

EQUAL RIGHTS

Beyond Borders

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SAFEGUARDING & CHILD-PROTECTION POLICY AND PROCEDURES

First Adopted: September 2019¹

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¹ Equal Rights GR was officially founded in 2019, the common safeguarding policy is therefor accordingly in place since then.

I. PREAMBLE

1. Equal Rights Beyond Borders formerly consists of two independent organisations. This Policy is implemented in both organisations respectively and therefore also serves as an according Memorandum of Understanding (MoU) between

Equal Rights Beyond Borders e.V.
Schererstraße 9, 13347 Berlin, GERMANY
Tax Number: 27/664/54264
Registered under: Amtsgericht Berlin-Charlottenburg VR 35583 B
Represented by: Catharina Ziebritzki (Board Member)
(hereinafter 'Equal Rights DE')

&

Equal Rights Beyond Borders – Αστική Μη Κερδοσκοπική Εταιρεία
Emmaouil Mpenaki 69A, 106 81 Athens, GREECE
Tax Number (ΑΦΜ): 996887928, Tax Office: Athens D
Registered under: 151850501000
Represented by: Robert Nestler (Administrator)
(hereinafter 'Equal Rights GR')

Both organisations together form 'Equal Rights Beyond Borders' (hereinafter: Equal Rights) and are therefore committed to this MoU.

2. The policy is valid for all of Equal Rights' current and future offices.
3. Equal Rights offers legal services to protection seekers. Staff and interns come into contact with particularly vulnerable individuals, such as unaccompanied minors, survivors of torture, or survivors of sexual or gender-based violence. Equal Rights is committed to protecting and promoting the rights of these groups and to taking care of the people using our services as well as our staff and volunteers. Equal Rights has a moral and legal obligation to protect vulnerable persons within their care from both intentional and unintentional harm (a duty of care). To ensure this, the organisation adheres to the procedures within this child and vulnerable adult safeguarding policy.
4. This policy applies to paid and voluntary workers such as interns.
5. In the context of Greek legislation, specific adult safeguarding duties apply to any adult who has care and support needs, and is experiencing, or is at risk of, abuse or neglect, and is unable to protect themselves from either the risk of, or the experience of abuse or neglect, because of those needs (HAPC, 2016).
6. Many of Equal Rights' clients have experienced trauma and are dealing with the ongoing psychological effects of this. Many are unable to protect themselves from abuse because

of isolation, poverty and homelessness. As such, many of our clients will be considered as vulnerable for the purposes of safeguarding.

II. WHAT IS SAFEGUARDING?

1. Safeguarding is a term we use to describe how we protect children and vulnerable persons from abuse or neglect.
2. Safeguarding is about protecting certain people who may be in vulnerable circumstances. These people may be at risk of abuse or neglect due to the actions (or lack of action) of another person.

III. GOALS OF THIS POLICY

1. It is the goal of this policy facilitate identifying vulnerable persons.
2. It is the goal of Equal Rights and of this policy to minimize the harm our organization may be doing inadvertently as a result of our organizational activities. This Safeguarding & Child-Protection Policy and Procedures (hereinafter: this Policy) aims to improve the professionalism of Equal Rights' staff when working with children and vulnerable persons and describes the values and principles that must underpin our approach to children. This, in turn, will help to achieve a greater impact for children and vulnerable persons.
3. It is the goal of this Policy to facilitate the safeguarding of the rights and needs of vulnerable persons.

Objectives

- To adequately prevent and/or respond to harm to vulnerable persons and their abuse, by providing a tool that sets standards and procedures for Equal Rights;
- To ensure that all Equal Rights members of staff, including interns, volunteers, board members and consultants, understand the possible harmful effects of our work on vulnerable persons, are able to recognize signs of abuse and protection issues for prompt response in the best interest of clients; and
- To ensure that every Equal Rights member of staff are knowledgeable of and comply with principles of safeguarding.

IV. PREVENTION

1. Hiring of Staff
 - a. Our aim is to implement recruitment procedures which ensure that, as far as is possible, those who seek to work with children and vulnerable persons through Equal Rights' activities are suitable to do so and do not pose a risk to the client group.
 - b. The organisation will ensure that the following checks are carried out on all prospective staff and longer-term volunteers (those working with Equal Rights for 2+ weeks) whose work involves contact with children and vulnerable persons.
 - i. undertaking an interview and induction with the applicant;

- ii. asking for possible criminal convictions; in case of incoherence, Equal Rights may ask for a criminal background;
 - iii. Equal Rights ensures that job specifications, terms of reference et cetera clearly outline generic and specific protection and safeguarding responsibilities;
- c. A 'criminal background' will not automatically disqualify a candidate from the respective job, as Equal Rights, as a legal NGO committed to the rule of law, believes in rehabilitation in every regard; in cases where employees work directly with children, criminal convictions related to children are, however, a strong indication for disqualifying the applicant.

