



PRI Partnership Strategy Overview 2014

1. Introduction: rationale and development of PRI's Partnership Strategy

- 1.1 PRI works with many partners and stakeholders in different ways to achieve our goals. For example, we may want to join with others to strengthen our advocacy voice or to broaden our programme activities. Partnerships also enable us to work in countries where we have no regional office.
- 1.2 Our approach to partnerships is referred to in our International Staff Handbook¹, particularly in the section *Engagement with Government* (Annex I); and in our Strategic Plan 2010–2015², which includes capacity building of local partners as a cross-cutting theme.
- 1.3 As part of our organisational development we are reviewing our approach to partnership in order to:
- Have consistent, clear and transparent guidelines for partnership working (identification, selection, management and monitoring of partnerships)
 - Learn lessons from our partnerships to inform future work
 - Incorporate wider sector good practice on partnership working

2. Who does PRI work with and how?

- 2.1 At the end of 2013, we had working relationships with over 100 organisations in 25 countries. (Annex II). We work with these in the following ways:

Governmental and other State bodies:

- Providing technical assistance, acting as expert advisers, for example in drafting legislation and advising on international standards
- Providing training for personnel in the prison and probation services
- Facilitating discussion between government and civil society representatives.

Professional bodies and experts:

- Providing training and resources for judges, prosecutors, lawyers and others such as social workers, who work with suspects, offenders and former prisoners, on the application of international standards and good practice to their field
- Collaborating and consulting with experts on a piece of research or, to exchange information, feedback and expertise on a specific issue.

¹ PRI Financial Procedures and International Staff Handbook, revised June 2011

² <http://www.penalreform.org/resource/investing-justice-strategic-plan-penal-reform-international-2010/>

Civil society:

- Providing training and resources to local and international NGOs, journalists and academics
- Collaborating on joint activities, for example advocacy or public monitoring of prisons
- Facilitating or contributing to networks and coalitions, for example, the Interagency Panel on Juvenile Justice (IPJJ), the OPCAT Contact Network, and local NGO networks for a stronger advocacy voice
- Providing small grants, for example, to NGOs delivering services directly to prisoners
- Funding local NGOs to deliver services or organise events on our behalf or jointly with us
- Facilitating discussion between governments and civil society representatives.

Intergovernmental organisations, international and regional agencies, networks and expert bodies:

- Providing expertise and advocacy through PRI's consultative and observer status with inter-governmental bodies such as the United Nations (ECOSOC status), Inter-Parliamentary Assembly, Council of Europe, and the African Commission on Human and Peoples' Rights
- We are active with bodies such as the UN Commission on Crime Prevention and Criminal Justice, UN Human Rights Council, and OSCE Human Dimension Implementation Meeting, and at expert meetings relating to these bodies
- PRI has membership and engagement with other expert bodies such as the World Coalition Against the Death Penalty and the Human Rights and Democracy Network.

3. What do we mean by Partnership?

a) Formal partners

These are stakeholders with whom we engage through:

- Signing an agreement such a contract, Memorandum of Understanding (MoU) or grant agreement;
- Financial payments are involved;
- There are usually time bound initiatives or specific activities to be achieved.

Examples:

- Project delivery e.g. implementing activities on behalf of, and/or jointly with PRI
- Providing a small grant, usually to a local NGO, for activities that they design and implement and that contribute to PRI's/joint project e.g. providing rehabilitation services to beneficiaries
- Undertaking research
- Providing expertise e.g. on papers, policy.

b) Informal partners

These are stakeholders with whom we engage, but:

- Do not have a formal agreement;
- Where no financial exchange is involved;
- Usually ongoing or occasional work rather than specific time-bound project.

