

International Development Committee Inquiry into Sexual exploitation and abuse in the aid sector: next steps

Written submission on behalf of Bond, 19 August 2020

1. Introduction

- 1.1. Bond is the UK network for organisations working in international development and the humanitarian sector. We have over 400 members, ranging from small specialist charities to large international NGOs with a world-wide presence. Bond is a charity registered in England and Wales, as are most of our members.
- 1.2. Since March 2018, Bond has worked with members, government and regulatory bodies to help ensure organisations are equipped to prevent sexual exploitation, abuse and harassment across the international development sector. In this time, Bond has also convened safeguarding working groups to define and propose specific initiatives that could contribute to better safeguarding practice in areas of accountability to beneficiaries and survivors, leadership and culture, the employment cycle and reporting and complaints mechanisms.
- 1.3. Each working group was chaired by two senior experts, the safeguarding co-chairs group, who were tasked with progressing the delivery of specific projects, as agreed with the Safeguarding Unit at the Department for International Development (DFID). Four of the safeguarding co-chairs gave evidence in this inquiry in an oral evidence session on 16 July 2020 and have written to the International Development Committee (IDC) on 14 July 2020, to outline their role.
- 1.4. Bond, the safeguarding co-chairs and the working groups have worked closely with DFID's Safeguarding Unit since March 2018. We welcome the Safeguarding Unit's continued leadership and collaboration with the sector to deliver change in safeguarding practice and the prevention of sexual exploitation and abuse (PSEA) in our sector.

2. Summary of progress

- 2.1. Since 2018, we have seen that significant and vital progress has been made towards developing better safeguarding practice in the UK NGO sector: within individual organisations, through delivery of sector-wide projects of the safeguarding working groups and co-chairs, and as a result, across the NGO sector. For example:
 - 2.1.1. The NGO working group on leadership and culture has finalised a tool to support leaders in developing and modelling a positive safeguarding culture. All parties participating in the safeguarding response – NGOs, the private sector, government, the UN – have recognised the primary importance of organisational culture and leadership in the prevention and elimination of SEA incidents. Leaders are in positions of power in their organisations and so have a fundamental responsibility in establishing and maintaining an organisational culture that is conducive to safeguarding best practice. It is not enough for organisations to meet minimum compliance standards; organisations need to live and breathe a safeguarding culture.
 - 2.1.2. The NGO working group on the employment cycle has conceptualised and driven the development of three crucial initiatives that will help ensure perpetrators are kept out of the aid sector and prevent incidents from happening: the Misconduct Disclosure Scheme; the aid worker registration scheme; and measures to improve criminal record checks internationally. All three initiatives have made significant progress (the Misconduct Disclosure Scheme was launched in 2019, the aid worker registration

scheme completed a mapping of existing ID-style systems and commissioned a legal review, which is under consultation; and a pilot project has been developed with INTERPOL, which is at inception phase), and are now at a stage where DFID's Safeguarding Unit supports their scale up. NGOs remain a driving force in progressing all three initiatives, providing specialist advice and support to the Safeguarding Unit's scale up efforts.

- 2.1.3. The working group on reporting and complaints mechanism has published several resources to support the sector to develop better practice: [a reporting toolkit](#), outlining core elements of any reporting mechanism; a set of [case studies](#), illustrating how these elements apply practically in different situations; and a set of [safeguarding definitions](#). The group has also published guidance on "[Safeguarding governance for UK boards of trustees](#)". Since publication in 2019, these resources have been accessed close to 10,000 times.
- 2.1.4. Bond has seen significant demand for safeguarding training, guidance and resources, as have sister networks in Scotland, Wales and Northern Ireland. Since March 2018, Bond has provided safeguarding training to over 650 individuals from more than 180 organisations. Our [safeguarding resource library](#), which includes [safeguarding-, whistleblowing- and related policy templates](#), the [sector commitments](#) and other safeguarding guidance, has been accessed over 45,000 times in the same period.
- 2.1.5. Developing guidance, providing resources and training individuals on good safeguarding practice are essential to ensure organisations have the knowledge, expertise and confidence to prevent and respond to safeguarding incidents.
- 2.2. Initial responses to Bond's safeguarding survey (due to close on 31 August) also suggests practice has improved and that this is making a difference to communities, victims and survivors: 89% of the over 90 respondents to date stated they have seen progress towards better safeguarding practice in their organisation. More than half of the respondents stated that these improvements are also having a positive impact on communities, victims and survivors. Bond will continue to survey members on this issue, and we hope we will see continued progress in this area.
- 2.3. We have seen a significant culture change in how safeguarding is approached in the UK NGO sector: in the last two years, effective safeguarding has become and remained an urgent and indispensable priority for NGOs, demonstrated by the high level of engagement of NGOs and their commitment and determination to learn and share knowledge and expertise. Bond alone has had a total of over 800 participants join our safeguarding conferences, seminars, workshops and community of practice meetings and webinars. The safeguarding working groups and co-chairs have come together at over 100 meetings to progress work that helps addressing safeguarding challenges, and Bond and the safeguarding co-chairs have spoken at numerous conferences to further engage the sector on safeguarding. This is not an exhaustive list and does not include the work done to drive better practice amongst other development actors outside the Bond network, and it also does not reflect the substantial amount of time individual organisations have dedicated to improving their own safeguarding practice. It does however demonstrate the scale of the commitment from NGOs to get safeguarding right.
- 2.4. Despite these efforts, safeguarding and the prevention of sexual exploitation and abuse remain work in progress: the challenges are complex and nuanced, and effective safeguarding mechanisms in one programme may not be replicable in the same way in another. For example, the risks facing a small NGO working with a local partner on a set number of projects are inevitably different from those a large NGO working in a joint