2. Induction, Training and Support

- a. Equal Rights will ensure that appropriate induction, training and information is available to all employed staff and volunteer workers concerning children and vulnerable persons safeguarding matters. This is the responsibility of the Safeguarding Leads to devise and implement, in consultation and liaison with the Directors.
- d. All employees working in roles with children or vulnerable persons are required upon recruitment to attend or undertake an in depth briefing and/or training on child and vulnerable persons protection, as organised by Equal Rights. The aim of these trainings is to:
 - iv. Develop staff's ability to be aware of the possible harmful effects of our work with children and recognize signs of abuse and trauma;
 - v. Raise awareness of issues of particular vulnerability such as gender, sexual orientation and disability;
 - vi. Be familiar with the reporting and referral procedures for vulnerable persons that show according signs.

Refresher training will be provided to all staff and volunteers at least every 2 years. Suitable online training and discussion may stand in place of this if necessary.

- e. All employees and volunteers who will be working with children and vulnerable persons will be given details of this policy when joining Equal Rights.
- f. All employees and volunteers who will be working with children and vulnerable persons will be given Equal Rights' Code of Conduct (ANNEX 1 of this policy) which all staff and volunteers are required to read and sign before they have any contact with children and vulnerable persons.

- g. Our policy will be accessible to all those involved with the work of Equal Rights, such as young people/vulnerable persons, parents/carers, and external agencies.

V. MANAGEMENT STRUCTURE & DESIGNATED PERSON TO OVERSEE POLICY IMPLEMENTATION

1. One full-time member of staff shall be appointed as the Safeguarding Lead respectively in Equal Rights DE and Equal Rights GR to oversee all aspects of child and vulnerable person safeguarding awareness and implementation of this policy, alongside and reporting to the Equal Rights Directors.
2. The Safeguarding Lead will receive appropriate training and be aware of relevant contact numbers and addresses of local statutory agencies and other agencies responsible for the protection of children and vulnerable persons.
3. The Safeguarding Lead has the main responsibility for managing child protection issues within Equal Rights. The role and responsibilities of the Safeguarding Lead are detailed below (and within the Safeguarding Lead Job Role (Annex 1) which should be given to the Safeguarding Lead). The Equal Rights Safeguarding Lead:
 - a. will implement and promote Equal Rights' Child & Vulnerable Persons Safeguarding Policy;
 - b. undertake training on child and vulnerable persons protection and ensure that the organisation is updated on child and vulnerable adult protection issues;
 - c. communicate with staff and volunteers on issues of the protection of children and vulnerable persons;
 - d. encourage good practice and support of procedures to protect children and vulnerable persons;
 - e. be the first point of contact for advice and support if a child or vulnerable adult protection issue arises;
 - f. ensure that reporting procedures are in place for incidents if they occur;
 - g. ensure that referral procedures are in place for affected persons;
 - h. ensure that all necessary child and vulnerable adult protection-related enquiries, procedures and investigations are carried out;
 - i. report results of screening enquiries and preserve a "need to know" level of confidentiality and access to secure records;

- j. ensure that supervising staff are aware of, and implement, procedures for the secure and confidential storage of records relating to child and vulnerable adult protection matters;
 - k. liaise with staff members to ensure implementation of the policy by all staff and volunteers;
 - l. liaise with social services at a formal and informal level on all child and vulnerable persons protection matters, and with the police / public prosecutor as necessary;
 - m. designate a person to participate in the "Protection working group" of UNHCR in all locations in Greece;
 - n. report to the Directors on the implementation of this policy;
 - o. report allegations and suspicion of abuse to the appropriate authorities;
 - p. liaise with staff members and volunteers to ensure that the activities they plan and carry out on behalf of Equal Rights are sound in terms of child and vulnerable persons' protection as regards personnel, practices, activities and premises.
 - q. regularly monitor and review the Equal Rights Child & Vulnerable Persons Safeguarding Policy.
4. The Equal Rights Directors shall ensure active compliance with this policy by all those working in Equal Rights and shall work closely with the Safeguarding Lead to ensure this, providing the Safeguarding Lead with assistance to this end. All other staff and voluntary workers of Equal Rights will actively endeavour to implement this policy.
5. The Safeguarding Lead of
- a. Equal Rights GR is Iliana Bompou: liana.bompou@equal-rights.org
 - b. Equal Rights DE is Anne Pertsch: anne.pertsch@equal-rights.org

The Deputy Safeguarding Leads are the persons respectively.

