Special Olympics Indonesia Policy on the Safeguarding of Children and Vulnerable Adults

1. Policy Statement

Special Olympics Indonesia (SOIna) believes that everyone we come into contact with has the right to be protected from abuse, neglect, exploitation and violence regardless of their age, sex, sexual orientation, gender identity, race, ethnic or national origin, religion or belief, disability, health or any other status.

SOIna recognises that children and vulnerable adults with disabilities are first and foremost children or adults with individual personalities, preferences and requirements, and have the same right to be free from abuse, exploitation or any form of harm as their peers.

SOIna acknowledges that athletes with intellectual disabilities can be particularly vulnerable to abuse, exploitation or harm and accepts responsibility to take appropriate steps to ensure their safety and welfare.

SOIna has zero tolerance for abuse, exploitation or harm against children or vulnerable adults by anyone who works for or on behalf of **SOIna**, at all levels or in any capacity. Everyone is expected to always uphold the highest standards of personal and professional conduct.

SOIna commits to creating a positive, supportive and inclusive environment for all athletes involved in our sports programmes and activities, ensuring that they can safely participate in these programmes and activities.

2. Policy Objectives

The purpose of this Safeguarding Policy is to support all **SOIna** personnel recognise, respond to and report any safeguarding concerns, by:

- Explaining the nature of safeguarding and ensuring everyone understands their roles and responsibilities in respect of safeguarding
- Identifying the potential for a safeguarding incident to occur and taking steps to reducing risks
- Recognising abuse, exploitation and harm, and ensuring appropriate procedures are in place to address them
- Working in partnership with personnel, athletes, parents/guardians and partners to support the promotion of welfare, health and development of all
- Demonstrating safe recruitment procedures
- Providing personnel with training and support to ensure they have the knowledge and skills to identify and respond to signs of abuse, exploitation or other safeguarding concerns
- Ensuring safeguarding processes support response to suspicion, disclosure of allegations of abuse, exploitation or harm in line with this Policy, as well as implementing, where appropriate, the relevant investigation, and disciplinary procedure.

3. Scope of application

This Policy applies to all **SOIna** personnel. **SOIna** personnel refers to persons representing **SOIna**, or acting on **SOIna**'s behalf, or those who may be perceived by athletes to be doing so. These include **SOIna** National principal office bearers[1], province, city, regency, SOIna Clubs programmes, staffs, volunteers, officials, team managers, coaches, youth leaders, partners, consultants, interns and students on work experience, and the like. This Policy also applies to service providers or contractors engaged by **SOIna**.

4. Definition of Safeguarding

Safeguarding refers to **SOIna's** responsibility to protect children and vulnerable adults from abuse, exploitation and harm arising from them coming into contact with **SOIna**.

For the purposes of this Policy, and in line with the UN Convention on the Rights of the Child (1989), and the Programn Child Act, 2001 (Act 611), reference to a child means every human being below the age of 18 years. A vulnerable adult refers to anyone over the age of 18 years, which may be by reason of disability, unable to protect themselves from abuse, exploitation or harm.

5. Categories of abuse and harm

SOIna personnel should be aware that abuse, harm and safeguarding issues are rarely stand-alone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.

Abuse can take various forms and includes all kinds of physical, emotional/psychological/verbal, and sexual abuse, neglect and negligent treatment, violence and exploitation, whether it is inflicted in person or online.

Refer to Annex 1 for further elaboration of these categories

6. Legislative Guidance

This Policy is based on the principles of the UN Convention on the Rights of the Child, UN Convention on the Rights of Persons with Disabilities, and on National law through the:

- The Law on Child Protection Number 35 of 2014, Physical abuse; Article 54 (1), Article 59 (2), Article 69;
- The Law on Child Protection Number 35 of 2014, Sexual harassment is addressed; Article 1 (15a), Article 9 (1a), Article 15, Article 54 (1), Article 59 (2), Article 66, Article 69A, Article 76I;
- The Law on Child Protection Number 35 of 2014, Neglect: Article 1 (15a), Article 59 (2), Article 71, Article 76B;
- The Law on Child Protection Number 35 of 2014, Exploitation: Article 59 (2), Article 66, Article 76I.

All action taken as part of this Safeguarding Policy shall follow international standards and relevant national legislation where there may be local statutory requirements that must be fulfilled.

[1] Principal office bearers at the National level refers to the "Board of Committee"

Safeguarding Framework

7.1 Safeguarding Focal Points

SOIna shall appoint a Designated Safeguarding Lead at the national level to ensure that this Safeguarding Policy is implemented and followed within **SOIna**. This person will also liaise with Safeguarding Focal Points at the State level.

All State Programs will be encouraged to identify at least one person to act as a Safeguarding Focal Point. The role of the Safeguarding Focal Point is to act as a point of contact, and to advise, support and assist **SOIna** in the implementation of this Safeguarding Policy and associated procedures, including in response to specific cases and concerns.

Refer to Annex 2 for Proposed Roles and Responsibilities of Safeguarding Focal Points and other stakeholders

7.2 Code of Conduct

SOIna shall develop a Code of Conduct which outlines the rules of appropriate and proper conduct and behaviour when working with children and vulnerable adults. All **SOIna** personnel shall be provided with a copy of the Code of Conduct as part of their induction, and are required to read, understand and abide by the Code of Conduct.

Refer to Annex 3 for the Code of Conduct on Protecting and Safeguarding Children and Vulnerable Adults

7.3 Safe Recruitment Procedures

SOIna shall ensure that persons who are unsuitable to work with children and vulnerable adults, or who may pose a risk to them, or who are disqualified from working with children and vulnerable adults are not appointed to minimise the risks of safeguarding concerns being committed by **SOIna** personnel.

SOIna shall screen all prospective personnel to disqualify candidates where:

- S/he was subject to a disciplinary separation from **SOIna** or any other entity for a relevant safeguarding concern, or separated while under investigation for such a concern and was not subsequently cleared
- The selection process, such as reference checks or interview questions, reveal relevant safeguarding concerns
- Self-disclosure or personnel records from other employers or regulatory bodies reveal safeguarding concerns
- A criminal conviction for an offence that involved a safeguarding concern has been discovered or disclosed
- There is other evidence of an unacceptable risk to children or vulnerable adults, or lack of commitment to safeguarding in line with this Policy

SOIna requires anyone expected to have direct contact with children through our programmes and activities to provide a letter of 'Clearance from Sexual Offence of the Designated Person' that can be obtained from the Department of Social Welfare.

Volunteers who provide one-off, fully supervised support shall not be safety checked in line with this Policy and procedures. Instead, they will always work alongside, and be supervised by, our fully inducted staff and volunteers.

SOIna shall not encourage anyone to start working with children and vulnerable adults until all safe recruitment processes, background checks and inductions and training sessions on the Safeguarding Policy have been completed.

Refer to Annex 4 for details of the Safe Recruitment Checklist

7.4 Induction and Training

SOIna shall hold mandatory induction and safeguarding trainings for all **SOIna** personnel, which among other things, describe **SOIna's** safeguarding obligations and how to recognise, report and respond to safeguarding concerns. These trainings will be held annually. A signed log of those attending will be kept by the Safeguarding Focal Point.

SOIna at the national level shall provide training and support to identified Safeguarding Focal Points at the State level who are subsequently responsible for training staff, volunteers and other personnel, and ensuring processes are implemented within their respective Province, City, Regency and SOIna Club.

7.5 Cooperative Arrangements

SOIna contracts and partnership agreements with service providers and contractors shall include a standard clause requiring their personnel to commit to a zero-tolerance policy for abuse and exploitation, and to take measures to prevent and respond to safeguarding concerns.

The failure of those entities or individuals to take preventive measures, report, respond to, investigate safeguarding allegations by their personnel, or to take corrective action when abuse or exploitation has occurred, shall constitute grounds for termination of any cooperative arrangement.

7.6 Reporting Concerns

All **SOIna** personnel have a duty to immediately report all safeguarding concerns and any allegations of suspected abuse, exploitation or harm against children or vulnerable adults. If you are unsure if is a safeguarding matter, you should seek guidance from your Safeguarding Focal Point.

SOIna shall have safe, confidential, and accessible channels for personnel, beneficiaries and communities, including children and vulnerable adults, to report safeguarding concerns or allegations, and shall ensure that children and vulnerable adults are aware of these.

The following actions should be taken by **SOIna** personnel when there is any concern or disclosure about the welfare of a child or vulnerable adult:

- All concerns of suspected abuse or wrongdoing against children or vulnerable adults must be reported to the State Safeguarding Focal Point, or Designated Safeguarding Lead either in person, by telephone, or via email
- Where a child or vulnerable adult is at immediate and significant risk of harm or there is a crime being committed, you should notify the police, and/or seek emergency medical assistance without delay. Thereafter, you should immediately notify the State Safeguarding Focal Point or Designated Safeguarding Lead. Failure to notify the relevant national authorities on abuse, exploitation or harm against children is an offence that may be subject to legal action.

SOIna personnel shall not investigate allegations themselves.

