



SAFEGUARDING AND CHILD PROTECTION POLICY

Introduction

Safeguarding is the responsibility that any organisation has to ensure that their employees and/or volunteers, partners, vendors, operations and programmes do no harm to children being all classified under the vulnerable group of people; that they do not expose them to the risk of discrimination, neglect, harm and abuse; and that any concerns the organisation has about the safety of vulnerable people within the communities in which they work, are dealt with and reported to the appropriate authorities. It is also the responsibility of the organisation to protect its employees and/or volunteers accordingly.

Child protection is a central part of but not separate to safeguarding. It is the process of protecting individual children identified as either suffering or at risk of significant harm as a result of abuse or programme of work. It also includes measures and structures designed to prevent and respond to abuse.

In recent years, there has been a growing acknowledgment of the exploitation of children by individuals in positions of trust and power. As a result, development organisations have significantly intensified their efforts to guarantee that interactions between their employees, volunteers, and other representatives and the target populations or communities do not lead to any harm.

Through their work, MSC employees and/or volunteers may engage with children either directly or indirectly. MSC recognises it has an obligation to put in place all reasonable safeguarding measures to ensure, as far as reasonably possible, the safety and protection of children, including those with whom we work.



Purpose

The purpose of this policy and associated procedures is to provide clarity to **ALL** on how they should engage with children when working for, on behalf of, or in partnership with MSC. It is also to help us make sure that employees, volunteers and other representatives are protected.

It is intended to help us to have a common understanding of safeguarding issues, develop good practices across the diverse and complex areas in which we operate and thereby increase accountability in this crucial aspect of our work.

This policy constitutes MSC's global policy. Whilst it is recognised that local legislation may vary from country to country, this policy identifies our minimum standards and may exceed the requirements of local legislation.

Any breach of this policy will be treated as a disciplinary matter, which may result in immediate termination of employment or contract, withdrawal of volunteer status, and reporting to the police, relevant regulatory authority or other body.

Definitions

Abuse - a violation of an individual's human and civil rights by any other person or persons. It can take the form of physical, psychological, financial or sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the health, survival, development or dignity of a child and/or young person (all classified under the vulnerable persons group). Abuse can be a single act or repeated acts and can be unintentional or deliberate. Abuse often involves criminal acts.

Discriminatory abuse – abuse motivated by a vulnerable person's age, race, nationality, sex, sexual orientation, disability, or other personal characteristic.

Financial or material abuse - including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Neglect - the persistent failure to meet a vulnerable person's basic physical and/or psychological needs, likely to result in the serious impairment of his/her health or development. Examples include failure to provide adequate food, clothing and shelter, failure to protect them from physical or psychological harm or danger; failure to ensure adequate supervision (including the use of inadequate care-givers); or failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a vulnerable person's basic emotional needs.



Physical abuse – includes hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm, misuse of medication, restraint, or inappropriate sanctions.

Psychological abuse - includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks. Examples include not giving vulnerable persons opportunity 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 a vulnerable person, which may include interactions that are beyond a vulnerable person's developmental capability. It may involve serious bullying (including cyber bullying), or exploitation or corruption of a vulnerable person.

Sexual abuse - involves forcing, enticing or coercing someone to take part in sexual activities, whether or not the vulnerable 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 a vulnerable person in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via internet). Sexual abuse can be carried out by adults or other children.

Child – MSC regards a child as anyone under the age of 18 years, irrespective of the age of majority in Malta. It is widely recognised that children are generally more vulnerable to abuse and exploitation due to factors such as age, gender, social and economic status, developmental stage, and dependence on others.

Vulnerable person/people – for the purposes of this policy this is an umbrella term which covers children.

Scope

This policy is mandatory for all MSC employees. For the purposes of this policy, 'employee' is defined as anyone who works for or on behalf of MSC, either in a paid or unpaid capacity. This therefore includes directly employed staff, trustees, contractors, employees and/or volunteers, sub-contractors, any agency workers, consultants, volunteers, interns and all visitors to MSC work programmes, summer camp and/or offices.



It also covers implementing partners whom we fund, and who we expect to work under the policy as a condition of their involvement with MSC.

This policy demonstrates how MSC will meet its legal obligations and reassure volunteers, employees, partners and members of the public:

- a) On what they can expect MSC to do to protect and safeguard vulnerable people.
- b) That they are able to safely voice any concerns through an established procedure.
- c) That all reports of abuse or potential abuse are dealt with in a serious and effective manner.
- d) That there is an efficient recording & monitoring system in place.
- e) That employee, volunteers, sub contracted agencies and partners receive appropriate induction on safeguarding.
- f) That a robust 'safe' recruitment procedure is in place.