The designated directors are

- a. for Equal Rights GR: Robert Nestler: robert.nestler@equal-rights.org.
- b. for Equal Rights DE: Catharina Ziebritzki: catharina.ziebritzki@equal-rights.org

VI. DEFINITIONS OF ABUSE

1. There are different types of abuse and it is important that all staff and volunteers know what they are and how to recognise them. The following definitions are based on those from:

- Department for Education of the United Kingdom, Working Together to Safeguard Children. A guide to inter-agency working to safeguard and promote the welfare of children, July 2018, available at: <https://bit.ly/3mkRA5p> [last accessed: 28/07/2020];
- WHO & ISPCAN, Preventing Child Maltreatment. A guide to taking action and generating evidence, 2006, available at: <https://bit.ly/2VgfRxq> [last accessed: 28/07/2020];
- Office of the Public Guardian of the United Kingdom, Safeguarding Policy, November 2015, available at: <https://bit.ly/3mw1fWA> [last accessed: 28/07/2020].

a. Physical Abuse

The intentional use of physical force against a person that results in – or has a high likelihood of resulting in – harm for the person’s health, survival, development or dignity. Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a person. For children, physical harm may also be caused when a parent or caregiver fabricates the symptoms of, or deliberately induces, illness in a child.

b. Torture and other inhumane treatment

In accordance with Art. 1 of the UN Convention Against Torture (CAT) torture means ‘any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.

Inhumane treatment is treatment that is capable of severely mentally and physically harming a person and disrespecting his or her dignity.

c. Emotional Abuse

The persistent emotional maltreatment of a person, such as to cause severe and persistent adverse effects on the person’s emotional wellbeing, and in particular on children’s development. It may involve conveying to persons that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving persons opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate.

For children, it may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the

child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing frequently to feel frightened or in danger, or the exploitation or corruption of children.

d. Sexual Abuse & Exploitation

Sexual abuse is the involvement of a person in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the person is not developmentally prepared and cannot give consent. 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 persons, particularly children, 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 the internet).

e. Neglect

Neglect refers to a persistent failure to meet basic physical and/or psychological needs. This will concern children in particular. The category of neglect only applies to a failure to meet basic needs that the parent is in a position to provide for. Neglect is thus distinguished from circumstances of poverty in that neglect can occur only in cases where reasonable resources are available to the family or caregiver.

Neglect may involve a parent or carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- protect a child 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's basic emotional needs.

2. Persons can also be subjected to physical, sexual and emotional abuse but this generally holds a different significance within Greek law and social services processes. Not all forms of abuse against persons constitute a criminal offense, disclosures regarding abuse against persons do not generally warrant a breach of confidentiality (i.e. Equal Rights cannot generally report concerns about abuse against persons without the consent of the victim/survivor).

3. Additional definitions that are relevant to safeguarding children and/or vulnerable persons:

a. Domestic Violence/Abuse

Within the German and the Greek legal system, domestic violence refers to any of the following offences against a family member: physical injury; illegal violence and threat; sexual abuse, including rape; sexual harassment ("abuse in lewdness"); manslaughter by intention; fatal injury. This definition includes violence and abuse towards minors within the family.

While it is important to keep this domestic legal framework in mind, it should be noted that it defines domestic violence in quite narrow terms, and it does not enable a distinction between domestic abuse and child abuse. Therefore, Equal Rights also recognises the following (non-legally binding) definition, which should underpin our recognition and response to domestic violence:

Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 and over who are or previously had intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:

- psychological
- physical
- sexual
- financial
- emotional

Controlling behaviour is: a range of acts designed to make persons subordinate to and/or dependent on another person by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten the victim." *

This definition, which is not a legal definition, includes female genital mutilation (FGM) and forced marriage, and does not confine victims to one gender or ethnic group.

b. Forced Marriage

There is no internationally agreed definition of forced marriage, but it can be understood as a marriage where one or both people do not (or in cases of people with learning disabilities, cannot) consent to the marriage and pressure or abuse used. A forced marriage is different to an arranged marriage where families take a leading role in choosing the marriage partner, but both parties are free to choose whether to enter into the marriage or not.

Forced marriage does not constitute a specific criminal offence under Greek Law but the issue may fall under other criminal offences such as coercion through violence or the threat of force.

c. Female Genital Mutilation (FGM)

Female genital mutilation comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons. It is sometimes referred to as female circumcision, or female genital cutting. FGM practices may have a cultural basis but are medically unnecessary, extremely painful and have serious health consequences, both at the time when the mutilation is carried out, and later in life. FGM does not constitute a specific criminal offence in Greece (for Germany: § 226a StGB) but can be criminally prosecuted under the offences of bodily injury, dangerous bodily harm and bodily harm against a minor.

d. Trafficking

Article 3, paragraph (a) of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons (2000, 55/25) ('Palermo Protocol'), defines Trafficking in Persons as 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.

