

Safeguarding Team

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# Safeguarding Policy

March 2021

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# Safeguarding Policy Statement

The British Council is the United Kingdom's international organisation for cultural relations and educational opportunities.

In our work we meet many children and adults who are potentially at risk for a variety of reasons. We aim to create a safe environment in which no child or adult will experience harm or exploitation during their contact with us.

We will, where reasonably practicable, both follow relevant UK and International laws and standards, as well as ensuring local legal compliance.

## **The British Council is committed to:**

- valuing, respecting, and listening to children and adults, maintaining confidentiality, and acting proportionately
- maintaining strong protection systems, procedures and minimising and managing situations where abuse could occur through planning, risk assessment and safeguarding systems
- sharing safeguarding best practice and information regarding safeguarding concerns with relevant parties and involving children and adults where appropriate
- actively investigating suspected abuse

We require all staff to ensure their behaviour is consistent with this policy. We also require that clients, customers, partners and suppliers are made aware of this policy and operate within it.

We will provide adequate and appropriate resources to implement this policy and will ensure it is communicated throughout the organisation and understood by all staff

The British Council will review this global policy statement annually to reflect new legal and regulatory developments and to ensure good practice.

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## Summary

This Policy sets out the broad framework and expectations relating to safeguarding children and adults. It articulates why safeguarding is important and the actions the organisation will take to meet our responsibilities when interacting with children and adults. The policy does not cover staff concerns which are addressed under Human Resources and other organisational policies.

The British Council promotes a zero-tolerance to inaction approach to safeguarding. In practice this means that all necessary efforts must be made to comply with the Policy, irrespective of cost implications or operational inconvenience.

The British Council requires all staff to immediately report safeguarding concerns to an appropriate Manager, Safeguarding Focal Point, National Safeguarding Manager, the Global Safeguarding Team or another person named in the Raising Concerns Policy.

This policy is in line with our values, forms part of our Code of Conduct and is referred to within both to support compliance and risk management.

This policy is intended to compliment and reinforce other British Council Policies and Procedures that are relevant to Safeguarding – for example Code of Conduct, Health & Safety, Equality, Teaching Quality Standards, E-Safety and Data Protection.

The British Council will review this policy annually to reflect new legal and regulatory developments and to ensure good practice learning.

## Background

In previous years, the British Council has held child protection policies in line with existing UK and International legislation. Over time, with increased understanding of harm and abuse, the risk we hold as an organisation through the work we do in diverse contexts, and the need to provide preventive and overarching support to children and increasingly adults, the terminology has changed to safeguarding.

To reflect these changes, the Global Safeguarding Service amalgamated the Child Protection and the Adults at Risk Policies into this one document.

## Definitions

For ease of reading the Policy, and to prevent having to repeat lengthy definitions throughout, the following terms are used:

**Child:**

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In line with the United Nations Convention on the Rights of the Child (UNCRC)<sup>1</sup>, 1989, under the Policy a child is defined as anyone who has not reached their 18th birthday.

Although the national laws in countries that we work in may have different ages at which a child is considered an adult, or at which a child can give consent or is responsible, we use the definition of a child according to international law as set out in the Convention on the Rights of the Child.

**Adult:**

An adult at risk is defined as:

- any person aged 18 years or over
- who identifies themselves as unable to take care of themselves or protect themselves against significant harm, exploitation or neglect;
- or are understood to be at risk, which may be due to frailty, homelessness, mental or physical health problems, learning or physical impairments, and/or impacted by disasters or conflicts.

**Staff:**

The term staff applies to all those working in an individual capacity with the British Council, irrespective of the contract used. This includes paid and unpaid staff and volunteers engaged on a one off, short- or long-term basis. It also covers consultants and contracted temporary personnel. Staff applies equally to national, international and UK personnel.

