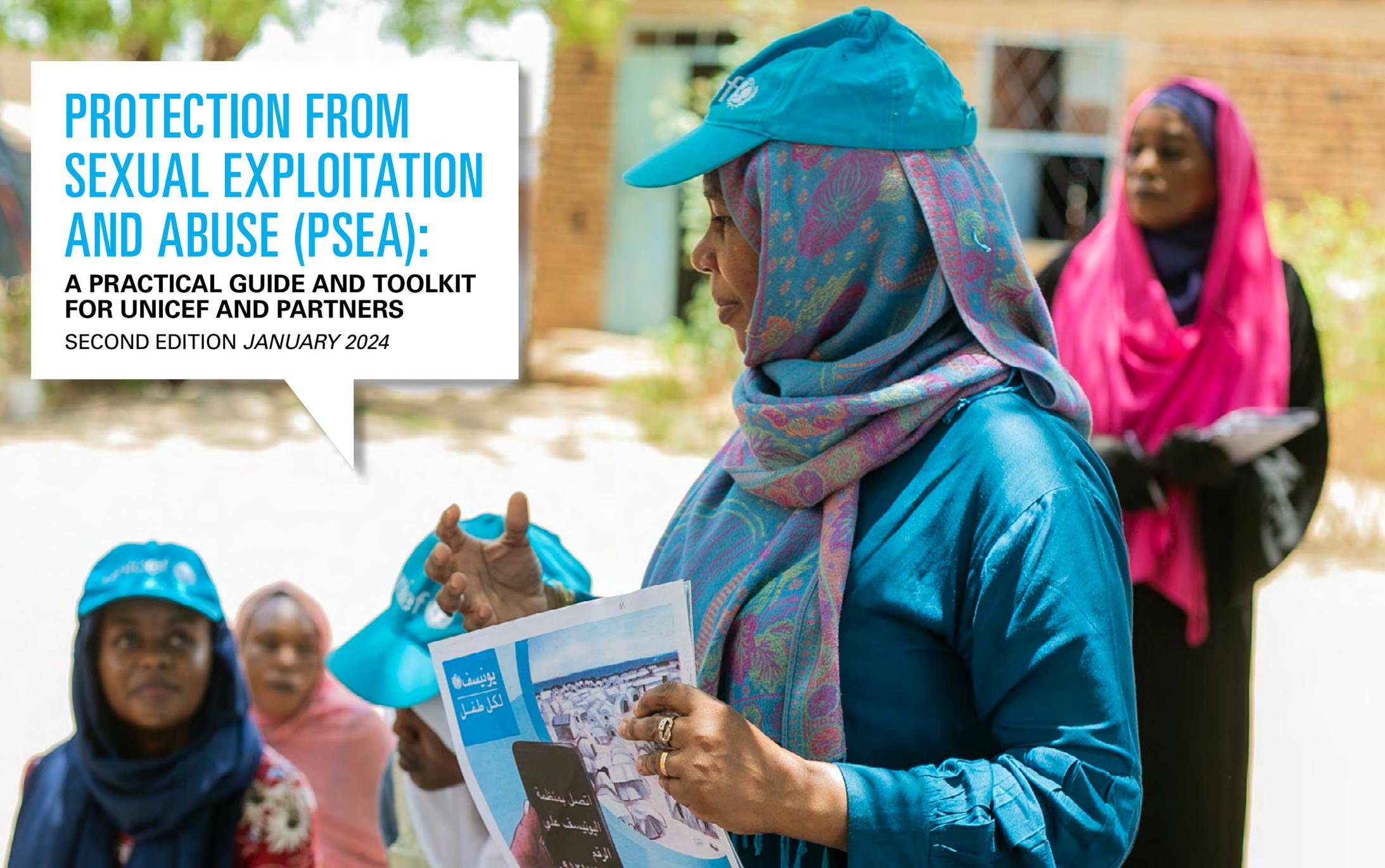


PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE (PSEA):

**A PRACTICAL GUIDE AND TOOLKIT
FOR UNICEF AND PARTNERS**

SECOND EDITION *JANUARY 2024*



**PROTECTION FROM SEXUAL
EXPLOITATION AND ABUSE**

unicef  | for every child

**Protection from Sexual Exploitation and Abuse (PSEA):
A Practical Guide and Toolkit for UNICEF and Partners**

January 2024

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UNICEF
Programme Group
3 United Nations Plaza
New York, NY 10017, USA
Tel: +1 (212) 326-7000

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PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE (PSEA): A PRACTICAL GUIDE AND TOOLKIT FOR UNICEF AND PARTNERS

JANUARY 2024

Acknowledgments

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Abbreviations

CBCM	Community-Based Complaint Mechanism
CHS	Core Humanitarian Standard
CCC	Core Commitments for Children in Humanitarian Action
CP	Child Protection
CSO	Civil Society Organization
GBV	Gender-Based Violence
HR	Human Resources
IASC	Inter-Agency Standing Committee (United Nations)
NGO	Non-Governmental Organization
OIAI	Office of Internal Audit and Investigations (UNICEF)
OCHA	Office for the Coordination of Humanitarian Affairs (United Nations)
PCA	Partnership Cooperation Agreement
PSEA	Protection from Sexual Exploitation and Abuse
PSEAH	Protection from Sexual Exploitation and Abuse and Sexual Harassment
MOS-PSEA	Minimum Operating Standards for Protection from Sexual Exploitation and Abuse (Inter-Agency Standing Committee)
RSH	Safeguarding Resource and Support Hub
SEA	Sexual Exploitation and Abuse
SOP	Standard Operating Procedure
UNICEF	United Nations Children's Fund
UNPP	United Nations Partner Portal

Glossary

Beneficiaries and Affected populations	Individuals, groups, or organizations that directly or indirectly benefit from an intervention, project, or program and people who are affected, either directly or indirectly, by a hazardous event. ¹ For the purpose of this toolkit, the term affected populations will be used.
Child	A person under the age of 18, regardless of the age of majority or age of consent locally.
Complainant	A person who initially notifies UNICEF or its partners of an allegation of sexual exploitation and abuse.
Gender-based violence (GBV)	An umbrella term for violence directed towards or disproportionately affecting someone because of their actual or perceived gender identity. Sexual exploitation and abuse is a form of GBV.
Implementing partners ('partners')	Entity responsible and accountable for implementation of the intended programme. It may include government institutions, intergovernmental organizations, civil society organizations and UN agencies.
Informed consent	Informed consent means making an informed choice freely and voluntarily by persons in an equal power relationship. It is a key starting point in the provision of victim assistance where the victim must be informed about all available options, and fully understand what she or he is consenting to as well as the risks, including the limits of confidentiality, and benefits before agreeing. The full range of choices should be presented to the victim, regardless of the service provider's individual beliefs. The victim should not be pressured to consent to any service, interview, exam, assessment, etc. A victim can withdraw consent at any time. ²
Informed assent	The expressed willingness to participate in services. For younger children, who are by definition too young to give informed consent but are old enough to understand and agree to participate in services, the child's 'informed assent' is sought. ³
Investigations	A legally based and analytical process designed to gather information in order to determine whether wrongdoing occurred and if so, the persons or entities responsible. ⁴
Personnel	This includes UNICEF or partners' employees as well as subcontractors, consultants, interns or volunteers associated with or working on behalf of UNICEF or the partner organization.

Sexual exploitation and abuse (SEA)	<p>'Sexual exploitation' is 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.</p> <p>'Sexual abuse' is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. This includes non-contact and online sexual exploitation and abuse.⁵</p> <p>Although SEA can happen anywhere in society, when used as an umbrella term within the development and humanitarian sector, the term refers to SEA perpetrated by those working in, or with, development and humanitarian organizations and within the United Nations, including Peacekeeping and Special Political Missions.</p>
Sexual harassment	Sexual harassment is any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. Sexual harassment may occur in the workplace or in connection with work. While typically involving a pattern of conduct, sexual harassment may take the form of a single incident. In assessing the reasonableness of expectations or perceptions, the perspective of the person who is the target of the conduct shall be considered. ⁶
Survivor / Victim	Refers to a person who is, or has been, sexually exploited or abused. 'Survivor' is often used interchangeably with 'Victim'. Much of the literature on assistance provision sourced in the guide refers to the term 'victim'. This toolkit uses therefore the term Victim for consistency. However, neither designation is any way meant to imply a lack of strength, resilience, or capacity to survive. While the vast majority of reported victims of SEA are women and girls, boys and men can also experience SEA.
Victim-centered approach	A victim-centered approach (also referred to as 'survivor-centred' approach) aims to create a supportive environment in which each victim's rights, wishes and self-determination are respected and in which the person is treated with dignity and respect. ⁷
Whistle-blower	Any UN or partner agencies' personnel who reports SEA
Zero-tolerance policy	UN policy establishing that sexual exploitation and abuse by UN personnel (including by partners) is prohibited and that every transgression will be acted upon.

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All forms of sexual exploitation and abuse (SEA) committed by UN personnel, their partners or other aid workers, are a violation of human rights and an abuse of a position of power over a vulnerable population that they have pledged to protect. SEA can lead to serious, sometimes life-long, adverse consequences for the victims, particularly child victims.



1. Introduction

1.1 Background

All forms of sexual exploitation and abuse (SEA) committed by UN personnel, their partners or other aid workers, are a violation of human rights and an abuse of a position of power over a vulnerable population that they have pledged to protect. SEA can lead to serious, sometimes life-long, adverse consequences for the victims, particularly child victims. Furthermore, SEA undermines the integrity and reputation of the UN and other humanitarian and development actors and can threaten the security of their personnel and operations.

SEA undermines the integrity and reputation of the UN and other humanitarian and development actors and can threaten the security of their personnel and operations.

As a leader in child protection and prevention and response to gender-based violence globally, UNICEF is committed to scaling up prevention and response to SEA. Protection from Sexual Exploitation and Abuse (PSEA) is an organizational priority for UNICEF as demonstrated by the inclusion of PSEA commitments in the [Core Commitments for Children in Humanitarian Actions \(CCC\)](#) and the updated [Emergency Procedures](#), including systematic earmarking of funds to scale up PSEA interventions during emergencies. The [UNICEF 2022-2025 Strategic Plan Results Framework](#) has integrated a new, key enabler indicator on PSEA, against which UNICEF Country offices will be required to report. This is intended to contribute to internal shifts for better organizational impact, efficiency and effectiveness.

UNICEF's commitment also stems from its work as IASC Champion on PSEA, during which UNICEF led the development of the [IASC Strategy](#)⁸; to which the [UNICEF PSEAH strategy](#) is closely aligned and articulated around global priority outcomes (i) safe and accessible reporting mechanisms, (ii) quality, victim-centred

support, and (iii) accountability for every child and adult victim in all humanitarian responses. Delivering on these PSEA commitments involves ensuring UNICEF and its partners have adequate safeguards and take appropriate action to tackle SEA.

UNICEF developed this Guide and Toolkit ('the Toolkit') to support partners to strengthen their policies and practices on PSEA. Partners may include – but are not limited to – government institutions, intergovernmental organizations and civil society organizations (CSOs), including NGOs. Partners' subcontractors are subsumed within this definition. The Toolkit uses the term 'organizations' throughout to refer to partners and other agencies that may be using the Toolkit.

This toolkit is primarily intended to provide technical advice and support to UNICEF partner organizations to develop/adapt their PSEA procedures and mechanisms. While the section on the organizational capacities self-assessment (Section 1) is more relevant for UNICEF CSO partners, in line with the SEA-related aspects of UNICEF's partnership cooperation agreement (PCA)⁹, the remaining sections of the toolkit may be useful for government partners, other humanitarian and development organizations, and individual UNICEF teams.

Since mid-November 2022, UNICEF has transitioned from the UNICEF PSEA Assessment to IASC Harmonised Implementation Tool on PSEA capacity. The template is included in Section 2. Therefore, this toolkit has been updated to support organisations in line with the IASC Harmonised Tool.

All the tools included in the toolkit will also be posted on an online repository on the [UN Partner Portal page](#) in order to facilitate regular updating. The repository also includes links to the additional resources developed by other stakeholders listed throughout the document.

1.2 About the Toolkit

1.2.1 Objectives

The Toolkit is designed to strengthen the capacities of organizations¹⁰ in fulfilling their responsibilities to prevent and respond to SEA. It specifically aims to:

- Increase organizations' understanding and support of PSEA
- Support organizations in strengthening their systems on PSEA
- Improve coordination, communication and coherence among UNICEF, partners and other relevant actors relating to PSEA
- Use best practices in the implementation of PSEA activities
- Contribute to improved accountability towards affected populations.

1.2.2 Structure

The Toolkit's structure enables organizations with different capacities and needs to focus on the aspects of PSEA that require the most urgent attention. Its seven sections are:

- 1. Organizational Self-Assessment:** includes a set of core standards and accompanying indicators to help organizations identify their strengths related to PSEA and areas where improvements are needed.
- 2. Foundations:** presents relevant definitions, policies and standards.
- 3. Prevention:** provides guidance on organization-wide policies and procedures, training for personnel, and risk assessment, mitigation and prevention in all programming efforts.



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4. Reporting: provides guidance on internal and external reporting mechanisms to enable or facilitate prompt and confidential reporting.

5. Assistance: provides guidance on facilitating immediate, professional victim-centred assistance and follow-up, either directly or through referral to other service providers.

6. Investigation: provides guidance on ensuring prompt and adequate investigations and follow-up.

7. Toolkit: contains a set of practical tools, such as sample forms, templates, and checklists.

Throughout these sections, the Toolkit emphasizes the need for organizations to engage affected populations and local communities **in all their PSEA efforts**, given that they are most directly affected by these abuses and have unique knowledge and skills.

2. Organizational Self-Assessment

Since mid-November 2022, UNICEF has transitioned from the UNICEF PSEA Assessment to the UN Common Assessment. The new template is included below under this section to guide organizations and PSEA practitioners through the transition.

Organizations are encouraged to use the findings of the assessment to develop an action plan that reflects identified areas for improvement on PSEA.

This assessment is intended to give UNICEF and its partners a baseline for tracking progress of organizational capacities on PSEA. These standards are aligned with the [United Nations Protocol on Allegations of Sexual Exploitation and Abuse Involving Implementing Partners](#).

The process for the PSEA assessment is to be conducted through the [UN Partner Portal](#).

Organizations are encouraged to use the findings to develop an action plan that reflects identified areas for improvement on PSEA (see [PSEA Toolkit Tool 1: Sample Template for Action Plan on PSEA](#)) that UNICEF and partners can revisit at regular intervals (i.e. every 6 or 12 months). The assessment can also help identify areas where external support from UNICEF or other partners is needed, such as trainings, technical advice, funding or increased coordination with inter-agency activities. In addition, UNICEF records the total score of each organization's capacity assessment as a "PSEA Capacity Rating" and uses it to determine the number of programmatic assurance visits needed by UNICEF staff and other follow-up actions.

To support organizations' efforts in addressing identified capacity gaps, this Toolkit provides practical guidance on PSEA as well as an extensive list of additional resources in each section.



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2.1 Instructions on the rating system for the assessment

The table (TABLE 1: Capacity Assessment – Standards) below provides **eight core standards** on PSEA organizational policies and procedures (in line with the UN common assessment form developed in a consultative process between United Nations entities and our partners). Compliance with each standard has to be assessed individually and rated with "yes" or "no" or "n/a" for core standards 2 and/or 8).

The number of standards met provides the basis for the partner's "PSEA Capacity Rating" and reflects the partner's current capacities. Organizations should use the "comment" section to document the organization's recent progress as well as support needs.

1 – YES: THE ORGANIZATION FULLY MEETS THIS STANDARD.	
GIVE THIS SCORE IF THE ORGANIZATION MEETS THE STANDARD.	
2 – NO: THE ORGANIZATION IS NOT WORKING TOWARDS THIS STANDARD.	
GIVE THIS SCORE IF THE ORGANIZATION DOES NOT MEET THE CRITERIA. THE ORGANIZATION MIGHT (1) NOT BE WORKING TOWARDS THIS STANDARD, OR (2) HAVE MADE SOME PROGRESS TOWARDS APPLYING THIS STANDARD, BUT CERTAIN ASPECTS NEED TO BE IMPROVED.	
TOTAL SCORE	PSEA ORGANIZATIONAL CAPACITIES
8	MEETS ALL STANDARDS (FULL CAPACITY)
6 TO 7	MEETS MOST STANDARDS. SUPPORT REQUIRED TO ADDRESS REMAINING GAPS (MEDIUM CAPACITY)
5 OR FEWER	DOES NOT MEET THE MINIMUM STANDARDS. IMMEDIATE ACTION NEEDED TO STRENGTHEN PSEA CAPACITY (LOW CAPACITY)

After reviewing and scoring the organization’s compliance with these standards, add up the totals for each standard to obtain a total score. This total score indicates the organization’s current capacities on PSEA.

TABLE 1: Capacity Assessment- Standards

STANDARD	YES	NO	SUPPORTING DOCUMENTATION MAY INCLUDE
1: Organizational Policy REQUIRED: The organization has a policy document on PSEA. At a minimum, this document should include a written undertaking that the partner accepts the standards in ST/SGB/2003/13. <i>(UN IP Protocol para 15 & Annex A.4)</i> REFER: PSEA Toolkit Section 4.2.1. Policies	<input type="checkbox"/> 1 POINT	<input type="checkbox"/> 0 POINT	<input type="checkbox"/> Code of Conduct (internal or interagency) <input type="checkbox"/> PSEA policy <input type="checkbox"/> Documentation of standard procedures for all personnel to receive/sign PSEA policy <input type="checkbox"/> ToR (e.g. PSEA-related responsibilities) <input type="checkbox"/> Other (please specify):
	COMMENTS:		

STANDARD	YES	NO	N/A	SUPPORTING DOCUMENTATION MAY INCLUDE
2: Organizational Management REQUIRED: The organization’s contracts and partnership agreements include a standard clause requiring sub-contractors, to adopt policies that prohibit SEA and to take measures to prevent and respond to SEA. If the partner does not have subcontractors, the partner can self-rate with “n/a”. <i>(UN IP Protocol para 11; 15; & Annex A.1)</i> REFER: PSEA Toolkit Section 4.2.2. Procedures	<input type="checkbox"/> 1 POINT	<input type="checkbox"/> 0 POINT	<input type="checkbox"/> 1 POINT	<input type="checkbox"/> Contracts/partnership agreements for sub- contractors <input type="checkbox"/> Other (please specify):
	COMMENTS:			

STANDARD	YES	NO	SUPPORTING DOCUMENTATION MAY INCLUDE
<p>3: Human Resources Systems</p> <p>REQUIRED: There is a systematic vetting procedure in place for job candidates through proper screening. This must include, at minimum, reference checks for sexual misconduct and a self-declaration by the job candidate requesting that they confirm that they have never been subject to sanctions (disciplinary, administrative or criminal) arising from an investigation in relation to SEA, or left employment pending investigation and refused to cooperate in such an investigation.</p> <p><i>(UN IP Protocol para 11; 15; & Annex A.2)</i></p> <p>REFER: PSEA Toolkit Section 4.2.2. Procedures</p>	<input type="checkbox"/> 1 POINT	<input type="checkbox"/> 0 POINT	<input type="checkbox"/> Reference check template including check for sexual misconduct (including reference from previous employers) <input type="checkbox"/> Self-declaration from candidates <input type="checkbox"/> HR Contracts with a PSEA clause <input type="checkbox"/> Code of Conduct with PSEA <input type="checkbox"/> Recruitment procedures <input type="checkbox"/> Other (please specify):
COMMENTS:			

STANDARD	YES	NO	SUPPORTING DOCUMENTATION MAY INCLUDE
<p>4: Mandatory Training</p> <p>REQUIRED: The organization holds mandatory trainings (online or in-person) for all personnel on PSEA and relevant procedures. The training should include: 1) a definition of SEA (that is aligned with the UN's definition); 2) explanation on prohibition of SEA; and 3) actions that personnel are required to take (i.e. prompt reporting of allegations and referral of victims).</p> <p><i>(UN IP Protocol para 17 & Annex A.5)</i></p> <p>REFER: PSEA Toolkit Section 4.3.1 Training</p>	<input type="checkbox"/> 1 POINT	<input type="checkbox"/> 0 POINT	<input type="checkbox"/> Annual training plan <input type="checkbox"/> Training agenda <input type="checkbox"/> Training package <input type="checkbox"/> Attendance sheets <input type="checkbox"/> Training certificates <input type="checkbox"/> Other (please specify):
COMMENTS:			

STANDARD	YES	NO	SUPPORTING DOCUMENTATION MAY INCLUDE
<p>5: Reporting</p> <p>REQUIRED: The organization has mechanisms and procedures for personnel, beneficiaries and communities, including children, to report SEA allegations that comply with standards for reporting (i.e. safety, confidentiality, transparency, accessibility).</p> <p><i>(UN IP Protocol para 19 & Annex A.3)</i></p> <p>REFER: PSEA Toolkit Section 4.3.2. Awareness-raising and Section 5.2. Reporting Mechanisms</p>	<input type="checkbox"/> 1 POINT	<input type="checkbox"/> 0 POINT	<input type="checkbox"/> Description of reporting mechanism <input type="checkbox"/> Participation in joint reporting mechanisms <input type="checkbox"/> Internal Complaints and Feedback Mechanism <input type="checkbox"/> Whistle-blower policy <input type="checkbox"/> Communication materials <input type="checkbox"/> PSEA awareness-raising plan <input type="checkbox"/> Other (please specify):
COMMENTS:			

STANDARD	YES	NO	SUPPORTING DOCUMENTATION MAY INCLUDE
6: Assistance and Referrals REQUIRED: To be consistent with the IP Protocol and other UN SEA instruments, the organization has a system to refer SEA victims to available support services available locally, based on their needs and consent. This can include active contribution to in-country PSEA networks and/or GBV systems (Where applicable) and/or referral pathways at an inter-agency level. <i>(UN IP Protocol para 22.d.)</i> REFER: PSEA Toolkit Section 6.2. Assistance and Referrals	<input type="checkbox"/> 1 POINT	<input type="checkbox"/> 0 POINT	<input type="checkbox"/> Internal or Interagency referral pathway <input type="checkbox"/> List of available service providers <input type="checkbox"/> Description of referral or Standard Operation Procedure (SOP) <input type="checkbox"/> Referral form for survivors/victims of GBV/SEA <input type="checkbox"/> Guidelines on victim assistance and/or training on GBV and GBV case management principles <input type="checkbox"/> Other (please specify):
COMMENTS:			

STANDARD	YES	NO	SUPPORTING DOCUMENTATION MAY INCLUDE
7: Investigations REQUIRED: The organization has a process for investigation of allegations of SEA and can provide evidence. This may include a referral system for investigations where in house capacity does not exist. <i>(UN IP Protocol para 20, 23 and 24, & Annex A.6)</i> REFER: PSEA Toolkit Section 7.2. Investigation Procedures	<input type="checkbox"/> 1 POINT	<input type="checkbox"/> 0 POINT	<input type="checkbox"/> Written process for review of SEA allegations <input type="checkbox"/> Dedicated resources for investigation(s) and/or commitment of partner for support <input type="checkbox"/> PSEA investigation policy/procedures <input type="checkbox"/> Contract with professional investigative service <input type="checkbox"/> Undertaking of confidentiality <input type="checkbox"/> Other (please specify):
COMMENTS:			

STANDARD	YES	NO	N/A	SUPPORTING DOCUMENTATION MAY INCLUDE
8: Corrective Action REQUIRED: The organization has taken appropriate corrective action in response to SEA allegations, if any. If the partner has not had any past SEA allegations the partner can self-rate with “No allegation”. <i>(UN IP Protocol para 20, 22.a., & Annex A.6)</i>	<input type="checkbox"/> 1 POINT	<input type="checkbox"/> 0 POINT	<input type="checkbox"/> 1 POINT	<input type="checkbox"/> Evidence of implementation of corrective measures identified by the UN partner entity, including capacity strengthening of staff. <input type="checkbox"/> Specific measures to identify and reduce risks of SEA in programme delivery. <input type="checkbox"/> Other (please specify):
COMMENTS:				

RATING OF PSEA CAPACITY	
GRAND TOTAL	
PSEA ORGANIZATIONAL CAPACITIES	
SEA RISK RATING	

PSEA ASSESSMENT OF [NAME OF THE IP]: _____

NAME AND FUNCTIONAL TITLE OF PERSON: _____

EMAIL ADDRESS: _____

SIGNATURE _____ DATE OF ASSESSMENT _____

3. Foundations

3.1 Introduction

Global policies established by the UN and the Inter-Agency Standing Committee (IASC) guide efforts by UN agencies and partners to address SEA. These bodies recognize the need for a more concerted effort by the aid sector to tackle SEA and also focus on protecting the rights and well-being of affected populations.

Simultaneously, individual UN entities and NGOs have taken the initiative to reinforce their respective policies on PSEA, as part of their PSEA commitments outlined in the [UN Secretary General's Special Measures for Protection from Sexual Exploitation and Abuse \(ST/SGB/2003/13\)](#) and the [IASC Minimum Operating Standards for PSEA \(MOS-PSEA\)](#). The following provides an overview of relevant definitions and global policies and standards.

Sexual exploitation and abuse are forms of gender-based violence (GBV), which describes any harmful act perpetrated against a person's will that is based on socially ascribed differences between women and men.

3.2 Definition

The UN Secretary-General Bulletin ('Special Measures for Protection from Sexual Exploitation and Abuse' (ST/SGB/2003/13) introduced the following standard definition for sexual exploitation and abuse, which applies to any sector and context:

- 'Sexual exploitation' is 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.
- 'Sexual abuse' is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

SEA are forms of gender-based violence (GBV), which describes

any harmful act perpetrated against a person's will that is based on socially ascribed differences between women and men.

Although SEA can happen anywhere in society, when used as an umbrella term within the development and humanitarian sector, the term refers to SEA perpetrated by those working in, or with, development and humanitarian organizations including the UN, against affected population.

