

Safeguarding Policy

February 2021

ClientEarth

Charity No. 1053988

Company No. 2863827

1 Introduction

ClientEarth ("the Charity") is a charitable organisation dedicated to work on protecting the environment through advocacy, litigation and science. The Charity and its Trustees are committed to providing a safe and trusted environment for our beneficiaries, all staff and volunteers. Safeguarding children, adults at risk and all staff and volunteers is an important priority for the Charity's Trustees.

This policy applies to all Trustees, employees, interns, consultants, volunteers, sub-grantees, programme delivery partners and anyone working on behalf of the Charity.

Unless otherwise stated, for the purposes of this policy, all references to "staff" or "a member of staff" should be interpreted as meaning all Trustees, employees, interns, consultants and volunteers at the Charity. A copy of this policy will be supplied to all staff on induction, and to the Charity's sub-grantees and programme delivery partners as appropriate. Children, parents and adults at risk are informed of this policy as appropriate.

As an advocacy, litigation and scientific organisation focusing on the environment, the Charity has limited direct contact with vulnerable beneficiaries: its staff are predominantly based in London with offices in Brussels, Warsaw, Madrid, Beijing, Berlin, Los Angeles, Luxembourg and Singapore. The Charity's work does not normally bring them into contact with children or adults at risk; the Charity only employs individuals aged 18 and over; it rarely offers work experience to individuals aged under 18; and it does not currently employ or engage the services of any adults at risk.

There may be other circumstances in which vulnerable beneficiaries are brought into direct contact with the Charity. For example: staff do occasionally attend schools to deliver sessions to school children about the Charity's campaigns. These staff are supervised by school staff at all times while in school; it is possible that an adult at risk may work for or volunteer for the Charity from time to time. The Charity will very occasionally offer work experience to children; and a staff member may come into contact with children or adults at risk as a result of his or her work overseas.

The purpose of this policy is to:

- Provide the overarching principles that guide our approach to safeguarding;
- Ensure all those who work for or engage with the Charity understand and are supported in raising concerns and in meeting their safeguarding responsibilities;
- Ensure we have procedures in place to prevent and respond appropriately to safeguarding concerns.

2. General principles and definitions

The safety and welfare of everyone affected by the Charity's activities, especially vulnerable beneficiaries such as children¹ or adults at risk², is of paramount importance.

No child or adult at risk should be treated less favourably than others in being able to access services which meet their particular needs. The Charity is committed to equality and diversity and believes that everyone has the right to protection from abuse regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. Furthermore, and although we are not legally obliged to publish a statement on this under the Modern Slavery Act 2015, we want to acknowledge that we recognise modern slavery and human trafficking are incompatible with our values and support the UK governments objectives to eradicate such activities.

Safeguarding children and adults at risk means protecting:

- the rights of adults to live in safety, free from abuse and neglect;
- children from maltreatment; preventing impairment of health or development; ensuring they are growing up in circumstances consistent with the provision of safe and effective care; and taking action to enable them to have the best outcomes. We believe all children have equal rights to protection and acknowledge that some children face particular risks and difficulties in getting help, because of their ethnicity, gender, age, religion, disability and sexual orientation.

Abuse can take many different forms, including physical, sexual, emotional and financial abuse and neglect. It can take place online and in person, and can be carried out by someone known to the person being abused, or by a stranger. Human trafficking, sexual and economic exploitation and radicalisation are all forms of abuse. This policy draws on the following:

- Article 19 of the United Nations Convention on the Rights of the Child (1989) states parties must *"take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child;"*³
- The World Health Organisation describes child maltreatment as including *"all forms of physical and emotional ill-treatment, sexual abuse, neglect, and exploitation that results in actual or potential harm to the child's health, development or dignity;"*⁴

¹ Any individual aged under 18

² Any individual who is or may be in need of community care services by reason of mental disability, sensory impairment, age or illness; and who is or may be unable to take care of him/herself, or unable to protect him/herself against significant harm or exploitation.

³ The United Nations Convention on the Rights of the Child (1989), https://downloads.unicef.org.uk/wp-content/uploads/2010/05/UNCRC_united_nations_convention_on_the_rights_of_the_child.pdf?_ga=2.109431622.2128705043.1512489565-2014218003.1512489565

⁴ The World Health Organisation, http://www.who.int/topics/child_abuse/en/

- The National Society for the Prevention of Cruelty to Children (NSPCC) and the National Health Service (NHS) in the United Kingdom provide comprehensive definitions of abuse and neglect on their websites⁵.

