



**November
2022**

**NATIONAL
ASSOCIATION OF
PERSONS WITH
PHYSICAL DISABILITY**

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1. BACKGROUND OF NATIONAL ASSOCIATION OF PERSONS WITH PHYSICAL DISABILITY

National Association of Persons with Physical Disabilities (NAPWPD) is the umbrella organization of/for persons with physical disabilities in Nigeria. NAPWPD aims to promote disability inclusion, equity and justice for persons with physical disabilities via the instrumentality of advocacy, capacity building, stakeholders' engagement and sensitization, research & documentation, and policy development - monitoring and evaluation. NAPWPD was formed and began operation since over 20 years ago, but officially satisfied all requirement and registered with the Corporate Affairs Commission, in 2021 with Certificate No. 157873. NAPWD is the most popular and populated cluster of the disability group in Nigeria. It has a BOT membership structure of 12 persons, and an 18 member National Executive members. NAPWPD has its presence in all the 36 states of the Federation and chapters in the 774 Local Government Area.

NAPWPD work focuses on the following five thematic areas: Promoting accessible environment for persons with physical disabilities; Assistive technology research and Development; Empowerment of women and girls with physical disabilities; Advocacy for realization of the rights of Nigerians with physical disabilities; promoting accessible education and employment opportunities, and the promotion of inclusive development.

MOTTO

Harnessing the potentials of persons with physical disabilities for personal and national development.

VISION

A barrier-free society in which equal opportunities for the inclusion, participation, growth and development of Persons with physical Disabilities is guaranteed, so that they can lead productive, safe and dignified lives.

MISSION

To build a proactive organization that empowers Persons with Physical Disabilities to seek intervention for their socio-economic and political rights.

CORE VALUES

- Accessible environment, enabled participation, Assisted technology, Inclusive development, Equal opportunity.

NAPWPD Policy on Preventing Sexual Exploitation, Abuse, and Harassment (PSEAH)

NAPWPD PSEAH Policy

The National Association of Persons with Physical Disability (NAPWPD) has a zero-tolerance approach to sexual exploitation, sexual abuse, and sexual harassment (SEAH) and to policy non-compliance. We believe that all people have the right to live their lives free from sexual violence and we shall strive to protect everyone from abuse and exploitation in the operations of NAPWPD.

The Policy on Preventing Sexual Exploitation, Abuse, and Harassment (PSEAH) (the “PSEAH Policy” or “Policy”) was approved by the Board of Directors on December 4, 2022.

What is safeguarding?

Safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect. In our sector, we understand it to mean protecting people, including children and at-risk adults, from harm that arises from coming into contact with our staff or programmes. Further definitions relating to safeguarding are provided in the glossary below.

Scope of the Policy

- All staff contracted by NAPWPD
- Associated personnel whilst engaged with work or visits related to NAPWPD, including but not limited to the following: consultants; volunteers; contractors; programme visitors including journalists, celebrities and politicians

Policy Statement

NAPWPD believes that everyone we come into contact with, regardless of age, gender identity, disability, sexual orientation or ethnic origin has the right to be protected from all forms of harm, abuse, neglect and exploitation. NAPWPD will not tolerate abuse and exploitation by staff or associated personnel.

This policy will address the following areas of safeguarding [as appropriate]: child safeguarding, adult safeguarding, and protection from sexual exploitation and abuse. These key areas of safeguarding may have different policies and procedures associated with them.

NAPWPD commits to addressing safeguarding throughout its work, through the three pillars of prevention, reporting and response.

Definitions

Sexual exploitation: Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes

profiting monetarily, socially, or politically from sexual exploitation of another.

Sexual abuse: The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It covers sexual offences including but not limited to: attempted rape (which includes attempts to force someone to perform oral sex); and sexual assault (which includes non-consensual kissing and touching). All sexual activity with someone under the age of consent in the jurisdiction where the activity occurs is considered to be sexual abuse.

