

GUIDANCE
ON PROTECTION
FROM SEXUAL
EXPLOITATION
AND ABUSE



GICHD

GENEVA INTERNATIONAL CENTRE FOR HUMANITARIAN DEMINING (GICHD)

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GENEVA INTERNATIONAL CENTRE FOR HUMANITARIAN DEMINING

Guidance on Protection from Sexual Exploitation and Abuse

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GUIDANCE ON PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE

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2019

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CHECKLIST FOR PSEA IMPLEMENTATION

1. PSEA POLICY

- ☑ The drafting and/or updating of the policy is announced to staff and their input encouraged;
- ☑ The content of the policy is based on good practices and clearly states prohibited behaviour;
- ☑ The policy adopts a zero-tolerance approach to sexual exploitation and abuse;
- ☑ The protection of whistle-blowers is outlined, as well as all disciplinary measures that apply in case of retaliation;
- ☑ Partners, suppliers and contractors have similar commitments that meet minimum standards. If not, the contract ensures that PSEA takes place and PSEA communication and training is extended to them.

2. COMMUNICATION WITH STAFF AND BENEFICIARIES

With staff:

- Staff is involved in the creation of key messages summarising PSEA;
- The key messages and reporting mechanisms are communicated at the signing of the contract and during induction and refresher training;
- PSEA focal points know how to tailor and when to send reminder messages to staff.

With beneficiaries:

- The key messages of the PSEA policy are communicated in the relevant language(s) and in a culturally appropriate way to beneficiaries;
- Communication means are accessible and use appropriate and inclusive illustrations, images and messaging;
- Personnel in community-facing activities have access to sensitive and inclusive material to spread key messages.

3. REPORTING MECHANISMS

- ☑ Reporting mechanisms are created in consultation with communities and local stakeholders;
- ☑ There are many reporting channels and clearly identifiable contact points adapted to the needs of different groups of beneficiaries;
- ☑ The PSEA focal points are clearly identified and gender balanced, and properly trained.

4. INVESTIGATION PROCESS

- ☑ All rumours, concerns or complaints are taken seriously;
- ☑ Confidentiality is a key principle in all investigations and information is shared on a need-to-know basis only;
- ☑ There is a safety and needs assessment of the victim of alleged SEA and all other parties involved in the investigation;
- ☑ The case is referred to authorities when appropriate, and only when it is safe for all parties;
- ☑ The investigation team meets with the survivor of alleged SEA, witnesses, and the subject of complaint;
- ☑ A decision is made by the gender-balanced investigation team;
- ☑ Confidential records of all meetings are kept; the final report is confidential.

5. PREVENTION MEASURES

- ☑ The recruitment process includes reference checks addressing the candidate's commitment to PSEA, and interview questions on attitude to and knowledge of PSEA;
- ☑ Whenever possible, meetings with beneficiaries are conducted in rooms with the doors left open;
- ☑ Performance evaluation and other appraisals include sensitivity and commitment to PSEA.

6. MONITORING AND EVALUATION

- ☑ All cases are confidentially and anonymously reported in a central data management system;
- ☑ The information is compiled annually to monitor the implementation of the policy and inform future changes;
- ☑ There are regular audits and evaluations on, or including, PSEA.

INTRODUCTION

Sexual exploitation and abuse (SEA) by humanitarian workers are some of the most serious failures of protection and are grave violations of the responsibility of humanitarian personnel to do no harm. Whereas instances of SEA are not a new occurrence, the pervasiveness of this phenomenon was only exposed to the public eye in 2002 following allegations of SEA by aid workers against refugees and displaced women and children in West Africa.¹ Acknowledging that the problem was global, the Inter-Agency Standing Committee (IASC) Task Force on Protection from Sexual Exploitation and Abuse (PSEA) was established in 2002 with the short-term purpose of clarifying core standards of conduct and establishing practical measures to address misconduct perpetrated by United Nations (UN) staff and affiliated humanitarian and development personnel.

In 2003, the United Nations Secretary-General's Bulletin *Special measures for protection from sexual exploitation and abuse*² was released and became a landmark document outlining the UN's zero-tolerance approach to SEA.³ One of the key elements of the bulletin was the requirement of mandatory reporting, which obliges UN staff and implementing partners to immediately communicate any concern or suspicion of SEA by colleagues through established reporting mechanisms. Meanwhile, international organisations quickly took steps in the same direction, both individually by adopting codes of conduct, reporting systems and investigation mechanisms, and collectively through coordination groups and other initiatives.⁴

1. Asmita Naik. The West Africa sex scandal. 2003.

2. United Nation's Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13). 2003.

3. Ibid.

4. Humanitarian Practice Network. The HAP and humanitarian accountability. 2003.

Subsequent actions, such as the 2006 *Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and Non-UN Personnel*, have further reaffirmed the international endorsement of PSEA. In 2007, the General Assembly adopted a UN-wide strategy on assistance and support to victims of SEA. In 2010, the *IASC Global Review of Protection from Sexual Exploitation and Abuse by UN, NGO, IOM and IFRC Personnel* was published. In the follow-up to the Review, it was agreed that the IASC Task Force on PSEA should be mandated to support and monitor the implementation of the Review's recommendations by the humanitarian community.

In the 17 years since the allegations of SEA in West Africa sparked outrage across the international community, most international organisations and NGOs have demonstrated commitment to the fight against sexual exploitation and abuse, echoing the recommendations of the UN Secretary General's Bulletin and the IASC Task Force by developing policies, establishing investigation processes, and implementing disciplinary measures.

The UN Secretary-General's Bulletin identified six specific standards to reflect the commitment of the United Nations to strengthening protection and accountability towards crisis-affected beneficiaries. They were later independently re-adopted by the IASC as its [six core principles](#). Thanks to the work of Translators without Borders, the six principles have been translated in nearly 100 languages.

They are as follows:

1. "Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence.
3. Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited. This includes exchange of assistance that is due to beneficiaries.
4. Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.⁵
5. Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.

5. The six core principles date back to 2002. Since then, many organisations have opted to not only discourage sexual relationships between humanitarian workers and beneficiaries, but to prohibit them entirely.

6. Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.”⁶

Despite these efforts, SEA continues to be underreported and perpetrators often go unpunished. The Humanitarian Mine Action (HMA) sector has not been left unaffected by this phenomenon, with cases of HMA personnel being accused of sexual misconduct towards beneficiaries, in particular the payment of sex workers. HMA personnel have extensive interactions with colleagues and people in the communities they operate in, through community liaison activities, non-technical survey, clearance, explosive ordnance risk education, and victim assistance, to name a few. For PSEA efforts to be successful, it is essential that all stakeholders involved in HMA are aware of the distinct power dynamics inherent in humanitarian interventions, and that their activities can have the unintended effect of introducing or exacerbating power dynamics at the local level, which can increase the risk of exploitation. Consensus has emerged on the need to formulate guidance addressing the specific needs of the sector and ensure that the organisational framework places the protection of beneficiaries from sexual exploitation and abuse at its forefront.

PURPOSE

The purpose of this guidance is to assist the HMA sector to maximise its PSEA efforts. Building on the content of international agreements, lessons learnt from previous studies, as well as experiences gathered during this research project, the present guidance aims to translate high-level commitments on PSEA into practical instructions for the HMA sector. A sample of existing good practices from the field are

6. Inter-Agency Standing Committee. IASC Six Core Principles Relating to Sexual Exploitation and Abuse. 2002.

presented, and the recommendations formulated here are based on information gathered throughout the research process. This guidance document provides concrete examples on how to best draft and implement PSEA policies and illustrates how the outlined principles can be turned into practice. While PSEA is a component of safeguarding, this document does not address broader safeguarding topics such as child protection, sexual harassment in the workplace, etc. It should be noted that donors and partners might have specific requirements on protection from sexual exploitation and abuse, harassment, child protection, protection of persons with disabilities, older people and persons with HIV/AIDS. For more on safeguarding topics beyond sexual exploitation and abuse, please refer to guidance developed specifically to this effect.

AUDIENCE

The good practices and recommendations shared below are targeted at all stakeholders engaged in HMA activities, from national mine action authorities (NMAA) to operators, both national and international, and implementing partners, as well as organisations conducting explosive ordnance risk education and victim assistance.

This guidance is also intended for use by independent consultants and other individuals involved in HMA programmes, as well as other members of the development and humanitarian community who wish to expand their understanding of how to practically prevent and respond to SEA through sound policies, reporting channels, investigation mechanisms, and effective communications.