Lastly, it is important to distinguish between SEA and sexual harassment. In both instances sexual misconduct is perpetrated by personnel of UN agencies or its partners. However, the victims of SEA are affected populations or community members, while the victims of sexual harassment are personnel of UN agencies or partners themselves. This Toolkit only covers SEA. For sexual misconduct that involves personnel of UN agencies or its partners as victims, see [SG Bulletin on Prohibition of discrimination, harassment, including sexual harassment and abuse of authority \(ST/SGB/2008/5\)](#).

3.3 Global Policies and Standards

The UN and IASC have each developed global policies to tackle SEA that are complementary and serve as benchmarks for quality programming. Key documents are:

- [IASC Six Core Principles \(updated 2019\)](#), in which IASC encourages agencies to integrate the following items into their respective codes of conduct:
 1. "Sexual exploitation and abuse by humanitarian workers



The UN and IASC have each developed global policies to tackle SEA that are complementary and serve as benchmarks for quality programming.

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.

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. Any sexual relationship between those providing humanitarian assistance and protection and a person benefitting from such humanitarian assistance and protection that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.
 5. Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.
 6. Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.”
- [Secretary-General’s Bulletin \(2003\)](#) (‘Special Measures for Protection from Sexual Exploitation and Abuse’ (ST/SGB/2003/13) (‘SG’s Bulletin’)
 - Incorporates the aforementioned principles
 - Stipulates that SEA “constitute(s) serious misconduct (and) therefore grounds for disciplinary measures, including summary dismissal”
 - Obliges UN staff and all entities and individuals who have cooperative agreements with the UN to report incidents of abuse
 - The [United Nations Protocol On Allegations Of Sexual](#)

Exploitation And Abuse Involving Implementing Partners

- outlines key requirements to ensure adequate safeguards and appropriate action related to sexual exploitation and abuse are taken by entities entrusted with the implementation of a programme. This includes but is not limited to government institutions, inter-governmental organizations and civil society organizations, NGOs and implementing partners’ subcontractors.
- makes clear that the UN does not partner with entities that fail to address sexual exploitation and abuse through appropriate preventive measures, investigation and corrective action. Such failures shall constitute grounds for the termination of any cooperative arrangement with the UN.

In addition, UN agencies and partners are committed to pursuing a victim-centred approach for responding to GBV, including SEA, as stated in the [UN Protocol on the Provision of Assistance to Victims of SEA](#). This approach seeks to empower victims and promote their recovery by prioritizing their rights, needs and wishes.¹¹ Key standards for applying this approach include:

- **Safety:** The safety and security of the victim is the primary consideration.
- **Confidentiality:** Victims have the right to choose to whom they will or will not tell their story, and information should only be shared with the informed consent of the victim. (For more information on informed consent, including of children, see [Section 5.2. Assistance and Referrals](#))
- **Respect:** Respect for the choices, wishes, rights and dignity of the victim should guide the decisions by organizations. The role of case managers is to provide the victim with the information s/he needs to make informed decisions and to facilitate recovery.
- **Non-discrimination:** Victims should receive equal and fair treatment regardless of their age, gender, race, religion, nationality, ethnicity, sexual orientation or any other characteristics.

ADDITIONAL RESOURCES

Key documents

- IASC, *Plan of Action and Core Principles of Codes of Conduct on Protection from Sexual Abuse and Exploitation in Humanitarian Crisis*, June 2002.
- IASC, *Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and Non-UN Personnel*, December 2006.
- IASC, *Minimum Operating Standards for PSEA (MOS-PSEA)*, January 2016.
- IASC, *Global Review of Protection of Sexual Exploitation and Abuse from UN, NGO, IOM and IFRC personnel*, July 2010.
- IASC, *Guidelines to Implement the MOS-PSEA*, June 2013.
- Secretary-General's Bulletin, *Staff Rules and Staff Regulations of the United Nations (ST/SGB/2018/1)*, January 2018.

Overviews on PSEA

- UN Website on PSEA: <https://www.un.org/preventing-sexual-exploitation-and-abuse/>
- IASC PSEA Website: <https://psea.interagencystandingcommittee.org/>
- Safeguarding Resource and Support Hub: <https://safeguardingsupporthub.org/what-rsh>
- Interaction: <https://www.interaction.org/topics/prevention-of-sexual-exploitation-and-abuse/>
- The Core Humanitarian Standard on Quality and Accountability (CHS) Alliance: <https://www.chsalliance.org/what-we-do/psea>
- International Council of Voluntary Agencies (ICVA), *The Long Run to PSEA*, June 2018.
- Catholic Relief Services, *Strengthening Partners in Protection Against Sexual Exploitation and Abuse Toolkit*, 2021.



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4. Prevention

4.1 Introduction

The long-term goal of PSEA is to create an environment where affected populations are safe and respected and can access the protection and assistance they need without fear of any form of exploitation or abuse. However, there is growing recognition that “no country, no institution and no family is immune from sexual exploitation and abuse”¹² and therefore there is a need to prioritize preventative measures.

Managers at all levels are responsible for putting in place adequate PSEA policies and procedures, overseeing their implementation and revising them as needed.

By establishing and strengthening organizational systems and raising awareness among personnel, affected populations, and local communities on PSEA, organizations can lay the groundwork for more effective reporting of and response to violations. Likewise, effective reporting and response structures that are age, disability and gender sensitive as well as culturally appropriate can also serve as a prevention measure, for example by encouraging victims and witnesses to report violations or helping deter potential perpetrators.

This section covers the following key areas of SEA prevention and risk mitigation:

- Types of policies and procedures needed and how to monitor their effectiveness
- Features of effective training and awareness-raising
- Risk assessment and risk management for programming

4.2 Policies and Procedures

Managers at all levels are responsible for putting in place adequate PSEA policies and procedures, overseeing their implementation and revising them as needed.¹³ Having adequate systems in place makes it easier for management and personnel – even those with limited knowledge on gender-based violence (GBV), SEA, child protection, justice and other related concerns – to assume responsibilities and work jointly on this issue. Senior managers and leadership, in particular, need to demonstrate their commitment to PSEA and create an environment where all personnel prioritize accountability to affected populations and local communities.

4.2.1 Policies

Policy documents demonstrate an organization’s commitment to preventing and responding to SEA and taking strong action in response to allegations. Organizations can either use their existing documents, such as their codes of conduct, to articulate their organization’s policy or create a stand-alone PSEA policy, depending on their capacities and needs.¹⁴ In general, they should consider the following aspects when creating or strengthening these policy documents:

- **Incorporate core content**, including 1) a definition of SEA (that is aligned with the [UN’s definition](#)); 2) a clear description of behavior expected of personnel on - and off -duty (reflecting the [IASC’s Six Core Principles Relating to SEA](#)); and 3) an explicit statement of zero tolerance for SEA (i.e. SEA as a ground for disciplinary actions, which may result in termination of employment).



The long-term goal of PSEA is to create an environment where affected populations are safe and respected and can access the protection and assistance they need without fear of any form of exploitation or abuse. However, there is growing recognition that “no country, no institution and no family is immune from sexual exploitation and abuse” and therefore there is a need to prioritize preventative measures.

Accountability measures allow organizations to monitor the implementation of policies and procedures on PSEA and make improvements as needed. Accountability also entails sharing relevant information and feedback with affected populations and local communities.

- **Explicitly protect** individuals, including personnel (former and current) who report misconduct from any form of retaliation, such as adverse employment action (e.g. termination, compensation decreases, poor work assignments) for personnel and withdrawal of access to goods and services from affected populations.¹⁵
- **Consult relevant stakeholders**, such as personnel, affected populations and other communities (including children); local government authorities and informal structures (e.g. women's and human rights groups); and those with specific expertise on GBV, child protection and related issues.
- **Make the policy relevant**, ensuring that it is written in a manner that is applicable to the various contexts (i.e. local/national/global) the organization works in and is easy to understand for all of its target audiences, including personnel, and affected populations (including children). For this purpose, map the legal framework governing SEA in your country: what laws protect children and adults from SEA? What laws or statutes are related to age of consent and marriage? What laws, statutes, or rules are related to mandatory reporting?

Get sign-off from senior leadership to ensure they will provide the support needed to put the policies into practice.

- **Publicize the policy widely** by distributing it among personnel, affected populations and others (e.g. posters in public places, intranet/internet, copy with contracts, child-friendly materials) and integrating it into training and awareness-raising efforts (see [Section 3.3.Training and Awareness-raising](#)).
- **Require all personnel to sign** their receipt and acknowledgement of relevant policies, to ensure employee ownership (see [Section 3.3.2 Awareness-raising](#)).
- For additional guidance and suggested templates, please refer to [Tool 5: Template Code of Conduct](#) and [Tool 4: Sample Organizational Policy](#).

4.2.2 Procedures

Procedures outline how to put PSEA-related policies into effect and create the organizational infrastructure to support their implementation. The following actions can help establish or reinforce their internal procedures:

4.2.3 Organizational Systems

As subcontractors are subsumed within the definition of implementing partners, they are subjected to the same requirement to ensure adequate safeguards and appropriate action related to SEA. Organizations are therefore required to have a standard clause in all contracts and partnerships agreements to adopt policies that prohibit SEA and take measure to prevent and respond to SEA. See [Tool 8 for guidance and examples of PSEA clauses](#).

● Human Resources (HR) Systems

- **Clarify roles and responsibilities**, in particular of managers, HR, and personnel as per the organization's policies (see [Tool 6: Sample Roles and Responsibilities on PSEA](#)). This may include designating PSEA focal point(s) to assume key responsibilities, such as the development of internal systems, training and awareness-raising of personnel, and coordination with other relevant actors (see [Tool 7: Sample Terms of Reference \(ToR\) for PSEA Focal Point](#)).
- **Update HR processes** (as needed) to align hiring practices with SEA policies. This includes reviewing job announcements, background/reference checks, interview processes, performance processes and disciplinary measures (in the event of proven allegations) (see [Tool 9: Checklist for PSEA Sensitive Recruitment, Contracting and Performance Management](#) and [Tool 9; 10,11,12,13,14 for guidance on implementing PSEA-Sensitive recruitment](#)). Organizations may consider joining the Misconduct Disclosure Scheme that facilitates sharing of misconduct data between employers and complements other vetting processes.

- **Prepare an appropriate process for reporting and responding to allegations** (see [Section 4: Reporting](#), [Section 5: Assistance](#), and [Section 6: Investigation](#)). This may include developing guidance on how field offices can adapt these processes to their specific local context.
- **Integrate PSEA into the organization’s planning, programming and operational processes** (e.g. strategic planning, budgeting, programme cycle management) and ensure the organization allocates sufficient human and financial resources.

4.2.4 Accountability

Accountability measures allow organizations to monitor the implementation of policies and procedures on PSEA and make improvements as needed. Accountability also entails sharing relevant information and feedback with affected populations and local communities. This helps build trust in the organization and encourages them to report any serious concerns in the future. Organizations should take the following measures to ensure accountability:

- **Monitor the implementation and effectiveness of strategies** on PSEA by including one or more indicators in monitoring frameworks.
- **Include regular opportunities for community-level monitoring.** Ask questions about awareness, experiences or observations related to programming (e.g. power dynamics, quality of services, engagement with communities), including SEA, and availability /accessibility and use of reporting mechanisms.
- **Produce regular analyses of the different types of feedback/ complaints received from affected communities** in order to identify trends in satisfaction levels, priority needs, and potential rumours within communities. **Regularly communicate** to personnel, affected populations and others **regarding the organization’s efforts** and respond to their feedback on programming, including SEA-related issues without providing

details on specific cases (e.g. “In the past six months, we received feedback about x, y, and z by x number of people. Because of this, we have made the following changes...”). Organizations shall also make efforts to obtain feedback from communities on the appropriateness and effectiveness of PSEA activities including views on the quality, timeliness, relevance and effectiveness of responses. Communication with SEA victim on assistance shall ensure to avoid causing further harm and avoid raising unrealistic expectations with survivors and their families about the availability or quality of services (see [Section 5. Assistance](#)). Keeping victims informed of the investigation (and wider case handling process) is an important part of a victim-centred response. This can be done for example, before an investigation is about to start and once the report and recommendations are finalized. (see [Section 6.2. Investigation Procedures](#)).

- Take corrective measures when an SEA incident occurs. The review of organisations’ response to SEA incidents they have received is now part of the UN Common Assessment (Core Standard 8). Failure to take corrective actions can lead to the termination of partnership with UNICEF (see 11.2 of General Terms and Conditions for Programme Cooperation Agreements).

Document and share progress, opportunities and challenges in prevention and response with senior management and other key stakeholders (e.g. donors, partners, independent bodies, inter-agency groups, communities), including in relevant reports (e.g. annual, donor reports).

4.3 Training and Awareness-raising

Misconceptions and a lack of willingness or capacity by some personnel to adequately address SEA frequently prevent organizations from implementing PSEA policies. Training and awareness-raising of personnel play a central role in building an organizational culture that does not tolerate abuse. These efforts can

Misconceptions and a lack of willingness or capacity by some personnel to adequately address SEA frequently prevent organizations from implementing PSEA policies. Training and awareness-raising of personnel play a central role in building an organizational culture that does not tolerate abuse.

In areas where affected populations and communities struggle economically and violence against women and children is more prevalent, organizations should anticipate that some personnel may attempt to abuse their power, particularly if they are involved in distributing food, water, health supplies, or cash.

help address knowledge gaps and create a more open discourse on SEA, which remains a sensitive issue in many cultures.

4.3.1 Training

Organizations should organize mandatory training on PSEA for all their personnel upon induction and on a regular basis (see [Tool 15: Sample PSEA Training Agenda](#)). PSEA trainings and sessions play a key role in the establishment and maintaining of an organisation culture that does not tolerate any situation of sexual exploitation and abuse. More particularly, PSEA trainings and sessions aim at the following:

- Ensure that personnel understand what sexual exploitation and abuse is, including the definitions, examples and scope.
- Communicate PSEA not only as a Code of Conduct but more importantly as a set of norms, attitudes, beliefs and values nurtured within the organization
- Encourage dialogue and open discussions on SEA, which remains a sensitive issue in many contexts.
- Foster the creation of an enabling environment where staff feels safe to bring up PSEA related matters

Organizations can draw on existing training modules to develop training content that is most relevant for their participants.¹⁶ In order to make their trainings most effective, organizations should:

- **Include core content**, such as 1) a clear definition of SEA (that is aligned with the [UN's definition](#)); 2) a code of conduct and a clear prohibition of SEA and statement of the zero tolerance policy; 3) a presentation of organization's reporting channels for staff and affected population and whistleblower protection measures; 4) SEA risk mitigation approaches; and 5) a briefing on the requirement to orient/refer victims for assistance

- **Offer in-person, highly interactive trainings** to ensure that personnel retain the information and are able to apply it in practice. Avoid merely prescriptive trainings, ensure opportunities are provided for personnel to exchange and discuss on topics that are likely deemed sensitive. Training sessions should include discussions, group work, scenarios and case studies, to ensure participants fully understand the actions they are required to take should they receive a SEA allegation.
- **Discuss the impacts** (short, mid and long term) of SEA, both on the victim, the community and the organisation
- **Adapt training content to the audience** by describing their PSEA-specific roles and responsibilities and presenting examples of SEA that participants might encounter in their everyday work. Ensure the scenarios and case studies are adapted to the local context.
- **Increase accountability** by requiring participants to acknowledge in writing their responsibilities for complying with the code of conduct and the consequences for breaching it.
- **Offer regular refresher trainings** to ensure that personnel are aware of the latest policies and procedures.¹⁷

4.3.2 Awareness-raising

Organizations should conduct activities to raise awareness among their personnel, affected populations and local communities, including children, and others, on PSEA and their organization's relevant policies and procedures. For example, some affected populations and community members may not understand what SEA is, why it is dangerous, what their rights are, and what they can do to prevent and respond to incidents. Personnel also need regular reminders so that they can realize their roles and responsibilities in reporting and responding to SEA. Awareness-raising efforts may include the following actions:

- **Develop core PSEA messages for**

- **Affected populations and community members covering 1) affected population** rights (i.e. assistance is free and those receiving aid do not have to give anything in return; the right to be informed about the project/programme and how to access services; the right to be treated with respect, the right to report inappropriate behaviour, etc.) 2) prohibited behaviour of humanitarian / development organization's personnel (code of conduct and zero tolerance policy); 3) how to report complaints (e.g. hotlines, contact of PSEA focal points)
- **Personnel** covering 1) definition and prohibition of SEA, 2) relevant roles and responsibilities, 3) the organization's reporting and referral procedures, including relevant contact details (e.g. PSEA focal points)

- **Produce communication material on PSEA and widely disseminate it** by using a variety of communication channels

(e.g. website, social media, staff/community meetings, posters, radio or television announcements, town criers, story boards) and trainings, in order to appropriately inform staff and local populations (see [Section 3.3.1. Training](#); see [Section 4.2. Reporting Mechanisms](#) and list of resources included at the end of the section for guidance / template). In some cases, there may be opportunities to work with other organizations on awareness-raising activities, including as part of GBV and child protection campaigns. Organizations should highlight affected populations' rights in project/programme awareness materials before and during implementation.

- **Adapt communication messages, materials and channels** to the various target audiences, including children, using relevant languages and a communication style that is appropriate and accessible to the audience, especially to groups considered at higher risk of abuse (see [Tool 2: PSEA Risk Assessment and Management for Safe Programmes](#)). For example, adolescent girls may be more comfortable discussing personal issues as part of peer-to-peer discussions, while some personnel may prefer to receive information

in a memo or short email. Always test communication materials and messages with the target audience before dissemination.

- **Be aware of the risks involved in communicating on SEA:** All communication on PSEA should be assessed for any harm that may be caused. For example, encouraging the uptake of services could in some contexts be dangerous as victims may face further abuse for coming forward or be incarcerated for breaking local laws. Instead staff involved in awareness raising on PSEA should develop messages that help affected populations feel empowered to take actions in a safe manner.

4.4 Risk Mitigation and Safe Programming

Sexual exploitation and abuse is a form of GBV that constitutes an abuse of power by aid workers against the affected population. While GBV/SEA can happen in any settings against anyone, humanitarian and development projects can exacerbate existing risks or create new risks of GBV including SEA, depending on their scope and scale. For example, in areas where affected populations and communities struggle economically and violence against women and children is more prevalent, organizations should anticipate that some personnel may attempt to abuse their power, particularly if they are involved in distributing food, water, health supplies, or cash. SEA incidents may occur even when programmes do not directly involve affected populations, for example when personnel interact with participants off-site or in their free time. There are also risks of online SEA whereby perpetrators use information and communication technology (e.g. emails, texts, social media, communication apps) to commit abuses.¹⁸

In order to identify and mitigate or avoid risks of SEA through programming¹⁹, organizations should take the following actions:

- **Conduct thorough and inclusive risk assessments** on GBV and SEA before designing projects, if possible as part of the initial needs assessment (see [Tool 2: PSEA Risk Assessment](#)

Community consultations should be integrated to the initial needs assessment as well as routine monitoring to identify locally relevant risks and protection measures (in line with international laws and standards). Consultations should be safe and culturally appropriate.

and Management for Safe Programmes).²⁰ Many of the GBV Risk assessment tools and resources ²¹ can be used to mitigate risks of SEA. This may include site safety mapping, focus group discussions with affected populations and other stakeholders (including women, children, local authorities/communities, etc.) and other relevant research methods. As part of this assessment, it is useful to identify groups that are most marginalized and at heightened risk of SEA (e.g. children with disabilities) to ensure that design strategies are as targeted and effective as possible.²²

- **Consult with affected populations and local communities**, including at-risk groups such as adolescent girls, people with disabilities, lesbian, gay, bisexual, transgender, queer/questioning, and intersex (LGBTQI+) communities. Community consultations should be integrated to the initial needs assessment as well as routine monitoring to identify locally relevant risks and protection measures (in line with international laws and standards). Consultations should be safe and culturally appropriate.
- **Incorporate general prevention and safety measures for SEA** in the organization's standard programme design such as:
 - Ensure that safe recruitment practices are followed for hiring programme personnel, including local volunteers, day labourers, etc. This includes using a recruitment panel that includes at least one woman (see [Tool 9: Checklist for PSEA Sensitive Recruitment, Contracting and Performance Management](#)).
 - Ensure that all personnel are trained on PSEA and have signed the code of conduct, and reporting and response procedures are set up before the start of the programme.
 - Include female personnel in programme implementation teams where possible, given that the majority of perpetrators of SEA are men—specifically if their roles require direct interactions with affected populations (e.g. food distribution, health clinics, child-friendly spaces, schools/temporary learning spaces,

community centers).

- Ensure that there are shared responsibilities for processes during programme intervention so that more than one person is involved ('segregation of duties').
 - Engage women and at-risk groups in the planning, design, implementation and monitoring of activities to the extent possible and if safe for those involved.
 - Provide assistance interventions in safely accessible and well-lit areas.
 - Design programmes in a manner that limits one-on-one interactions between affected populations, particularly children, wherever possible.
 - Proactively communicate information about aid distribution procedures to the community ('aid is free'; administrative requirements; affected populations; how to report concerns, etc.) and take advice from the community to engage effectively.
 - Prominently display in their offices and on work sites SEA-related information and the organization's policies and procedures, including how to report inappropriate behaviour by the organization's personnel, using a language and communication style that personnel and communities can understand.
- Ensure safe programming and take programmatic actions to minimize SEA risks and help connect victims to appropriate care in cross-sectoral programming and in distinct sectors (see [Tool 3: Sample Programmatic Actions by Sector for Minimizing PSEA Risks](#)). Organizations should also ensure that SEA-related prevention and safety measures are reflected in programme budgets and monitoring frameworks.

ADDITIONAL RESOURCES

Policies and procedures

- Keeping Children Safe, *Child Safeguarding Standards and How to Implement Them*, 2014.
- CHS Alliance, *PSEA Implementation Quick Reference Handbook*, 2017.
- Interaction, *Interaction Step by Step Guide to Addressing Sexual Exploitation and Abuse*, June 2010.
- Safeguarding Resource and Support Hub, *How to develop your safeguarding organisational policy*, 2022.
- CHS Alliance, *Guidance Note - How to create an effective Code of Conduct*, 2021.
- RSH and CHS Alliance, *How to develop and update your code of conduct*, 2021.

Prevention

- Operational guidance to reinforce protection from sexual exploitation and abuse during COVID-19

Training modules

- UNICEF PSEA e-learning course (through Agora), available in several languages
- Safeguarding Resource and Support Hub, *RSH E-Learning: Safeguarding Matters*, available in several languages, 2021
- UN, Preventing Sexual Exploitation and Abuse, *Training*
- IASC, *IASC Learning Package on Protection from Sexual Misconduct*, 2020
- UN CEB, IASC *New Facilitators' Guide: A session on values, attitudes and organisational culture in relation to prevention of sexual misconduct (Sexual Exploitation and Abuse and Sexual Harassment)*, 2021
- Interaction, *Interaction Prevention of Sexual Exploitation and Abuse Training Guide*, December 2013.
- Interaction, *Interaction video "No Excuse for Abuse"*, available in over 40 languages
- CARE, *Workplace culture toolkit*, 2021
- Kaya – Online course *Safeguarding Essentials*

- International Medical Corps and Concern Worldwide *Safeguarding Focal Point Training*, 2020
- UNICEF *Child Safeguarding Training on Agora*

Recruitment process

- IASC, *Challenges and options in improving recruitment process in the context of PSEA by our own staff*, April 2014.
- The Steering Committee for Humanitarian Response, *The Misconduct Disclosure Scheme*, December 2018.
- Action Against Hunger *PSEA in the Employee Lifecycle*
- UNICEF *Recruiting Safe Candidates webinar on Agora*

Awareness raising

Examples of materials used for community engagement on PSEA (posters, pocket cards, etc.)

- IASC, *IASC PSEA - Community Engagement repository*
- WFP, IOM, *PSEA at the Frontline – Together we say no*, available in 22 languages
- Ethiopia PSEA Network *IEC Materials*

- Habitat for Humanity International, Oxfam International, Wateraid, *Community-based safeguarding visual toolkit*, an adaptable toolkit for communicating key safeguarding messages derived from the (IASC) Six Core Principles Relating to Sexual Exploitation and Abuse to the communities, available in a number of languages.

Risk mitigation and risk management

- UN Peace Operations, *Sexual Exploitation and Abuse Risk Management Toolkit*, June 2018.
- IASC, *Guidelines for Integrating GBV Interventions in Humanitarian Action*, September 2015.
- Global Protection Cluster, *Protection Mainstreaming Toolkit*, 2017
- Global Women's Institute, *Empowered Aid's Free Online Course to Mitigate the Risk of SEA in Aid Distribution*, 2021
- RSH, *Safe programmes training package*, 2021
- IOM, *Joint SEA Risk Assessment Technical Note*, 2022
- UNHCR *SEA Risk Management Tool*

5. Reporting

5.1 Introduction

Victims and witnesses rarely speak out on SEA due to fear of potential repercussions (e.g. losing assistance, stigmatization), a lack of adequate reporting channels, and other factors. Similarly, personnel also do not always share information or concerns about potential SEA, for example due to fear of retaliation (e.g. bullying or job loss) or because they do not want to cause problems for their colleague(s) or harm their organization's reputation.

Regardless of the accountability mechanism(s) used, partners will need to have their own reporting procedures to facilitate prompt and confidential internal reporting to senior management and subsequently UNICEF and other relevant actors.

Organizations can (re-)design their reporting channels to reflect these concerns and encourage safe and confidential reporting by personnel and affected populations, as part of their overall commitment to PSEA. More effective reporting of SEA is also an essential step to ensure victims receive appropriate assistance and to end impunity.

This section covers the following key aspects of reporting SEA allegations:

- Core principles of effective reporting
- Types of reporting mechanisms
- Awareness-raising on available reporting channels
- Sharing reported information with UNICEF.

5.2 Reporting Mechanisms

All individuals receiving assistance from humanitarian and development organizations should be able to safely report SEA. Organizations can use both internal and external reporting

mechanisms to facilitate reporting of SEA allegations or concerns by personnel and affected populations. Where possible, they should seek to incorporate PSEA reporting mechanisms into broader feedback or complaints mechanisms in order to benefit from these channels' levels of trust, discretion and resources. Regardless of the accountability mechanism(s) used, partners will need to have their own reporting procedures to facilitate prompt and confidential internal reporting to senior management and subsequently UNICEF and other relevant actors. Reporting mechanisms should also have the ability to refer SEA complaints involving personnel of another entity (e.g. UN agency, NGO) to the respective entity for follow-up, where legally possible.

