

PEAS' Adult Safeguarding Policy

1. Policy statement

- 1.1. PEAS believes that everyone we come into contact with, regardless of age, gender identity, disability, sexual orientation or ethnic origin has the right to be protected from all forms of harm, abuse, neglect and exploitation.
- 1.2. PEAS will not tolerate its employees or representatives taking part in any form of bullying, harassment, sexual exploitation or abuse of anybody that comes into contact with our work, including, but not limited to, staff, beneficiaries and adults at risk.
- 1.3. This policy will address the following areas of safeguarding:
 - Bullying and harassment
 - Protection from sexual exploitation, abuse and any form of violence
 - Adults at risk.
- 1.4. It is the responsibility of all staff and representatives of PEAS to raise any potential concerns you have or those which are reported to you according to this policy. It is not your responsibility to decide whether or not harassment, bullying, sexual exploitation or abuse has taken place.
- 1.5. It is the responsibility of all PEAS managers to ensure the delivery of this policy and to promote it as relevant in all aspects of their work, to hold themselves and others to account and to help create a safe environment for all.
- 1.6. PEAS commits to addressing safeguarding throughout its work, through a four pronged approach of promoting awareness, prevention, reporting and response.

2. Scope

- 2.1. This policy applies to:
 - All staff contracted by PEAS, inclusive of school, regional, country and global office staff
 - All PEAS' representatives – this refers to all associated personnel whilst engaged with work or visits related to PEAS, including but not limited to the following: any school staff not paid by PEAS (such as student or government teachers), consultants; volunteers; contractors; school visitors including journalists and politicians.
- 2.2. This policy applies to PEAS employees' and PEAS representatives' conduct at all times, both inside and outside of working hours and in all locations, regardless of whether the employee or representative is on PEAS property or not.

2.3. This policy will be upheld in conjunction with local legislation in the countries that PEAS operates. In the case that the following policy contravenes local legislation, PEAS employees must act in accordance with such legislation. PEAS' policy will apply in the event that it is more stringent than the terms set out in local legislation. For a list of current relevant legislation in countries in which PEAS operates, see Appendix I.

3. PEAS Adult Safeguarding Principles

3.1. The following key principles underpin all PEAS' adult safeguarding work and commitments:

- **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.
- **Non-judgement:** We will never judge victims or complainants for their actions or decisions.
- **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 has been or may be harmed.
- **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 and adults at risk.
- **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.
- **Accountability:** We will ensure that there are clear lines of accountability and be transparent in our work on adult safeguarding.

Any member of PEAS Staff who are found to have acted in breach of this Policy by taking part in any form of bullying, harassment, sexual violence or abuse of adults at risk, as laid out in sections 3 to 5, will be subject to disciplinary action, up to and including dismissal, in accordance with procedures laid out in the Disciplinary Policy and Procedures in the Human Resources Manual.

Volunteers, contractors and other representatives who have been found to have acted in breach of this Policy will have their relationship with PEAS terminated.

4. Types of Harassment

4.1. Bullying

4.1.1. Examples of bullying or harassing behaviour include:

- Spreading malicious rumours, or insulting someone by word or behaviour (e.g., copying memos that are critical about someone to others who do not need to know, ridiculing or demeaning someone – picking on them or setting them up to fail)
- Exclusion or victimisation
- Unfair treatment
- Overbearing supervision or other misuse of power or position
- Unwelcome sexual advances – touching, standing too close, the display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- Making threats or comments about job security without foundation
- Deliberately undermining a competent worker by overloading and constant criticism
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.
- Extension of favours e.g. promotions, travel opportunities etc. due to same tribe, sex, religion etc.

4.1.2. Bullying is considered to be harassment if it is related to a person's age, disability, gender reassignment, race, religion or belief, sex and sexual orientation. Specific details of sexual harassment will be laid out in the following section.

4.2. Sexual violence

4.2.1. PEAS recognises that sexual abuse and exploitation represent a wide spectrum of behaviours, therefore PEAS aims to prevent 'sexual violence' in all its forms.

4.2.2. Sexual violence is defined as any sexual act or attempt to obtain a sexual act, unwanted sexual comments or advances or acts to traffic that are directed against a person's sexuality using coercion by anyone, in any setting, including at home and at work.

4.2.3. Three types of sexual violence are commonly distinguished: sexual violence involving intercourse (i.e. rape), contact sexual violence (i.e. unwanted touching, but excluding intercourse) and non-contact sexual violence (i.e. threatened sexual violence, exhibitionism and verbal sexual harassment).