4. Disclosure or evidence for concern may occur in many different ways. Workers should be aware of these signs and try to recognise them. In addition to the above listed signs and definitions, staff and volunteers should also be aware of the additional risks associated with the improper use of new media including photography, videos and the internet in the abuse and exploitation of children and vulnerable persons. Staff and volunteers should follow the steps outlined under VII. to limit the opportunities for exploitation using these means whilst children and vulnerable persons are using Equal Rights services.

VII. SPECIAL CONSIDERATIONS FOR WORKING WITH PROTECTION SEEKERS

1. Laws concerning domestic abuse and child protection apply to all people equally regardless of cultural and linguistic backgrounds. However, as an organisation working with protection seekers, Equal Rights also has a duty to be aware of the particular circumstances facing our clients in their daily lives. This includes having a heightened awareness of the extreme hardships faced by many protection seekers arriving in Europe. Some of these specific considerations might include:

- **Prior exposure to violence and trauma in their home countries or on the travel route to Europe.** Many of Equal Rights clients have endured terrible violence at some point, including war, political, religious, or gender-based persecution, trafficking, and sexual violence. As a result, many clients will exhibit behaviours that could also be perceived as signs of abuse, including acting withdrawn or being reluctant to communicate, low self-esteem, sudden changes in behaviour, nightmares, or frequent bedwetting. These experiences may also mean that persons have become desensitised to violence overtime or that children no longer identify appropriate adult behaviour.
- **The impact of living conditions in Greece.** The vast majority of protection seekers in Greece live in poverty, often in unsafe or unstable conditions. On the Aegean islands, most protection seekers live in an EU Hotspot, which are notoriously deplorable. In the case of children what may be perceived as neglect—for example dirty clothing, obvious hunger, failure to treat certain medical conditions, or lack of schooling—may be a symptom of the family's lack of access to basic resources.
- **The stress and challenges of being a protection seeker.** In most cases, persons seeking services from Equal Rights are adjusting to life in a new country, where they do not speak the language, come from a different cultural context, and have limited resources. They may be cut off from their communities in their home country and at the same time feel isolated in Europe. This experience may, for example, have an effect on a parent's capacity to provide a consistently reasonable level of care for a child. For this reason, the needs of parents should also be considered when assessing the needs of a child, including helping parents access appropriate support and resources.

Even though these issues should be taken into account, safeguarding procedures must still be followed whenever implicated. However, when referrals are made, all relevant factors should be mentioned.

In addition to these contextual considerations, there are specific safeguarding concerns that often arise in the context of working with protection seekers. These include, but are not limited to:

- a. Unaccompanied minors without a state-appointed guardian.

Because of delays in the registration process, Equal Rights meets many unaccompanied minors who do not yet have a guardian to represent them in Greece. These cases always raise safeguarding concerns as the minor will likely be homeless or living in housing with unrelated adults. Unaccompanied minors are also more vulnerable to trafficking. In these cases, the staff member meeting with the client should:

 - Notify the Safeguarding Lead in order to discuss an appropriate response and next steps
 - Be on particular alert for signs of abuse or trafficking

- Ask questions about where the child is living, regardless of whether that is the specific legal issue the child came to address. It is important to remember that it is not the job of Equal Rights staff to investigate suspected abuse, neglect, or harm. However, questions about an unaccompanied minor's living conditions are relevant to his/her application for international protection. These questions should be open-ended and non-leading.
- if the child arrives to the office with an adult who is not a parent or appointed guardian, he/she should be interviewed without the adult during the first consultation.

b. Family reunification claims.

For unaccompanied minors seeking to reunite with a family member in another Member State, a best interest assessment will be a part of the legal procedure. However, in the case of spousal reunification, it is important to remember that adults have a right to independence, choice, and self-determination, including in how they choose to proceed with their applications for international protection. It is not the job of Equal Rights staff to investigate the relationship between spouses in the course of representing their claim for family reunification beyond confirming that the relationship exists. However, some cases may implicate safeguarding concerns. These include, but are not limited to:

- Suspected or reported spousal abuse where both parties nonetheless consent to reunification
- Suspected or reported abuse from a spouse visiting from another Member State
- Suspected trafficking where a child is sent alone to another Member State.

c. Self-harm and suicide ideations

People who self-harm should be considered under the Safeguarding Policy and action should be taken based on the steps outlined below. In these cases, you should remain calm, listen, and take seriously what the client has shared with you. However, it is also important to remind the client that you are not a trained therapist or psychologist, but that you may be able to help them access professional support.

d. Smuggling versus trafficking.

