy and code may result in disciplinary action or other sanction being taken.
9. Risk assessment and mitigation

9.1 Risk mitigation strategies will be developed for each international development project and programme, regularly updated and implemented to minimise the risk to children, young people and/or vulnerable/protected adults.

10. Sharing safeguarding procedures with staff and communities in country

10.1 The Open University will make reasonable effort to ensure that communities in which we work are aware of their right to be safe from abuse, neglect and exploitation in the Open University’s programmes. We will publicise our reporting procedures within country so that staff, partners, beneficiaries and families clearly understand the IDO Safeguarding Policy and how to report any concerns.

11. Country specific safeguarding information

11.1 It is recognised that legislation, policy and practice concerning child abuse vary between countries. A link to country specific guidance on child protection, including referral agencies, will be provided, where possible, through the Open University’s travel pack relevant to the country of travel.

11.2 Likewise, provision of services, laws and practice concerning the protection and care available to vulnerable/protected adults varies between countries, and the Open University’s travel packs will include country specific guidance on this issue where possible.

12. Communication guidelines

12.1 The nature of our work means we may need to take, hold and pass on information about, and images of children and other community members, both electronically and in hard copies. The Open University is responsible for ensuring that data and images are appropriate and are safely held. Every effort should be made to comply with the Open University’s Information Security policies for all staff and contracted third parties.

12.2 We will only use images or personal information of children, young people and vulnerable/protected adults in our marketing or programme work in a way that will safeguard their dignity and protect their rights. We will always seek appropriate permission from appropriate authorities to use images in the ‘public’ domain. We will use whatever safeguards we can not to supply information that could enable children, young people or vulnerable/protected adults to be identified and located. This includes not using the child’s, young person’s or vulnerable/protected adult’s real name or community names within the photos, and not using full names along with community names even without images.

13. Data protection and security

13.1 For handling and storing Disclosure Checks IDO will follow the Open University’s ‘Handling of DBS Certificate’ policies. IDO will comply with the existing Open University’s procedures and policies on data protection and storage of sensitive data.

14. Working with contractors

14.1 Where the IDO is contracting activity to another organisation/person, it is important that this organisation/person is aware of and understands this policy and code of conduct.

14.2 All IDO contracts with organisations and persons to discharge IDO activity will include a copy of this IDO Safeguarding Policy, and adequate provisions.
14.3 Partner organisations will be expected to have robust and appropriate safeguarding policies and procedures in place, and this will be assessed through due diligence processes. Where gaps are identified, IDO will work with the partner organisations to address them.

Responding to and following up safeguarding concerns and incidents

15. Responding to safeguarding concerns and incidents

15.1 All representatives working for or on behalf of IDO must report concerns, suspicions, allegations or incidents of potential or actual abuse of children, young people and vulnerable/protected adults overseas. Any report will be treated seriously and with confidentiality. The priority will always be the safety and best interests of the child, young person and/or vulnerable/protected adult.

Appendix F provides general tips and advice on what to do if a child, young person or vulnerable/protected adult discloses a concern or incident to you.

15.2 To report a safeguarding incident or concern overseas, the process detailed below should be followed:

15.3 If you believe the child, young person or vulnerable/protected adult to be in immediate danger

15.3.1 Immediately call the appropriate authorities\(^7\) within the country the project is based. Open University staff and consultants should refer to the Open University travel pack for guidance on the appropriate authorities to contact. Non-Open University staff will be also provided with details of the in-country referral agencies that they should contact.

15.3.2 In addition, report concerns or incidents to the IDO Safeguarding Focal Point via email, phone or in person as soon as possible after learning of the incident or concern (in any case within 24 hours of learning of the incident). Record information on an Incident Report Form (Appendix C, Section A) and send to IDO Safeguarding Focal Point within 24 hours of the incident or concern.

