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**DOKU
FEST**
International Documentary
and Short Film Festival

Policy on Prevention of Sexual Exploitation and Abuse

PSEA(Policy)

DOKUFEST

International Documentary and Short Film Festival
Address: Rruga Marin Barleti n.n / Qendra Europa
20000 Prizren / Republic of Kosovo

Non-Governmental Organization DokuFest
Registration Number: 5102107-0
VAT number: 330126880
Fiscal number: 600230255

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Policy on Prevention of Sexual Exploitation and Abuse

1. Our values and principles

Policy against Harassment, Intimidation and Abuse of the DokuFest, expresses our commitment to keep the workplace free of harassment so that everyone who works for the DokuFest, to feel safe, free and enjoy their rights.

We will not tolerate anyone harassing, intimidating or distressing others. We also prohibit intentional discrimination based on gender, sexual orientation, marital status, race (including skin color, ethnicity, ethnic or national origin), religion or belief, age, disability and other aspects of identity.

DokuFest, expects the same standards to be applied by partners, contractors, suppliers and all third parties in relation to our work.

DokuFest, has zero tolerance for any form of harassment, sexual harassment, intimidation and abuse (as defined in this policy) inside or outside the workplace, including sexual exploitation, abuse and any conduct that is discriminatory or degrading to others. This applies to the premises of the DokuFest, in the communities where we work or elsewhere, as well as during or outside working hours.

All adults have the same rights to protection regardless of any personal characteristic, including gender, sexual orientation, marital status, race (including skin color, nationality, ethnic or national origin), religion or belief, age, disability).

DokuFest, does not tolerate any action that violates the dignity of a person or creates an intimidating, hostile, humiliating or offensive environment.

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This policy applies to **all persons/ employees working** for us or on our behalf in any capacity, including employees at all levels, directors, employees, agency staff, outsourced workers, volunteers, interns, agents, contractors, external consultants, third party representatives, suppliers and partners of the organization. It is applied during or outside working hours, every day of the year.

2. Definitions of harassment, sexual harassment, threat intimidation and abuse

Definition of the term Harassment

Harassment consists of unwanted behavior, whether verbal, physical or visual, related to gender, gender, marital status, sexual orientation, race (including skin color, nationality, ethnic or national origin), religion or belief, age or disability. persons, with the intent or effect of violating the dignity of the person or creating an intimidating, hostile, degrading or offensive environment. Such behavior may occur in one case or more.

In order to protect the most vulnerable populations and to ensure the integrity of DokuFest's activities, the following specific standards shall be followed:

- (a) Exchange of money, employment, goods, assistance or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, is prohibited.
- (b) 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.
- (c) Sexual relationships between staff members who deliver professional health services directly to beneficiaries and such beneficiaries are prohibited.
- (d) Using the services of prostitutes or sex workers is prohibited, regardless of the legal status of prostitution in the laws of the DokuFest staff members' home country or duty stations. This

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prohibition extends to the use of prostitution outside working hours, including while on Rest & Recuperation and home leave.

The above-mentioned acts are not intended to be an exhaustive list. The above-mentioned acts as well as other types of sexually exploitive or sexually abusive behavior constitute serious misconduct and, as such, are grounds for disciplinary measures, including summary dismissal.

All contracts between DokuFest and DokuFest Contractors shall include the DokuFest standard PSEA clause, which includes the obligations of DokuFest Contractors to take measures to prevent and prohibit SEA, to timely report to DokuFest any allegations, concerns or suspicions about SEA, to investigate allegations relating to their employees or other personnel of DokuFest Contractors, to take corrective action when SEA has occurred, and to ensure that the SEA provisions are included in all subcontracts.

Definition of the term Sexual Harassment

Sexual harassment is unwanted behavior of a sexual nature, which is intended or intended to violate a person's dignity and to create a frightening, hostile, degrading, humiliating, or offensive environment. Such behavior can occur in one case or in many cases. Sexual harassment can take the form of unwanted physical, verbal or nonverbal behavior, which may include:

- Unwanted physical contact, ranging from touching to sexual abuse and rape.
- Verbal forms of sexual harassment, including unwanted allusions, suggestions and hints, sexual assaults, sexually explicit comments, sexual jokes or insults, or unwanted graphic comments about a person's body made in their presence or directed investigations, undesirable and inappropriate for the sexual life of persons and sexual orientation, directed at a person or group of persons;

- Non-verbal forms of sexual harassment, including unwanted gestures, whistling, improper exposure or the display of unwanted sexual images or objects.
- Unwanted messages of a sexual nature sent by e-mail, SMS, Skype, messages and other electronic means; regardless of whether the DokuFest uses IT / equipment or personal mobile devices / equipment.
- Sexual harassment related to opportunities for recruitment, promotion, training or development, as well as providing salary increases or other employee benefits in exchange for sexual services.