Examples:

- Advocacy e.g. joint statements or policy paper, campaign work
- Research e.g. providing information
- Holding a joint event or, providing speakers, trainers
- 'In-kind' resources provided e.g. venue to host side-event; translation
- Information and expertise sharing e.g. feedback on papers, exchange of data.

c) Providing technical assistance or capacity building activities with a Government Ministry, Parliamentarians, public officials, criminal justice professionals or civil society organisations. This is often confined to a specific activity such as membership of a working group to advise on legislation, or training on international standards. MoUs may also be signed with a Government Ministry as a form of official recognition of a working relationship or for permission to work in the country, but this would not usually be specifically project related nor involve financial exchange.

PRI's definition of 'partnership' may therefore be:

'A collaborative association for a common purpose either for project implementation, advocacy or research purposes which benefits both partners. It is a working relationship based on trust, respect, transparency, participatory processes, with clearly defined and agreed objectives and methods of working.'

4. PRI's partnership criteria and principles

4.1 Criteria

PRI will develop partnerships with organisations that meet our partnership criteria. The criteria are described in more detail in the '*PRI Identification and Selection tool*', and include where:

- There are common goals, objectives and principles. These meet PRI's mandate, policies and programmes of work
- Partnership working will benefit both PRI and the partner and add value to each other's work
- There is sufficient capacity and experience to undertake the partnership work agreed, including implementation and reporting requirements
- There is genuine commitment to the common objectives and partnership
- Partners demonstrate commitment to good governance and accountability
- Partnerships with government bodies, also includes the following criteria:
 - Partnership work does not threaten PRI's independence or require PRI to depart from our mandate

- The country's record and government demonstrates commitment to improvement, particularly in meeting international standards
- Legislation and practice facilitate the legitimate activities of civil society.

4.2 Principles and values

The partnership should be based on mutually agreed principles and values including:

- Human rights standards
- Trust and respect
- Participatory approaches
- Open and regular communication
- Transparency and good governance, including financial due diligence
- Collaborative approach
- Sensitivity and flexibility towards local cultures, gender and environments
- Ensuring safety and security of colleagues

5. Identifying, developing, managing and monitoring PRI's partnerships – tools and guidelines

PRI's partnership tools are primarily, but not exclusively, designed for engagement with stakeholders with whom PRI has a **'formal partnership'**.

They set out a *minimum standard and approach to be followed*, to ensure that PRI follows good practice, complies with donor and legal obligations, and has a common approach across the organisation. The tools can be used to guide discussion with the partner and adapted and used as appropriate to the particular context, project and type of partner.

UK charitable and legal guidelines stress the importance of having records and supporting documentation of the process of risk assessments, selection and management of partnerships and finances. The tools provide a means for PRI to have these written records.

The following tools have been developed:

1. *An overview* of the tools available to guide PRI staff in identifying, establishing, managing, monitoring and evaluating partnerships.
2. *Identifying and selecting*: provides a 'checklist' of steps and issues to consider when identifying and selecting partners; the minimum criteria that a potential partner should meet; principles and values of the partnership.
3. *Agreeing a partnership*: provides a template for developing and agreeing a MoU, contract or grant agreement.
4. *Managing and monitoring partnerships*: provides guidelines and templates to manage and monitor partnerships, including narrative and financial reporting templates, annual review template and partner survey.

6. Partnership risks and mitigation

<i>Risks</i>	<i>Mitigation</i>
Reputational damage: if a partner is ill chosen or lacks capacity to deliver	Selection process and criteria. Partnership monitoring
Financial risks: if funding given to partners is not managed well	Financial management and reporting templates, partner training provided where necessary
Partner does not deliver activities as specified or within the agreed timeline	Capacity assessment as part of selection process. Agreement with clear roles, responsibilities and workplan. Monitoring and provision for notice where termination becomes necessary
Partner dependency on PRI and sustainability of initiatives	Selection process. Building partners' capacity to ensure sustainability of initiatives and outcomes
PRI perceived as too close to government and state authorities	Clear and transparent agreements with government. Compliance with selection criteria and PRI's 'Engaging with Governments Policy' see Annex 1 below
Risks of Bribery, corruption and terrorism	PRI staff should carry out due diligence tests on potential partners or others with whom we might work to prevent instances of bribery or corruption. Compliance with selection criteria and PRI's Policy on bribery and corruption and on Terrorism – See Annex I below

7. Monitoring and evaluation of PRI's Partnership Strategy

PRI will establish a baseline for partnership working in 2014, using the Partnership section of the BOND Health Check Survey.

