

PIN Key Policies

Revised in September 2017





PIN Safety and Security Policy

Applicability

The *PIN Safety and Security Policy* is applicable for all full time and part time PIN staff, volunteers, interns, consultants, visitors, people working on behalf of PIN (further referred to as “PIN staff”). The policy is not applicable for PIN associates, i.e. partner organizations and suppliers.

Introduction

People In Need (PIN) is committed to minimising safety and security risks to all its staff and ensuring that staff members are given training, guidance, technical support and information to reduce their risk exposure while maximizing the impact of our programmes. PIN seeks to provide safe and healthy working conditions for all staff, mindful that each individual staff member also has a responsibility for achieving this.

Particularly in volatile, high risk environments, PIN management decisions are guided by the principle that addressing security concerns and minimizing the risks to its staff are paramount over any other considerations.

At the same time, PIN remains committed to minimising any potential negative impacts of our actions on our beneficiaries. Basic principles of this approach are formulated in a separate *PIN Do-no-harm Policy*.

Key security strategies and principles

PIN recognizes three key security strategies:

◆ Acceptance and integration into community

Acceptance of our beneficiaries and in the communities where we work is the cornerstone of effective security management. It is, to a great extent, best assured when PIN and staff are well integrated into the local community and valued for their contributions to local development and/or humanitarian relief. PIN’s overall approach, programme design and staff behaviour will be based on the acceptance approach and principles of transparency, accountability, respect and participation towards beneficiaries, local authorities, partner organizations and other stakeholders. Particularly in conflict settings, adherence to the key humanitarian principles formulated in the *Red Cross Code of Conduct* is essential.

◆ Protection measures

While the acceptance approach provides a foundation for effective security management, it cannot fully address all security threats. In a volatile environment, relevant protection measures (such as unarmed guards, secured offices and guesthouses, and improved communication equipment) should be implemented.

◆ Deterrence as a last resort

In extremely high risk environments, deterrence measures (such as armed guards or suspension of activities) can be put in place, but only after the written approval of the Relief and Development Department (RDD) Director.

Key related principles are as follows:

◆ No involvement with the armed forces

Engagement with any local or international armed forces is strongly discouraged and has to be limited to essential humanitarian coordination/action only.

◆ Priority to human life

PIN recognizes the primacy of life over any asset and therefore no staff member should endanger her/his own life, or the lives of others, while attempting to protect PIN property, equipment, financial resources, documents or infrastructure.

◆ Proportionality of the risks

The achievable impact of our activities should always outweigh the risks taken. This ratio has to be continuously monitored and re-assessed particularly when designing programmes in new countries and regions, or during significant changes to local security dynamics. Operations where the security risks are disproportionate to the potential programme benefits shall be avoided or suspended. Potentially life-threatening activities will be undertaken exclusively if the impact will likely save beneficiaries' lives.

◆ Precaution

The decision to evacuate, withdraw or forbid a field trip can be initiated at any management level and will always be endorsed by the higher management level(s). Such a decision can be over-ruled only in a situation where evacuation or withdrawal would entail significantly higher risks than hibernation.

◆ Right to decline

PIN staff shall always be beforehand informed of and prepared for the level of risks of any given mission and by accepting the mission, they accept the risk. However, PIN staff members have the right to decline deployment, activity or travel without suffering disciplinary action if they feel the risk to their personal security or that of their immediate family is unacceptable.

Roles and responsibilities

Senior management roles and responsibilities

◆ Duty of care

The effective safety and security management is the primary function of PIN senior management. Management at each level of the organization is responsible and accountable for ensuring that organizational duty of care towards its staff members and PIN Safety and Security Policies, standards, plans and procedures are well integrated in all stages of planning, designing, developing and implementing PIN programmes.

◆ Integration of security management into programme management

Safety and security management must be fully integrated into the programme design, management and decision making process and not be seen as a separate function. Managing safety and security is fundamentally about good programme management. The types of programmes PIN undertakes and the way in which they are implemented will affect, and be affected by, the risks to which PIN staff, beneficiaries, and partners are exposed.

◆ Preparation of Security Management Plan (SMP)

The security situation, trends, risks and threat levels in the countries of PIN operations will always be monitored and documented as these can greatly affect the strategic planning process. PIN management is committed to assigning the adequate strategies and procedures in place to mitigate the identified risks and threats. Based upon a detailed risk assessment, SMP must include specific risk mitigation measures and plans; safety and security procedures; and roles and responsibilities of assigned staff.

◆ Information about the risks

PIN management has to ensure that all staff is duly informed about and accepting of existing risks and has sufficient awareness about risk-mitigation strategies. The Risk Assessment Matrix (RAM) has to be communicated to all staff members as part of their induction.

◆ Provision of training

Training, learning opportunities, necessary resources and support will be provided by PIN to all staff members so that they can fulfil their assigned responsibilities and work effectively and safely in their respective areas of operation.

◆ Adequate staffing and division of responsibilities

PIN Country Directors (CDs) have the ultimate responsibility for the implementation of security related issues. In significantly volatile or complex environments, PIN will make an effort to recruit a dedicated country level Security Officer, while in every office a Security Focal Point will be appointed. Security Officers and Security Focal Points will monitor and advise on safety and security risks, develop and apply security procedures and assist in integrating safety and security measures into programme operations. At PIN headquarters, RDD management supervises the Security Advisor(s) who maintain an advisory role and have no managerial responsibilities.

◆ Adequate budgeting

Adequate budgeting for safety and security management will be allocated by PIN management. All funding proposals in high-risk countries should include a budget for safety and security as most of the major donors will not only approve but expect to find adequate budgeting for safety and security measures.