3. Governance of safeguarding

The Board of Trustees is collectively responsible for ensuring that the Charity's safeguarding systems comply with relevant legislation and guidance, are robust and up to date. Safeguarding is a standing item on the Board agenda and is included in every CEO report to the Board.

4. Safe recruitment

The Trustees are committed to safe recruitment, selection and vetting of all Trustees, staff and volunteers, and particularly those who may come into contact with children or adults at risk. We do this by ensuring that our safe recruitment procedures comply with relevant legislation and guidance (see below). Please see our recruitment policy for further details.

5. Training

To ensure an organisational culture that prioritises safeguarding, the Charity will ensure all staff, sub-grantee and programme delivery partner organisations understand that abuse in any form is unacceptable. It does this by raising awareness of this policy amongst staff, sub-grantee and programme delivery partners and by arranging and delivering ongoing training to staff.

The Charity's Trustees have all undergone safeguarding training on their responsibilities as Trustees.

The Charity's Safeguarding Lead, deputy Safeguarding Lead and senior staff (including the Director of HR) have all undergone face to face safeguarding training delivered by an external safeguarding expert. These staff will be required to update their training regularly.

All members of staff at the Charity receive a safeguarding briefing on induction and are required to carry out online safeguarding training.

6. Behaviour code

All individuals to whom this policy applies have a duty to safeguard the welfare of all vulnerable beneficiaries who are affected by the Charity's activities. All individuals should:

- avoid: one to one or unnecessary physical contact with children and adults at risk and any behaviour which might be misinterpreted by others or make others feel unsafe or uncomfortable, and report and record any incident with this potential.

⁵ <https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/> and <https://www.nhs.uk/conditions/social-care-and-support/vulnerable-people-abuse-safeguarding/>

- always: commit to and contribute to an environment which respects the rights of adults and children to be safe; treat everyone with respect; respect a person's right to privacy; recognise and allow for the needs of people with learning difficulties and/or disabilities; be watchful for, and aware of, signs that a child or adult at risk may be in need of additional help, suffering or likely to suffer harm and report any concerns in accordance with this policy.

Breach of this code may lead to disciplinary action.

7. Reporting a concern or allegation

Where a member of staff (this includes volunteers and Trustees, as defined above) has a concern:

- that a child may be being abused or at risk of harm;
- that an adult at risk may be being abused or at risk of harm; or
- that an adult working with children or adults at risk (whether at the Charity, a school or a sub-grantee or programme delivery partner) may pose a risk of harm to those children or adults at risk:

they should contact the Charity's Safeguarding Lead or, in her absence, deputy Safeguarding Lead, immediately either face to face, through the safeguarding hotline or through the safeguarding email detailed below:

Contact details:

Safeguarding Lead – Paul Richards

Deputy Safeguarding Lead: James Thornton

Safeguarding Hotline: +44 (0)30 3050 5979

Safeguarding Email address: safeguarding@clientearth.org

Subject to the below, the above rule applies regardless of where the concern or allegation arises and where the child or adult lives.

The exceptions to the above rule are:

- Where the concern relates to a pupil or member of staff of a school in the United Kingdom, the Charity's member of staff should normally raise the concern with the school's Safeguarding Lead in the first instance (unless to do so would put a child at further risk of harm), and with the Charity's Safeguarding Lead shortly thereafter. Where in doubt, staff should seek advice from the Charity's Safeguarding Lead.
- Where the concern is about the Charity's Safeguarding Lead or Deputy Safeguarding Lead, it should be reported to the Charity's Chair Howard Covington - howard@covingtonfamily.uk

8. Responding to a concern or allegation

The Safeguarding Lead and, in her absence, the deputy Safeguarding Lead, will take all concerns and allegations of abuse seriously and will respond appropriately to these. Where the concern relates to a

Classification: **Internal**

child or adult in the United Kingdom, this may require a referral to children's social care services, adult's safeguarding services, the Local Authority Designated Officer (LADO) and occasionally the police.