Organizations should consider the following elements when (re-)designing and using reporting mechanisms:

- **Consult affected populations and local communities** (including women, children, people with disabilities, and other relevant stakeholders) on risk factors for SEA; challenges for raising complaints; preferred methods for reporting; and how to make reporting mechanisms safe, confidential, transparent and accessible.
- Ensure that reporting mechanisms adhere to core principles of effective reporting:
 - **Safety:** avoid creating or exacerbating risks for those reporting allegations or concerns, as well as other parties involved (e.g. victim, alleged perpetrator). This involves ensuring that referral procedures and protection measures (e.g. whistleblower policy) are set up before promoting the use of a reporting mechanism



Consult affected populations and local communities, including women, children, people with disabilities, and other relevant stakeholders) on risk factors for sea; challenges for raising complaints; preferred methods for reporting; and how to make reporting mechanisms safe, confidential, transparent and accessible.

(see [Section 5.2. Assistance and Referrals](#)). Organizations should also restrict access to incident reports and keep reports stored safely (e.g. using passwords or encryption for computers, locked cupboard or locking offices when unattended).

- **Confidentiality:** enforce strict information-sharing practices, i.e. limiting the number of people who have access to the reported information on the need-to-know basis ; using code names when referring to those involved and omitting information that could reveal their identity (e.g. names; date of birth, address, phone number, description of unique physical traits); and keeping such information separate from incident and related reports. People should also have the option of anonymous reporting.
- **Transparency:** obtain the prior informed consent of the complainant, unless the complainant is a member of personnel at the UN or a partner organization, as they have a mandatory obligation to report SEA to their organization²³. Organizations should share confidentiality procedures with all complainants, explaining clearly how information will be shared, with whom and for what purpose including for investigations and assistance to victims. Mandatory reporting should be done in a way that respects victims' right to confidentiality, providing them an opportunity to reflect on what aspects of their case they want to disclose or not. For children who are too young to understand, this information should be shared with their trusted adult. This also includes notice of the organization' obligations for mandatory reporting (see [4.3. Reporting Allegations to UNICEF](#)).
- **Accessibility:** make reporting mechanisms easy to use and remove potential barriers to usage (e.g. difficult or foreign language, costs and time needed for using them, inaccessible), keeping in mind their target audiences, including people of different ages, genders, educational backgrounds, abilities, etc.²⁴ Reporting mechanisms need to be child-sensitive and the procedures need to include the need to secure informed

consent/assent for the child and prioritisation of the best interest of the child²⁵. Likewise, the communication materials need to be child-friendly.

- **Identify to what extent their organization can use existing complaints mechanisms** to enhance internal reporting. This includes assessing to what extent these mechanisms adhere to the above-mentioned core reporting standards and allow access to reports concerning their personnel for response and follow-up.. The PSEA network (where it exists) or other coordination bodies such as the Accountability towards Affected Population working group can help organizations to identify relevant complaints mechanisms in-country.
- **Give personnel and affected populations, including children, access to multiple reporting mechanisms** that meet their needs and preferences to the extent possible. For example, some people may be too embarrassed to talk to a person about an incident, while others may not feel comfortable sending sensitive information via email or may not have access to Information and Communication Technology or service coverage. Similarly, some community members (or personnel) may not trust internal reporting channels and prefer to share information with an external body (see point below on [community-based complaints mechanisms - CBCM](#)). Possible reporting mechanisms (internal/ external) may include in-person reporting to designated personnel (e.g. direct supervisors, PSEA focal points or internal oversight offices), inter-agency staff, or others²⁶; reporting via free phone hotlines, SMS, text messaging or email;²⁷ or use of secure suggestion/complaint boxes (with no specific signage on them, to avoid any direct association with SEA).
- **Widely publicize all available reporting channels** to personnel, affected populations and local communities (see [Section 3.3.2: Awareness-raising](#)). Importantly, organizations should inform personnel about mandatory reporting both in writing (e.g. memo, detailed email) and verbally (e.g. meeting, conference call), incorporating the following content:

Where interagency reporting channels are established and functioning, organizations should link their reporting channels to these interagency mechanisms. Interagency CBCMs allow communities that receive services from multiple organizations to access one channel for reporting allegations involving personnel, thus facilitating more streamlined, efficient reporting.

- A clear description of behaviours that constitute SEA, stressing the need to report when in doubt about a case
- The obligation of all personnel to report any suspicions or concerns, and consequences for failing to report (e.g. disciplinary measures)
- The option of reporting information anonymously
- The organization's protections for those who make an allegation in good faith (e.g. whistleblower policy, protection plans for complainants)
- Details regarding who to report to and what information to share to allow for proper response and follow-up
- Explanation of how the organization will use the information (i.e. who will receive the reports and the internal procedure for response and follow-up). This is critical in order for the victim to be in control of what information they want to share.
- Ensure that the report of the alleged incident is as detailed as possible ([Tool 15: Sample Incident Report Form for SEA Allegations](#)²⁸) while adhering to the aforesaid principles of effective reporting (see [core principles of effective reporting](#)). Organizations should train personnel who may receive complaints (e.g. PSEA focal points, protection officers, Monitoring & Evaluation officers) on relevant procedures and remind them to:
 - Use the complainant's own wording to describe facts, violations and persons involved in the case to the extent possible.
 - Indicate where relevant information is missing and add essential contextual information where needed.
 - Remember that their role is not to investigate but rather to relate the facts for others to follow up.

- Where interagency mechanisms are established and functional, organizations' reporting channels should be linked to these interagency mechanisms. Interagency CBCMs allow communities that receive services from multiple organizations to access one channel for reporting allegations involving personnel, thus facilitating more streamlined, efficient reporting. The interagency CBCM approach is currently under review by the IASC.

5.3 Reporting Allegations to UNICEF

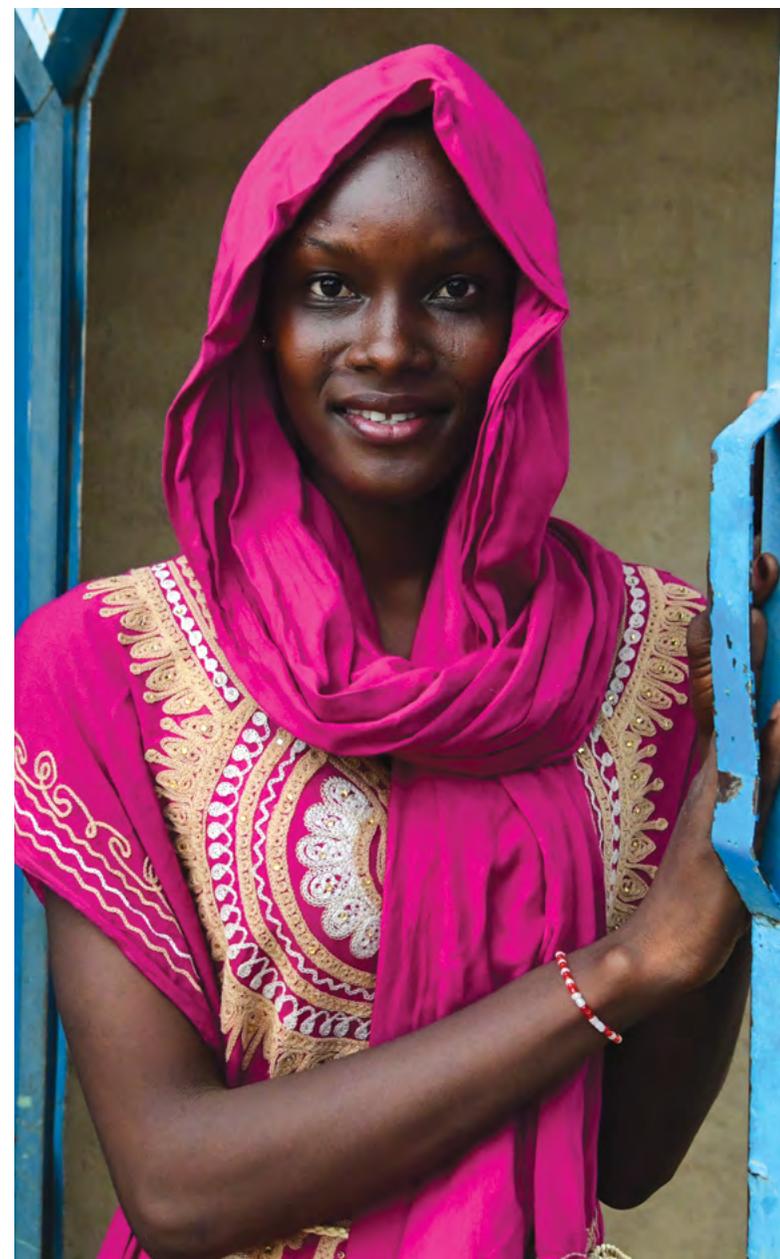
Partners' reporting obligations partially derive from their relationship with UNICEF. As a part of the UN system, UNICEF is required to report any SEA allegation involving its own or its partners' personnel to the UN Secretary-General on a quarterly basis. Accordingly, beyond reporting to their own management, CSO partners signing an Partnership Cooperation Agreement with UNICEF (or where appropriate, academic institutions) are required to "promptly and confidentially, in a manner that assures the safety of all involved, report allegations of sexual exploitation and abuse" arising from their Partnership Agreement to UNICEF.²⁹ Partners can submit their concerns or suspicions to the UNICEF Country Office PSEA focal point(s), UNICEF Head of Office in-country or the UNICEF Director, Office of Internal Audit and Investigations (OIAI), through the email hotline (integrity1@unicef.org).

Partners' reporting obligations partially derive from their relationship with UNICEF. As a part of the UN system, UNICEF is required to report any SEA allegation involving its own or its partners' personnel to the UN Secretary-General on a quarterly basis.

Furthermore, partners should keep UNICEF (through the head of the respective country office) informed on reported cases by sharing regular updates on findings relating to the case, the investigation process and outcome (see [Section 7.3. Involvement of UNICEF in Investigation Process](#)) and referrals for victims and others.

ADDITIONAL RESOURCES

- IASC, [Best Practice Guide Inter-Agency Community-Based Complaints Mechanisms](#), 2016
 - Resource and Support Hub, [How to Design and Manage Community-based Complaints Mechanisms \(CBCM\)](#), 2021
 - Safeguarding Resource and Support Hub, [RSH E-Learning: Safeguarding Matters](#), E-learning with 5 modules covering safeguarding, safe programming, complaints management, partners assessment, safe monitoring and learning, available in several languages, 2021
 - Save the Children, [Programme Accountability Guidance Pack. A Save the Children Resource](#), 2013 (particularly chapter 4 'Handling feedback and complaints', pp. 25–42)
 - Transparency International, [Complaints Mechanisms Reference Guide for Good Practice](#), 2016 (Note: This guide is focused on anti-corruption and malpractice but contains guidance that is applicable to other types of complaints mechanisms.)
 - PLAN International, [Child-Friendly Feedback Mechanism Guide and Toolkit](#), 2018
 - CRS, [Communicating with communities on PSEA](#), 2021
- Examples of materials used for community engagement on PSEA (posters, pocket cards, etc)**
- IASC, [IASC PSEA - Community Engagement repository](#)
 - WFP, IOM, [PSEA at the Frontline – Together we say no](#), available in 22 languages
 - Ethiopia PSEA Network [IEC Materials](#)
 - Habitat for Humanity International, Oxfam International, Wateraid, [Community-based safeguarding visual toolkit](#), an adaptable toolkit for communicating key safeguarding messages derived from the (IASC) Six Core Principles Relating to Sexual Exploitation and Abuse to the communities, available in a number of languages.



6. Assistance

6.1 Introduction

Global policies and commitments on PSEA and the UN Protocol on the Provision of Assistance to Victims of SEA emphasize a victim-centred³⁰ and rights-based approach that supports the victims to receive the protection and remedies they desire, need and are entitled to.

Furthermore, supporting victims to access quality services in a timely manner is essential to help them and the affected populations to regain trust in the integrity of aid organizations. UNICEF is committed to working with partners to provide and/or facilitate quality services to victims, as part of ongoing child protection (CP) and gender-based violence (GBV) programming.³¹

This section covers the following key aspects of facilitating assistance to victims:

- Principles of assistance, including types of services (e.g. psychosocial, medical, legal)
- Referral processes, including informed consent/assent
- Victim-centred approaches to service provision

6.2 Assistance and Referrals

All organizations have a responsibility to ensure victims of SEA allegedly perpetrated by their personnel receive immediate professional assistance, by referring them to relevant service

providers, as per the victim's wishes and with their informed consent/assent. Referrals to assistance should be made based on the existing GBV and CP referral pathways and/or service mappings, and in line with the interagency PSEA SOPs, where these exist. Organizations should consider the following aspects and good practices when facilitating assistance:

- **Ensure that victims have access to assistance** immediately upon receipt of a report or within 24 hours from the time the disclosure or allegation is received, based on their needs and wishes, regardless of decisions by organizations or others to investigate the case and regardless of the status/outcome of an investigation. Victims are not required to participate in an investigation, identify the perpetrator or prove that the allegation is true to access services. As appropriate, organizations should also account for the protection and support needs of witnesses, complainants, and other individuals connected to the case (e.g., whistleblowers), as per the UN Victims' Assistance Protocol.
- **Have an updated list of local service providers**, which should provide options for both children and adult victims (e.g. names of a paediatric and adult medical care provider). In many cases, organizations can use or adapt the mapping of existing GBV and child protection services and referral pathways of relevant inter-agency bodies, such as the in-country PSEA network and in-country GBV and child protection coordination groups. Especially in cases involving children, organizations should also consult with UNICEF country offices.³² The table below provides an overview of the types of services victims may need and should have access to.

All organizations have a responsibility to ensure victims of SEA allegedly perpetrated by their personnel receive immediate professional assistance, by referring them to relevant service providers, as per the victim's wishes and with their informed consent/assent.



Investigating allegations is essential to implementing the zero-tolerance policy of the UN and its partners on SEA and increasing accountability for violations.

TABLE 1: Types of services and support victims may need to access³³

SERVICE	DESCRIPTION
SAFETY	Immediate safety or protection measures for victims and witnesses to address the risk of retaliation or further violence, such as victim safety planning, safe shelter (i.e. space that offers temporary safety to individuals fleeing harm), relocation support
MEDICAL CARE	Medical care, including post-exposure prophylaxis (PEP) to prevent HIV (within 72 hours of possible exposure); treatment for sexually transmitted infections (STIs), pregnancy care, emergency contraception
DIGNITY KITS	Dignity kits are generally provided to women and girls. They typically contain basic hygiene products (sanitary napkins, soap, toothbrushes and toothpaste), underwear and information on available GBV services including where and how to access them.
PSYCHOSOCIAL SUPPORT	Mental health care, emotional and practical support, either individual or community-based
LEGAL SERVICES	Legal assistance services, including free legal counselling, legal representation and other support (Note: If possible, such legal representation and support should be provided independently from the alleged perpetrator's employer.) Legal assistance can be provided within the framework of child protection and GBV referral systems and/or in a holistic way. The legal assistance can be part of the child protection and GBV referral systems and/or be provided in a multi-purpose center (holistic approach).
BASIC MATERIAL ASSISTANCE SOCIO-ECONOMIC EMPOWERMENT/ LIVELIHOOD SUPPORT	This includes support such as food, clothing, shelter, schooling assistance (to prevent dropout or encourage re-enrolment), and livelihood support (e.g., income-generating activities, vocational training and paid work for adults, or job skills and savings programs for older adolescents). However, when the victim is a child, the caregiver must be able to access livelihood support to support him or herself and the child.
SUPPORT FOR CHILDREN BORN AS A RESULT OF SEA	Medical and psychosocial care and pursuit of paternity and child support claims, in conjunction with relevant national governments. The UN may also facilitate applications for paternity, child support and related benefits such as nationality or citizenship for children born as a result of sexual exploitation or abuse. This could be pursued by a guardian or the child themselves. The UN should refer victims to legal assistance in line with their wishes and can link them with the appropriate officials in the country where they wish to bring their claim.

- **Have a set procedure to guide the receipt of allegations and referral to assistance** that is aligned with existing inter-agency procedures and protocols. The process should outline the steps that personnel, particularly those receiving complaints, need to take and should provide them with referral forms (see [Figure 1](#) and [Tool 17: Sample Referral Form](#)). Make sure that those involved in the process are adequately trained on how to safely and

confidentially refer victims to assistance, including cases involving children. If possible, the process should entail referring the victim first to a GBV/CP case worker or social worker, who can then facilitate referral to other appropriate services. If organizations are unable to conduct the referral process on their own, they should contact external and pre-identified GBV or child protection service providers or organizations for support.

FIGURE 1: Key steps involved in the referral process



Note that caseworkers should be flexible in applying these steps and should adapt this process to meet the needs of the victim, including those who are children.

When dealing with children, caseworkers should communicate the information in a child-friendly manner, adapting it to the child's age and development, language, gender and culture (i.e. simplifying content) and obtain informed consent from both the child (taking into account his/her evolving capacities) and one of the child's parents or guardians.

- **Always obtain informed and voluntary consent/assent** before facilitating assistance, respecting the right of a person³⁴, including children (depending on their age and capacities), to freely choose which type of support services they want to access or to decline services entirely. Informed consent is the voluntary agreement of an individual who has the capacity to give consent to pursue a legal procedure or receive services. Informed assent is used for children who are too young to provide informed consent but old enough to understand the implication of the procedures to be followed or to participate in the recommended services. To facilitate informed consent/assent, caseworkers must ensure that the adult or child victim fully understands the service options available to them and the referral process, potential risks and benefits of receiving services, and what information will be collected and how it will be used and shared within and outside the organization. This includes information about confidentiality and its limits (see point below regarding '[confidentiality](#)'). During this consultation, caseworkers should avoid raising unrealistic expectations among victims particularly in locations where adequate services are limited, such as remote or emergency settings.³⁵

When dealing with children, caseworkers should communicate the information in a child-friendly manner, adapting it to the child's age and development, language, gender and culture (i.e. simplifying content) and obtain informed consent from both the child (taking into account his/her evolving capacities) and one of the child's parents or guardians.³⁶ At the same time, it is essential for organizations to ensure that the best interests of the child serve as the primary guide for making decisions regarding assistance and referrals (see point below on '[the best interests of the child](#)').

- In the case of children, **prioritize the best interests of the child**, choosing the course of action that is most effective in protecting the child's rights to safety and ongoing development. For example, in some cultures, the victim's parents/caregivers may want (or force) the girl to get married to the alleged

perpetrator to 'protect family dignity' or for other reasons, which violates the girl's rights and exposes her to additional harm. In such instances, experienced caseworkers can help the girl and her parents/caregivers make informed decisions, applying the best interests of the child principle. Depending on their in-house expertise and the complexity of the case, organizations may also need to request technical support from UNICEF and/or other GBV and child protection partners, while respecting confidentiality.

- **Respect confidentiality**, protecting personally identifiable information of victims and all those involved in the alleged incident. Organizations should collect, share and store information on these cases safely and according to agreed-upon data protection policies (also see '[principles of effective reporting](#)'). In particular, organizations should share this information only with a limited number of individuals and on a need to know basis and ensure this happens with the victim's explicit permission (informed consent).

In exceptional cases, organizations may need to refer cases – even without the victim's informed consent – when there is a serious and imminent threat of harm to the victim or others or when they are required by law to report abuse. The best practice is to ensure involvement of the victim in all aspects of their case and ensure that they are fully informed. Organizations should always explain to victims (and their guardians where appropriate) these limitations of confidentiality (see '[informed consent](#)').

- **Consider potential risks for victims (and their families)** and take safety precautions, as needed. This means being careful to avoid causing any additional harm to victims (and their families) as a result of how the case is being managed (e.g. possible revenge acts due to mishandling of case information). Organizations should also be careful to manage victims' expectations regarding the organization's capacity to ensure the victim's safety. As a best practice, services should not be provided by a service

provider from the same organization that employs the perpetrator. If this cannot be avoided (e.g., when specialized GBV/CP services are only available through the organization that employs the perpetrator), it is recommended the organization and the case worker take necessary measures to ensure protection and safety of the victim. UNICEF can provide guidance on how to support child victims in a safe and appropriate manner, including through specialized CP services that may be available.

- Ensure that one staff member is appointed to communicate with

the victim until case closure. This includes providing updates on the status of their case, on the status of the investigation and any information on assistance.

For additional information and guidance on assistance to victims of SEA, including special considerations for child victims in the context of accountability and investigation procedures, organizations can consult the [Technical Note on the Implementation of the UN Victims' Assistance Protocol](#).

ADDITIONAL RESOURCES

Assistance for all victims

- UNICEF, [Technical Note on the Implementation of the UN Protocol on the Provision of Assistance to Victims of SEA](#), October 2021
- UN, [United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse](#), December 2019
- IASC, [Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action Reducing risk, promoting resilience and aiding recovery](#), 2015.

- UNFPA, [Minimum Standards for Prevention and Response to Gender-based Violence in Emergencies](#), 2015.
- United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel (A/RES/62/214), 2008
- GBV Guidelines Reference Group, [How to Support a Victim of Gender-Based Violence when there is no GBV Actor in your Area - GBV Pocket Guide](#), 2018
- UNICEF, [Service Mapping Tool in Communities Care: Transforming Lives and Preventing Violence Programme](#), 2014.

- UN, [The UN Trust Fund in Support of Victims of Sexual Exploitation and Abuse; Quick Reference Guide](#)

Assistance for child victims

- International Rescue Committee/ UNICEF, [Caring for Child Survivors of Sexual Abuse: Guidelines for health and psychosocial service providers in humanitarian settings](#), 2012
- Child Protection Working Group, [Inter-agency Guidelines for Case Management and Child Protection. The Role of Case Management in the Protection of Children: A Guide for Policy and Programme Managers and Caseworkers](#), January 2014

7. Investigation

7.1 Introduction

Investigating allegations is essential to implementing the zero-tolerance policy of the UN and its partners on SEA and increasing accountability for violations. The below section covers administrative investigations, i.e. legally based and analytical process designed to gather information in order to determine whether wrongdoing occurred and if so, the persons or entities responsible.³⁷ This process is distinct from criminal investigations, that investigates criminal conduct prohibited by the applicable criminal code, conducted by law enforcement authorities.

Organizations should have a standard process (or policy) to ensure investigations of SEA allegations follow due process and protect the safety and rights of those involved, including victims, witnesses and alleged perpetrators.

Organizations are required to ensure that investigations of allegations of SEA involving their personnel take place without delay. However, conducting such investigations can be a dangerous, complex and often costly undertaking. Even in cases where organizations have strong PSEA policies that include disciplinary measures against perpetrators, they may lack the internal capacities or resources needed to conduct or oversee the needed investigations; there may also be a lack of qualified investigators in the locations they work in and/or weak capacities of national and local law enforcement agencies.

This makes it even more essential for organizations to assess their investigation capacities early-on (see [Section 1: Organizational Self-Assessment](#)) and work with relevant donors and/or other partner organizations to identify options to meet their needs and capacities (e.g. using pro bono legal and investigative services, requesting a partner to sponsor/deploy investigator(s)).

This section covers the following key aspects of investigations:

- Internal processes for reviewing allegations
- Management of investigations
- Follow-up to investigations
- Involvement of UNICEF in investigation processes involving partners.

7.2 Investigation Procedures

Organizations should have a standard process (or policy)³⁸ to ensure investigations of SEA allegations follow due process and protect the safety and rights of those involved, including victims, witnesses and alleged perpetrators. This includes ensuring procedural fairness for the alleged perpetrator while ensuring a victim-centred approach for the victim, respecting his/her rights to safety, confidentiality, respect and non-discrimination (see [Section 2: Foundations](#)).

The following are some key points for organizations to consider when managing (or overseeing) investigations:

- **Set up an internal process for reviewing all allegations,** which involves
 - reviewing the complaint and determining whether an internal investigation can/should be opened. Some criteria for making decisions regarding the investigation process include the nature of the abuse (whether it constitutes a breach of the

Organizations are required to ensure that investigations of allegations of SEA involving their personnel take place without delay.



organization's policy, code of conduct or procedures); the credibility of the allegation (whether there is a reasonable factual basis that the misconduct occurred), availability of evidence and witnesses; verifiability of the information received, including what steps could feasibly be taken to identify potential victims and/or the subject (if unknown); and risk(s) for the victim(s) associated with the investigation process. In general, organizations should always keep a written record explaining the rationale for their course of action, including where a decision is taken to close a case without initiating a full investigation; this is particularly useful if they decide to revisit the case at a later stage or if a report is subsequently made against the same alleged perpetrator.

- reviewing whether the allegation constitutes a criminal offence in local law, and considering whether to refer to local law enforcement authorities (where appropriate as determined by the organization and with the informed consent of the victim)³⁹
 - Identifying immediate safety risks for the victim and possible interim measures to mitigate risks to the victim and other beneficiaries, if there is a basis to do so (e.g., transfer, suspension, change of job responsibilities of the subject of complaint/alleged perpetrator to prevent contact with the victim and/or other beneficiaries), as well as any other measures that may need to be taken to preserve evidence.
 - Identifying immediate needs for assistance for victims and others;
 - Planning communication with the parties involved, partners and others.
- **Establish policies and procedures for investigations**, whether they are carried out internally or externally. Comprehensive preparation and management of investigations is key to ensuring a quality, victim-centered investigation process. The investigation policies and procedures should reflect the fundamental standards of investigation, the due process rights for the subject of complaint and guidance on how to apply a victim-centred approach to investigations. For more information on the fundamental standards of investigation, please refer to the

resources and toolkits listed at the end of the section.