Sexual harassment: A person sexually harasses another person if the person makes an unwelcome sexual advance or an unwelcome request for sexual favors, or engages in other unwelcome conduct of a sexual nature, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated, or intimidated. Sexual harassment can take various forms. It can be obvious or indirect, physical or verbal, repeated or one-off, and perpetrated by any person of any gender towards any person of any gender. Sexual harassment can be perpetrated against beneficiaries, community members, citizens, as well as staff and personnel. This may include conduct that interferes with work, is made a condition of employment, or creates an intimidating, hostile, or offensive environment.

Sexual misconduct: For the purpose of this Policy, this refers to acts of sexual exploitation, abuse, or harassment as defined above. Sexual misconduct can include bullying. Sexual misconduct may be carried out in person or remotely, including, but not limited to, via phone, email, or social media.

Prevention

NAPWPD responsibilities

NAPWPD will:

- Ensure all staff have access to, are familiar with, and know their responsibilities within this policy
- Design and undertake all its programmes and activities in a way that protects people from any risk of harm that may arise from their coming into contact with NAPWPD. This includes the way in which information about individuals in our programmes is gathered and communicated
- Implement stringent safeguarding procedures when recruiting, managing and deploying staff and associated personnel
- Ensure staff receive training on safeguarding at a level commensurate with their role in the organization
- Follow up on reports of safeguarding concerns promptly and according to due process

Staff Responsibilities

- Child safeguarding

- NAPWPD staff and associated personnel must not:
- Engage in sexual activity with anyone under the age of 18
- Sexually abuse or exploit children
- Subject a child to physical, emotional or psychological abuse, or neglect
- Engage in any commercially exploitative activities with children including child labour or trafficking

Adult safeguarding

NAPWPD staff and associated personnel must not:

- Sexually abuse or exploit at risk adults
- Subject an at-risk adult to physical, emotional or psychological abuse, or neglect.

Protection from sexual exploitation

NAPWPD staff and associated personnel must not:

- Exchange money, employment, goods or services for sexual activity. This includes any exchange of assistance that is due to beneficiaries of assistance
- Engage in any sexual relationships with beneficiaries of assistance, since they are based on inherently unequal power dynamics

Additionally, NAPWPD staff and associated personnel are obliged to:

- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy
- Report any concerns or suspicions regarding safeguarding violations by an VDI staff member or associated personnel to the appropriate staff member

Protection from Abuse

Abuse of an individual refers to inflicting harm or failing to prevent harm. In our bid to safeguard our beneficiaries, community members and those that we came in contact in course of our business, we ensure adherence to United Nation's convention on the Rights of Children, and define abuse based on, Article 19 of the convention which states:

Parties shall take all appropriate legislative, administrative social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in care of parents(s), legal guardian(s), or any other person who has the care of the child.

Such protective measures should, as appropriate, include effective procedures for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Also, for adults the UN declaration of Human Rights with particular reference to Article 5 states:

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Abuse in this context include and not limited to the following:

Physical Abuse, or physical harm such as evidence of kicking, hitting or shaking, where there is definite knowledge or reasonable suspicion, that the injury was inflicted or knowingly not prevented.

Emotional Abuse: refers to harm done by persistent or severe emotional ill treatment or rejection, such as degrading punishments, threats and not giving care and affection, resulting in adverse effects on behavior and emotional development of a person.

Sexual Abuse: refers to exploitation of a person. It can be in form of rape, incest, and all forms of sexual activities inclusive of pornography. Exchange of benefits such as food, goods and money for sexual favors.

Neglect: where basic needs such as food, warmth, medical care are not met, or when there is a failure to protect a person from exposure to any kind of danger, resulting in serious impairment of a person's health or development.

Sexual Harassment: refers to unwanted behavior of a sexual nature which violates your dignity, makes one feel intimidated, degraded or create a holistic or offensive environment. An individual does not need to have previously objected to someone's behavior for it to be considered unwanted. Sexual harassment includes: Sexual comment or jokes, Physical behavior, including unwelcome sexual advances, touching and various forms of sexual assault, Displaying pictures, photos or drawings of sexual nature, Sending texts or emails with sexual content.

Enabling reports

NAPWPD will ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to staff and the communities we work with.

NAPWPD will also accept complaints from external sources such as members of the public, partners and official bodies.