Most of the protection seekers Equal Rights works with have been smuggled into Greece. Trafficking differs from smuggling in that it involves an intent to exploit the victim after arrival in Greece. Therefore, you should be on alert for specific signs that an adult or child may be trafficked. These signs could include:

- A child arriving to the office with an adult who is not a close relative or parent
- A child claiming to be much older than he/she looks

- Any person who is visibly frightened by the adult he/she is with or by the prospect of returning to where they live
- Working excessively long hours or living in a place of employment
- Any person who appears to be monitored or controlled by another person who is not a close relative (including having their documents controlled by that person).

VIII. GUIDANCE ON HOW TO RESPOND TO SAFEGUARDING CONCERNS AND DISCLOSURES OF ABUSE

1. It is imperative that all staff and volunteers working to safeguard children and vulnerable persons fully understand their responsibilities and duties. Those working on Equal Rights' activities have a duty to ensure that any suspicion, incident, allegation or other manifestation relating to children and vulnerable persons protection is reported. These responsibilities and duties will be covered in Equal Rights' Safeguarding induction.
2. Where concerns relate to an allegation of abuse, staff and volunteers should think of the three R's in relation to safeguarding: **Respond, Report and Record**.

a. Respond

When a client makes a disclosure that raises safeguarding concerns:

- Be responsive, remain calm, listen and acknowledge the information you have been given. If you show anger, disgust, disbelief then the person may stop talking for fear of upsetting you or may feel that your negative feelings are being directed towards them.
- Ensure the person is in a space where they feel comfortable.
- Allow the person time to speak.
- Never interrupt or make suggestions. Avoid asking questions other than to clarify your understanding. You must never interview or investigate; this is the job of municipality social workers and/or the police; any leading questions asked might affect the outcome of any criminal procedures.
- Be honest; tell the person that you are there to support them, and as such, cannot keep what has been disclosed a secret. Make clear to the person that you are concerned, and you might need to report this information to other professionals to make a decision, in the first instance the Safeguarding Lead.
- You can reassure them that you will not share the disclosure with anyone who does not need to know.

b. Report

Staff should seek, in general, to discuss any concerns openly with the person who disclosed the abuse or an adult (parent/carer, guardian or social worker) responsible for a child or vulnerable person who is being abused, and seek their agreement to make a referral to the appropriate service. Under most circumstances, it will be the responsibility of the Safeguarding Lead to have such

a discussion and seek agreement to make a referral. The Safeguarding Lead must consider whether such a discussion and agreement-seeking might place a child or vulnerable person at increased risk of suffering significant harm. The Safeguarding Lead will respond to the staff member within 24 hours.

c. Record

As soon as practical, using an Incident Report Form (Annex 2), each member of staff who was privy to the incident should record, in writing, everything they have been told using the person's own words and include anything which gave cause for concern such as a drawing, painting, writing etc. Volunteers should be supported by the relevant staff member to provide any written reporting. These reports should be passed to the Safeguarding Lead who should, following discussion with the worker, make a referral directly to the police / public prosecutor, if appropriate.

3. Once a referral has been made, the information should only be shared with those who need to know in order to protect the child or the vulnerable person. This record of information must be signed and dated by the staff member and the Equal Rights Safeguarding Lead.
4. Our professional experience has demonstrated that it is often helpful to refer areas of certain case types to partners with greater protection expertise
 - For issues of child protection, this will typically be the Network for Children's Rights Child Protection Unit (NCRCPU), PRAKSIS or ARSIS
 - For SGBV this will typically be DIOTIMA
 - For VOT this will typically be Medicin sans Frontiers
 - For any other case types, referrals are to be discussed with and decided by the Safeguarding Lead.

Equal Rights will respectively regularly then continue with the legal representation in the according cooperation.

5. However, the decision about whether or not to refer directly to the police/Public Prosecutor must be made by the Safeguarding Lead on a case-by-case basis, in line with the best interests of the person. For children, where there are reasons to believe that a child may be at risk of significant harm, they must make an appropriate referral within 48 hours of receiving the report. If there is reason to believe that the person may be at immediate risk of harm, the Safeguarding Lead must make a referral without delay, regardless of whether or not this occurs within normal working hours.
6. If external advice and guidance is required, the Equal Rights Safeguarding Lead should contact an appropriate social work service, most likely the NCR CPU, DIOTIMA or MSF where the concern regards a child or vulnerable person. It is important that staff and volunteers remember that they may not be the only one to have concerns i.e. the

information they have may fit into a wider picture. Remember it is not the job of staff members and volunteers to decide if a child, young person or vulnerable adult has been abused. It is the responsibility of all staff and volunteers to report concerns.

