

YWCA Malawi Safeguarding and Protection Policy

1. Purpose

YWCA Malawi's *Safeguarding and Protection Policy* and associated procedures aim to provide clarity to all on how they should engage with children, young people and adults at risk when working for, on behalf of, or in partnership with YWCA Malawi.

This policy serves to:

- outline YWCA Malawi's commitments and principles to safeguarding and protecting children, young people and adults at risk in practice, policy and in procedures across our work.
- provide a common understanding of YWCA Malawi safeguarding and protection responsibilities to operating and ensuring safe environments for children, young people and adults at risk
- specify minimum standards and procedures that YWCA Malawi will operate by to prevent, report and respond to harm or abuse suspected or known of children, young people and adults at risk.
- support the adoption of good practices across the diverse and complex environment in which YWCA Malawi operates and increase accountability in the area of safeguarding and protection across the YWCA movement.

As an international movement and organization, the YWCA advocates and supports volunteerism, membership, diversity, tolerance, mutual respect, integrity and responsible accountability¹. YWCA Malawi puts the rights of all human beings at the center of its interventions; seeks to do no harm; and ensure the safety and wellbeing of people with whom it comes in contact with in the course of its work, in particular children, young people and adults at risk. As such, YWCA Malawi recognizes it has an obligation to put in place all reasonable safeguarding measures to ensure – as far as possible – the safety and protection of children, young people and adults at risk, with whom YWCA Malawi works directly and through our partners.

2. Scope

This policy applies to:

- all YWCA Malawi staff, contractors and interns;
- all YWCA Malawi volunteers;
- all YWCA Malawi consultants;
- all members from the YWCA Malawi Board, Trustees, and other governance bodies (local chapters);

¹ [World YWCA Constitution 2019](#)

- o all other external organizations and their representatives, national or local associations, entities and individuals that are actively collaborating to and/or working in partnership with YWCA Malawi on YWCA Malawi campaigns, engagement processes, projects, programs, advocacy outreach, events or other work streams of YWCA Malawi and/or participating in those activities;

Breach of this policy or the YWCA Malawi Safeguarding Code of Conduct (Annex A) constitutes an act of misconduct and is grounds for disciplinary action that may lead to possible dismissal, termination of contracts or partnerships, where appropriate, referral to relevant authorities.

There are additional policies and procedures that apply to those who have contact and/or working with children, young people or adults at risk, through the World YWCA such as the YWCA Malawi Protection from Sexual Exploitation, Abuse and Harassment (PSEAH) at Work policy. As of its last date of approval, the *YWCA Malawi Safeguarding and Protection Policy* and its own updates and developments shall guide and inform future updates and developments of all safeguarding related policies or safeguarding components in policies, existing and future.

Further policies may be developed in the context of specific YWCA Malawi initiatives, programs, projects or activities to respond to specific safeguarding needs. These policies should be in line with the minimum standards and principles outlined in the YWCA Malawi Safeguarding and Protection Policy but can have additional or adapted procedures as long as they fulfil the same aims as those expressed in this policy.

3. Principles

YWCA Malawi recognizes that abuse and exploitation occurs in various forms across the country, and that these forms of violence are more likely to be exerted over particular groups of people due to existing inequalities, including those experienced by children, young people, and adults at risk.

YWCA Malawi is therefore committed to:

- Encourage safe, empowering and inclusive spaces and opportunities for children, young people and adults at risk of all backgrounds, with a focus on adolescent girls and young women (AGYW), to learn, participate and achieve best outcomes to grow their civic roles and transformative leadership.
- Promote best practices and approaches that prioritize the safety and wellbeing of all children, young people and adults at risk with whom there is direct/indirect contact or engagement.
- Respect and uphold their human rights at all times based on international standards including the UN Convention on the Rights of the Child (1989) and in accordance to the Sustainable Development Goals (SDGs); in particular SDG 3, 4, 5, 10, 16 and 17².
- Ensure everyone in the scope of this policy understands their roles and responsibilities in respect of safeguarding and are provided with appropriate learning opportunities to recognize, identify and respond to signs of abuse or any form of violence relating to children, young people and adults at risk.

