



PADF Safeguarding Policy Framework

Table of Contents

<u>PADF SAFEGUARDING POLICY FRAMEWORK.....</u>	<u>1</u>
PURPOSE AND SCOPE.....	2
PRINCIPLES FOR SAFEGUARDING	2
ROLES AND RESPONSIBILITIES	3
PREVENTION	4
CREATING A CULTURE FOR SAFEGUARDING.....	4
RISK MANAGEMENT	5
RECRUITMENT AND SCREENING	5
CAPACITY BUILDING OF EMPLOYEES AND OTHERS.....	5
SAFE PROGRAMS AND RESEARCH	5
PROCUREMENT: PARTNERS AND SERVICE PROVIDERS	6
COMMUNICATIONS ON CHILDREN AND COMMUNITIES	7
RESPONSE AND ACCOUNTABILITY.....	8
ACCOMPANYING POLICIES	8
ANNEX A: GLOSSARY.....	10

Purpose and scope

The purpose of this policy is to describe Pan American Development Foundation (PADF) commitments to safeguard those working in or with our organisation as well as those whom we serve. PADF believes in creating a hemisphere of opportunity, for all. PADF works across Latin America and the Caribbean to make our region stronger — more healthy, peaceful, just, inclusive, resilient, and sustainable for current and future generations. PADF partners with and enables civil society, governments, and the private sector for the greater good of the region. Our commitments to safeguarding enable us to meet our organizational goals and objectives.

Safeguarding refers to preventing and responding to harm caused by our organization to the people working in the organization, and the people whom we serve. The likelihood of exploitation and/or abuse increases when individuals are in a vulnerable situation and where unequal power dynamics exist. PADF'S commitment to safeguarding includes protecting employees from harm and inappropriate behavior, including discrimination, bullying, and/or harassment in any form, and preventing and responding to harm caused by our organization to the people we serve, including sexual exploitation and abuse and sexual harassment. PADF takes an intersectional approach to safeguarding, recognizing that everyone has varying degrees of power and privilege in different circumstances based on their intersecting identities and that people may experience, or be at risk of, different types of abuse based on these identities. PADF believes in advancing gender equality throughout the organization. PADF leadership and programs reflect this core value¹.

PADF works to a Global Code of Conduct that sets behaviour standards expected from those working at and for PADF. The Global Code of Conduct aims at being easily accessible for employees and focused on behaviours which uphold PADF values. It includes policy commitments on Anti-discrimination and Anti-harassment, Whistleblowing, PSEA, Anti-Trafficking and other aspects of conduct which contribute to creating a safe environment including ensuring our work online is as safe as our work in person.

This policy applies to all PADF Employees and Others in all locations, both during and outside of normal working hours.

- **Employees:** full-time, part-time, international, and national employees engaged by PADF in any location as well as advisers, consultants, interns, volunteers, Board members and trustees engaged by PADF
- **Others:** employees in partner agencies, sub-grantees or sub-awardees; and any other individuals, groups or organizations that have a formal or contractual (but not employment) relationship to PADF.

Definitions of harm and abuse covered under this, and accompanying, policies, as well as definitions for other terms, can be found in the Glossary at Annex A.

Principles for Safeguarding

- **Zero tolerance.** PADF upholds the zero-tolerance principle towards inaction on reports and concerns regarding abuse or harm of those working in the organization and those whom we serve. PADF will respond to all reports, concerns, or allegations in a fair,

¹ 2021_Annual Report English: https://www.padf.org/wp-content/uploads/2022/06/2021_Annual-Report_English.pdf

reasonable and timely way in accordance with PADF Investigations Policy, while ensuring survivors rights and needs remain first and foremost.