Staff roles and responsibilities

◆ Security is everyone's job and concern

PIN staff shall actively participate in, contribute to and adhere to the maintenance of safety and security measures, awareness of security risks and team security. PIN staff shall provide reasonable support to the safety and security of our implementing partners and beneficiaries and coordinate with other humanitarian actors.

◆ Impact of individual action

All PIN staff are responsible for their own safety and security and should exercise common sense to ensure both. Simultaneously, PIN staff are not only responsible for the impact of their actions on themselves, but also on the safety and security of their fellow staff, beneficiaries, PIN programmes, reputation and assets, and in some cases on other humanitarian actors.

◆ Respecting PIN Code of Conduct and local culture

PIN staff will always act according to the principles formulated in the *PIN Code of Conduct*. PIN staff will also strive to understand the local culture and behave in a manner that is respectful of its cultural norms, as their breaches might often increase their or the organization's exposure to threats.

◆ All security incidents must be reported

All staff are responsible for reporting any security incidents, near misses, threats and significant developments to the relevant management level as soon as reasonably possible. Even a seemingly insignificant threat should not be underestimated.

◆ Compliance with the security procedures

Compliance with the security procedures is compulsory. Disregarding the security protocol might jeopardize not only the personal safety, but the safety of the whole team. It may increase the risk of harm to staff, PIN assets and may reduce acceptance of PIN by host governments, communities and beneficiaries. A serious breach of the PIN Safety and Security Policy and protocols might lead to severe disciplinary measures, including immediate dismissal.

◆ Adequate staff induction

All PIN staff will have access and orientate themselves to the PIN Safety and Security Policy, standards, procedures and supporting tools and guidelines. These will be included in the initial inductions and briefings for all staff and a signed acknowledgement will be kept by the Human Resources (HR) department(s).

Health and Safety

PIN obligations

PIN will maintain safe and healthy working conditions, provide and maintain relevant equipment and machinery, ensure safe storage/use of substances and provide Personal Protective Equipment (PPE) when necessary. PIN will also arrange relevant health and safety regulations including fire prevention. Dissemination of and adherence to these regulations and procedures to all concerned staff members has to be ensured.

Employee's health and responsibilities

Wherever required and feasible, PIN will assess the fitness of employees for work before employment through pre-employment health screening. For its international employees, PIN will provide remote counselling services for physical and mental health during the whole duration of employment. The counselling services are optional based upon the employee's decision, while in particular situations PIN management reserves the right to make these services mandatory. While PIN will do its utmost to uphold a secure and safe working environment, all staff remains ultimately responsible for his/her own health.

Vaccination

All international PIN staff are responsible to arrange adequate vaccination based on the vaccination policy issued by or for the visited country and in accordance with PIN country-based guidelines. PIN will cover the cost of these vaccinations, but it remains the ultimate responsibility of an employee to receive the appropriate vaccination or renew it before its expiration date. Vaccination records have to be kept up to date.

Country specific Medical plans

Customized country-based Medical plans shall be in place. These must include guidance for accessibility of quality health care, medication and treatment; ambulance services and domestic and international medical evacuation; and response plan to sexual assault incidents.

Other country specific guidance and provisions

Apart from the procedures outlined in the Medical plans, other emergency procedures have to be in place and duly implemented, particularly those related to the safety of travel, fire evacuation, recurrent or probable natural disasters and other significant incident(s).

First aid

First aid kits have to be accessible in all PIN offices and PIN operated vehicles. PIN management must ensure that every PIN staff member receives 1st aid training and is regularly retrained biennially (every two years).

Operational procedures

Country/regional threat analysis

PIN will assess the level of threats to PIN staff and assets in countries or regions of operations through a three-level ranking:

- ◆ Red (volatile, high risk environment, targeted attacks against aid workers)
- ◆ Orange (occasional insecurity)
- ◆ Green (reasonably safe)

Requirements for security standards and protocols in individual countries will be organized accordingly.

Risk assessment and SMP comes first

An SMP must be developed for all countries where PIN operates, even those currently thought to be „secure“. In countries or regions classified as Red or Orange, PIN will not conduct any operations without an adequate initial risk assessment and SMP.

Role of field offices

Field Offices will ensure that the design, planning, operations and implementation of PIN programmes incorporate acceptance as our core approach. All major stakeholders who can potentially affect and influence PIN programmes and its delivery will be consulted regularly and an appropriate relationship will be maintained.

Incident management

In cases of significant security incidents, RDD management will proceed according the *PIN Policy on Crisis Management*. This presumes an activation of the Crisis Management Team (CMT) at PIN HQ and the establishment of an Incident Management Team (IMT) in the country of incident. IMT reports to and consults with CMT in all key and critical decisions.

Learning from incidents is crucial. CMT/IMT is responsible for the provision of comprehensive incident reports, with recommendations to RDD management to minimise the chances of repetition.

Evacuation and relocation

In the event of an extreme threat, PIN may evacuate international staff and accompanying dependents to a safer place in a neighbouring or home country. PIN will not evacuate national staff or their families except in the most extreme circumstances.

PIN will endeavour to relocate national staff members and their immediate family who were posted elsewhere in the country by PIN to a safer place within the country.

PIN will endeavour to assist in the relocation of any national staff and their immediate family who are at risk as a direct consequence of their work with PIN, or because of their ethnic origin, or if they are exposed to an imminent or targeted threat. However, PIN cannot guarantee this assistance.

The refusal of a PIN staff member to evacuate or relocate, and in doing so jeopardizes her/his own safety or that of any other PIN staff, may result in the staff member's immediate dismissal. Regardless of the reason, any PIN staff member and her/his dependents refusing an evacuation/relocation order must acknowledge in writing that s/he is remaining at her/his risk and that PIN will not accept responsibility for her/his safety.

No use of firearms

The use of firearms and other weapons at PIN facilities, vehicles (including rental) and by PIN staff is not permitted unless it is a last resort. Any exemption to this standard must have the written approval of the RDD management.