**Partners, Suppliers & Contractors:**

The terms ‘partners, suppliers and contractors’ relate to all those who we have a contract or agreement with to provide goods, services or collaboration. There may be a financial or alternative benefit, but this is not essential. It includes implementing partners who carry out work on our behalf and other stakeholders with whom the British Council may establish a working relationship, such as Ministries and Donors/Funders.

**Safeguarding:**

In the context of this Policy, ‘safeguarding’ does not mean preventing accidents (covered by our Health and Safety Policy) or making sure that a child’s rights (as defined in the United Nations Convention on the Rights of the Child) and human rights as defined in the Universal Declaration of Human Rights are fully implemented. Instead we are referring specifically to the protection of children and adults from abuse.

**Child Abuse**

The British Council uses the definition of abuse endorsed by the World Health Organization<sup>2</sup> :  
‘Child abuse’ or ‘maltreatment’ constitutes all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in

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<sup>1</sup> The United Nations Convention for the Rights of the Child is the international framework which sets out the specific rights of children, including the right to protection. Over 190 countries are signatories to the Convention

<sup>2</sup> For further information see [www.worldhealthorganization.org](http://www.worldhealthorganization.org)

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actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power'.

## Adult Safeguarding

Safeguarding adults means protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to both prevent and responding to risks and experience of abuse or neglect, while at the same time making sure the adult's well-being is promoted, including where appropriate, having regard to their views, wishes, feelings and beliefs in deciding any action.<sup>3</sup>

Safeguarding adults at risk involves reducing or preventing the risk of significant harm in relation to neglect or abuse, while also supporting people to maintain control of their own lives.

## Introduction

The definitions of safeguarding that guide our work in the British Council, are taken from the statutory guidance below:

- Safeguarding children as defined in [Working Together to Safeguard Children 2018](#)
- Safeguarding adults at risk as defined in the [Care and Support Statutory Guidance](#) issued in the Care Act 2014

For the British Council there are major challenges in both developing and implementing a Safeguarding Policy because of the number of countries and different contexts we work in and the diversity of our operations. It is recognised that at country level, teams will have to identify how to fulfil the requirements of the Policy, given the local operating conditions and legalities.

**This policy is mandatory and must be applied in all situations where the British Council, or our partners, work.**

The British Council has a zero-tolerance inaction approach to safeguarding. In practice this means that all necessary efforts must be made to comply with the Policy, irrespective of cost implications or operational inconvenience.

Where it is not possible to comply with the Policy (for example if there are laws governing employment which affect local recruitment practices or for security reasons), this must be brought to the attention of the Global Safeguarding Team so an appropriate alternative course of action can be agreed. **Failure to do so would be a breach of this Policy.**

Our Policy considers two levels of intervention:

- **PREVENTATIVE** – to reduce the likelihood of a child or an adult being harmed or abused.

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<sup>3</sup> Care Act (DH, 2014a) <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>

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- **REACTIVE** – taking actions to ensure that where concerns are raised or situations of suspected harm or abuse are identified, appropriate action is taken to ensure the child, or an adult is supported and to prevent similar situations occurring again.

## Cultural Sensitivity

The British Council aims to work in ways which are culturally sensitive and respect the diverse nature of the people and locations in which we work. We recognise that there are many ways of taking care of and protecting children and adults, and we will seek to safeguard them in ways which are culturally sensitive and appropriate to the context.

However, we believe that everyone matters everywhere in the world and that culture must never be used as a reason or excuse to abuse children or adults.

It is acknowledged that protecting children and adults within the legal framework required of the British Council as a UK based organisation, and as articulated in this Policy, while being culturally sensitive can be a difficult balancing act, as understandings of what is harmful may differ.

The Global Safeguarding Team should be consulted for further guidance as necessary.

## Purpose

To ensure that the British Council exercises its duty of care to safeguard children and adults.

## Scope

All staff globally are expected to comply with this policy.

The policy covers partners, contractors and suppliers, and is also relevant for those with whom we engage for example children, parents and communities, to act in accordance with this policy.