- **Accountability.** PADF accepts responsibility for its actions. The organization rigorously manages results, deliverables, documentation, and knowledge. PADF builds a sense of accountability between employees so that potentially poor or abusive behavior can be challenged. Managers at all levels have particular responsibilities to create environments which keep people safe and promote the implementation of the Global Code of Conduct.
- **Respect.** PADF values diversity and inclusivity. The organization fosters cooperation, collegiality, empathy, and teamwork, working together towards the same ends. PADF seeks to create a work environment of decency, fairness, sincerity, and trustworthiness and to build a culture of openness to enable issues and concerns about safeguarding to be raised and discussed.
- **Survivor²/community-centered approach.** PADF puts the rights, dignity, needs, and wants of survivors and victims of harm and abuse at the center so they get the assistance and support they need. Confidentiality is prioritized at all times and our procedures are designed in a way that avoids potential re-victimization of the survivor.
- **Mandatory reporting.** Where a PADF employee develops concerns or suspicions regarding harm or abuse by a colleague or partner staff member they must report such concerns. The exception to this is survivors or victims of harm and abuse. We encourage them to report but they can decide if, when, and how to do so.

Roles and Responsibilities

All employees have a role to play in safeguarding. Certain employees also have responsibility for monitoring the implementation of this Safeguarding Policy or designing and adapting organizational systems and processes to integrate safeguarding requirements. Those with particular designated safeguarding responsibilities are responsible for helping others understand their obligations under the Safeguarding Policy and respond, as necessary, to safeguarding reports and concerns.

All Employees and Others

- Employees and others, regardless of the type of contractual relationship, must be aware of and strictly follow this policy, its procedures, and guidelines. Every employee must be clear on their duty and responsibility to safeguard, report, and promote appropriate behavior.
- Employees and others must complete mandatory induction and training opportunities related to safeguarding as requested by PADF.
- Employees and others are obliged to report suspicions, to respect the confidentiality of the persons involved, not to act in bad faith, and not to retaliate under any pretext whatsoever.
- Employees and others are expected to conduct themselves with the highest standards of behavior, as outlined in the Global Code of Conduct and detailed in associated policies.

Management

² Protection from Sexual exploitation and Abuse Statement by the Inter-Agency Standing Committee (IASC) Principals 2015. Note that some people who have experienced harm prefer not to refer to themselves as survivors. The term used should be the choice of the affected individual.

- Management is responsible for creating and promoting a safeguarding culture where employees feel able to raise concerns without fear of retribution. They are responsible for setting positive examples on and off duty to promote the Safeguarding Policy. Management will ensure they build their knowledge and skills for creating a safeguarding culture.
- Those holding management roles will integrate safeguarding requirements into the systems and processes, programs, and projects they are responsible for.
- Management will monitor that their teams, as well as those with whom the organization has relationships, are aware of PADF's policies on the prevention and reporting of, and response to, harm and abuse. This includes the communities whom we serve.
- Management will ensure that Safeguarding Focal Points are assigned and that resources are made available to implement safeguarding in their area of responsibility, including training, monitoring, and follow-up of the implementation of the Safeguarding Policy.
- Management will include discussions on safeguarding and monitoring the implementation of the Safeguarding Policy in their team meetings and internal and external management reports.
- Management has overall accountability for this policy and its implementation.
- Management is responsible for ensuring the policy is reviewed and updated every three years.

Safeguarding Focal Points

- Safeguarding Focal Points act as a point of contact for employees to report any queries or raise any safeguarding concerns.
- Safeguarding Focal Points take a lead role in raising awareness about PADF's safeguarding measures including our Global Code of Conduct.
- Safeguarding Focal Points work with managers / employees to ensure that programs and operations identify safeguarding risks and develop appropriate mitigation measures.
- Safeguarding Focal Points support teams to conduct service mapping and identify referral pathways that the organization can use to support survivors to access available services.

Prevention

Creating a culture for safeguarding

PADF is committed to creating and promoting an organizational culture that celebrates diversity, tackles inequality, and dismantles negative uses of power and privilege. PADF recognizes that supporting gender equity and equality is of paramount importance to ensuring a workplace that is free from harm and abuse. Leadership and management will role model behaviors and work with safeguarding 'champions' (selected Employees) who actively promote a safeguarding culture.

Risk management

PADF takes a risk management approach to safeguarding. Those with responsibility for designing, delivering and managing the work of PADF are responsible for identifying potential safeguarding risks and mitigation measures across all programs and operations. Safeguarding is a key component of the organization's approach to ethics and risk and is included in organizational risk processes. To manage safeguarding risks effectively PADF will develop the necessary guidance and tools which enable employees to assess and address risk in their area of operation.