Recording Concerns and Information Sharing

When a safeguarding concern has been identified or raised, this shall be recorded and documented appropriately via the Safeguarding Incident Reporting Form within 24 hours. This form should be sent to provide email address of safeguarding lead or designated person in the Program,.

Reported allegations can be made anonymously to **SOIna**, however enough information must be provided in the form to enable **SOIna** to review the matter meaningfully.

SOIna shall ensure that all concerns raised will be taken seriously and responded to in accordance with this Safeguarding Policy and the procedures established under this Policy.

Protection from Retaliation

SOIna maintains a zero-tolerance policy for retaliation against anyone for reporting concerns of suspected abuse or wrongdoing, assisting in making a complaint, or participating in an investigation.

Anyone who makes a good-faith complaint, assists, testifies, or participates in any investigation or proceeding or who reasonably opposes such conduct will not be adversely affected in the terms and conditions of his or her employment or assignment and will not be discriminated against or discharged for engaging in such activity.

Complaints of retaliation will be promptly investigated by **SOIna**. If retaliation is substantiated, appropriate disciplinary action, including possible dismissal, will be taken.

Refer to Annex 5 for Guidelines on Responding to a Disclosure, Annex 6 for Incident Reporting Form, and Annex 7 for the Complaints Handling Procedure

Confidentiality

SOIna shall make every effort to maintain confidentiality throughout the complaints process and of the documents to which it would gain access, including to ensure:

- Information that identifies individuals involved in a complaint will be limited to essential personnel (need-to-know basis) and will not be shared further without obtaining the express consent of those involved, except if **SOIna** one's life is at risk, a child is at risk, or as required by law in consultation with legal counsel and where safe to do so
- Non-identifying information will be shared as per reporting requirements
- Individuals involved in the complaints process will be made aware of the importance of confidentiality.
- Information will be stored in a secure place with limited access to designated people, in line with data protection laws.

7.6 Referrals and Victim Assistance

SOIna shall refer child and vulnerable adult victims of abuse, exploitation and harm to relevant service providers to ensure that they receive professional assistance and support, as part of intervention and recovery process, based on their needs and informed consent.

SOIna at national and province levels shall keep an updated list of local service providers that include but are not limited to:

- Paediatric and medical care providers (e.g., hospitals, health clinics)
- Social workers
- Women and child protection agencies
- Child psychologists and psychiatrists
- Legal assistance services, including legal counselling, legal representation, etc.

Refer to Annex 8 for Referral Pathway and Annex 9 for Referral Form

7.7 Investigation

SOIna shall ensure that a process for investigation is in place to investigate all safeguarding concerns and allegations of suspected abuse, exploitation or harm against children and vulnerable adults by **SOIna** personnel promptly, according to this Safeguarding Policy and procedures, and local legal and statutory obligations.

Investigations shall be carried out in a manner that is timely, fair, objective and as far as is practicable, confidential.

Refer to Annex 10 for Investigation Procedure

Ramifications of Misconduct

SOIna shall be entitled to apply disciplinary measures, pending investigation of a personnel found in breach of this Safeguarding Policy and/or Code of Conduct, such as temporarily suspending the personnel until the complaint has been satisfactorily addressed, or reassigning the personnel to roles that does not have direct contact with children or vulnerable adults, and s/he shall be subject to direct supervision while on duty

Abuse, exploitation or significant harm to children and vulnerable adults constitute acts of gross misconduct and shall be grounds for termination of employment, contract or volunteer assignment. **SOIna** may also refer the case to the relevant national authorities for appropriate action, including criminal prosecution.

Breaches of this Policy and/or Code of Conduct that do not amount to gross misconduct may be the subject of administrative measures, such as a written reprimand, reference in a performance evaluation report, remedial training, or the like.

Such punishments shall be given in writing and an official record kept of the occurrence in the personnel database of disciplinary measures.

Substantiated malpractice or failure of a National/Provinces Program to follow due process, ensure the implementation of the outcomes and recommendations of an investigation shall result in the expulsion of the State Program/National Program.

Refer to Annex 4e for the Database of Disciplinary Measures

7. Monitoring

The **SOIna** National Director will monitor the implementation of this Safeguarding Policy and procedures. The effectiveness of this Policy shall be reviewed every two years. This Policy shall also be formally evaluated by SOAP or an external auditor every three years.

DOCUMENT MANAGEMENT INFORMATION	
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Responsible Owner	**SOIna** National office/Program Office.

Annex 1

Categories of Abuse and Harm

Abuse is the mistreatment of an individual that causes, or is likely to cause, harm to the individual. A person can abuse a child/vulnerable adult by inflicting harm themselves or by failing to prevent harm from being inflicted by someone else. Children/vulnerable adults may be abused by people who are known to them, either in a family environment or in an institutional or community setting. Alternatively – but more rarely – they may be abused by strangers, e.g., over the internet. They may be abused by an adult or adults or by another child or children.

Children and adults with disabilities can face stigma and discrimination and that they are at a higher risk of abuse and harm. Girls with disabilities, in particular, will experience discrimination and disadvantage on account of their age, gender and disabilities. The intersectionality puts girls with disabilities at even further risk of harm and abuse.
Abuse can take various forms and includes all kinds of physical, emotional/psychological/verbal, and sexual abuse, neglect and negligent treatment, violence and exploitation, whether it is inflicted in person or online.

A. Physical abuse

Definition: A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child/vulnerable adult. Physical harm may also be caused when a parent or guardian fabricates the symptoms of, or deliberately induces illness in a child/vulnerable adult.

Possible signs/examples: (These are not exhaustive)

- bite marks
- unusual/unexplained bruises or marks on skin, particularly on fleshy parts or where a child/vulnerable adult is not touched for support purposes
- lacerations
- burns or scalds
- fractures
- inappropriate clothing for the weather

According to the Law on Child Protection Number 35 of 2014:

Article 54 (1):
Children within and around educational units must be protected from acts of physical violence, psychological abuse, sexual crimes, and other offenses committed by educators, education personnel, fellow students, and/or other parties.

Article 59 (2):
Special protection for children as referred to in paragraph (1) shall be provided to:
(i) Children who are victims of physical and/or psychological violence.

Article 69:
Special protection for children who are victims of physical and/or psychological violence as referred to in Article 59 paragraph (2) letter i is carried out through the following efforts:
a. Dissemination and socialization of the provisions of laws and regulations that protect children who are victims of acts of violence; and
b. Monitoring, reporting, and the imposition of sanctions.

B. Emotional abuse

Definition: The persistent emotional maltreatment of a child/vulnerable adult such as to cause severe and adverse effects on the individual's emotional development. It may involve conveying to a child/vulnerable adult that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child/vulnerable adult opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children/vulnerable adults. These may include interactions that are beyond a child's/vulnerable adult's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child/vulnerable adult from participating in normal social interactions. It may involve seeing or hearing the ill-treatment of another.

It may involve serious bullying (including cyberbullying), causing children/vulnerable adults frequently to feel frightened or in danger, or the exploitation or corruption of children/vulnerable adults. Some level of emotional abuse is involved in all types of maltreatment of a child/vulnerable adult, although it may occur alone.

Possible signs/examples: (These are not exhaustive)

- Delay in a child's emotional and social development
- Low self-esteem and anxiety
- Withdrawal from others
- Self-harming
- Highly aggressive towards others
- Compulsive nervous behaviours
- Excessively apologises for their disability

Sexual abuse

Definition: Involves forcing or enticing a child/vulnerable adult to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child/vulnerable adult is aware of what is happening. The activities may involve physical contact, including assault by penetration or non-penetrative acts. They may also include non-contact activities, such as involving children/vulnerable adults in looking at sexual images, watching sexual activities, encouraging children/vulnerable adults to behave in sexually inappropriate ways, or grooming a child/vulnerable adult in preparation for abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Possible signs/examples: (These are not exhaustive)

- Abdominal pain, difficulty walking or sitting
- Unexplained pain or swelling in genitals or mouth
- Changes in normal behaviour
- Self-harming, threatening or attempted suicide
- Drawings that show sexual acts
- Displays of sexual knowledge beyond what would be normal for a child of their age or maturity level
- Sexually orientated play with others, toys or themselves
- Flinching from adult contact

According to the **Law on Child Protection Number 35 of 2014**,
Sexual harassment is addressed

Article 1 (15a):
Violence is any act against a child that results in physical, psychological, or sexual suffering or hardship, and/or neglect, including threats to commit acts, coercion, or unlawful deprivation of liberty.

Article 9 (1a):
Every child has the right to protection in educational settings from sexual crimes and violence committed by educators, education personnel, fellow students, and/or other parties.

Article 15:
Every child has the right to protection from:
f. sexual crimes.

Article 54 (1):
Children within and around educational institutions must receive protection from acts of physical violence, psychological abuse, sexual crimes, and other crimes committed by educators, education personnel, fellow students, and/or others.

Article 59 (2):
Special protection as referred to in paragraph (1) is provided to:
d. Children exploited economically and/or sexually;
j. Children who are victims of sexual crimes.