- **Deploy or hire experienced, impartial and trained investigator(s)** who are qualified to handle cases that require a high degree of sensitivity and confidentiality (see [Tool 18: Sample Terms of Reference for Investigator of SEA Allegations](#)).⁴⁰ The investigator(s) should speak the language of witnesses and be familiar with local laws and cultural context if possible.⁴¹ Furthermore, it is critical to agree with the investigator(s) from the outset on the scope of the investigation, coordination and communication processes (e.g. regular check-in with designated investigation managers), deliverables and timelines, contingency plans, and other key aspects of the investigation. The investigator shall prepare an initial work plan to identify the allegations (See [Tool 23: Investigation Plan Template](#)) and the applicable legal norms, and to detail the plans to gather evidence (testimonial, documentary, electronic or physical evidence), schedule/timeline, resources required, etc. Due to their specific vulnerability, investigators will avoid interviewing children as victims or witnesses unless it is strictly necessary and will instead seek to gain sufficient evidence from other sources. If it is deemed necessary, investigators shall ensure that the interview is conducted by an interviewer with expertise in interviewing child victims or witnesses. UNICEF implementing Partners that do not have access to investigators trained in interviewing children should contact UNICEF for advice.
- **Identify and manage conflicts of interest** by verifying that personnel and external experts involved in the investigation are independent and do not have personal or professional relations to the victim, witnesses, complainants/whistleblowers, or the alleged perpetrator, or have a vested interest in the outcome of the investigation, which may compromise their objectivity. If and when organizations become aware of such a conflict of interest, they should immediately remove the concerned individual from the case, stop them from further contact with all parties involved in the case, and request them to agree in writing to keep information on the case confidential.

- **Manage information-sharing and communications** in order to protect those directly involved, as well as the integrity of the process. This involves:
 - Distinguishing between communications on information which should be appropriate to share, on a need to know basis (e.g. the status of investigation process), and details relating to the case (e.g. identity of parties involved, details of incident), which should be treated confidentially.
 - Defining which individuals need to have access to what type of information.
 - Having a secure information management system for keeping electronic and non-electronic data with access limited to those directly involved in managing or overseeing the investigation (e.g. using password protection for computers and keeping them in a secure place; keeping paper documents and other evidence in locked cabinets in a secure room; avoiding any identifying information in written communications, such as emails, WhatsApp and others; avoiding discussing investigation related information in public spaces).
 - Providing investigators (internal/external) with access to relevant internal documents, records and personnel, as well as adequate administrative support to conduct investigations effectively.
 - Requesting all parties directly involved in the investigation process (e.g. investigators, victims, witnesses, alleged perpetrators, designated managers/personnel) to keep the content of their interviews confidential and ensure that that the involved stakeholder signs an oath of confidentiality or a confidentiality agreement (see [Tool 19: Sample Confidentiality Reminder Note for SEA Investigations](#), [Tool 20: Oath of confidentiality Template](#), [Tool 21: Confidentiality Agreement](#)).
 - **Setting up a system for keeping victims (in line with the victim-centred approach) and alleged perpetrators (in line with due process rights) informed on relevant aspects of the investigation process** (i.e. determining

who is responsible for sharing what type of information with whom and at what frequency). Keeping victims informed of the investigation is an important part of a survivor-centred response. This can be done before an investigation is about to start, indicating the possible estimated timeline of the investigations and contact details of a support person, and once the report and recommendations are finalized.

- **Ensure a victim-centered approach throughout the investigation:** this includes limiting the number of times a victim is interviewed to minimize the risk of re-traumatization, adopt victim sensitive interviewing technique, explain transparently the investigation process, how the victim's information will be used and with whom it will be shared, seek informed consent for the interview, etc.
- **Provide assistance, protection and support to the victim** throughout the investigation process as needed and take measures to protect witnesses and complainants/whistleblowers from possible retaliation (such as intimidation, harassment, or violence, or, in the case of personnel, loss of jobs or other adverse employment action). Possible measures to protect the victim include interim measures (e.g., administrative leave, reassignment) and redaction of the victim's name, other identifying information and/or sensitive information in the investigation report, use of anonymized identifiers (e.g., VO1, VO2).
- **Consider assigning support persons to the victims, in particular for children: Organizations** should adapt their support to each person's specific needs and wishes (accounting for age, gender, abilities, other factors) to offer adequate support including psychosocial support, closely working with protection actors and those providing services to victims and others (see [Section 5.2: Assistance and Referrals](#)). For example, victims should have access to a support person to provide emotional support during their interview, share updates on the investigation, and to serve as a liaison with the investigation team as needed.

Provide assistance, protection and support to the victim throughout the investigation process as needed and take measures to protect witnesses and complainants/whistleblowers from possible retaliation

Provide adequate protection and other support to survivors, witnesses and complainants/whistleblowers, and a report any SEA alleged perpetrators (as part of their duty of care for personnel) throughout the investigation process as needed.

Child victims and witnesses are likely to require additional support to ensure that the investigation process is conducted in a child-friendly manner (e.g. child-friendly interview techniques, engagement of parents/caretaker).⁴² Sample guidelines on support persons for child victims during investigation and legal proceedings are included in the [UNICEF Technical Note on the implementation of the Victim Assistance Protocol](#).

- **Assess and manage risks relating to the investigation process** by conducting a comprehensive risk assessment (see [Tool 22: Template For Risk Assessment and Management During Sea Investigation](#)). The initial risk assessment can be conducted by the person overseeing/managing the investigation and will need to be continued throughout the investigation by the investigation team. If risks are substantial, organizations should develop more robust protection plans. It is important for organizations to review their risk assessments (and protection plans) regularly as the situation may be evolving.
- **Strengthen investigation resources and capacity where there are gaps in quality.** Implementing partners may need to improve the quality of their investigations through strengthening capacity and resources. This may include, amongst other things, in-person training on investigations, training, resources or support on the management of investigations, identifying and mentoring local or regional trained investigators, and providing advice and/or resources to ensure that investigations are accessible to all survivors, including those with a disability.
- **Follow up on investigation outcomes**, including through the following actions:
 - Make the outcomes of the investigation available to the victim and the alleged perpetrator and follow up with them to find out if they require additional psychosocial or other support (see [Section 5.2: Assistance and Referrals](#)).
 - In case a complaint is substantiated, take appropriate disciplinary actions against the perpetrator that corresponds

to the severity of the offence committed, ranging from a written reprimand to dismissal. It is important to specify that the investigation and disciplinary process should be separated. The investigation is a fact-finding process solely aimed at establishing the facts and establishing whether the allegations are supported by evidence. It is not the role of the investigators to recommend disciplinary action. The organization's management is responsible and accountable for following up on any disciplinary action if the allegations are substantiated. This also serves to protect/insulate investigations personnel who themselves may fear retaliation based on their findings.

- Update personnel files of the perpetrator accordingly and share relevant information with potential employers as part of their background checks to the extent legally possible.⁴³ If the perpetrator is terminated, a note should be placed in their personnel file to prevent re-hiring. Similar to the disciplinary section, the responsibility for updating the personnel files lies with the organization's management as opposed to the investigator.
- Report the case to relevant local law enforcement authorities, including the police and/or judicial authorities, and, if the case concerns a child, relevant child protection institutions, as needed and where considered appropriate by the organization and with the informed consent of the victim.⁴⁴
- Use investigation reports to identify institutional weaknesses in preventing and responding to PSEA that require changes in the organization's policies, procedures and staffing (see [Section 3.2.3 Accountability](#)).

7.3 Involvement of UNICEF in Investigation Process

UNICEF requires its partners to “properly and without delay investigate allegations of sexual exploitation and abuse ... by (their) employees, personnel, or subcontractors” based on its own obligations under the

[UN Protocol on SEA Allegations Involving Implementing Partners](#). As specified in the standard Partnership Cooperation Agreements signed between CSOs and UNICEF, partners should “keep UNICEF informed during the conduct of the investigation, without prejudice to the due process rights of any persons concerned”⁴⁵

Upon completion of the investigation, partners should also “promptly provide reports on the outcome of the investigations” and if requested, share “any relevant details... and evidence... for examination and further use by UNICEF” to the extent legally possible.⁴⁶ In cases where competent national authorities are

conducting (or have conducted) the investigation, UNICEF may relieve the partner of its contractual obligation to conduct an internal investigation. In those cases, partners should, as far as legally possible, support UNICEF in obtaining information on the status and outcome of the investigation.⁴⁷

Partners should confidentially share this information with the relevant UNICEF PSEA Focal Point, UNICEF Head of Office in country or the UNICEF Director, Office of Internal Audit and Investigation (integrity1@unicef.org) in a manner that assures the safety of all involved.

ADDITIONAL RESOURCES

Complaints and investigation processes

- CHS, [SEAH Investigation guide and toolkit](#), 2022
- UNHCR, [Investigating Allegations of SEA – A toolkit for Partners](#), 2021 with associated training available on [Disaster Ready](#) and [UNHCR Learning platform](#)
- IASC, [Model Complaints and Investigation Procedures and Guidance Related to SEA \(Draft\)](#), 2004.
- IASC, [Guidelines to Implement the Minimum Operating Standards for PSEA](#), March 2013.
- IASC, [Fund for Investigations into Sexual Exploitation, Abuse, and Sexual Harassment](#), April 2019
- Keeping Children Safe, [Management of Child Safeguarding Allegations](#), 2016.
- ICVA, [Building Safer Organisations Guidelines – Receiving and Investigating allegations of abuse and exploitation by humanitarian workers](#), 2020.

- WHO, [Ethical and safety recommendations for researching, documenting and monitoring sexual violence in emergencies](#), 2007.
- CHS Alliance, [Investigation of Cases of Sexual Exploitation and Abuse by Aid Workers: Challenges and Recommendations](#), background paper to PSEA Conference 5-6 September 2016: Bangkok, Thailand.
- CHS Alliance, [Guidelines for Investigations - A guide for humanitarian organisations on receiving and investigating allegations of abuse, exploitation, fraud or corruption by their own staff](#), 2006 (revised in 2015).
- International Council of Voluntary Agencies (CVA), [Building Safer Organisations: Training materials on receiving and investigating allegations of abuse and exploitation by humanitarian workers](#), 2007.
- RSH, [Risk register: Managing safeguarding investigations](#), 2021
- RSH, [How-to prepare for and manage safeguarding investigations](#), 2021
- Interaction, [Investigation Planning Tool](#)
- Interaction, [Investigative Report Outline](#)
- Interaction, [Principles of investigations](#)
- UNHCR, [Investigating Allegations of SEA - A Toolkit for Partners](#), e-learning course, 2021
- UNHCR, [Guidelines on Conducting Investigations and Preparing Investigations Reports](#), 2012.

Investigations involving child victims and witnesses

- UNICEF/UNODC, [Handbook for Professionals and Policymakers on Justice Matters involving Child Victims and Witnesses of Crime](#), Criminal Justice Handbook Series, UN, New York, 2009, as well as its [child-friendly version](#)).

Potential funding support for investigations

- IASC [Fund for Investigations into Sexual Exploitation, Abuse, and Sexual Harassment](#)

8. Toolkit

All tools featured in this toolkit are accessible for download and editing within the [UNPP PSEA Resource Library](#) for capacity strengthening.

TOOL 1: SAMPLE TEMPLATE FOR ACTION PLAN ON PSEA

ACTION	PERSON RESPONSIBLE	REQUIRED/AVAILABLE RESOURCES (e.g. financial, HR, logistics)	TARGET DATE FOR COMPLETION	STATUS (i.e. not started/in progress/completed)
<p>Core Standard 1: Organizational Policy</p> <p>REQUIRED: The organization has a policy document on PSEA. At a minimum, this document should include a written undertaking that the partner accepts the standards in ST/SGB/2003/13. <i>(UN IP Protocol para 15 & Annex A.4)</i></p> <p>REFER: PSEA Toolkit Section 4.2.1. Policies</p>				
<p>Core Standard 2: Organizational Management</p> <p>The organization's contracts and partnership agreements include a standard clause requiring sub-contractors, to adopt policies that prohibit SEA and to take measures to prevent and respond to SEA. <i>(UN IP Protocol para 11; 15; & Annex A.1)</i></p> <p>REFER: PSEA Toolkit Section 4.2.2. Procedures</p>				
<p>Core Standard 3: Human Resources Systems</p> <p>REQUIRED: There is a systematic vetting procedure in place for job candidates through proper screening. This must include, at minimum, reference checks for sexual misconduct and a self- declaration by the job candidate requesting that they confirm that they have never been subject to sanctions (disciplinary, administrative or criminal) arising from an investigation in relation to SEA, or left employment pending investigation and refused to cooperate in such an investigation. <i>(UN IP Protocol para 11; 15; & Annex A.2)</i></p> <p>REFER: PSEA Toolkit Section 4.2.2. Procedures</p>				

ACTION	PERSON RESPONSIBLE	REQUIRED/AVAILABLE RESOURCES (e.g. financial, HR, logistics)	TARGET DATE FOR COMPLETION	STATUS (i.e. not started/in progress/completed)
<p>Core Standard 4: Mandatory Training</p> <p>REQUIRED: The organization holds mandatory trainings (online or in- person) for all personnel on PSEA and relevant procedures. The training should include: 1) a definition of SEA (that is aligned with the UN's definition); 2) explanation on prohibition of SEA; and 3) actions that personnel are required to take (i.e. prompt reporting of allegations and referral of victims). (UN IP Protocol para 17 & Annex A.5)</p> <p>REFER: PSEA Toolkit Section 4.3.1. Training</p>				
<p>Core Standard 5: Reporting</p> <p>REQUIRED: The organization has mechanisms and procedures for personnel, beneficiaries and communities, including children, to report SEA allegations that comply with standards for reporting (i.e. safety, confidentiality, transparency, accessibility). (UN IP Protocol para 19 & Annex A.3)</p> <p>REFER: PSEA Toolkit Section 4.3.2. Awareness-raising and Section 5.2. Reporting Mechanisms</p>				
<p>Core Standard 6: Assistance and Referrals</p> <p>REQUIRED: To be consistent with the IP Protocol and other UN SEA instruments, the organization has a system to refer SEA victims to available support services available locally, based on their needs and consent. This can include active contribution to in-country PSEA networks and/or GBV systems (where applicable) and/or referral pathways at an inter-agency level. (UN IP Protocol para 22.d)</p> <p>REFER: PSEA Toolkit Section 6.2. Assistance and Referrals</p>				
<p>Core Standard 7: Investigations</p> <p>REQUIRED: The organization has a process for investigation of allegations of SEA and can provide evidence. This may include a referral system for investigations where in house capacity does not exist. (UN IP Protocol para 20, 23 and 24, & Annex A.6)</p> <p>REFER: PSEA Toolkit Section 7.2. Investigation Procedures.</p>				
<p>Core Standard 8: Corrective Action</p> <p>REQUIRED: The organisation has taken appropriate corrective action in response to SEA allegations, if any. If the partner has not had any past SEA allegations the partner can self-rate with "No allegation". (UN IP Protocol para 20, 22.a., & Annex A.6)</p> <p>[the activities for Core Standard 8 may refer to measures that an organisation may decide to implement to ensure a system for corrective action is in place, not to list the measures to be taken related a specific SEA case the organisation has received.]</p>				

TOOL 2: PSEA RISK ASSESSMENT AND MANAGEMENT FOR SAFE PROGRAMMES

AREA	QUESTIONS TO CONSIDER FOR RISK ASSESSMENT	POSSIBLE MANAGEMENT STRATEGY(IES)
PROFILE OF AFFECTED POPULATIONS	<ul style="list-style-type: none"> • What is the demographic profile of the population in the target areas (e.g. sex, age, education level, income level, household size, percentage of female- and child-headed households, marriage age, religion, race/ethnicity, migration status, etc.)? • What are some of the characteristics of the population that may render individuals more susceptible to SEA? Which groups are particularly vulnerable?⁴⁸ 	<ul style="list-style-type: none"> • Adapt awareness-raising efforts on PSEA to meet specific needs of affected populations • Conduct targeted messaging campaigns for those groups that are highly susceptible to SEA
PROFILE OF PERSONNEL	<ul style="list-style-type: none"> • Is there an adequate gender balance of personnel involved in programming, particularly of personnel directly engaging with affected populations and local communities or responsible for recruitment? • Have personnel been sufficiently vetted and trained in regard to PSEA? 	<ul style="list-style-type: none"> • Adjust gender balance of personnel involved in programming • Recruit additional female personnel involved in programming as needed • Conduct (refresher) training(s) on PSEA (e.g. annually), specifically focused on possible risks associated with the specific programme • Review HR files of personnel and conduct additional screening to identify previous misconduct as needed
PROGRAMME APPROACHES	<ul style="list-style-type: none"> • Does the programme create or exacerbate existing imbalances between personnel and members of the community? • Does the programme involve direct interaction between personnel and affected populations, especially children? • How are personnel delivering goods and services (i.e. private/public, working in pairs/alone, gender-mixed)? • Do personnel wear visible forms of identification (e.g. caps, vests, T-shirts) when conducting programme activities? • Are external visitors allowed to attend programme activities unaccompanied? Who is in charge of making these decisions? 	<ul style="list-style-type: none"> • Arrange periodic monitoring visits by someone in a management or programme oversight role • Change location(s) of distribution to make it more public • Ensure that personnel wear visible forms of identification (e.g. caps, vests, T-shirts) when conducting programme activities and provide such forms of identification where needed • Restrict access of external visitors to programme activities, to the extent possible • Ensure that programme participants are regularly informed of their rights, of expected behaviour of personnel, and how to report concerns
PROGRAMME CONTEXT	<ul style="list-style-type: none"> • Where do programme activities take place (camp, informal settlement, host community, rural/urban setting, etc.)? What are specific risks associated with this location (e.g. lack of availability of complaints mechanisms or service providers, insecurity)? • What is the attitude of affected populations towards GBV concerns? How comfortable would affected populations be reporting SEA concerns? • Is there an inter-agency mechanism for community feedback/complaints in this location? 	<ul style="list-style-type: none"> • Create a more secure environment at programme location (e.g. install lights, hire night guards) • Work with communities to adapt complaints mechanisms to meet their needs • Ensure that affected populations are aware of and can access inter-agency mechanisms for complaints in the programme location(s)

TOOL 3: SAMPLE PROGRAMMATIC ACTIONS BY SECTOR FOR MINIMIZING PSEA RISKS

Note: Before taking any programmatic actions, the organization should ensure that programme design reflects SEA risks (see '[General prevention and safety measures](#)'). The following table outlines sample programmatic actions organizations can

additionally take in distinct sectors to minimize SEA risks and help connect victims to appropriate care. For more examples, please see: IASC, [Guidelines for Integrating GBV Interventions in Humanitarian Action](#), September 2015).

SECTOR	SAMPLE PROGRAMMATIC ACTIONS	
CHILD PROTECTION (CP)	<ul style="list-style-type: none"> <input type="checkbox"/> Work with GBV specialists to develop child/adolescent-friendly messaging on GBV ('safe/unsafe touch', etc.) and how to report abuse. <input type="checkbox"/> Ensure adequate supervision and monitoring of family tracing and reunification activities, particularly when children travel with personnel. 	<ul style="list-style-type: none"> <input type="checkbox"/> Build capacity of community-based CP mechanisms on how to respond to GBV/SEA cases. <input type="checkbox"/> Support the development and implementation of standard operating procedures (SOPs) that specifically address how to manage GBV/SEA cases involving children. <input type="checkbox"/> Support GBV service providers to ensure services are accessible and appropriate for children and adolescents.
EDUCATION	<ul style="list-style-type: none"> <input type="checkbox"/> Assess the costs associated with school or vocational training (e.g. school fees/supplies, transportation) and associated risks for exploitation. <input type="checkbox"/> Minimize situations where a student's advancement depends on a single teacher and ensure regular supervision of school staff. <input type="checkbox"/> Help ensure female students' and teachers' menstrual health and hygiene (MHH) needs are met, both to improve school attendance and to reduce risk of sexual exploitation in exchange for MHH. 	<ul style="list-style-type: none"> <input type="checkbox"/> Ensure students and school staff have access to reporting mechanisms and raise awareness on SEA risks in schools. <input type="checkbox"/> Include GBV and psychological first aid (PFA) in capacity-building plans for teachers and other school staff.
HEALTH	<ul style="list-style-type: none"> <input type="checkbox"/> Consider integrating GBV response services into existing health interventions (sexual and reproductive health, antenatal services, etc.) to minimize stigma and increase accessibility. <input type="checkbox"/> Work with GBV/CP/protection actors to identify and address potential barriers for victims in accessing health services (e.g. availability of private space for examination, presence of same-sex health workers). <input type="checkbox"/> Coordinate with other health partners to address gaps in knowledge and equipment for providing GBV services to both adult and child victims. 	<ul style="list-style-type: none"> <input type="checkbox"/> Ensure health workers understand mandatory reporting on SEA and can communicate their reporting obligations to victims; develop a system to enable health workers to access support from GBV/CP specialists, if needed. <input type="checkbox"/> Train health services providers on victim-centred approaches of working with GBV victims, as needed, and set up systems to protect confidential patient information.
NUTRITION	<ul style="list-style-type: none"> <input type="checkbox"/> Monitor challenges different affected populations (e.g. child-headed households, people with disabilities, etc.) are facing in accessing services (e.g. registration, ration cards) and work with relevant organizations to address them. <input type="checkbox"/> Consider co-locating nutrition services with a health facility and/or a women-friendly space to help facilitate referrals for GBV/SEA victims. 	<ul style="list-style-type: none"> <input type="checkbox"/> Share information about available reporting and response mechanisms related to GBV/SEA during meetings with affected populations and communities (e.g. mother-to-mother support group discussions).
WATER, SANITATION AND HYGIENE (WASH)	<ul style="list-style-type: none"> <input type="checkbox"/> Assign women to roles that require direct interaction with affected populations and local communities (e.g. hygiene promoters; latrine/bathing facility/water point monitors). <input type="checkbox"/> Ensure women are adequately represented in WASH committees. 	<ul style="list-style-type: none"> <input type="checkbox"/> In consultation with communities, especially women and children, identify access concerns and risks for different affected populations related to WASH (e.g. water buckets that are too heavy for children; lighting in toilets, MHH). <input type="checkbox"/> Monitor potentially abnormal signs in women and children's behaviour related to WASH (e.g. if it takes women and children unusually long to collect water).
COMMUNICATION FOR DEVELOPMENT (C4D)	<ul style="list-style-type: none"> <input type="checkbox"/> Work with other programmes to develop and disseminate SEA-related information materials for their respective affected populations (e.g. programme eligibility criteria, distribution procedures, reporting mechanisms, etc.). <input type="checkbox"/> Support GBV/CP/protection actors to create simplified versions of the referral pathway for use in community outreach activities (e.g. use of locally appropriate drawings or symbols). 	<ul style="list-style-type: none"> <input type="checkbox"/> Work with GBV specialists to ensure that community-based complaints mechanisms respect global standards for safe and ethical GBV data management and information sharing (e.g. confidentiality of incident data).⁴⁹

TOOL 4: SAMPLE TEMPLATE FOR PSEA POLICY

The below template is available to support organizations in developing their own organizational documentation to ensure policies and systems are in place to prevent and respond to sexual exploitation and abuse and safeguarding violations. While the use of templates is encouraged, it is important to make sure that their content is adapted to and appropriate for the organization's structure, dynamics, context and intended users/audience. PSEA systems that do not reflect the specific dynamics of a context or organization may cause more harm to the affected population.

While the templates presented in this toolkit are exclusively intended to support CSOs to meet their PSEA obligations, organizations can also expand to cover other components, such as Sexual Harassment and / or Safeguarding, depending on the scope of their internal policies. The templates do not necessarily need to be stand-alone can also be integrated to broader internal procedure manuals.

Policy title: Protection from Sexual Exploitation and Abuse

Policy objective:

1. To establish a policy of zero tolerance for sexual exploitation and abuse (SEA) for all [Organization] employees and related/associated personnel and ensure that roles, responsibilities and expected standards of conduct in relation to SEA are known within [Organization].
2. To create and maintain a safe environment, free from SEA, by taking appropriate measures for this

purpose, internally and in the communities where [Organization] operates, through robust prevention and response work.

3. To establish the foundational framework of [Organization] to prevent sexual exploitation and abuse and take corrective action when a sexual exploitation and abuse incident occurs.

Targeted Audience: All [Organization] employees and related personnel.

Effective Date: xx.xx.xxxx

Mandatory Revision Date: xx.xx.xxxx

1. POLICY STATEMENT

- 1.1 SEA violates universally recognized international legal norms and standards and are unacceptable behaviors and prohibited conduct for all aid workers, including [Organization] employees and related personnel.¹
- 1.2 [Organization] has a policy of zero tolerance towards SEA. All [Organization] employees and related personnel² are expected to uphold the highest standards of personal and professional conduct at all times, and to provide assistance and services in a manner that respects and fosters the rights of beneficiaries and other vulnerable members of the local communities.
- 1.3 [Organization] is fully committed to have an approach to prevent and respond to SEA that is rights-based, age, disability-and gender sensitive,

non-discriminatory and culturally appropriate, and victim-centred should an SEA allegation occur.

2. SCOPE OF APPLICATION

- 2.1 This policy sets out [Organization] approach to prevent and respond to SEA. Employees and related personnel of [Organisation] include, without being limited to: international and locally recruited staff members, daily labourers, consultants, interns, volunteers /incentive workers, and contractors.
- 2.2 The policy also applies to all activities and operations of [Organization], including any project funded by [Organisation], any project implemented by [Organization], and any cooperating partner.”
- 2.3 The policy extends to situations of SEA which occur at or away from the workplace, during or outside working hours.

3. DEFINITIONS:⁵⁰

For the purposes of the present policy:

- 3.1 The term ‘**sexual exploitation**’ means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.
- 3.2 The term ‘**sexual abuse**’ means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

3.3 ‘Sexual Exploitation and Abuse’ (SEA) is the abuse or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes or the actual or threatened physical intrusion of a sexual nature by UN personnel, their implementing partners or other aid workers, against the people they serve

4. COMMITMENT TO PSEA:

4.1 [Organization] will make every effort to create and maintain a safe environment, free from SEA, and shall take appropriate measures for this purpose in the communities where it operates, through a robust PSEA framework, including prevention and response measures.