PIN staff must not carry or use firearms/weapons at any time.

The presence of firearms, weapons of any type or armed personnel in any PIN facility or vehicle is prohibited unless there is an immediate threat to life, or the proper approval procedures have been followed to allow protection of PIN staff and property.

PIN will use armed escorts and guards only as a last resort, or when required by local authorities and in support of life-saving activities.

Kidnapping

In the event of an abduction of a PIN staff member:

- ◆ PIN will use all appropriate means to secure the release of staff members that have been abducted.
- ◆ PIN cannot give in to the demands and will observe its no-ransom policy.
- ◆ PIN will maintain confidentiality about the negotiation process and will request the same from government authorities, hostage negotiators and/or family members.
- ◆ PIN will keep family members apprised of the situation and offer support to families throughout and after the ordeal.
- ◆ PIN will ensure that post-abduction procedures include an organizational debriefing, access to professional counselling and other assistance deemed necessary to support the recovery of the affected staff member.

Utilization of media and social networks

Unwise and uncontrolled interaction with the media and the use of social networks can jeopardize the security of PIN staff, partners, beneficiaries and/or programmes. Interaction with the media can be handled only by designated persons, while social networks should be used in a restrained manner, respecting the *PIN Media Policy*. In case of security incidents involving PIN staff, it is strictly forbidden to share any confidential information through social media or other channels.

Final waiver

While PIN is committed to the safety and security of its staff, it has to be recognized that there are many variables beyond the control of PIN that can impact the welfare of its staff, and it is not possible to eliminate all the risks associated with the work that we do in the places where we work.

Supporting and related documents

	Policy/guidance	Target audience
1	Crisis management policy	management & IMT/CMT
2	Sexual violence protocol	RDD all
3	Abduction protocol	management & IMT/CMT
4	SOP – reporting of incidents	RDD all
5	Security management approach	management
6	PIN Code of Conduct	RDD all
7	Do-no-harm policy	RDD all



PIN Policy on Ethical Conduct

Introduction

People In Need (PIN) requests its staff and associates to maintain the highest ethical standards in their behaviour towards their team members and colleagues, towards external stakeholders of our programmes and particularly towards our beneficiaries. At the same time, PIN acknowledges that goods and services provided by our programmes can create a power imbalance, favouring those employed or engaged by PIN against programme beneficiaries; and PIN also acknowledges that this situation might be potentially exploited by PIN staff and associates to acquire bribes, payments, gifts, and/or sexual favours.

By clarifying the ethical conduct of PIN staff and associates and setting key thresholds of an unacceptable behaviour, this Policy has two objectives:

- ◆ To ensure maximum protection of our beneficiaries and to prevent their abuse or exploitation
- ◆ To promote team cohesion, a respectful working environment and to prevent unacceptable behaviour within our teams and of our associates

Expected standards of conduct of PIN staff are elaborated in the *PIN Code of Conduct*, which is an inseparable part of this Policy. The *PIN Code of Conduct* is a key tool for the prevention of all forms of unacceptable behaviour by PIN staff. PIN should also assist partner organisations to reinforce their own existing policies, codes or other instruments or if necessary to develop new ones.

Policy statement

All people have the same right to freedom from abuse and exploitation. PIN condemns all forms of similar unacceptable behaviour and considers them to be in direct breach with our belief in the human dignity of all people. PIN staff and associates must never engage in any forms of humiliating, degrading, abusive, exploitative or other forms of unacceptable behaviour under any circumstances.

Towards PIN beneficiaries

In our programmes, PIN is committed to the protection of our beneficiaries. PIN will take all reasonable steps to protect them from any harassment, abuse and exploitation potentially perpetrated by PIN staff or associates. All PIN staff and associates are thus required to respect the rights and dignity of individuals, families and communities with whom we work.

We reject any form of sexual harassment, exploitation and abuse, which we consider as one of the worst manifestations of misconduct and abuse of power. We acknowledge that certain vulnerable groups such as children, women, the elderly, disabled people and others might be particularly at risk and must receive our greatest attention.

In order to be able to address the issues of beneficiaries' protection properly, it is essential that PIN staff and associates be fully aware of and respectful toward local cultural and religious practices. However, these specifics can never be used as an excuse or a motive for inappropriate behaviour. PIN will not accept using respect for local culture as a justification for ignoring or supporting harmful practices.

PIN beneficiaries must be aware of their basic rights and the standards of conduct expected from PIN staff and associates. A Complaint Response Mechanism (CRM) has to be established in order to enable our beneficiaries to raise any potential concerns.

Towards PIN staff

PIN is committed to protecting the rights of the PIN staff and to maintain its dignified working environment free of any potential harassment, abuse and exploitation. Every PIN staff member must be aware of the internal procedures to raise concerns about any unethical or unacceptable behaviour of her/his colleagues. Basic principles and standards of conduct of PIN staff and associates are outlined in the *PIN Code of Conduct*. PIN is aware that substantial breaches of these principles can significantly undermine PIN's core values and vision, and that these would negatively impact on the reputation and ability of PIN to reach its goals.