Article 66:
Special protection for children exploited economically and/or sexually as referred to in Article 59 paragraph (2) letter d is carried out through:
a. Dissemination and/or socialization of the provisions of laws and regulations related to the protection of children exploited economically and/or sexually;
c. Involvement of various companies, labor unions, non-governmental organizations, and the community in eliminating child economic and/or sexual exploitation.

Article 69A:
Special protection for children who are victims of sexual crimes as referred to in Article 59 paragraph (2) letter j is carried out through:
a. Education on reproductive health, religious values, and moral values;
b. Social rehabilitation;
c. Psychosocial assistance during treatment and recovery;
d. Provision of protection and assistance at every level of investigation, from inquiry and prosecution to court proceedings.

Article 76I:
No one is allowed to place, allow, commit, order to commit, or participate in the economic and/or sexual exploitation of children.

Child grooming is a process when a person engages in predatory conduct to prepare a child or young person for sexual activity at a later time. Child grooming is an offence in INDONESIA under the - *Law on Child Protection Number 35 of 2014*

C. Neglect

Definition: The persistent failure to meet a child's/vulnerable adult's basic physical and/or psychological needs, likely to result in the serious impairment of their health or development. Neglect may occur during pregnancy, for example as a result of maternal substance abuse. Once a child is born, neglect may involve a parent /guardian 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/vulnerable adult's basic emotional needs.

Possible signs/examples: (These are not exhaustive)

- CHILD/vulnerable adult is constantly hungry
- Weight issues/Malnourishment
- Poor personal hygiene
- Frequently or inadequately supervised for long periods of time
- Drowsiness
- Untreated illnesses or physical complaints
- Sustained and repeated absences from school
- Cries easily and frequently
- Displays aggressive and challenging behaviour

According to the Law on Child Protection Number 35 of 2014,

Article 1 (15a):
Violence is any act against a child that results in physical, psychological, or sexual suffering and/or **neglect**, including threats of such acts, coercion, or unlawful deprivation of liberty.

Article 59 (2):
Special protection for children as referred to in paragraph (1) is provided to:
m. Children who are victims of mistreatment and neglect.

Article 71:
Special protection for children who are victims of mistreatment and neglect as referred to in Article 59 paragraph (2) letter m is carried out through efforts of **monitoring, prevention, care, counseling, social rehabilitation, and social assistance.**

Article 76B:
No person is allowed to place, allow, involve, or instruct a child to be involved in situations of mistreatment and **neglect**.

D. Bullying

Bullying is a hurtful behaviour that is intentionally aggravating and intimidating, repeated over a period of time by an individual or a group of persons, where it is difficult for those being bullied to defend themselves. Bullying can take the following forms: 1) Physical e.g., hitting, kicking, pushing, punching, extortion or any other actions that cause hurt or injury; 2) Verbal e.g., teasing, making racist remarks, spreading rumours, threatening or name-calling, jeering, sneering that ridicule or humiliate; 3) Emotional e.g., rejection, excluding or isolating a child/vulnerable adult from activities or segregation especially by peer group; or 4) Harassment e.g., using abusive, insulting or manipulative behaviour in a manner intended to cause embarrassment, alarm or distress. Bullying may occur in person or indirectly via mediums such as email, text and social media.

Child on child abuse/Peer or peer abuse can manifest itself in many ways. This can include but is not limited to: bullying, cyberbullying, sexual violence, sexual harassment, being coerced to send sexual images (sexting), teenage relationship abuse and physical abuse.

E. Exploitation

Sexual exploitation is defined as the act of employing, using, persuading, inducing, enticing or coercing a child/vulnerable adult to engage in sexually explicit conduct for the purpose of producing visual depictions. Actual acts that are considered sexual exploitation of a child/vulnerable adult include indecent touching or exposure of or to a child/vulnerable adult, use of sexually explicit language towards a child/vulnerable adult, involvement of a child/vulnerable adult in pornography, showing a child/vulnerable adult pornographic material, early forced marriage, rape, incest or sexual slavery.

According to the Law on Child Protection Number 35 of 2014,

Article 59 (2):
Special protection for children as referred to in paragraph (1) is provided to:
d. Children who are exploited economically and/or sexually.

Article 66:
Special protection for children exploited economically and/or sexually as referred to in Article 59 paragraph (2) letter d is carried out through:
a. Dissemination and/or socialization of the provisions of laws and regulations related to the protection of children who are economically and/or sexually exploited;
c. Involvement of various companies, labor unions, non-governmental organizations, and the public in eliminating child economic and/or sexual exploitation.

Article 76I:
No person is allowed to place, allow, commit, order to commit, or participate in the economic and/or sexual exploitation of a child.

Annex 2
Roles and Responsibilities

The Board of Committee of **SOIna** and is ultimately accountable for the Safeguarding of Children and Vulnerable Adults Policy.

The President of the Board of Committee is responsible for the implementation of the Policy.

At the National level, the National Director is ultimately responsible for the implementation of the Policy and associated procedures and responsible for the oversight of the same throughout the level. The National Director also serves as the National Designated Safeguarding Lead.

Personnel	Roles and Responsibilities
Board of Committee	• Responsible for embedding a safeguarding culture throughout the organisation • Lead in developing and establishing the organisation's approach to safeguarding children and vulnerable adults • Ensure the organisation's safeguarding standards are consistently met, maintained and improved
National Designated Safeguarding Lead	• Responsible for overseeing the implementation of the Safeguarding Policy and procedures to safeguard athletes in the organisation • Work with others within the organisation to create a safe and positive environment for athletes to participate in sports and activities • Serve as the national focal point of contact for internal and external stakeholders • Establish partnerships with local authorities and civil society organisations with expertise in child welfare, health, law enforcement, etc., so that information is available if an incident occurs or external advice is needed, or referrals need to be made • Advise and represent the organisation in matters relating to safeguarding • Review and update the Safeguarding Policy
Admin	• Conduct screening as part of recruitment process of personnel • Ensure all personnel sign the organisation's Code of Conduct • Ensure personnel receive induction/refresher training on safeguarding • Integrate a safeguarding clause in cooperative agreements

	• Support communication with personnel during investigation of safeguarding allegations • Keep safeguarding-related documents of personnel on file, including signed Codes of Conduct • Ensure confidentiality is maintained at all times in your own role and those of others
All Personnel	• Read, sign and abide by the Code of Conduct and Safeguarding Policy • Actively participate in safeguarding-related trainings and awareness-raising efforts, including support for dissemination of safeguarding materials • Report safeguarding concerns, or allegations of abuse, exploitation and harm through the designated reporting channels • Participate in investigations of safeguarding allegations as appropriate • Identify and mitigate programme risks (particularly for personnel involved in programming)

Annex 3
Code of Conduct for the Protection and Safeguarding of Children and Vulnerable Adults

The purpose of this Code of Conduct is to set out the conduct expected of **SOIna** personnel, while working with or on behalf of the organization. The Code of Conduct is applicable at all times. Breaches of the Code of Conduct are grounds for disciplinary action, up to and including dismissal.

By signing this document, I agree:

- To read and comply with **SOIna's** Safeguarding Policy and this Code of Conduct
- To report any concerns or incidents in line with procedures set out in the Policy
- To raise awareness of the Policy and Code of Conduct in my work environment

Working with Children and Vulnerable Adults, I will:

- Treat children and vulnerable adults with respect and equality irrespective of sex, age, gender identity, sexual orientation, race, ethnicity, (dis)ability, social status, religion, language or any other factors, and will not discriminate against, show differential treatment, or favour particular children or vulnerable adults to the exclusion of others
- Ensure physical contact is always appropriate and not an invasion of the individual's privacy; where physical contact is necessary in order to provide care for some individuals, I will ensure there is agreement and consent from the individuals themselves
- Use positive, non-violent methods to manage behaviour
- Ensure the use of the 'Two-Adult Rule'. This means, when interacting with children or vulnerable adults, I will ensure that another adult is always present or within reach. If the two-adult rule is not possible for example when working with individuals with personal care needs, e.g., support when changing or going to the toilet, the safety and dignity of the child or vulnerable adult will remain paramount. I will work with other staff, the child/vulnerable adult and caregiver to agree on clear processes around the two-adult rule based on what is necessary and appropriate to safeguard them and uphold their dignity
- Be mindful and proactively seek to challenge discrimination and stigma some children or vulnerable adults may face
- Not physically assault a child or vulnerable adult, nor use any form of corporal punishment as a disciplinary measure regardless of social norms
- Not use any language or behaviour towards children or vulnerable adults that is inappropriate, stereotypical, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- Not act in ways intended to shame, humiliate, belittle or degrade children or vulnerable adults, or otherwise perpetrate any form of emotional abuse