humanitarian response may face, or those present in UN peacekeeping missions. It is important to note these differences: while all organisations must ensure the communities they work with are safe from sexual exploitation and abuse, how this is achieved or how progress can be measured will also differ.

3. Support for victims and survivors

- 3.1. Bond has provided support to members to ensure their safeguarding policies and processes facilitate reporting of safeguarding incidents. The reporting toolkit, case studies and definitions that were published by Bond on behalf of the reporting and complaints working group sets out 20 core elements of report-handling, including how organisations can ensure their processes are accessible and survivor centred and how to ensure a timely and sensitive response to reports or concerns. It recommends how reporting mechanisms can encourage reporting by victims and survivors, by providing a range of reporting mechanisms that are context appropriate and by including ways to bypass those usually responsible for receiving reports. It also provides example strategies to address differential power, including community representation and regular outreach and awareness raising activities. Initial feedback from members suggests these resources have helped improve their reporting mechanisms.
- 3.2. Some evidence suggests there is an increase in the number of safeguarding incidents reported, for example, DFID's annual report 2019/2020 shows that the number of safeguarding incidents reported to DFID by partners has increased (from 73 in 2017/18, to 260 in 2018/19 and 452 in 2019/20). However, despite this evidence, further research is needed on factors that influence reporting of incidents in different countries, cultural or operational contexts, as well as on who is most likely to disclose incidents and to whom. Such research is crucial so organisations can effectively tailor procedures to reduce risks of harm and further encourage victims and survivors to speak up, based on evidence and research.

4. Speaking up

- 4.1. In the past two years, increased resources have been dedicated to the development of policies, systems and structures, providing a sound platform for reports to be sensitively and effectively handled and responded to.
- 4.2. A vital next step is to ensure that these new systems reach marginalised people in the communities in which NGOs are working and that equally investment goes towards prevention, rather than waiting for people to speak up when the damage has been done.
- 4.3. Many NGOs have worked to better understand how feedback mechanisms can be improved. For example, Oxfam recently published research on "Factors influencing misconduct reporting" in three countries ([Ghana](#), [Iraq](#), [Myanmar](#)) as well as a [meta-analysis](#) of all three countries. The research highlights that existing threats and vulnerabilities, a preference for community resolution, prevailing negative culture norms (such as victim-blaming), and a lack of awareness around accountability lines all impact on reporting of safeguarding incidents. The research is incredibly valuable to understand existing barriers to reporting in those context and further research is key to understand what feedback mechanisms are most effective in different context or countries.
- 4.4. When working to address safeguarding in different country contexts, reporting mechanisms must be designed based on norms and customs of communities – with an understanding of what members of the community want to report, how they would report, and what the

potential social consequences of reporting are. Community participation in designing reporting mechanisms is key to ensure they are effective and used.