Preventive measures to reduce potential for unacceptable behaviour

In order to reduce any potential abuse of power and other unacceptable behaviour, PIN country management and ultimately PIN Country Directors are responsible to ensure that the following measures are taken:

- ◆ PIN staff and associates are aware of and understand – to the relevant extent - the content and scope of this Policy and the *PIN Code of Conduct*.
- ◆ Office and field teams are sufficiently gender-balanced.
- ◆ Beneficiaries are selected and benefits are allocated in a transparent way; and no individual PIN staff member can decide (or is perceived to be deciding) on the benefit allocation as a sole authority.
- ◆ All beneficiaries are, in an understandable manner and to the relevant extent, made aware:
 - ▶ Of the scope of the assistance they are entitled to, the beneficiary selection criteria, and other necessary details of the assistance
 - ▶ That PIN's and/or its partner organisations' staff deliver assistance without discrimination
 - ▶ That allocated goods and services cannot be withheld or withdrawn on the arbitrary decision of one individual PIN or PIN partner organization staff member
 - ▶ That the assistance is free of charge (unless beneficiaries are formally required to contribute financially) and that it is unacceptable for PIN or its partner organization staff members to accept bribes, rewards, gifts, or any favours (including sexual) from a beneficiary
 - ▶ Of the standards of conduct expected from PIN and its partner organization staff members
 - ▶ Of the existence, purpose and accessibility of the CRM
- ◆ PIN staff is aware of the appropriate procedures to raise their complaints related to unacceptable behaviour of PIN staff or associates towards other PIN staff or associates or towards PIN beneficiaries.
- ◆ Senior staff members are trained on how to investigate complaints.

Specifics of PIN partner organizations

Adherence to and compliance – to the relevant extent – with this Policy and the *PIN Code of Conduct* must be a condition for every partnership agreement or contract. In case that a PIN partner organisation does not comply with the principles of this Policy, PIN reserves the right to withdraw funding and/or terminate any existing partnership agreements.

As PIN recognizes that partner organizations might have their own existing policies, codes or other instruments, this Policy and the *PIN Code of Conduct* does not seek to replace or nullify them.

Representatives of partner organisations must ensure that:

- ◆ Partner organization staff and associates adhere to the key principles of ethical behaviour and standards of conduct
- ◆ All necessary and relevant procedures within their organization are set up and monitored
- ◆ CRM for beneficiaries is established
- ◆ Appropriate actions be taken when the standards of this Policy are not adhered to



PIN Anticorruption Policy

Introduction

People In Need (PIN) recognizes that corruption represents one of the major threats for the credibility of non-governmental non-profit organizations in the eyes of beneficiaries, donors and general public, and importantly that corruption might negatively influence the quality of our services. Corruption violates basic rules of healthy competition and brings results that are neither oriented towards public welfare nor functional. In most countries, corruption is legally punishable.

Corruption is in direct contradiction with the principles of transparency, reliability, solidarity, justice and democracy, which are firmly embedded in all PIN activities. Through this Policy PIN reconfirms its commitment to the zero-tolerance policy towards corruption and presents the binding guidelines to fight corrupt behaviour, minimize the risk of fraud and other related malpractices.

Terminology

Corruption is defined as the abuse of the entrusted power for private advantage of any person. This includes offering, giving, demanding or receiving financial or material gifts, loans, rewards, provisions or any other advantages from/to a third person as incentive to achieve something, which is dishonest, illegal or breaching confidence within the framework of contractual relations.

Among others, the following illegal acts count as corruption: bribery and reception of bribes; granting and receiving advantages; extortion; fraud and embezzlement; agreements reducing competition; money laundering; return of a part of a contractual payment (“kickback”); receiving or providing excessive gifts or hospitality; payment of excessive prices or fees to the third parties with the aim of a personal and/or organizational gain; or any other substitutive services by contractors, suppliers, partners, their employees or through public officials.

Bribery – one of the most common forms of corruption constituting an act of giving money, goods or other forms of recompense to a recipient (usually an official or a person with public/legal duty) in exchange for an alteration of their behaviour.

Facilitation payment – a frequent form of bribe, usually small unofficial payments made to secure or expedite the performance of a routine or necessary action to which the payer of the facilitation payment has legal or other entitlement.

Extortion - an unlawful use of one’s position or office to obtain money through coercion or threats.

Excessive gifts and hospitality – gifts and hospitality can range from small gifts (such as diaries) to expensive hospitality (tickets for major events, holidays etc.). Extravagant gifts and hospitality may disguise bribes that are intended to induce corrupt behaviour¹.

Solicitation - the act of a person asking, ordering or enticing someone else to commit bribery or another crime.

Unless it should influence the conclusion of a contract or directly ensure another advantage, the reasonable and justifiable giving or receiving the gifts, hospitality or reimbursement of the expenditures do not constitute corruption.

¹ As stated in the *PIN Conflict of Interest Policy*, PIN defines excessive gifts and hospitality “accepting donations or other forms of benefits in value exceeding 1000 CZK (50 USD or 40 EUR)”.

Standards of conduct in relation to corruption

As stated in the *PIN Code of Conduct*, **no corrupt or fraudulent behaviour is acceptable**. PIN staff and associates are therefore obliged to uphold the following rules:

- ◆ Corruption in any form, whether direct or indirect, as defined above, is forbidden. If encountering bribery, the response to all cases should be to reject the demands. Corrupt behaviour through or for the profit of a third party (friends and relatives, partner organization, etc.) is also forbidden.
- ◆ Solicitation for a bribe or any other form of corruption is not acceptable.
- ◆ Providing contributions to and/or receiving direct or indirect grants or donations from political parties, politically-active organizations or individual persons is prohibited as corrupt behaviour when any advantage is pursued in favour of the donor or third parties. Accepted donations from political parties, politically active organizations or individual persons are to be publicly disclosed in accordance with general rules on disclosure of donations in the Annual Report of the organization.
- ◆ Providing information which might create an advantage for a tender participant(s) is forbidden.
- ◆ Resources, especially individual financial donations, funds from institutional donors or any other sponsoring services must not be used for corrupt purposes.
- ◆ Provision of facilitation payments or giving of any other non-financial incentives with the objective to assure or expedite an official procedure to which the organization has a legitimate right is not acceptable.

The only circumstance where a bribe might not be avoided is a situation where somebody's health or security is seriously at risk. Nevertheless, all PIN operations have to be planned to minimize the risk of payments being requested under duress. At the same time, PIN's no-ransom policy will be respected in a situation of kidnap.