The Safeguarding Lead must report all allegations of abuse against staff working in the United Kingdom to the LADO within 24 hours of the allegation coming to light. An allegation may relate to a person who works with children who has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

Where the Charity becomes aware of a concern or allegation of abuse relating to a member of staff working overseas, or an adult working for a programme delivery partner or sub-grantee based overseas, referrals may need to be made to relevant local agencies. The Safeguarding Lead will take advice on the most appropriate course of action in order to ensure the safety of children and adults at risk who come into contact with the Charity outside the United Kingdom.

The Trustees will be informed of all allegations of abuse involving a member of staff (as defined above) at the Charity, a sub-grantee or programme delivery partner.

The Trustees will make serious incident reports to the Charity Commission where necessary and appropriate in accordance with Charity Commission guidance.

9. Reporting a concern about bullying or harassment of staff

Charity staff are entitled to work in an environment that is safe, secure and free from harassment and abuse. The Charity has a number of policies in place to support this and these are detailed below as well as in the Staff Handbook. If a staff member is concerned that another staff member may be harassing or bullying another staff member, or making others feel unsafe or uncomfortable, they should speak to the Director of Human Resources or HR Manager.

10. Work experience

Every work experience student is assigned a supervisor who is responsible for the young person's placement, which includes ensuring that the young person is provided with as safe and supportive an environment as is possible. All supervisors are appropriately briefed in advance and provided with basic child protection training to them where possible and appropriate. All employees and volunteers who will come into contact with work experience students are appropriately briefed and asked to help to create as safe and supportive an environment as possible.

On the first day of their placement, work experience students receive an induction from a member of the HR team or the Health & Safety Manager. This includes:

- an explanation as to what steps the young person should take if they have a concern, including about a member of staff or child;

- a summary of the key points they should be aware of from the safeguarding policy, including from the behaviour code; and
- a health and safety and emergency procedures briefing.

A risk assessment is also carried out.

11.Roles and responsibilities

Trustees, staff and volunteers

All Trustees, staff and volunteers shall:

- Read, understand and adhere to this and related policies, and act in accordance with the behaviour code;
- Attend or complete mandatory training on safeguarding; and
- Report safeguarding concerns in accordance with this policy.

The Safeguarding Lead and deputy Safeguarding Lead

Paul Richards (Director of Human Resources) is the individual at the Charity with responsibility for overseeing safeguarding matters (Safeguarding Lead), and James Thornton (the Charity's CEO) will be his deputy (Deputy Safeguarding Lead).

The Safeguarding Lead, supported by the Deputy Safeguarding Lead, shall:

- Take lead responsibility for safeguarding throughout the Charity;
- Receive and respond appropriately to safeguarding concerns that are raised, in accordance with this policy and with their training;
- Keep a record of safeguarding concerns and ensure they are stored securely;
- Share information where necessary to safeguard vulnerable beneficiaries, in accordance with the Charity's data protection responsibilities, and record information that is shared, with whom and for what purpose;
- Ensure the relevant statutory agencies in the United Kingdom (including children's services, the police and the Charity Commission) and/or other relevant authorities in the different countries in which we operate are notified as appropriate.

Director of Human Resources

The Director of Human Resources shall ensure that staff complaints raised under the grievance, anti-discrimination and harassment and bullying policies are investigated in accordance with the provisions laid down in those policies and the appropriate action taken.

Partners, sub-grantees

In the course of its business, the Charity will interact with a variety of third parties such as partner organisations or sub-grantees. We are committed to raising awareness of this policy amongst these third

parties and will seek reassurance of safeguarding commitments from our sub-grantees and programme delivery partners, offering support where required.

12. Review

This policy is reviewed, approved and endorsed by the Board of Trustees annually or when legislation changes.

13. Contact details

- **Safeguarding Hotline:** +44 (0)30 3050 5979
- **Safeguarding email address:** Safeguarding@clientearth.org
- James Thornton, deputy safeguarding lead: jthornton@clientearth.org
- Local Authority Designated Officer (LADO) of Hackney LADO@hackney.gov.uk or 020 8356 8982
- And from March 2021, Islington, LADO@islington.gov.uk or 020 7527 8102.

14. Other relevant policies

Providing a safe workplace and working environment, which is free from harassment, bullying or exploitation is covered in the Charity's policies and procedures on:

- Recruitment, Selection and Induction
- Anti-bullying and Harassment (Staff Handbook)
- Health and Safety (Staff Handbook)
- Complaints (Staff Handbook)
- Grievances (Staff Handbook)
- Whistleblowing
- Partner Due Diligence