15.3.3 If the OU is operating as a sub-contractor to another lead partner, the lead partner should be informed as soon as possible, and in line with the sub-contracting agreement, about the concern or incident. The lead partner and/or IDO Safeguarding Focal Point will provide advice on the best way to manage the concern or incident and what action to take. This must also be recorded on the OU's Incident Report Form (Appendix C, Section B) so a log of action is taken, and any progress monitored.

15.4 If you believe the child, young person or vulnerable/protected adult to be at risk, but not in immediate danger

15.4.1 Report the concern or incident to the IDO Safeguarding Focal Point via email, phone or in person within 24 hours of learning of the incident or concern. Record information on an Incident Report Form (Appendix C, Section A) and send to IDO Safeguarding Focal Point within 24 hours of the incident or concern.

\(^7\) Any decision regarding reporting an incident or concern to external authorities needs to be fully risk assessed in order to ensure that there is no risk of further harm being caused to the victim/survivor or due process and operation of the rule of law is not reasonably assured.
15.4.2 The IDO Safeguarding Focal Point will provide the necessary advice and guidance and ensure that the matter is referred to the relevant authorities as appropriate.

15.4.3 If the IDO is operating as a sub-contractor to another lead partner, the lead partner should be informed as soon as possible, and in line with the sub-contracting agreement, about the concern or incident. The lead partner and/or IDO Safeguarding Focal Point will provide advice on the best way to manage the concern or incident and what action to take. This must also be recorded on the OU's Incident Report Form (Appendix C, Section B) so a log of action is taken, and any progress monitored.

15.5 Inability to complete the form should not be a barrier to reporting the concern of incident. If someone is unable to provide written information, the person reporting the incident of concern will be asked to provide an oral report which will be noted down on their behalf.

15.6 If you are concerned in any way about the lead partner's handling of a concern or incident, contact the IDO Safeguarding Focal Point who will take appropriate follow up action.

16. Following up the concern or incident

16.1 In both the cases where the Open University is the lead partner and where the Open University is a sub-contractor to another organisation, the Open University has the responsibility to ensure that reported safeguarding concerns or incidents are tackled to the best of its ability.

16.2 The IDO Safeguarding Focal Point will ensure that he/she provides relevant, appropriate and timely advice to the person reporting the concern (either directly or via project staff) and that the person making the allegation is kept updated with relevant developments around the case where appropriate.

16.3 All advice given by the IDO Safeguarding Focal Point to the person reporting the incident/concern (or where appropriate, to the in-country team) should be recorded on the Incident Report Form in Appendix C, Section B, so a log of action is taken, and any progress monitored.

16.4 The IDO Safeguarding Focal Point may seek guidance from specialists within or external to the Open University regarding what advice to give and action to take. The Open University's Safeguarding Referrals Team will act as a resource pool that may be contacted to obtain advice on how to tackle specific child safeguarding incidents or concerns overseas.

16.5 The IDO Safeguarding Focal Point should follow the case until it has been agreed that the case has been adequately tackled. Once an issue is considered as having been adequately tackled, the IDO Safeguarding Focal Point should complete the Incident Report Form (Appendix C, Section C), which will also need to be signed off by the IDO Director.

16.6 All documentation connected to the concern or incident should be stored in accordance with the Open University's procedures and policies on data protection and storage of sensitive data.

16.7 Any allegations or reports of safeguarding concerns will be handled sensitively and consistently with the Open University's policy.

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8 Any decision regarding reporting an incident or concern to external authorities needs to be fully risk assessed in order to ensure that there is no risk of further harm being caused to the victim/survivor or due process and operation of the rule of law is not reasonably assured.
Monitoring and Reviewing

17.1 Safeguarding is incorporated into the IDO’s risk assessment processes. Senior staff will regularly review the risk register of all IDO projects and programmes to ensure that safeguarding processes are in place and effective.

17.2 This IDO Safeguarding Policy should be reviewed annually by the IDO team. The IDO Safeguarding Policy will also be shared with the Open University’s Safeguarding Steering Group for scrutiny.