4.2.4. Examples of sexual violence, which includes sexual harassment, abuse and exploitation, include, but are not limited to:

- Rape
- Unwanted touching or sexually suggestive physical contact
- Verbal comments of a sexual nature, such as remarks about an employee's appearance, questions about their sex life or offensive jokes

- Demanding sex in return for favours (this may be money or non-monetary gains such as social or employment-related opportunities)
- Denying an employee an employment-related opportunity if the employee refuses to comply with a sexually oriented request
- Threatening, directly or indirectly, to retaliate against an employee if the employee refuses to comply with a sexually oriented request;
- Deliberately creating an overall offensive environment, including use of vulgar language, displaying, storing, or transmitting sexually explicit photographs or other materials, and the telling of sexual stories.
- Threatening sexual violence
- Exhibitionism

4.2.5. Sexual violence can be physical and/or psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be harassing. Anyone can be affected by sexual violence, and PEAS recognizes that each survivor has a unique experience.

4.2.6. Staff members who engage in a consensual sexual or romantic relationships should be aware of their professional responsibilities and will be responsible for assuring that the relationship does not raise concerns about favouritism, bias, ethics and conflict of interest. This also applies to staff members in a consensual sexual or romantic relationship with staff from PEAS' partners and donors. In cases of doubt, advice and counsel should be sought from a line manager or the designated adult safeguarding officer.

4.2.7. Consensual sexual or romantic relationships between staff members where one holds a more senior position at PEAS (even if the person does not directly line manage the junior member of staff) may result in a conflict of interest. This also applies to staff members in a consensual sexual or romantic relationship with staff from PEAS' partners and donors where there is a difference in seniority or influence. If such a relationship currently exists or develops, it must be disclosed to their line manager as soon as possible (before it may have any bearing on work related matters) as per the terms of the Conflict of Interest Policy.

4.2.8. It is a requirement of all managers that they sensitively and confidentially address any declarations of this kind. Managers will only put in place the necessary arrangements to manage the conflict of interest, such as ensuring that neither person in the relationship is involved in decisions regarding the other person's career or status. Due to the individualized, and personal nature of such circumstances, each case will be considered on its own merits.

4.2.9 In addition to the above, all PEAS staff, volunteers, partners and other representatives are strictly prohibited from engaging in the following activities:

- Sexual activity with children (anyone under the age of 18)

- Sexual activity with PEAS beneficiaries (such as parents of children at PEAS' schools)
- Buying sex

4.3 Violence

4.3.1 PEAS recognises that “violence” represents a wide range of acts which can cause harm to an individual. PEAS aims to prevent violence in all its forms.

4.3.2 Violence is considered any act involving physical force intended to hurt, damage or kill someone. Violence also includes the use of intimidation by the exhibition of such force.

4.3.3 Examples of violence include, but are not limited to:

- Hitting (with hands or using objects)
- Kicking
- Biting
- Pushing
- Choking
- Threat of violence through verbal threat or physical displays of force

5. Adults at risk

5.1. An adult at risk is any adult who:

- Has needs for care and support, and;
- Is experiencing, or is at risk of, abuse or neglect, and;
- As a result of those care and support needs, are unable to protect themselves from either the risk of, or the experience of, abuse or neglect.

5.2. Based on this definition, any student in a PEAS school over the age of 18 is considered to be an adult at risk.

5.3. PEAS recognises that this group are at higher risk of experiencing bullying, harassment, sexual abuse and exploitation and other forms of abuse. This document therefore highlights some of the specific forms of abuse that adults at risk may experience and details some steps to take, in addition to the general procedures laid out elsewhere in this document, if you are concerned about an adult at risk's wellbeing.

5.4. Abuse of adults at risk may consist of a single act or repeated acts and can take many forms including: physical, sexual, psychological, financial/ material, discriminatory, domestic abuse and self-neglect.

5.5. What to do if you have concerns about an adult at risk's wellbeing

- The first priority should always be the immediate safety and welfare of the vulnerable adult.
- Keep calm and act normally; do not say or show that you are shocked.

- Do not investigate or question the adult at risk. If an adult at risk reports abuse directly to you, only ask questions to get enough information to understand the complaint (e.g. 'who, what, where, when' questions, but not 'why' questions).
- Never agree to keep a secret. If an adult at risk is in danger you will have to inform others.
- Do not directly challenge parents, carers or teachers about your concerns.
- Record all the details that support your suspicion and report these to the designated adult safeguarding officer.