Recruitment and screening

Safer practice in recruitment means that every stage of the process (from advertisement to induction) should integrate safeguards, in order to deter unsuitable candidates from applying or being appointed into the organization. Safeguarding in recruitment requires a consistent and thorough process of obtaining, collating, analyzing, and evaluating information from and about applicants. Thorough and robust recruitment processes will be put in place throughout PADF and aligned with relevant employment law.

Capacity building of employees and others

All PADF employees receive induction and regular training on safeguarding and are aware of their obligation to report safeguarding concerns. Newly recruited employees and others receive an induction on PADF's Safeguarding Policy and approach no later than one month after appointment or contracting.

All employees receive at least one Safeguarding refresher training per year, with further training for specific teams as required.

Further Safeguarding training will be provided to teams or specific roles depending on the nature of the work being undertaken, the context, donor requirements, and the nature of the risk of that role or team's work e.g. contact with children and communities. This includes:

- Specific training for PADF Focal Points so that they can carry out their roles competently.
- Specific training for leadership and management to support them to create and promote a culture of safeguarding. This will include understanding the role of power and privilege in safeguarding, how conscious and unconscious biases impact creating a safeguarding culture, and how to role model behaviors that contribute to a safer organization.

Training on safeguarding will be delivered to PADF partners, suppliers, and contractors, according to the nature of the work being delivered (including contact with children and communities) and what has been agreed as necessary to deliver that work safely.

PADF will collect evidence of attendance at, and completion of, training to provide information to the Executive Team and Board of Trustees.

Safe programs and research

It is PADF's responsibility to make sure our programs/research do no harm to children or adults. Those with responsibility for managing, designing and delivering programs and research will ensure safeguards are integrated at all stages from assessment through to close out. These safeguards will ensure that the risks presented by the program or research are well understood, actions to mitigate the risks are identified, included in program and research plans, and funded appropriately. Programs and research will be monitored and evaluated to ensure they are being

delivered safely.

Program and research teams will ensure that those with whom we work, and those involved in our work, understand PADF commitments on safeguarding and what systems exist for them to make reports or raise concerns.

Procurement: partners and service providers

When PADF works with partners, all partners (including PADF) have a responsibility to meet minimum standards of safeguarding. All partners, suppliers, and contractors that will work together on a program or service must be assessed on their capacity to implement safeguarding measures. PADF will work collaboratively with our partners to create safe working approaches that uphold the rights of all. Our engagement with partners on safeguarding will be based on mutual respect and learning.

We will ensure our agreements with partners etc. include agreed safeguarding standards which reflect sector principles and commitments e.g. the Inter-Agency Standing Committee (IASC) Task Force's six core principles, and are relevant and proportional for the work being delivered and the capacity of each partner. All partners are encouraged to work to their own safeguarding policies and codes of conduct. In the absence of these, partners agree to adopt the commitments and obligations described in PADF Safeguarding Policy and Global Code of Conduct. Memorandum of understandings (MoU) with partner organizations and agreements with suppliers and service providers should include this policy as an appendix, where relevant. PADF supports partners to meet commitments and obligations.

Programs, projects, and services delivered by partners, suppliers service

providers, etc. will be designed to include specific actions to build the capacity of those involved in delivery. This will include e.g. training for partners, establishing Community Based Reporting Mechanisms (CBRM), and reporting concerns within the partnership or contracting arrangement. Where possible capacity building actions will include support for developing a policy, code of conduct etc.

Safeguarding concerns arising from the partnership, program or service delivery, or involving senior or key employees in partner, service provider organizations will be reported as per the partnership/service delivery agreement. PADF will work with the partner or service provider on the response, providing support where necessary to ensure the response is managed effectively.

Breaches of partnership agreements or service provider contracts can lead to termination of

IASC Core Principles

1. Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
2. 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 regarding the age of a child is not a defense.
3. Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.
4. Any sexual relationship between those providing humanitarian assistance and protection and a person benefitting from such humanitarian assistance and protection that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.
5. Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.
6. Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

those agreements or contracts.

Communications on children and communities

PADF ensures communications featuring children and communities, or involving children and communities, are guided by data protection requirements and prioritize the best interests of those involved. This includes obtaining the necessary informed consent, ensuring that identifying details are removed, and maintaining the dignity and agency of those involved.