The Partnership Strategy will be monitored and evaluated by:

- Assessing level of implementation annually through consultation with staff and partners and review of templates/tools used.
- Using feedback from partner reports and surveys
- Annually completing the Bond Health Check
- Partnership working group

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ANNEXES

Annex I

Extract from PRI's International Staff Handbook (June 2011)

PRI has a publicly available policy concerning working with governments, set out below and on the intranet:

Penal Reform International's Policy on Engaging with Governments October 2010

PRI's constitution states:

'Although PRI works in partnership with governments, it only seeks and accepts funds from governments to undertake work in accordance with its agreed programme. As a well-respected NGO, PRI does not accept any funds from governments which threaten its independence or require it to depart from its mandate or programme of work.'

Penal Reform International seeks to work in cooperation and collaboration with governments, other officials and non-governmental partners. This way of working is usually compatible with maintaining independence and upholding the principles which underpin PRI's work as an organisation that seeks to promote international human rights standards and norms, and good governance.

When contemplating activity, or continued activity in any country, PRI considers a number of factors. These include:

- the extent to which national policy, legislation and practice are in compliance with international standards and norms for the administration of criminal justice;
- the country's record in taking concrete steps towards improvement, particularly in meeting the recommendations of inter-governmental bodies such as the United Nations and Council of Europe;
- the extent to which national legislation and practice facilitate the legitimate activities of civil society and the media;
- whether the government's words and actions demonstrate a genuine willingness to co-operate with PRI in effecting change;
- whether factors such as conflict and corruption make it impossible for PRI to operate safely and credibly.

In all countries where PRI is active it:

- Acts transparently;
- Engages with criminal justice and other officials, without whose cooperation the process of reform is impossible and unsustainable;
- Engages with, complements and supports the legitimate activities of independent civil society;
- Encourages cooperation with inter-governmental human rights bodies, openly communicates with them, participates in reporting processes, supports dissemination and implementation of the conclusions and recommendations of such bodies;

- Maintains a permanent watch on the extent to which public statements by the government, legislation and practice demonstrate commitment to human rights and good governance;
- Discusses with the government, in a constructive manner, areas of non-compliance with human rights standards and norms relevant to PRI's mandate;
- Remains prepared to disengage, should the government's actions be so serious as fundamentally to call into question the appropriateness of PRI's continued co-operation.

PRI works co-operatively and collaboratively with partners who may be governmental institutions, other NGOs or professionals involved in the reform process. It does not denounce or attack governments (though may from time to time criticise specific actions by governments). However, PRI must not compromise its independence in its relationship with government; and all actions and statements made must be consistent with PRI's mission and policies. Consequently RDs must be diplomatic and tactful in their approach to partners and potential partners, seeking areas for common agreement and action and carefully considering the possibilities before acting. There may be circumstances where it appears to the RD that changes at governmental or operational level means that there is little chance of genuine reform being achieved. Where this arises, the RD should inform the ED and discuss the implications of the change for the programme and PRI's reputation in general.

Penal Reform International's Policy on prevention of bribery and corruption June 2011

Since 1 July 2011, it is a criminal offence for a UK resident to pay or receive a bribe, either directly or indirectly (and whether this takes place in the UK or abroad). An offence is also committed where a bribe is paid on behalf of the organisation by a third party such as an associate, including employees, agents and people providing services. It does not have to take place in the UK.

PRI and all its activities are covered by these provisions and it is therefore essential that the following policy and procedures are followed in all circumstances. Breach of the policy may result in disciplinary proceedings.