METHODOLOGY

For the development of this guidance, an extensive literature review of existing good practices, both within and outside the HMA sector, was carried out. In addition to reports, guidelines and articles, the main publicly available codes of conduct, safeguarding policies and complaint reporting mechanisms of several major international organisations and HMA operators were reviewed.

A questionnaire was distributed to the main HMA stakeholders in Afghanistan, Cambodia, Colombia, Democratic Republic of Congo (DRC), Lebanon and Ukraine. These countries were selected because of their diverse contexts and experiences, as well as to ensure that the guidance would reflect variations across an array of different geographical and cultural contexts. Over a period of four months, questionnaire responses were compiled and analysed, followed by semi-structured phone interviews with a selected sample of experts tasked with PSEA, protection, or safeguarding in HMA. All of those who contributed to the research were given the opportunity to comment on the guidance during the drafting process. The good practices featured in the study come from the organisations that responded to our call for testimony. They are not intended to be exhaustive, but to serve as a reference based on HMA actors' own experiences.

Preliminary findings were presented at a workshop co-organised by the Permanent Mission of Canada to the UN in Geneva and the Gender and Mine Action Programme during the 22nd International Meeting of Mine Action National Programme Directors and United Nations Advisers (NDM-UN) in February 2019. To ensure a participatory approach to the drafting process, the workshop focused on receiving feedback from NMAAs, the UN and operators on the structure, content, format and means of dissemination of the study. Finally, the guidance relies on existing resources for humanitarian actors, most notably the CHS Alliance's [PSEA Implementation Quick Reference Handbook](#) and [Guidelines for Investigations](#).

LIMITATIONS

The guidance comes with a number of limitations. First, the scope of the study was confined to the good practices shared by HMA actors. Due to the sensitive nature of the topic and lack of available channels, survivors of SEA were not contacted and therefore their experiences could not be integrated into the guidance. Second, while some HMA organisations have extensive experience with PSEA, other organisations only recently increased their focus on PSEA and therefore had limited examples of practices to share. Finally, while many good practices are applicable to a range of different cultural contexts, they may need to be tailored to sensitivities related to SEA in a given context. The guidance is meant to be short and straightforward and cannot therefore detail all the different ways in which each recommendation could be adapted. It is the responsibility of HMA stakeholders to adapt the recommendations to ensure that they are effective and do no harm.

KEY DEFINITIONS

Sexual exploitation and abuse (SEA) is a form of gender-based violence (GBV)ⁱ of a sexual nature, committed by humanitarian workers against members of a beneficiary community. Pre-existing patterns of GBV and gender inequality can increase the vulnerability for SEA. The term SEA regroups two major elements:

1. **Sexual exploitation**, which is defined as “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.”⁷ Sexual exploitation is a broad term, including a variety of acts such as transactional sex,

7. Task Team on the SEA Glossary for the Special Coordinator on improving the United Nations response to sexual exploitation and abuse. [United Nations Glossary on Sexual Exploitation and Abuse](#). 2017.

solicitation of transactional sex, and exploitative relationships. Any individual acting as an intermediary in the organisation of sexual exploitation is equally accountable for the same type of misconduct;⁸

2. **Sexual abuse**, which is defined as “the actual or threatened physical intrusion⁹ of a sexual nature, whether by force or under unequal or coercive conditions.”¹⁰ Sexual abuse is a broad term which includes a variety of acts such as rape, sexual assault and sexual activity with a minor.

Sexual exploitation and abuse is often considered separately from sexual harassment. SEA occurs when a position of power is used for sexual purposes against a member of a beneficiary community. **Sexual harassment** typically refers to prohibited conduct in the workplace.¹¹ⁱⁱ Whereby SEA and sexual harassment are often considered as two different types of sexual misconduct, beneficiaries can be sexually harassed, and employees can be sexually exploited and abused. Exploitation, abuse and harassment may overlap, for example in situations where beneficiaries are also part of local committees or the local workforce, or where exploited persons are intentionally employed. For this reason, sexual exploitation, abuse and harassment may be addressed together in the same policy.

8. Humanity & Inclusion. Protection of beneficiaries from sexual exploitation and abuse. 2011.

9. Task Team on the SEA Glossary for the Special Coordinator on improving the United Nations response to sexual exploitation and abuse. [United Nations Glossary on Sexual Exploitation and Abuse](#). 2017.

10. Ibid.

11. Ibid.

Protection from sexual exploitation and abuse (PSEA) refers to the measures taken by an organisation to protect beneficiaries and beneficiary communitiesⁱⁱⁱ from sexual exploitation and abuse by their own staff and associated personnel.¹²

In the literature review, divergent perspectives emerged regarding the use of the term “victim” and/or “survivor”. The term **survivor** is sometimes preferred as it is perceived as more empowering and implies strength and resilience. The term **victim** is also sometimes preferred as it emphasises the perpetrator’s wrongful actions and can be applied in legal settings, as a person is referred to as a victim when their rights are violated. Still, experiences vary from person to person, and those affected by SEA have individual preferences on how to define themselves in relation to the event. To show respect for their different views, the present publication uses **victim** and **survivor** interchangeably to refer to any person who has SEA perpetrated or attempted against them. Neither designation is meant to imply a lack of strength or resilience or negate the dignity and agency of an individual.

Complainant refers to the person making the complaint. This person can be the survivor of alleged SEA or a third party reporting the wrongdoing.¹³

Subject of complaint is the term used during the investigation process to refer to the staff member(s) against which the complaint, allegation or concern has been raised.¹⁴

12. CHS Alliance. [PSEA Implementation Quick Reference Handbook](#). 2017.

13. CHS Alliance. [Guidelines for Investigations](#). 2015.

14. Ibid.

Zero-tolerance is a very strict approach which obliges humanitarian workers to report any concern or suspicion of sexual exploitation and abuse.¹⁵ It also refers to an organisational commitment to take seriously and investigate any allegation reported to them. Zero-tolerance does not mean an absence of SEA incidents, but the establishment of an environment in which sexual misconduct is reported, and such reports are treated seriously.¹⁶ Zero-tolerance is also an institutional approach by which evidence of SEA is considered gross misconduct and therefore results in immediate dismissal.

STRUCTURE

The guidance is divided into six sections, each one representing a necessary step to ensure the adoption and implementation of PSEA measures.

1. Drafting and updating of the PSEA policy
2. Communication with staff and beneficiaries
3. Reporting mechanisms
4. Investigation process
5. Prevention measures
6. Monitoring and evaluation

Each section is briefly introduced by a short explanation, followed by key recommendations that take organisations through the implementation of PSEA according to international best practices.

15. United Nation's Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13). 2003.

16. CHS Alliance. [PSEA Implementation Quick Reference Handbook](#). 2017.



1. DRAFTING AND UPDATING OF THE PSEA POLICY

PSEA policies can be stand-alone documents or included within broader safeguarding policies. This section covers the initial creation of PSEA and other associated policies as well as their ongoing revisions and updates. A further section outlines the core components of a PSEA Policy.

- Organisations should announce the creation, drafting or revision of their PSEA policy to all staff. The consultation of staff creates ownership, buy-in and awareness. If staff desire to provide input, they should be given the opportunity to do so. This is especially relevant for staff members working closely with communities, as they can have specific insights into potential challenges to implement the policy.
 - The drafting or revision of the document can be announced to all staff by email and through internal communications networks such as intranet or internal newsletters; mentioned in all-staff or divisional meetings; and, when applicable, disseminated to directors, managers or other staff in field offices. Organisations can create a contact email address, designate a contact person, set up suggestion boxes, and/or establish other facilities to enable input. For field staff with no access to professional email accounts or an Internet connection, special effort should be made to spread awareness, for example through existing chains of command or staff meetings.

- Reliable sources such as the [CHS Alliance](#) should be used as reference for drafting policies which uphold international best practices. References and materials related to PSEA can also be found on the website of the [PSEA Task Force](#) (see Bibliography). [Translators without Borders](#) have translated the 6 core commitments into 100 languages.

CORE CONTENT OF THE PSEA POLICY

- The PSEA policy should express commitment to a **zero-tolerance approach**. The zero-tolerance approach should be defined, and its implications explained. Minimum requirements for what should be included in a zero-tolerance approach can be found in Annex I.
- The PSEA policy should clearly outline prohibited behaviour. For example:
 - the exchange of money, employment, goods, or services for sex is strictly prohibited;
 - the use of services offered by sex workers, whether these are legal or not in the area of operations, constitutes sexual exploitation and is strictly prohibited.
- To ensure child protection, the PSEA policy should clearly state that sexual activity with children, defined as persons under the age of 18,¹⁷ constitutes sexual exploitation and abuse, whether sexual activity with boys and girls under 18 is legal in the area of operations or not. Any other sexual activity involving children such as sexual trafficking, grooming and child pornography is also strictly prohibited.