YWCA Malawi will meet its commitment to the furthest extent of its capacity and reach to safeguard children, young people and adults at risk through the following means:

² United Nations Sustainable Development Goals / <https://www.globalgoals.org/>

Awareness: ensure that all those covered in the scope of this policy are aware of the issues and responsibilities to create safe environments for children, young people and adults at risk.

Prevention: ensure, through awareness and personal and professional conduct, that those covered in the scope of this policy minimize the risk of harm or any form of violence relating to children, young people and adults at risk.

Reporting: provide clear steps to be followed when concerns arise regarding the safety of children, young people and adults at risk.

Responding: ensure that action is taken to support and protect children, young people and adults at risk where concerns arise regarding possible abuse, without denying procedural fairness principles to the accused.

In order that the standards of reporting and responding are met, YWCA Malawi will ensure to the furthest extent of its capacity and reach that it:

- takes seriously any concerns raised;
- takes timely positive steps to ensure the protection of children, young people and adults at risk who are the subject of any concerns;
- supports children, young people and adults at risk or others who raise concerns or who are the subject of concerns;
- acts appropriately and effectively in instigating or co-operating with any subsequent process of investigation;
- demonstrates responsibility to and respect for children, young people and adults at risk by being sensitive in our communications that involve them; and
- applies recruitment and selection measures that have been designed to minimize the possibility of recruiting persons who may pose a risk to children/adults at risk.

4. Definitions (*Trigger warning for explicit definitions of abuse)

Child/Children: for the purpose of this policy and in line with the United Nations Convention on the Rights of the Child (1989) as well as in accordance with national law, YWCA Malawi will always consider a child/children to be anyone under the age of 18. YWCA Malawi also recognizes that children are generally more vulnerable to abuse and exploitation due to factors such as age, sex, sexual orientation, gender identity, gender expression, social and economic status, developmental stage, and dependence on others.

Young people: YWCA Malawi centers its work particularly on the transformative leadership of adolescent girls and young women (AGYW). The term “young people” is used as an umbrella term that includes diverse identities and communities that youth represent. For the purpose of this policy and in accordance with YWCA Malawi’s Constitution, a young person is considered to be a person aged 30 years old or under.



Adults at risk: people that are 18 years and above, who by reason of age, mental, learning or physical disability, sex, sexual orientation, gender identity, gender expression, social and economic status, illness, or based on the context they are in, may be at higher risk of abuse, harm or exploitation.

Safeguarding: are the responsibilities, preventative, responsive and referral measures that are undertaken to protect children, young people and adults at risk and ensure that they are not subjected to any form of abuse or harm as a result of their association with YWCA Malawi.

This includes ensuring that their contact or engagement with us and with those associated with YWCA Malawi is safe and that it addresses and responds to their concerns, welfare and human rights.

While all people must be protected from harm, YWCA Malawi recognizes that children, young people and adults at risk can have particular safeguarding needs and requiring distinct consideration for care, support and protection.

Protection: includes ensuring that individual basic human rights, welfare and physical security are recognized, safeguarded and protected in accordance with international standards.

Care and support: may include an assessment of children, young people and adults at risk needs, and the provision of practical, financial and emotional support as required.

Abuse: is a violation of an individual's human and civil rights by any other person or persons. It can take the form of physical abuse, emotional abuse, neglect, sexual abuse or exploitation, resulting in actual or potential harm to the health, survival, development or dignity of a child, young person or adult at risk.

Physical abuse: occurs when a person purposefully injures or threatens to injure a child, young person or an adult at risk. This may take the form of hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating or otherwise causing physical harm to the child, young person or adult at risk. The injury may take the form of bruises, cuts, burns or fractures. Specific physical harm to girls and young women also includes female genital mutilation.