18. Related documentation

Policy for ensuring the safety of children and vulnerable/protected adults (Open University Safeguarding Policy)
Behaviours and Standards at Work
Effective Recruitment and Selection Guide
Disclosure and Barring Service Code of Practice
Disclosure Information Policy
International Travel and Assignment Policy
Handling and Safe-keeping of DBS Certificate Information Policy
Information Security policies for all staff and contracted third parties
Recruitment of Ex-Offenders
Whistleblowing
Prevent Policy
Modern Slavery Policy (in development)
Bullying and Harassment policy

Revised and approved by the Open University on 18 June 2020

This document updates the previous version of the Policy for ensuring the safeguarding of children, young people and vulnerable/protected adults overseas for the International Development Office of the Open University, dated 27 September 2018.
Appendix A

Definitions of abuse
These are not exhaustive, and it is worth noting that all the forms of abuse listed below are rarely found in isolation.

Abuse: a form of maltreatment of a child, young person or vulnerable adult. Somebody may abuse or neglect by inflicting harm or by failing to act to prevent harm. Children, young people or vulnerable adults may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or by another child or children.

Physical abuse: a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm.

Emotional abuse: the persistent emotional maltreatment such as to cause severe and adverse effects on the person’s emotional development. It may involve conveying to a person that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the person opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children or vulnerable adults. These may include interactions that are beyond a child’s or vulnerable adult’s developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child or vulnerable adult from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing people frequently to feel frightened or in danger, or the exploitation or corruption of children or vulnerable adults.

Sexual abuse: involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child/young person is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children or young people in looking at, or in the production of, sexual images, watching sexual activities, encouraging children or young people to behave in sexually inappropriate ways, or grooming a child or young person in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Harassment and bullying – involve the unwanted conduct that has the purpose or effect of being offensive, intimidating, humiliating, malicious or insulting behaviour which creates a hostile environment against an individual(s)9.

Neglect: the persistent failure to meet a child, young persons or vulnerable adult’s basic physical and/or psychological need, likely to result in the serious impairment of their health or development. Neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child or vulnerable adult from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child, young person or vulnerable adult’s basic emotional needs.

Radicalisation: the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.  

Human Trafficking: the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

Female Genital Mutilation (FGM): is a procedure where the female genital organs are injured or changed and there is no medical reason for this. It is frequently a very traumatic and violent act for the victim and can cause harm in many ways. The practice can cause severe pain and there may be immediate and/or long-term health consequences, including mental health problems, difficulties in childbirth, causing danger to the child and mother; and/or death. The age at which FGM is carried out varies enormously according to the community. The procedure may be carried out shortly after birth, during childhood or adolescence, just before marriage or during a woman’s first pregnancy.

Forced marriage: is a marriage in which one or both spouses do not consent to the marriage but are coerced into it. Duress can include physical, psychological, financial, sexual and emotional pressure. In the cases of some vulnerable adults who lack the capacity to consent, coercion is not required for a marriage to be forced.

Modern Slavery: Trafficking or modern slavery is defined by the United Nations Palermo Protocol (UN 2003) in three phases:
- recruitment or acquisition of a man, woman or child
- means, i.e. through the use of force, deception, or coercion
- purpose, i.e. for the purpose of exploitation or forced labour.

Child Sexual Exploitation: Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

Commercial exploitation: exploiting a child in work or other activities for the benefit of others and to the detriment of the child’s physical or mental health, education, moral or social-emotional development. It includes, but is not limited to, child labour.

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11 Safeguarding Children who may have been trafficked, HM Government Guidance – Dept. of Education and Home Office 2011.
14 Child sexual exploitation Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation. Department of Education February 2017.
Criminal exploitation - encompasses acquisitive crimes such as forced begging, forced theft (including shoplifting and pickpocketing), as well as cannabis cultivation and financial exploitation. Criminal exploitation is a sub-category of forced labour, which is covered by section 1 of the Modern Slavery Act 2015.\(^\text{15}\)

Other definitions

**Child or Young Person:** refers to any person under the age of 18.

**Safeguarding\(^\text{16}\):** Safeguarding is the responsibility that organisations have to make sure their staff, operations, and programmes do no harm children and vulnerable/protected adults, that is that they do not expose children and vulnerable/protected adults to the risk of harm and abuse, and that any concerns the organisation has about children and vulnerable adults’ safety within the communities in which they work, are reported to the appropriate authorities.