17. United Nations General Assembly, [Convention on the Rights of the Child](#). 1989.

- To encourage staff members to report concerns about SEA, a **whistle-blowing policy** should accompany the PSEA policy and be clearly communicated to all staff.

Organisations have an obligation to create and maintain an environment which prevents SEA and a strong and well-publicised whistle-blowing policy is a necessary component to developing the structure and system which maintain such an environment. For core criteria of a whistle-blowing policy, see Annex II.

- The whistle-blowing policy should make clear that a person reporting a concern of SEA “in good faith and with no ulterior motive” will never be retaliated against, regardless of whether the claim is found to be true or not. It should clearly mention specific measures for the protection of complainants.
- The policy should stress that all claims reported by staff will be treated with the utmost confidentiality to protect complainants, witnesses and subjects of complaint and hinder the spurring of rumours that could endanger the safety or reputation of staff.¹⁸
- In addition to the principle of confidentiality, the policy should mention that other actions can be taken to further protect complainants, witnesses and subjects of complaint from within the organisation from retaliation. These actions, to be taken with the free and informed consent of the complainants, may include their temporary reassignment; transfer to another office or function for which the complainants are qualified; placement on special leave with full pay; and any other protective measure to be determined according to the organisation’s ability to ensure the safety and well-being of reporting staff.

18. CHS Alliance. [Guidelines for Investigations](#). 2015.

- The PSEA policy should clearly state possible disciplinary measures for staff members retaliating against complainants, witnesses and subjects of complaints. Disciplinary measures should be adapted to each country in accordance with national labour laws, otherwise decisions may be challenged, and offenders reinstated in their positions. Local and international staff may be subject to different employment laws, and this should be considered when developing disciplinary measures.
 - Examples of disciplinary measures that have been taken by organisations towards staff members who retaliated against complainants include: loss of/withholding of up to three months' net base salary; written warning to be retained in the staff's personal record for up to five years; loss of up to three steps at grade; suspension with partial or no pay for up to one month; reduction in grade; and dismissal.
- The PSEA Policy should mention how frequently the policy can be expected to be reviewed and, if necessary, updated. Whenever the PSEA Policy is updated, staff should be asked to re-sign it. The policy can also mention how frequently staff should be trained on PSEA. Staff should be updated on the PSEA Policy every time it is updated.

RELATIONS WITH IMPLEMENTING PARTNERS

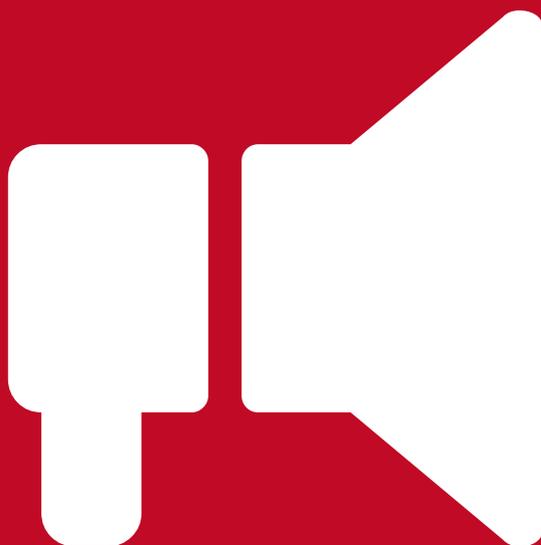
In some cases, an organisation engaged in HMA activities will operate through partners, suppliers and contractors. It is important to ensure that their organisational values, including in relation to PSEA, are in line with one's own organisation's commitments as expressed in the code of conduct and PSEA policy. This should be presented as a joint effort to eradicate SEA, rather than as imposing the authority of an

organisation upon the autonomy of another. The following is a set of minimum steps that all organisations working with partners, suppliers and contractors should follow.

- Formal documents defining an agreement between the organisation and a partner/supplier/contractor, such as contracts and memoranda of understanding, should cover PSEA.

If partners have their own PSEA Policy and related mechanisms, the organisation should ensure that these meet at least their minimum standards. The upholding of PSEA minimum standards should be identified as a contractual requirement. Minimum standards should include at least the six core principles of the IASC Task Force and the practice of a zero-tolerance approach to sexual exploitation and abuse.

- If partners lack a PSEA Policy and/or mechanisms to report and investigate complaints, the contract should spell out ways to ensure that PSEA takes place nonetheless. For example, the contract should specify if partners' employees are allowed to use the contracting organisation's reporting systems to file complaints and/or can be investigated by the organisation's investigation team.
- Key messages of the organisation's PSEA Policy should be communicated to all partners, suppliers and contractors in an inclusive manner, including the obligation for partners, suppliers and contractors to adhere to the organisation's PSEA Policy. For more information, please refer to the Communication with Staff and Beneficiaries (please see the section below).



2. COMMUNICATION WITH STAFF AND BENEFICIARIES

A central element of good PSEA implementation is making sure that all staff and beneficiaries are aware of the key messages of SEA and how to report them. To facilitate its communication, the PSEA policy should be summarised in a set of key messages to be disseminated to all staff and beneficiaries in the language(s) in use in the area and using simple, easy to understand terminology. Special effort should be made to ensure that staff and beneficiaries with low literacy skills are provided with the key messages in a format that they are able to comprehend. In addition, rules and regulations, including the functioning of reporting mechanisms, should be publicly available and easily accessible.

WITH STAFF

- The PSEA focal points (see Focal Points below and Annex III), human resources (HR) personnel, or any other designated person in charge of the PSEA policy should explain in person to all new staff the key messages during the signing of employment contracts. In addition, employment contracts should clearly state that staff can expect disciplinary measures, including dismissal, if allegations of SEA are sustained.
 - A summary of key messages translated into local language(s) could also be attached to the policies themselves to facilitate staff's understanding of core PSEA values and rules. If staff have poor literacy skills, the policy and key messages should be clearly explained to them.

- All points of contact for reporting any concern of SEA should be clearly identified and communicated at the signing of the contract.
- In the office space, posters and infographics summarising the key messages of the PSEA policy in local languages and using simplified terminology could be displayed to remind staff of their commitment to the protection of beneficiaries.
- A designated person, ideally a PSEA focal point, or with a designated position such as ethics officer or protection officer, or an HR officer should deliver training on PSEA to all staff. The same person should be responsible for keeping those modules updated. Training could use of scenarios and case studies to train staff to identify SEA and how best to report it. Senior managers should be present at all PSEA training courses, or at least intervene at the beginning and end, to reiterate the organisation's commitment to PSEA.

Senior staff, including directors and managers, should receive more advanced PSEA training, consistent with their supervisory roles and responsibilities. This should include techniques to identify warning signs of SEA and to distinguish it from other forms of sexual and gender-based violence. The training should equip them with the necessary knowledge and tools to create and maintain an environment that is committed to PSEA.

- Staff members with prolonged and largely unsupervised time with beneficiaries, in particular with those in situations of vulnerability, should receive in-depth PSEA training. Mandatory participation should especially apply to employees working

in community-facing activities, such as community liaison, non-technical survey, explosive ordnance risk education and victim assistance.

- Focal points should remind staff of existing policies and reporting channels on a regular basis. They can create yearly schedules for sending reminders to staff and institutionalise these reminders as much as possible, using already-existing forums such as annual all-staff meetings, management meetings and other training or refresher training courses. Reminders should be done at least bi-annually and tailored according to the different roles and responsibilities of staff. For example:
 - The focal point can send an email reminding management of their PSEA roles and responsibilities, as well as where to find the policies and investigation rules.
 - Operational staff may be reminded through face-to-face communication with operations managers, team leaders, or deminer representatives on a quarterly basis.
- Mandatory PSEA induction training should be given to all new staff, and refresher training provided on a yearly basis or whenever necessary. Training materials should always be available for all staff in soft or hard format.
 - Training courses should explain the difference between sexual and gender-based violence (SGBV), sexual harassment and sexual exploitation and abuse, key messages of PSEA, and the different reporting mechanisms available in the organisation. By the end of the training courses, there should be an expectation of all staff members to understand the key messages of SEA and the procedures to report in good faith any allegation, concern, or form of retaliation

- Staff could be asked to re-sign the PSEA Policy every year, for example during the refresher training. This practice may be helpful especially for staff that has worked for the organisation for a long time and may not remember the core content of the PSEA Policy that was signed years before.
- The topic of the code of conduct and PSEA policy should be raised at least twice a year in management meetings. The PSEA focal points should be able to raise any pressing issue with the policy and its implementation as well as present suggestions for amendments whenever necessary.