PADF will provide relevant guidance to employees and others on obtaining, storing and publishing images and information which is appropriate, fit for purpose and is accompanied by the relevant consents.

Reporting

PADF is committed to creating a culture where employees and others feel confident to raise concerns and make reports.

PADF's Whistleblower Policy commits employees with knowledge of any misconduct or wrongdoing to report it. Employees and others may be in a position where they observe harm or abuse, or this is disclosed to them. They are expected to take seriously any concerns raised; listen to the views and wishes of those disclosing the harm or abuse; and report this through PADF's reporting routes.

PADF's reporting routes include:

- Focal Point
- Manager
- Call **0800 915 1571** or email through PADF's hotline, managed by Safecall, <https://www.safecall.co.uk/file-a-report/> a third-party whistleblowing service provider. Service will be provided in the language of the country where your report originates. When you call the hotline, you may remain anonymous if you choose.
- WhatsApp **+1(703)953-9241**

Reports received by Focal Points or Managers must be reported immediately to PADF's hotline, providing as much information as obtained from the disclosure/report made.

Projects and programs that are assessed as high risk will trigger a decision on establishing Community-Based Reporting Mechanisms (CBRMs). Decisions on establishing these will include designating responsibility for handling reports arising through CBRMs to appropriate employees. All safeguarding reports which arise through CBRMs must be reported to PADF's hotline.

All reports or concerns raised will be treated confidentially.

Reports of a criminal nature will be reported to the local authorities ensuring that it is safe to do so.

There is no time limit on when someone can raise a concern about something they have experienced. There may be limitations to how a historical concern can be addressed but PADF will take every reasonable measure to address the concern.

PADF prohibits any act of retaliation against an employee who makes a report or raises a concern in good faith.

Support and care

PADF takes a survivor centered approach to responding to reports and concerns and this includes the support and care that is offered to survivors as well as those who observe or report harm and abuse. We acknowledge the immediate and long-term effects of harm and abuse on survivors and we will ensure our organization is able to provide support and care. PADF conducts a mapping of local actors and organizations that can provide support and care in all locations in which PADF work. This mapping includes information on the legislative instruments which cover harm and abuse, local authorities for reporting criminal acts, organizations specialized in the care and support for victims/survivors.

Response and accountability

All allegations and concerns will be taken seriously, irrespective of the identity of the alleged perpetrator and survivor, and regardless of how 'unbelievable' the situation may seem. PADF is committed to carrying out robust, transparent, and fair investigations that protect the rights of all involved, with a particular focus on the survivor/complainant and the subject of the complaint, ensuring a prompt response and that confidentiality is maintained and that the wellbeing of all is protected. To avoid re-victimization, we commit to preventing survivors from having to report on their experiences repeatedly.

As part of our survivor-centered approach, survivors can choose whether they want PADF to investigate formally. However, there may be occasions where PADF has a duty of care to others to carry out a formal investigation. This will be discussed with the survivors to ensure they are safe throughout.

Investigations are guided by international best practices and human rights standards and managed and conducted by trained investigators, who understand the impact of trauma and how it affects the survivor and those who have witnessed sexual misconduct. The Investigations Guidance describes this further. Where possible and appropriate investigations will be carried out by third party investigators.

Substantiated reports or harm or abuse concerning employees will result in disciplinary action.

Accompanying Policies

Anti-discrimination and Anti-Harassment Policy	This Policy describes particular measures that are in place to create a work environment that is free from discrimination and harassment. It includes standards of behavior that are expected from Employees and Others.
Safeguarding Children and Communities Policy	This Policy describes particular measures that are in place to prevent, report and respond to harm that is experienced by the children and communities with whom PADF work. It describes the priority of preventing harm caused by PADF and how to respond where the harm is not caused or perpetrated by PADF. It includes standards of behavior that are expected from Employees and Others to safeguard children in particular and adults who may be deemed 'at risk'.
Protection from Sexual	This Policy describes PADF's commitment to prevent, report, and

Exploitation, Abuse and Harassment (PSEAH) Policy	respond to Sexual Exploitation, Abuse, and Harassment. This Policy recognizes the seriousness of these forms of harm and abuse as well as the priority of PSEAH in the aid and development sector. It includes standards of behavior that are expected from Employees and Others to prevent SEAH.
Anti-Trafficking Policy	This Policy describes the particular measures that PADF have introduced to ensure that the organization does not employ or engage individuals who have, or may have, been trafficked. It includes standards of behavior that are expected from Employees and Others to prevent the organization employing or engaging individuals who have been trafficked.
Whistleblowing Policy	This Policy describes the conduct that prompts reporting through the Whistleblowing Policy. The Policy describes the measures that are in place to protect individuals to report concerns safely and without retaliation.
Investigations Procedures	These procedures outline how to undertake a workplace administrative investigation into a potential breach of the PADF Safeguarding Policy.