Emotional abuse: is a persistent attack on a person's self-esteem that can cause a severe and long-lasting impact such as trauma. It can take the form of name calling, demeaning, bullying, threatening, ridiculing, intimidating or isolating. Some level of emotional abuse is involved in all types of maltreatment, though it may occur alone, and can also take place online.

Neglect: is the failure to provide with the basic necessities of life, such as food, clothing, shelter and supervision to the extent that the person's health and development are at risk. It may or may not be intentional.

Sexual abuse: involves forcing, persuading or threatening physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. This covers non-contact forms of harm such as genital exposure, having a child, young person or adult at risk pose or perform in a sexual manner or exposing them to sexually explicit materials or acts (including through digital means); to a range of contact behaviors such as kissing, touching, or fondling in a sexual manner, penetration of the vagina or anus, or coercing the child, young person or adult at risk to perform any such act on themselves or anyone else.

It is important to note that sexual abuse is committed by women and other children as well as men and that victims may not be aware of what is happening.

Exploitation: refers to the use of children, young people and adult at risk for someone else's advantage, gratification or profit often resulting in unjust, cruel, and harmful treatment of the child / adult at risk.

There are two main forms of exploitation that are recognized:

Sexual exploitation: any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes: this includes profiting monetarily, socially or politically from the exploitation of another as well as personal sexual gratification.

Economic exploitation: the use of a child, young person or an adult at risk in work or other activities for the benefit of others. This includes, but is not limited to, child labor. Economic exploitation implies the idea of a certain gain or profit through the production, distribution and consumption of goods and services. The material interest has an impact on the economy of a certain unit, be it the state, the community or the family.

Online abuse: considering working practice and engagement of YWCA Malawi is also undertaken online, in particular with women, young women and girls, it is important to highlight online abuse as any type of abuse that happens on the internet. It can happen across any device that is connected to the web, like computers, tablets and mobile phones. And it can happen anywhere online, including social media, text messages and messaging apps, emails, online chats, online gaming, live-streaming sites.

5. Safeguarding measures

5.1 Safe recruitment and selection

YWCA Malawi will include the following actions in its recruitments procedures and selection processes of staff, interns, volunteers, contractors, members of the YWCA Malawi Board, Trustees Nominations Committee and local chapters:

- Request for relevant documentation to confirm the applicant's identity, background and proof of qualifications;
- Request applicant to disclose and guarantee that they have not been charged with child, young people, adult at risk abuse or exploitation offences;
- Request for relevant endorsements, references and statements of support from other entities who have engaged with and/or worked with the applicant;
- Whenever the local situation and legislation allows it, successful applicants must undergo a police background check, including in the district/locality of their last residence;
- Applicants are to be informed by YWCA Malawi Human Resources focal point of this policy and other relevant policies and procedures upon beginning employment or association with YWCA Malawi. At that time, a good understanding of the YWCA movement, its principles and values will be provided, and the YWCA Malawi Safeguarding Code of Conduct (Annex A) must be signed. Further training and accompaniment will be considered and tailored to individual / team requirements and needs.

- Recruitment, on-boarding and selection guidelines and approaches will be reviewed and discussed regularly when conducting a recruitment or selection process, to ensure that they accurately reflect child, young people and adult at risk safe recruiting, participation, and screening standards, consistent with global standards and national legislation.

5.2 Safe partnerships

YWCA Malawi is committed to ensuring that all of its work in which different partners can participate in is assessed to be safe for children, young people and adults at risk. This includes a responsibility to ensure that partners (including YWCA local chapters) as they participate in the work of YWCA Malawi have the ability to fulfil their obligations safely and have the policies and procedures in place to prevent harm or abuse to children, young people and adults at risk.

YWCA Malawi will include at minimum the following actions as it deals with partners who participate in the work of YWCA Malawi:

- Include the YWCA Malawi Safeguarding and Protection Policy as annex to agreements with partners and request in writing as part of the agreement that the partners and partner representatives' actions as they participate in the work of YWCA Malawi do not contradict the spirit of the policy. At that time, a good understanding of the YWCA movement, its principles and values as well as the policy will be provided.
- Request for the organization's policies related to safeguarding and protection. If they do not have any, request for a written explanation and description of the approach the partner is using in absence of those policies.

