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Dabane Water Workshops

Programme Participant Protection Policy

*30 April 2015*

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**Introduction**

Dabane Trust continuously works to improve both the effectiveness of its assistance and its accountability to all its stakeholders through ensuring that in developing and implementing its programmes, programme participants are safeguarded from all forms of harm. We believe that all programme participants have a right to protection and assistance that promotes life with dignity. This policy has been developed to ensure the protection of programme participants, especially beneficiaries, from abuse and exploitation. The policy also clarifies the responsibilities of Dabane staff, partner organisations and anyone engaged by Dabane or visiting our programmes, and the standards of behavior expected of them. Dabane Trust acknowledges its duty to respond appropriately to any allegations, reports or suspicions of abuse. Dabane Trust staff will endeavor to respect the rights of all programme participants regardless of whether they are children, young people and adult men and women.

**Programme Participants**: Refers to any individual associated with Dabane Trusts programmes and includes:

* Beneficiaries of programmes delivered by Dabane Trust
* People employed or engaged by Dabane, whether consultants , interns, contractors, volunteers or any person actively involved in the Dabane Programme
* Partner Organisations that work with Dabane, their staff or anyone working on their behalf
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## Policy Statement

Dabane recognizes that Protection is concerned with the safety, dignity and rights of people affected by developmental concerns. In line with the Humanitarian Charter, and the United Nations Declaration on Human Rights Dabane Trust acknowledges that the core humanitarian protection concerns in its context are freedom from abuse of power, freedom from coercion and exploitation of various kinds and freedom from deliberate deprivation of the means of survival with dignity.

By the nature of their work, development practitioners may find themselves in positions of authority and advantage over programme participants. The goods and services provided through development work can create power differentials. This potential for power imbalance places programme participants at risk to coercion, exploitation and abuse by programme staff or those engaged to provide services on behalf of Dabane Trust. This policy is thus developed to ensure the maximum protection of programme participants from all forms of harm. The policy also gives guidelines to Dabane Trust programme staff, Partners and all service providers on the required standard of behavior and professional conduct.

The Programme Participant Protection policy builds upon the following international, regional and national policies, statues and conventions. The Convention on the Elimination of all Forms of Discrimination against Women (1979) (CEDAW), call for states and all developmental agencies to peruse policies to end gender based discrimination and appeals to all to take appropriate measures to ensure the full development and advancement of women, men, girls and boys. The African Charter on Human Rights (1986), created to protect the human rights and basic freedoms of people living on the African Continent. The SADC Protocol on Gender and Development (2008), that set out 28 substantive targets for achieving gender equality. At the National level the policy is guided by the Constitution of Zimbabwe (2013), the Labour Relations Act Chapter 28:01, the National Gender Policy (2013 – 2017) and Guidelines on Participant Protection from the National Association of Non-Governmental Organisations (NANGO). These policies, conventions and statutes offer the foundations for purposeful action and commitment by Dabane to Participant Protection.

## Purpose

The purpose of this policy is to protect all programme participants from all forms of harms especially with regard to abuse, exploitation and coercion. It is Dabane Trusts Policy to take reasonable steps to protect beneficiaries being children, men, women from harassment and abuse that can be perpetrated by Staff, people engaged by Dabane to provide a service, partners staff working with Dabane and any visitors engaged with Dabane. This policy also aims to protect programme staff or those contracted to work on behalf of Dabane Trust from any inappropriate behavior exhibited by programme participants. Internally it also protects staff from actions of abuse on one another. The policy encourages good ethical behavior and conduct by all engaged in Dabane Programme work and strives to prevent all forms of abuse of participants regardless of their sex, age, position or status. We acknowledge that women and children are especially vulnerable to harassment, abuse, sexual and physical exploitation and hence programme initiative are tailored to meet the needs of these groups at the same time delivered in a manner that takes into consideration their protection and safety.

## Scope

This policy shall apply to all Dabane Programme Staff, Partners, Consultants, Contractors and all official visitors to the Dabane Trust project areas. The acceptance of this policy is a pre-condition to the employment contract and any partnership or contractual agreement that one might engage in with Dabane Trust. This policy is developed in line with existing Dabane Trust policies such as the:

* The Dabane Mission, Values and Mandate
* Staff employment contract
* Dabane Code of Conduct
* Child Protection policy
* Participation policy
* Complaints Handling & Response Mechanism Policy
* Security Risk Management Policy

Dabane Trust will make every effort to ensure that all employees, partners, consultants, contractors and all relevant stakeholders adhere to and comply with the statutes of the policy. All people engaging with Dabane Trust are encouraged to take responsibility of their behavior and actions. Any finding of inappropriate behavior and action will result in disciplinary action and may result in dismissal or the cancellation of contracts.

