

## ICoCA Indicators on the International Code of Conduct

This document includes a set of indicators for selected paragraphs of the International Code of Conduct for Private Security Service Providers ('the Code') to support Member Companies in ensuring their compliance with its requirements.

In order to be considered compliant with the Code, a Member Company is not expected to be fully compliant with all these indicators when applying for ICoCA Membership or Certification, but there is an understanding that each company will apply these metrics, and be evaluated against them as part of ICoCA's monitoring process. While a number of indicators express basic compliance with Code principles, others might go beyond the explicit requirements of the Code, reflecting ICoCA's commitment to promoting continual improvement by Member Companies and raising private security industry standards globally.

Based on desk-based research, consultations with numerous experts and the Association's experience and lessons learned from its field-based reviews and other missions, the Association decided to initiate the development of indicators on the following Code paragraphs: Rules for the Use of Force, Apprehending Persons, Prohibition of Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment, Sexual Exploitation and Abuse or Gender-based Violence, Selection and Vetting of Personnel, Training of Personnel and Company Grievance Procedures.

This document is a 'living document'. The Association expects to revise and update the indicators in the future, in the light of future identified operational challenges and Member Companies' shared experiences, as well as of industry developments and the Association's field-based analysis.

### What is an indicator?

Indicators can be defined as a specific information on the state or condition of an object, event, activity or outcome that can be related to the Code's standards and principles<sup>1</sup>.

This set of indicators aims to promote a common understanding of the Code Principles and related good practices, assist in making communication about Code implementation more concrete and effective and allow for regular reporting of aggregated data on Member Company performance. The indicators form the basis of the elements the Association takes into consideration when assessing Member Company compliance with the Code and their commitment to continual improvement. They are not an exhaustive compilation for every possible case and context.

The Association considers these types of indicators in its assessment of performance:

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<sup>1</sup> Based on OHCHR (2012): *Human Rights Indicators: A Guide to Measurement and Implementation*.

- **Procedural indicators:** measure the commitment of a company in implementing Code requirements and towards continual improvement. These indicators demonstrate the importance of the process in addition to meeting the desired outcome. They are divided by Membership category 'Industry applicants', 'Transitional Members' and 'ICoCA Certified Members'. Companies are expected to meet every indicator listed for each specific Membership category.

*Are Member Companies committed to achieving the desired results?*

- **Outcome indicators:** desired end state of an event, activity or outcome showing compliance with the Code.

*What are the desired results to be achieved by a Member Company which indicate full compliance with a Code paragraph?*

- **Performance indicators:** ongoing efforts of the company to transform their commitment into the desired outcome. These indicators help monitor the progressive implementation of a Code requirement and a company's commitment to continual improvement, indicating different levels of maturity.

*What measures enable Member Companies to achieve the desired results?*

## Who are these indicators for?

These indicators are aimed at guiding and assisting in particular:

- Companies, and more specifically:
  - Industry applicants, in assessing their level of readiness to apply for ICoCA Membership,
  - Transitional Members, in assessing their progress towards ICoCA Certification, and
  - ICoCA Certified Members, in assessing their efforts to continuously improve their performance.
- Clients, in their due diligence efforts and in assessing areas of risk for their procurement decisions;
- Civil Society Organisations, as a reference document when raising awareness among communities and working together with companies;
- Governments, as a reference point when creating or updating regulations and policies;
- Certification Bodies, in strengthening their understanding of specific Code requirements when certifying Member Companies to ICoCA recognised standards (PSC.1, ISO 18788, ISO 28007);

- The ICoCA Secretariat, as important performance indicators in their ongoing monitoring process and in assessing Member Companies' progress towards meeting the requirements of the Code, in conducting assessments of compliance concerns and of complaints submitted by third parties and personnel, and in evaluating whether a Company can be recommended for ICoCA Membership and Certification.

## ICoCA Procedural Indicators

### Procedural Indicators for Membership

In order to qualify for ICoCA Membership Industry candidates are expected to meet, as a minimum, each Procedural Indicator listed below. Industry candidates who do not meet these indicators will not be admitted as ICoCA Members.