In cases where we are not the lead partner (i.e. we are not funding), then it is expected that we will encourage and advocate for our partners to either follow the British Council Safeguarding Policy or develop their own.

## Principles

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There are several key pieces of legislation and guidance that inform the principles underpinning this policy, and our practice in relation to safeguarding children and adults, these include:

- The Children Act 1989
- United Nations Convention on the Rights of the Child 1989
- The Children Act 2004 & 2007
- Working Together 2018
- The Care Act 2014
- Human Rights Act 1998
- Keeping Children Safe in Education 2020

The following section outlines our principles and values when safeguarding children and adults.

## Children

- **Best interests of the child** are paramount and shall be the primary consideration in our decision making.
- **Respect for children's rights**, including the right to protection and the right to participate in decisions affecting their lives, as enshrined in the United Nations Convention on the Rights of the Child, 1989.
- **Equality of opportunity** to ensure that all children can enjoy our activities safely regardless of their gender, ability, race, ethnicity, circumstances or age. Vulnerable children require particular attention in order to optimise their safety and protection and promote their access to opportunities.
- **Consultation** with children and their families regarding the implementation of the Policy and procedures developed to support its implementation.
- **Cultural sensitivity and recognition of local context** in decision making and in informing our procedures.
- **Accountability and being responsible** in order to meet our obligations regarding our duty of care towards children and acting where we believe that a child is at risk or has been harmed.
- Working in an **honest and transparent** way by informing those we work with, including children, about our Safeguarding Policy, and explaining how we work to safeguard children.
- **Ensuring confidentiality** to protect sensitive personal data. Information will only be shared and handled on a need to know basis - access to information must be necessary solely for the conduct of official duties.



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- **Working together to safeguard children** both across the British Council and with other organisations. This includes law enforcement and specialist child welfare agencies where necessary.

## Adults

- **Empowerment**

People are supported and encouraged to make their own decisions and informed consent.

*“I am asked what I want as the outcomes from the safeguarding process and this directly inform what happens.”*

- **Mitigation**

The British Council has engaged in developing a range of tools / approaches in order to identify and mitigate potential risk - which will be disseminated to all strategic business units to ensure a universal understanding and approach is adhered to.

*“Tools and frameworks will be disseminated to the appropriate managers to ensure the identification and management of risk”.*

- **Proportionality**

The least intrusive response appropriate to the risk presented.

*“I am sure that the professionals will work in my interest and they will only get involved as much as is necessary.”*

- **Protection**

Support and representation for those in greatest need.

*“I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want.”*

- **Respond Quickly**

Services offer local solutions through working closely with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.

*“I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me.”*

- **Accountability**

Accountability and transparency in delivering safeguarding.

The above principles are in line with and supported by the British Council Values. These values govern our decision making, organisational culture and behaviours and our dealings with external contacts and underpin how we implement this policy.

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## British Council Values

The British Council has six corporate values arranged in three pairs:

- Open and committed
- Expert and inclusive
- Optimistic and bold

## Preventative Actions

The key to safeguarding is abuse prevention. It is widely recognised that organisational awareness and good practice can promote positive staff actions, reduce opportunities for offending and enable earlier detection and response to safeguarding concerns. Design, development and delivery of programmes and projects that have not appropriately and proactively assessed safeguarding risk can negatively impact children and adults who may directly or indirectly be harmed as a result of our activities.

The following areas outline the ways in which this policy will be implemented across the organisation, in addition to the systems in place to support abuse prevention, so that children and adults are not harmed during their contact with British Council

## Roles and Responsibilities

Across the organisation, there are specific roles that have named and defined responsibilities to support corporate strategy, risk management and ensure effective implementation of Safeguarding Policies and Procedures. The Global Safeguarding Team will be responsible for developing procedures and guidance available to all staff and partners, which articulate how the organisation will put the Policy into action and will be accessible through the [Global Safeguarding Intranet site](#). This will be further supported by training and upskilling designed and delivered by the Global Safeguarding Team.

