



# International Safeguarding Policy

With Annex 1: Protection from Sexual Exploitation and Abuse (PSEA) Policy

Appendix 1: PRI's Penal Reform International's Complaint Referral Chart

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## 1. Scope

1.1 Penal Reform International (PRI) commits to preventing and responding in full to all forms of possible harms by PRI staff and representatives, partners or anyone who carries out work for PRI. Our policy positions are outlined in key documents including: this Safeguarding policy, PRI's Preventing Sexual Exploitation and Abuse Policy and our Whistleblowing Policy. These are distinct and complementary as follows:

- For concerns regarding children or adults at risk this is covered in this policy, PRI's International Safeguarding policy.
- For concerns regarding sexual exploitation or abuse of adults (anyone over the age of 18) please refer to our Protection from Sexual Exploitation and Abuse (PSEA) Policy.
- For concerns regarding sexually harassing, abusive, or exploitative behaviour towards staff and other representatives within the workplace please refer to PRI's International Staff Handbook and/or PRI's Whistleblowing Policy.
- For any concerns regarding allegations of illegal and improper conduct and wrongful acts including, but not limited to, suspected fraud, criminal activity, or miscarriages of justice, please refer to PRI's Whistleblowing Policy
- For concerns regarding bribery or corrupt practices or concerns, please refer to PRI's Anti-Bribery and Corruption Policy.

1.2 This International Safeguarding Policy applies to all persons working for Penal Reform International (PRI) or on our behalf in any capacity, including employees, Board members, interns and volunteers, wherever located. The policy also extends to third parties including consultants, contractors, suppliers, donors, implementing partners, consortium partners, and/or any other person or organisation providing services to PRI, whether paid or unpaid, wherever located. The policy applies whether the person the policy is applicable to is on PRI's property or not. It applies to actions during, and outside, normal work hours.

## 2. Purpose

2.1 The purpose of this policy is to protect people, particularly children and adults at risk, from any harm that may be caused due to their coming into contact with PRI. This includes harm arising from the conduct of staff, Board members, interns, volunteers, and/or third parties, as defined above, in the implementation of PRI's programmes and activities. The policy sets out PRI's commitment and the responsibilities of staff, Board members, interns, volunteers and/or third parties, as defined above.

2.2 The policy also seeks to protect the organisation's reputation against allegations of abuse, whether founded or unfounded, which could have serious implications and undermine our ability to achieve our mission.

## 3. Policy statement

3.1 PRI believes that everyone who works at PRI and everyone we come into contact with through our work, regardless of age, gender identity, sexual orientation, disability, mental or physical

health, cultural and religious beliefs, ethnic origin, has the right to be protected from all forms of human rights violations, harm, abuse, neglect or exploitation. This policy commits PRI to the safeguarding of children and adults at risk through awareness, prevention, reporting and response. PRI has a zero-tolerance approach to inaction and all concerns will be investigated.

### 3.2 The policy is built on the following principles:

1. **Prevention:** We work to raise awareness and take steps to prevent any form of bullying, harassment, sexual abuse and violence of anybody that comes into contact with our work, including, but not limited to, staff, beneficiaries, children and adults at risk.
2. **Empowerment:** We are committed to a survivor-centric approach that empowers individuals. We will always prioritise listening to victims of bullying, harassment, sexual abuse and violence and will be led by their wishes where possible and appropriate. As an organisation, we will support and encourage victims to explore their options in safe ways without imposing our opinion.
3. **Non-judgmental:** We will never judge victims or complainants for their actions or decisions.
4. **Confidentiality:** we are committed to confidentiality when carrying out our work. Information will not be shared outside the team or the organisation unless we believe that someone is in danger, or a child or adult has been or may be harmed.
5. **Protection:** We aim to protect all staff, adults at risk, children and communities we work with from instances of bullying, harassment, sexual abuse and violence. In the event that an incident takes place, we will act to ensure that the victim is protected and supported, and that the organisation uses the information to strengthen safeguarding practice.
6. **Accountability:** We will ensure that there are clear lines of accountability and be transparent
7. **Do No Harm:** Our approach to criminal justice reform seeks to prevent the harms that prison and the criminal justice system can cause to those in contact with the law, as well as to their families and society at large. We have procedures in place, including this policy, to prevent our actions from causing suffering or harm to our beneficiaries or to others in the criminal justice system.