How to report a safeguarding concern

Actual, potential or suspected incidents of abuse must be reported immediately. Where appropriate the victim should make a report to supervisor or Human Resource representatives who will inform the Safeguarding Focal Person immediately. The Safeguarding Focal Person will ensure that the matter is appropriately investigated. Alternative reporting mechanisms are also noted below. The need to report arises in the following instances:

- Abuse is observed or suspected
- An allegation of abuse is made

- Someone discloses abuse

No representative of NAPWPD will be prejudiced by responsibly reporting potential or suspected abuse.

It is important to note that where the representatives report concerns, it is not their responsibility to decide if abuse is taking place, but it is their responsibility to pass these concerns on. Care must be taken regarding confidentiality and the sharing of information with appropriate people.

Information given should be written in a report as soon as possible after the concern was raised (24 hours if possible). Any written records taken must be kept securely in a locked place or in a confidential electronic folder.

Under no circumstances should any individual attempt to deal with the problem of abuse directly. An investigation team will be established supported by the Safeguarding Focal Person.

The report can include details such as the following:

- Name of alleged victim.
- Address and/or present location of alleged victim.
- Name of suspected abuser.
- Incident information, including date/time of incident; place of incident.
- Type of abuse alleged.
- Reporter's observations; statements by alleged victim.
- Other persons knowledgeable of the alleged abuse.
- If relevant, family member or other person responsible for alleged victim's well-being.
- Name of reporting party.
- Signature of person writing the report and date of report.
- WILL NOT TAKE NOTES IN FRONT OF CHILD DISCLOSING AN INCIDENT.

Principles for investigation and action

We will abide by the following principles in reviewing SEAH allegations:

- Recognize the importance of a survivor-centered approach.
- Listen to and value the voices of persons with disabilities.
- Base DRF's commitment to respect the human rights protected by this Policy on internationally recognized human rights standards as contained in internationally and regionally recognized human rights instruments.
- Treat the victim/survivor with respect, provide them with comprehensive information, and involve them in decision-making.
- Apply SEAH protection in ways that are culturally sensitive but without condoning acts that are harmful.
- Recognize that inequalities based on intersectional identities including such distinctions as worker/beneficiary; ability/disability; ethnic and Indigenous status; religion; age; health; and poverty can increase the risk of SEAH.

- Further recognize that, as noted in DRF's Gender Guidelines, the intersection of gender and sexual orientation with other forms of inequality can increase the likelihood of SEAH occurring.

Safeguarding Focal Person

NAPWPD Safeguarding Focal Person is Rilwan Abdullahi Mohammed

Also, you can submit a confidential report to this email address: napwpd2018@gmail.com

The email address is monitored by the National President as Safeguarding focal person. Information provided will be treated in confidence. Affected person do not have personal details; however, such information will assist in taking forward concerns and enable the organization provide a response on the outcome. If the complainant decides not disclose personal identity, the organization will not act otherwise without consent, unless required by law.

If you wish to raise a concern outside of NAPWPD, you can get advice and support from the National Human Right Commission. Toll free Telephone 08006472428 or alternatively by email at info@nhrc.goc.ng

Response

NAPWPD will follow up safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations. NAPWPD will apply appropriate disciplinary measures to staff found in breach of policy which will be invoked in any occurrence.

NAPWPD will offer support to survivors of harm caused by staff or associated personnel, regardless of whether a formal internal response is carried out (such as an internal investigation). Decisions regarding support will be led by the survivor.

We are aware that there will be times when the behaviour of employees may constitute a breach of code of conduct which is not regarded as criminal offence under the Nigeria law. In this situation, NAPWPD may consider providing other support to the staff or individual involved in form of counselling, training, increased supervision or transfer to other duties. There are cases where the organization may consider their dismissal of an employee even if the behaviour is not criminal especially in a case of gross violation of the Safeguarding Policy. Information on safeguarding will be shared on a 'need to know' basis only. Protection will be given to any individual that raise concern of serious malpractice from victimization while deliberate false allegation will be made a serious disciplinary offence and investigated by the organization.