- Not develop sexual relationships with or engage in any form of sexual activity with children regardless of the age of majority or age of consent locally; or with vulnerable adults. Mistaken belief in the age of a child is not a defence
- Not exchange money, employment, goods, assistance or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, including paying for sexual services
- Not engage in any sexual relationship with a person benefitting from assistance or services I provide that involves improper use of rank or position
- Not condone or in any way force a child or vulnerable adult to participate in any form of sexual activity, real or simulated, on the internet or in any other medium
- Not engage in any commercially exploitative activities with children or vulnerable adults including child labour
- Not help children or vulnerable adults with acts of an intimate or private in nature, which they can do for themselves
- Not spend excessive time alone with a child or vulnerable adult, away from others, behind closed doors or in a secluded area in line with the 'Two Adult Rule'
- Not take a child or vulnerable adult who has been involved in our programmes to my home, or visit them in their home where I may be alone with them
- Not sleep in the same bed or the same room as a child or vulnerable adult met through work or allow them to stay overnight at my home For overnight accommodations, athletes are recommended to share a room with another athlete of the same gender. If no same-gender athlete roommate is available, the athlete may share a room with their coach, as long as the coach is of the same gender.
- Not take a child or vulnerable adult met through work alone in a vehicle unless it is absolutely necessary, and only with parental/guardian and managerial consent
- Always respect an individual's dignity and their need to be safeguarded when taking photographs, filming or writing reports
- Ensure that when photographing, filming, interviewing, or using children's images for work-related purposes, that informed written consent has been obtained, individuals are properly dressed and are not depicted in a way that is abusive, sexually provocative, demeaning or culturally inappropriate or that characterises them as being reliant on the viewer a consent form is required if the photographs will be used for public dissemination. This policy will be applied to every ID registered with SOIna.
- Ensure that any media protects the privacy of the individual and that no personally identifiable information is shared

Uphold Confidentiality

I will exercise due care in all matters of official business, and not divulge any confidential information relating to safeguarding incidents, or any sensitive information unless legally required to do so.

Duty to Report

I understand that it is a mandatory requirement to report any concern or complaint relating to a breach of this Code of Conduct through the appropriate channels. This includes anything of concern that I see, hear about, or am told about. When in doubt, I will always inform the relevant person Designated Safeguarding Lead National. I understand it is not my role to investigate anything, but to report anything that concerns me, without delay.

My Agreement

I have read, understood and agree to abide by **SOIna's** Code of Conduct. This list of behaviours is not exhaustive; in general, I must avoid any actions or behaviours which may put children or vulnerable adults at risk of any harm.

Repercussions for breach of the Code of Conduct

I understand that failure to comply with the standards of behaviour defined in this Code of Conduct may be grounds for disciplinary measures, including summary dismissal and banishment from all Special Olympics activities. Criminal misconduct may be referred to the relevant national authorities for appropriate action.

Signature:	
Name:	
Position:	
Date:	

Annex 4

Safe Recruitment Procedures

SOIna shall adopt safe recruitment procedures for the selection and appointment of all staff (full-time or part-time, temporary or long term), volunteers, and anyone who are likely to have contact with children and vulnerable adults in performing their duties. Careful selection of candidates must be taken into consideration with regard to their interest in caring for the safety and welfare of children and vulnerable adults. A Police Clearance Certificate (SKCK) is mandatory for background checks, along with a recommendation letter from the institution where the individual works, studies, or engages in regular activities.

Safe Recruitment Checklist

A. Development of Job Description

- ☐ Conduct a basic assessment to identify safeguarding risk levels related to the role, including:
  - Does the post involve one-to-one contact with children or vulnerable adults?
  - What level of supervision will the post-holder receive? Is it unsupervised? Does it involve working in isolation?
  - Does the post involve direct regular contact with the public?
  - Are there any safeguards which can be put in place to minimise any potential risks?
- ☐ Make sure HR personnel, leadership and others involved in the recruitment process, including interviews, are fully briefed on **SOIna's** Safeguarding Policy

B. Job announcement and application stage

- ☐ Include a safeguarding clause in all job advertisements or position terms of reference ***(Annex 4a)***
- ☐ Require applicants to disclose prior issues of sexual or other misconduct and termination of past employment
- ☐ Require applicants to consent to the disclosure of any misconduct or termination information by their former employers in job application
- ☐ Consider rejecting the candidate if candidate:
  - responds in the affirmative to prior issues of misconduct, or
  - fails to consent to the disclosure of any misconduct, or
  - if former misconduct is discovered during the vetting process

C. Interview stage

- ☐ Include questions on safeguarding in interview ***(Annex 4b)***

D. Reference checks

- ☐ Vet for prior misconduct (e.g., prior criminal records with police, third party agency for background check) valid Police Clearance Certificate (SKCK)
- ☐ Consider verbal/oral reference checks to complement written references
- ☐ Conduct and verify reference checks with the current/former employer of the potential candidate, including to confirm that there have been no prior confirmed instances/conclusive investigations of misconduct. Consider at least (2) confidential references, preferably with the most recent supervisors, including one (1) on their previous work with children/vulnerable adults ***(Annex 4c)***
- ☐ Pay attention to long or sudden gaps in the individual's working history, and question the reason behind the gaps during the interview stage, and for potential candidates during the reference checks and selection process
- ☐ If background screening and verification check is not feasible, the potential candidates are required, in addition to the Code of Conduct, to sign a statutory declaration stating that they have never been convicted of, are not currently suspected of, or are not being prosecuted for any offence involving child abuse and declare that they are suitable to work with children and vulnerable adults ***(Annex 4d)***

E. Induction stage

- ☐ Require candidates to read, sign and adhere to **SOIna's** Safeguarding Policy and Code of Conduct before being offered a contract/volunteer agreement.
- ☐ Include a safeguarding clause in employment contracts/volunteer agreements. In the contract/volunteer agreements, outline disciplinary measures in the event of proven allegations of misconduct (e.g., termination of contract)
- ☐ Include disability-inclusive safeguarding training as part of mandatory onboarding process and provide refresher courses at regular intervals during employment/volunteer tenure

F. Performance management

- ☐ Include adherence to Code of Conduct (e.g., participation in safeguarding trainings) in performance appraisals of staff
- ☐ Include effectiveness of creating and maintaining an environment which prevents and responds to safeguarding concerns in staff performance appraisals
- ☐ Limit professional advancement opportunities of individuals under investigation
- ☐ In cases of confirmed inappropriate behaviour, take robust disciplinary action (e.g., dismissal, suspension, written censure or other corrective measures) and, where this involves possible criminal conduct, report the incident to law enforcement authorities

- ☐ Maintain a database of disciplinary measures on staff, volunteers and other personnel including dismissals, to avoid rehiring them at a later point in time ***(Annex 4e)***. Ensure data protection and inclusion in handover process

Annex 4a: Sample Safeguarding clause for Job/Call for Volunteers Advertisements

The Special Olympics of **SOIna** has **zero tolerance** towards any form of abuse or exploitation against its athletes, including discrimination of persons with disabilities, child abuse and sexual exploitation. The protection and safeguarding of children and vulnerable adults is everyone's responsibility, and all ~~SO Indonesia~~ **SOIna** personnel are required to abide by **SOIna's** Safeguarding Policy and Code of Conduct at all times (both during work hours and outside of work hours). All **SOIna** personnel must ensure that they understand and act in accordance with the Safeguarding Policy and Code of Conduct.

Annex 4b: Safeguarding Questions during Interview with Candidate

Below are sample questions, not all questions need to be asked.

- Have you ever been investigated for a breach of your organisation's Code of Conduct, or Safeguarding Policy?
- SO Indonesia's Code of Conduct applies to all elected representatives, staff, volunteers and other personnel, both on and off duty. Do you have any issues with that?
- Tell us about a time when you witnessed a case of abuse of power in the workplace. What action, if any, did you take? What did you learn?
- Have you ever had concerns about a colleague with regards to his/her behaviour or attitude towards the children or vulnerable adults in his/her care? How did you deal with this?
- Tell us about a time when you have been working with children and your authority was seriously challenged. How did you react? What strategies did you employ to bring things back on track?
- If you saw a parent to a member of the coaching team shouting at a child, what would you do?
- Consider this scenario:
    - One of your team members, tells you in confidence that another team member behaved in an inappropriate way, making sexual jokes and sending pornographic images, with some female athletes. Your team member feels very uncomfortable but asks you not to say anything, as they are concerned that it would damage the work relationship if their colleague discovers that they have reported on him/her. What would you do? Who else should be informed?
    - Imagine you hear that a group of children have been taking photographs of another child in the changing room while they were undressing and posting them on the internet. What would you do?
- What steps do you think should be taken if a child or vulnerable adult discloses a safeguarding incident against a member of **SOIna** staff or volunteer?

- What do you feel are the main reasons that have led you to want to work with children and vulnerable adults?
- What measures would you take to:
    - ensure you are promoting an environment within your team/organisation which prevents abuse and harm
    - promote the implementation of the organisation's Code of Conduct
    - ensure that systems are developed to maintain an environment that prevents abuse and safeguards children and vulnerable adults?

Annex 4c: Reference Checks Screening Questions

Name: _____

Job title/Position: _____

General questions:

1. How did you know the candidate and how long have you known her/him?
2. How would you explain the candidate's character?
3. Would you be happy to have the applicant working with your organisation again/ with children/vulnerable adults? Why or why not?