4.2 This PSEA framework, affirms [Organization] commitment to the UN Secretary General’s Bulletin on Special Measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) and to achieving full, ongoing implementation of the IASC Six Core Principles relating to SEA⁵¹.

5. SIX CORE PRINCIPLES:⁵²

5.1 SEA by [Organization] employees and related personnel constitute acts of gross misconduct and are therefore grounds for termination of employment.⁵³

5.2 Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.

5.3 Exchange of money, employment, goods, or

services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.

5.4 Any sexual relationship between [Organization] employees or related personnel and beneficiaries of assistance or other vulnerable members of the local community that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.

5.5 Where an [Organization] employee or related personnel develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same Organization or not, he or she must report such concerns via established reporting mechanisms.

5.6 All [Organization] employees and related personnel are obliged to create and maintain an environment which prevents SEA and promotes the implementation of this policy. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

6. PSEA FRAMEWORK

- The below PSEA framework shall be operationalized in a way that is adapted to the context, dynamics and organizational structure of [the Organization]. The relevant measures shall be reflected, as necessary, in the relevant Organizational policies and procedures.
- As appropriate, [the Organization] will consult with affected population/recipients of aid and local communities, including at-risk groups as identified

by [the Organization], to ensure that the systems put in place and measures taken for the prevention and response to SEA are sensitive to the vulnerabilities and needs of beneficiaries and culturally appropriate.

6.1 Integration of PSEA into planning, programming and operational processes

- [The Organization] ensures that risks of sexual exploitation and abuse are properly assessed, addressed and monitored through integrating PSEA into its planning, programming and operational processes (e.g. strategic planning, budgeting, programme cycle management) and allocates sufficient human and financial resources.
- [The Organization] conducts thorough and inclusive risk analysis and assessments on SEA while designing projects and programme activities with mitigation measures, and identifies the groups that are the most marginalised and at heightened risk of SEA. This may include site safety mapping, focus group discussions with intended beneficiaries and other stakeholders (including women, children, local authorities/communities, etc.) and other relevant research methods.

6.2 Recruitments

[Note: The section 6.2 to 6.4 can be either included in the PSEA policy and/or in the HR manual of the Organization or any other relevant internal procedure”]

- [The Organization] has safe and PSEA-sensitive human resources practices and processes in place during recruitment, contracting and performance management.

TOOL 4: SAMPLE TEMPLATE FOR PSEA POLICY *(continued)*

- Job announcements: [The Organization] explicitly states in a standard paragraph in its job announcements its zero-tolerance policy regarding SEA.
- Interviews: As part of the recruitment interviews, [Organization] asks questions related to ethics and PSEA
- Vetting: [The Organization] systematically vets all prospective job candidates in accordance with established screening procedures, to ensure [The Organization] does not hire potential employees that would pose a risk to staff and our beneficiaries.
- Self-declaration: [The Organization] asks selected applicants to sign self-declarations committing not to have committed SEA in the past and not to commit SEA in their new role within the Organization.
- Employment contracts: [The Organization] includes a PSEA clause in its employment contracts, clearly establishing the definitions and roles & responsibilities of staff regarding PSEA. These include, but are not limited to, the duty to not commit SEA, to report SEA, and to cooperate in good faith with any investigation or audit related to a SEA case conducted by the Organization.
- PSEA Focal Points: [The Organization] provides designated PSEA focal points with specific terms of reference related to their PSEA roles and responsibilities.⁷
- HR processes: [The Organization] aligns its HR processes with its SEA policy to describe the reporting and response mechanism for SEA allegations (disciplinary measures for proven allegations).

6.3 Organizational management - Cooperation agreements:

- [The Organization] includes a standard clause in all its contracts and partnership agreements with its suppliers, contractors, subcontractors and sub-partners requiring them to commit to a zero-tolerance policy on SEA and to take measures to prevent and address SEA.
- Where suppliers, partners and contractors do not have appropriate policies and measures in place, [The Organization] will support them in developing such policies and take such measures, as deemed relevant.
- The failure of those entities or individuals to take preventive measures against SEA, to investigate allegations thereof, or to take corrective action when SEA has occurred, shall constitute grounds for termination of any cooperative arrangement.

6.4 Awareness of personnel, including mandatory trainings

- [The Organization] is committed to ensure that its personnel understand PSEA, are aware of the PSEA systems of the Organization, and are informed of their obligations as well as what actions to take in case of an allegation. In particular, personnel shall be informed of the following:
 - A clear prohibition of SEA;
 - Definitions of SEA and a clear understanding of

behaviors that constitute SEA;

- The obligation of all personnel to report any suspicions or concerns and consequences for failing to report (e.g. disciplinary measures);
 - The option of reporting information anonymously;
 - The Organization's protection for those who makes an allegation in good faith (e.g. whistleblower policy, protection from retaliation policy, protection plans for complainants);
 - Details regarding who to report to and what information to share to allow for proper response and follow-up;
 - Actions that personnel are required to take (i.e. prompt reporting of allegations and referral of survivors).
 - Explanation of how the Organization will use the information (e.g. who will receive the reports and the internal procedure for response and follow-up).
- [The Organization] holds mandatory induction [*indicate timeline, i.e. within a month*] and refresher trainings [*indicate frequency - at least once a year - indicate format - face-to-face preferred or online*] for all employees and related personnel on the Organization's SEA policy and procedures. To do this:
 - [The Organization] develops an annual training plan for all staff, targeting different levels of audiences and participants.
 - [The Organization] keeps record of the attendance of all its personnel to induction and refresher trainings

and the updating of the lists of participants.

- [The Organization] has training materials on PSEA, that are adapted to the type of training provided (induction or refresher) as well as the audience of the training, and ensure opportunities to exchange and discussions among personnel.
- In addition to trainings, [The Organization] takes measures (both in writing and verbally) to ensure that its employees and associated personnel are informed of their PSEA related obligations as well as what actions to take in case of an allegation. This may include, without being limited to, posters, memo, reminder emails, quarterly integration in agenda meetings, etc.

7. REPORTING:

- [The Organization] has set up safe, confidential and accessible mechanisms and procedures for personnel, affected populations/aid recipients and communities, including children, to report SEA allegations that comply with core standards for reporting . [The Organization] ensures that beneficiaries are aware of these reporting mechanism. [The Organization] has mechanisms in place to restrict access to information and keep written reports safely for the security of the survivor and the complainant. Information about an allegation will be shared only on a 'need to know' basis for the purpose of investigations or providing assistance to the survivor.
- [The Organization] ensures that its reporting mechanisms meet the basic principles of effective reporting:
 - Safety⁹
 - Confidentiality

- Transparency¹⁰

- Accessibility⁸

- Notification: [The Organization] provides training to staff likely to receive complaints on the relevant procedures and the alleged incident report.
- Protection from retaliation: [The Organization] is committed to uphold a culture of transparency and a safe environment where personnel and beneficiaries can report SEA allegations as soon as possible without any adverse or punitive action being taken against them. The Organization does not tolerate any kind of retaliation, or threat thereof, against anyone who reports a situation of SEA or cooperates in any investigation process related to a SEA allegation. [The Organization] Organization has safe, confidential and accessible mechanisms and procedures for personnel, beneficiaries and communities, including children, to report any consideration of retaliation against them.
- The description of the available reporting mechanisms, mechanisms/procedures to review SEA allegations and associated information sharing protocol are outlined in [annex or separate document].

8. AWARENESS-RAISING TO BENEFICIARIES AND LOCAL COMMUNITIES

- [The Organization] is committed to ensure the awareness by its beneficiaries and local communities on PSEA and its Organizational PSEA systems. For this purpose, [the Organization] has visual communication materials for communities and “ready-to-use” awareness raising messages. These

materials are:

- Adapted to local context;
- Drafted in the relevant local languages;
- Designed to be easily understood by and accessible to beneficiaries of [the Organization], especially those groups considered at higher risk of abuse.
- [The Organization] organises regular awareness-raising sessions in the communities in which activities are implemented, to provide information on:
 - What PSEA is
 - The standards of conduct that apply to the organisation’s personnel
 - How to make a report
 - The commitments from the organisation to response to SEA incidents.

9. ASSISTANCE TO SEA VICTIMS/SURVIVORS

- [Organization] is committed to ensure that any victims of SEA has access to assistance and support as soon as information about an allegation is received, regardless of (i) the [Organization] decision to investigate the case by the Organization, (ii) the outcome of the investigation and (iii) irrespective of whether the victim cooperates with an investigation or any other accountability procedure.
- Assistance and support shall be provided by skilled and competent service providers in line with the “do no harm” and victim-centered approach, in full respect of the rights and best interests of victims and with respect to Gender-Based Violence key

TOOL 4: SAMPLE TEMPLATE FOR PSEA POLICY *(continued)*

principles, especially informed consent. Services shall be rights-based, age, disability-and gender sensitive, non-discriminatory and culturally appropriate and ensure the best interest of the child. Support and assistance shall entail

- Provision of safety measures to protect against retaliation
- Services including, without being limited to, immediate medical and health care, dignity kits, mental health and psychosocial support, legal services, basic material assistance and support to children born as a result of SEA.
- To do this, the Organization has:
 - An up-to-date list of local service providers with options for child and adult survivors where appropriate, along with the types of services offered. Such list is built and/or adapted on the service mapping carried out by the inter-agency coordination group (GBV/Child Protection), present

in the country.¹³

- A defined and articulated system and process described in its standard operating procedures (SOPs) on referrals and victim support as detailed in [annex or separate document]. The SOP includes information-sharing protocols to respect the complainant privacy, confidentiality, safety and security. The SOPs are built on / adapted from the PSEA Network SOPs. (to be adapted depending on the country)
- Referral forms

10. INVESTIGATIONS

- Investigations: [The Organization] has a process for investigating SEA allegations in place and shall properly and promptly conduct the investigation of any SEA allegation committed by its employees or associated personnel or refer to the appropriate investigative body if the perpetrator is affiliated with

another entity. The procedures for investigations management and process will be detailed in a separate document.

- Referral to national authorities: If, after proper investigation, there is evidence to substantiate the allegations of SEA, these cases may be referred to national authorities for any appropriate action, including criminal prosecution. Informed and voluntary consent of the victim shall be sought prior to any referral to national authorities.
- Corrective action: The person or team responsible for investigating SEA allegations will make recommendations for improvement so that [the Organization] can reduce the recurring risk of any misconduct. The management of the Organization is in charge of reviewing and implementing these recommendations; such changes brought to the Organization's PSEA systems will be communicated to the personnel as relevant.

TOOL 5: TEMPLATE CODE OF CONDUCT

Name of organization HAS ZERO TOLERANCE FOR SEXUAL EXPLOITATION AND ABUSE

Sexual exploitation and abuse (SEA) of those we seek to assist is unacceptable and prohibited. It is a very serious breach of the trust and accountability of the people we serve. Such acts violate the human rights of the victims/survivors, seriously damage the credibility of *[Name of the organization]* as well as the humanitarian and development community and ultimately jeopardize our capacity to act.

[Name of the organization] has measures in place to prevent and respond to sexual exploitation and abuse by its personnel (i.e., staff, consultants, volunteers, interns, etc.). These measures are described in the *[Name of the organization]* PSEA policy

Working for or on behalf of *[Name of the organization]*; I agree to:

1. Treat all persons with fairness and respect, courtesy and dignity, in accordance with the International legislation on Human Rights and Children's Rights and the *[Name of the organization]* PSEA policy.
2. To provide assistance to the affected populations/beneficiaries of the organization and ensure safety, dignity and effective access to the services provided, in line with the "Do No Harm" approach.
3. Help create and maintain an environment that prevents sexual exploitation and abuse and promote the implementation of this Code of Conduct.
4. Immediately report any allegations, suspicions or

concerns regarding failure to meet the standards set forth in this Code of Conduct.

5. Not intentionally make false accusations against another worker for violating the provisions of the Code of Conduct, nor disseminate false statements about co-workers or personnel of other agencies.
6. To attend mandatory training courses (in person or online) for protection from sexual exploitation and abuse.

I understand and acknowledge that it is strictly forbidden/prohibited to:

1. Engage in sexual activity with children (persons below the age of 18 years), regardless of age of majority or local consent. Lack of knowledge of the actual age of the child is not a defense
2. Engage in any sexual relationship between those providing humanitarian assistance and protection and a person benefitting from such humanitarian assistance and protection that involves improper use of rank or position. Such relationships undermine the credibility and integrity of humanitarian aid work.
3. Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behaviors. This includes exchange of assistance that is due to beneficiaries.
4. Accept any sexual favor(s) in exchange for food or non-food assistance provided to beneficiaries/recipients.
5. Abuse my authority, position or influence by

withholding protection, assistance or humanitarian services, or giving preferential treatment in order to solicit sexual favors, gifts, payments of any kind or any other benefit.

6. Engage in sexual activity with sex workers, regardless of the legislation in the country.
7. Use children or adults to get others to engage in sexual activity.

I certify that I have read and understood the above obligations and agree to abide by this Code of Conduct for protection of sexual exploitation and abuse at all times.

Last name: _____

First name: _____

Position: _____

Signature: _____

Location: _____

Date: _____

TOOL 5: TEMPLATE CODE OF CONDUCT *(continued)*

INTERPRETATION OF THE TERMS OF THE CODE OF CONDUCT

Child: A person under the age of 18, regardless of the age of majority or age of consent locally.

Power refers to the decisive authority or ability to materially affect various forms of rights, entitlements or relationships. Power derives primarily from position, rank, influence, status or control of resources.

Unequal power relations are one of the most critical environments for sexual exploitation. Once again, it is recalled that because of their unequal status, women

and girls are particularly at risk of sexual exploitation and abuse, although boys and adult men may also be vulnerable.

Sexual exploitation means the abuse 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.

Sexual abuse means any sexual violation committed with force, coercion or unequal relationship, and the threat of such violation also constitutes sexual abuse.

Beneficiaries and/or affected population: Individuals and/or groups that directly or indirectly benefit from an

intervention, project of program by the organization. The victim of sexual exploitation or abuse as defined here is a beneficiary, not necessarily in a vulnerable situation; the existence of an unequal power relationship or a relationship of trust is sufficient.

Sexual relationships with beneficiaries: Development and humanitarian workers are in positions of authority, power, and control over resources and services. Sexual relationships between beneficiaries and aid workers should be of concern, including even those that might be described as appropriate and consensual. There should be no room for even the perception that abusive and exploitative relationships might take

TOOL 6: SAMPLE ROLES AND RESPONSIBILITIES ON PSEA WITHIN AN ORGANIZATION

Note: Organizations are strongly encouraged to integrate PSEA-related roles and responsibilities into their personnel’s existing terms of references, particularly if their involvement is more substantial (e.g. PSEA focal point).

PERSONNEL	SAMPLE ROLES AND RESPONSIBILITIES
MANAGEMENT	<ul style="list-style-type: none"> • Provide oversight of PSEA prevention and response • Review and update PSEA-related policies and guidance • Ensure attention and resources to PSEA across the organization • Facilitate and oversee investigations of SEA allegations • Coordinate with other organizations on PSEA, including donors • Promoting a safe and inclusive organizational culture and office environment that prevent sexual exploitation and sexual abuse where staff feel empowered to speak up, and support and develop systems that maintain this environment • Ensure that a victim-centred approach guides all actions for PSEA
PSEA FOCAL POINT (Please also refer to the TORs in Tool 7) <i>(in coordination with gender/ GBV/ child protection personnel where available)</i>	<ul style="list-style-type: none"> • Support senior management to meet their PSEA-related responsibilities • Report concerns or issues with PSEA implementation to senior management, including referrals of victims/survivors to assistance and services • Receive reports of SEA allegations and coordinate the response • Conduct training and awareness-raising of personnel and others on PSEA • Coordinate with other relevant actors on PSEA, and representing the organization in inter-agency PSEA Network • Ensure information about PSEA is communicated to the community, including sharing details on the complaint mechanism and referral pathway and service providers
HUMAN RESOURCES	<ul style="list-style-type: none"> • Conduct screening for past SEA violations, and other code of conduct and policy violations (e.g. fraud, corruption, abuse of power), as part of recruitment process • Ensure all personnel sign the organization’s code of conduct • Integrate a PSEA clause in personnel contracts and contract agreements, including when subcontracting • Support communication with personnel during investigation of SEA allegations • Keep PSEA-related documents of personnel on file, including signed codes of conduct
ALL PERSONNEL	<ul style="list-style-type: none"> • Uphold the code of conduct and PSEA-related policies • Actively participate in SEA-related trainings and awareness-raising efforts, including support for dissemination of PSEA materials • Report allegations of SEA through the designated reporting channels • Participate in investigations of SEA allegations as appropriate • Identify and mitigate/avoid SEA-related programme risks (particularly for personnel involved in programming)

TOOL 7: SAMPLE TERMS OF REFERENCE (TOR) FOR PSEA FOCAL POINT

Note: Organizations can adapt this sample ToR to include their organization’s mandate and mission, commitments to PSEA and specific expectations for PSEA focal points within their organization. Organizations should consider having a main PSEA focal point and an alternate.

[Organization] in-country PSEA Focal Point for [Context] Generic Terms of Reference⁵⁴

These generic TORs are intended to serve as a useful guide for organizations that do not already have their own internal TORs for PSEA Focal Points, and are to be adapted as needed to the organizational and operational context

Background

[Insert relevant information about the organizations’ commitments on Protection from Sexual Exploitation and Abuse (PSEA) and the Sexual Exploitation and Abuse (SEA) context in-country. PSEA is a core commitment of the UN Secretary-General and the Inter-Agency Standing Committee (IASC). To deliver on this commitment, the IASC has prioritized the acceleration of PSEA from the outset of humanitarian response, with a focus on key priority areas including safe and accessible reporting, victims/survivor-centered response, and enhanced accountability.⁵⁵]

Role Description

The PSEA Focal Point is a staff member of [Organization] tasked with implementing PSEA in direct coordination with their Head of Office, both internally and as an active member of the [Context] PSEA Network.⁵⁶ The nomination of a PSEA Focal Point does not relieve the Head of Office of their ultimate responsibility for PSEA in the office but supports the Head of Office in that role. *[Reference here any regional or HQ PSEA Focal Point whose role is to provide functional guidance to the in-country Focal Point.]*

The Focal Point designation is a role or “hat” assigned to existing personnel and not a full-time position. To respect the need to balance the Focal Point’s regular job with engagement on PSEA, the below responsibilities will be reflected in the Focal Point’s job evaluation. To avoid the loss of institutional memory due to personnel change, the PSEA Focal Point should be able to commit to the role for minimum 1 year and prepare a briefing for his/her replacement when existing.

To ensure the Focal Point is allowed enough time to devote to PSEA responsibilities and that the activities are covered during Leave/R&R, [Organization] will designate two PSEA Focal Points, taking gender balance into consideration. The responsibilities outlined in these TORs will be divided between the Focal Points at their discretion and under the supervision of their respective supervisors as sharing responsibilities equally or as one primary and one alternate. The Head of Office and Focal Points are mutually responsible for ensuring each are kept up to date on collective and organizational PSEA developments for participation in the [HCT/UNCT] and PSEA Network respectively.

The role of the Focal Point is limited to PSEA. Although the PSEA Focal Points need to be able to identify links between SEA and other forms of staff misconduct, they are not responsible for implementing activities beyond PSEA [If designated as Sexual Harassment Focal Point, separate TORs will be needed].

The PSEA Focal Point does not have an investigative role *as such*. However, the PSEA Focal Point of an organization without a separate HQ investigation unit *may also* have an internal investigation role, if trained and qualified as an SEA investigator. In such a scenario, the Focal Point must recuse themselves from an investigation if he/she begins providing victim support and/or otherwise compromises his/her impartiality or fosters an impression of conflict of interest.

Responsibilities:

Under the 4 pillars of IASC Minimum Operating Standards on Protection from Sexual Exploitation and Abuse and in line with global standards on PSEA,⁵⁷ the PSEA Focal Point(s) will undertake the following:

CORE ACTIVITIES:

Engagement with and support of the affected population⁵⁸

- *[Design / disseminate]* awareness-raising tools and facilitate events for community members with emphasis on their rights, what SEA and staff reporting obligations are, and options for reporting sensitive complaints and victim assistance services.
- Develop and implement community-based reporting channels for SEA that are safe and accessible as well as age and gender sensitive.

Prevention

Support the Head of Office to:

- Establish [*where not already in place*] and ensure staff sign a Code of Conduct that clearly prohibits SEA, obliges reporting of such acts, and enforces these clauses when breached.
- Develop and monitor a Work Plan to mainstream PSEA throughout [*Organization*]'s departments and programming, informed by community engagement and SEA trends in [*Context*] [*and in accordance with global and/or regional PSEA Action Plans*].

Take the lead on:

- Collaborating with Human Resources to ensure all new hires receive induction on PSEA.
- Regularly [*train / support trainings for*] staff and field personnel on PSEA and [*Organization*]'s Code of Conduct and mechanisms for reporting SEA.

Response

- [*Where applicable per internal procedures on complaint and assistance reporting*] Act as a channel to receive allegations of SEA. Report and where relevant refer allegations to the organization whose personnel are implicated, and survivors to assistance in line with internal procedure and available pathways.
- Limit sharing of sensitive complaint information to a “need to know” basis, in line with data protection principles and a victim-centered approach.
- In coordination with the [*Monitoring Evaluation Accountability and Learning (MEAL) team / Accountability to Affected Population (AAP) Focal Point*], support program managers to strengthen and/or

establish safe, accessible, and contextually appropriate channels to receive sensitive allegations, informed by good practice and community consultations.

- Support the Head of Office to establish [*if not already in place / defined by HQ*] and/or strengthen complaint handling and investigation protocols, including clear case handling responsibilities, capacitated investigators, and the ability to enact disciplinary measures where an allegation of SEA is substantiated [*and incorporating the relevant national laws of Context*].

Management and Coordination

- Raise awareness of the Focal Points' identity and contact details throughout [*Organization*], the PSEA Network, [*and where appropriate the affected community*].
- Represent [*Organization*] at PSEA Network meetings, actively participate in fulfilling the Network's Action Plan, and report back to the Head of Office on Network progress and lessons learned.
- Generally assist the Head of Office to meet his/her senior leadership PSEA responsibilities.

ADVANCED ACTIVITIES:

[The following activities have proven to be strong practice for a Focal Point to take on where possible]

Community engagement

- Map existing community engagement projects in [*Organization*] and work with project leads to insert PSEA messages and/or gather community input where appropriate.

- In coordination with trained GBV colleagues, learn community preferences in reporting sensitive information, their perspectives of aid workers' attitudes and behavior, their feedback on the effectiveness of SEA reporting channels and processes and accessibility of assistance services, and their input on how to speak about sexual issues in a culturally appropriate manner.

Prevention

- Support program managers to budget for and implement [*Organization*]'s PSEA activities under the Work Plan.
- Assist human resource departments upon request to put in place and apply practices that guard against hiring persons who have a record of misconduct,⁵⁹ and include PSEA content in contracts, subcontracting, and job evaluation criteria.
- Collect and analyze information on SEA risk factors (via internal programming) and country-wide trends (via the Network) and make recommendations to senior management on how to enhance prevention strategies.
- Raise awareness of partners on [*Organization's*] Code of Conduct and mechanisms for reporting allegations of SEA. [For UN agencies, funds and programmes] Ensure management are aware of the [UN Protocol on Allegations of Sexual Exploitation and Abuse involving implementing partners](#) and accompanying partner assessment, and support as needed.
- In coordination with relevant fellow PSEA Network members (e.g. those sharing partners with [*Organization*]) provide PSEA trainings for partners.

TOOL 7: SAMPLE TERMS OF REFERENCE (TOR) FOR PSEA FOCAL POINT *(continued)*

Response:

- In coordination with GBV specialists [*and where present the Senior Victims' Rights Officer/Field Victims' Rights Advocate/Focal Point on Victims' Rights*⁶⁰], support the Head of Office to establish and/or strengthen [*Organization*]'s internal referral pathways to victim assistance services in line with the [UN Victims Assistance Protocol](#).
- [*If applicable and in line with the internal procedures*] Support the Head of Office to monitor the progress

of complaints according to [*Organization's*] internal procedures.

Management & Coordination

- Support and promote [*Organization's*] adherence to relevant accountability and compliance mechanisms, and reporting requirements on PSEA.
- Compile available anonymized, aggregate data on SEA allegations within [*Organization*] at country level to inform program adjustment and strengthen efforts to address SEA.

- Share regular updates of anonymized, aggregate SEA allegations with the PSEA Network to support trends analysis, unless this would jeopardize the rights of the victim or the investigation process.
- Coordinate with sub/field offices to share lessons learned, mutually benefit from training opportunities, and harmonize PSEA implementation throughout [*Organization*].

Note: the Terms of Reference can be sent in a memorandum to all staff. A suggested template is included below

Memorandum

To: All staff across the organization

From: The management of the organization

Date:

Object: Designation of PSEA focal points

Dear colleagues,

[*Name of the organization*] is committed to applying a

zero tolerance policy with regard to Sexual Exploitation and Abuse (SEA).

For this purpose we inform you that [*Name of the organization*] has designated the following team members as the Focal Points for Protection from Sexual Exploitation and Abuse (PSEA):

[*Name of focal point*], [*designation*], [*email address*], [*phone number*]

[*Name of focal point*], [*designation*], [*email address*], [*phone number*]

Please find attached the terms of reference detailing the responsibilities of these focal points. Do not hesitate to reach out to them if you have any questions or concerns about sexual exploitation and abuse as part of the projects of the organization.

While PSEA focal points have specific responsibilities assigned to them, all [*organization*]'s personnel are accountable for respecting the organization's standards of conduct and for reporting any allegation of SEA in line with the organization's reporting procedures. We count on your cooperation.

TOOL 8: TEMPLATES FOR PSEA CLAUSES FOR PARTNERSHIP CONTRACTS, SERVICE PROVIDERS AND SUPPLIERS

Example 1:

“[The contractor] and its employees, staff and/or subcontractors shall not be involved in any sexual exploitation or abuse. [The contractor] shall take all appropriate measures to (1) prevent sexual exploitation or abuse of anyone by its employees or any other persons engaged and controlled by the Contractor to perform any services under the Contract, and (2) take corrective action when an SEA incident occurs. [The contractor] hereby commits to report to [Name of the organization] any incident of SEA. Any breach of the provision by the Contractor shall entitle [Name of the organization] to terminate the contract with immediate effect.”