## 4. Definitions

- 4.1 **Abuse:** abuse is defined as “all forms of physical and emotional ill-treatment that results in actual or potential harm to a person’s health, development or dignity”. Within this broad definition of abuse are the following sub-types: physical abuse; sexual abuse or harassment; neglect and negligent treatment; emotional abuse; and exploitation.
- 4.2 **Adult in vulnerable circumstances:** someone over the age of 18 who is unable to take care of themselves / protect themselves from harm or exploitation; or who, due to their status as a detainee or person under a criminal justice order, gender identity, sexual orientation, age, mental or physical health, disability, ethnic origin, or as a result of disasters and/or conflicts, are deemed to be at risk of being abused.
- 4.3 **Bullying:** means offensive, intimidating, malicious or insulting behavior, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

- 4.4 Child: A child is anyone under the age of 18, in line with the UN Convention on the Rights of the Child
- 4.5 Direct contact with children and/or adults at risk: being in the physical presence of a child or adult in vulnerable circumstances, such as during visits to a detention setting or other criminal justice facility.
- 4.6 Indirect contact with children and/or adults at risk: having access to the personal details or photographs of children and/or adults at risk, or contact online.
- 4.7 Safeguarding: means protecting people, including children and/or adults at risk, through a combination of policies, standards and procedures, from both intentional and unintentional harm, which may arise from coming into contact with PRI staff, Board members, interns, volunteers and/or third parties/partners working on behalf of PRI, and responding appropriately in the event of allegations and/or incidences of harm.
- 4.8 Sexual exploitation or abuse 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. Similarly, the term 'sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. (See also PRI's policy on Preventing Sexual Exploitation and Abuse).

## 5. Awareness

- 5.1 On joining PRI, new staff, Board members, interns and volunteers will receive a copy of this policy as part of their induction. They will be asked to sign that they have read, understood and agree to abide by its content.
- 5.2 Consultants, contractors and partners will be informed of this policy through their contractual arrangements at the time of contracting with PRI and, in signing the contract, are agreeing to abide by the policy.
- 5.3 The safeguarding policy will be published on PRI's website.

## 6. Prevention

- 6.1 PRI is committed to safe staff recruitment and selection procedures with the mandatory requirement for two satisfactory employment references covering the previous five years which includes a question on any safeguarding concerns.
- 6.2 Staff, contractors and partners that will or do have direct contact with children and/or adults at risk must receive appropriate training on safeguarding issues and be clear on PRI's reporting and whistleblowing mechanisms in the event of concerns. Those who have access to personal information about children and/or adults at risk must be trained to fully understand what constitutes acceptable and unacceptable sharing of information.

- 6.3 PRI will design its programmes and projects in such a way that protects people from any risk of harm through their contact with the organisation, including the way in which information about individuals is gathered and communicated.
- 6.4 Use of images and information about children and/or adults at risk:
- Personal and physical information that could be used to identify the identity/location of a child or adult in vulnerable circumstances and cause them to be put at risk should not be used in PRI publications, on PRI's website or in any other form of communication for general or public purposes.
  - Photographs of children or adults at risk will not be taken without their permission, or the permission of their parent/carer/guardian, where possible and appropriate. Even where, for example, a detention setting or other criminal justice facility has given permission to photograph, it is still necessary to seek permission from the individuals likely to be photographed.
  - PRI has a strict policy of not showing the faces of prisoners or people involved in the justice system in any publication or communication. This is to protect their identity and due to issues relating to consent (See PRI's Guidelines for briefing a photographer).
- 6.5 Disclosure of personal information about children and/or adults at risk should be limited to those employees, Board members, interns, volunteers and/or third parties who need to know.
- 6.6 PRI's partner organisations, including those who work with children and adults at risk, are assessed through PRI's partnership tools to ensure they are suitable. All PRI partners are contractually obliged to abide by PRI's safeguarding policy.