7. Key messages:

- **Respond to what you hear**
- **Report. DO NOT investigate.**
- **Record the information and send to/share with the Safeguarding Lead within 24 hours.**
- **The Safeguarding Lead in turn will contact the relevant agencies or authorities immediately.**

8. Once a referral has been made, all information received by the Safeguarding Lead should be fully investigated and acted upon or referred and followed up. This may include:

- Checking agency records and gathering information;
- Speaking to the family and assessing the situation; and
- Making sure that the children in the family are safe.

Once enquiries have been completed one or more of the following might happen:

- No further action;
- Support or advice offered to the family;
- Referral to another agency for a service e.g. counselling; or
- Legal action initiated, if appropriate.

IX. GUIDANCE ON HOW TO RESPOND TO OTHER WELFARE CONCERNS

If concerns are of a more general nature concerning a child or vulnerable person's welfare, they should initially be discussed with the Safeguarding Lead. There will sometimes be concerns for families, children and young people that may not constitute a protection issue, but for which the client could benefit from additional support. Where support needs cannot be fully met by the Equal Rights team, it should be considered what services to signpost or directly refer young people and families to.

X. CONSENT OF PERSONS IN RELATION TO SAFEGUARDING

1. Many of the persons that benefit from the services of Equal Rights are over 18 and therefore legally persons. As discussed, persons may also be subjected to various abuse and exploitation, and vulnerable persons are particularly at risk. Equal Rights uses a person-centred approach which means that persons are encouraged to make their own decisions and are provided with support and information to empower them to do so. This approach recognises that persons have a general right to independence, choice and self-determination including control over information about themselves. Staff should ensure that the adult has accessible information so that the adult can make informed choices about safeguarding: what it means, risks and benefits and possible consequences. Staff

will clearly explain the various options to help support them to make a decision about their safety.

2. Persons may not give their consent to the sharing of safeguarding information for a number of reasons. For example, they may be unduly influenced, coerced or intimidated by another person, they may be frightened of reprisals or about insecure immigration status, they may fear losing control, they may not trust social services, the police or other agencies, or they may fear that their relationship with the abuser will be damaged. Reassurance and appropriate support may help to change their views on whether it is best to share information.
3. Staff should consider the following and:
 - Explore the reasons for objections – what are they worried about?
 - Explain the concern and why you think it is important to share the information
 - Tell the persons who you may wish to share their information with and why
 - Explain the benefits to them or others, of sharing information – could they access better help and support?
 - Discuss the consequences of not sharing the information – could someone come to harm?
 - Reassure them that the information will not be shared with anyone who does not need to know
 - Reassure them that they are not alone, and that support is available to them. If, after this, the adult refuses intervention to support them with a safeguarding concern, or requests that information about them is not shared with other safeguarding partners, in general, their wishes should be respected.
4. However, there are a number of circumstances where staff can reasonably override such a decision, including:
 - The adult lacks the mental capacity to make that decision – this must be properly explored and recorded in line with the relevant Greek legislation (HAPC, 2016)
 - Emergency or life-threatening situations may warrant the sharing of relevant information with the emergency services without consent
 - Other people are, or may be, at risk, including children
 - Sharing the information could prevent a serious crime
 - A serious crime has been committed
 - The risk is unreasonably high
 - Staff are implicated

In such circumstances, it is important to keep a careful record of the decision-making process. Staff must seek advice from the Safeguarding Lead except in emergency situations. Legal advice should be sought where appropriate by the Safeguarding Lead. If the decision is to take action without the adult's consent, then unless it is unsafe to do so, the adult should be informed that this is being done and of the reasons why.

5. If none of the above apply and the decision is not to share safeguarding information with other safeguarding partners, or not to intervene to safeguard the adult then the Safeguarding Lead should ensure that:
 - The adult is supported to weigh the risks and benefits of different options
 - Is made aware of the level of risk and possible outcomes
 - Is offered support to build confidence and self-esteem if necessary
 - Agree on and record the level of risk the adult is taking
 - Record the reasons for not intervening or sharing information
 - The situation is regularly reviewed

6. It is important that the risk of sharing information is also considered. In some cases, such as domestic violence, it is possible that sharing information could increase the risk to the adult. Safeguarding partners need to work jointly to provide advice, support and protection to the adult in order to minimise the possibility of worsening the relationship or triggering retribution from the abuser.

XI. SOCIAL MEDIA AND PHOTOGRAPHIES

1. Clients may only be photographed in case they or their representatives consent. For persons who are legally not capable to act on their own, this consent has to be given in writing.

2. For every post on social media that shows or makes reference to a person, their consent is needed. In the case described under 3. Alt. 2, a written consent by the person or the representative is needed.

3. Faces are, as a rule, not to be shown on any Social Media Posts. In special circumstances, showing faces can be agreed on by the Safeguarding Lead only.