No.	Item	Yes	No
1	This role is working with young or vulnerable adults, would you have any concerns about the candidate working with children or vulnerable adults? What are your concerns?		
2	In the time you have known the candidate, is there anything that has led you to believe that they are unsuitable to be in contact with children or vulnerable adults? E.g., any instances where the candidate has demonstrated inappropriate touching, physical contact and inappropriate relationship with children or vulnerable adults?		
3	Do you know of any instances where the candidate has acted outside the boundaries of his/her role?		
4	Did the candidate have existing sexual exploitation and abuse investigation/allegations? Or any other allegations related to the safety and welfare of children or vulnerable adults?		
5	Did the candidate leave the organisation while being investigated for sexual exploitation and abuse allegations? Or any other allegations related to the safety and welfare of children or vulnerable adults?		
6	When the candidate was employed/volunteered with the organisation, were there any abuse and exploitation allegations brought up against the candidate?		
7	Did the candidate have any criminal records? If yes, please tell us more.		

Additional comments:

_____

_____

Other documents or statements

No.	Item	Yes	No
1	Proof of completion of training in safeguarding		
2	Referee 1 - SKCK (Security Police Clearence Sertificate)		
3	Referee 2 - Reference official letter from their institusional		
4			

Annex 4d: Statutory Declaration on Safeguarding Form

NOTE: All applicants working directly with children/vulnerable adults must complete this form in full

I hereby confirm that, to the best of my knowledge, I have not been charged or convicted of, am not currently suspected of, or am not being prosecuted for any offence involving any type of harm towards a child or vulnerable adult.

I also confirm that I have never been dismissed from employment or voluntary assignments or had any disciplinary action taken against me which may be related to working with children or vulnerable adults.

I declare that there is no element which could affect my suitability to work with children and vulnerable adults, and that I am aware of the seriousness of this declaration and that any erroneous declaration may be considered as gross misconduct.

I confirm that I give my consent for **SOIna** to carry out the relevant background checks as may be necessary to reassure themselves that I am suitable to work with children and vulnerable adults.

Signature:	
Name:	
NIK No.:	
Job Title/ Position:	
Home Address:	
Contact H/P No.:	
Date:	

Annex 4e: Database of Disciplinary Measures

Ensure data protection by storing file securely (e.g., password protected, not in a shared folder and only accessible to select, relevant individuals who are trained on

data protection requirements). If hard copy records are kept, make sure this is safely stored in a locked cabinet.

Name of Personnel	Contract Start Date	Contract End Date	Type of misconduct alleged	Allegation substantiated/ unsubstantiated	Comments

Annex 5

Guidelines on Responding to a Child's/Vulnerable Adult's Disclosure

Most children/vulnerable adults who experience abuse do not ask for help, and their disclosures must always be taken seriously and acted upon. If the child or vulnerable adult discloses abuse that happened in the past, it must be given the same level of response.

All of these are ways that young or vulnerable adults disclose abuse:

- Verbally – by telling you directly or by hints in their conversations
- Behaviour or actions such as their interests, stories they write, their play or drawings
- Third-party – this could be a friend of the athlete telling you, or something you have overheard that concerns you

If a child/vulnerable adult suggests they want to tell you a 'secret' or disclose information that suggests they are at risk or have been abused, it is important that you:

- Ensure the conversation takes place in a private place where the child/vulnerable adult feels comfortable
- Be sensitive and respond calmly throughout the disclosure to show support to the child/vulnerable adult
- Listen carefully, empathetically and attentively without displaying shock or disbelief; take the child/vulnerable adult seriously and consider his/her views when making decisions
- Reassure the child/vulnerable adult that you take what they are saying seriously; it is not his/her fault and that s/he has taken the right action in talking to you
- Allow the child/vulnerable adult to take his/her time to speak and to use his/her own words to explain what has occurred; consider and accommodate the child's/vulnerable adult's preferred communication method for expressing their views and experiences. Do not make the child/vulnerable adult feel rushed or panicked
- If the child/vulnerable adult is reporting alongside someone else, ensure the child/vulnerable adult can express themselves freely and answer questions independently and not have others talk for them
- Ask questions for clarification only. Do not ask leading questions that can be seen as putting words in the child's/vulnerable adult's mouth
- Check back with the child/vulnerable adult that what you have heard is correct and understood
- Do not express any opinions about the alleged abuser/perpetrator
- In the event of alleged abuse, encourage the child/vulnerable adult who is unable to articulate verbally, to write or explain using visual tools, if s/he is comfortable to do so
- Make some brief notes and record the conversation, in as much detail as possible, using the actual words of the child/vulnerable adult. Complete the Safeguarding Incident Reporting Form, sign and date the record

- Ensure that the child/vulnerable adult understands the procedures to follow. Let him/her know what you will do next to make the process less intimidating and make the child/vulnerable adult feel safe (depending on their age/ability, this would include asking what type of help is wanted, and who the child/vulnerable adult feels comfortable having involved)
- Report and submit the completed Incident Reporting Form according to the established procedures; do not attempt to deal with the problem alone or discuss with anyone
- Treat the information confidentially; do not promise to keep anything secret; explain to the child/vulnerable adult when and with whom specific information may need to be shared in order to keep them safe
- Do not confront the abuser/perpetrator or discuss the child's/vulnerable adult's disclosure with him/her.

Annex 6
Safeguarding Incident Reporting Form

This form should be used to record safeguarding concerns relating to Children and/or Vulnerable Adults. In an emergency please do not delay in informing the police, medical services, or the social welfare department. All the information must be treated as confidential and reported to the ***National Safeguarding Focal Point (so.indonesia.safeguarding@gmail.com)*** within 24 hours.

The form should be completed at the time or immediately following disclosure, but after all necessary emergency actions have been taken. Please complete the form as fully as possible.

NOTE: This report is confidential and must not be given or the contents disclosed to any unauthorised person. Please restrict access to this document and keep it stored safely.

To be filled by the complainant or safeguarding focal person either with or without the complainant	
Details of the person completing the form (leave blank if you prefer to stay anonymous)	
Name:	
Organisation's name:	
Designation:	
Phone number (Mobile Phone/WA):	
PIC Mobile Phone / WA number:	
Email:	
Details of the person(s) affected (child/vulnerable adult) This information will only be shared on a need-to-know basis	
Name:	
Age:	
Gender:	
Address:	
Phone number of parent/guardian/Athlete concern:	
Email:	
Any other information:	

To be filled by the complainant or safeguarding focal person either with or without the complainant	

Indicate nature of the safeguarding concern					
r Physical	**r** Sexual	**r** Emotional	**r** Neglect	**r** Bullying	**r** Other

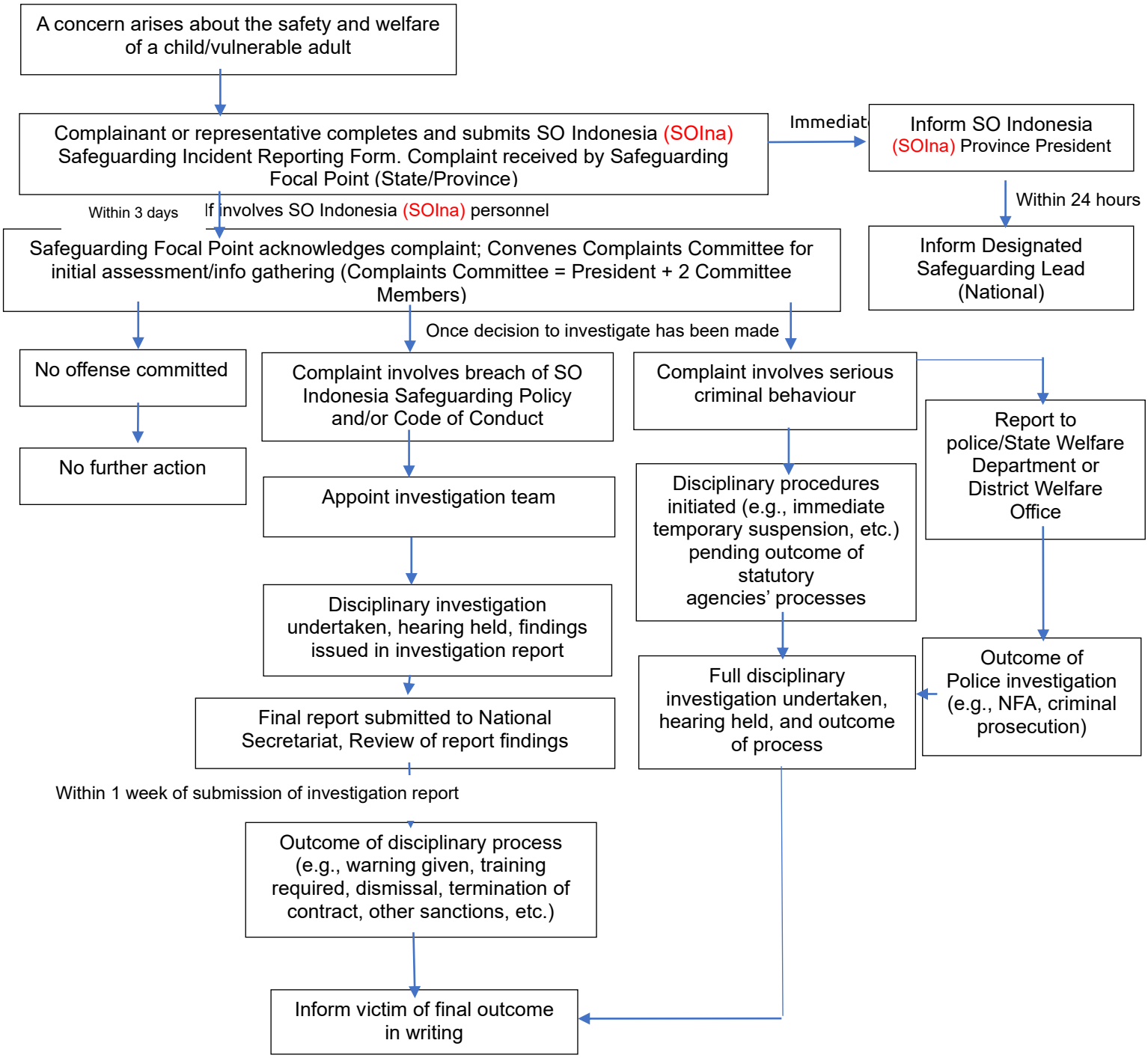
Details of concern/suspicion/incident
How did you come to know about the incident? What situations/actions/behaviours caused you to be concerned: was abuse observed or suspected? Was an allegation made? - Who was involved; What happened; When and Where it occurred; Why you believe it is a concern; How the incident unfolded.
Details of what happened, including time, dates, location, and names of others involved. Note behaviour, emotional state, or physical signs you may observe on the person affected