**Safeguarding Concern or Incident:** a concern, allegation or fact about inappropriate behaviour or any breach or threatened breach of the terms of this or any other organisational policy which may put a child at risk of harm, injury or death.

**Vulnerable/Protected Adult** is an adult who:

- has needs for care and support (whether or not the local authority is meeting any of those needs) and;
- is experiencing, or 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.

**Vulnerable Groups:** Children, Young People or Vulnerable/Protected Adults.

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\(^{15}\) file:///C:/Users/hlm288/AppData/Local/Packages/Microsoft.MicrosoftEdge_8wekyb3d8bbwe/TempState/Downloads/Guidance%20for%20NGOs%20on%20how%20to%20identify%20and%20support%20victims%20of%20criminal\%20exploitation.pdf

Appendix B - Code of Conduct

The OU promotes social justice as part of its core mission. We are committed to the values of inclusivity, innovation and responsiveness and have an obligation to the communities in which we work to provide supportive and safe spaces to learn and develop. This Code of Conduct provides guidance on the expected standards of behaviour for our representatives, as well as examples of conduct which is unacceptable. It is everyone’s responsibility to ensure we maintain the highest standards of professional and personal conduct to ensure we respect our core mission. The Code of Conduct is applicable both during and outside working hours.

Representatives working for or on behalf of IDO should ensure that the actions they take do no harm to children, young people and/or vulnerable/protected adults, and avoid actions or behaviour which may constitute poor practice, potential offence, and harmful or abusive behaviour. Breaches of this policy will be dealt with through the Open University’s disciplinary procedures.

This Code of Conduct should be read in conjunction with local legislation (where possible). However, should the Code of Conduct demand a higher standard than the local laws, then the Code of Conduct will prevail.

We want to create environments which are supportive and safe for children, young people and vulnerable/protected adults, and where we promote a ‘do no harm’ approach.

The list below is non-exhaustive and should be interpreted in a spirit of common sense.

Acceptable behaviour vis-à-vis children, young people and/or vulnerable/protected adults includes:

- Conducting interactions with children, young people and/or vulnerable/protected adults that are safe, appropriate, child-friendly and sensitive to the wishes, feelings and views of the children, young people and/or vulnerable/protected adults.
- Ensuring that your behaviour and actions demonstrate respect for children, young people and/or vulnerable/protected adults and their rights.
- Being familiar with the procedures for reporting concerns or incidents to IDO, including whom to contact within the IDO team.
- Immediately reporting any concerns relating to the safety or welfare of a child, young person and/or vulnerable/protected adult you are in contact with through appropriate channels.
- Avoiding working alone with children, young people and/or vulnerable/protected adults and planning your work so that at least two adults are present at any time.
- Behaving appropriately; making sure that language is moderated in children’s, young people’s and/or vulnerable/protected adults’ presence and refraining from jokes or comments that may cause discomfort or offence.
- Avoiding inappropriate physical contact with a child, young person and/or vulnerable/protected adult. For example, if a child, young person and/or vulnerable/protected adult is hurt or distressed, comfort or reassure him/her without compromising his/her dignity.
- Being sensitive to local norms and standards of behaviour towards children, young people and/or vulnerable/protected adults.
- Listening to what the children, young people and/or vulnerable/protected adults are saying and responding appropriately.
- Being familiar with and responsible in the use of social media in communications about children, young people and/or vulnerable/protected adults.
- Remembering that you have a responsibility to report concerns, using reporting procedures to inform the appropriate agencies/or organisations of your concerns, so they can make enquiries and take any action necessary to protect the child or young person.
• Cooperating fully and confidentially in any investigation of concerns or allegations of abuse against children, young people and/or vulnerable/protected adults (this relates to investigations carried out by appropriate agencies)