XII. ALLEGATIONS AGAINST WORKERS OR MANAGEMENT

1. Allegations made against Equal Rights members staff and volunteers by fellow Equal Rights staff and volunteers
It can be difficult to report concerns about a member of the team but everyone in Equal Rights has a duty to do this. Any concern for the welfare of a child or a vulnerable person arising from suspected abuse or harassment by any member of Equal Rights should be reported immediately to the Safeguarding Lead, or where the allegation concerns the Safeguarding Lead, to the Equal Rights Director. Equal Rights will fully support anyone who, in good faith, reports concern that a colleague may be abusing a child or adult. Staff members reporting abuse are witnesses not complainants. Allegations of abuse against a member of Equal Rights staff by a member of the Equal Rights team should be recorded and reported immediately. Every effort will be made to maintain confidentiality for all concerned and consideration will be given to what support may be appropriate,

2. Allegations made by a client accessing Equal Rights (or their parent/carer) against Equal Rights team members

If allegations are made by an Equal Rights beneficiary against any person working for Equal Rights, whether paid or unpaid, the following procedure will come into force - incident reports (using the form in Annex 2) will be made at all stages as appropriate:

- a. The person who receives the allegation will immediately inform the Director(s) (or the Safeguarding Lead if the allegation is related to the Director(s))
 - b. The Director(s) should inform the person against whom an allegation has been made as soon as possible, unless it is deemed that doing so would put the complainant at risk.
3. The course of action to be taken from thereon will be decided by the nature of the allegation(s). Safeguarding Allegation Procedure - Investigation Threshold will also be used to aid decisions about what further action may be required.
- a. If a criminal allegation is made e.g. of sexual harassment or abuse, or physical assault, the Directors will immediately request an incident report (which will be treated as confidential) and will activate the Disciplinary Procedure and temporarily suspend the person from any activity in the organisation. The matter must then be, as a rule, reported to the police. The suspension will remain in force unless and until the police and/or social services confirm there was no substance to the report.
 - b. If there is no criminal allegation, the Safeguarding Lead (or a different appointed individual in the case that the allegation is made against the Safeguarding Lead) will gather as much detail from available sources of information as possible, by way of investigation.
 - c. A meeting should be conducted involving the person accused and a representative, the Safeguarding Lead and an Equal Rights Director. Minutes should be kept of the meeting. Prior to the meeting, the accused person should be informed, in writing, of the purpose of the meeting. The accused person must be treated with respect at all times; their innocence is presumed until proven otherwise. The person accused should be allowed to see the meeting minutes and asked to confirm their accuracy.
 - d. The Equal Rights Directors, with all the information resulting from the investigation and meeting must then decide on a course of action which could be either:
 - i. to treat the matter as a disciplinary issue, either as misconduct or gross misconduct, with associated rights of appeal, or
 - ii. to dismiss the allegations as unfounded or to make such other non-disciplinary recommendations as are appropriate.

- e. The decision should be communicated to the person being investigated and to the person who made the original accusation.

XIII. SAFEGUARDING WITH PARTNERS

1. All partners operating in close cooperation with Equal Rights – e.g. if a case is handled together – are expected to have their own comprehensive safeguarding policy, whilst adhering to, as a minimum, Equal Rights' guidelines, practices and standards.
2. For a sustainable cooperation, e.g. when a grant is shared or a project is conducted together, a Memorandum of Understanding shall be agreed on that fixes safeguarding standards that must not be below the standards of this policy.

XIV. COMMUNICATION

The Safeguarding Lead should give verbal notification to any team member, regarding any report that refers to him/her. This feedback is provided on a need-to-know basis, so the level of detail may vary depending on the worker's role and the issues raised.

XV. CONFIDENTIALITY & DATA PROTECTION

1. Equal Rights' Data Protection Policy fully applies to all areas described by this policy.
2. It is recalled, that any personal information gathered about a client needs a consent by the respective person.
3. It is recalled, that any personal information gathered about a client will be stored in a safe, locked cupboard or protected electronic file. Only those who 'need to know' should have access to this information. Where a client is not at risk of serious harm, their consent will be required to pass on their information to other bodies who may be able to support them.

XVI. ORGANISATIONAL LEARNING

The Safeguarding Lead will discuss any child and vulnerable adult protection issues at team meetings, including policy updates, training needs and opportunities, themes emerging from practice.

XVII. REVIEW AND IMPLEMENTATION OF THIS POLICY

The Directors and Safeguarding Lead will review this policy, its implementation, and its effectiveness annually and shall ensure that the views of all workers, paid and volunteer, are sought and reflected in such a review process, and that any external input is sought as appropriate.