The Principles upon which this Policy is developed and based are:

1. Inherent dignity and of the equal and inalienable rights of all.
2. Everyone has the right to life, liberty and security of person.
3. People have a right to have a say in the choices that impact on their lives.

## Definitions and Terminology

Dabane Trust defines inappropriate behavior as **any behavior that is not in line with ethical, humanitarian and societal standards and expectations.** Inappropriate behavior ranges from minor incidents to serious offenses. The box below gives examples of inappropriate behavior that should not be exhibited by Dabane staff, partner staff, consultants, volunteers, interns, contractors or any persons working for or on behalf of Dabane Trust.

|  |
| --- |
| * Verbal, physical or sexual harassment
* Rape and attempted rape
* Exploitation (including sexual exploitation)
* Abuse (including sexual abuse) or use Of abusive or Insulting Language
* Abuse of Authority
* Any actions that harm children or place them at risk of harm
* Intimidation
* Any form of discrimination
* Entering into relationships with minors or those which cause, or could potentially cause, conflicts of interest at work
* Behavior that brings, or could potentially bring, the organisations into disrepute
* Showing a lack of respect for the dignity of others
* Behaving in an culturally insensitive manner
* Behaving in a manner which leads to, or could potentially lead to, health or security problems for the individual concerned and/or for other people i.e. Failure to utilize safety devices and protective clothing
* Theft, Misappropriation of Dabane Trust funds and embezzlement
* Unauthorized use or possession of Dabane property – or of the property of a third party while acting or claiming to act on behalf of Dabane
* Serious negligence or deliberate misuse of Dabane property
* Any attempt to commit fraud or to accept or solicit a bribe

Any finding of inappropriate behavior, including those actions outlined above, by anyone working for or on behalf of Dabane Trust will lead to disciplinary action up to and including dismissal |

Figure 1 - Examples of Inappropriate Behaviour

1. **Abuse** is the wrong, improper use or treatment of something or someone causing harm, damage, offence or distress. There are several forms of abuse (such as physical abuse, verbal abuse, sexual abuse, emotional abuse), any or all of which may be perpetrated as a result of deliberate intent, negligence or ignorance.
2. **Physical abuse** is the actual or likely physical injury to a programme participant or failure to prevent physical injury or suffering. May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm
3. **Sexual abuse:** Involves forcing or enticing a child or young person or adult (men or woman) to take part in sexual activities, including prostitution, whether or not the participant is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children and programme participants in looking at, or in the production of, sexual online images, watching sexual activities, or encouraging children to behave in sexually inappropriate ways.
4. **Emotional abuse** is the actual or likely adverse effect on the emotional behavior of a person caused by repeatedly rejecting and humiliating them or denying their worth and rights as human beings. It may involve conveying to programme participants that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. It may involve serious bullying, causing participants frequently to feel frightened or in danger
5. **Bullying** is repeated inappropriate behavior, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual’s right to dignity at work**.**

An isolated incident of the behavior described in this definition may be an affront to dignity at work, but, as a once-off incident, it is not considered to be bullying. The exercise of legitimate management rights or of legitimate employee rights or responsibilities is not bullying. Interpersonal differences and conflicts may arise in the workplace for a variety of reasons including the implementation of legitimate management directives**.**

1. **Discrimination**is theunequal treatment of individuals or groups on the basis of personal characteristics such as disability or appearance or group characteristics such as ethnicity, religious orientation, etc. Common forms of discrimination may include, but are not limited to, making employment or programming decisions based on family status, race, membership of a minority group, gender, religion or lack of religion, colour, national or ethnic origin, language, marital status, birth, sexual orientation, age, disability, political conviction, socio-economic background, caste, HIV and AIDS status or other illnesses and physical appearance or lifestyle.

Examples of discrimination may include, but are not limited to:

* Programmes not based on proper needs assessment or situational analysis resulting in interventions that benefit men more than women or vice versa;
* Hiring preferences for one religion or ethnic groups over members of other denominations or groups;
* Stigmatization of or service denial to people on the basis of their HIV and AIDS status;
* Service delivery only to particular ethnic, religious, or political groups.
1. **Intimidation** is the act of willingly making someone timid, filled with fear or frightened into submission. Intimidation implies inducing fear or a sense of inferiority in another person with the intention of forcing him/her to do, or deterring him/her from doing, something by threats or inducing fear of the consequences against him/her or their family or friends. The person who is intimidated feels coerced or inhibited by the threats. Acts of intimidation can be verbal, non-verbal or physical
2. **Exploitation** is using a position of authority, influence or control over resources, to pressure, force, coerce or manipulate someone to do something against his/her will or interest and well-being. This includes threatening to withhold project assistance, threatening to make false claims about a person in public, or any other negative repercussions in the work-place or community.