PIN commitments

PIN commits itself to apply the following with the aim to minimize the chances of the corrupt behaviour:

- ◆ PIN management actively promotes the message of “zero tolerance towards corruption” and maintains relevant internal procedures and controlling mechanisms to ensure that PIN staff and associates adhere the principles of this Policy.
- ◆ This Policy is disseminated through effective internal and external communication channels and relevant practical training provided to all PIN staff and associates.
- ◆ This Policy creates an inseparable part of all relevant contractual relationships. Disciplinary or contractual sanctions are applied for the violation of this Policy up to the possible termination of the contract.
- ◆ It is clearly communicated that no PIN staff or associate will be disadvantaged when he/she refuses to pay bribes or engage in any other form of corrupt behaviour.
- ◆ All PIN staff and associates are obliged to report any form of corrupt behaviour (including attempted bribes) and any violation or concerns related to this Policy as early as possible. For this purpose, secure, accessible and trustworthy channels of information must be maintained, particularly through the *PIN Whistleblowing Policy*.
- ◆ All acts of corrupt behaviour (including attempted bribes) are duly recorded and properly and promptly investigated.
- ◆ Partner organizations are appropriately evaluated regarding the adherence to the anticorruption principles prior the commencement of the first joint activities.

- ◆ Toward its beneficiaries, PIN communicates to the maximum extent possible that corruption is forbidden within PIN ranks. All promotional materials related to free PIN support and services should contain the following sentences:

“All goods and services provided by PIN within this project are free of charge. Should a payment or any other compensation be requested in exchange of these goods or services, a senior PIN representative must be informed immediately.”

- ◆ Final beneficiaries’ selection is based on the transparent set of criteria and PIN staff must ensure that these criteria are observed and that the selection process is free of corruptive practices.
- ◆ PIN maintains coherent Procurement guidelines for the fair and transparent use of public and private funds. PIN management at all levels is responsible for adhering to this Policy.
- ◆ PIN makes sure that its contractual partners bindingly confirm that they reject corrupt behaviour and have never been legally convicted of fraud or corruption. This applies especially to:
 - ▶ Implementation Agreements and other agreements relating to implementation of projects financed by PIN or through PIN by PIN partners
 - ▶ Contracts for Work relating to construction and reconstruction where PIN is the order party
 - ▶ Contracts of PIN with consultants and freelance persons

Further this applies to other agreements if such confirmation should be required considering the circumstances.

The following sentence is added to all above specified contracts:

“The Contractor hereby declares and warrants that the Contractor rejects corrupt, fraudulent, collusive and/or coercive practices and that neither the Contractor nor its management have been convicted of an offence or a crime concerning their professional conduct by a judgment which has the force of res judicata.”

- ◆ In relation to the Human Resources (HR), PIN management at all levels is responsible for setting up regulations minimizing the risks of corruption, internal nepotism and other forms of possible misuse. This refers mainly to the hiring procedures which should be transparent and based upon the CV, interview, at least two references and relevant testing. Different procedures must be clearly justified.
- ◆ PIN management ensures that the control mechanisms regularly monitoring the adherence to the above stated principles are in place and that they are periodically updated and reviewed in line with the existing and applicable legislation¹.

¹ See the recommended guiding principles for the NGO policies at RESIST (Resisting Extortion and Solicitation in International Transaction), Transparency International, March 21, 2011.

Annex I.

List of potential indicators of bribery and corruption

Sample list of potential indicators of bribery and corruption which may be of assistance in identifying acts of bribery:

- ◆ Abnormal cash payments
- ◆ Pressure exerted for payments to be made urgently or ahead of schedule
- ◆ Payments being made through 3rd party country (e.g. goods or services supplied to country 'A' but payment is being made, usually to shell company in country 'B')
- ◆ Abnormally high commission percentage being paid to a particular agency. This may be split into two accounts for the same agent, often in different jurisdictions
- ◆ Private meetings with public contractors or companies hoping to tender for contracts
- ◆ Lavish gifts being received
- ◆ Individual never takes time off even if ill, or holidays, or insists on dealing with specific contractors him/herself
- ◆ Making unexpected or illogical decisions accepting projects or contracts
- ◆ Unusually smooth process of cases where the individual does not have the expected level of knowledge or expertise
- ◆ Abusing decision process or delegated powers in specific cases
- ◆ Agreeing contracts not favourable to the organization either with terms or time period
- ◆ Unexplained preference for certain contractors during tendering period
- ◆ Avoidance of independent checks on tendering or contracting processes
- ◆ Raising barriers around specific roles or departments which are key in the tendering/contracting process
- ◆ Bypassing normal tendering/contractors procedures
- ◆ Invoices being agreed in excess of contract without reasonable cause
- ◆ Missing documents or records regarding meetings or decisions
- ◆ Company procedures or guidelines not being followed
- ◆ The payment of, or making funds available for, high value expenses or school fees etc. on behalf of others.
- ◆ Unusual and/or disproportionate delays from government authorities for otherwise clearly defined procedures – expectation of bribe is likely

Source: Serious Fraud Office



PIN Conflict of Interest Policy

Introduction

People In Need (PIN) recognizes that conflict of interest between PIN staff and associates on one side and PIN as organization on the other might negatively influence the organization's performance and reputation and might also lead to various forms of corruptive behaviour. The aim of this Policy is to minimize such risks through clear definitions and examples of conflicts of interest, description of the standards of conduct and related responsibilities.

Terminology

Conflict of interests is a situation in which an impartial and objective performance of working duties or decision making of a PIN staff or associate is jeopardized or challenged by conflict with his/her personal, family, political, economic or other interests.