There are additional procedures in place that apply to those that work or have contact with, either directly or indirectly with children.

Policy Statement

MSC has zero tolerance against abuse and exploitation of vulnerable people. MSC also recognises that safeguarding is everyone's responsibility and that it has an obligation to put in place reasonable measures to ensure, as far as possible, the safety and wellbeing of all concerned.

MSC follows key principles to protect vulnerable people:

- i. Everyone has an equal right to protection from abuse and exploitation regardless of age, race, sex, sexual orientation, marriage and civil partnership, pregnancy or having a child, gender reassignment, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- ii. The best interests of the vulnerable person are paramount and shall be the primary consideration in our decision making.
- iii. MSC will take responsibility to meet the obligations regarding the duty of care towards vulnerable people, and take action where we believe that a child, is at risk or is actually harmed.
- iv. MSC will ensure that employees and volunteers are inducted in our Safeguarding Standards.

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- v. When working with or through partners or sub contracted agencies, MSC will ensure that their safeguarding procedures are consistent and in line with the principles and approaches set out in this policy.
- vi. MSC recognises that an element of risk exists, and while we may never be able to totally remove this, we need to do all we can to reduce it or limit its impact.
- vii. MSC respects confidentiality and has a responsibility to protect sensitive personal data. Information should only be shared and handled on a need- to-know basis, that is, access to the information must be necessary for the conduct of one's official duties. Only individuals who have legitimate reasons to access the information are allowed to receive it.
- viii. MSC commits to monitoring the implementation of the safeguarding policy. This policy will be reviewed every year and earlier if necessary.
- ix. Cultural sensitivity: MSC seeks always to work in ways which are culturally sensitive and that respect the diverse nature of the people that we may work with. We recognise that there are many different ways of thinking and taking care of vulnerable people and making sure they are protected. Every child matters. Culture must not be used as an excuse to abuse children.

An MSC representative is available to give guidance on how to interpret the policy and its application should the need arise.

Responsibilities

WHO IS RESPONSIBLE? ALL

All employees, volunteers, consultants, agency staff, sub-contractors, partner organisations and/or visitors are obliged to follow this policy and maintain an environment that prevents exploitation and abuse and which encourages reporting of breaches of this policy using the appropriate procedures.

All people working with MSC will:

- a) Read, understand and adhere to the MSC Safeguarding & Child Protection Policy and MSC Code of Conduct Policy.
- b) Strive to promote a zero-tolerance approach to discrimination, sexual harassment and abuse in all working environments.
- c) Strive to develop relationships with all stakeholders which are based on equality, trust, respect and honesty.

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- d) Place the safety and welfare of children/vulnerable people above all other considerations.
- e) Report any concerns they may have about the welfare of a child/ vulnerable person.
- f) Report any concerns they may have about the behaviour of a MSC representative in relation to safeguarding.
- g) In a one-to-one situation with a child, where privacy and confidentiality are important, try to make sure that another adult knows the contact is taking place and why. If possible, ensure another adult is in sight and that the child knows another adult is around.

All people working with MSC will not:

- a) Sexually harass, assault or abuse another person;
- b) Physically harass, assault or abuse another person;
- c) Emotionally abuse another person, such as engaging in behaviour intended to shame, humiliate, belittle or degrade;
- d) Condone, or participate in behaviour which is abusive, discriminatory, illegal, or unsafe;
- e) Develop, encourage or fail to take action of relationships with children or other vulnerable people which could in any way be deemed sexual, exploitative or abusive;
- f) Act in ways that may be violent, inappropriate or sexually provocative;
- g) Agree with a child to keep a secret which has implications for their safety or the safety of other young people.

Officers-in-Charge

Officers-in-Charge at all levels are responsible for ensuring employees, volunteers, consultants, visitors and partner organisations are aware of the policy and are supported to implement and work in accordance with it, as well as creating a management culture that encourages a focus on safeguarding. They must ensure that they are responsive, acting immediately if they become aware of any safeguarding concerns, and supportive towards employees or volunteers who complain about breaches in this policy.



Designated Safeguarding Officers

Designated safeguarding officers are responsible for handling reports or concerns, about the protection of vulnerable people, appropriately and in accordance with the procedures that underpin this policy.