Examples of exploitation include, but are not limited to:

* Offering special benefits to beneficiaries or other programme participants in exchange for expressed, implied or demanded favors (including sexual favors) or benefits, either to the staff member or to a third party
* Threats or implications that an individual’s refusal or unwillingness to submit to demands will affect the person’s entitlement to project assistance and support, or terms and conditions of employment.
* Children’s involvement in heavy, dangerous, extended long hours or forced labour.
* Selling, buying, transporting children, women or men by means of coercion or deception for economic or other gain.
1. **Fraud** is the theft or misuse of Dabane’s funds or other resources, by a staff member or a third party, which may or may not also, involve misstatement of financial documents or records to conceal the theft or misuse.

Examples of fraud include, but are not limited to, the following:

* Theft of funds or any other Dabane property;
* Falsification of costs or expenses;
* Forgery or alteration of documents;
* Destruction or removal of records;
* Inappropriate personal use of Dabane’s assets;
* Staff seeking or accepting cash, gifts or other benefits from third parties in exchange for preferment of the third parties in their dealings with Dabane;
* Blackmail or extortion;
* Paying of excessive prices or fees to third parties with the aim of personal gain**.**
1. **Harassment** is unwanted behavior relating to personal characteristics such as race, membership of a minority group, sex, gender, religion or lack of religion, color, national or ethnic origin, language, marital status, family status, sexual orientation, age, disability, political conviction, socio-economic background, caste, HIV and AIDS status or other illnesses and, physical appearance or lifestyle which has the purpose or effect of violating a person’s dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. Such unwanted conduct may consist of acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.

Harassment also means less favorable treatment of a person because he or she has rejected or submitted to the type of conduct described above.

* Anyone can be a victim of harassment.
* Harassment may be an isolated incident or repeated actions.
* Harassment can take many forms and may involve written documents, the use of IT including email, text messaging, photographs or pictures.

## Prevention & Mitigation Measures

The Dabane Code of Conduct is the principle guiding document for this policy. The Code of Conduct is both an ethical and moral code, which is driven by the guiding Principle of Humanity which recognises that people are key and central to their own development and asserts the right of people to assistance that upholds their dignity, respects their culture, structures, norms and customs and protects their independence. It is therefore the expectation of this policy that all who serve at Dabane Trust are required to understand and sign this policy and Code of Conduct and complete a Self-Declaration Form, which forms part of the terms and conditions of the contract.

**Strategies to Ensure Awareness and Prevention of Abuse**

It is the expectation of this policy that in order to prevent the abuse of participants all engaged in the work of Dabane should ensure the following**:**

• Establish and maintain a participant safe environment in the course of their work (i.e. when conducting activities related to the aim and purpose of Dabane). Wherever possible, ensure field-work teams are gender-balanced at all levels of responsibility. The start and end of workshops and meetings will be agreed by all participants and conducive to enable the safety to and back of participants from their homes to meeting places. The selected venues for meetings and workshops will be agreed upon by project participants and located closer to the homes of the participants. In cases where ward meetings are to be held the start and end times of the meetings should be considered to ensure the safety of all programme participants.

• Treat children and adults with respect, listen to and value their ideas and opinions and do everything in their power to protect their well-being.

• Respect the privacy of children, their families, and all programme participants and only disclose information to people who have a need to know.

• Operate within the rules of Dabane policy guidelines and procedures and comply with specific guidelines on physical contact with programme participants and children. At all times no individual staff member should create a situation where he or she alone is perceived to be the sole and final authority responsible for allocating benefits

• Be professional in their actions through their use of language, presentation, manner and punctuality.

• Aim to resolve conflicts fairly and promptly by reporting any breaches of Dabane’s standards of behavior through the established reporting mechanism.

• Maintain strict impartiality

At platforms in which programme staff engage with programme participants such as, project Inception meetings, project training workshops and community review meetings, Programme Participants will be made aware that:

* they are entitled to assistance: beneficiary selection criteria, quantity and variety of items they should receive, how the distribution is taking place (day, time, location, method)
* Dabane and partner organizations’ staff have a duty to deliver assistance without discrimination
* goods and services delivered cannot be withheld or withdrawn on the arbitrary decision of the staff members or those working on behalf of Dabane or its partner organisations
* it is unacceptable for the staff or those working on behalf of Dabane or its partner organisations to solicit or accept bribes, rewards, gifts, or sexual favors from a beneficiary

Dabane Trust will take appropriate nondiscriminatory steps when selecting and working with partners to ensure that minimum safeguarding standards are in place. These steps include:

* ensuring that Programme Participants Protection Policy forms part of any employee contract, partner MoU and contractual agreement
* ensuring that the Policy is included in the induction programmes and all engaged are trained on the policy
* ensuring that complaints and response mechanisms are clarified to all programme participants
* ensuring that focal person who can receive complaints and Dabanes in relation to the policy is well trained and is able to investigate complaints
* In the best interests of children, Dabane Trust will not hire anyone with a prior conviction for child abuse, pedophilia or related offences, the organisation will request all those engaged in the work of Dabane declare that they have never been convicted of a criminal offence related to the above. Similarly Dabane will undertake background checks prior to engaging staff, contractors, interns and all to be involved in the work of the organisation.
* Ensuring the continued awareness raising and training of staff on the policy on an annual basis during the operational planning meeting platform or at any other designated time

Any breach or contravention of the policy may lead to corrective action being taken under Dabane’s Disciplinary Procedures as outlined in the Code of Conduct and informed by national laws. For Suppliers, contractors and consultants breach of this policy may lead to termination of a contract and may affect continuation of their relationship with Dabane.

## Reporting and Responsibilities

Participant Protection is the responsibility of all engaged in the work of Dabane. Primary responsibility for instituting and monitoring the Participant Protection Policy will rest with the Board of Trustees. The Dabane Trust management team has the responsibility to ensure that the Programme Participant Protection Policy is implemented. They are to monitor commitment to participant protection through a review process to be held once every year.

The responsibility of staff members is to ensure that their personal and professional conduct is, and is seen to be of the highest professional standard in keeping with the Mission, Vision and Values of Dabane Trust. All staff, and those engaged in the work of Dabane are to treat all people equally, with dignity and respect, and continuously seek to ensure that the best interests of children and adults are promoted. Staff and all engaged in the work of Dabane will not engage in behaviour that is likely to cause harm, including physical, sexual, emotional abuse, neglect and exploitation.

Any known or suspected case of abuse, exploitation, or harassment of programme participants must always be brought to the attention of the line manager. Line Managers will notify the Programmes Manager who will notify the Director as soon as practicable if they have a reasonable suspicion that a child or programme participant has been or is being abused, has been violated or neglected. In the event that staff members have concerns’ related to the behavior of the Director and Programmes Manager, project managers, other staff or even programme participants, they may raise these concerns’ directly with the Board of Trustees.

The reporting of a concern may result in a confidential, thorough and prompt investigation being conducted. Such investigations may reduce the level of concern or lead to the realization that further action is appropriate. People reporting possible violations and/or involved in such investigations – including the subject of the complaint - will be protected against any form of intimidation, threats, reprisal or retaliation resulting from the alleged incident. If any member of staff is found intimidating or retaliating against a person making a complaint or assisting in an investigation, disciplinary action - up to and including dismissal - will be imposed. All information related to the case will be held in the strictest confidence. It will be disclosed only on a need-to-know basis in order to resolve the matter.

Failure to report or report in the matter set out herein may result in disciplinary action*.* The person reporting a complaint, allegation of abuse must complete the **Programme Participants Protection Incident Report Form** and submit these to their designated Line Manager**.** As much detail as possible should be included in the form, with regard to the grounds for concern in relation to the individual and any observations including dates, times, names (including witnesses), locations, context and any other information that may be relevant.

Dabane Trust will endeavour where reasonable and appropriate, and in line with their wishes, to provide support for the individual and the alleged offender whilst any investigation is on-going.

## Policy Monitoring and revisions

Dabane will register all reported incidences of inappropriate behaviour and regularly monitor reports and complaints regarding safeguarding of programme participants. This will be done through the desk of the Dabane Programme manager. At the programme implementation level community review and feedback meetings will be the platforms used to which community members themselves assess and monitor actions taken with regards to complaints or issues of participants protection raised. An Annual Statement on Participant Protection, highlighting key issues will be presented to Dabane’s Board of Trust and referred to in Dabane’s Annual Report as appropriate.

The Policy will be reviewed annually during the Dabane Operational Planning Meeting and at any other designated time. At this time training and refresher sessions on the policy will be conducted for staff.

## Policy Declaration

**Policy Declaration**

I have read carefully and understand the Dabane Programme Participant Protection Policy and hereby agree to abide by its requirements and commit to upholding the standards of conduct required to support Dabane’s core values and mission.

I understand that failure to comply with any principles of the Dabane Code of Conduct may result in disciplinary action up to and including dismissal and, where applicable, may result in civil or criminal proceedings against me.

Name………………………………………………………………………………………………..….….

Position…………………………………………………………………………………………………….

Date…………………………………………………………………………………………………….……

Signed……………………………………………………………………………………………….……...

Signed on Behalf of Dabane Trust……………………………………………………….……..

Position……………………………………………………………………………………………………..

Date…………………………………………………………………………………………………………..

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