**Unacceptable behaviour vis-à-vis children, young people and/or vulnerable/protected includes:**

- Acting in ways that may be abusive or may place them at risk of abuse.
- Condoning, or participating in, behaviour towards a child, young person and/or vulnerable/protected adult that is illegal, unsafe or abusive.
- Hitting or otherwise physically assault, harm or abuse them.
- Developing physical/sexual relationships or having any kind of sexual contact with anyone under the age of 18 (regardless of age of majority in the country).
- Behaving verbally or physically in a manner that is inappropriate or sexually provocative.
- Developing relationships with them that could in any way be deemed exploitative or abusive.
- Using language, making suggestions or offering advice that is inappropriate, offensive or abusive.
- Acting in ways intended to shame, humiliate, belittle or degrade children, young people and/or vulnerable/protected adults, or otherwise perpetrate any form of emotional abuse; discriminating against, showing differential treatment, or favouring particular children, young people and/or vulnerable/protected adults to the exclusion of others.
- Allowing allegations made by a child, young person or vulnerable/protected adult or concerns expressed by others about their welfare, to go unrecorded or not acted upon.
- Doing things for a child, young person and/or vulnerable/protected adult of a personal nature that they can do for themselves.
- Having a child, young person and/or vulnerable/protected adult with whom you are working stay overnight at your home or other personal accommodation in which you are staying.
- Using any computer or other electronic device to view, download, distribute or create indecent or inappropriate images of children, young people and/or vulnerable/protected adults.
- Sharing personal contact details (e.g. home address, personal phone number or email, personal social media etc.) with any child, young person and/or vulnerable/protected adult.
Appendix C

Safeguarding Incident or Concern Reporting Form for Work Overseas

Reporting a safeguarding concern or incident – Confidential

Section A: For completion by any representative working for or on behalf of IDO who has witnessed, is concerned, suspects or is made aware of any incident affecting a child, young person or vulnerable/protected adult.

Return this form via e-mail to the IDO Safeguarding Focal Point:
International-safeguarding@open.ac.uk

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<th><strong>Part One: Referrer's details</strong></th>
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<tr>
<td>Referrer's name:</td>
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<td>Referrer's role and organisation:</td>
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<td>Contact details to contact the referrer (e.g. your phone numbers and e-mail address) if we need more information to help the child, young person and/or vulnerable/protected adult:</td>
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<td>Country and region:</td>
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<td>Relationship to child, young person and/or vulnerable/protected adult:</td>
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<tr>
<th><strong>Part Two: About the child, young person or vulnerable/protected adult</strong></th>
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<td>Gender:</td>
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<tr>
<td>Address if known. If address is not known, how can we find this child, young person and/or vulnerable/protected adult to help him/her?</td>
</tr>
<tr>
<td>How is the child/ young person and/or vulnerable/protected adult known to the Open University?</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Part Three: About the concern</strong> (continue on a separate sheet if necessary)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date, time and place of incident / concern:</td>
</tr>
<tr>
<td>Nature of concern/incident (record as accurately as possible). If you have witnessed an incident, please give details:</td>
</tr>
<tr>
<td>Details of alleged perpetrator (name, relationship to child, young person and/or vulnerable/protected adult, job/organisation, current location of alleged perpetrator (if known), contact details for alleged perpetrator (if known)):</td>
</tr>
<tr>
<td>Context in which the concern/incident was raised (was abuse observed or suspected? was an allegation made? was abuses disclosed to you by the victim?):</td>
</tr>
<tr>
<td>If the victim reported the incident to you directly, please record exactly what the child/young person/ vulnerable/protected adult said, as far as you can, and what you said:</td>
</tr>
<tr>
<td>Outline any initial action you took (please state any referrals to support services, along with times and dates):</td>
</tr>
</tbody>
</table>
Has medical attention been required? If so, who was it provided by?

Are you aware of any actions that have been taken by others to respond to this incident yet? Please identify:

Do you know who else may know about this allegation (e.g. community, family members)?