1. The Company duly completed the Membership Application Form, provided the necessary information and answered to the Secretariat's requests for clarification without delay.
2. The Company has no pending judgement or has not been condemned by a court for fault or liability related to human rights abuses or humanitarian law violations, or other reputational risk violations over the past 5 years.
3. The Company provides proof of registration with the government authorities of its home country.
4. The Company provides PSC operations licenses for the countries in which it operates.
5. The Company provides proof of employer's liability and public liability insurance coverage appropriately sized for the scale and scope of the company's operations.
6. The Company explains its organisation including regional and country entities, and their hierarchical relationships to the Head Office, and any relationship to wider entities (parent company, sister companies, non-ICoCA related entities etc.)
7. The Company paid the joining fees.

### Procedural Indicators for Transitional Membership

Transitional Members are expected to meet at a minimum each Procedural Indicator listed below after one year of Transitional Membership. Transitional Members who do not meet these Indicators after one year will have their Membership with ICoCA reconsidered.

1. The Member Company is responsive to Secretariat communication and cooperates in good faith in implementing the requirements of the Transitional Membership Process.
2. The Member Company indicated the standard to which the Company is seeking external certification.
3. The Member Company indicated that it contacted an accredited Certification Body which the Company intends to contract to obtain external certification.
4. The Member Company communicates to the Secretariat any updates regarding contacts, operations, relevant regulatory environments, ICoCA Certification, as well as possible challenges encountered.
5. The Member Company submits the Company Self-Assessment Report on an annual basis.

## Procedural Indicators for ICoCA Certification

Transitional Members are expected to meet at a minimum each Procedural Indicator listed below within two years of joining the Association as Transitional Members and to be able to apply for ICoCA Certification. Failure by Transitional Members to act in good faith to these requirements can be grounds for termination.

1. The Member Company is certified by a Certifying Body accredited by a national accreditation body member of the International Accreditation Forum and its Multilateral Agreement to one of the ICoCA recognised standards (PSC.1, ISO 18788, ISO 28007).
2. The Company provided its full audit report and the most recent surveillance report.
3. The Company provided the Corrective Action Plan.

## ICoCA Outcome and Performance Indicators

### Use of force (paragraphs 29 – 32)

**Outcome Indicator:** The Member Company and its personnel use force only based on the principles of necessity and proportionality and consistent with applicable national and international law.

#### Performance Indicators:

##### Procedures

1. The Member Company has adopted written Rules for the Use of Force.
2. The Rules for the Use of Force:
  - 2.1. Restrict the use of force to only where necessary;
  - 2.2. Restrict the use of force to only where proportionate to the threat;
  - 2.3. Restrict the use of force to only where appropriate to the situation;
  - 2.4. Detail steps for the use of force continuum;
  - 2.5. Restrict the use of firearms to the following circumstances:
    - To self-defence;
    - To defend others against an imminent threat of death or serious bodily injury; or
    - To prevent the perpetration of a particularly serious crime involving grave threat to life.
  - 2.6. Explain the process for personnel to report incidents related to the use of force;
  - 2.7. Are consistent with applicable national and international law.
3. For all assistance in the exercise of a state's law enforcement authority, the Rules for the Use of Force are consistent with:
  - 3.1. The rules applicable to law enforcement officials of the state; or
  - 3.2. At a minimum, with the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990).

##### Communication and training

4. The Member Company provides initial and recurrent training on the Rules for the Use of Force to all personnel providing security services.
5. The Member Company provides use of force cards to all personnel providing security services, whether they are armed or unarmed.
6. The Rules for the Use of Force are agreed with the client.
7. During training the Member Company:

- 7.1. Explains the different steps of the use of force continuum;
- 7.2. Explains when use of force is considered necessary;
- 7.3. Explains what use of force is considered proportionate to the threat;
- 7.4. Explains what use of force is considered appropriate to the situation.

### **Implementation**

8. Personnel carry use of force cards with them at all times while on duty.
9. The Member Company monitors on a regular basis that personnel operate in accordance with the Rules for the Use of Force.
10. The Member Company records incidents related to the use of force.
11. The Member Company reports incidents related to the use of force to its client and, to the extent required by applicable law, to the competent authority without delay.
12. The Member Company receives substantiated complaints related to the use of force.

### **Apprehending persons (paragraph 34)**

**Outcome Indicator: The Member Company apprehends persons only in exceptional cases and ensures respect of their rights.**

#### **Performance Indicators:**

##### **Procedures**

1. Apprehension of persons is restricted to only those cases where:
  - 1.1. There is an imminent threat of violence against Company personnel or others;
  - 1.2. There is an attack or crime against Company personnel, clients or property under its protection.
2. The procedures:
  - 2.1. Prescribe personnel to respect the rights of apprehended persons at all times.
  - 2.2. Require personnel to hand over apprehended persons to the competent authority at the earliest opportunity.
  - 2.3. Explain the process of reporting incidents related to the apprehension of persons.
  - 2.4. Are consistent with applicable national and international law.