YWCA Malawi understands that partners who are in contact (direct or indirect) with children, young people and adults at risk might not have established policies or have the interest and/or capacity to develop formal policies. As the partners are on-boarded, where relevant, YWCA Malawi will start a dialogue with them about safeguarding commitments and what kinds of safeguarding measures/procedures are a priority for them. This will serve to learn on safeguarding approaches, as well as document safeguarding measures/procedures that are a priority for partners. It will also serve, where applicable due to specific nature of a collaboration, as a starting point to accompany partners to undertake risk assessments throughout the lifecycle of YWCA Malawi initiatives and programmes, including but not limited to when developing and implementing disaster or crisis response activities.

In addition, partners and consultants of YWCA Malawi are invited to use the processes outlined in this policy, such as for reporting any instance of harm.

At times and due to specific nature of collaborations, YWCA Malawi may require more documentation and information to ensure that safeguarding measures in place and practices accurately reflect child, young people and adult at risk safe recruiting, participation, and screening standards, consistent with global standards and national legislation.

The safeguarding procedures within YWCA Malawi initiatives, programs, project or activities can be adapted or added to in order to best answer to the safeguarding needs and risks identified in the context of the aforementioned YWCA Malawi work, provided that those additions or adaptations remain true to the intent and principles in this policy.

5.3 Safe communications and social media

YWCA Malawi will take every precaution to favor the privacy, rights and dignity of children, young people and adults at risk and ensure that their safety is not compromised as a result of their involvement in YWCA Malawi social media activities, communication materials, online events or campaigns. As such, the following measures should be always upheld when producing and publishing any communication or social media content that portrays children/adults at risk:

- Images/videos and content must be fact-based and portray children, young people and adults at risk in a dignified manner. Never degrade, victimize, stereotype or shame them.
- Images, videos, or content of children, young people and adults at risk require informed consent from the subjects depicted and/or from a parent or guardian before photographing or filming, and publishing. This includes providing a clear understanding of the usage of the multimedia material and content.
- Any form of communication media, metadata, or text descriptions of children, young people and adults at risk must be assessed to ensure it does not detail information that can put them at risk of harm. For example: identity information or place of residence.

YWCA Malawi will also ensure that its digital applications, platforms and services are safe, secure and do not result in inappropriate or unethical capture and/or use of data on children, young people and adults at risk.

5.4 Reporting of concerns relating to the wellbeing of children, young people, and adults at risk

In handling complaints related to safeguarding issues in the context of the work carried out by YWCA Malawi, its staff, interns, contractors, volunteers, Board, Nominations Committee and global governance bodies, the YWCA Malawi Feedback and Complaints Policy shall be followed, as the main system for any person or entity (including those covered in the scope of this policy) to report to YWCA Malawi any complaints they may have regarding the safeguarding and protection of children, young person or adults at risk.

Complaints related to safeguarding issues related to partners in the context of the work they participate in with YWCA Malawi shall thus be addressed to the YWCA Malawi Complaints focal points feedback@ywcam.org. The YWCA Malawi Complaints focal points will respond within 48 hours or as soon as possible and follow a course of action in line with the spirit of the YWCA Malawi Safeguarding and Protection Policy and other safeguarding related policies of YWCA Malawi.

In addition, all those covered in the scope of this policy have the obligation to report any concerns they may have about the abuse of a child, young person or adult at risk immediately (ideally within 24 hours or as soon as possible) to the YWCA Malawi Complaints focal point. The Complaints focal points will respond within 48 hours or as soon as possible with a suggested course of action in line with the spirit of the YWCA Malawi Safeguarding and Protection Policy and other policies of the World YWCA, and mirroring the ethical and professional process outlined in the YWCA Malawi Feedback and Complaints Policy. Should the concern be with



the YWCA Malawi Complaints, reporting should be addressed to the YWCA Malawi Executive Director.