Name of IDO Safeguarding Focal Point you referred the matter to:

Time and date you reported the matter to the IDO Safeguarding Focal Point:

Details of any advice received from the IDO Safeguarding Focal Point:

Have you reported the incident to anyone else? If yes, please specify to whom; time and date of reporting; advice given by the additional person/people you reported to:

Is there any other relevant information we should be aware of?

Signature:  
Date:

Section B: Referral Support and follow up
For completion by IDO Safeguarding Focal Point

Complete this table to record each interaction/update on the case.

Did the matter require referral to the country’s agency? Yes □  No □

Name and contact details of the agency/people the concern or incident was referred to:

Details of advice/response provided by received from the agency/people the concern or incident was referred to:

Other actions taken (e.g. referred to police, local protection authorities, medical support, social support):

Recommendations on any further action needed:

Any other comments:

Signature:  
Date:

Section C: Incident closure report
For completion by IDO Safeguarding Focal Point and for approval by IDO Director

Please complete when you are happy the matter has been fully resolved

Are you satisfied that the matter has been fully resolved? Yes □  No □

Signature of IDO Director  
Date:

Please store this form in accordance with Open University procedures and policies on data protection and storage of sensitive data.
Appendix D – Flow Chart Showing Actions in Event of a Safeguarding Concern

If you believe a child, young person or vulnerable/protected adult to be in immediate danger:
- Immediately call appropriate authorities in-country

If you are concerned but do not think a child, young person or vulnerable/protected adult is in immediate danger:
- Contact the IDO Safeguarding Focal Point immediately after learning of the incident or concern
  - If the OU is a sub-contracting partner, also inform the Lead Partner as soon as possible, and in compliance with sub-contracting agreement

Record the incident or concern on the Incident Report Form, and share with the IDO Safeguarding Focal Point within 24 hours.

IDO Safeguarding Focal Point, seeking advice as necessary, will advise the person reporting the concern or incident on actions to take, and will record on the Incident Report Form.

Staff reporting concern or incident should take action as advised, and notify the IDO Safeguarding Focal Point of outcomes which will be noted on the Incident Report Form.

Concern or incident is judged to be ADEQUATELY TACKLED by IDO Safeguarding Focal Point and other appropriate staff:
- IDO Safeguarding Focal Point completes Incident Report Form section C, and obtains approval for sign off by IDO Director.
  - All incident documentation is stored in compliance with OU procedures

Action is taken but issue is judged to be NOT ADEQUATELY TACKLED by IDO Safeguarding Focal Point and other appropriate staff:


Appendix E

Privacy Notice – Safeguarding

1. Scope

1.1 This document sets out what we do with your personal data when safeguarding concerns are reported to us.

1.2 This document applies to you if you report a safeguarding concern, if a safeguarding concern is reported about you, or a safeguarding concern is reported where you are at risk.

2. Who we are

2.1 The Open University is the data controller in relation to the processing activities described below. This means that the Open University decides why and how your personal information is processed.

2.2 Where this policy refers to “we”, “our” or “us” below, unless it mentions otherwise, it’s referring to the Open University

3. What information do we collect about you, and how do we collect it?

3.1 If information is brought to the attention of a member of Open University staff about a potential safeguarding risk, that member of staff is obliged to notify the Safeguarding Referrals Team. This could include the name of the person identifying the issue, the names of the individuals potentially at risk, and the name of the person they are at risk from, as well as details of personal circumstances which relate to the safeguarding concern.

3.2 This information may include “special category” data, for example, about health or disability, sexual life or sexual orientation.

4. How do we use your personal information?

4.1 We use this information to assess whether there is a safeguarding risk, and if there is any action that we need to take to keep individuals safe. This is a statutory and legal obligation informed by legislation including Keeping Children Safe in Education 2016 and The Care Act 2014 and equivalent legislation for the non-English UK nations.

4.2 The condition for processing special category data for this purpose would be that it is in the substantial public interest, for the purposes of protecting an individual from harm (see Safeguarding amendment to Data Protection Bill).