## 7. Reporting

- 7.1 PRI will ensure its organisational culture provides a safe environment that encourages those who have been abused or are at risk of abuse to come forward and report incidents or concerns. This includes taking all allegations seriously and reassuring the child or adult in vulnerable circumstances that they have done the right thing to speak out and are not to blame.
- 7.2 PRI staff members who have a complaint or concern relating to safeguarding must report it immediately to the Executive Director. If the staff member does not feel comfortable reporting to the ED (for example if that person is implicated in the concern) they may report to any other Management Team member. Any staff reporting concerns or complaints will be protected by PRI's Whistleblowing Policy.
- 7.3 If an external person to PRI, including a beneficiary, partner or contractor, has a safeguarding complaint or concern, these should be raised through PRI's Whistleblowing policy (<https://www.penalreform.org/about-us/governance/whistleblowing/>)

## 8. Response

- 8.1 Any alleged breach of the safeguarding policy will be investigated and, in the case of staff, dealt with in compliance with PRI's disciplinary procedure as laid out in PRI's International Staff Handbook.
- 8.2 Reported breaches of the policy will be kept confidential and information shared only with the relevant individuals. The Executive Director will be informed of all allegations or breaches of the policy and, if the allegations concern a Board member, the Chair will be informed. If the allegations concern the Chair, the Deputy Chair will be informed. Records of reports of suspected abuse must be signed and dated and stored securely and confidentially.
- 8.3 When a complaint is received, the receiving authority will take the following actions, *at minimum*, with reference to PRI's Complaint Referral Chart:
  - Immediately record the dates, times and facts of the incident(s)
  - Ascertain the views of the complainant as to what outcome they want
  - Ensure that the complainant understands PRI's procedures for dealing with the complaint (please refer to PRI's Complaint Referral Chart)
  - Keep a confidential record of all discussions
  - Respect the choice of the complainant
- 8.4 During any investigations, the confidentiality of the person alleged of wrongdoing, the whistle blower, and the child or adult in vulnerable circumstances will be maintained. If a member of staff is dismissed because of perpetrating abuse, this information will be disclosed in line with relevant laws to any prospective new employer to prevent others being put at risk.
- 8.5 Disciplinary action may be taken, including dismissal, depending on the nature and severity of the breach, in line with PRI's policies found in the International Staff Handbook. Breaches by Board members, interns or volunteers may result in ending the relationship with PRI. Breaches by partners, contractors, consultants or other third parties may result in termination of contract.
- 8.6 Where appropriate and depending on the nature of the breach, PRI will consider involving authorities such as children's services or the police to ensure the protection of children and/or adults at risk which could result in criminal prosecution.
- 8.7 The guiding principle that the best interest of the child and/or adult in vulnerable circumstances and the desire to secure the best outcomes for them should always govern decisions regarding the action taken in response to concerns.

## 9. Monitoring and review

- 9.1 The implementation of this Safeguarding policy will be monitored by the management team, led by the Executive Director. It will be reviewed every three years, or earlier if there are material changes to safeguarding legislation or best practice to ensure that PRI remains accountable to children and adults at risk.

## Annex 1:

# PRI's Protection from Sexual Exploitation and Abuse Policy

## 1. Introduction

- 1.1 This policy draws upon the United Nation's Protection from Sexual Exploitation and Abuse policy consistent with UN SEA bulletin ST/SGB/2003/13. Other relevant policies of Penal Reform International are: International Safeguarding Policy, Whistleblowing Policy and Anti-bribery and corruption Policy.
- 1.2 "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. Similarly, the term "sexual abuse" means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

## 2. Scope

- 2.1 This Protection from Sexual Exploitation and Abuse (PSEA) policy applies to all persons working for Penal Reform International (PRI) or on our behalf in any capacity, including employees, Board members and interns, wherever located. The policy also extends to third parties including consultants, contractors, suppliers, implementing or consortium partners, or any other person or organisation providing services to PRI, whether paid or unpaid, wherever located.

## 3. Prohibition of sexual exploitation and sexual abuse

- 3.1 Sexual exploitation and sexual abuse violate universally recognized international legal norms and standards. In order to protect the most vulnerable populations, especially women and children, the following specific standards apply:
  - (a) Sexual exploitation and sexual abuse constitute acts of serious misconduct and are therefore grounds for disciplinary measures, including summary dismissal;
  - (b) Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defence;
  - (c) Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited. This includes any exchange of assistance that is due to beneficiaries of assistance;

- (d) Sexual relationships between anyone working for Penal Reform International or on behalf of the organisation and beneficiaries of assistance, since they are based on inherently unequal power dynamics, undermine the credibility and integrity of the work of PRI and are strongly discouraged;
  - (e) PRI staff and Board members are obliged to create and maintain an environment that prevents sexual exploitation and sexual abuse. PRI's Management Team and other managers at all levels have a particular responsibility to support and develop systems that maintain this environment.
- 3.2 The standards set out above are not intended to be an exhaustive list. Other types of sexually exploitative or sexually abusive behaviour will be grounds for administrative action or disciplinary measures, including summary dismissal and referral to law enforcement authorities, pursuant to PRI's disciplinary procedures.