To be filled by the complainant or safeguarding focal person either with or without the complainant	
Details of the alleged perpetrator(s) (e.g., name, relationship to the person affected)	
Other present or potential witnesses	
Name:	
Address:	
(Mobile/WA):	
Email:	
Immediate action taken or support given Informed consent must be obtained before making a referral. Referral form should be completed separately	
Any action you may have taken so far (e.g., emergency medical or any other immediate support provided such as safety measures, or psychological support)? If so, what, when and by whom?	
Current state/safety concerns of the person affected	
Include any immediate safety concerns (e.g., access of the alleged perpetrator to the individual, whether they are displaying behaviour that is a cause for concern)	

To be filled by the complainant or safeguarding focal person either with or without the complainant

I can confirm that to the best of my knowledge, the information provided above is correct, and does not contain my own views or opinions on the matter; and that I will be available to answer any further questions.	
Signed:	
Print Name:	
Date:	

Annex 7
Complaints Handling Procedure



Annex 8
Referral Pathway for Support and Assistance for Incidents of Abuse, Exploitation, and Harm to Children and Vulnerable Adults reported to SO Indonesia

Subject to informed consent of the victim or parent/guardian (if victim is a child), SO Indonesia will initiate the referral pathway for support and assistance:

Complaint of Abuse, Exploitation or Significant Harm is received by SOIna Give honest and clear information about services available. If agreed and requested by victim or parent/guardian, **obtain informed consent** and make referral; accompany the victim, or arrange for transportation to access services where applicable

Next steps:

Refer victim for immediate support or relevant services based on their needs and informed consent
Medical care If there are signs of injury, reports of pain, sexual assault – refer immediately to nearest medical care or a government hospital (One Stop Crisis Centre Currently, a designated hospital for referrals or examinations has not yet been determined) At least District Level Comminity Health Center
Psychosocial support If there are signs of emotional and psychological trauma, significant changes in behaviour after abuse
Police If there is imminent danger and high risk to the safety of the victim and/or others
State Welfare Department or District Welfare Office To obtain an Emergency Protection Order (EPO) against the perpetrator
Legal Assistance If victim wishes to pursue legal action
Shelter If personal safety of victim/witness is under immediate threat

Follow-up:

Make available **ongoing support for referrals** according to the needs of victim. It could include any of the following:

- Medical and health care
- Psychosocial support: counselling or mental health care, social welfare assistance
- Access to legal aid services
- Safety: shelter, protection

Annex 9

Referral Form for Services

This form should be used when making a referral to relevant service providers for professional assistance and support.

NOTE: This report is confidential. Please restrict access to this document and keep it stored safely. Copies of completed referral forms will be shared with the victim and receiving agency, including a copy for SOIna's record purposes and follow-up.

To be filled by the Safeguarding Focal Point	
Referring organisation	
Organisation's name:	
Contact person:	
Phone number :	
PIC Mobile Phone/WA Number:	
Email:	
Location:	

Receiving organisation	
Organisation's name:	
Contact person:	
Mobile Phone/WA Number):	
Email:	
Location:	

Victim (child or vulnerable adult) information	
Name:	
Mobile Phone/WA Number):	
Date of birth	
Sex:	
Spoken language	
Address:	

If victim is a child	
Name of primary caregiver:	
Mobile Phone/WA Number):	
Relationship to child:	
Is caregiver informed about the referral	r Yes r No (If no, please explain)

To be filled by the Safeguarding Focal Point	

Background information on referral	
Has the victim been informed of the referral? r Yes r No (If no, please explain)	Has the victim been referred to any organisation? r Yes r No (If no, please explain)

Services requested						
r Medical services	r Psychosocial support	r Protection services	r Counselling or mental health care	r Safe shelter	r Legal assistance	r Other (please specify)
Please explain any requested services:						

Is the consent form for release of information attached to this document?
r Yes r No
Consent to release information (Read with victim or parent/guardian and answer any questions before s/he signs below. Sign on behalf of victim or parent/guardian if consent is given verbally and victim or parent/guardian cannot sign.)
I, _____ (child/vulnerable adult name), understand that the purpose of the referral and of disclosing this information to _____ (name of receiving agency) is to ensure the safety and continuity of care among service providers. **SOIna** has clearly explained the procedure of the referral to me and has listed the exact information that is to be disclosed. By signing this form, I authorise this exchange of information.

To be filled by the Safeguarding Focal Point	
Signature of victim or parent/guardian (if child):	
Print Name:	
Date:	

Details of referral	
Referral delivered via:	
Follow up expected via:	
By date:	
Information organisations agree to exchange in follow-up:	

Received by:	
Name of recipient:	
Mobile Phone/WA Number):	
Signature:	
Date:	

Appendix 10
Investigation Procedure

The purpose of this investigation procedure is to set out the process to be taken upon receipt of a complaint related to a safeguarding concern or allegation of suspected abuse, exploitation or harm against a child or vulnerable adult by a **SOIna** personnel.

This investigation procedure is not a criminal investigation. When a complaint alleges a criminal offence, **SOIna** may refer the allegation to the relevant national authorities with the informed consent of the victim.

Initial Assessment/Information Gathering

All complaints received will be reviewed by the Safeguarding Focal Point. The Safeguarding Focal Point shall convene the Complaints Committee to conduct the initial assessment/information gathering in order to determine if the investigation threshold has been met. Not all will require a formal investigation process.

Before the decision is made to initiate an investigation, the Complaints Committee will need to determine that the organisation's procedures have been followed:

- Does the concern constitute a breach of **SOIna's** Safeguarding Policy and/or Code of Conduct
- Is there an identified victim(s) and Subject of Allegation
- Has a criminal offence been committed
- Have there been previous allegations
- Is further information required to determine the above

As part of this process, the Complaints Committee should collect and review available information about the allegation, analyse the internal and external legal framework, review available documents and undertake a risk analysis.

SOIna may conduct this process virtually or in person. The Complaints Committee shall comprise of the following persons:

- **SOIna** Province Programme President
- **SOIna** Safeguarding Focal Point
- A committee member

SOIna shall record notes of the discussion and reasons for any decisions, and file them securely. The best interests and safety of children and vulnerable adults should inform all decisions made.

Refer to Annex 10a for Guidance on Threshold Criteria

Decision to Investigate

SOIna shall decide to undertake an investigation when the complaint involves abuse, exploitation or harm against children and vulnerable adults committed by a **SOIna** personnel. This includes any breach of the **SOIna** Safeguarding Policy and/or Code of Conduct, and possibly, a criminal offence under national law.

When the complaint involves serious criminal behaviour, **SOIna** shall report to the relevant national authorities, including the police and/or State Welfare Department or District Welfare Office for appropriate action.

If none of the presenting information presents sufficient evidence or reason to proceed with further inquiries, **SOIna** may decide to take no further action. This decision does not prejudice future action in the event that more specific or repeated allegations are made subsequently.

Appointing the investigation team

Following a decision to investigate, the **SOIna** leadership shall appoint an investigating team comprising a total of three (3) persons:

- 1 **SOIna**member as the Chair/Manager of the investigation team
- 2 **SOIna** members as investigators

SOIna shall consider a gender-balanced composition of team members in view of the sensitivity when conducting interviews with the victim, witness or others directly involved. The investigators may be internal or external to **SOIna**, but **SOIna** shall ensure s/he is independent of the region where the investigation is taking place.

