

PREVENTING HARM (SAFEGUARDING) IN RESEARCH POLICY

DRAFT DOCUMENT



GHANA COLLEGE OF
**PHYSICIANS
AND
SURGEONS**

February, 2022.

This policy has been developed to ensure the protection of children or adults in vulnerable circumstances who come into contact with the Ghana College of Physicians and Surgeons. It is also intended to safeguard the interests of staff, faculty members and residents who work or come into contact with children, young persons or adults in vulnerable circumstances and to prevent any sexual exploitation, abuse or harassment of research participants, communities and research staff, plus any broader forms of violence, exploitation and abuse.

Contents

1.0	Introduction	1
2.0	Safeguarding Children and Vulnerable Adults	2
3.0	Activities Organised for Children or Adults in Vulnerable Circumstances	2
4.0	Employment /Work Experience Attachments for Children (Persons under 18)	2
5.0	Criminal Record Checks.....	3
6.0	Research Engaging Children and /or Adults in Vulnerable Circumstances.....	3
7.0	Safeguarding Research Participants, Communities and Staff.....	4
7.1	All Research.....	4
7.2	Clinical Trials	4
8.0	Corporate Responsibilities, Safeguarding Leads and Escalation Procedures	4
9.0	Faculty Safeguarding Lead (FSL).....	5
10.0	Safeguarding sub-committee of the Education and Research Committee	5
11.0	Notification of Incidents	6
12.0	Training	6
13.0	Acknowledgements.....	6

1.0 Introduction

All should be treated fairly and with dignity and respect in their interactions with the Ghana College of Physicians and Surgeons whether they are faculty, staff, residents /trainees, research participants or community members. This policy is developed to ensure that all who interact with the GCPS in whatever capacity are safeguarded from exploitation, abuse and harassment. All who come in contact with the GCPS in one way or the other; whether as faculty, staff, residents and trainees, community members and the general public should be treated with dignity, courtesy and respect. The GCPS as a public sector institution draws upon the Ghana Civil Service Code of conductⁱ. Faculty, staff and trainees must respect its guiding principles of public life as below:

1. **Selflessness:** Civil Servants should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefit for themselves, their family or their friends.
2. **Integrity:** Civil Servants should not place themselves under any financial or other obligation to any individuals or organizations that might influence them in the performance of their official duties, including awarding of contracts etc.
3. **Justice and Fairness:** In carrying out public business including making public appointments, awarding contracts, or, recommending individuals for rewards and benefits, Civil Servants should make choices based solely on merit.
4. **Accountability:** Civil Servants shall be responsible to both the Government (employer) and the public (customer) for their decisions and actions, and must submit themselves to whatever scrutiny is appropriate to their office.
5. **Transparency:** Civil Servants should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict access to information only when the wider public interest clearly demands that the information should not be released.

In this policy we adopt the UK collaborative on research development (UKCDR) definition of safeguarding in international development research as preventing and addressing *“any sexual exploitation, abuse or harassment of research participants, communities and research staff, plus any broader forms of violence, exploitation and abuse such as bullying, psychological abuse and physical violence”*^{ii,iii}. This policy addresses safeguarding children and vulnerable adults; research participants, communities and staff; safeguarding against broader forms of violence, exploitation and abuse and GCPS cooperate responsibilities and strategies for implementing this policy.

2.0 Safeguarding Children and Vulnerable Adults

In **Ghana**, the 1992 Republican Constitution (section 29)^{iv} and the **Children's Act** of 1998^v define a **child** as a human being below the age of eighteen (18) years. These definitions are also in compliance with the Convention on the Rights of the **Child** and the African Charter on the Rights and Welfare of the **Child**. In this policy therefore a child refers to a person under the age of 18.

In this policy, a vulnerable adult refers to a person aged 18 years or older, and therefore classified as an adult in Ghana; but who for any reason is unable to take care of themselves or unable to protect themselves against significant harm or exploitation by others.

The Ghana College of Physicians and Surgeons (GCPS) is committed to ensuring so far as is reasonably and practicable within its power, the safety of children and vulnerable adults who use or visit its premises for one reason or the other; or who are engaged in GCPS activities at any location. The GCPS requires that an appropriate risk assessment is completed for all activities organised by the College or on its premises for children and adults in vulnerable circumstances to ensure their safeguarding from harm.

3.0 Activities Organised for Children or Adults in Vulnerable Circumstances

No activity may be organised for or involving children or adults in vulnerable circumstances; or for groups which might reasonably be expected to include children or adults in vulnerable circumstances without the prior permission of the Rector of the College or the Chair of the Faculty organising the activity.