In other words, conflict of interests is also a situation in which a PIN staff or associate may use her/his working position to achieve personal profit or benefit, in which his/her activities (both at and outside of work) may be in conflict with the interests of the organisation or may place him/her at a disproportional advantage which would be in contradiction to principles of free economic competition.

Standards of conduct in relation to conflict of interest

As stated in the *PIN Code of Conduct*, **PIN staff may not use his/her working position to achieve personal profit or benefit and have to avoid any situation where personal interests could be in conflict with the interests of PIN.** Same principle applies to PIN associates.

Conduct forbidden to PIN staff and associates

- ◆ Public political or religious activity in which PIN is used as a means of political/religious propaganda
- ◆ Participation in activities or membership in organizations, alliances and associations whose focus is in major conflict with the activities, values or good reputation of PIN
- ◆ External employment or other forms of activity outside PIN which is in contradiction to the activities, values or good reputation of PIN
- ◆ Accepting donations or other forms of benefits in value exceeding 1000 CZK (50 USD or 40 EUR) from partner organizations or business partners of PIN and keeping these for personal use
- ◆ Use of confidential information obtained under the working relation with PIN for personal benefit or for the benefit of third persons
- ◆ Use of function within PIN or referencing to the function for the purpose of personal benefit
- ◆ Preferring members of her/his own family if these are employees of PIN
- ◆ Entering sexual relationship with PIN beneficiaries

Forms of conduct or situations which need to be consulted

- ◆ Carrying out business activities in areas of PIN operation
- ◆ Intimate personal relationships with beneficiaries of PIN assistance or representatives of organizations which are in business relation with PIN
- ◆ Membership with organizations, management boards or evaluation committees of donor institutions from who PIN is attempting to apply for funding
- ◆ Participation in managing or control bodies of partner organizations
- ◆ Employing own family members
- ◆ Ownership, shareholding or membership in a company or business which has a business relationship with PIN (this point applies to family members or close relatives of PIN employees)
- ◆ Paid activity (lecturing, training, public speaking) during working hours of the PIN staff member resulting in income exceeding 3000 CZK (150 USD or 120 EUR) / month

Procedures for resolving conflict of interests

All PIN staff and associates have a duty to primarily avoid entering into any conflict of interest. In case such a situation is or might be likely to happen, every PIN staff or associate has to acknowledge this fact as soon as possible to his/her line manager (or focal person for PIN associates) for further consultation. Failing to do so may result in disciplinary or contractual measures.

Several options are available for mitigation of conflict of interests or mitigation of consequential risks. It is up to the decision of relevant line manager, Executive Committee or Executive Board to choose the adequate means of resolving the given situation.

- ◆ **Full removal of conflict of interests** – for example resigning from the managing board of a donor organization, giving up other public activities, not employing family members, etc. In this case, it is not necessary to resolve the situation in the framework of the *PIN Conflict of Interests Policy*.
- ◆ **Refrain from decision-making function** in situations of existing conflict of interests – for example abstaining from voting in a management board of a donor institution during vote related to PIN.
- ◆ **Consultation** – in case it is not possible to resolve the situation or condition by removing the conflict or by refraining from decision-making, every PIN staff or associate is obliged to announce such a situation to his/her line manager, who will jointly decide how to proceed in the case. If the conflict of interests is evaluated as serious, it must be reported to the director of the relevant department at PIN headquarters (HQ) who will consult with the Executive Board.
 - ▶ Conflict of interest involving national employees must be consulted with the Country Director.
 - ▶ Conflict of interest involving members of PIN departments at headquarters must be consulted with the department's director.
 - ▶ Conflict of interest involving members and deputy members of the PIN Executive Committee must be consulted with the PIN Director.
 - ▶ Conflict of interest involving the PIN Director must be consulted with the PIN Executive Committee and results reported to the PIN Executive Board.
 - ▶ If conflict of interests is discussed in the Executive Committee, minutes of the discussion must be recorded and archived as a classified attachment to the Executive Committee meeting minutes.
 - ▶ Members of the Executive Committee, Country Directors and directors of PIN branch offices have to sign an annual declaration of the conflict of interest.

- ◆ In case a PIN staff member identifies a conflict of interest concerning another person from PIN staff or associates, it is his/her obligation to report this fact to the relevant department director or in urgent cases to apply the *PIN Whistleblowing Policy*.
- ◆ In case a PIN staff member is subject to **criminal prosecution**, he/she is obliged to inform her/his line manager immediately.



PIN Child Protection Policy

Introduction

People In Need (PIN) recognises that especially in situations of poverty, humanitarian crisis and/or conflict, children can be extremely vulnerable. Therefore, PIN acknowledges as its fundamental duty to protect children engaged within its programmes and activities from any forms of abuse and exploitation.

By determining PIN's commitment to protect children and setting the key thresholds of behaviour desired or unacceptable, this Policy has the following objectives:

- ◆ **To protect children** engaged in PIN's programmes from all forms of abuse and exploitation
- ◆ **To protect PIN staff** from false or malicious allegations of misconduct
- ◆ **To protect PIN's organisational integrity and reputation**, as well as that of its partners, by introducing sound Child Protection Policy that helps to deter from unacceptable behaviour

Terminology

Child means person under the age of eighteen (18) years as defined by the Convention on the Rights of the Child.

Child protection is an activity or initiative designed to protect children from any form of harm, particularly arising from child abuse or neglect.

Child abuse is the physical, sexual, emotional mistreatment or neglect of a child resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

For further descriptions of related terminology please refer to *Annex A – Forms of unacceptable behaviour, terminology*.