##### **Communication and training**

3. The Member Company provides initial and recurrent training on the apprehension of persons to personnel providing security services.

## Implementation

4. Personnel treat all apprehended persons humanely and with respect for their dignity and well-being.
5. Personnel inform the persons apprehended that they will be turned over to a competent authority at the earliest opportunity.
6. The Member Company hands over apprehended persons to a competent authority.
7. The Member Company records incidents related to the apprehension of persons.
8. The Member Company receives substantiated complaints related to the apprehension of persons.
9. The Member Company reports all incidents to the client without delay.

## Prohibition of Torture or Other Cruel, Inhuman or degrading Treatment or Punishment (paragraphs 35 – 37)

Outcome Indicator: The Member Company and its personnel do not engage in torture or other cruel, inhuman or degrading treatment or punishment.

### Performance Indicators:

#### Procedures

1. The Member Company procedures:
  - 1.1. Adopt a zero tolerance approach towards torture or other cruel, inhuman or degrading treatment or punishment;
  - 1.2. Explain the process of reporting incidents related to the prohibition of torture or other cruel, inhuman or degrading treatment or punishment.

#### Communication and training

2. The Member Company provides initial and recurrent training on the Company's zero tolerance approach to personnel providing security services.
3. The Member Company explains personnel how to report incidents related to the prohibition of torture or other cruel, inhuman or degrading treatment or punishment.

## Implementation

4. The Member Company reports cases of torture or other cruel, inhuman or degrading treatment or punishment without delay:
  - 4.1. To competent authorities.
  - 4.2. To its clients.

5. The Member Company records incidents related to torture or other cruel, inhuman or degrading treatment or punishment.
6. The Member Company receives substantiated complaints related to torture or other cruel, inhuman or degrading treatment or punishment.

## **Sexual Exploitation and Abuse or Gender-Based Violence (paragraph 38)**

**Outcome Indicator:** The Member Company adopts measures to prevent and address sexual exploitation and abuse (SEA) or gender-based violence (GBV) both within the Company itself and in the conduct of its operations.

### **Performance Indicators:**

#### **Procedures**

1. The Member Company's Code of Conduct or any other relevant Company policies make explicit reference to the prohibition of SEA and GBV.
2. The Member Company's Code of Conduct or any other relevant Company policies outline employees' responsibilities with regard to preventing and addressing SEA and GBV, including:
  - 2.1. The obligation not to engage in such conduct;
  - 2.2. The obligation not to benefit from such conduct;
  - 2.3. The obligation to remain vigilant; and
  - 2.4. The obligation to report instances following established company procedures.

#### **Communication and Training**

3. The Member Company provides initial and recurrent training on preventing and addressing SEA and GBV to all its personnel.

#### **Implementation**

4. The Member Company specifically identifies SEA and GBV-related risks in advance of each operation and adopts adequate mitigation measures.
5. The Member Company assesses, in advance of each operation, the ability of partners and subcontractors to prevent and address SEA and GBV.
6. The Member Company requires partners or subcontractors to comply with the same standards on preventing and addressing SEA and GBV and monitors implementation.
7. The Member Company records incidents related to SEA or GBV.
8. The Member Company receives substantiated complaints related to SEA or GBV.

9. The Member Company adopts a survivor-centred approach in dealing with SEA and GBV complaints and in the potential provision of assistance.
10. The Member Company reports cases of sexual or gender-based violence to competent authorities, based on the wishes of the survivor and the assessments outlined in Section 3.1.4 of the ICoCA Guidance on Company Grievance Mechanisms.
11. The Member Company considers providing immediate assistance to alleged survivors of SEA or GBV before the SEA or GBV claim has been substantiated.
12. The Member Company considers providing longer term assistance to survivors of SEA or GBV once the SEA or GBV claim has been substantiated.

## Selection and Vetting of Personnel (paragraphs 45 – 49)

**Outcome Indicator:** The Member Company exercises due diligence in the selection and vetting of its personnel and ensures continued performance review.