The Chair of the Faculty organising an activity or any event involving children and or adults in vulnerable circumstances or for groups which may reasonably be expected to include some such persons must ensure that:

- (a) A risk assessment is carried out taking into account risks to staff as well as to children or adults in vulnerable circumstances;
- (b) Responsibilities for controlling any identified risks are set out clearly in writing and made available to staff and to any others assisting in the activity e.g. residents, volunteers etc
- (c) Appropriate training is provided to all staff, faculty and any other persons involved in the activity or event
- (d) Appropriate Criminal Record checks are carried out as relevant

4.0 Employment /Work Experience Attachments for Children (Persons under 18)

Under the **Ghana Children Act** 1998, the minimum age for admission of **children** into **employment** is fifteen (15). However, **children** may be employed at the age of thirteen (13) to do light **work**. The minimum age for engagement of persons in hazardous **work** is eighteen (18). This law must be respected at all times by GCPS staff, faculty and trainees /residents.

A written risk assessment shall be completed by the Faculty Chair and reviewed by the Rector or his/her designated representative before any person under 18 years is employed by the GCPS or offered 'work experience' or 'work attachment'.

5.0 Criminal Record Checks

The GCPS will take all reasonable steps to ensure that persons who are unsuitable to work with children and adults in vulnerable circumstances are prevented from doing so. The GCPS shall ensure that suitable background and criminal record checks are conducted on all temporary and permanent staff it employs who are likely to come into contact with or work with children and vulnerable adults. Similar checks will be conducted for faculty and trainees (residents) who are likely to come into contact with or work with children and vulnerable adults. The Chairs of all Faculties and departments are responsible to ensure that the College Administration is notified to assist with suitable background and criminal record checks on all temporary, contracted and full time staff employed in the faculties.

If there is any doubt as to whether a Criminal Record check is to be made or the appropriate level of check, guidance must be sought from the Administrator in the College who also doubles up as the GCPS Disclosure Manager.

Under the circumstances described below at (a) and (b), the GCPS is under an obligation to notify the Domestic Violence and Victim Support Unit (DOVVSU) of the Ghana Police Service. The Domestic Violence and Victims Support Unit (**DOVVSU**) of the Ghana Police Service is positioned to deal with such cases since among its functions is the protection of the rights of the vulnerable against all forms of abuse be it physical, sexual, emotional/psychological, socio-economic, or harmful cultural practices.

The circumstances are

- (a) in the event of terminating a member of staff's involvement in activities involving children, young persons or adults in vulnerable circumstances, as a result of suspected abuse, harm or risk thereof OR
- (b) where such action would have been taken had the member of staff not voluntarily ceased to participate in such activity.

Criminal Record checks are only one method of promoting safeguarding and fulfilling the aims of this Policy. They should not be considered as a substitute for, but rather an enhancement to all the measures set out in this policy to safeguard children and vulnerable adults.

6.0 Research Engaging Children and /or Adults in Vulnerable Circumstances

No research whether by Faculty or Residents or partners with whom they are working; using (or otherwise engaging) children or adults in vulnerable circumstances may be carried out without Ethical Clearance from the Ghana Health Service Ethics Review Committee.

The Faculty Chair shall be responsible for ensuring that a satisfactory written risk assessment is completed and that control measures specified therein are effected.

7.0 Safeguarding Research Participants, Communities and Staff

7.1 All Research

No research shall be conducted by faculty, staff or residents (trainees) of the college without obtaining ethical clearance from the requisite bodies in Ghana. All health research requires ethical clearance from the Ethical Committee of the Research and Development Division of the Ghana Health Service. All primary data collection must be done with informed consent and the necessary protection of the data and privacy of research participants.

7.2 Clinical Trials

Where the research is a clinical trial, additionally, part eight of Act 851 of the parliament of the Republic of Ghana, known as the Ghana Public Health Act, must be adhered to. It provides for the conduct of clinical trials in Ghana. It provides the legal backing for the clinical trials advisory committee which operates under the Ghana Food and Drugs Authority (FDA). The committee is tasked to provide the Ghana FDA with *'ongoing and timely medical and scientific advice on current and emerging issues related to clinical trials'*^{vi} The clinical trials advisory committee comprises an independent multi-disciplinary panel of experts from all relevant specialties such as clinical pharmacologist, social scientist, internal medicine physician, clinical pharmacist, epidemiologist, pharmacologist, biostatistician etc. Before any clinical trial can be conducted in Ghana, apart from going through ethical review by the ethical review committee of the Ghana health service, it also has to go through review by the clinical trials advisory committee of the FDA.

The law also provides for *'an applicant who is aggrieved by a decision of the authority as regards the grant of an authorisation for the conduct of a clinical trial may make a representation to the Minister within sixty days'*^{vii} Under Ghana's law, the FDA is the body with the power /authority to stop or suspend clinical trials. Section 160 (1) states; *'If at any stage during the authorised clinical trial of a medicine, herbal medicinal product, cosmetic or medical device the Authority is satisfied that considering the initial risks, discomforts or any other adverse event caused to a person or an animal taking part in the trials, it is in the public interest to stop or suspend the trial, the Authority shall order the person conducting the clinical trial to stop or suspend the trial immediately'* and (2) *'without limiting subsection (1), the Authority may for any other reasonable cause suspend, vary or stop a clinical trial'* and (3) *'the Authority shall notify the person conducting the trial of its decision immediately and the reasons for the decision'*

8.0 Corporate Responsibilities, Safeguarding Leads and Escalation Procedures

The GCPS Administration and all the Faculty Boards must ensure that their staff are aware of this policy.