WITH BENEFICIARIES

- When working in a community or context where many organisations operate, these organisations could coordinate on a set of common key PSEA messages to communicate to the communities to avoid conflicting or confusing messages.
- The organisation should identify, in consultation with the communities it works with, the PSEA policy's key messages and summarise them in a way that is both culturally appropriate and inclusive, to be shared with and disseminated to beneficiaries in their language(s) and using simplified terminology.
 - The PSEA policy and summary of key messages should be translated into local language(s).

PSEA key messages could be represented through illustrations with associated key words that have been drafted in consultation with local staff and beneficiary groups. Community-based organisations may also be consulted to better target and illustrate the key messages.

- If necessary, organisations may offer access to sign interpretation or other accessible forms of communication, particularly for those with impairments, including mental, intellectual, or sensory. Methods to ensure that information is accessible to all include, but are not limited to:
 - Using sans-serif fonts, such as Arial, Verdana, or Tahoma;¹⁹
 - Using a 12-14-point font size, at least, or equivalent;
 - Keeping 1.5 line spacing between lines of text;
 - Keeping sentences short and favouring bullet points and numbers whenever possible;
 - Avoiding light text on a dark background.

Please keep in mind that a method making information more accessible to one group of people may have the opposite effect on another group. Employing multiple methods may be necessary to ensure universal access to information.

- Each organisation should make sure that translated copies of the IASC six core principles as well as the organisations' policy and summary of key messages are made available to beneficiaries, and all public communications adapted to age, gender, cultural sensitivities, literacy levels and local language(s).
- To ensure that all beneficiaries feel targeted by the key messages, inclusive images portraying women, girls, boys and men, persons with disabilities, or from other minority or marginalised groups may be used.

19. British Dyslexia Association. [Dyslexia Style Guide 2018: Creating Dyslexia Friendly Content](#). 2018.

- Once the key messages have been identified, properly summarised and illustrated, the organisation should find ways and channels to disseminate them to beneficiary communities.
- Personnel tasked with community-facing activities, such as community liaison officers should use this material to explain the key messages and ensure that these are understood by all beneficiaries. They can use the illustrations, posters and key messages in community meetings, and distribute them across community-based organisations (CBOs), non-governmental organisations (NGOs) and political institutions. All communication material, including the summary of key messages, illustrations and posters, should include the reporting channels available to beneficiaries, as well as telephone numbers and/or email addresses where the organisation's contact points can be reached. Whenever feasible, reporting channels should be identified together with the communities.



3. REPORTING COMPLAINTS

Following the drafting and communication of the policy, an effective PSEA framework needs a comprehensive reporting mechanism that is well-designed and implemented. There should be multiple reporting channels, with entry points at different organisational levels and external to the organisation. For international organisations with programmes in multiple countries, it is important that, in addition to a general reporting system at headquarters level, outlets to file complaints are adapted to best fit the needs of beneficiaries where each programme runs.

The following is a selection of good practices and recommendations to establish a well-functioning PSEA complaint mechanism based on a clearly defined, publicly accessible and easily understandable reporting procedure.

- The organisation could consult with different groups of women, girls, boys and men at the community level, on their understanding of PSEA, which situations create more risk, and how best to communicate with them. The engagement of beneficiaries means their active consultation ahead of the drafting process and contributes to their increased awareness of PSEA.
 - Semi-structured discussions and focus groups are a useful tool to discuss sensitive topics such as PSEA, as participants can be slowly introduced to the topic through broader discussions on protection. For example, the starting point for a focus group may be discussing situations that make people vulnerable, what their needs are in such situations, and the ways in which the organisation can help increase their feeling of safety. As the discussion continues, participants may find it easier to open up about more delicate topics like SEA. For more information, see Annex III.

For groups with specific needs such as single women, child-headed households, elderly people or persons with disabilities, the organisation may hold targeted focus groups to identify, amongst other things, the environments in which they feel more at risk; their attitudes towards SEA; and the circumstances in which they would feel more comfortable reporting it.

- To best tailor the reporting channels to the needs of the local population where each programme is implemented, organisations should consult with community-based organisations (CBOs) whenever possible. CBOs generally have in-depth knowledge of the local context. They can also often rely on trust by members of the community, in particular CBOs assisting survivors, people with disabilities, children and other groups in situations of vulnerability.
 - Within HMA operators, gender focal points, community liaison officers, deminer groups and other personnel in direct contact with the beneficiary population can also offer valuable insights on how to develop and tailor the reporting channels so that they can be accessed by the local population.
- Similarly, organisational networks such as taskforces, working groups, clusters or sub-clusters may be suitable forums to raise the topic of appropriate reporting channels, and share experiences and good practices.
- To ensure that as many individuals as possible are able and feel confident to report sexual misconduct, multiple channels should be put into place at the same time.

COMPLAINT REPORTING CHANNELS

- Organisations should design and set up clear channels to report sexual misconduct which can be identified and accessed by all people at all times, in particular by those in situations of vulnerability, taking into consideration whether beneficiaries have access to an Internet connexion or to a private mobile phone. Examples of reporting channels include:
 - Dedicated confidential email addresses and online platforms
 - 24/7 free-of-charge hotlines
 - Free SMS services and mobile applications, particularly useful in remote programme locations and for beneficiaries with disability or mobility issues
 - Complaint boxes
 - Helpdesks or reception in field offices
 - Creation of forms with key sample questions to facilitate the wording for complainants
 - Designation of senior management, field personnel, or PSEA focal point(s) with adequate training
- Reporting channels should be available and easily accessible both for staff and beneficiaries. They should consider access to resources and services, as well as cultural sensitivities. Reporting channels should also allow for people with different educational backgrounds, disabilities and language skills to file a complaint. They must be accessible, transparent, safe and confidential.

- All reporting channels should be explained to all staff and beneficiaries, along with how to use them. This includes providing them with information on the resulting process, including when the complainant should expect to be notified that their complaint has reached the organisation and will be processed. For example:
 - Complaint boxes should include a sign clearly stating how frequently the box is open, by whom, and the date on which the next opening will take place. The helpdesk and reception in field offices receiving concerns of SEA should be able to explain how the concern will be raised within the organisation. Workers at the helpdesk and reception should be at least one woman and one man, and they should be able to speak the local languages of the areas of operations.
 - Hotlines numbers should mention who is in charge of answering phone calls, including the position of the staff within the organisation. At least two people should be assigned this task, including at least one man and one woman. They should be trained on how to handle reports of complaints and be able to speak the local languages of the areas of operations.

FOCAL POINTS

- Organisations should establish a PSEA focal point role(s). The specific responsibilities of the focal point(s) should be determined by the organisation. They often include induction training on PSEA to staff, facilitation of awareness-raising in beneficiary communities and support to the development and/or implementation of reporting mechanisms. The PSEA focal point is generally a designated person to whom staff and community members can report concerns of SEA and get clarity on the reporting process. The PSEA focal point should not be

an investigator into a case of alleged SEA, at least not in their own working context. There should be at least one man and one woman designated as focal points.

- PSEA focal points to whom misconduct can be reported should be assigned this task after careful consideration of their character, expertise and role within the organisation. Previous knowledge of working with people in situations of vulnerability, such as children, people with disabilities, older people, and LGBTQ+ should be regarded as an added value. For focal points at the field level, additional criteria for consideration could be fluency in the local language(s).
- PSEA focal points should be adequately trained on the topic of SEA and on how to receive complaints and forward them to the specific figures tasked with identifying if the complaint warrants or not an investigation. For more information on the role and responsibilities of PSEA focal Points, see Annex IV.
- Focal points should be established at different levels of an organisation. For international operators, focal points, for instance, should be both at the headquarters and in each country programme; for NMAAs and local organisations, they should be both in the main office and at field level.
- Focal points should have a clear system in place to report upwards and ensure adequate oversight, access and leverage within the organisation. If applicable, focal points could be distributed across different levels of seniority to ensure that they are approachable by all staff., Personnel mostly based in the office, such as HR staff, might not be best-suited to be PSEA focal points, especially at country or field level. As a general practice, SEA focal points should have positions that allow for regular interaction with beneficiary communities.