### **Performance Indicators:**

#### **Procedure**

1. The Member Company has a written procedure in place describing the selection and vetting of personnel.
2. The Member Company has a written procedure in place describing the performance review of personnel.
3. The procedure includes a requirement stating that all personnel need to agree to participate in internal investigations and disciplinary procedures as well as in any public investigations conducted by Competent Authorities, except where prohibited by law.
4. The procedure includes a requirement stating that employment records will be made available to ICoCA or to Competent Authorities on request, except where prohibited by law.
5. All terms and conditions of employment are available to personnel in writing in a language they understand.

#### **Implementation**

6. At the time of hiring, the Member Company takes all the necessary steps to verify:
  - 6.1. The candidate's identity;
  - 6.2. That the candidate providing security services is not under 18 years of age;
  - 6.3. The candidate's education history;
  - 6.4. References and the employment history of a candidate in order to ascertain that (s)he has not been terminated for documented violations of the principles of the Code;
  - 6.5. That the candidate has no crime history indicating that -(s)he is not able to perform security services pursuant to the Code's principles;

- 6.6. That the candidate has no history of abusing human rights;
  - 6.7. That the candidate has sufficient physical fitness to perform the assigned duties;
  - 6.8. That the candidate has sufficient mental fitness to perform the assigned duties;
  - 6.9. In case of previous military experience, that the candidate has not been dishonourably discharged;
  - 6.10. That the candidate has the requisite qualifications as defined by the applicable contract and the principles contained in the Code.
7. The Member Company requires all candidates to authorise access to prior employment records and available Government records as a condition for employment or engagement.
  8. The Member Company records all efforts taken to obtain the information stated above.
  9. The Member Company holds passports, travel documents, and other identification materials exclusively for the time necessary for administrative processing, and then immediately returns them to the legitimate holder.
  10. The Member Company hires personnel:
    - 10.1. Without discriminating on grounds of race, colour, sex, religion, social origin, social status, indigenous status, disability, or sexual orientation;
    - 10.2. Consistent with contractual requirements;
    - 10.3. Consistent with national law; and
    - 10.4. Consistent with industry standards.
  11. The Member Company evaluates on a regular basis that each employee is mentally and physically fit and meets the requisite qualifications to perform contracted duties in accordance with the Code.
  12. In conducting each employee's performance appraisal, the Member Company takes into consideration the employee's ability to perform duties in accordance with the Code.
  13. The Member Company includes in employment contracts a requirement for personnel to notify the Company of any circumstances that might affect their continued ability to provide security services.
  14. The Member Company takes immediate disciplinary action against personnel violating the Company procedures.
  15. The Member Company retains personnel employment and service records.
  16. The Member Company retains employment and service records for a period of at least seven (7) years after employment termination.

## Training of Personnel (paragraph 55)

**Outcome Indicator:** All personnel performing security services receive initial and recurrent professional training to perform their duties.

### Performance Indicators:

#### Procedure

1. The Member Company procedures detail initial and recurrent training for personnel providing security services including:
  - 1.1. The nature of the training;
  - 1.2. The training programme;
  - 1.3. The training methodology;
  - 1.4. The frequency of the training.

#### Implementation

2. Prior to the start of duties, Company personnel performing security services receive appropriate induction training, as applicable.
3. Company personnel performing security services receive recurrent training.
4. Initial and recurrent training of personnel performing security services is provided in a language they understand and includes:
  - 4.1. An explanation of Company commitment to comply with the highest standards of conduct and professionalism;
  - 4.2. An explanation of the Principles of the Code including the related Company policies;
  - 4.3. For those responsible of the planning of operations, an explanation of how to assess risks and prevent and mitigate harm to personnel and the local population;
  - 4.4. An overview of international and national law applicable to the conduct of personnel's operations, as appropriate.
  - 4.5. For those who are to carry weapons, training which is specific to the weapons they carry;
  - 4.6. An explanation on how to report incidents that occurred in the conduct of operations;
  - 4.7. An explanation of the Company grievance mechanism;
  - 4.8. Communication of clear disciplinary measures for violations of Company procedures.
5. Training is delivered in a manner competent on the subject matter and understanding the operating environments to achieve the intended competence level.
6. If issued, personnel receive reference documents and training material based on the Principles of the Code in a language they understand.
7. The Member Company maintains records and personnel files that record:

- 7.1. That all personnel performing security services have received appropriate initial and recurrent training;
  - 7.2. The type of training provided to each individual, the training programme, its objectives and results;
  - 7.3. The identity of the person(s) who provided the training, the time and place of training sessions, and personnel in attendance;
  - 7.4. That all personnel who are to carry a weapon have received training specific to the type and model of weapon the individual is authorised to use.
8. The Member Company periodically reviews training programmes and materials to ensure that they remain relevant.