For the purposes hereof, the following definitions shall be used⁶¹:

Sexual exploitation means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Example 2:

“[The contractor] and its employees, staff and/or subcontractors shall not be involved in any sexual exploitation or abuse. [sub-contractor] shall ensure that its employees, agents, contractors and sub-contractors

comply with the highest standards of moral and ethical conduct. Any incident of SEA shall be reported to [Name of the organization]. Any failure by [sub-contractor] to take preventive measures against sexual exploitation or abuse, or to investigate allegations or take corrective action, shall constitute grounds for termination of the Agreement.”

For the purposes hereof, the following definitions shall be used⁶²:

Sexual exploitation means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Example 3:

XX.1 [The contractor] acknowledges and agrees that [Name of the organization] has a policy of “zero tolerance” for sexual exploitation and abuse. [The contractor] and its employees, staff and/or subcontractors shall not be involved in any sexual exploitation or abuse. For the purposes hereof, the following definitions shall be used⁶³:

Sexual exploitation means any actual or attempted abuse of a position of vulnerability, differential power,

or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

XX.2 [The contractor] shall take all necessary action to prevent sexual exploitation or abuse of any of its employees or any other person engaged and under its control, as well as any corrective action in the event that a situation of sexual exploitation or abuse occurs⁶⁴.

XX.3 Measures required to prevent and respond to sexual exploitation and abuse may include, but are not limited to: (1) A clear prohibition against any involvement in a situation of sexual exploitation or abuse; (2) Mandatory background checks for all personnel prior to recruitment; (3) PSEA training for all personnel; (4) Mandatory reporting of all allegations of SEA; (5) Referral of all survivors of SEA to immediate and professional assistance; and (6) Investigation of all reported allegations of SEA and implementation of corrective action.

XX.4 Any breach of the provision by the Contractor shall entitle [Name of the organization] to terminate the contract with immediate effect.”

TOOL 9: CHECKLIST FOR PSEA-SENSITIVE RECRUITMENT, CONTRACTING AND PERFORMANCE MANAGEMENT

- Include a sentence in job announcements to notify candidates that background and reference checks will be conducted and ethics is part of annual performance appraisals
- Require applicants to self-declare prior issues of sexual or other misconduct, termination of past employment, criminal records, and concerns registered with government authorities regarding contact with children, and to consent to the disclosure of any such information by their former employers during verification of references
- Conduct background checks (e.g. police records, Google searches) and contact references to vet for former misconduct in accordance with local laws regarding employment, privacy and data protection
- Ensure gender-balanced and gender-neutral interview panels during hiring processes and conduct gender neutral interviews.
- This includes for instance having a standardized interview process, making sure that each candidate, regardless of his gender or sexual orientation, is being asked the same questions and comparing them equally.
- Ask candidates interview questions about ethics and ethical dilemmas (e.g. What's your idea of an ethical organization? Tell me about a time when you faced an ethical challenge.)
- Require candidates to review and sign the code of conduct before being offered a contract
- Include a PSEA clause² in employment contracts.
- Outline disciplinary measures in the event of proven SEA allegations (e.g. termination of contract)
- Include mandatory training in PSEA as part of onboarding process and provide refresher courses at regular intervals during employment tenure
- Include adherence to code of conduct (e.g. participation in PSEA trainings) in performance appraisals of staff
- Include in the performance appraisals of senior staff their effectiveness in creating and maintaining an environment which prevents and responds to SEA
- Freeze professional advancement/recruitment opportunities of individuals under investigation
- In cases of confirmed misconduct, take robust disciplinary action (e.g. dismissal, suspension, written censure or other administrative/corrective measures) and, where this involves possible criminal conduct, consider reporting the incident to local law enforcement authorities (Please refer to "PSEA Toolkit, section on [Investigations Procedures](#), for more information)
- Maintain an internal database documenting any disciplinary measures on personnel, including dismissals, to avoid rehiring them at a later point in time
- Systematically share relevant information of personnel known to have committed SEA with other potential employers during background checks, to the extent legally possible.

TOOL 10: SAMPLES FOR JOB ANNOUNCEMENTS INCLUDING PSEA ELEMENTS

Example 1:

[Name of the organization] has a zero tolerance policy with regard to Sexual Exploitation and Abuse by [Name of the organization] 's personnel against the people they serve. Protection from Sexual Exploitation and Abuse (PSEA) is the responsibility of everyone and all selected candidates will be required to comply with the [Name

of the organization]'s PSEA Policy at all times. Selected candidates will therefore undergo rigorous reference and background checks against their past behaviour related to sexual exploitation and abuse, and may be required to provide additional information further on in the selection process.

Example 2:

"[Name of the organization] is an employer that does not tolerate Sexual Exploitation and Abuse. All potential candidates will be subjected to rigorous background checks and controls."

TOOL 11: TEMPLATE SELF-DECLARATION FORM

Please note, it is insufficient to only ask about the criminal background of a candidate, as most SEA incidents are not criminally prosecuted.

NAME AND SURNAME:	NATIONALITY:
ID CARD OR PASSPORT NUMBER:	PLACE OF RESIDENCE:
DATE OF BIRTH:	PHONE NUMBER:
PLACE OF BIRTH:	EMAIL ADDRESS:
HAVE YOU EVER BEEN THE SUBJECT OF A POLICE INVESTIGATION OR COURT PROCEEDINGS, IN THIS COUNTRY OR ABROAD, AS A RESULT OF CHARGES OF SEXUAL ABUSE OR SEXUAL MISCONDUCT AGAINST MINORS OR ADULTS THAT DO NOT APPEAR ON YOUR CRIMINAL RECORD? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, please provide additional information below.	
HAVE YOU EVER BEEN SUBJECT TO SANCTIONS (DISCIPLINARY, ADMINISTRATIVE OR CRIMINAL) ARISING FROM AN INVESTIGATION IN RELATION TO SEXUAL EXPLOITATION AND ABUSE OR SEXUAL MISCONDUCT, OR LEFT EMPLOYMENT PENDING INVESTIGATION AND REFUSED TO COOPERATE IN SUCH AN INVESTIGATION? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, please provide additional information below.	
HAVE YOU EVER BEEN IDENTIFIED BY A GOVERNMENT DEPARTMENT OR JUDICIAL OR OTHER COMPETENT AUTHORITY IN THIS COUNTRY OR ABROAD AS A RISK OR POTENTIAL RISK TO CHILDREN OR VULNERABLE ADULTS? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, please provide additional information below.	
HAVE YOU EVER BEEN OR ARE YOU CURRENTLY SUBJECT TO DISCIPLINARY PROCEEDINGS? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, please provide additional information below.	
HAVE YOU LEFT A PREVIOUS JOB PENDING AN INVESTIGATION AND REFUSED TO COOPERATE WITH SUCH AN INVESTIGATION? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, please provide additional information below.	

TOOL 11: TEMPLATE SELF-DECLARATION FORM *(continued)*

CONFIRMATION OF STATEMENT (PLEASE CHECK THE BOXES BELOW)

- | | |
|--------------------------|--|
| <input type="checkbox"/> | I AGREE THAT THE INFORMATION PROVIDED HERE WILL BE PROCESSED FOR RECRUITMENT PURPOSES AND IN CONFIDENTIALITY. I UNDERSTAND THAT A JOB OFFER MAY BE WITHDRAWN OR TERMINATION MAY RESULT IF I FAIL TO DISCLOSE TIMELY INFORMATION AND IF SUCH INFORMATION IS SUBSEQUENTLY COMMUNICATED TO THE ORGANIZATION. |
| <input type="checkbox"/> | I AGREE TO NOTIFY THE ORGANIZATION WITHIN 24 HOURS IF I AM SUBSEQUENTLY INVESTIGATED BY ANY AGENCY OR ORGANIZATION REGARDING CONCERNS ABOUT MY BEHAVIOR TOWARD CHILDREN, YOUTH OR VULNERABLE ADULTS. |
| <input type="checkbox"/> | I HEREBY AUTHORIZE ANY PERSON, ORGANIZATION, OR EDUCATIONAL/TRAINING INSTITUTION I MENTIONED AS A REFERENCE IN MY APPLICATION TO DISCLOSE IN GOOD FAITH AND IN CONFIDENCE ANY INFORMATION IN THEIR POSSESSION ABOUT MY QUALIFICATIONS OR SUITABILITY FOR THE JOB.
I ASSUME NO LIABILITY TO ANY EMPLOYER, PERSON OR EDUCATIONAL/TRAINING INSTITUTION FOR INFORMATION PROVIDED ABOUT ME NECESSARY AND INHERENT TO THE EMPLOYMENT PROCESS. |
| <input type="checkbox"/> | I UNDERSTAND THAT THE INFORMATION INCLUDED IN THIS FORM AND SUBMITTED BY THIRD PARTIES MAY BE PROVIDED BY THE ORGANIZATION TO OTHER PERSONS OR ORGANIZATIONS IN CASES WHERE IT IS DEEMED NECESSARY TO PROTECT OTHER CHILDREN OR VULNERABLE ADULTS. |

SIGNATURE:

NAME AND SURNAME IN CAPITAL LETTERS:

DATE:

TOOL 12: TEMPLATE TO REQUEST REFERENCES

To the extent legally possible, PSEA-sensitive reference checks and/or official background checks shall be conducted.

PLEASE MENTION THE CONTACT INFORMATION FOR YOUR THREE PREVIOUS SUPERVISORS.

	NAME AND SURNAME	PROFESSIONAL EMAIL ADDRESS	POSITION HELD
1			
2			
3			

DO WE HAVE YOUR CONSENT TO CONTACT THESE PEOPLE? YES NO

REFERENCE CHECK FORM

To the extent legally possible, PSEA-sensitive reference checks and/or official background checks shall be conducted.

NAME OF THE ORGANIZATION	
NAME OF CONTACT PERSON	
NAME OF THE PROSPECTIVE CANDIDATE	
DATE	

TOOL 12: TEMPLATE TO REQUEST REFERENCES *(continued)*

HOW DO YOU KNOW THE CANDIDATE?	
REASON FOR LEAVING THE ORGANIZATION	Resignation <input type="checkbox"/> Termination <input type="checkbox"/> Dismissal <input type="checkbox"/> Other <input type="checkbox"/> (specify):
CONSIDERING THE NATURE OF OUR OPERATIONS AND THE DESCRIPTION OF THE INTENDED RESPONSIBILITIES OF THE POSITION, DO YOU THINK THE CANDIDATE IS WELL SUITED FOR THE POSITION?	No <input type="checkbox"/> Yes <input type="checkbox"/> Please provide details below:
DESCRIBE THE CANDIDATE'S RELATIONSHIP WITH TEAMMATES AND SUPERVISORS	Excellent <input type="checkbox"/> Very good <input type="checkbox"/> Good <input type="checkbox"/> Poor <input type="checkbox"/> Please provide details below:
HOW WOULD YOU DESCRIBE THE CANDIDATE'S HONESTY, INTEGRITY AND ETHICS?	Excellent <input type="checkbox"/> Very good <input type="checkbox"/> Good <input type="checkbox"/> Poor <input type="checkbox"/> Please provide details below:
HOW WOULD YOU DESCRIBE THE CANDIDATE'S ABILITY TO KEEP INFORMATION CONFIDENTIAL?	No <input type="checkbox"/> Yes <input type="checkbox"/> Please provide details below:
DO YOU HAVE ANY REASON TO CONSIDER THAT IT WOULD BE INAPPROPRIATE FOR THE CANDIDATE TO HAVE A JOB THAT WOULD INVOLVE WORKING WITH CHILDREN AND VULNERABLE ADULTS?	Excellent <input type="checkbox"/> Very good <input type="checkbox"/> Good <input type="checkbox"/> Poor <input type="checkbox"/> Please provide details below:
DO YOU HAVE ANY DOUBTS THAT THIS CANDIDATE HAS COMMITTED PROFESSIONAL MISCONDUCT AND/OR ACTED CONTRARY TO YOUR CODE OF CONDUCT/REGULATIONS?	No <input type="checkbox"/> Yes <input type="checkbox"/> Please provide details below:
DO YOU HAVE ANY DOUBT OR AWARENESS THAT THE CANDIDATE HAS EVER BEEN INVOLVED IN SEXUAL EXPLOITATION OR SEXUAL ABUSE?	No <input type="checkbox"/> Yes <input type="checkbox"/> Please provide details below:
IF GIVEN THE OPPORTUNITY, WOULD YOU REHIRE THIS CANDIDATE?	No <input type="checkbox"/> Yes <input type="checkbox"/> Please provide details below:
DO YOU HAVE ANY OTHER INFORMATION OR COMMENTS THAT YOU DEEM USEFUL BEFORE WE PROCEED WITH THE HIRING OF THIS CANDIDATE?	No <input type="checkbox"/> Yes <input type="checkbox"/> Please provide details below:

TOOL 13: SAMPLE QUESTIONS FOR WRITTEN EXAMS AND ORAL INTERVIEWS RELEVANT TO PSEA

Below are examples of questions that can be asked to candidates during interviews that would allow, among others, to identify red flags in relation to sexual exploitation and abuse. There is no need to include all of them.

- What's your idea of an ethical organization? Tell me about a time when you faced an ethical challenge.
- The Organization's PSEA Policy and/or Code of Conduct applies to all staff, both on and off duty. Do you have any issues with that?
- Tell us about a time when you witnessed or became aware of a situation of abuse of power in your workplace/in the context of your work. What action, if any, did you take? What did you learn?
- Some people we serve and we work with might be more vulnerable to sexual exploitation and abuse. What groups or individuals do you consider to be most at risk as part of our organization's work?
- Have you ever become aware of a situation where one of your co-workers was involved in a situation of misconduct or breach/violation of your organization's Code of Conduct/PSEA/Safeguarding policy in your current or previous organization? If so, please elaborate on the actions you took in response to this situation.
- What would be your contribution to ensuring a safe work environment and culture where sexual exploitation and abuse is not tolerated?
- What contributions would you make to ensure that your teammates adhere to the highest standards of conduct to reject any form of inappropriate sexual behavior?
- Have you ever reported on an SEA incident that you have witnessed or suspected? (Please make sure not to give identifying information in your answer to respect confidentiality)
- Consider this scenario: One of your team members, [chosen name 1] tells you in confidence that another team member, [chosen name 2] behaved in an inappropriate way with some beneficiaries, apparently female. However, [chosen name 1] advises you not to do anything, as he is afraid that it would damage the working relationship within the team if [chosen name 2] finds out he has reported the situation. What would you do? Who else should be involved?

TOOL 14: SAMPLE PSEA CLAUSE IN EMPLOYMENT CONTRACTS

Below is an example of a clause on Sexual Exploitation and Abuse in employment contract. The clause should lay out the specific responsibilities towards PSEA. The clause shall be adapted to all contract's templates used by the organization

Article XX – Commitment on Protection from Sexual Exploitation and Abuse

The employee commits to adhere to the zero-tolerance policy of the [organization] towards sexual exploitation and abuse and to take all necessary measures to ensure this policy is maintained and promoted. The employee commits to support all the efforts of the [organization] to prevent and respond to SEA allegations, in particular:

- Adhere to the [organization]'s code of conduct, prohibiting SEA
 - Mandatory reporting of any SEA situation the employee should become aware of
 - The mandatory participation to all trainings and sessions on SEA organized and facilitated by [organization]
 - The mandatory participation in good faith in any investigations or audit undertaken by the [organization] following the reporting of a SEA allegation.
- Breaches in these requirements will be dealt with in accordance with the [organization] policies and may lead to sanctions being imposed (e.g. dismissal, suspension, written censure or other administrative/corrective measures) including termination of employment.

TOOL 15: SAMPLE PSEA TRAINING AGENDA

Note: Organizations should modify this training agenda based on the specific audience.

ACTIVITY	EST. TIME	RESOURCES
INTRODUCTION		
WELCOME AND INTRODUCTION: <ul style="list-style-type: none"> • Introduction of trainer(s) and learners • Overview of training agenda • Expected learning outcomes 	15 min	HANDOUT: <ul style="list-style-type: none"> • Training agenda
SESSION 1: UNDERSTANDING SEXUAL EXPLOITATION AND ABUSE		
PRESENTATION: KEY DEFINITIONS AND CONCEPTS <ul style="list-style-type: none"> • Definition of SEA • UN Zero-Tolerance Policy on SEA • Roles and responsibilities of personnel in preventing and responding to SEA 	15 min	HANDOUTS: <ul style="list-style-type: none"> • Copies of SG's Bulletin (ST/SGB/2003/13), organization's code of conduct and other relevant documents • Interaction video available in over 40 languages Interaction video "No Excuse for Abuse" documents
CASE SCENARIOS: IS THIS SEA? <ul style="list-style-type: none"> • Present practical scenarios and discuss which ones may be cases of SEA and why 	45 min	
GROUP EXERCISE: IMPACTS OF SEA <ul style="list-style-type: none"> • Ask learners to identify the (potential) consequences of SEA on a) the victim(s), b) the community, c) the organization, and d) others 	30 min	
SESSION 2: TAKING ACTION AGAINST SEA		
PRESENTATION: OVERVIEW <ul style="list-style-type: none"> • Overview of responses to SEA (prevention, reporting, investigation and referral) • Guiding principles (including victim-centred approach) 	20 min	<ul style="list-style-type: none"> • Handout of relevant tools of from UNICEF's PSEA <i>Practical Guide and Toolkit for UNICEF and Partners</i> (e.g. Section 1: Organizational Self-Assessment, Tool 1: action plan template, Tool 5: PSEA risk assessment and mitigation)
GROUP DISCUSSION: PREVENTION <ul style="list-style-type: none"> • Discuss how to identify and mitigate risks of SEA in their context (What are warning signs? • Why are they ignored? • What more can the organization do to prevent SEA?) 	45 min	

ACTIVITY	EST. TIME	RESOURCES
<p>PRESENTATION: REPORTING</p> <ul style="list-style-type: none"> • Mandatory reporting • How to report SEA allegations, including confidentiality issues and ‘the best interest of the child’ • Protections for those reporting SEA allegations 	20 min	<ul style="list-style-type: none"> • Consider discussions on the organization’s reporting channels: ask whether the personnel is aware of available channels, identify barriers to reporting and possible ways to improve accessibility and overcome barriers to reporting • Handout with contact information of reporting channels and policy for protecting whistleblowers and/or complainants
<p>PRESENTATION: INVESTIGATIONS</p> <ul style="list-style-type: none"> • Overview of investigation process • Consequences for personnel if allegations are substantiated • Responsibilities of personnel to fully participate in any investigation 	15 min	
<p>PRESENTATION: ASSISTANCE</p> <ul style="list-style-type: none"> • Service needs of victims (and witnesses) • Victim-centred approaches and informed consent • Referral pathways 	10 min	Possibility to focus during an exercise on the five key principles of the victim-centred approach (respect, non-discrimination, safety, confidentiality, informed consent) and ask the audience to provide examples/illustrations
CONCLUSIONS		
<p>CONCLUSIONS</p> <ul style="list-style-type: none"> • Summary of key learnings <ul style="list-style-type: none"> ◦ Ask each learner to provide at least one answer to the question: ‘How do you plan to apply what you just learned in your work?’ • Feedback on training 	20 min	Feedback forms

TOOL 16: SAMPLE INCIDENT REPORT FORM FOR SEA ALLEGATIONS

This sample incident report form is intended for organizations' internal reporting processes. If reports are shared with UNICEF or others, this should be done confidentially and in a manner that assures the safety of all involved (see [Section 4.2. Reporting Mechanisms](#)).

Sample Incident Report Form for SEA Allegations

CONFIDENTIAL: Please restrict access to this document and keep it stored safely (e.g. using passwords or encryption for computers and locking lock offices when unattended). Always use code names when referring to individuals involved in the case, omit information that could reveal identities (e.g. date of birth, address, phone number, description of unique physical traits) and keep information on the identity and personal details of persons involved separate from incident and related reports.

1. Details on how, when, and by whom, the allegation was received:
2. Description of alleged incident, including dates, times and locations:
3. Description of alleged or suspected **victims** (e.g. name, age, gender, ethnic origin/nationality, specific needs):
4. Description of alleged or suspected **perpetrators** (e.g. name, age, gender, nationality, organizational affiliation/position, previous record of misconduct):
5. Actions taken by organization in response to allegations to date (e.g. referral for assistance, investigations, notification of UN/Host Government):
6. Actions taken by other organizations or entities (e.g. UN, Host Government) in response to the allegation:
7. Requested support from partners (e.g. support for SEA victims, investigations)

REPORT TRANSMITTED BY:	
NAME:	CONTACT INFO (EMAIL, PHONE):
TITLE:	DATE:

TOOL 17: SAMPLE REFERRAL FORM⁶⁵

REFERRAL FORM

CONFIDENTIAL: Please restrict access to this document and keep it stored safely.

Note: Please share copies of filled out referral forms with the victim and receiving agency and keep a copy for the organization's internal records and follow-up.

REFERRING AGENCY		
AGENCY/ORG:	CONTACT:	PHONE:
EMAIL:	LOCATION:	

RECEIVING AGENCY		
AGENCY/ORG:	CONTACT:	PHONE:
EMAIL:	LOCATION:	

VICTIM INFORMATION		
NAME:	ADDRESS:	
PHONE:	AGE:	SEX:
NATIONALITY:	LANGUAGE:	ID NUMBER:
If victim is a minor (under 18)		
NAME OF PRIMARY CAREGIVER:	RELATIONSHIP TO CHILD:	
IS CHILD SEPARATED OR UNACCOMPANIED? <input type="checkbox"/> Yes <input type="checkbox"/> No	CAREGIVER IS INFORMED ABOUT REFERRAL? <input type="checkbox"/> Yes <input type="checkbox"/> No (If no, explain)	

TOOL 17: SAMPLE REFERRAL FORM *(continued)*

BACKGROUND INFORMATION/REASON FOR REFERRAL AND SERVICES ALREADY PROVIDED

HAS THE VICTIM BEEN INFORMED OF THE REFERRAL? Yes No (If no, explain below)

HAS THE VICTIM BEEN REFERRED TO ANY OTHER ORGANIZATION? Yes No (If yes, explain below)

SERVICES REQUESTED

- Mental Health Services
- Psychosocial Support
- Social Services
- Medical Care
- Protection Services
- Legal Assistance

- Education
- Livelihood Support
- Shelter
- Material Assistance
- Nutrition
- Support for children born as a result of SEA

PLEASE EXPLAIN ANY REQUESTED SERVICES:

CONSENT TO RELEASE INFORMATION.

(Read with victim/caregiver and answer any questions before s/he signs below. Sign on behalf of victim/caregiver if consent is given verbally and victim/caregiver cannot sign.)

I, _____ (victim name), understand that the purpose of the referral and of disclosing this information to _____ (name of receiving agency) is to ensure the safety and continuity of care among service providers seeking to serve the client. The service provider, _____ (name of referring agency), has clearly explained the procedure of the referral to me and has listed the exact information that is to be disclosed. By signing this form, I authorize this exchange of information.

SIGNATURE OF RESPONSIBLE PARTY (VICTIM OR CAREGIVER IF A CHILD):

DATE (DD/MM/YY):

DETAILS OF REFERRAL

ANY CONTACT OR OTHER RESTRICTIONS? Yes No (If yes, explain below)

REFERRAL DELIVERED VIA: Phone (emergency only) E-mail Electronically (e.g., App or database) In Person

FOLLOW-UP EXPECTED VIA: Phone E-mail In Person

BY DATE (DD/MM/YY):

INFORMATION AGENCIES AGREE TO EXCHANGE IN FOLLOW UP:

NAME AND SIGNATURE OF RECIPIENT:

DATE RECEIVED (DD/MM/YY):

TOOL 18: SAMPLE TERMS OF REFERENCE FOR INVESTIGATOR OF SEA ALLEGATIONS⁶⁶

Terms of Reference: Investigator of SEA Allegations

1. Background

[Include brief description of the SEA allegation and other relevant information that may support the investigation.]

2. Purpose and Objectives

The purpose of this investigation is to conduct a thorough, objective and effective investigation of the above-mentioned reported SEA allegations and other related incidents, in accordance with professional standards and best international practice.

Specific objectives are to:

1. Assess whether the allegations reasonably amount to SEA, and possibly, an offence under national law;
2. Review evidence presented and gather further evidence that might support or undermine the allegations;
3. Present a summary of the evidence and conclusions.

3. Scope of Work

Key deliverables are:

- Work plan, including detailed methodology of investigation (e.g. review of relevant documents, site visit(s), interviews with relevant stakeholders)
- Recommended plan of actions for protecting victims, witnesses, alleged perpetrators and the organization during investigation process
- Investigation report, including
 1. Executive Summary
 2. Introduction
 3. Allegations (i.e. listing all allegations; names of the organization's policies/code of conduct and laws potentially violated)
 4. Investigative approach (e.g. interviews, review of documents)
 5. Chronology of events
 6. Analysis of evidence
 7. Retaliation and protection risks (and steps taken to address them)
 8. Analysis of adequacy of organization's response to SEA allegation
 9. Conclusions regarding evidence to substantiate or not the allegation(s)
 10. Recommendations (including areas of improvement for the organization's response to PSEA)

4. Key Required Skills and Experiences

- Experienced, reliable professional investigator with experience in dealing with highly sensitive cases
- Trained in conducting interviews, including with children and people who experienced trauma
- Demonstrated sensitivity and knowledge to cultural diversity and gender issues, including GBV experience if possible
- Fluent in relevant languages for interviews with personnel and other witnesses, including [specify]
- Proven communication and organizational skills

TOOL 19: SAMPLE CONFIDENTIALITY REMINDER NOTE FOR SEA INVESTIGATIONS

Confidentiality Reminder for SEA Investigations

You have been asked to provide assistance in an investigation of allegations of sexual exploitation or abuse involving personnel that is currently being undertaken. You may be interviewed, asked to provide documents, computer files and other records, or asked to assist in some other way. Internal investigations are a key part of our organization's commitment to preventing and responding to sexual exploitation and abuse.