- Staff members who wish to file a complaint on behalf of beneficiaries about something they have witnessed or has been reported to them should be clearly made aware of the fact that skipping the chain of command for reporting suspicions of SEA is not a form of misconduct. Staff should be able to contact any of the focal points, not only the ones at their location.

For example, if a complaint is made or received by a staff member who genuinely does not trust the local management's investigation process, they should be able to raise the complaint directly at the next level of command, such as regional or head-quarters management.



4. INVESTIGATION PROCESS

The following section covers basic necessary steps for investigating instances of alleged sexual exploitation and abuse. The proceedings for investigating cases of SEA may differ from organisation to organisation. However, all institutions should have a clear step-by-step process that can be accessed easily by all relevant personnel, especially those likely to be involved in the investigation, such as directors, managers, HR staff and focal points. The investigation process should include how to:

- Assess the safety, security and health of all concerned;
- Form an investigation team;
- Conduct an investigation;
- Report on the investigation's findings; and
- Identify appropriate disciplinary measures as well as offer support to the victim.

The investigation process should be **centred on the needs of the survivor (survivor-centred approach)** of alleged SEA and should consider their safety and most urgent needs during the investigation process.

Confidentiality should be a key guiding principle and be enforced throughout the investigation. Good practice has shown that a clear investigation process, reassurance that the process is confidential, and protection from retaliation can increase the confidence of beneficiaries and staff to report SEA incidents.

- All SEA rumours, concerns and complaints should be taken seriously and treated with the same rigour and thoroughness. All rumours and concerns should also be addressed to establish if they warrant an investigation. A concern is investigated when it constitutes a potential breach of organisational policy and there is a victim of alleged SEA and subject of complaint.
 - Organisations cannot investigate a complaint about a person that is not contracted by them, unless a partnership agreement clearly mentions otherwise. A person who makes a complaint that falls outside the responsibilities of the institution should be referred to the appropriate organisation or mechanism that can address the complaint.
- Anonymous complaints can be investigated if there is sufficient information, as defined by the organisation’s investigation standards to constitute a complaint and/or if it is possible to gather evidence to determine whether there is a breach of the policy.
- Standardised complaints referral forms should be developed and systematically used to ensure that all relevant questions are posed, and key information collected. The form should include an explicit request for signed consent by the complainant for the data to be shared with other entities as relevant. The [IASC SEA Complaints Referral Form](#) can be used as a reference point.²⁰
- Written confidential records should be kept for all complaints reported within an organisation. All data should be kept confidential and be compliant with data protection regulations and policies. The amount of time that the data will be retained in the organisation’s system should be specified.

20. IASC. Model Complaints Referral Form (Sexual Exploitation and Abuse). 2004.

- All complaints reported should be recorded in a central data management system. Please refer to the section on monitoring and evaluation for more details.

IMMEDIATE REACTION TO A COMPLAINT

- When a complaint is made, the PSEA focal point or other designated professional should carry out an assessment of the needs of the victim of alleged SEA and/or complainant, if these are two different individuals. The needs assessment should define their health and security needs, the resources they need, all measures taken to ensure their safety and the timeline for following up with them.
 - Note down the security needs of the survivor of alleged SEA and/or complainant, including in relation to their own family members should they also be victims or considered as potential auxiliaries in the case.
 - Note down the medical and psychological support the victim of alleged SEA needs and how the organisation can help them access it.
 - Clearly identify if the survivor of alleged SEA wishes to be involved in the investigation into the allegation, and in what capacity they would like to be involved, to prevent reliving or exacerbating their trauma. Clearly explain that, even if the survivor of alleged SEA does not want to be involved, the organisation will still proceed with the investigation into the allegation, as other survivors might be involved in the case of alleged SEA.
 - Clearly explain the process and the measures the organisation can undertake to ensure that this remains confidential.

- Agree on the regularity and extent to which the survivor of alleged SEA and/or complainant would like to be kept informed of the investigation's progress, and what channels of communication are preferred and most appropriate for their safety.

- Identify any other specific needs to ensure the participation of the survivor of alleged SEA in the investigation, such as language, interpretation, accessibility, and the extent of inclusion of family members should the person need their assistance. The latter is especially important in case the victim of alleged SEA suffers from physical or intellectual impairments, or in culturally sensitive environments. Depending on the context, it might not be appropriate or safe for a girl to meet alone with investigators, especially male, and might require the presence of a supportive family member. In some contexts, the victims of alleged SEA may prefer their family members not to be made aware of the situation, as this could put them at risk. In all cases, the involvement of a third person should be based on the free and informed consent of the survivor of alleged SEA to guarantee that utmost confidentiality is maintained. Assisted decision-making to consent may be needed for adults who need assistance or support to make informed decisions. For children below 16 or over, depending on national laws on age of consent to share information, the consent of parents/legal guardians should be requested, and the willingness of the child observed. An external expert with extensive experience with interviewing children should be appointed in these situations, whenever possible.

- When necessary, the organisation should consider removing the staff being investigated from their duty station or putting the survivor of alleged SEA, other complainants, witnesses, or anyone else who is immediately at risk, in safety. Safety requirements may vary for people in situations of vulnerability, such as people with disabilities, LGBTQ+, and older people, and should be adapted to

reflect their specific needs. The subject of complaint may also be at risk, especially if the allegations become public, and their safety should be safeguarded.

- Shortly before, during or after the assessment of the needs of the victim of alleged SEA and/or complainant, the organisation may identify a trusted individual to be their contact point. The trusted individual does not have to come from the organisation but should be someone trusted by both the victim of alleged SEA and the organisation, and who can communicate effectively with the victim of alleged SEA in their own language if necessary. The trusted individual should be made aware of the organisation's confidentiality approach and of the key role of confidentiality in the case. This trusted individual may accompany the victim of alleged SEA and/or complainant throughout the process, including during interviews and other medical and/or counselling appointments.

INVESTIGATING A COMPLAINT

- Once a complaint is made, the complainant, the victim of alleged SEA, and the subject of complaint should be formally informed about the steps of the investigation. This should be done in a way that is easy to understand for different categories of people, such as people with low literacy levels or mental or intellectual disabilities. The subject of complaint should be made aware of the specific allegations at stake, but under no circumstance should the identity of the victim of alleged SEA and/or other complainants be disclosed.

Whenever legally possible, it is good practice to inform the subject of complaint at the last possible moment, to prevent as much as possible any possibility of retaliation or pressure against complainants and witnesses. The whole process should be undertaken with the utmost discretion.

- If applicable, the survivor of alleged SEA should be informed of possible avenues to take the complaint to the local authorities for prosecution. Before doing so, staff should have a clear understanding of key legislation at national and, where relevant, sub-national level, to identify what constitutes a violation of a right in a specific country, and better understand what could/should possibly be referred to the authorities. The implications of referral should be explained clearly and be easy to understand for different groups of people. Depending on the resources of the organisations and with the survivor's consent, the organisation should offer help and support to ensure that this process takes place safely.
 - The safety of the victim of alleged SEA, other complainants, witnesses, and subject of complaint should be the primary consideration when contemplating making a report to the local authorities. In many places the authorities cannot be relied upon for protection or could be considered to cause further harm, an organisation can decide not to refer the allegation.
- A gender-balanced investigation management team should be appointed. It would typically include two to three investigators with extensive experience in this field, plus a trusted interpreter when applicable. It is crucial that none of the individuals in the investigation team be involved in the allegations, whether directly or indirectly, or have a conflict of interest. In such cases, the investigation team should have access to additional resources or individuals, especially in cases involving the programme management.
 - These additional resources may include the PSEA focal point(s), ethics officers or safeguarding officers at HQ level, or external professional investigators.

- All staff members contacted during the investigation process should be informed that any breach of confidentiality will lead to disciplinary measures. If external witnesses are contacted during the investigation process, the importance of confidentiality should also be explained.
 - One way to protect all parties is to replace their names by letter and numbers in all written communication. Investigators should remain discreet about on-going investigations, such as not disclosing that they are doing interviews and can also involve holding meetings in places that ensure the respect of the confidentiality of all parties.
 - For voluntary breaches of confidentiality which can put survivors of alleged SEA and/or other complainants at risk, the same disciplinary measures as the ones outlined in the whistle-blower policy may be used.