Annex A: Glossary

Adult at Risk is defined as any person aged 18 years and over who is or may be in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, age, or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or serious exploitation. An adult at risk would also include incarcerated adults. Given the nature of our work, any adult with whom PADF works could be considered as potentially at risk of harm and, therefore, provisions of this policy would apply to PADF interaction with them.

Bullying is the use of force, coercion, hurtful teasing or threat, to abuse, aggressively dominate or intimidate. The behavior is often repeated and habitual. One essential prerequisite is the perception (by the bully or by others) of an imbalance of power. This imbalance distinguishes bullying from conflict.

Child is a person who has not attained 18 years of age. The age of the child at 18 years is regardless of age of legal adulthood in different legal jurisdictions.

Discrimination is when an employee, potential employee, or worker has been treated differently because of their gender, gender identity, sex, sexual orientation, marital status, race, color, descent, ethnicity, age, religion, national origin, physical or mental ability, military status, sexual orientation, marital or relationship status, pregnancy status, breastfeeding and family or carer's responsibilities, political opinion, trade union membership and non-membership of a trade union. Discrimination includes any situation when a person or group of people are treated less favorably than another person or group because of their background or certain personal characteristics described here, and the employer has taken adverse action in the following ways (but not limited to):

- Refusing employment to a potential employee
- Dismissing an employee
- Giving less favorable terms and working conditions
- Selected for redundancy on the basis of these characteristics
- Prevented from accessing training opportunities
- Denied promotions, allowances, or other employment benefits.

Emotional Abuse is injury to the psychological capacity or emotional stability caused by acts, threats of acts, or coercive tactics. Emotional abuse may include, but is not limited to: Humiliation, control, isolation, withholding of information, or any other deliberate activity that makes the person feel diminished or embarrassed.

Harassment is unwelcome conduct that is based on race, color, religion, sex, gender, sexual orientation, national origin, older age (beginning at age 40), disability, or genetic information (including family medical history).

Harassment becomes unlawful when:

- 1) enduring the offensive conduct becomes a condition of continued employment, or
- 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

Neglect is a failure to provide for a child's or adult-at-risk's basic needs within PADF-funded activities that are responsible for the care of a child or adult-at-risk in the absence of the child's parent or guardian or adult caregiver.

Physical Abuse are acts, or is a failure to act, resulting in injury (not necessarily visible), unnecessary or unjustified pain or suffering without causing injury, harm or risk of harm to health or welfare, or death. Such acts may include, but are not limited to: Punching, beating, kicking, biting, shaking, throwing, stabbing, choking, or hitting (regardless of object used), or burning. These acts are considered abuse regardless of whether they were intended to hurt the person.

Sexual Abuse: Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It includes sexual slavery, pornography, child abuse and sexual assault.

Sexual Assault is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It includes, but is not limited to, sexual assault such as non-consensual kissing and touching. It also includes all forms of rape, for example attempts to force someone to perform oral sex or any other forced sex act. All sexual activity with someone who is unable to consent, either due to age or mental capacity, is considered to be sexual abuse.

Sexual Harassment is the unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is explicitly or implicitly made a condition of an individual's employment.
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual.
- Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

Sexual exploitation is defined as an actual or attempted abuse of someone's position of vulnerability (such as a person depending on you for survival, food rations, school, books, transport or other services), differential power or trust, to obtain sexual favors, including but not only, by offering money or other social, economic or political advantages. It includes trafficking and prostitution.

Survivor is a person who has experienced maltreatment or harm committed by an employee or others or as caused by an organization's operations or programs. The survivor may be an employee, or other, or a member of the community – child or adult.