As a participant in an investigation, there are certain points you need to know:

- **COOPERATE.** You are encouraged to cooperate with the investigations and respond to all questions and requests from investigators honestly and fully.
- **KEEP IT CONFIDENTIAL.** You must keep confidential the fact that an investigation is underway and anything discussed with you as part of the investigation.
- **NO RETALIATION.** Our organization does not tolerate any type or threat of retaliation against anyone who reports a violation or cooperates in an investigation.
- **DON'T PLAY DETECTIVE.** Do not try to carry out your own inquiries or approach witnesses as this may disrupt the ongoing investigation.
- **NO OBSTRUCTION.** Never attempt to interfere with or obstruct an investigation.

Your compliance with these requirements is imperative. Violations can potentially result in severe disciplinary measures.

Thank you very much for assisting the organization with its investigation. If you learn or remember anything else that might be relevant to the investigation, or if you have any questions please contact me.

Name: _____

Email: _____

Phone: _____

Mobile: _____

TOOL 20: OATH OF CONFIDENTIALITY TEMPLATE

This template is adapted from the template included in the CHS investigation [Guide](#).

Purpose: Confidentiality is an important part of the victim-centered principle in SEAH investigations and ensures that information gathered by the investigation is shared only with authorized individuals on a need-to-know basis. The Oath of Confidentiality Tool is therefore deployed with translators, survivor liaisons, support persons, and any individuals who are external to the core investigation team.

OATH OF CONFIDENTIALITY

I, the undersigned, shall exercise the utmost discretion with regard to my involvement in the investigation being conducted by _____ (name of the organization). I shall hold confidential all information known to me by reason of my activities on behalf of the investigation team. I shall not use such information for private gain, or to favor or prejudice a third party. I understand that this declaration will remain in force after the completion of my assignment with the _____ name of the organization) investigation team. I also understand that divulging confidential information to persons who are not authorized to receive it may amount to misconduct and that the signed original of this declaration will be held in the relevant investigation file.

Name: _____

Title: _____

Role: _____

Signature: _____

Date and place: _____

How to use this tool: Translators, survivor liaisons, support persons, and any other individuals external to the investigation must read and sign the Oath of Confidentiality in the presence of an investigator before they participate in interviews, sessions, or information sharing. The investigator also signs the Oath of Confidentiality, ensuring it is properly filed and stored with other investigation documentation. If the investigation is done remotely, the oath will ideally be signed in the presence of a local investigation team member. If this is not possible, the oath should be signed via video conference in the presence of investigators.

Section to be filled out by the investigator before whom the oath is taken

Case Number: _____

Name: _____

Title: _____

Signature: _____

Date and place: _____

TOOL 21: CONFIDENTIALITY AGREEMENT

This tool was developed as part of the implementation of an investigator's pool in DRC by the PSEA Network.

CONFIDENTIALITY AGREEMENT – INVESTIGATOR (NAME and First names)

It is critical to respond to SEA allegations in a safe and independent manner. To this end, it is important to ensure respect for the privacy/confidentiality of the persons involved in the allegation.

Each investigator having in its possession identifying information must not share this information except with the team in charge of the management of the investigation / and or the decision makers of the requesting organization. Any breach of confidentiality can have serious consequences for: (i) the alleged victim/survivor, (ii) the complainant, witnesses or alleged perpetrator, (iii) and the credibility and safety of the investigation team.

In connection with this Agreement, Confidential Information is:

- Direct or indirect information related to an allegation and/or investigation
- Documentary evidence (report form, emails, interview reports, handwritten notes, recording, etc.)
- Information related to priorities and planning in connection with an investigation by the investigation team.

I, _____, have been hired as an investigator to conduct an investigation into an allegation of sexual exploitation and/or abuse on behalf of [insert name of organization]. I undertake to exercise the tasks entrusted to me with professionalism. I agree to perform fully and faithfully, to the best of my abilities, the required activities.

I understand that all information provided by witnesses and the requesting organization or any other party involved in the investigation is strictly confidential.

I will respect the right to privacy of everyone involved in this matter.

I will always seek the consent of the victims to share their personal information with decision-makers in the case and ensure that they are made aware of the requesting organization's case management procedures.

I will not directly or indirectly discuss any information relating to the case outside of those on the requesting organization's case management team, unless I have written permission from the requesting organization.

I also agree to store all documentary evidence securely, in accordance with the instructions of the requesting organization, keeping physical copies in a locked place and electronic copies in a place with restricted access with a password. .

I agree not to make copies of evidence unless necessary and to destroy all electronic and physical copies remaining in my possession once my participation in the investigation is complete.

If I am under a duty to provide law enforcement with information relating to an investigation, I will immediately notify the requesting organization in writing.

I understand that this commitment continues to be in effect even after the closure of the investigation and that sharing confidential information at any time may expose me to legal action and disciplinary action from my employer and/or or the requesting organization.

Investigator's signature _____

Date _____

TOOL 22: TEMPLATE FOR RISK ASSESSMENT AND MANAGEMENT DURING SEA INVESTIGATION⁶⁷

CONFIDENTIAL: Please restrict access to this document and keep it stored safely.

RISK ASSESSMENT				MANAGEMENT			
NO.	WHO IS AT RISK?	IDENTIFIED RISK(S)	LIKELIHOOD OF RISK*	PREVIOUS MEASURES TO MANAGE RISK(S) TO DATE	ADDITIONAL MITIGATION MEASURES	BY WHOM?	BY WHEN
EXAMPLE	Victim	Alleged perpetrator pressuring victim to withdraw allegations	Medium	Verbal communication to alleged perpetrator to abstain from contact with victim (3 February 2019)	Written warning to alleged perpetrator regarding consequences of continued contact	Anne	By 5 March 2019 (immediately)
1.							
2.							
3.							

* High/Medium /Low

TOOL 23: INVESTIGATION PLAN TEMPLATE

DATE:	CASE NUMBER:
COMPLETED BY:	ALLEGATION:
ALLEGED PERPETRATOR	VICTIM
DATE ASSIGNED	DATE DUE:

Summary of Allegations (include how and when the allegation was received and by whom, what has been alleged against whom)

Applicable legal norms (identify the rules, regulations and standards of conduct that may have been violated by the alleged misconduct).

Summary of Management/ Committee Decision to Investigate (include rationale for proceeding with investigation, terms of investigation, protection concerns identified by committee)

Alleged Incident

	INFORMATION KNOWN	
	YES	NO
TYPE OF ABUSE OR EXPLOITATION		
NUMBER OF ALLEGED INCIDENTS		
SINGLE OR MULTIPLE ALLEGED PERPETRATOR		
SINGLE OR MULTIPLE SURVIVORS		
RELATIONSHIP BETWEEN ALLEGED PERPETRATOR(S) AND SURVIVOR(S)		
DEGREE OF VIOLENCE / AGGRESSION USED		
FORM OF COERCION		

Response to Allegation

	YES	NO	UNKNOWN
COMPLAINANT HAS RECEIVED WRITTEN CONFIRMATION OF COMPLAINT RECEIPT/INVESTIGATION			
SURVIVOR NEEDS HAVE BEEN ASSESSED			
SURVIVOR HAS BEEN OFFERED SUPPORT / REFERRAL FOR IDENTIFIED NEEDS			
SURVIVOR / WITNESSES ARE CURRENTLY IN A SAFE PLACE			
CONFIDENTIALITY OF INVESTIGATION HAS BEEN MAINTAINED			

TOOL 23: INVESTIGATION PLAN TEMPLATE *(continued)*

Work Plan steps and timelines

1. Facts to be established to substantiate or refute allegations

The following facts need to be established to substantiate or refute the allegations:

ALLEGED BREACH	RELEVANT POLICY / RULE VIOLATED	ELEMENTS TO BE PROVEN	AVAILABLE EVIDENCE	ADDITIONAL EVIDENCE NEEDED

2. Proposed Interviews

NO.	NAME/POSITION	STATUS (ALLEGED PERPETRATOR, WITNESS, VICTIM, ETC)	CONTACT INFO (PHONE AND E-MAIL)	PURPOSE OF INTERVIEW / REASON FOR INTERVIEWING	TENTATIVE DATE/ AVAILABILITY	ANY SPECIFIC CONSIDERATIONS / NEED FOR INTERPRETER

3. Evidence / Records to be collected

EVIDENCE TO BE COLLECTED	JUSTIFICATION	MEANS FOR SECURING EVIDENCE	CONSIDERATIONS (RISKS, CONFIDENTIALITY)	ESTIMATED TIMELINE

Evidence can include

- witness testimony (e.g. statement about what someone saw, heard, smelt, etc.)
- physical evidence (e.g. examinations of the site of the alleged abuse)
- documentary evidence (e.g. forms, photographs, videotapes, computer files)
- expert evidence (authoritative opinions about whether something is likely to have occurred).

4. Potential risks

a. Risks to the organization / investigation

Identify any risks to the Organization arising from the investigation and indicate any possible solutions to address those risks..This includes potential risks of evidence tampering

TYPE OF RISK	EXPLANATION / SOLUTIONS	HIGH / MEDIUM / LOW

b. Risks to individuals

Identify any risks to individuals involved in the investigation, including investigators, staff, alleged perpetrator, witnesses. Include risks of witness intimidation.

TYPE OF RISK	EXPLANATION / SOLUTIONS	HIGH / MEDIUM / LOW
		MEDIUM
---	---	---
---	---	---

c. Interim measures, including possible suspension

Discuss any need to request that the alleged perpetrator be suspended or if s/he has already been suspended.

5. Overall schedule and potential travel

6. Resources

Budget required

TOOL 24: INVESTIGATION REPORT TEMPLATE

The investigation report documents the investigators' findings, including the evidence for and against the allegation, and the conclusions of the investigators as to whether the evidence upholds the allegation, does not uphold the allegation, or is insufficient to draw a conclusion. The report should include sufficient detail for readers to understand the allegation, how the investigation was carried out, and whether the evidence supports or does not support the allegation.

*The reports must be factually correct, impartial and objective. The findings should be based on facts and not the opinion of the investigator. It **should not** include recommendations regarding disciplinary action or other actions to be taken regarding the alleged perpetrator. It should be submitted to the Investigation Manager and shared with the disciplinary committee or relevant decision-makers.*

Investigators should consider how widely the report will be distributed and to whom. Reports that may be widely distributed may need to be cleaned of confidential information, e.g., names of witnesses, names of survivors. In some cases, it may be necessary to write two reports in order to protect the privacy of vulnerable parties.

Investigation reports must be kept confidential and only disclosed on a need-to-know basis.

The report should include the following:

Executive Summary

This section provides a concise summary of the investigation. Be aware that some readers will only

read the executive summary; therefore, it needs to include the most relevant information, including the specific allegation made, how the allegation was received, the investigation methodology (e.g., evidence gathered, witnesses interviewed) as well as the conclusions of the investigators.

Allegation

This section provides a narrative account of the allegations against the staff member. If more than one staff member is involved, separate reports should be written for each. In this section, investigators should include:

- The specific allegation made
- Personnel implicated - The staff member's full name and title
- The policy/standards that are alleged to have been breached – Applicable rules and regulations
- Background or context if needed (e.g., details about the location or program if these would not be known to the reader)

Investigation Methodology

This section describes the process that investigators followed in conducting the investigation, any challenges or constraints faced (for instance safety issues), the types of evidence gathered (electronic/digital etc), and a list of the witnesses/alleged perpetrator interviewed.

This section should also describe how the alleged perpetrator's rights were respected, i.e. whether he/she had the opportunity to respond/present evidence, comment on the investigation findings etc.

Risk Assessment

This section should outline the risk assessment and management process across the investigation, noting in particular, any outstanding risks and recommended measures for mitigating these risks.

Investigation Findings

This section should summarize the findings for and against the allegation, with separate sections for each breach. Depending on the complexity of the investigation, the findings may be summarized in a table including evidence supporting the complaint and evidence which does not support the complaint for each allegation.

Conclusion

Following the presentation of evidence, the report must include a conclusion for each complaint or allegation, as follows:

- The allegation is upheld, based on available evidence
- The allegation is not upheld, based on available evidence
- The allegation is not upheld, due to insufficient evidence

The report should include as appendices all the relevant information supporting the investigation such as the investigation plan, risk assessment, signed interview transcripts, evidence logs, copies of evidence gathered, etc.

TOOL 25: SEA INVESTIGATION POLICY AND PROCEDURES TEMPLATE FOR PARTNERS

INSTRUCTIONS:

This document provides a template for UNICEF Implementing Partners to adopt and adapt for their internal SEA Investigation Policy and Procedures. This template is based on best practices and international standards in SEA investigations. Some adaptation may be necessary to be consistent with local laws.

1. Introduction

Sexual exploitation and abuse (SEA) by [Organization Name] employees, contractors, volunteers, partners, affiliates, and other related personnel constitute acts of gross misconduct and are therefore grounds for disciplinary action, up to and including termination of employment. Receipt of allegations of SEA by [Organization Name] personnel therefore require appropriate response with the aim of providing adequate support to survivors, investigating allegations for disciplinary action, and preventing recurrence of such misconduct.

2. Definitions

For the purposes of this document, the following definitions apply:

- *Sexual abuse* is defined as actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. All sexual activity with a child, i.e. a person under the age of 18, is considered as sexual abuse'
- *Sexual exploitation* 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.

- The *Alleged Perpetrator* refers to the humanitarian personnel against whom an allegation of sexual exploitation or abuse has been made.
- The *Complainant* refers to the person or persons who reported the allegation to [Organization Name]. This may or may not be the survivor.
- The *Victim* refers to a person who is, or has been, sexually exploited or abused. 'Survivor' is often used interchangeably with 'Victim'. This template uses the term Victim for consistency with the use of the term 'Victim' in the toolkit. However, neither designation is any way meant to imply a lack of strength, resilience, or capacity to survive.

3. Purpose and Scope

This document provides guidance and direction on the procedures to be followed when an allegation of sexual exploitation or abuse has been made that a [Organization Name] personnel has engaged in sexual exploitation or sexual abuse against affected populations. These procedures apply to all [Organization Name] personnel, including employees, contractors, volunteers, partners, affiliates, and other related personnel.

This document does not address cases of sexual harassment, defined as any unwanted sexual advances or verbal or physical conduct of a sexual nature by humanitarian personnel against another

humanitarian personnel. [Organization Name]'s policy and procedures for responding to allegations of sexual harassment between personnel are outlined in [Name of Document/Procedures].

The following documents are included as annexes to this policy:

- Sample Incident Report Form on SEA (Tool 15)
- Template for Risk Assessment and Management during SEA investigations (Tool 21)
- Sample Terms of Reference for Investigators of SEA Allegations (Tool 17)
- Sample Confidentiality Reminder for SEA Investigations (Tool 18,19,20)

4. Principles

These procedures are based on the following principles:

- Confidentiality
 - Investigations are strictly confidential. Disclosure of the investigation to relevant stakeholders is on a need-to-know basis with confidentiality as the main guiding principle.
- Commitment to safety, health, and welfare
 - Safety, health, and welfare of all parties in an investigation is paramount. Risks must be continually assessed and managed. Investigations only proceed when risks to safety, health, and welfare can be appropriately managed.

TOOL 25: SEA INVESTIGATION POLICY AND PROCEDURES TEMPLATE FOR PARTNERS *(continued)*

- Independence
 - The investigation process is independent of any disciplinary action taken. This independence is maintained through separation of the roles of investigators and decision-makers.
- Impartiality
 - The investigation team is chosen on the basis of their ability to be impartial; conflicts of interest, including personal and working relationships with any parties to the investigation, are declared and members of the investigation team are replaced where necessary.
- Victim-centered
 - Victims are at the center of the investigation and *shall be informed on relevant aspects of the investigations process*. The investigation process is designed to empower victims and restore their sense of control over their lives and their bodies. Victims are given an opportunity to voice their wishes, needs, and concerns *and shall provide their informed consent for the investigation to proceed and for any potential disclosure of their information*. Investigators shall employ strategies to minimize the risk of re-traumatization of victims, *such as limiting the number of times victims are interviewed and considering factors as age, disability, level of trauma, cognitive development and language when preparing for the interview*. Assistance is offered to victims at the outset of the investigation process, without prejudice to the outcome of the investigation. This assistance is offered regardless of whether the victim initiates or cooperates with the investigation.
- Respect for the law
 - The investigation is conducted in accordance with all laws and statutes of [Country Name], including mandatory reporting of sexual abuse against children and relevant labour laws. Investigators follow accepted procedures in gathering evidence and interviewing witnesses, including the alleged perpetrator. The alleged perpetrator's rights to review evidence, review the Investigation Report, and appeal any decision made is in accordance with [Country Name] labour law. Any disciplinary action taken is consistent with these laws and statutes.
- Due process
 - The alleged perpetrator is treated fairly and in accordance with established rules and procedures, in a way that maintains the rights of all stakeholders involved. Investigation must always be transparent, objective and fair.
- Timely
 - While the timeline may vary depending on the scope and complexity of the investigation, investigations shall be completed in a timely manner, balancing the need for expeditious disposal of the case against the requirement for investigations to be thorough and fair.
- Competence
 - Investigations are carried out by individuals with the requisite training and experience. Investigators conduct themselves within the limits of their professional competence. They seek support and guidance for any aspects of the investigation

for which they have not been specifically trained and recuse themselves from the investigation if necessary.

5. Receiving Allegations

5.1 Obligation to Report

All [Organization Name] personnel have an obligation to report SEA allegations, concerns, suspicions or retaliation related to SEA. Allegations, concerns, suspicions, or retaliation shall be reported to the [PSEA Focal Person / Other]. Personnel reporting concerns shall not attempt to gather further information, conduct a preliminary investigation, nor inform anyone else of the matter.

5.2 Protection Against Retaliation

[Organization Name] maintains a zero-tolerance policy for retaliation (such as intimidation, harassment, or violence or, in the case of personnel, loss of jobs or other adverse employment actions, against anyone for making a good faith report of sexual exploitation or abuse, assisting in making a complaint, or participating in an investigation.

Anyone who makes a good-faith complaint of sexual exploitation or abuse, assists, or participates in any investigation or proceeding will not be adversely affected in the terms and conditions of their employment and will not be discriminated against or discharged for engaging in such activity. However, knowingly and deliberately filing a false or malicious statement may constitute grounds for disciplinary measures.

5.3 Confidentiality

Any personnel who has knowledge of an SEA report or complaint must respect confidentiality to protect those directly involved. Information shall only be shared on a need-to-know basis in a strictly confidential manner in accordance with [Organization Name]’s Data Protection Policy. The obligation of confidentiality continues after the matter has been closed. Failure to respect such confidentiality is considered misconduct and may result in disciplinary measures.

5.4 Immediate Action by PSEA Focal Person

Upon receiving an allegation of sexual exploitation and abuse, the PSEA Focal Person (FP) will take immediate action as follows:

- Complete an Incident Report Form on SEA, if one has not already been completed (see Annex A). In completing the Incident Report Form on SEA, the FP shall:
 - Use the complainant’s own wording to describe facts, violations and persons involved in the case.
 - Indicate where relevant information is missing and add essential contextual information where needed.
 - Remember that their role is not to investigate but rather to relate the facts for others to follow-up.
- Report and manage any urgent safety concerns, keeping in mind the following:
 - It is not the responsibility of the FP to complete a risk management plan⁷⁰ However, there may be urgent safety concerns that require immediate

action to protect the health and welfare of parties to the investigation.

- If urgent safety concerns are identified by the FP, these, along with any actions taken, must be reported without delay to [Ethics Committee / Disciplinary Committee / Senior Management Team].
- In managing urgent safety concerns, the FP shall remain mindful of the obligation to maintain confidentiality and protect the identity of the parties named in the allegation.

- Refer the alleged victim for assistance, keeping in mind the following:

If the FP receives the SEA disclosure directly from the victim, the FP shall listen, support and promptly refer the victim to relevant services of their choice, with their consent or the consent of a caregiver or guardian in the case of a minor, using GBV/Child Protection referral pathways. The FP shall also be able to provide guidance to the victim on “what comes next” and what will happen with the report. The FP shall [Depending on the country context / presence of a PSEA Network and PSEA Network Standard Operating Procedures], the FP shall inform the PSEA coordinator about the allegations, without sharing identifiable information.] If the victim chooses to participate in an investigation, the FP coordinate between the investigators and the service provider(s) to ensure that protection and assistance is provided to the victim during the investigation, as part of a victim-centred approach

- If the FP is not in direct contact with the alleged victim, i.e., if the information is received from a

third party, the PSEA FP or the PSEA Coordinator shall not seek out the victim to provide assistance, as this may create risk of harm to the victim. If possible, the FP can follow up with the individual or organization that reported the SEA allegation to confirm assistance has been offered in accordance with the needs and wishes of the victim. The FP shall use this information to conduct SEA or GBV risk assessment and awareness raising activities in targeted areas to engage communities on PSEA, provide information on how to report and receive assistance. [Depending on the country context / presence of a PSEA Network and PSEA Network Standard Operating Procedures], the FP shall inform the PSEA coordinator about the allegations, without sharing identifiable information.

- Notify the [Ethics Committee / Disciplinary Committee / Senior Management Team] of the receipt of an allegation and provide them with a copy of the Incident Report Form on SEA.
 - Any documentation relating to the complaint, including the Incident Report Form on SEA, must be transmitted in a strictly confidential manner in accordance with [Organization Name]’s Data Protection Policy. The obligation of confidentiality continues after the matter has been closed.
 - If the allegation concerns a member of the [Ethics Committee / Disciplinary Committee / Senior Management Team], the FP shall avoid transmitting the allegation to the [Ethics Committee / Disciplinary Committee / Senior Management Team] as a whole, and instead identify a trusted member to receive the allegation.

TOOL 25: SEA INVESTIGATION POLICY AND PROCEDURES TEMPLATE FOR PARTNERS *(continued)*

6. Review of Allegations

6.1 Decision to Investigate

Upon receipt of an allegation, the [Ethics Committee / Disciplinary Committee / Senior Management Team] shall convene to review the allegation and decide whether an investigation is required. All complaints must be reviewed by the [Ethics Committee / Disciplinary Committee / Senior Management Team] but not all will require a formal investigation process. *[The organization shall detail the composition of the Ethics Committee/ Disciplinary Committee/ Senior Management Team] reviewing the allegation*

In deciding whether an investigation is required, the [Ethics Committee / Disciplinary Committee / Senior Management Team] shall consider whether the alleged behaviour violates one or more of the following standards:

- [Organization Name]’s Code of Conduct / Policy on Prevention of Sexual Exploitation and Abuse or other element of the organization’s rules and regulations
- National laws on sexual misconduct;

The initial assessment should also establish whether there is a reasonable likelihood that an investigation could reveal sufficient evidence to prove or refute the allegations, the credibility of the allegation (whether there is a reasonable factual basis that the misconduct occurred)”, the availability of evidence and witnesses; verifiability of the information received, and risk(s) for the victim(s) associated with the investigation process. In general, organizations should always keep a written

record explaining the rationale for their course of action, including where a decision is taken to close a case without initiating a full investigation; this is particularly useful if they decide to revisit the case at a later stage or if a report is subsequently made against the same alleged perpetrator.

If there is not sufficient information for the [Ethics Committee / Disciplinary Committee / Senior Management Team] to make a decision, they may decide to conduct a preliminary investigation to gather relevant information to take forward the complaint. This preliminary investigation shall be brief and aim only to gather the necessary information to make a decision whether to initiate a full investigation.

The [Ethics Committee / Disciplinary Committee / Senior Management Team] will be guided by the following in deciding whether to proceed with an investigation:

The [Ethics Committee / Disciplinary Committee / Senior Management Team] will convene within 48 hours of receipt of an allegation and make a decision as to whether to investigate within 3 days of receipt of the allegation.

6.2 Initiating an Investigation

If the [Ethics Committee / Disciplinary Committee / Senior Management Team] finds that the complaint alleges sexual exploitation or abuse by [Organization Name] personnel in violation of the code of conduct / PSEA policy or any other relevant internal regulation, they shall initiate an investigation into the allegation.

When a complaint alleges a criminal offence, [Organization Name] may refer the allegation to the authorities for investigation. The decision to refer the complaint to the authorities shall be based on the following:

TYPE OF VIOLATION	ACTION
The behaviour alleged in the complaint is not a violation of the PSEA policy/code of conduct nor any other form of staff misconduct.	The matter shall be considered closed and no further action shall be taken.
The behaviour alleged in the complaint involves staff misconduct but not sexual exploitation or abuse.	The matter shall be addressed according to [Organization Name]’s relevant policies on other forms of staff misconduct. An investigation may be opened to help determine the facts.
The behaviour alleged in the complaint involves sexual exploitation or abuse by personnel of another organization.	The complaint will be referred to the organization concerned for their follow-up as appropriate or as per the PSEA Network SOPs, is any.
The behaviour alleged in the complaint involves sexual exploitation or abuse by [Organization Name] personnel.	An investigation shall be opened after determining whether evidence is available, whether the information received is verifiable, and assessing the risks for the victims.

- Wishes of the victim
 - The wishes of the survivor and his/her capacity to give informed consent shall be taken into consideration
- Safety and welfare
 - Referral to local authorities for investigation shall only be made if [Organization Name] is confident that doing so will not put the victim and any other person involved in the case at risk. In cases where it is determined not to report to local authorities, it is advisable for organizations to consult with a lawyer and keep documentation and evidence to support the decision

6.3 Immediate Safety Concerns

In reviewing the allegation, the [Ethics Committee / Disciplinary Committee / Senior Management Team] shall consider whether any parties to the investigation are at imminent risk of harm. Where immediate safety concerns are identified, the [Ethics Committee / Disciplinary Committee / Senior Management Team] will take or direct appropriate risk management strategies to effectively manage the risk. They may be guided in this process by the Risk Assessment and Management Template (see Tool 21 in the toolkit).

In considering risks to safety for the victim, the [Ethics Committee / Disciplinary Committee / Senior Management Team] shall consider possible interim measures directed at the alleged perpetrator to protect the victim (e.g. suspension, change of job responsibilities, reassignment). The alleged perpetrator should only be suspended from work if there is a risk to anyone by their continuing to be at work.