4.3 We also keep statistical information about the number of safeguarding concerns that have been raised, and how they were resolved. This is in our legitimate interest to plan our services.

5. Who do we share your information with?

5.1 We will share information with police forces, and government agencies, where we deem it necessary to protect an individual. This is a legal and moral obligation.
5.2 We use third party suppliers and service providers for the provision of, for example, specialist safeguarding advice.

5.3 When we use third party service providers, we only disclose to them any personal information that is necessary for them to provide their service. We have a contract in place that requires them to keep your information secure and not to use it other than in accordance with our specific instructions.

6. Do we transfer information outside the European Economic Area (EEA)?

6.1 Generally, information you provide to us is stored on our secure servers, or on our cloud-based systems which are located within the EEA.

6.2 There are times when we may need to store information outside the EEA. If we transfer your information outside of the EEA, we will ensure that appropriate security measures are taken so that your privacy rights continue to be protected as outlined in this policy. This would either be imposing contractual obligations on the recipient of your personal information or ensuring that the recipients are subscribed to ‘international frameworks’ that aim to ensure adequate protection. For example, we would ensure that a US based supplier has signed up to “Privacy Shield”.

7. How long do we keep your personal information for?

7.1 The Safeguarding Referrals Team keep safeguarding concerns for three years from the date of case closed, if we decide they are not necessary to act on, and for 25 years if we do act on them.

8. Your rights

8.1 You have a number of rights in relation to your personal information, which apply in certain circumstances under the General Data Protection Regulations. To exercise any of these rights, please contact us using the details in Section 9, below.

8.2 You have the right:

- To access your personal information that we process
- To rectify inaccuracies in the personal information that we hold about you In some circumstances, you also have the right:
- To have your details removed from systems that we use to process your personal data
- To restrict the processing of your personal data in certain ways
- To obtain a copy of your personal data in a structured electronic data file
- To object to certain processing of your personal data by us
- To request that we stop sending you direct marketing communications. If you are concerned about the way we have processed your personal information, you can complain to the Information Commissioner’s Office (ICO).

9. Contact us

9.1 If you have any queries about safeguarding at The Open University, please contact the Safeguarding Referrals Team at Safeguarding-Referrals@open.ac.uk.

9.2 The Open University has a nominated Data Protection Officer. If you have any queries about this privacy notice or about the way we process your personal information, please use the contact details below:

- Email: data-protection@open.ac.uk
- Telephone: +44 (0)1908 653994
- By post: The Data Protection Officer PO Box 497 The Open University Walton Hall Milton Keynes MK7 6AT
Appendix F – What to do when a child, young person and/or vulnerable/protected adult disclose abuse

Staff working on behalf of IDO might receive disclosures from children, young people and vulnerable adults. These should be dealt with sensitivity and staff should strive not to re-traumatise the child, young person, or vulnerable/protected adult in the handling of their complaint. If a child or vulnerable adult tells you there are being or have been abused:

- Listen to what is being said without displaying shock or disbelief and accept what is being said without judgement.
- Take the alleged abuse seriously.
- Reassure but only so far as is honest and reliable.
- Don’t promise confidentiality – never agree to keep secrets. You have a duty to report your concerns.
- Listen quietly, carefully and patiently. Do not assume anything – don’t speculate or jump to conclusions.
- Do not investigate, interrogate or decide if they are telling the truth. Let them explain to you in his or her own words what happened, but don’t ask leading questions.
- Do not investigate and do not inform, question or confront the alleged abuser.
- Communicate with the person alleging abuse in a way that is appropriate to their age, understanding and preference.
- Record carefully what you have heard so you can give a full record to the IDO Safeguarding Focal Point.
- Do not discuss the case with anyone outside the child protection team.
- Make some very brief notes at the time and write them up in detail as soon as possible.
- Do not wait to report – always report any concerns promptly.

17 Tips taken from British Council advice on handling disclosure - https://www.britishcouncil.org/sites/default/files/handling_disclosure_from_a_child_0.pdf