## 4. Prevention

- 4.1 PRI systematically vets all prospective job candidates in accordance with established screening procedures, as laid out in PRI's International Staff Handbook.
- 4.2 PRI includes a briefing on the SEA policy and processes for all staff at induction and requires mandatory training for all employees. Designated Focal Points are trained in receiving complaints.
- 4.3 PRI will design its programmes and projects in such a way that prevents SEA, including in consultation with specialists as appropriate.
- 4.4 All PRI contracts and partnership agreements include a standard clause requiring contractors, suppliers, consultants and sub-partners to commit to a zero-tolerance policy on SEA and to take measures to prevent and respond to SEA. The failure of those entities or individuals to take preventive measures against SEA, to investigate allegations thereof, or to take corrective action when SEA has occurred, shall constitute grounds for termination of any cooperative arrangement.

## 5. Reporting

- 5.1 PRI will ensure its organisational culture provides a safe environment that encourages those who have been subject to SEA or are at risk to come forward and report incidents or concerns. This includes taking all allegations seriously and reassuring them they have done the right thing to speak out and are not to blame.
- 5.2 PRI staff must immediately report any suspicion or incident of sexual exploitation or abuse occurring in PRI, or within partner organisations or by consultants/ subcontractors in relationship with PRI. Failure to report will be treated as serious. Staff are required to act quickly and immediately report suspicions or knowledge of a safeguarding concern or incident to either the Executive Director, a Designated Focal Point (who are regional programme Directors or managers), any other Management Team member or a member of PRI's Executive Board. Please refer to PRI's Complaint Referral Chart for guidance on the process.



5.3 If an external person to PRI, including a beneficiary, partner or contractor, has an allegation, complaint or concern regarding SEA, these should be raised through PRI's Whistleblowing policy. (<https://www.penalreform.org/about-us/governance/whistleblowing/>).

5.4 Any reporting concerns or complaints will be protected by PRI's Whistleblowing Policy.

9.2 When a complaint or concern is received, the receiving authority will take the following actions, *at minimum*, with reference to PRI's Complaint Referral Chart:

- Immediately record the dates, times and facts of the incident(s)
- Ascertain the views of the complainant as to what outcome they want
- Ensure that the complainant understands PRI's procedures for dealing with the complaint (please refer to PRI's Complaint Referral Chart)
- Keep a confidential record of all discussions
- Respect the choice of the complainant

## 6. Response

6.1 Any allegation of SEA will be investigated by the Executive Director or the Whistleblowing Focal point who is a member of PRI's Executive Board. Every allegation will be investigated properly and without delay in line with the Whistleblowing Policy and the **Complaint Referral Chart in Appendix 1**.

6.2 During any investigations, the confidentiality of the person alleged of wrongdoing, the whistleblower, and the child or adult will be maintained. If a member of staff is dismissed because of perpetrating abuse, this information will be disclosed in line with relevant laws to any prospective new employer to prevent others being put at risk.

6.3 PRI is to protect individuals, including personnel (former and current), who report misconduct from any form of retaliation, such as adverse employment action (e.g. termination, compensation decreases, poor work assignments) for personnel and withdrawal of access to goods and services for beneficiaries. Any staff or representative reporting concerns or complaints will be protected by PRI's Whistleblowing Policy.

6.4 Disciplinary action may be taken, including dismissal, depending on the nature and severity of the breach, in line with PRI's policies found in the International Staff Handbook. Suspension or termination of agreement or contract with external bodies may be taken in the case of a SEA allegation while an investigation is conducted.

6.5 If, after proper investigation, there is evidence to support allegations of SEA, these cases may be referred to national authorities for criminal prosecution.