6. Roles and responsibilities

6.1. PEAS' responsibilities

- 6.1.1. PEAS will ensure that all staff, volunteers, partners and other representatives will have access to information about how to report concerns or allegations of sexual harassment, abuse and exploitation
- 6.1.2. PEAS will take seriously any concerns or allegations of bullying, harassment or sexual violence and investigate and act on these if appropriate, in line with our safeguarding principles set out above
- 6.1.3. PEAS will ensure all managers, employees, volunteers and other representatives will have access to, and be familiar with this policy and know their responsibilities within it
- 6.1.4. PEAS will provide all staff with training in relation to bullying, harassment and sexual violence.
- 6.1.5. PEAS will appoint Designated Safeguarding Officers at different levels in the organisations, including at the Board level and at senior level in the country offices.

6.2. Staff responsibilities:

- 6.2.1 The Board of Trustees holds ultimate accountability for this policy. All PEAS Managers are responsible for implementing this policy and for promoting awareness of this policy within their divisions, individual departments of teams.
- 6.2.2 All staff, volunteers, partners and other representatives of PEAS are required to adhere to this Policy and PEAS' Code of Conduct at all times.
 - 6.2.1. All PEAS employees are obliged to report any suspicions of sexual exploitation, abuse or harassment of others unless they are asked not to by the survivor (as long as the survivor is not a child or adult at risk). Failure to report to a relevant person suspicion of abuse relating to someone else is a breach of PEAS' policy, and could lead to disciplinary action being taken.

6.2.2. For the avoidance of doubt, there is no obligation placed on any individual to report any incident that has happened to them. This is aligned with our commitment to a survivor-centric approach to adult safeguarding that is led by the wishes of survivors where possible and appropriate

6.2.3. No staff member shall participate in decisions involving a direct benefit or penalty (employment, retention, promotion, tenure, salary, leave of absence, etc.) to a person with whom they have or had a sexual or romantic relationship with. He or she must take specific actions to remove himself or herself from all decisions and actions that may influence the career or status of the other employee.

7. Awareness and Prevention

PEAS will adhere to the following procedures to promote awareness and prevent incidents of bullying, harassment, sexual abuse or exploitation or abuse of adults at risk.

7.1. Safe recruitment practices:

- Job adverts include adult safeguarding commitments
- Gaps in employment history are checked during interview
- Questions related to adult safeguarding asked during interview
- At least two references taken from previous employers which include questions on candidate's conduct and behaviour
- Criminal records check is conducted, where possible
- New employees sign contracts which include adult safeguarding commitment and the organisation's code of conduct

7.2. Due diligence in procurement process:

- Adverts include adult and child safeguarding commitments
- Questions related to adult safeguarding asked during tender
- References requested that specifically relate to adult and child safeguarding

7.3. Induction and training

- Induction includes at least a briefing on adult safeguarding
- All staff receive training on adult safeguarding– recognising and responding to risks and concerns
- Annual refresher training opportunities provided.

7.4. Whistleblowing

- Provision of whistleblowing mechanism to encourage people to report on concerns without fear of reprisals. See PEAS' Whistleblowing Policy for further information.

7.5. Partnership arrangements

- All contracts with partners/suppliers/contractors include clauses on adult safeguarding

8. Reporting: How to raise a complaint or concern

- 8.1. Staff members who have a complaint or concern relating to adult safeguarding should report it immediately to their line manager. If the staff member does not feel comfortable reporting to their line manager they may report to any other appropriate staff member. For example, this could be a senior manager or the designated adult safeguarding officer.
- 8.2. Staff members may also report a concern or complaint anonymously through the whistleblowing email account: reporting@peas.org.uk.
- 8.3. If an allegation is made against you, then you must inform your manager immediately. You should create a signed and dated record of the details as you know them and send a copy of this to the designated adult safeguarding officer. All those accused will be treated with respect and all allegations are treated confidentially.
- 8.4. PEAS will also accept complaints from external sources such as members of the public, including students who may be adults at risk, partners and official bodies.

9. Response

The following lays out the specific measures taken when responding to allegations or incidents of bullying, harassment or sexual violence, including abuse of adults at risk. For the full response procedure see the Disciplinary Policy and Procedure in the Human Resources Manual.

- 9.1. PEAS is committed to responding to all complaints and concerns of abuse in a timely manner. As such, when a complaint or concern has been raised, it must be referred within 24 hours to the designated adult safeguarding officer or other appropriate manager.
- 9.2. Confidentiality must be maintained throughout the reporting process by all staff and witnesses. Staff members who breach confidentiality will be subject to disciplinary action up to and including termination of employment. In some cases, such breaches constitute breaking the law.
- 9.3. The decision about whether to refer to local police or statutory authorities is generally made by the person who it is alleged has been the subject of abuse (the victim/survivor - who may or may not be the complainant).
- 9.4. However, there are instances when PEAS may have to make decisions on behalf of others, such as if someone's life is in danger or the abuse involves an adult at risk. This recognises that the principle of being survivor centered must be balanced against risk and protection of vulnerable groups in every instance. As far as is possible and appropriate they will be engaged in the conversation about their own welfare.