## Grievance Procedures (paragraphs 66 – 68)

**Outcome Indicator:** The Member Company has a fair and accessible grievance mechanism in place that offers effective remedies.

### Performance Indicators:

#### Procedures

1. The Company has adopted a grievance procedure.
2. The Member Company has identified existing grievance mechanisms in its areas of operation, assessed their roles and how they relate to its own grievance mechanism.
3. The grievance procedure:
  - 3.1. Is addressed to third parties;
  - 3.2. Is addressed to personnel;
  - 3.3. Defines the roles and responsibilities of HQ and country offices;
  - 3.4. Defines responsibilities of relevant staff;
  - 3.5. Defines the responsibilities of a Grievance Officer in charge of administering the grievance mechanism;
  - 3.6. Describes how the grievance mechanism is independently overseen;
  - 3.7. Describes a process for managing complaints against subcontractors, if relevant;
  - 3.8. Defines a process for accepting and rejecting complaints;
  - 3.9. Defines indicative processing timelines for each step in the process;
  - 3.10. Defines the circumstances and the process to escalate complaints to a higher management level;
  - 3.11. Defines a process and the circumstances according to which complaints should be reported to other grievance mechanisms and competent authorities;

- 3.12. Describes a process to handle anonymous complaints;
  - 3.13. Describes an appeal process for situations where a complainant is not satisfied with the resolution of the complaint;
  - 3.14. Allows complainants to bring someone to support or advise them at any point in the process;
  - 3.15. Describes a process on how to assess and mitigate potential barriers to the use of the company grievance mechanism by complainants;
  - 3.16. Describes a process on how the risks to complainants, his or her family and belongings shall be assessed, mitigated and how mitigation measures shall be implemented.
4. The Member Company's information security management systems are sufficient to ensure the confidentiality of all information shared about complainants, complaints and compliance with applicable law.
  5. The Member Company ensures that all its subsidiaries implement a grievance mechanism coordinated with the Member Company and based on the Principles of the Code.

### **Communication and Training**

6. The Member Company includes a link to information about its grievance mechanism on the main page of the company website.
7. The Member Company describes on the company website the complaint process including:
  - 7.1. Company contact details;
  - 7.2. Who can submit a complaint;
  - 7.3. How complaints can be submitted and in which languages;
  - 7.4. An indicative timeline for processing the complaint;
  - 7.5. That the Company intends to protect complainants from any retaliation for making such reports in good faith.
8. Complainants have a choice of different communication options through which they can submit a complaint.
9. The Member Company communicates its grievance mechanism externally so that relevant third parties are aware.
10. The Member Company communicates its grievance mechanism internally so that personnel are aware.
11. The Member Company receives complaints from third parties.
12. The Member Company receives complaints from personnel.
13. The Member Company regularly monitors the performance of its grievance mechanism.
14. The Member Company regularly reports on the performance of its grievance mechanism internally and externally.

## Implementation

15. The Member Company accepts complaints that arise from acts or omissions of the Company or its personnel performing security services.
16. The Member Company accepts complaints submitted on behalf of an employee or third party.
17. The Member Company accepts complaints concerning alleged violations of principles of the Code.
18. The Member Company accepts confidential complaints.
19. The Member Company accepts complaints that are not directly linked to its operations.
20. Before processing, the Member Company assesses the complaint and records the assessment to determine what process will be followed and whether it must be escalated to senior management.
21. Before processing, the Member Company assesses the complaint and records the assessment to determine whether it must be reported to competent authorities, and whether this is appropriate.
22. Before processing, the Member Company assesses and records potential risks to the complainant, his/her family and belongings and implements mitigation measures.
23. The Member Company informs complainants about how it ensures the protection and confidentiality of all information shared.
24. The Member Company determines focal points for coordinating investigations.
25. The Member Company establishes and records all the facts and circumstances of the case in coordination with the complainant and the investigation team.
26. The Member Company cooperates with official investigations where applicable.
27. The Member Company assesses and investigates the complaint in a timely manner.
28. The Member Company identifies remedies in dialogue with the complainant.
29. The Member Company only offers remedies which are compatible with human rights.
30. The Member Company fully implements the mutually agreed resolutions of the complaints.
31. The Member Company evaluates the process of the case and any lessons learned.