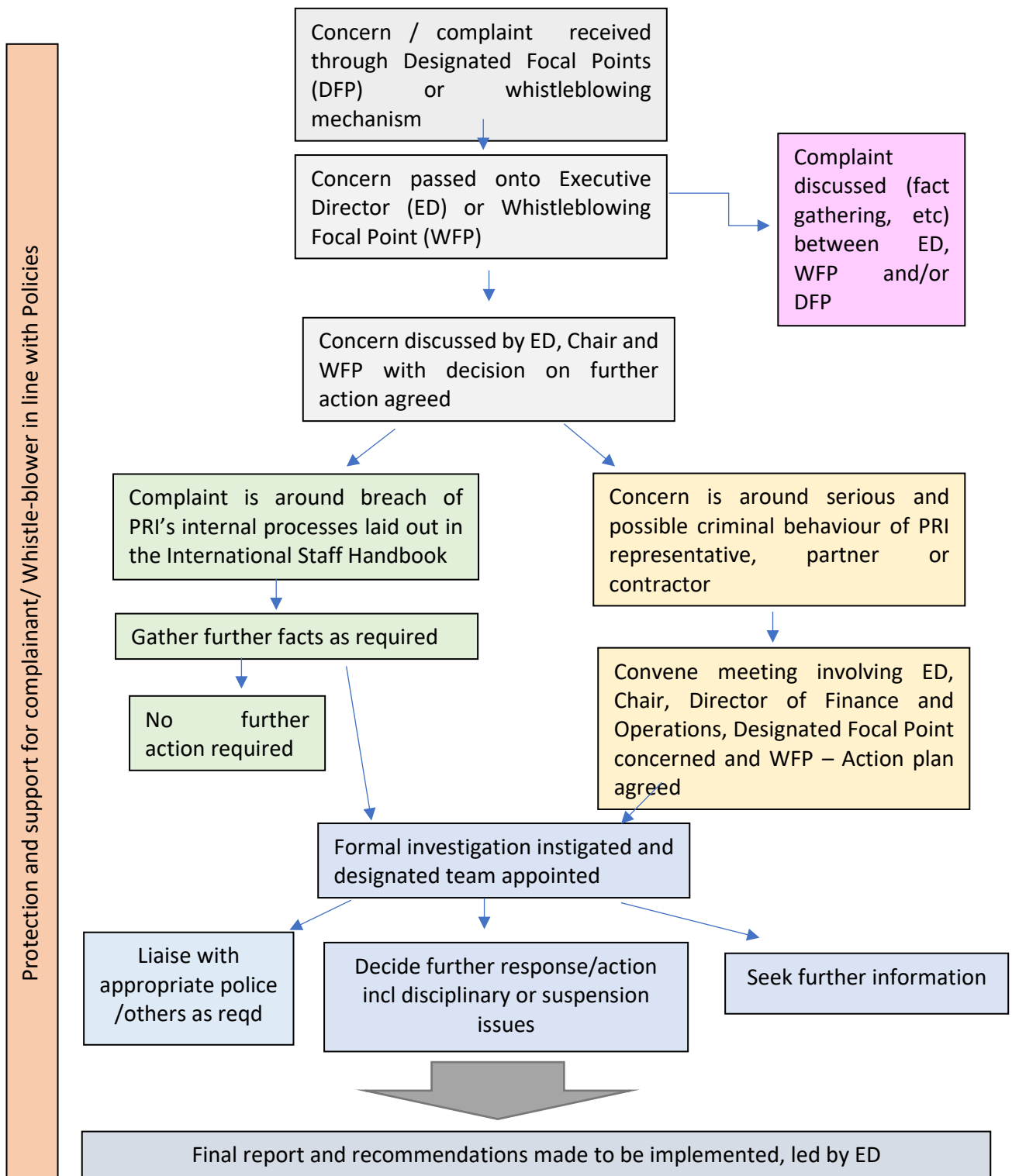
6.6 PRI will maintain a list of referral/service providers available in each country it works to enable prompt referral of SEA survivors to available services, based on their needs and consent. The SEA Designated Focal points are to maintain such lists.

## 7. Monitoring and review

Policy reviewed: June 2022  
Review date: June 2025 or earlier

7.1 The implementation of this PSEA policy will be monitored by the management team, led by the Executive Director. It will be reviewed every three years, or earlier as required.

## Appendix 1: Penal Reform International’s Complaint Referral Chart



Protection and support for complainant/ Whistle-blower in line with Policies