- 9.5. If there is a suspected case of abuse of an adult at risk that is criminal in nature, PEAS must report this to the police.
- 9.6. PEAS will offer support to survivors of harm caused by staff or representatives, regardless of whether a formal internal response is carried out (such as an internal investigation). Support can include directing individuals to specialised service providers or supporting them to access appropriate counselling or medical services. Decisions regarding support are made on a case by case basis and will be informed by the needs of the survivor.
- 9.7. PEAS will take action against any staff, volunteers or other representatives, whether they are the subject of a complaint or not, who seek or carry out retaliatory action against complainants, victims/survivors or other witnesses. Staff who are found to do this will be subject to disciplinary action, up to and including termination of employment.
- 9.8. It is extremely rare that staff or other stakeholders are found to have raised allegations which they knew to be false. If a member of staff from PEAS is found to have made an allegation that they knew to be false they will be subject to disciplinary action, up to and including termination of employment.
- 9.9. If PEAS receives a complaint about an external partner organisation (such as contractors, consultants, researchers) PEAS will expect the partner to respond quickly and appropriately. Where appropriate, PEAS should work with the partner to address the issue through an appropriate investigation. If the outcome is that abuse has occurred, ongoing work with the organisation cannot involve the individual(s) concerned and may be terminated.
- 9.10. Complaints raised from outside the organisation must be referred to the designated adult safeguarding officer and must adhere to PEAS's policy and procedures as outlined in this document.

10. Definitions

- 10.1. **Adult:** Any person over or the age of 18.
- 10.2. **Adult at risk:** An adult at risk is any adult who:
- Has needs for care and support, and;
 - Is experiencing, or is at risk of, abuse or neglect, and;
 - As a result of those care and support needs, are unable to protect themselves from either the risk of, or the experience of, abuse or neglect.
- 10.3. **Beneficiary:** Any person who benefits from PEAS' work. This includes, but is not limited to: students at PEAS schools, parents of students at PEAS' schools, members of the communities that we work with.

- 10.4. **Bullying:** Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.
- 10.5. **Harassment:** Bullying conduct that is related to a person's age, disability, gender reassignment, race, religion or belief, sex and sexual orientation. This conduct has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.
- 10.6. **Sexual Abuse:** The term "sexual abuse" means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
- 10.7. **Sexual Exploitation:** The term "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.
- 10.8. **Sexual Harassment:** unwanted conduct of a sexual nature. It can be directed towards one person, groups of people or towards everyone and can occur as a one-off incident or be a pattern of harmful behaviour. The effect of sexual harassment is to violate the dignity of another person, and to create an intimidating, hostile, degrading, humiliating or offensive environment for them and others.
 - 10.8.1. When addressing allegations of sexual harassment, PEAS is concerned with the impact of the behaviours on the complainant, not the intention of the person accused. An action or behaviour can still be considered sexual harassment even if the alleged harasser didn't intend for it to be harmful.
- 10.9. **Sexual Violence:** any sexual act or attempt to obtain a sexual act, unwanted sexual comments or advances or acts to traffic that are directed against a person's sexuality using coercion by anyone, regardless of their relationship to the victim, in any setting, including at home and at work. Three types of sexual violence are commonly distinguished: sexual violence involving intercourse (i.e. rape), contact sexual violence (i.e. unwanted touching, but excluding intercourse) and non-contact sexual violence (i.e. threatened sexual violence, exhibitionism and verbal sexual harassment). While coerced sex may result in sexual gratification for the perpetrator, its underlying purpose is to express power and dominance over the other person.
- 10.10. **Survivor:** The person who has been abused or exploited. The term 'survivor' is often used in preference to 'victim' as it implies strength, resilience and the capacity to survive, however it is the individual's choice how they wish to identify themselves.

In accepting my appointment, I undertake to discharge my duties and to regulate my conduct in accordance with the requirements of this Policy.

Name:

Signature:

Date:

Appendix I: Relevant national legislation in the countries in which PEAS operates as of September 2018

The following list identifies relevant legislation in the countries of operations. This list is not exhaustive.

UK

- Equality Act 2010
- Sexual Offences Act 2003
- Care Act 2014
- Charities Act 2011

Uganda

- Employment (Sexual Harassment) Regulations 2012
- Employment Act 2006
- Constitution of Uganda

Zambia:

- Anti-Gender Based Violence Act 2011
- Employment Equity and Equality Act 2015
- Constitution of Zambia