Recruitment

Our policy ensures no one shall work with NAPWPD who:

- Has been convicted of or has received a formal police caution concerning an offense against children; or
- Has been convicted of or has received a formal police caution concerning sexual offences against adults; or

- Is notified to us as having a red flag in relation to safeguarding by a former employer

During recruitment, the organization shall ensure applicants complete a self-declaration disclosure relating in relation to safeguarding, discuss safeguarding with respect to our target group or beneficiaries, may consider request for reference from the applicant recent employer, where relevant verify qualification of the applicant and ensure safeguarding is part of the applicant orientation as serve a mandatory completion of probationary period.

Confidentiality

It is essential that confidentiality in maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management should be shared on a need-to-know basis only, and should be kept secure at all times.

Governance & Oversight

The management team shall provide oversight of the Safeguarding Policy on behalf of the Board. It receives confidential report on incidents and also approves separate reporting, where applicable to the Ministry of Women Affairs and Social Development, The National Commission for Persons with Disabilities, and relevant partners. The State Gender Based Actors response, Child Protection team and development partners shall ensure NAPWPD meets its regulatory requirements and oversees the implementation of the actions to further embed the policy in all areas of the organization work.

Policy Information Reference

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| Status | Final |
| Date of Last Review | December, 2022 |
| Date of Next Formal Review | December 2024 |

Glossary of Terms

Beneficiary of Assistance

Someone who directly receives goods or services from NAPWPD’s programme. Note that misuse of power can also apply to the wider community that the NGO serves, and also can include exploitation by giving the perception of being in a position of power.

Child

A person below the age of 18

Harm

Psychological, physical and any other infringement of an individual’s rights

Psychological harm

Emotional or psychological abuse, including (but not limited to) humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation

Protection from Sexual Exploitation and Abuse (PSEA)

The term used by the humanitarian and development community to refer to the prevention of sexual exploitation and abuse of affected populations by staff or associated personnel. The term derives from the United Nations Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13)

Safeguarding

In the UK, safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.

In our sector, we understand it to mean protecting people, including children and at risk adults, from harm that arises from coming into contact with our staff or programmes. One donor definition is as follows:

Safeguarding means taking all reasonable steps to prevent harm, particularly sexual exploitation, abuse and harassment from occurring; to protect people, especially vulnerable adults and children, from that harm; and to respond appropriately when harm does occur.

This definition draws from our values and principles and shapes our culture. It pays specific attention to preventing and responding to harm from any potential, actual or attempted abuse of power, trust, or vulnerability, especially for sexual purposes.

Safeguarding applies consistently and without exception across our programmes, partners and staff. It requires proactively identifying, preventing and guarding against all risks of harm, exploitation and abuse and having mature, accountable and transparent systems for response, reporting and learning when risks materialise. Those systems must be survivor-centred and also protect those accused until proven guilty. Safeguarding puts beneficiaries and affected persons at the centre of all we do.

Sexual abuse

The term 'sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual exploitation

The term 'sexual exploitation' means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. This definition includes human trafficking and modern slavery.

Survivor

The person who has been abused or exploited. The term 'survivor' is often used in preference to 'victim' as it implies strength, resilience and the capacity

to survive, however it is the individual's choice how they wish to identify themselves.

At risk adult

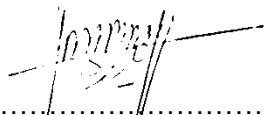
Sometimes also referred to as vulnerable adult. A person who is or may be in need of care by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

APPENDICES

Annex 1 – Statement of Commitment to NAPWPD’s PSEAH Policy

I, RILWAN MOHAMMED have read and understood the standards and guidelines outlined in this policy. I agree with the principles contained therein and accept the importance of implementing the PSEAH Policy standards and code of conduct while working with/for National Association of Persons with Physical Disabilities and children and vulnerable adults.

I further understand that adherence to the NAPWPD’s PSEAH Policy will involve the following: signing a personal declaration stating any criminal convictions, including those considered ‘spent’; declaring any previous investigations or allegations made against me with respect to Safeguarding issues; and providing two-character references.



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Rilwan Mohammed
National President
08037359760