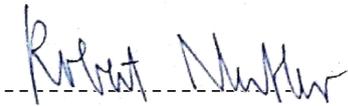
Athens & Berlin, September 2019



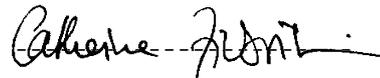
Iliana Bompou
Safeguarding Lead Equal Rights GR



Anne Pertsch
Safeguarding Lead Equal Rights DE



Robert Nestler
Administrator Equal Rights GR



Catharina Ziebritzki
Board Member Equal Rights DE

ANNEX

ANNEX 1: EQUAL RIGHTS SAFEGUARDING LEAD JOB ROLE

The Safeguarding Lead has the main responsibility for managing issues of protection of children and vulnerable persons within Equal Rights. The role and responsibilities are detailed below.

The Safeguarding Lead

1. will implement and promote Equal Rights' Safeguarding & Child-Protection Policy and Procedures;
2. undertake training on child and vulnerable persons protection and ensure that the organisation is updated on child and vulnerable persons protection issues;
3. communicate with staff and volunteers on issues of the protection of children and vulnerable persons;
4. encourage good practice and support of procedures to protect children and vulnerable persons;
5. be the first point of contact for advice and support if a child or vulnerable persons protection issue arises;
6. ensure that reporting procedures are in place for incidents if they occur;
7. ensure that all necessary child and vulnerable persons protection-related enquiries, procedures and investigations are carried out;
8. report results of screening enquiries and preserve a "need to know" level of confidentiality and access to secure records;
9. ensure that supervising staff are aware of, and implement, procedures for the secure and confidential storage of records relating to child and vulnerable adult protection matters;
10. liaise with staff members to ensure implementation of the policy by all staff and volunteers;
11. liaise with social services at a formal and informal level on all child and vulnerable persons protection matters, and with the police / public prosecutor as necessary;
12. report to Directors on the implementation of this policy;
13. report allegations and suspicion of abuse to the appropriate authorities;
14. liaise with staff members and volunteers to ensure that the activities they plan and carry out on behalf of Equal Rights are sound in terms of child and vulnerable persons' protection as regards personnel, practices, activities and premises.
15. regularly monitor and review the Equal Rights' Safeguarding & Child-Protection Policy and Procedures

ANNEX 2: CAUSE FOR CONCERN FORM

The form can be found here:

<https://web.tresorit.com/l/RKF55#dhGEQsl4qH-145FAIs9noA>

[last accessed: 12/10/2020].

ANNEX 3: EQUAL RIGHTS SAFEGUARDING CONCERN REPORTING FORM

The form can be found here:

<https://web.tresorit.com/l/RKF55#dhGEQsl4qH-145FAIs9noA>

[last accessed: 12/10/2020].

ANNEX 4: EMERGENCY CONTACTS

If you are worried that a child or a vulnerable person is at risk of being abused or neglected you should contact one of the following people:

Equal Rights Directors:

- Robert Nestler: robert.nestler@equal-rights.org
- Catharina Ziebritzki: catharina.ziebritzki@equal-rights.org

Equal Rights Safeguarding Leads:

- Iliana Bompou: iliana.bompou@equal-rights.org
- Anne Pertsch: anne.pertsch@equal-rights.org

ANNEX 5: EQUAL RIGHTS' GENERAL CODE OF CONDUCT

This code of conduct applies to all team members working or volunteering in association with Equal Rights, regardless of the location.

- I understand that as a team member of Equal Rights I represent Equal Rights inside and outside of normal operating hours. I understand that my actions outside of Equal Rights can have a negative impact on the reputation of the organisation
- I understand that all team members are to be treated equally regardless of race, age, nationality, gender, sexual orientation, gender identity, disability, cultural background or religious affiliation.
- I will comply with all relevant Greek & German laws and regulations (if you are unclear on any of these then you must consult a member of staff).
- I will observe all of the aims, objectives, and health and safety guidelines set by Equal Rights, taking care to not undermine or damage the work Equal Rights does.
- I agree not to post any comments or posts on social media that could in any way harm Equal Rights' work. This includes publication of any anonymized information on individual cases, which nevertheless makes it possible to identify individual applicants receiving legal aid services from Equal Rights.
- I agree not to contact public bodies or foreign governments to complain in the name or by mentioning Equal Rights unless this was discussed with the supervisor
- I will not allow bullying or racism to go unchecked.
- I understand that I may come into contact with confidential information during my time and work with Equal Rights
- As part of the condition of the work with Equal Rights, I undertake to keep in strict confidence any information and data regarding any client, employee, any other organization or similar that comes to his or his attention while working in the context of Equal Rights.
- Furthermore, I acknowledge that disclosure and / or dissemination of confidential information is prohibited.
- I agree to never remove any confidential material of any kind from the premises of Equal Rights unless authorized as part of my duties, or with the express permission of Equal Rights.

Date, Signed (Name)