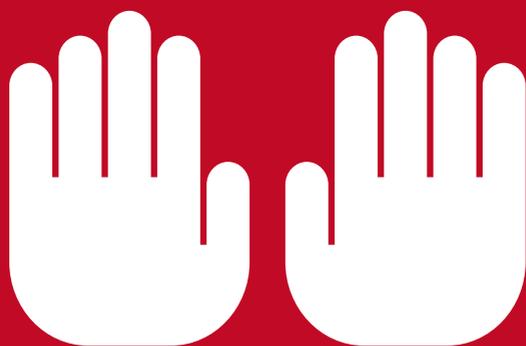
It is important to note that complaints should be discussed and shared strictly on a need-to-know basis only. The director or programme manager can be kept informed of ongoing cases for management and reporting purposes, as long as it is relevant, and they are not implicated. However, this is not a necessary part of the investigation.

- Confidential written records of all interviews and meetings taking place during the investigation process should be kept at all times. All involved parties should be made aware of this procedure and asked to provide their free and informed consent. For adult in situations of vulnerability, assisted decision-making to give consent may be needed. For children below 16, or over, depending on national laws on age of consent to share information, the consent of parents/legal guardians should be requested, and the willingness of the child observed.

- The investigation team should meet with the victim of alleged SEA and note the facts of the event, in a manner that respects the capacity and wishes of the survivor of alleged SEA. The investigation team should also meet with the complainant, if different from the victim, as well as witnesses and other third parties involved in the process.
- The subject of complaint has a right to a fair and impartial investigation process and should be interviewed to be allowed to respond to the allegations and provide new evidence in support of their account. The identity of the complainant or source of the evidence brought against them should not be revealed to the subject of complaint. To protect the witnesses and the impartiality of the investigation process, the subject of complaint should be the last person to be interviewed.
- All information gathered throughout the interviews should be noted down in a report that explains the situation, the investigation, and the findings. The report should avoid jargon and be concise, but clear enough to be understood by people who have not taken part in the investigation process, such as personnel at HQ level, including management and HQ PSEA focal points.
- Based on the data collected throughout the process, the investigation team should draw a conclusion on whether the allegation is substantiated and report it to management and appropriate focal points.
- If it is found that the allegation is substantiated and in clear violation of the PSEA policy and commitments of the organisation, the zero-tolerance approach should be enforced and the person(s) found responsible for SEA immediately dismissed.

- After the decision and adequate rectifications are taken, the focal point(s) or another trusted individual should conduct a follow-up assessment of the needs of the victim and/or of other complainants, if the allegations are confirmed, to ensure that the wrongful behaviour has stopped, and they do not suffer retaliation from having reported the sexual misconduct. It is also good practice to conduct the follow-up if the investigation does not find the allegations to be sustained, as the complainant may still be at risk of retaliation. The follow-up is also a way for the victim, complainant, and any other person directly involved in the investigation to provide feedback on the process and can help inform measures to strengthen the mechanism.
- Depending on the gravity of the claim, the organisation has the right to take the investigation forward, even without the agreement of the complainant or the survivor of alleged SEA. This decision is not made lightly and should never put the survivor of alleged SEA at risk. A case can be investigated without the participation of the survivor of alleged SEA.
- If the subject of complaint resigns during an on-going investigation, they can be asked to continue to participate in the investigation. If they refuse to participate, the investigation can continue without them if the act under investigation was allegedly committed while they were employed.
- If it cannot be determined that SEA took place, recommendations can still be made to prevent similar situations from arising in the future.
 - For instance, the creation of mechanisms to increase dialogue and communication with beneficiaries; channels to address or rectify rumours such as individual meetings with staff spreading rumours, official staff communications, refresher training for

designated staff, etc.; mechanisms to increase beneficiaries' safety such as preventing staff from meeting beneficiaries alone; etc.



5. PREVENTION MEASURES

In addition to responding to instances of SEA, organisations should ensure that effective systems are in place to prevent SEA, to the greatest extent possible. While these mechanisms cannot fully guarantee that SEA cases will not occur, prevention must be a top priority for organisations to make sure that as many actual or attempted cases of sexual misconduct as possible are avoided. Some situations, such as working in close contact with children or persons with disabilities, should receive special consideration. Prevention should include strategies to recruit personnel with an appropriate attitude and demonstrated good conduct as well as the requirement to raise staff awareness through regular training courses and workshops. For prevention practices to be taken seriously by all staff members, it is crucial that the organisation's culture, values, leadership and management reflect a firm commitment to PSEA. Only within an enabling environment committed to protection can prevention strategies realise their full potential. Finally, organisations should ensure that the resources and techniques developed for prevention fit the cultural, social, political and economic context in which they are expected to be implemented.

RECRUITMENT OF STAFF

- The organisation should clearly display its commitment to PSEA on its website, when available, and in its organisational values. Similar commitments to safeguarding and protection of affected populations should be included in job advertisements and job descriptions.
- During the recruitment process, candidates should always undergo vetting and screening processes.

- Organisations should use a combination of different sources of information, including references, criminal records whenever possible, and other background checks to mitigate the risk of the information being incomplete or misleading. References should come from recent line managers as opposed to personal or academic referees. One reference should be from the most recent employer's senior management or HR department. Reference forms should also explicitly ask previous employers if allegations of any form of sexual misconduct were made against the job candidate and if they were sustained. Referees should be contacted via telephone to confirm that they provided the reference. Their telephone number and/or email address should be acquired independently of the referee's contact details provided by the job candidate.²¹
- Gaps in employment and dismissals should be followed up by the recruiting organisations, which may assess consistency between the reasons given by a candidate for leaving a previous position and the previous employer's view on why the candidate left, whenever possible.

In the interview process, a candidate's approach to PSEA should be assessed through questions on appropriate conduct towards beneficiaries. For example, the candidate may be asked if they have knowledge of the basic principles of protection, or if they are aware of the PSEA and safeguarding policies in place by the interviewing organisations. Additional questions such as what sort of behaviour may make an interaction with beneficiaries inappropriate or how they would personally handle a concern of sexual exploitation and abuse may be asked, to assess the

21. Cabinet Office of the Government of the United Kingdom. HMG Baseline Personnel Security Standard. 2018.

candidate's knowledge and experience dealing with PSEA. These answers could be used to complement personal checks. For guiding recruitment questions, refer to Annex V.

- To ensure that employees dismissed by an organisation due to sexual misconduct are not rehired at a later stage by the same organisation, the latter should have clear records of inappropriate behaviour of staff and disciplinary measures taken.

ADDITIONAL GOOD PRACTICES

- All meetings between staff and beneficiaries should take place with an open door, unless otherwise requested by beneficiaries to discuss private or sensitive matters. Additionally, depending on the cultural context and sensitivity of the topic, the organisation may consider having women meeting women, or having mixed teams meeting beneficiaries. For beneficiaries with mental or intellectual disabilities, additional support from a specialised therapist or counsellor may need to be considered.
- In the performance appraisals of senior management, the level of commitment to a PSEA- enabling environment could be included. Disciplinary measures could be put in place for senior managers who are unresponsive to PSEA requirements.
 - For example, if a programme manager or a senior staff member is found to be consistently negligent or indifferent to PSEA measures, they could be asked to undergo tailored training courses, or in the worst cases be faced with adequate disciplinary action.
- Performance evaluations of all staff members should cover compliance with the PSEA framework and fulfilment of its requirements (i.e. attending mandatory training courses).

- Organisations could establish or participate in communities of practice at country and/or international level to encourage and facilitate knowledge sharing and support by PSEA experts.
- Experienced staff members, auditors, or external consultants could be requested to conduct routine SEA risk assessments, evaluations and reviews of programmes both at country and field levels. SEA risk assessments should be able to:
 - Recognise SEA risk factors in the context of operations, both internal and external to the organisation’s activities;
 - Identify beneficiaries and beneficiary communities more at risk of SEA;
 - Identify existing risk preventing/mitigating practices available in the context of operations and assess their quality and effectiveness.
- SEA should also be included in regular needs and risk assessments.
- For missions outside the organisation’s headquarters, field personnel should be made aware of what is considered appropriate and inappropriate behaviour in the context of interventions. Training conducted in partnership with local organisations could offer additional information.



6. MONITORING AND EVALUATION

Monitoring and evaluation essentially require that all complaints be confidentially noted, centrally reported, anonymised, and used to improve the reporting and investigation of complaints. Changes, improvements and other suggestions related to PSEA can thus be informed by evidence.