It is a defence to such a charge if there are procedures in place to prevent bribery that adopt a proportionate and risk-based approach:

1. All PRI offices must assess whether and in what circumstances there is a risk of offering or accepting bribes
2. All contracts and Memorandums of Understanding should make it clear that offering or accepting bribes may lead to termination of the contract
3. In checking potential partners, agents, associates and others you should enquire whether they have an anti-bribery policy or are happy to comply with PRI policy
4. The figure being paid for services should be appropriate for the services provided

5. PRI staff should carry out due diligence tests on potential partners or others with whom we might work, to include:

- Obtaining information about their key personnel, their track record and history of the organisation
- Checking to see if there is any conflict of interest or political / other potentially damaging loyalties and relationships that might compromise PRI's independence and reputation
- Gathering intelligence from others working in the field to gain insight into their record, ethical approach and activities

Giving and receiving hospitality and small gifts to build relationships, but are not intended to influence business outcomes, are permissible so long as they are appropriate and not extravagant. You should in any event keep receipts for any gifts given or hospitality paid for and make a note of gifts received (*see under Conflict of Interest policy*). Facilitation payments (small payments demanded by officials to obtain permits or 'jump the queue') are caught by the Act and should not be made.

All staff must be made aware of this policy. If anyone considers they may be in a situation where the Act applies, they should seek advice from the Regional Director or Executive Director as appropriate. No-one will be penalised for refusing to pay a bribe and all members of staff will be supported in following this policy.

This policy will be monitored for compliance and kept under review.

Penal Reform International Anti-Terrorism Policy June 2011

PRI does not support or condone terrorism and will not work with partners, associates or agents who do so openly or otherwise. When considering working with other organisations and individuals, similar procedures must be applied as set out in the anti-bribery and corruption policy. Consequently:

A risk assessment should be made as to whether and in what circumstances there is a risk of association with organisations or individuals who support or condone terrorism

Where appropriate, PRI should check that potential partners have in place an anti-terrorism policy or are happy to accept PRI policy

PRI staff should carry out due diligence tests on potential partners or others with whom we might work, to include:

- Obtaining information about their key personnel, their track record and history of the organisation
- *Visiting the organisation to find out more about them and their aims*
- Checking to see if there is any conflict of interest or political / other potentially damaging loyalties and relationships that might compromise PRI's independence and reputation
- *Checking the organisation and associated members against the UN list of organisations associated with Al Quaida:*
<http://www.un.org/sc/committees/1267/consolist.shtml>

- Gathering intelligence from others working in the field to gain insight into their record, ethical approach and activities

All staff must be made aware of this policy. If anyone considers they may be in a situation where the Act applies, they should seek advice from the Regional Director or Executive Director as appropriate.

Annex II

Global list of organisations with which PRI has working relationships, 2013 (updated regularly and available [here](#) on PRI intranet.)

Annex III

Resources

Anti-Bribery Principles and Guidelines for NGOs (BOND, Transparency International and MANGO, 2011)

BOND approaches to Partnership (2010)

CAFOD Accountability Framework (3rd Version: March 2012)

CAFOD International Division Evaluation Policy

CAFOD Position statement on vulnerability and inequality: Ensure the safety and well-being of children and disadvantaged or vulnerable adults

Christian Aid Partnership Strategy (2008)

Financial Sanctions: consolidated list of targets (UN, EU, UK)

HMRC guidance on payments to overseas bodies

INTRAC NGO Policy Briefing Paper No 4, April 2001 "NGOs and Partnerships"

Oxfam: Working with Others, Oxfam GB Partnership Policy (2007)

Policy on Concern's Relationships with other institutions (Partnership Policy) 2007

VSO Annual Partnership Reviews and Global Reporting – 2012 -2013

VSO Partnership Monitoring and Learning Tool 2012-2013

VSO Programme Partner Beneficiary types and definitions: further guidance

VSO standardized advocacy success scale.

WWF The Partnership Tool Box (Rod Sterne, Deborah Heaney and Bruce Britton)