Policy statement and PIN commitments

PIN upholds the rights and obligations of the United Nations Convention on the Rights of the Child¹ and so is dedicated to protect children engaged in its programmes from harm, exploitation and abuse. Accordingly, PIN is committed to implementing and maintaining child protection measures. These include:

- ◆ This Policy is introduced and further accessible to all new PIN staff and associates; regular refresher training is organized for PIN staff directly working with children.
- ◆ Analysis of child protection risks is included in PIN projects that involve direct engagement with children.
- ◆ Comprehensive child-safe recruitment is in place for personnel directly working with children (see details below).
- ◆ Reporting and responding procedures are in place for potential violation of this Policy.

¹ <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

Monitoring and application of this Policy is the responsibility of all PIN staff, particularly the Country Directors, the senior managers, staff working with children and the Advisor for Child Protection. The management is responsible for the regular policy review and promotion among the target audience.

Standards of conduct and forms of unacceptable behaviour

Guidance for behaviour that should be observed by PIN staff and associates is described in the *PIN Code of Conduct* and other *Key PIN Policies*. By keeping in mind that behaviour and actions taken towards children need additional sensitivity, this Policy aims to complement the *PIN Code of Conduct* and highlight behaviour that should be observed and/or avoided **when in direct contact with children**.

Standards of conduct

- ◆ Treat children with dignity and respect regardless of ethnicity, race, gender, age, language, religion, political or other opinion, disability, or other status.
- ◆ When working in the proximity of children be visible and, wherever possible, ensure presence of another adult.
- ◆ **In relation to child labour**, PIN observes the Convention on the Rights of the Child, which stipulates that children's work should not jeopardize any of their other rights, including the right to education, or the right to relaxation and play. At the same time, „*state parties shall provide a minimum age or minimum ages for admission to employment*“. PIN Country Programs should therefore act in compliance with the Convention and relevant legislation in the given country. While implementing PIN programmes that may affect children, allow them to be engaged in designing the action, listen to them.
- ◆ Raise voice (report) when having concerns about child's protection and safety.
- ◆ When collecting data from children (during assessments, monitoring and evaluation, etc.) reduce the risk of potential harm by using culturally appropriate ways of communication, obtaining informed consent, ensuring confidentiality and not asking about painful experiences. If distressing data has to be obtained, try to use indirect data collection methods and be prepared to refer the distressed child to professional care.
- ◆ When getting and/or using **children's images** for visibility purposes (i.e. photographing or filming a child/children):
 - ▶ Comply with the standard approach as explained in the PIN Media Policy
 - ▶ Ensure that the products (e.g. photographs, films, videos) present children in a dignified and respectful manner, with children being adequately clothed and not in poses that could be misleading or seen as sexually suggestive
 - ▶ When taking an image of a particular child for a specific purpose (medialization, advocacy, fundraising, etc.), explain how the product will be used and for that obtain legitimate consent from the child, whenever possible also from a parent or guardian of the child
 - ▶ Ensure that images of children availed for public use do not reveal any identifying information

Forms of unacceptable behaviour

- ◆ Touch a child in an inappropriate or culturally insensitive manner (personnel in direct medical care positions are to follow International and/or local country industry best practice guidelines)
- ◆ Use language or demonstrate behaviour that is harassing, abusive, demeaning, sexually provocative, or culturally insensitive towards children

- ◆ Engage children in any form of activity that is demeaning, offensive, sexually provocative, abusive or culturally inappropriate or insensitive
- ◆ Physically assault or punish children
- ◆ Engage children in any form of sexual activity or acts, including paying for sexual services or acts
- ◆ Access child pornography through any medium
- ◆ Invite unaccompanied children without their and parent's or guardian's approval into solitary; places, unless they are at immediate risk of injury or in physical danger
- ◆ Sleep in close proximity to unsupervised unrelated children
- ◆ Hire children for domestic or other labour which is inappropriate given their age or developmental stage and which interferes with their time available for education and recreational activities, or which puts them at risk of injury
- ◆ Exclude or favour a particular child

Reporting on child abuse

PIN strives to create an environment in which victims and persons concerned about the child's safety within PIN programmes feel free to report on it. PIN therefore requests all PIN staff and associates to report to PIN about any suspicion or disclosure of child abuse within PIN programmes.

- ◆ For feedback and complaints that can come from beneficiary communities, PIN has in place a functional **Complaint Response Mechanism (CRM)**.
- ◆ For cases of reporting from PIN staff or associates, utilize the whistleblowing mechanism as described in the *PIN Whistleblowing Policy*.

All incidents must be recorded and managed in accordance with the relevant investigation procedures and standards.

Responding to child abuse allegations

While PIN takes all allegations of child abuse extremely seriously, at the same time will employ the presumption of innocence while pending an official investigation of the incident. All allegations must be thoroughly investigated. Specific steps that should be reminded and taken into account while investigating child abuse allegations are:

During the investigation process:

- ◆ All efforts will be taken to ensure the confidentiality and rights of the victim and accused person and information related to the incident will only be shared on a "need to know basis", but where allegations will amount to a violation of laws of a respective country, privacy will no longer be applicable unless deemed necessary to uphold the rights of the victim.
- ◆ The views of the alleged child victim will be considered in light of the documented evidence and that children rarely lie about abuse.
- ◆ The accused person will be always given an opportunity to express their views/opinions/version of the facts.

- ◆ Where appropriate in investigations, PIN will obtain the legal advice and/or advice from any responsible authorities.
- ◆ If appropriate (e.g. the incident involves a breach of this Policy), the accused person may be suspended pending an investigation.

Where the incident is proven to have occurred:

- ◆ Appropriate disciplinary measures will be taken, including, but not limited to: (a) warning; and/or, (b) suspension; and/or (c) dismissal. The disciplinary measure will depend on the nature and severity of the offence.
- ◆ Where the allegation involves a violation of either the laws of the country in which the incident occurs, or the laws of the Czech Republic or the country where the accused person is a citizen, the incident will be immediately reported to the appropriate authorities and the person will be suspended from employment pending an investigation.