- 4.5. Evidence also shows that initiatives need to be grounded in understanding of the local context and work with local resolution mechanisms, challenging harmful norms and practices and building on positive ones. Initiatives need to be built with a strong understanding of power dynamics at play in a given community (gender, social status, political power, financial power, etc.). When developing these solutions organisations need to listen to people's lived experiences of abuse and exploitation and hear their ideas about how to keep safe and challenge abuse and exploitation. Programmes need to help build people's awareness of the rights they have not to be abused and the mechanisms they can use to prevent and report abuse. Systems must be built that are accessible to the people, in languages they understand, and delivered with and by people they trust. If we truly want to ensure we reach marginalised people, we need to invest in these areas and connect them with the systems and structures that have been developed since 2018. We do not feel there has been sufficient investment from DFID in this area yet.
- 4.6. DFID's enhanced due diligence checks on safeguarding requires that organisations must have a whistleblowing policy, which protects whistleblowers from reprisals and includes clear processes for dealing with concerns raised.
- 4.7. DFID is planning to publish a synthesis of findings from the central safeguarding enhanced due diligence assessments, including whistleblowing as one of the six areas that the assessments looked at. We would welcome further insight from DFID on the effectiveness of whistleblowing policies of organisations, gained through their synthesis of findings. Further research in this area could also provide a better understanding of the role whistleblowers play in surfacing sexual exploitation and abuse incidents and how reports made by intermediaries compare to reports made by victims or survivors of sexual exploitation and abuse, to help inform organisations' practice.
- 4.8. Bond listened to the concerns highlighted in the IDC's past inquiries that not enough focus had been placed on ensuring whistleblower protection to date. As a result, we have increased our support to members in areas in which we have expertise, such as sharing knowledge and learning. Over the last year, we have:
 - 4.8.1. Collaborated with the whistleblowing charity Protect and encouraged members to take part in a benchmarking pilot, so organisations better understand their whistleblowing frameworks and potential gaps.
 - 4.8.2. Disseminated findings from Protect's pilot report across the Bond membership, to further raise awareness of issues faced by whistleblowers and what organisations can do to protect whistleblowers.
 - 4.8.3. Dedicated a session at our Safeguarding for Development conference to whistleblowing. This included presentations on the regulatory framework, key principles of good whistleblowing practice and risks organisations must be aware of. Speakers included academics and practitioners with whistleblowing expertise, as well as two whistleblowers.
 - 4.8.4. Continued to disseminate Bond's whistleblowing policy template, which is available for organisations to use or adapt. The policy template includes a clear statement on the organisation's commitment to non-retaliation against staff members who report any malpractice concerns (including safeguarding) and a clear statement of action against anyone found to be victimising another individual for using the whistleblowing procedure, or deterring them from reporting genuine concerns under it. While we are

unable to track individual downloads for this policy template, overall, Bond's policy templates have been accessed over 27,000 times since July 2018.

- 4.9. From this engagement with members, we have learnt that effectiveness of whistleblowing mechanisms is closely linked to positive cultures that encourage speaking up, something that is also highlighted in DFID's helpdesk review on "Effectiveness of whistleblowing approaches".
- 4.10. While it is essential that individual organisations ensure their policies explicitly protect staff who disclose wrong-doing, this is not the same as having legislation that comprehensively protects whistleblowers without loopholes or gaps. There is protection of whistleblowers in the UK through the Public Interest Disclosure Act 1998 (PIDA), now incorporated into the Employment Rights Act 1996. Despite this, the UK government should consider adopting key areas of the new EU Directive on whistleblowing, for example, broadening whistleblowing protection to include a wider range of people.

5. Culture change

- 5.1. The co-chairs of the working group on leadership and culture have developed a tool for leaders to help them understand what a positive safeguarding culture looks like and what role they play in creating and maintaining such a culture within their organisation. It provides indicators of a safe culture and behaviours leaders must model to help ensure their organisations are safe. The content of the tool was finalised in 2019 and the group has since worked with DFID and potential digital suppliers on possibilities to develop it into a digital tool that can be widely disseminated and used by the sector.
- 5.2. We know the DFID Safeguarding Unit is committed to this work, but funding for the tool to be finalised has taken several months to be agreed and has been delayed further as a result of the merger of DFID and the FCO. This is now going ahead with plans for finalisation in December 2020.
- 5.3. From the development of the tool and our engagement with the sector on the tool we have learnt that there is significant interest in the tool and desire from organisations to move beyond safeguarding compliance to organisations that have safe cultures. Safeguarding is not just about responding well to incidents but is primarily about creating organisations where all individuals feel safe to participate equally.
- 5.4. The extent to which lower level safeguarding concerns are being reported often indicates how much of a positive 'speak up' culture exists within an organisation. This is not data that is currently collated across the sector and research into this could inform the safeguarding culture work moving forward.
- 5.5. Culture change takes time and is difficult to measure – it requires continued and sustained effort from leaders. Given that no organisation has formally used the tool yet (other than as part of the development and piloting process), we have an opportunity for funded research with a clear baseline that would provide invaluable information about the effectiveness of the tool and how it could be improved to support the sector in making positive cultural change. Research into this area is desperately needed and we would ask the new Foreign, Commonwealth and Development Office (FCDO) to consider investing in such research.