- Monitoring and evaluation should be done in a manner that respects the confidentiality of all involved parties. All reporting should thus be anonymised.
- All complaints should be registered and reported in a central data management system. Alternatively, when raised with HQ, senior management, or any relevant focal points, all complaints should be centrally registered in the appropriate central data management system.
- Investigations should be well documented. Reports, disciplinary measures and remedial action should be noted and reported in the central system. This includes the feedback provided by SEA victims during follow-up interactions.
- All information should be compiled annually and assessed to determine the prevalence of SEA incidents and their resolution. This is a necessary step to evaluate whether the policy is respected and the mechanism properly enforced. It is also crucial to identify whether the zero-tolerance approach is implemented, if there is room for improvement, possible changes and revision of the policy and mechanism, and potential need for training on the investigation process. For this purpose, organisations should

develop indicators to measure their performance and track progress over time. Organisations can also assess themselves against a [set of indicators](#) developed by the CHS Alliance, or contract expert organisations or professionals to conduct such audits.²²

- Monitoring and evaluation serve to substantiate and inform changes that should be discussed at least biannually in management meetings (see Communication/With Staff section). It is important that decisions which can potentially affect SEA survivors be based on evidence.
- Regular evaluations, audits, or risk assessments may be undertaken by HQ-level staff responsible for safeguarding, or PSEA officers in the field. These visits can ensure compliance with the internal PSEA policy, increase transparency and accountability, and enable sharing of good practices internally.

22. CHS Alliance. Self-assessment. 2019.

ENDNOTES

- i In order to define SEA, there needs to be an understanding of gender-based violence and how certain groups are more vulnerable to it. **Gender-based violence (GBV)** is “an umbrella term for any harmful act that is perpetrated against a person’s will and that is based on socially ascribed (gender) differences between males and females”. (Inter-Agency Standing Committee. PSEA Task Force. Definitions). GBV comprises physical, psychological, emotional, socio-economic and sexual violence, as well as harmful traditional practices. Different forms of violence are not mutually exclusive and can occur at the same time and reinforce one another. While women, girls, boys and men can all be victims of GBV, a disproportionate majority of victims on a global scale are women and girls (UN General Assembly. Declaration on the Elimination of Violence against Women [a/RES/48/104]. 1993). Furthermore, some categories of women, such as those belonging to minority groups, migrant women or women with disabilities, to name a few, are especially at risk of gender-based violence. An **intersectional approach** considers factors such as age, race, ethnic group, class, poverty level, sexual orientation, urban/rural, ability/disability, language and religion to identify how oppression is interconnected and how gender and other diversity aspects should be considered in relation to one another (Kimberlé Crenshaw. Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color. 1991).
- ii Sexual harassment involves any unwelcomed sexual advance, request for sexual favours, or any verbal, non-verbal or physical conduct of a sexual nature that might be reasonably perceived to cause offence or humiliation to another. When a sexual act is attempted or performed, it can go beyond sexual harassment and be considered sexual assault. ([United Nations Glossary on Sexual Exploitation and Abuse](#), July 2017). [Understanding the Differences Between Sexual Exploitation and Abuse, Sexual Harassment and Sexual and Gender-Based Violence](#). IASC, 2016.
- iii Beneficiaries or beneficiary communities are community members who receive assistance or are part of the affected population the organisation seeks to assist. (CHS Alliance. PSEA Implementation Quick Reference Book. 2017).

ANNEX I

ZERO-TOLERANCE APPROACH

The zero-tolerance approach is a strict approach which refers to an organisation's commitment to take seriously and investigate any allegation of sexual exploitation and abuse (SEA) reported to them. It obliges humanitarian workers to report any concern or suspicion of sexual exploitation and abuse. Zero-tolerance is also an institutional approach by which evidence of SEA is considered gross misconduct and therefore results in immediate dismissal. It should contain the following:

THE SCOPE OF APPLICATION OF THE APPROACH

The zero-tolerance approach applies to all staff of the organisation and related personnel. The organisation should also specify whether zero tolerance applies to partners and contractors. It applies to all staff at all times, including outside working hours, both inside and outside the workplace.

CLEARLY OUTLINE THE PROHIBITION OF SEXUAL EXPLOITATION AND ABUSE AND ITS DIFFERENT FORMS

All staff and related personnel have a duty of care towards beneficiaries and communities where they operate. Staff are strictly prohibited from committing any form of SEA, which constitute acts of serious misconduct. Sexual activity with persons under the age of 18 is prohibited regardless of the local age of majority or consent and will

not be tolerated. Exchange of money or services, including exchange of assistance, for sex is also considered SEA and will not be tolerated. Sexual relationships between staff and beneficiaries are strongly discouraged/prohibited as they are based on unequal power dynamics or situations of inequality and dependency.

THE DUTIES OF STAFF

All staff and related personnel should participate in the creation and maintenance of a safe environment that contributes to prevent SEA. Managers have a specific duty to ensure that the zero-tolerance approach and the PSEA policy are implemented and enforced. Staff and related personnel have an obligation to report any concern or suspicion regarding SEA through the established reporting mechanisms.

THE DUTIES OF THE ORGANISATION

The organisation is committed to protecting the confidentiality of staff and related personnel reporting concerns or suspicions of SEA. The organisation commits to taking seriously and investigating any allegation reported to them. Evidence that acts of SEA took place will result in disciplinary actions, including immediate dismissal. Perpetrators within the organisation will be held accountable for their actions, including a potential referral to local authorities if appropriate.

ANNEX II

WHISTLE-BLOWING POLICY

The policy should be contained in a single document that is easy to find and access on the organisation's public website. The policy should be translated in all relevant local languages, accessible to people with disabilities and to those without access to network connection, and easy to understand. Awareness on the content of the policy should be raised through internal newsletters, information sessions, training courses, during all-staff and division meetings, and other channels as appropriate. The following is a non-exhaustive list of key features which should be featured in any whistle-blowing policy for reporting suspicions or concerns of sexual exploitation and abuse (SEA).

- The policy should specify its scope of application and include key definitions as relevant to understand its content, including 'whistle-blowing', 'SEA', and 'Chain of Command';
- A summary of key messages of the PSEA policy or documents should be included or attached to the policy;
- Images, tables, and other types of illustrations could be taken into consideration to facilitate understanding of the policy's content;
- The policy should explain in a clear, easy to understand way where, how, and whom to report any knowledge, concern, or suspicion of SEA. This is especially important for organisations which do not have a centralised mechanism that is designated to receive complaints;

- The commitment to treat seriously and investigate each allegation received should be declared. The policy should explain when the whistle-blower should expect to hear back regarding the reception of their allegation by those responsible for investigating complaints.
- Examples of the type of future engagement and additional information that may be required of the whistle-blower should be provided. They include:
 - What is alleged to have happened, when and where?
 - Who is the affected party? What is their condition?
 - Are there witnesses? Who are they? Did they intervene to stop the alleged misconduct from taking place?
 - Is anyone aware of the whistle-blower’s intention to report an allegation concerning this specific misconduct?
 - Does the whistle-blower wish to remain anonymous during the investigation (applicable only if anonymous complaints are acted upon by the organisation)?
 - Does the whistle-blower fear retaliation? From whom? What would help the whistle-blower feel safer?
- The policy should clearly state that skipping the chain of command to report allegations is not a reason for disciplinary action. It should also specify appropriate channels for reporting allegations against any function that may entail a conflict of interest in the handling of the issue, e.g. an allegation against the Complaints Officer, PSEA Focal Point, or head of the organisation;

- An organisational commitment to protecting the whistle-blower's confidentiality, employment status, and legal rights should be declared;
- The organisation should clearly explain its firm commitment preventing, protecting against, and punishing any form of retaliation against the whistle-blower. Examples of different types of retaliation could be provided to facilitate the understanding of which adverse actions and behaviours will not be tolerated by the organisation. Examples of retaliation include:
 - Unwarranted firing/laying off;
 - Unwarranted demotion;
 - Unwarranted denial of overtime compensation, annual leave, or promotion;
 - Unwarranted reduction in pay or working hours;
 - Unwarranted change in job duties;
 - Intimidation, harassment, threatening, bullying, and isolating;
 - Blacklisting (intentionally trying to reduce the whistle-blower's chances to obtain future employment).
- Appropriate channels and modalities to report retaliation should be indicated in the policy. These are typically the same channels as the ones used to report complaints. Multiple channels should be made available to ensure that staff members are able to report retaliation regardless of location, access to network connection, language(s), education level, literacy skills, disabilities, and other relevant factors;

- Disciplinary measures for staff members who retaliate against whistle-blowers should be clearly identified and mentioned in the policy, to be adapted depending on gravity.