Where an allegation is found to be false or unfounded, all efforts will be taken to ensure the rights of the accused person is upheld.

Recruitment of personnel working with children

PIN will not knowingly employ or engage in its programmes, and especially in those including regular and direct engagement with children, persons that could pose a risk to children. PIN will also respect a local applicable legislation.

Candidates applying for **positions that will include regular direct and/or unsupervised work with children** will be – before being appointed by PIN – checked as follows:

- ◆ Two verbal reference checks with former employers / professional referees
- ◆ Selected applicants will provide written disclosure regarding whether they haven't been charged with child exploitation offences in the past (see Annex C)
- ◆ **In projects addressing the child protection and child rights issues**, the candidate should preferably have a specific qualification in a childcare, psychological or social field

Analysing risks to children in PIN programmes

Prior to commencement of activities involving children, PIN will analyse potential risks to children that can arise as part of the implementation of PIN programmes. These activities can include training attended by children, working in hospitals or schools, data collections including discussions with children etc.

In case risks to children were identified, the project team shall prepare an action plan that will address those risks with the aim to reduce them as much as possible. **In case risks cannot be reduced** to the required level and the project activities would cause harm to children, then the project team shall bring this issue to the country programme management that should decide whether further measures can be taken in order to address the risk(s). **Activities that would harm children must not be carried out.**

Annex I.

Disclosure on child exploitation offences

I, signed below, hereby declare that I have never been charged with child exploitation offences.

Name:

Date:

Place:

Signature:



PIN Whistleblowing Policy

Introduction

Blowing the whistle or the whistleblowing is an internationally recognized procedure enabling the company to uncover serious **internal cases** of unethical, dangerous or illegal practices. This Policy is based on People In Need's (PIN) open-door approach and the effort to solve – rather than conceal – different forms of unacceptable behaviour. Whistleblowing is not seen as an act of “snitching and informing”, but as an act of personal courage based on loyalty to the organization and its ethical principles.

This Policy enables PIN staff to raise their **serious concerns internally** directly to the level of top management and to support and protect individuals who believe they have discovered serious malpractices. It is expected that whistleblowing will be used only in cases where standard procedures have been exhausted or are not applicable. It is also expected that PIN staff will use the whistleblowing procedures prior to the possible airing of their complaints outside PIN. This Policy will be actively promoted by PIN management and it will create an inseparable part of every employment contract.

Scope of this Policy is aimed namely in the cases of:

- ◆ Financial malpractice, corruption or fraud
- ◆ Failure to comply with legal obligations or statutes
- ◆ Dangers to the health, safety, security or the environment
- ◆ Criminal activity
- ◆ Improper, unethical or unacceptable behaviour in conflict with the *PIN Code of Conduct* and other policies on the organizational or department level
- ◆ Attempts to conceal any of these

Basic principles

Protection

PIN guarantees the protection to all complainants who provide the complaint or disclosure in good faith and through the channels described below.

Confidentiality

PIN treats all such complaints or disclosures in a confidential and sensitive manner and the identity of the complainant will be kept as long as it does not hinder the resulting investigation.

Anonymous allegation

This Policy encourages individuals to put their name under any complaint or disclosure. As the anonymous complaints or disclosures are less credible and the standard procedure described below cannot be fully followed, the seriousness and credibility of the issue will be always taken into account.

Untrue allegations

If an individual makes an allegation in good faith, which is not confirmed by the subsequent investigation, no action will be taken. However, if an individual makes an intentionally malicious or false accusation or otherwise misuses the below described channels, he/she may face disciplinary action.

Complaints / disclosure procedures

In case the complaint or disclosure of a malpractice does not originate from PIN staff (i.e. coming from a beneficiary, PIN associate, etc.), the PIN staff member receiving the complaint is obliged to act as the complainant and the information must be passed as soon as possible to the designated person. Such information must not be intentionally concealed.

Complaints and disclosures should be directed to the following designated persons, which are entitled to act as an **Investigating Officer** or to nominate another appropriate person.

- ◆ In the **Czech Republic**, complaints should be directed to the PIN Director. Complaints against the PIN Director should be directed to the Executive Board.
- ◆ At the overseas **country programmes**, complaints from **international** employees should be directed to the director of the relevant PIN department at headquarter (HQ) level (usually the Relief and Development Department Director or Human Rights and Democratization Department Director).
- ◆ At the overseas **country programmes**, complaints from the **national staff** should be directed to the Country Director (CD), unless the complaint or disclosure is against or anyhow connected with him/her. In such cases, the complaint should be passed to the director of the respective PIN department at HQ level.
- ◆ In justifiable cases, the complainant has the right to bypass the described routes and take the complaint directly to the **PIN Director**.
- ◆ If none of the above routes is suitable or accessible, the complainant may approach the PIN Financial Director.

Investigating procedures

- ◆ All investigation procedures have to observe two principles, which are (a) protection and confidentiality of the complainant; and (b) the principle of the presumed innocence of the person(s) against whom the complaint or disclosure is made.
- ◆ Full details and clarifications should be obtained by the Investigating Officer.
- ◆ Investigating Officer should inform the PIN staff member(s) against whom the complaint is made as soon as practically possible.
- ◆ All allegations should be fully investigated in an appropriate timeframe without delays.
- ◆ If there is evidence of criminal activity, the Investigating Officer should inform police.
- ◆ Judgment concerning the complaint and its legitimacy should be made in written form by the Investigating Officer and submitted to the person to whom the original complaint has been directed, i.e. PIN Director, Country Director or a department director.
- ◆ The person to whom the original complaint has been directed will decide what actions to take.
- ◆ The complainant should be appropriately informed about the ongoing process and its results.

If the complainant is not satisfied that his/her concern is being properly dealt with by the Investigating Officer, he/she has the right to raise it with any other persons described above.



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