7. Appointing an Investigation Team

Once a decision has been made to conduct an administrative investigation, [Organization Name] will appoint an [external / internal] investigation.

7.1 Team composition and roles

The investigation team will include one Investigation Manager, and two investigators, ideally one woman and one man who speak the same language as the victim and other witnesses. Where investigators do not share a common language with the victim or other witnesses, the investigation team will include one or more interpreters.

The Investigation Manager and the Investigators are required to declare any conflict of interest they may have at the outset of the investigation or as soon as they become aware of the conflict. This includes personal or professional relationships with any parties involved or likely to be involved in the investigation.

The Investigation Manager may be a member of the [Ethics Committee / Disciplinary Committee / Senior Management Team]. The Investigation Manager must have an appreciation of SEA and SEA investigations, have knowledge of human resource rules and protocols, and be able to negotiate conflicting interpersonal and institutional interests. The Investigation Manager is responsible for several preliminary steps prior to the formal launch of the investigation: compiling all information available and preliminary evidence for the investigation team, gather administrative records for the alleged perpetrator and the victim, (if the victim is also a staff member), and provide information on context and security to the

investigation team.

Once the investigation is launched, the Investigation manager is responsible for:

- Oversee the investigation;
- Ensure that safety and confidentiality plans are in place;
- Ensure that a victim-centred approach is upheld throughout the interview and that the victim receives appropriate assistance;
- Review and approve the investigation plan and risk management plans;
- Ensure the investigation is conducted fairly and transparently;
- Provide logistical, technical, and emotional support to investigators;
- Liaise between the investigators and the [Ethics Committee / Disciplinary Committee / Senior Management Team];
- Review final report before submission to the [Ethics Committee / Disciplinary Committee / Senior Management Team].

Whether the investigators appointed are internal to the organization or external (for drawn from the pool of investigator managed by the PSEA network in country or affiliated with a company contracted by the organization), the two Investigators will have the requisite competencies in SEA investigations (see Section 7.2 Investigator Competencies) and shall be responsible for:

- Develop and update an investigation plan;
- Develop and update a risk management plan,

TOOL 25: SEA INVESTIGATION POLICY AND PROCEDURES TEMPLATE FOR PARTNERS *(continued)*

including possible interim measures to ensure the safety of the victim;

- Ensure a victim-centred approach is upheld throughout the investigation;
- Although victim assistance is distinct from the investigation, investigators must be familiar with the available assistance and support options and able to facilitate referral pathways as needed;
- Conducts interviews with victims, witnesses, alleged perpetrators;
- Gather and secure evidence;
- Make a finding on the basis of the evidence;
- Prepare a final report outlining evidence and findings.

Of note, internal investigators cannot be members of the [Ethics Committee / Disciplinary Committee / Senior Management Team].

7.2 Investigator Competencies

At a minimum, the investigators must be:

- Qualified to conduct SEA investigations
 - Investigators must have completed training in SEA investigations from a recognized organization.
 - Investigators should have experience in conducting interviews, including interviews with victims of sexual exploitation or abuse.
- Professional
 - Investigators have demonstrated sound judgment

in negotiating difficult interactions and situations.

- Investigators have demonstrated an understanding of and ability to protect confidentiality.
- Responsible
 - Investigators are trustworthy, dependable, and personally accountable for the decision they take throughout the investigation.
- Impartial
 - Investigators have no material, personal or professional interest in the outcome of the complaint and no personal or professional connection with any witnesses (especially the complainant and Alleged perpetrator).

7.3 Mandate to Investigate

The investigators are given a mandate to conduct an investigation on behalf of [Organization Name]. Their authority to investigate is detailed in the Terms of Reference (see Tool 17 in the PSEA Toolkit), which empower them to collect evidence without hindrance or prior clearance, to access staff promptly and to require the full cooperation of anyone working at [Organization Name] or with [Organization Name]. The Terms of Reference should be reviewed by the investigators prior to the investigation to identify the extent of their investigation authority.

8. Informing Stakeholders

[Organization Name] shall inform relevant stakeholders about the initiation of the investigation in accordance with the principle of confidentiality.

8.1 Reporting Allegations to UNICEF

As UNICEF Implementing Partner, [Organization Name] has an obligation to inform UNICEF of SEA allegations. This notification should be done upon receipt of the allegation, promptly and confidentially, in a manner that assures the safety of all involved. The notification can be done to the UNICEF Head of Office, Office of International Audit and Investigations (integrity1@unicef.org) or the UNICEF PSEA Focal Person [contact details]

- [Other reporting requirements to be included by organization depending on donor agreements]

8.2 Complainant

[Organization Name] *will provide the complainant with formal confirmation that their complaint has been received and is being reviewed* within 5 working days of receiving the complaint. Where it is practical and safe to do so, this confirmation will be provided in writing in a manner that is clear and discreet.

8.3 Relevant Managers and Supervisors

Relevant managers and supervisors may be informed that an investigation has been initiated on a need-to-know basis, i.e. it is necessary to facilitate investigators' access to evidence, premises, and witnesses.

In the event that it is necessary, they shall be made aware only that an investigation is underway and that

they are obliged to cooperate with the investigators and grant them access as needed. Managers and supervisors who have been made aware that an investigation is underway will be obliged to keep the existence of the investigation and all other details confidential (see Annex D Sample Confidentiality Reminder Note).

If it is not necessary to facilitate this access, managers and supervisors shall not be made aware of the investigation.

9. Steps in the Investigation

Under the oversight of the Investigation Manager, the investigators will be responsible for conducting the investigation in a manner that is consistent with established standards on SEA investigations. At a minimum, they will be required to:

- Plan the investigation
 - At the outset of the investigation, the investigators will produce an Investigation Plan that describes the steps they will take to gather evidence, the plan for maintaining confidentiality throughout the investigation, and the witnesses they intend to interview. This plan will be reviewed by the Investigation Manager, and will be revised as needed during the course of the investigation.
- Manage risks
 - At the outset of the investigation, the investigators will complete a Risk Management Plan that assesses the risks to each party to the investigation and identifies mitigating actions for these risks (see Tool 21 Template for Risk Assessment and Management during SEA

investigations). This plan will be reviewed by the Investigation Manager, and will be revised as needed during the course of the investigation.

- Gather evidence
 - A SEA investigation is a fact-finding exercise in which investigators will gather evidence that is relevant to deciding if an allegation is true or not. Investigators may be required to gather multiple types of evidence, including documentary, electronic, physical, or testimonial evidence.
 - Investigators will gather information only to the extent that it relates to the elements of the case. They will not gather character evidence regarding the victim or Alleged perpetrator or any other witness. In particular, investigators will not gather nor consider relevant evidence pertaining to previous sexual activity by the victim.
 - Due to their specific vulnerability, investigators will avoid interviewing children as victims or witnesses unless it is strictly necessary and will instead seek to gain sufficient evidence from other sources. If it is deemed necessary, investigators shall ensure that the interview is conducted by an interviewer with expertise in interviewing child victims or witnesses. Children should be accompanied by a support person before, during and after the interview and the consent of the parent/guardian should be obtained prior to the interview.
- Facilitate access to victim assistance based on referral pathways as needed
 - The responsibility to ensure that assistance has been offered/provided in accordance with the needs and wishes of the victim lies primarily with

the PSEA Focal Point. Although victim assistance is distinct from the investigation, investigators must be familiar with the available assistance and support options and able to facilitate referral pathways as needed, and such support should never be made dependent on an investigation or its outcome.

- Ensure a victim-centred approach is upheld throughout the investigation: this include ensuring the well-being, protection and security of the victim are also prioritized and safety measures are taken to ensure to avoid re-traumatisation of the victim. This also includes offering the victim to be accompanied by a support person during the interview. This also includes explaining to the victim the procedures, consent requirements and due process requirements for the alleged perpetrator, allowing the victim to understand how the investigation may affect them. This also include notifying the victim before the subject is informed and interviewed as well as informing of the outcome of the investigation.
- Ensure due process for the alleged perpetrator: The alleged perpetrator is treated fairly and in accordance with established rules and procedures, in a way that maintains the rights of all stakeholders involved. The alleged perpetrator shall be informed of the alleged misconduct and provided the opportunity to respond to the allegations. The alleged perpetrator shall be notified on expectations around confidentiality.
- Make a finding
 - Investigators are obliged to make a finding on the allegation. This finding will be based on review of the available evidence, after all relevant evidence has been gathered or reasonable efforts have

TOOL 25: SEA INVESTIGATION POLICY AND PROCEDURES TEMPLATE FOR PARTNERS *(continued)*

been made to gather all relevant evidence.

- There are three possible findings: 1) the allegations are substantiated on the basis of the evidence; 2) the allegations are not substantiated on the basis of the evidence, or; 3) the allegations are not substantiated due to insufficient evidence. The last finding shall only be made when reasonable efforts have been made to gather sufficient evidence to make a finding.
- Submit reports on their findings
 - Investigators will submit a draft Investigation Report to the Investigation Manager for review and a final Investigation Report to the [Ethics Committee / Disciplinary Committee / Senior Management Team]. This report will detail the allegation, how and to whom it was reported, steps taken during the investigation, a summary of the evidence gathered, and the investigators' findings based on the evidence. This report must be submitted within 21 days of beginning the investigation.
 - The Investigation Report is strictly confidential and will be shared only with the [Ethics Committee / Disciplinary Committee / Senior Management Team].
 - Investigators shall be mindful that the Alleged perpetrator has the right to access the Investigation Report and therefore not include the name or identity of the complainant in the report.
 - The report will be password protected, and the password shared to the Investigation Manager and other members of the [Ethics Committee /

Disciplinary Committee / Senior Management Team] in a separate email;

- If requested, investigators can also submit a Management Observation Report. The purpose of the Management Observation Report is to provide feedback to [Organization Name] on workplace processes, procedures, and practices that contributed to the SEA incident, and make recommendations to mitigate future incidents. As this report may be shared with a wider audience, investigators will take care to provide an anonymised executive summary of the investigation that does not include names or identifying information regarding any of the parties to the investigation or details of the evidence gathered.

10. Decisions Regarding Disciplinary Action

Upon receipt of the Investigation Report, the [Ethics Committee / Disciplinary Committee / Senior Management Team] will convene to review the report and make a decision regarding disciplinary action based on their interpretation of the report and evidence as summarized in the report. This decision will be made promptly upon receipt of the investigation report.

If the allegation is not substantiated on the basis of the evidence, the matter shall be considered closed and no further action shall be taken. No record of the investigation shall appear on the personnel file of the Alleged perpetrator, unless that individual requests it.

If the allegation is not substantiated on the basis of

insufficient evidence, [Ethics Committee / Disciplinary Committee / Senior Management Team] shall identify whether there are management measures that could be put in place to better safeguard beneficiaries and community members.

If the allegation is substantiated on the basis of the evidence, [Organization Name] will take appropriate disciplinary action against the perpetrator and any other staff or personnel implicated in the incident. Disciplinary action may include dismissal, suspension, termination of collaboration or contract with volunteers/ interns/partners, termination of partnership agreement or subcontractor agreement, and any other actions deemed necessary. If an allegation is partially or fully upheld, *a note should be placed in the perpetrator's personnel file to record that disciplinary action was taken against them following an investigation into allegations of SEA. The note shall not include any confidential details. Relevant information shall be shared with potential employers as part of their background checks to the extent legally possible*⁶⁸. The full report should be kept in the Subject of Complaint's personnel file alongside all details of disciplinary action taken against them.

Where the investigation has uncovered misconduct by personnel from another organization, [Organization Name] will report to the other organization.

11. Appeal

[Insert any internal avenues of appeal required by Organization policies and/or labour law.]

12. Informing Stakeholders of the Outcome of the Investigation

[Organization Name] shall inform relevant stakeholders about the outcome of the investigation in accordance with the principle of confidentiality.

12.1 UNICEF

As UNICEF 's Implementing Partner, as per the project agreement,[Organization Name] will keep UNICEF informed during the conduct of the investigation, without violating due process rights of any persons involved. Upon completion of the investigation, [Organization Name] will also promptly provide reports on the outcome of the investigations and if requested, share any relevant details and evidence for examination and further use by UNICEF, to the extent legally possible.

[Section to be adapted according to different donor requirements]

12.2 Victim

[Organization Name] will inform the victim that the investigation has been completed and provide details on the outcome of the investigation.

12.3 Alleged perpetrator

The Alleged perpetrator will be informed of the outcome of the investigation in writing. If the complaint is not substantiated, the clearance letter must not disclose the name of any witness, informant or complainant. If the allegation has been substantiated, the Alleged perpetrator should be given an opportunity

to review the factual findings of the Investigation Report (with the possibility to anonymize the statements to ensure the safety of the victim) and provide comments.

13. Follow-Up

13.1 Victim assistance

Every child and adult complainant or victim of sexual exploitation and abuse has the right to receive services irrespective of whether the victim cooperates with the investigation, regardless of the decisions by the organization to investigate the case and regardless of the outcome of an investigation.

13.2 Support to the Alleged perpetrator

[Organization Name] recognizes that being the subject of a complaint is emotionally taxing and difficult. If the allegation has not been substantiated, [Organization Name] shall facilitate psychosocial support for the Alleged perpetrator and provide assistance to ameliorate any damage to their reputation that may have occurred as a consequence of the investigation.

14. Case Management System

[Organization Name] shall maintain a case management system to ensure that all complaints are properly managed. This system will track allegations from receipt of the complaint to closure of the case. The system should be handled in accordance with [Organization Name]'s Data Protection Policy.

At a minimum, the tracking system will include:

- Complaint number

- Date of complaint
- Nature of complaint
- Decision regarding investigation
- Investigation case number (for administrative investigations)
- Finding
- Actions taken
- Victim assistance provided directly or through referral

15. Data Protection

Information collected at any point in the process from receiving a complaint, reviewing the complaint, during the investigation, to closing the investigation will be handled in accordance with [Organization Name]'s Data Protection Policy. If emails are shared about the allegation or investigation, all shared documents must be encrypted and password-protected, while the number of people copied must be limited to the people working directly on the case.

Endnotes

- 1 UNDRR, *Online Glossary*, <<https://www.undrr.org/terminology/affected>> [accessed 24 February 2022]
- 2 UNICEF, *Technical Note on the Implementation of the United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse*, New York: UNICEF, 2021
- 3 UNICEF, *Technical Note on the Implementation of the United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse*, New York: UNICEF, 2021
- 4 Definition included in the UN Glossary of *UN Glossary on Sexual Exploitation and Abuse, 2017*
- 5 *The UN Secretary-General Bulletin ('Special Measures for Protection from Sexual Exploitation and Abuse' (ST/SGB/2003/13)*
- 6 CEB Model Policy on Sexual Harassment, CEB/2018/HLCM/14/Add.1, Page 13
- 7 UNICEF, *Technical Note on the Implementation of the United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse*, New York: UNICEF, 2021; IASC, *Definition & Principles of a Victim/Survivor Centered Approach*
- 8 *IASC Plan for Accelerating Protection from Sexual Exploitation and Abuse at Country-level*, endorsed by IASC Principals on 3 December 2018
- 9 UNICEF amended its PCA in June 2018 to ensure its partners' policies and procedures on PSEA fully comply with UN standards.
- 10 As mentioned in the previous section, the target audience of the toolkit is primarily Civil Society Organizations, national or international NGOs, partnering with UNICEF. While the section on the organizational capacities self-assessment (Section 1) may be more relevant for UNICEF CSO partners, the remaining sections of the toolkit may be useful for other humanitarian / development organizations, government partners and individual UNICEF teams.
- 11 IASC, *Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action: Reducing Risk, Promoting Resilience and Aiding Recovery*, 2015, pp. 46–47.
- 12 *Address to High-Level Meeting on the United Nations Response to Sexual Exploitation and Abuse*, by António Guterres, 18 September 2017.
- 13 For further reference on PSEA minimum operating standards policies and procedures, see IASC, *PSEA-MOS*, January 2016.
- 14 For sample codes of conduct, see the UNPP *PSEA library*.
- 15 For sample Whistleblower policies, see UNICEF, *Policy on Whistle-Blower Protection Against Retaliation*; Oxfam America, *Whistleblower Protection Policy*; CARE International UK, *Whistle-blowing Policy*.
- 16 For example, UNICEF provides a free *PSEA e-learning course* with content relevant to both United Nations and partner personnel. Other online training resources include: *IASC Learning Package on Protection from Sexual Misconduct*, InterAction's *training guide on PSEA basics*, United Nations *training on PSEA*, and – specifically on PSEA focal points – guidance from IASC (follow the “Training” tab the *IASC website*).
- 17 PSEA-MOS requires members to conduct annual refresher training (MOS-PSEA).
- 18 For example, some types of online SEA include online grooming (i.e. establishing a relationship with a person to facilitate either online or offline sexual contact), production, dissemination and possession of online SEA materials (i.e. depicting sexualized images of person), sextortion (i.e. coercing and blackmailing children for sexual purposes) and livestreaming of sexual abuse. For more information regarding online SEA and other types of online violence, see: UNODC, *Online Child Sexual Exploitation and Abuse*, in: E4J University Module Series: Cybercrime (accessed 15 July 2019); UNICEF, *Child Safety Online Global Challenges and Strategies*, 2011.
- 19 Risk prevention means reducing the likelihood of SEA occurring whereas risk mitigation means reducing the adverse impact of SEA.
- 20 World Bank Group, *Good Practice Note, Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing Involving Major Civil Works*, February 2020.
- 21 See *IASC Guidelines on Integrating GBV interventions in Humanitarian Action*
- 22 For a list of at-risk groups, see IASC, *Guidelines for Integrating GBV Interventions in Humanitarian Action*, September 2015, pp. 11–12.
- 23 Mandatory reporting in a context of the Secretary-General's Bulletin on PSEA (2003) refers to an obligation to report SEA perpetrated by UN staff or related personnel, non-UN forces operating under a Security Council mandate, and implementing partner staff and related personnel in line with established reporting procedures. All organizations are mandated to have protocols for responding to SEA. Outside of this context,

- mandatory reporting generally refers to state laws and policies that mandate workers in certain professions (i.e., teachers, social workers, health-care providers, etc.) to report, usually to the police or legal system, known or suspected abusive or neglectful situations involving vulnerable people such as children, persons with disabilities, and older adults. In many countries mandatory reporting applies primarily to child abuse and maltreatment of minors, but in others it has been extended to the reporting of sexual assault and rape or intimate partner violence against any individual.
- 24 For information on child-friendly complaints mechanisms, see: UNICEF, [Child-friendly Complaint Mechanisms](#); National human rights institutions (NHRIs) Series: Tools to support child-friendly practices, February 2019.
 - 25 The best interests of the child is enshrined in the [Convention of the Rights of the Child](#)- article 3 (1) and emphasizes that governments and public and private bodies must ascertain the impact on children of their actions in order to ensure that the best interests of the child are a primary consideration.
 - 26 This involves providing the designated people with clear instructions on how to record and report complaints (i.e. what forms to use, how to treat information, when and how to report complaints).
 - 27 For example, the U-Report is a free social messaging system that allows everyone to speak out about development issues. <https://ureport.in/>
 - 28 Organizations can adapt this sample incident report form or use the IASC, [Model Complaints Referral Form \(SEA\)](#) (accessed July 16, 2019).
 - 29 PCA, para. 4.5 (e)
 - 30 For more information, see for example [IASC Definition & Principles of a Victim/Survivor Centered Approach](#)
 - 31 Witnesses, complainants/whistleblowers and alleged perpetrators may also have protection and support needs due to the allegation. For more information on this, see: [Section 6.2. Investigation Procedures](#).
 - 32 In some cases, organizations may be able to access funding to support provision of specialized services through the UN Trust Fund in Support of Victims of Sexual Exploitation and Abuse (the 'Trust Fund') established by the Secretary-General. For more information visit [Trust Fund](#) page.
 - 33 For more information see the [Technical Note on the Implementation of the UN Protocol on the Provision of Assistance to Victims of SEA](#), UNICEF, 2021.
 - 34 Persons with disabilities may need specific support to enable their ability to provide informed consent depending on the nature of their disability (e.g. physical, intellectual, mental).
 - 35 For guidance on how to support survivors in areas where GBV actors are not present, see Global Protection Cluster / IASC, [GBV Pocket Guide](#), March 2018.
 - 36 For younger children, who are by law or nature too young to agree to the services, caseworkers should seek their 'informed assent', an affirmative agreement to accept the services and ask for parents' permission. For more information on informed consent and informed assent, see the [Inter-agency Guidelines for Case Management and Child Protection](#)
 - 37 Definition included in the [UN Glossary on SEA](#)
 - 38 Note that IASC-MOS requires members to create an investigation policy, which provides a clear framework that assists organizations to conduct quality, confidential, safe, and transparent investigations into allegations of misconduct involving personnel.
 - 39 Organizations may choose not to refer a case to local law enforcement if they believe the local context or the country's governance or legal structures are not robust enough to protect the survivor(s) and others involved in the case or even put them in danger. Considerations into whether to report to national law enforcement include the nature of the complaint, wishes of the survivor and his/her capacity to give informed consent, and concerns about the legal/judicial processes in that specific country. In cases where it is determined not to report to local authorities, it is advisable for organizations to consult with a lawyer and keep documentation and evidence to support their decision.
 - 40 Organizations can draw on several resources to bolster their capacities to conduct investigations. In particular, OCHA has established an [iFund for Investigations into Sexual Exploitation, Abuse, and Sexual Harassment](#) to provide rapid grants to IASC entities to support investigations into SEA and sexual harassment allegations. The CHS Alliance also maintains a pool of certified PSEA Trainers and Investigators (for names of consultants, see: CHS Alliance Approved Trainers and Investigators).
 - 41 If this is not the case, organizations should consider hiring discreet, independent and professional interpreters and local lawyers to support investigator(s). Depending on the case and cultural context, it may also be beneficial to select a female investigator if possible.
 - 42 UNICEF/UNODC, [Handbook for Professionals and Policymakers on Justice Matters involving Child Victims](#)

- and Witnesses of Crime, Criminal Justice Handbook Series, UN, New York, 2009, as well as its [child-friendly version](#))
- 43 For example, the inter-agency misconduct disclosure scheme adopted by the Steering Committee for Humanitarian Response (SCHR) establishes a minimum standard for organizations to share information as part of their recruitment process about people who have been found to have committed sexual abuse, sexual exploitation or sexual harassment ‘misconduct’ during employment. <https://misconduct-disclosure-scheme.org/>
- 44 See footnote 31 above regarding ‘[referral to local law enforcement agencies](#)’
- 45 PCA, para. 4.5 (g)
- 46 Ibid.
- 47 Ibid.
- 48 For a list of at-risk groups, see pages 11–12 of the IASC, [Guidelines for Integrating GBV Interventions in Humanitarian Action](#), September 2015. Also note that some individuals may have overlapping vulnerabilities (e.g. adolescent girls, mothers with disabilities).
- 49 See World Health Organization, [WHO Ethical and safety recommendations for researching, documenting and monitoring sexual violence in emergencies](#), 2007.
- 50 Both definitions are adopted from the Secretary General’s Bulletin ST/SGB/2003/13, 2003. <https://undocs.org/en/ST/SGB/2003/13>
- 51 IASC Six Core Principles; available at: <https://interagencystandingcommittee.org/inter-agency-standing-committee/iasc-six-core-principles-relating-sexual-exploitation-and-abuse>.
- 52 Modified for the purposes of this PSEA policy. These acts are not intended to be an exhaustive list.
- 53 Including all other forms of contractual agreements, such as for example volunteer assignment
- 54 These TORs are based on the generic PSEA Focal Point TORs were produced by IASC and are available at this [link](#) .
- 55 IASC Strategy on Protection from Sexual Exploitation and abuse and Sexual Harassment (2021), available [here](#); IASC Plan for Accelerating PSEA in Humanitarian Response at Country-Level (2018), available [here](#); UN Secretary-General’s Strategy on PSEA (2017), available [here](#).
- 56 See the [Generic Terms of Reference for in-country PSEA Networks \(2021\)](#).
- 57 See e.g. the [Minimum Operating Standards on PSEA](#), and the [Core Humanitarian Standard](#).
- 58 All PSEA engagements with the local population should be done in coordination with actors working with affected populations to avoid duplication of efforts and to inform said engagements.
- 59 Initiatives to promote sharing information on re-hiring of perpetrators are the Steering Committee for Humanitarian Response’s [Misconduct Disclosure Scheme](#) (open to UN and NGOs), and [Clear Check](#) (open to UN).
- 60 More information on the [role of the SVRO/FVRA/FPVR](#) is available.
- 61 UN Secretary-General’s Bulletin ST/SGB/2003/13, 2003. <https://undocs.org/en/ST/SGB/2003/13>
- 62 UN Secretary-General’s Bulletin ST/SGB/2003/13, 2003. <https://undocs.org/en/ST/SGB/2003/13>
- 63 UN Secretary-General’s Bulletin ST/SGB/2003/13, 2003. <https://undocs.org/en/ST/SGB/2003/13>
- 64 Corrective action is defined as actions taken to correct or rectify the situation following a SEA incident.
- 65 Adapted from: IASC Reference Group for Mental Health and Psychosocial Support in Emergency Settings, [Inter-Agency Referral Form and Guidance Note](#), 2017
- 66 Adapted from: Scoping tool for Terms of Reference (adapted from SOS Children’s Villages International), included in: [Keeping Children Safe, Management of Child Safeguarding Allegations](#), 2016.
- 67 Adapted from Template of SOS Children’s Village, in: [Keeping Children Safe, Management of Child Safeguarding Violations](#), 2016. <https://www.keepingchildrensafe.org.uk/how-we-keep-children-safe/capacity-building/resources/management-child-safeguarding-allegations>
- 68 For example, the inter-agency misconduct disclosure scheme adopted by the Steering Committee for Humanitarian Response (SCHR) establishes a minimum standard for organizations to share information as part of their recruitment process about people who have been found to have committed sexual abuse, sexual exploitation or sexual harassment ‘misconduct’ during employment. <https://misconduct-disclosure-scheme.org/>

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Three United Nations Plaza
New York, New York 10017

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