ANNEX III

GUIDING TOPICS FOR FOCUS GROUPS DISCUSSIONS ON PSEA

Focus groups discussions (FGDs) can be a powerful way to gather beneficiaries' points of view on how to better communicate with beneficiaries and adapt reporting channels. Depending on the context, focus group discussion questions should be adapted and key concepts explained in a way that is accessible to all regardless of education level. Here is a list of guiding topics to gather information on perceptions of SEA and safety:

- How do people name, understand, and experience personal safety? How does it differ from not feeling safe?
- What behaviour makes them feel unsafe? Are there specific circumstances where they fear for their safety?
- Are there daily activities they cannot do because they do not feel safe doing them? Are there things they must do anyway even though it makes them feel unsafe?
- Are there specific places they avoid because they are considered dangerous?
- Who are the people they can go to if they want to share something that happened to them? Who do they feel they can talk to and discuss with?
- Are there any places/people/structures they can use after a wrongful behaviour is done to them?

- What is their experience interacting with NGOs? Which ones do they know best? Which ones do they trust the most?
- What is their experience interacting with humanitarian workers? Do they have generally good feelings towards humanitarian workers?
- Have they encountered humanitarian workers doing things that were harmful, even if unintentionally?
- What ways do they think are acceptable for humanitarian workers to act towards them? What ways are unacceptable?
- Are they aware of the policies your organisation has in place, such as the code of conduct and/or the PSEA policy?
- After being told what behaviour is acceptable and unacceptable from humanitarian workers, do they agree? Is anything missing? Are there situations/activities that they think could put them particularly at risk of unacceptable behaviour?
- If they saw a humanitarian worker doing something wrongful, do they know where they should report that? Where and how would they feel comfortable reporting that behaviour?

COMPLEMENTARY ACTIVITIES

The questions of the Focus Groups Discussions (FGDs) can be turned into activities to gather more information about the local context. This can also help facilitating discussions on a sensitive topic such as SEA and make beneficiaries comfortable discussing in groups. Here are a few examples:

- Daily activity chart: FGD members can discuss or draw their daily activities chronologically. The facilitator can ask questions regarding the participants' mobility, tasks, areas of travel, etc. and assess vulnerability and safety.
- Seasonal calendar: The participants are asked to discuss or draw their different tasks and movements according to change of seasons and migration. The facilitator can identify travel paths, changes of climate, periods of hard labour, periods when they have less access to resources, and changes in activities that can result in increased vulnerability.
- Ranking exercise: FGD members have to rank people/ organisations based on the level of trust they would have towards them when reporting wrongful behaviour and SEA.

ANNEX IV

PSEA FOCAL POINT ToRs EXAMPLE

INTRODUCTION

The PSEA Focal Point's responsibilities are determined by the organisation. It includes induction training on PSEA to staff, facilitation of awareness-raising in beneficiary communities, and support to the development and/or implementation of reporting mechanisms. The PSEA focal point is generally a designated person to whom staff and community members can report concerns of SEA and get clarity on the reporting process. There should be at least one man and one woman designated as focal points.

PSEA focal points to whom misconduct can be reported should be assigned this task after careful consideration of their character, expertise, and role within the organisation. They should be adequately trained to receive and report complaints.

The Focal Point designation is a position. It can either be assigned to existing personnel or new personnel can be hired to carry it out. Whether the role is a full-time or part-time undertaking should depend on area-specific needs.

COMPETENCIES AND EXPERIENCE

The Focal Point needs easy access to senior management to be able to effect change and therefore should normally be appointed at a sufficiently senior level.

The Focal Point shall have the following competencies and experience: Proven integrity, objectivity and professional competence; demonstrated sensitivity to cultural diversity and gender issues; fluent in relevant languages; demonstrated experience of working directly with local communities; proven communication skills. Upon appointment, the Focal Point shall undergo specific training on protection from sexual exploitation and abuse.

In addition to the above tasks, the PSEA Focal Point shall carry out any additional activities needed to address sexual exploitation and abuse.

INTERNAL DUTIES AND RESPONSIBILITIES

- The Focal Point shall actively promote protection from sexual exploitation and abuse according to the PSEA policy;
- Liaise with head of office/country representative to ensure joint understanding of your focal point role and create a work plan for the Focal Point;
- Summarise the main messages of the PSEA policy and identify ways to communicate them to staff. The messages should be communicated according to the different roles and responsibilities of staff;
- Provide awareness-raising sessions for personnel;

- Provide and follow up on the mandatory PSEA induction training to all new staff, and refresher training provided on a yearly basis or whenever necessary. Provide and make available training material for all staff in soft or hard format;
- Support the development of internal procedures for staff to report incidents;
- Facilitate awareness raising in local communities on SEA, their rights and how to report incidents.

PREVENTION

Ensure that the identity of the Focal Point is known throughout the organisation and that contact or ways to reach the Focal Point are made widely available.

- Where applicable, request that staff sign the organisation's Policy or Code of Conduct which clearly prohibits acts of sexual exploitation and sexual abuse and obligates them to report suspicion or evidence of such acts;
- Provide awareness-raising sessions on SEA for all staff on a regular basis, including for newcomers;
- Make appropriate recommendations to management on enhancing prevention strategies;
- With Human Resources and Management, ensure that procedures to guard against hiring of persons who have a record of SEA offences are put in place and applied;
- Work with Human Resources personnel to include PSEA content in staff induction sessions.

REPORTING SYSTEMS

The Focal Point must ensure the availability of one or more reporting systems, including but not limited to:

- Dedicated confidential e-mail addresses and online platforms;
- 24/7 free of charge hotlines;
- Free SMS services and mobile applications, particularly useful in remote programme locations and for beneficiaries with disability or mobility issues;
- Complaint boxes;
- Helpdesks or reception in field offices;
- Forms with key sample questions in order to facilitate the wording for complainant;
- Designated senior management, field personnel, or PSEA Focal Point(s) with adequate training.

ANNEX V

GUIDANCE ON THE INTERVIEW PROCESS

A key aspect of preventing sexual exploitation and abuse is the careful examination of the suitability of candidates who apply for a position within the organisation. There are many practices that contribute to safe recruitment, such as clearly stating the organisation's commitment to PSEA in job advertisements and the requirement for references from previous employers which include questions on the candidate's behavior to flag potential reasons for concern. Another crucial moment in safe recruitment is the interview process, when the employer can have a conversation with the candidate. This is a good context to check the candidate's suitability not only for the position they applied for, but also in relation to their ethical standards and approach towards PSEA.

Prior to the interview process, the interview panel should agree on a set of questions to ask all candidates relating to PSEA. These should be tailored to the position's terms of reference, with emphasis on PSEA and broader safeguarding requirements for jobs requiring extensive interaction with beneficiary communities. Open-ended questions should be preferred over questions with a yes/no answer to prompt the candidate to provide a full, detailed response. With the candidate's consent, the interview should be recorded and/or notes should be taken on the answers provided. For SEA prevention purposes, the interview should address the following points:

- Gaps in the candidate's employment history;
- Concerns or discrepancies arising from information provided by the candidate and the referees;

- Understanding of and attitude towards PSEA and the organisation's standards of conduct;
- What constitutes acceptable and unacceptable behaviour in relation to beneficiaries;
- Motivations for working for the organization and, in case of community-facing jobs, motivations for working with beneficiaries;
- Providing the candidate with the chance to disclose or discuss anything they deem relevant and could be subject to misinterpretation, in particular if the interview takes place before referees are contacted.

SAMPLE INTERVIEW QUESTIONS

The following is a list of potential interview questions relating to PSEA, to be adapted to the local context, education level of candidates, job type, and other relevant factors as appropriate:

- What do you think makes the working environment safe and supportive?
- Can you provide some examples of how you have contributed in your previous work to making the organisation a safer environment for beneficiaries? How would you contribute to making our organisation a safer environment for beneficiaries?
- How have beneficiaries benefitted/would benefit from contact with you?
- Which procedures/mechanisms could an organisation put in place to protect beneficiaries from the risk of SEA?

- How do you feel when someone holds an opinion that differs from your own? How do you behave in that situation?
- Have you ever felt uncomfortable about a colleague's behaviour towards beneficiaries? What were your concerns? How did you react? Was the issue resolved? How?
- Have you ever taken part in PSEA/safeguarding/anti-harassment training and if so when? What are your thoughts about this type of training courses?
- What do you think of beneficiaries who make allegations against staff?

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