## Standards

Safeguarding Standards informed by legal requirements and best practice benchmarks have been developed by the Global Safeguarding Team. They provide consistency in the mitigation of risk across the organisation and describe what British Council operations should have in place in order to prevent abuse and to respond to incidents appropriately. More information on the Safeguarding Standards can be found on the [Global Safeguarding Intranet site](#).

## Risk Mapping, Self-Audit & Action Plans

[www.britishcouncil.org](http://www.britishcouncil.org)

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To support prevention mechanisms, the Global Safeguarding team have developed a system which helps countries understand and monitor safeguarding risks within their contexts and implement measures according to the Safeguarding Standards, to reduce the likelihood of incidents occurring. This is achieved and implemented through the Safeguarding Risk Mapping, Self-Audit & Action Plans.

On an annual basis, upon request and using a format set out by the Global Safeguarding Team, every country must conduct a safeguarding risk mapping exercise through the submission of information on the type of work being undertaken in relation to activities with children and adults; enabling us to have a clearer understanding of our risk exposure.

Additionally, every country and Strategic Business Unit (SBU) at corporate level must undertake a self-audit of Safeguarding, to measure progress in implementing the Safeguarding Policy and identify gaps in Safeguarding. The audit should be prepared by the Safeguarding Focal Point/National Safeguarding Manager, in conjunction with other key staff, and reviewed by the Global Safeguarding Team. After review, audits must be signed off by the relevant Country Director or SBU Lead.

All countries and corporate level SBUs must prepare an annual Action Plan, which sets out what actions they need to take in order to ensure adequate abuse prevention measures are in place. The plan must detail any action necessary to implement the Safeguarding Policy as identified in the annual Safeguarding Self Audit. The Safeguarding Action Plan must be agreed with the Global Safeguarding Team and signed off by the relevant Country Director or SBU Lead.

## Integrating Safeguarding

Safeguarding must be integrated and actively managed into new and existing business activities, processes and systems to promote and mainstream abuse prevention throughout the British Council. Safeguarding must be considered from the outset, during product design and development and all planning stages. Special consideration to safeguarding must be given when working with children and adults in difficult and challenging locations (such as conflict areas) or where children and adults may be especially vulnerable (for example due to young age, disability, race, culture or sex) in order to ensure that all risks are adequately considered and addressed.

Risk management and compliance are crucial to ensuring we meet our responsibilities to protecting children and adults. The Global Safeguarding Team has developed several resources , which can be accessed through our [Global Safeguarding Intranet site](#), to support teams across the organisation.

## Information and Training

In order to ensure the effective implementation of the Safeguarding Policy into action, following appointment, all staff, partners and contractors will be given training on our Safeguarding Policy. While the British Council has a responsibility to ensure training and education is provided in

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accordance with the Policy, all staff have an individual responsibility for accessing and participating in such training.

All staff should be provided with a copy of the Safeguarding Policy and given the name and contact details of their local Safeguarding Focal Point.

All partners, suppliers, contractors and customers (including children, adults and parents who participate in projects and programmes) should be made aware of the existence of our Safeguarding Policy and provided with copies on request. This should include advice about who to contact if they have a concern / allegation or a complaint.

The Safeguarding Global Policy Statement should be translated into local languages where appropriate using a format that is suitable for the context and placed where it can be easily seen/located by service users.

## Advice and Support

All staff have access to advice and support regarding the integration of safeguarding within business activities, implementation of the Safeguarding Policy or its applicability. Resources and guidance necessary to support the implementation of the policy are available on the [Global Safeguarding Intranet site](#) . In cases where staff have specific safeguarding concerns or need further assistance, they should contact their local Safeguarding Focal Point or the Global Safeguarding Team.

In addition, country offices through the Safeguarding Focal Point or National Safeguarding Manager should identify and establish links with local safeguarding and law enforcement agencies that can provide specific information and guidance on safeguarding according to the local legal, cultural and operating context.