9.0 Faculty Safeguarding Lead (FSL)

In each faculty, the GCPS Faculty Safeguarding Lead (FSL) will be the Faculty Secretary. The Faculty Safeguarding Lead (FSL) is designated to be responsible for hearing any safeguarding concerns within the faculty and working with the Faculty Board to deal with those concerns and assist in any investigations and action required. All FSL will be provided with initial and periodic update training for the role and will be guided by this policy and accompanying standard operating procedures. Where for some reason it is not possible to teak a complaint to the FSL e.g. the FSL is unavailable; the complaint is against the FSL themselves or the complainant has some other concerns or reservations about approaching the faculty secretary; the Faculty Chairperson will take the role of the alternative Faculty Safe Guarding Lead.

Faculty Safeguarding Lead responsibilities:

1. To receive concerns and reports:

- To receive information about safeguarding concerns and reports and escalate when required
- Maintain a safeguarding incident log
- Discuss subsequent action required to ensure the safety and welfare of individuals involved with the faculty board
- Maintain an overall picture of reports and issues
- Assist with the collation and updating of lists of local organisations that can provide support to individuals
- Make appropriate referrals to organisations that can provide support
- Maintain confidentiality and be empathic with good communication skills in receiving concerns and reports

2. Provide support and share information:

- Ensure periodic trainings and updates on safeguarding for faculty as well as residents and staff
- Attend meetings and reviews of the Safeguarding sub-committee of the Education and Research Committee of the GCPS
- Provide support to staff if they have any safeguarding questions and concerns
- Deliver information on safeguarding and reporting
- Support the wider organisation in the implementation of safeguarding policies and procedures
- Assist in the assessing of safeguarding risks
- Work with researchers to ensure safeguarding is integrated into all research

10.0 Safeguarding sub-committee of the Education and Research Committee

A Safe Guarding sub-committee of the Education and Research Committee of the College will be established to deliberate on safe guarding issues that are escalated above the level of the faculty board. The Safe Guarding sub-committee of the Education and Research Committee of the College shall comprise 5 members nominated from the membership of the Education and Research Committee including a nominee from the faculty of Pediatrics, faculty of Psychiatry, faculty of public health and two others.

11.0 Notification of Incidents

Any unusual incident involving a child, young person or adult in vulnerable circumstances or any exploitation or violence against research participants, communities, researchers or faculty and staff must be reported immediately to the Faculty Safeguarding lead. An 'unusual incident' is one which might reasonably give grounds for concern about the health, safety or welfare of the individual concerned, or which entails a departure from the control measures specified in the relevant risk assessment, or which is an event not foreseen in the risk assessment. The faculty safeguarding lead will bring the matter to the attention of the faculty chair and board for investigation. The Rector will be alerted about the incident and the ongoing investigation and be informed about the conclusion of the faculty board investigation and deliberation. If following the faculty board investigation and deliberation further escalation of action is needed because the incident cannot be dealt with at the faculty level the Rector will be informed and the case will be escalated to the level of the Academic Board. If the case is escalated to the level of the Academic board, the Chairman of the Council must be informed. An incident log must be kept for all incidents at every level of escalation.

12.0 Training

An introduction to safeguarding will be incorporated into the GCPS induction programme for all new trainees and staff. All GCPS staff will be expected to complete training in relation to safeguarding and protection of children and vulnerable adults every three years. All safeguarding focal points and key identified personnel (including identified members of HR staff and relevant Principal Investigators), will undergo specialist face to face safeguarding training every two years.

13.0 Acknowledgements

We are indebted for the guidance we obtained from the following Safe guarding policies:

http://www.leeds.ac.uk/secretariat/documents/safeguarding_policy.pdf#

http://www.leeds.ac.uk/secretariat/documents/safeguarding_guidance.pdf

CHORUS Consortium

<https://www.lstmed.ac.uk/sites/default/files/content/page/attachments/Protecting%20children%20and%20vulnerable%20adults%20procedure%20V8%2021.03.19.pdf>

ⁱ http://www.ohcs.gov.gh/sites/default/files/Civil%20Service%20Code%20of%20Conduct_0.pdf. Accessed 23/2/21

ⁱⁱ Orr DM, Daoust G., Dyvik SL et al. Safeguarding in international development research: evidence review 2019

ⁱⁱⁱ Orr DM, Daoust G., Dyvik SL et al Safeguarding in international development research Briefing Paper, 2018: 1 - 9

^{iv} <https://constitutionnet.org/sites/default/files/Ghana%20Constitution.pdf>. Accessed 2 Feb 2021

^v The Children's Act 1998. Act 560

<http://www.unesco.org/education/edurights/media/docs/f7a7a002205e07fbf119bc00c8bd3208a438b37f.pdf>. Accessed 2 Feb 2021

^{vi} Act 851 section 151

^{vii} Act 851 section 156 (3)