6. Accountability

- 6.1. Progress is important in all different areas of safeguarding. One key opportunity presented by sector wide collaboration is to stop incidents from happening in the first place, by preventing perpetrators entering the sector undetected through the employment cycle initiatives. For example, the Misconduct Disclosure Scheme has already demonstrated it is

- having an impact: it has been used in over 3,000 recruitments and 34 individuals were rejected at the final stage of recruitment based on information shared through the Scheme.
- 6.2. Expectations from DFID's Safeguarding Unit on standards and requirements must continue to apply in the new FCDO. These expectations should be reflected in clear, but nuanced, language in grant agreements and contracts, including a zero-tolerance approach to inaction on safeguarding concerns raised. The new FCDO must continue to hold organisations to account, including those that are found to have insufficient policies and practices in place to detect, prevent, and tackle abuse and this must be proportionate to the context and organisation. But the new department must also ensure it provides an environment in which organisations have opportunities to learn from incidents and adapt and improve their practice as a result. For example, a fear of loss of funding may discourage reporting of incidents, or disproportionate due diligence requirements may direct resources away from delivering services or prevent organisations working with smaller, less well-resourced partner organisations with vital contextual knowledge and expertise.

7. New department

- 7.1. Bond and members are concerned that the merger of the Foreign and Commonwealth Office (FCO) and DFID has the potential to undermine the progress made in recent years by DFID and the Safeguarding Unit.
- 7.2. Fast progress has been made possible because of the political will to make it happen. We would recommend that the FCDO, under the leadership of the Foreign Secretary, should make safeguarding in aid and development a political priority.
- 7.3. The Safeguarding Unit should also remain as a department within the new FCDO, so the UK can continue to lead and convene the international aid sector to drive better practice. Initiatives funded by the Safeguarding Unit should continue as planned, however, it is vital that the new department focusses on positive impact, rather than process alone.
- 7.4. The new department must ensure that it is funding core safeguarding effectively in its grant and contracting processes. Over 83% of respondents (to date) in Bond's safeguarding survey said they would like the new department to protect funding for safeguarding in contracts and grants. DFID has required some organisations to cover the organisational costs of safeguarding from within overhead payments, while also applying rules on Value for Money. NGOs and civil society organisations are under considerable financial pressure due to the Covid-19 pandemic. To ensure that the important work continues in a way that protects all stakeholders, we would like to see a clear commitment from the new department on recognising and resourcing core safeguarding costs appropriately, either through overhead rates or an encouragement to include safeguarding clearly in budget lines.
- 7.5. The new department must continue to play a leading role in ensuring the delivery of commitments made by donors at the October 2018 safeguarding summit and use its position to drive further improvements in the prevention of sexual exploitation and abuse beyond the UK NGO sector. It should also work closely with the Charity Commission, to ensure safeguarding standards are consistent and clear guidance is provided on regulatory requirements.
- 7.6. Research is needed to move beyond anecdotal evidence about safeguarding risks and incidents and to further inform what works in tackling sexual exploitation and abuse. The new department is well placed to commission research on the prevalence of safeguarding incidents and effectiveness of response to incidents.

- 7.7. Bond will continue to support members with transforming safeguarding practice in the sector, and we would welcome continued collaboration with the new department to help drive this change.

8. Key recommendations

- 8.1. The new department must continue to play a leading role in ensuring the delivery of commitments made by donors and other stakeholders at the October 2018 safeguarding summit and use its position to drive further improvements in the prevention of sexual exploitation and abuse beyond the UK NGO sector.
- 8.2. The new FCDO must continue to hold organisations to account, including those that are found to have insufficient policies and practices in place to detect, prevent, and tackle abuse. But it must also ensure it provides an environment in which organisations have opportunities to learn from incidents and adapt and improve their practice as a result. A fear of loss of funding may discourage reporting of incidents, or disproportionate due diligence requirements may direct resources away from delivering services or prevent organisations working with smaller, less well-resourced partner organisations with vital contextual knowledge and expertise.
- 8.3. Research is needed to move beyond anecdotal evidence about safeguarding risks and incidents and to further inform what works in tackling sexual exploitation and abuse in different contexts. The new department is well placed to commission research on the prevalence of safeguarding incidents and effectiveness of response to incidents.
- 8.4. In the past two years, increased resources have been dedicated to the development of policies, systems and structures, providing a sound platform for reports to be sensitively and effectively handled and responded to. A vital next step is to ensure that these new systems reach marginalised people in the communities in which NGOs are working and that equally investment goes towards prevention, rather than waiting for people to speak up when the damage has been done. This requires long-term investments built into programme structures, rather than one-off or ad hoc funding for specific initiatives. We do not feel there has been sufficient investment from DFID in this area yet.
- 8.5. Some evidence suggests there is an increase in the number of safeguarding incidents reported and many NGOs have worked to better understand how feedback mechanisms can be improved. However, further research is needed on factors that influence reporting of incidents in different countries, cultural or operational contexts, as well as on who is most likely to disclose incidents and to whom. Such research is crucial to understand what feedback mechanisms are most effective in different context or countries and to further encourage victims and survivors to speak up, based on evidence and research.