## Responding to Allegations and Concerns

As a UK based organisation working overseas, in addition to local legislation, the British Council has specific legal and regulatory obligations under UK and International law as specified in the Principles section. This relates to the protection of children and adults in all countries we work in and the expectations we place on our partners, contractors and suppliers. Additionally, the Charity Commission made reporting safeguarding incidents a regulatory requirement in 2014; failure to report could result in regulatory action.

Therefore, the British Council has a duty of care to ensure we respond appropriately to situations of actual or suspected abuse/harm both from within and outside the organisation. That we promote the best interests of children and adults. We prevent reoccurring situations arising in the future and ensure our compliance with all legal and regulatory requirements in relation to any crimes that may have been committed.

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**Everyone shares responsibility for safeguarding and promoting the welfare of children and adults and for supporting the implementation of this policy, irrespective of individual roles.**

In addition, some post holders, such as managers and those with additional safeguarding responsibilities, will have specific responsibilities as described in their role profile, deliverables, the responsibility and accountability framework as well as in this policy.

Irrespective of role or function, all those working for or on behalf of the British Council, in any capacity, have a responsibility to:

- Report all allegations or concerns about actual or suspected incidents of abuse involving a child(ren) or adult(s) who is a beneficiary or service users of the British Council.
- Report all allegations or concerns about actual or suspected incidents of abuse involving a child(ren) or adult(s) even if they are not known to the British Council (for example a sibling of a child or adult attending a British Council Teaching Centre).
- Report all allegations or concerns about actual or suspected staff misconduct or criminal activity involving the abuse of a child(ren) or adult(s).
- All allegations or concerns must be treated with confidentiality and shared on a need to know basis.

It is not the responsibility of staff to decide whether abuse has taken place. All staff, however, have a mandatory duty to report any concerns – even where these are vague and are only a suspicion or ‘intuition’ that something is not right.

No staff member can agree to keep information regarding actual or suspected abuse ‘private’ as a personal confidence.

The British Council is not an investigative authority, and therefore where appropriate referrals will be made to relevant social welfare/statutory and law enforcement agencies. The British Council will seek agreement to making a referral from the child and their parents/guardians or the adult unless this places them at increased danger/risk of harm. In such cases the decision to refer without this consent will be made in conjunction with the Global Safeguarding Team.

The No Harm principle will also be applied in all cases where there is a need for a referral to an external statutory agency.

To report an allegation or concern, contact your Safeguarding Focal Point, National Safeguarding Manager or the Global Safeguarding Team. More information on reporting procedures can be found on the [Global Safeguarding Intranet site](#).

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# Accountability, Monitoring and Evaluation

## Accountability

Accountability for the implementation of the Safeguarding Policy at country level rests with the Country Director. Within SBUs and support department functions, such as English and Exams, Cultural Engagement, HR etc., accountability at regional level rests with Regional Heads of SBUs and at corporate level with the SBU Directors in the UK.

Ultimate accountability for Safeguarding within the British Council globally rests with the Board of Trustees.

All breaches of the Safeguarding Policy will be considered as serious and action taken.

## Resources

Each country, region and SBU shall set aside appropriate financial and human resources to ensure the effective implementation of the Safeguarding Policy. The British Council requires that *'all necessary measures [are taken] to achieve compliance, regardless of cost'*.

## Other Monitoring Mechanisms

Country Directors and SBU Leads may be required to provide information regarding the implementation of the Safeguarding Policy through other reporting and monitoring mechanisms established by the British Council – such as Internal Audit, Risk reporting and Business Continuity plans.

In addition to internal monitoring mechanisms, the implementation of this Policy is also subject to external monitoring and reporting to relevant bodies such as the Charity Commission and FCDO.

## Review of Safeguarding Policy

Responsibility for reviewing and updating the Safeguarding Policy lies with the Global Safeguarding Team. This Policy will be reviewed annually, to ensure it continues to meet legislative, regulatory requirements and best practice. It is subject to approval by the British Council Trustees and will be put to the Trustees for approval following each review.

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