The responsibility for decisions and actions rests with YWCA Malawi as an organization and not with any individual. Staff, interns, volunteers, contractors, members from the YWCA Malawi Board, Trustees, and local chapters that receive any safeguarding concerns, complaints, allegations, suspicions and incidents of abuse involving children, young people and adults at risk engaged in YWCA Malawi's work, must not act in isolation, and shall inform and consult with YWCA Malawi accordingly. If the incident constitutes criminal behavior requiring immediate action, local police or relevant authorities such as relevant child welfare agencies shall be notified promptly even before YWCA Malawi has been able to respond to the notification of the incident. The wellbeing of children, young people and adults at risk should be prioritized at all times.

The reporting procedures outlined above can be added to or adapted depending on YWCA Malawi initiatives, programs, project or activities to best answer to the safeguarding needs and risks identified in the context of the afore-mentioned YWCA Malawi work provided that those additions or adaptations remain true to the intent and principles in this policy.

5.5 Monitoring and review of this policy

This policy was last reviewed and approved by the YWCA Malawi Board in November 2023. The policy will be periodically reviewed to assess whether it is effective and fit for purpose. Updates may be made as frequently as needed, subject to approval by the YWCA Malawi Board.



ANNEX A – YWCA MALAWI SAFEGUARDING CODE OF CONDUCT

For the purpose of this code of conduct, a child will be considered to be a person under the age of 18 and adults at risk include young people aged 18 to 30 years old.

I, _____, understand that I am accountable for my actions, and I agree that while implementing YWCA Malawi activities I will:

treat children and adults at risk with respect regardless of race, sex, sexual orientation, gender identity, gender expression, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;

not use language or behavior towards children and adults at risk that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;

not engage children in any form of sexual activity or acts, including paying for sexual services or acts. I understand that mistaken belief of the age of the child is not a defense;

wherever possible, ensure that another adult is present when working in the proximity of children;

not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger and in that case immediately notify a person in the organization with the highest level of accountability and responsibility;

not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible;

use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children / adults at risk or to access child exploitation material, including child abuse material and child pornography material, through any medium;

refrain from physical punishment or discipline of children / adults at risk (excluding my own children);

refrain from hiring children for domestic or other labor which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of harm;

comply with all relevant international and national legislation, including labor laws in relation to child labor;

immediately report policy non-compliance, breaches of code of conduct, concerns or allegations of child / adult at risk abuse by personnel and volunteers in accordance with appropriate procedures; and

inform YWCA Malawi if I am under investigation or found guilty of any offenses related to children/adults at risk abuse and exploitation before or during the course of my association with the organization.



Use of children / adults at risk sounds and images for work-related purposes:

When recording, photographing or filming a child or an adult at risk for work-related purposes, I must:

before recording, photographing or filming a child / adult at risk, assess and endeavor to comply with local traditions or legislation for reproducing personal images;

before recording, photographing or filming a child/adult at risk, obtain informed consent from the child/adult at risk or a parent or guardian when applicable. As part of this I must explain how the recording, photograph or film will be used;

ensure recordings, photographs, videos or any multimedia resource present children/adults at risk in a dignified and respectful manner and not in a vulnerable or submissive manner. Children/adults at risk should be adequately clothed and not in poses that could be seen as sexually suggestive; ensure recordings and images are honest representations of the context and the facts; and

ensure file labels, metadata and text descriptions do not reveal identifying information about a child/adult at risk that could put them in danger when sharing images or videos electronically.

I understand that the onus is on me, as a person associated with YWCA Malawi, to use common sense and avoid actions or behaviors that could be construed as child/adult at risk abuse when participating in the work of YWCA Malawi.

I have read the YWCA Malawi Global Safeguarding and Protection Policy and agree to uphold the principles and follow the guidelines contained herein. I understand that non-compliance with or a breach of this policy and the code of conduct is grounds for disciplinary action, and may lead to possible dismissal, termination of contracts or partnerships, where appropriate, referral to relevant authorities.

Name (please print)

Signature: _____

Date and place: _____