At minimum, members of the investigation team shall be described as below:

- Person with high integrity
- Has a good understanding of safeguarding of children and vulnerable adults, and disability rights
- Able to negotiate conflicting interpersonal and institutional interests
- Has no material, personal or professional interest in the outcome of the complaint, and no personal or professional relationship with the victim, witness or Subject of Allegation
- Able to make sound judgement and dependable in ensuring the investigation process is conducted fairly
- Has experience in interviewing (including with children and/or vulnerable adults) and (at least) trained in conducting similar types of investigations.
- Fluent in relevant languages for interviews with personnel and other witnesses, including (specify)

Should **SOIna**deem necessary, the investigation chair/manager may consider taking additional expert advice or assistance from lawyers, specialists in interviewing children or people with disabilities, or psychologists. In such cases, **SOIna** will require the parties concerned to sign a Confidentiality Agreement.

Roles and responsibilities of the investigation team

The investigation chair/manager's responsibilities are to supervise the investigation, make strategic decisions and create the conditions for investigators to do their work. This includes:

- Ensuring the safety and confidentiality plans for **SOIna** are implemented and that the investigation is conducted in accordance with **SOIna** Safeguarding Policy
- Liaising with external stakeholders, such as national authorities
- Managing the relationship between the investigation team and the rest of **SOIna**
- Ensuring the investigators are trained, supervised, and supported during the process of investigation.
- Ensuring risk assessments are undertaken and regularly reviewed.
- Available to discuss issues and concerns that arise during the investigation, including the possibility of additional alleged breaches surfacing.

The investigators are responsible for the day-to-day conduct of the investigation, as defined by the Terms of Reference. This includes:

- Developing the investigation plan
- Identifying who they want to interview
- Assessing and making recommendations on safety and confidentiality
- Securing and gathering different forms of evidence
- Making recommendations on the work/volunteer status of the Subject of Allegation for the duration of the investigation
- Drawing conclusions about whether the initial allegations have been substantiated, based on evidence, and if not why not
- Preparing the final report of the investigation on behalf of **SOIna**, and if the complaint is substantiated, advice **SOIna** on the appropriate disciplinary measures
- Making recommendations on any key issues (environmental, culture, management, and other issues) that may have contributed to the safeguarding concerns and that should be addressed as part of an action plan by **SOIna**

The investigation team shall be given the mandate to initiate and conduct investigations on behalf of **SOIna**. **SOIna** leadership shall ensure full support is given to the investigation team. The Terms of Reference shall empower the investigators to collect evidence without hindrance or prior clearance from **SOIna**, to access staff, volunteers or other personnel promptly, and to obtain the full cooperation of anyone working for or on behalf of **SOIna** at every level and in any capacity.

Referral to external authorities

Should **SOIna** decide to refer the allegation onto national authorities for investigation, **SOIna** shall still carry out the following roles. This shall include but not limited to:

- Ensuring immediate safety of the alleged victim, Subject of Allegation, and witness
- Liaising and collaborating with the investigating authority. This means being available for telephone/videocalls and meetings; providing information; ensuring **SOIna** is informed of the investigation plan and kept informed of progress and any outcomes
- Providing access to **SOIna** documents, records and staff
- Making cover arrangements for staff/volunteer/other personnel involved in the investigation.
- Managing internal communications and staff morale
- Developing an external communications plan in agreement with the investigating authority
- Making decisions about disciplinary measures against personnel alleged to have caused harm.
- Consideration of disciplinary actions against personnel found to have breached Safeguarding Policy/Code of Conduct, committed acts of gross misconduct.

Refer to Annex 10b for sample Terms of Reference

Risk Assessment

The investigation chair/manager shall manage the risk assessment. Risks will present, increase and reduce at different times during an investigation. Risk assessment and management is an on-going process through the investigation and is not just a one-off action. The investigation chair/manager shall review and update the risk register every week and consult with the investigative team to provide updates. Even if there is no change, the chair/manager should record that it has been reviewed.

Refer to Annex 10c for Risk Assessment

Informing Stakeholders

The investigation is strictly confidential. **SOIna** shall disclose about the investigation to relevant stakeholders on a need-to-know basis with confidentiality as the main guiding principle.

SOIna State Safeguarding Focal Point shall provide the complainant a formal confirmation to inform him/her that the complaint is received and is taking action, not more than 48 hours after receiving the complaint. This is a written document that is clear and discreet.

SOIna may inform relevant supervisors/managers who shall have access to an anonymised executive summary of the investigation once an investigation has been initiated.

Collecting Evidence

The investigation team shall gather necessary evidence as part of the investigation process. Evidence may come in a variety of forms, physical, medical and through different communications tools e.g. laptops, mobiles, cameras and from social media sites. The investigation team shall also carry out interviews with witnesses, including the complainant and Subject of Allegation. Other witnesses may include those who have relevant information of the complainant or the Subject of Allegation's accounts.
All members of the investigating team, complainant, victim, Subject of Allegation, and designated managers must keep the content of their interviews confidential and sign the Confidentiality Reminder Note for Safeguarding Investigations.

Refer to Annex 10d for sample Confidentiality Reminder Note for Safeguarding Investigations

Specific Needs of Children and Vulnerable Adults

All children are considered vulnerable within safeguarding allegations due to their age and understanding; **SOIna** vulnerable adults may have specific needs to be considered within the investigation. The investigating team shall ensure they identify and manage any specific needs children/vulnerable adults might present.

Due to their specific vulnerability, it is not recommended to interview children as victims or witnesses unless it is strictly necessary for the investigation. If deemed necessary, child victims and witnesses are likely to require additional support to ensure that the investigation process is conducted in a child-friendly manner (e.g., child-friendly interview techniques, engagement of parents/guardian).

SOIna additional considerations when interviewing children/vulnerable adults:

- Children/vulnerable adults should always be interviewed in the language of his/her choice.
- Determine the children's/vulnerable adult's capacity to participate in the interview e.g., comprehension level.
- Never question or force the children/vulnerable adult to provide more information when s/he is not comfortable to disclose at that point.
- The investigator is encouraged to use alternative communication means with the child/vulnerable adult e.g., utilising play materials, as part of rapport building, or consider using visual tools to help children/vulnerable adults communicate.
- Ensure the interview is conducted in a safe, accessible and conducive environment.
- Use simple questions to gather information and minimise repeating questions that may cause more stress to the children/vulnerable adult.
- Reassure the children/vulnerable adult that they have not done anything wrong or to be blamed for the investigation.
- Allocate sufficient time.

It is likely there will be a greater number of professionals involved in an investigation concerning children/adult with disabilities. The number of individuals present during an interview should be kept to a minimum to ensure the child does not feel overwhelmed.

Investigative Report

The final investigation report from the investigation team shall be handed over to **SOIna**, detailing how the misconduct was discovered, to whom it was reported, steps taken to gather evidence, the investigation team's conclusion and evidence supporting the conclusion.

The investigation report should include, but not limited to:

i. Introduction and background to the allegation
ii. Executive Summary
iii. Contextual information and details leading to the investigation.
iv. Investigative approach (e.g. interviews, review of documents, site visits)
v. Limitations (if any)
vi. Chronology of events
vii. Summary of facts
viii. Analysis of evidence
ix. Retaliation and protection risks (and steps taken to address them)
x. Analysis of adequacy of **SOIna's** response to safeguarding allegation
xi. Conclusions regarding evidence to substantiate or not the allegation(s)
xii. Summary of learning points from the investigation
xiii. Recommendations (including for appropriate disciplinary action, and areas of improvement for **SOIna's** practice and procedures on safeguarding of children and vulnerable adults)
xiv. Annex that lists all the documents reviewed and individuals interviewed during the investigation.
xv. Annex that includes signed copies of witness statements and interviews conducted as part of the investigation.

SOIna shall require the report to be filed within 28 days of the time the complaint was brought, unless there are extenuating circumstances. The report shall be submitted to the National Secretariat; Komplek TNI AL Rawa Bambu. Jl. Teluk Ratai No.5 Rt.02 Rw.08. Pasar Minggu, Jakarta Selatan 12520, E-Mail: safeguardingsoindonesia@gmail.com

The status, substance and recommendations of the report are **strictly confidential**.

Making decisions from the investigation report

Any breach of the **SOIna** Safeguarding Policy and/or Code of Conduct by a **SOIna** personnel shall entitle **SOIna** to take appropriate disciplinary measures, including and up to summary dismissal and banishment from all Special Olympics activities with immediate effect.

If the investigation indicates that the allegations have not been substantiated, the case will be closed.

If the investigation has uncovered possible criminal offences, the case may be forwarded to relevant national authorities for appropriate action, including criminal prosecution. The decision shall be taken only if the victim provides informed consent and if found, after analysing the risk, that it is in the victim's best interest. If the offence involves children, it will be forwarded to the local authorities as mandated by law.