The lead designated safeguarding officer is responsible for:

- i. monitoring and recording safeguarding concerns;
- ii. ensuring referrals to the relevant authorities happen without delay;
- iii. updating safeguarding training for all staff;
- iv. ensuring that the safeguarding training provided is implemented;
- v. ensuring this policy is reviewed every year or earlier if necessary;
- vi. ensuring this policy is implemented throughout the organization;
- vii. ensuring monitoring and recording procedures are implemented.

MSC Management is responsible for ensuring the effective implementation of this policy and associated procedures and ensuring that everyone linked with MSC is equipped and supported to meet their responsibilities.

Procedure overview

Recruitment & Selection:

- i. Safe recruitment and vetting processes are followed for all volunteers, employees, consultants and/or partners.
- ii. Where an employee, volunteer or partner is engaged in 'regulated activity' (direct work with vulnerable individuals), a criminal background check will be undertaken as part of the recruitment process.
- iii. All MSC employees and volunteers must sign and abide by this safeguarding policy and the Code of Conduct. The code sets out the standards of practice we expect of employees and volunteers - in terms professional competence, integrity, acting as a representative and in safeguarding - which support our vision, mission and values.



Induction and Support:

Advice, support and training on safeguarding will be provided to all employees and volunteers on:

- What they should do in the event of a disclosure;
- What to do if they have concerns about the welfare of a child;
- How to recognise signs of abuse;
- What to do if they have concerns about a MSC employee, volunteer, or employee or a partner;
- Where to go for advice and support within the organization.

Ensure that clear processes for reporting and dealing with safeguarding concerns and incidents are widely communicated, regularly reviewed and consistently applied. Where allegations are made about an employee, careful consideration must take place about the appropriateness of the person continuing to work with MSC.

Data Protection

Ensure that personal information is kept confidential, except where it is necessary to pass this to a specialised child welfare or law enforcement agency in relation to a safeguarding incident.

Minimum Standards

Where employees or volunteers are contracted, or when working with partners, sub contracted agencies, MSC will brief them on our safeguarding policy and ask for information on how the organisation works to protect vulnerable people and ensure that they meet our Safeguarding Standards.

Social Media

MSC has a policy regarding the media and the use of actual names, images, including photographs and recordings (the 'Social Media Policy'). This should be applied in all situations.

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Specifically relating to protection of children/vulnerable groups, we will:

- i. Use names and images of children which are respectful and not expose them to further vulnerability (not degrading or showing sexual images of children naked or partially clothed).
- ii. Reproduce images and use names of children only where we have the written permission of their parents / guardians using a consent form
- iii. Make clear to parents/guardians that agreement to providing permission to feature photos of their child/ren does not in any way effect in having their child/ren in taking parts of the respective activities. Not giving consent to feature photos of the child/ren would still mean that your child/ren will be able to take part in all the MSC activities as per all any other children.
- iv. Inform employees, volunteers and partners about the MSC policy in relation to the use of technology, and understand that they must not use this technology for the purpose of accessing, producing or distributing any information or violent or sexual images that are harmful to vulnerable people. This includes adult pornography.

Ensure that MSC has a format for carrying out and implementing risk assessments at all levels of the organisation.

Train and support the designated safeguarding officers in their work and in any action, they may need to take in order to protect vulnerable people.

Raising and responding to concerns

MSC places a mandatory obligation on all employees, volunteers, contractors and partners to report concerns, suspicions, allegations and incidents which indicate actual or potential abuse or exploitation vulnerable people or which suggests this policy may have in any other way been breached. It is not the responsibility of the employees to decide whether or not abuse has taken place, however, concerns should be raised with the MSC Management Team manager who will initiate the procedure for dealing with suspected or actual incidents of abuse.

Designated Safeguarding Officers are responsible for ensuring that the reporting procedure is followed so that suspected or actual cases of abuse are responded to appropriately and consistently, and referred to the relevant statutory authority.

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To ensure that all such situations are handled appropriately and effectively:

- a) Reports must be made, and decisions and actions taken
- b) MSC is not an investigative authority. It is essential that referrals are made to the relevant law enforcement agency to ensure that appropriate protection and support is given to the vulnerable individual, and that any evidence is collected in accordance with the law.
- c) All sensitive and personal data must be kept confidential (including the names of anyone who makes a report of abuse), and be shared on a strictly 'need to know basis', that is, access must be necessary for the conduct of one's official duties.
- d) Where a MSC employee is the subject of an investigation, the lead designated safeguarding officer will lead the case.