Informing stakeholders of the outcome

SOIna shall notify the complainant/victim (and parent/guardian) of the general outcome of the investigation in writing – if the reported complaint is substantiated or not substantiated. The identities and evidence of other witnesses shall not be disclosed.

SOIna shall notify the alleged perpetrator on the outcome of the investigation in writing. If the complaint is not substantiated, a letter of clearance (without disclosing the identities of the complainant and witnesses) shall be communicated. For criminal implications, **SOIna** will not notify the alleged perpetrator if the case has been referred to the national authorities as further action will be carried out by the prosecuting authority.

Information to the witnesses on the outcome of the investigation is subject to the discretion of **SOIna**.

If the case involves a matter of public interest, the **SOIna** President of the Board of Committees, supported by the National Director will respond to the media inquiries.

Follow up

SOIna shall make available ongoing support for referrals according to the needs of the victim.

If the incident is due to **SOIna's** practice and procedures, **SOIna** shall review the situation which led to the incident and put mitigation measures into practice.

Substantiated malpractice or failure of a National Programme to follow due process, ensure the implementation of the outcomes and recommendations of an investigation shall result in the expulsion of the National Programme.

Annex 10a
Guidance on Threshold Criteria

The criteria outlined here will help **SOIna** Complaints Committee make a decision about how best to proceed and whether investigation thresholds have been met. They should be viewed alongside any other existing information.

Not all allegations will reach the threshold for investigation, but each allegation needs to be considered, taking into account the individual circumstances, context and environment.

All of these criteria have equal importance and priority.

1. Impact on the child/vulnerable adult?
Is there immediate risk of further harm? The impact on the child/vulnerable adult is likely to be unknown at this stage but the Complaints Committee shall use their experience to speculate as to the impact of the harm. However, this is an opinion and not fact at this stage.

2. Is abuse or exploitation suspected?
- Physical abuse
- Neglect
- Sexual abuse/child sexual exploitation.
- Emotional/psychological abuse
- Online abuse/cyber bullying

3. Criminal offence committed
Does national law legislate that any aspect of the allegation is a criminal offence? Seek legal advice if unsure. Once the decision is made that a legal threshold has been reached, the case should be referred to the national authorities.

4. Has there been a breach of **SOIna** Safeguarding Policy and/or Code of Conduct?
Does any aspect of the staff/volunteer/other personnel's behaviour or conduct breach the protocols within which they are expected to behave?

5. Does the allegation bring **SOIna's** reputation into disrepute?
If the answer is 'don't know' or 'yes' then an investigation is necessary to ensure **SOIna's** transparency, maintaining integrity and minimising reputational damage.

6. Could there be an impact on donor contributions or fundraising?
If the answer is 'don't know' or 'yes', then this adds weight to an investigation being undertaken to maintain agency credibility and reduce risk to charitable funding. However, the purpose of any investigation should always be primarily in the children's/vulnerable adult's best interest and not that of the organisation.

8. Have there been a number of similar complaints?

9. Have there been previous investigations or allegations received of a similar nature in this locality?

10. Have there been investigations or allegations involving the same individual/s?

11. How many individuals does the allegation involve? Is it likely to be complex and involve multiple perpetrators?

12. How many children does the allegation involve? Is it likely to be complex and involve multiple victims?

13. Does the allegation imply that the abuse is happening wider in the organisation or programme, which might suggest that usual safeguarding systems are not working?

14. What is the reliability of the source of the allegation? Does the source of information have authority within **SOIna** ?

15. Is there hard evidence, e.g. photographs, images?

Annex 10b
Sample Terms of Reference for Safeguarding Investigators

The Terms of Reference summarises the investigation parameters and provides clarity for investigators on the overall objective of the investigation, timeline, reporting requirements and roles and responsibilities of the investigators.

Special Olympics Indonesia (SOIna) Safeguarding Investigation Terms of Reference	
Aim and objectives:	*The aim of this investigation is to conduct a thorough, objective and effective investigation of a complaint received on a safeguarding allegation by a* **SOIna** *personnel in accordance with professional standards, best international practice, and in compliance with national statutory requirements.* *Specific objectives are to:* • *Assess whether the allegations reasonably amount to abuse, exploitation, or other forms of harm, and possibly, an offence under national law* • *Review evidence presented and gather further evidence that might support or undermine the allegations* • *Analyse and draw out conclusions making reasonable inferences from the evidence gathered*
Complaint details:	*E.g., A* **SOIna** *coach is alleged to have engaged in an exploitative relationship with a female athlete, requesting sexual favours in exchange for additional coaching sessions on at least one occasion.*
Reporting to:	*Investigation Manager*
Anticipated start date of investigation:	*Specify*
Anticipated end date of investigation:	*Specify*
Location:	*Specify*
Principles of investigation	• *Victim-centred: The investigation must be carried out*

Special Olympics Indonesia (SOIna) Safeguarding Investigation Terms of Reference	
	with the safety of victims, witnesses, and the Subject of Allegation at the forefront. They must be respectful of the rights, choices, and dignity of the victim and witnesses and provide them with equal and fair treatment. Investigators must take all measures to maintain the confidentiality of the victim and witnesses to the extent possible • *Transparent and fair: Investigators must be impartial, free of bias and conflicts of interest, and base findings on facts. Investigators must maintain the rights of all stakeholders and ensure due process in the investigation* • *Professional: Investigators must be qualified and must follow best practices and standards in conducting safeguarding investigations, coordinating with appropriate experts and specialists when needed. The investigation should be completed as soon as possible after the complaint is received.* • *Structured: The investigation must follow a structured process and conduct the investigation in a manner that is diligent, complete, focused, and rigorous. Investigators must ensure that all aspects of the investigation are thoroughly and appropriately documented.*
Scope of Investigation:	*Key deliverables are:* • *Investigation plan, including detailed methodology of investigation (e.g., review of relevant documents, site visit(s), interviews with relevant stakeholders)* • *Recommended plan of actions for protecting victims, witnesses, Subject of Allegations, and the organisation during investigation process* • *Final investigation report, which includes but not limited to: (see above)*
Roles and Responsibilities:	*The responsibilities of the investigation manager include (see above)* *The responsibility of the investigator includes (see above)* *The responsibilities of* **SOIna** *include:* • *Provide logistical support to investigators including accommodation and travel to the location and any sites during the investigation.* • *Manage the security of the investigation team.*

Special Olympics Indonesia (SOIna) Safeguarding Investigation Terms of Reference	
	• *Facilitate the investigation team in conducting interviews with witnesses including providing a space/location if needed.* • *Provide access to relevant evidence investigators may want to secure* • *Facilitate referrals for victims and witnesses during the investigation* • *Maintain an environment in which confidentiality is upheld* • *Facilitate the provision of translators, or other external experts, if required during the investigation*
Annexes:	**SOIna** *Safeguarding Policy and Code of Conduct*

Annex 10c
Template for Risk/Safety Assessment and Management During Safeguarding Investigation

NOTE: Please restrict access to this document and keep it stored safely.

RISK /SAFETY ASSESSMENT				MANAGEMENT			
No	Who is at risk?	Identified risk(s) concerns	Likelihood of risk concerns (high/medium/low)	Previous measures to manage risk(s) to date	Additional mitigation measures	By Whom?	By when?
1	Victim	Alleged perpetrator pressuring victim to withdraw allegations	Medium	Verbal communication to alleged perpetrator to abstain from contact with victim (3 February 2024)	Written warning to alleged perpetrator regarding consequences of continued contact	Anne	By 5 March 2024 (immediately)

Assessor's sign-off			
Signature	×	Date	
Print name			

Annex 10d
Sample Confidentiality Reminder Note for Safeguarding Investigations

Confidentiality Reminder for SEA Investigations
You have been asked to provide assistance in an investigation of safeguarding concerns or allegations of abuse, exploitation or harm involving **SOIna** personnel that is currently being undertaken. You may be interviewed, asked to provide documents, computer files and other records, or asked to assist in SO INDONESIA other way. Internal investigations are a key part of **SOIna's** commitment to preventing and responding to abuse, exploitation and harm to children and vulnerable adults.

As a participant in an investigation, there are certain points you need to know:

1. **Co-operate**. You are encouraged to cooperate with the investigations and respond to all questions and requests from investigators honestly and fully.

2. **Keep it confidential.** You must keep confidential the fact that an investigation is underway, and anything discussed with you as part of the investigation.

3. **No retaliation**. **SOIna** does not tolerate any type or threat of retaliation against anyone who reports a violation or cooperates in an investigation.

4. **Don't play detective.** Do not try to carry out your own inquiries or exhort witnesses as this may disrupt the ongoing investigation.

5. **No obstruction.** Never attempt to interfere with or obstruct an investigation. Your compliance with these requirements is imperative. Violations can potentially result in severe discipline up to and including discharge and referral to criminal charges.

Thank you very much for assisting **SOIna** with its investigation. If you learn or remember anything else that might be relevant to the investigation, or if you have any questions, please contact me.

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