Definition of the term Threat

Threat is used as a status or authority reason to require an individual to perform an act or duty that the individual is in if inappropriate, illegal or in direct conflict with internal policies or procedures of the organization.

Definition of the term Abuse

Abuse is any unpleasant, violent, intimidating, malicious, or offensive behavior that: makes the victim feel upset, threatened, humiliated, vulnerable, or undermines their self-esteem or makes them feel stressed, or worried; and (or) a reasonable observer will identified as abusive behavior.

Definition of the term SEXUAL EXPLOITATION

Any actual, or attempted abuse of the position of vulnerability, differential power, belief or dependence on sexual services or sexualization. This includes offering or promising monetary, social, political benefits as an incentive or a form of obligation.

Definition of the term SEXUAL ABUSE

Intimidation/ threat or physical assault of a sexual or sexualizing nature, including inappropriate touch, force or unequal or coercive conditions, sexual assault or rape.

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It may also include threatening or actual non-physical attacks (unwanted and / or uninvited exposure to pornography, texts, photographs, sharing photos, texts, and so on), requests for sexualized photos and so on.

Definition of the term DISCRIMINATORY AND DEROGATORY BEHAVIOUR

Other forms of harassment may relate to a person's gender, marital status, race (including color, nationality or ethnic or national origin), religion or belief, age or disability and may include intimidation, abuse or both.

Definition of the term ZERO TOLERANCE

At our organization DokuFest, we have a culture of zero tolerance for all forms of abuse and harassment, including sexual exploitation and abuse, harassment, intimidation and abuse. This means that for any concerns, a full response is received and the necessary immediate action is taken as necessary (including conducting an investigation and taking disciplinary action if applicable). This means that we will hold our people accountable to the same standards and will be accountable to the same processes as everyone else, regardless of their position or reputation within the organization.

The DokuFest is committed to ensuring transparency in our work and in our approach to preventing and responding to all forms of adult harassment, intimidation and abuse within our supply chains and relationships with third parties. Furthermore, we are committed to ensuring that our approach is in line with our national and international obligations, and that it is in line with applicable laws, statutes, regulations and codes in countries where the DokuFest operates.

When the guidelines in this policy conflict with any applicable law or regulation, the highest standard must always be observed.

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3. Approach to preventing child abuse and exploitation

Our Approach to Preventing Child Abuse and Exploitation at the DokuFest contains a great commitment to preventing child abuse and exploitation in the following ways:

Raise awareness:

Ensure that all staff, representatives and third parties affiliated with the DokuFest, are aware of the highest standards of conduct and, as expected of them, prevent any form of harassment, intimidation and harassment in the workplace.

Prevention:

Promoting a safe and healthy work environment, by applying all relevant policies and mechanisms, to ensure that staff and those working with our organization understand and minimize the risks of any form of harassment, intimidation and abuse.

Reporting:

Ensuring that it is clear to its staff and those working with the DokuFest, what steps to take when suspicions or concerns arise about allegations of harassment, intimidation and harassment in workplace.

Response:

Ensure immediate action is taken to identify and address reports of any form of harassment, intimidation and abuse in the workplace and to ensure the safety and well-being of the victim.

4. The obligations we expect from you

DokuFest expects the same high standards from all our partners, contractors, suppliers and all third parties working with or for the DokuFest, including taking measures to ensure a safe and healthy work environment, including protection from harassment and harassment at work.

You should have a zero tolerance policy for any form of harassment, intimidation and harassment in the workplace and take all necessary measures available to prevent and respond to current threats, attempted threats or harassment threats, intimidation and abuse involving the staff of the DokuFest or its representatives, or employees and representatives of your organization arising out of the implementation of the provisions of this Agreement.

- You should ensure that your staff and those working with the DokuFest are under your control and fully aware of this policy, and that you encourage them to report real or suspected cases. Harassment, intimidation or abuse including staff or representatives of the DokuFest or employees and representatives of your organization arising out of the implementation of the provisions of this Agreement.
- You must immediately report any suspicions or cases of harassment, intimidation or abuse that have arisen to the DokuFest, your organization or a subcontractor who is in a business relationship with the DokuFest. If he does not report, he will be taken seriously and could result in the termination of any agreement with the DokuFest.
- If you or any staff working for the DokuFest suspects or becomes aware of harassment, intimidation or abuse in connection with the work of the DokuFest, you are required to:
 - Act promptly and immediately report suspicions or knowledge of harassment, intimidation or abuse, or a case of contact to the DokuFest, or (to the person entrusted with the Policy against Harassment, Intimidation and Abuse.
 - Keep any information confidential between you and the person you are reporting to.
- You will cooperate with the DokuFest in any investigation reported under this Agreement and regularly update the DokuFest for any details under this Agreement, including but not limited to the actions you took during the response.

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ANNEX 1

Personal statement

With this document I confirm that I have read and understood the Code of Conduct, PSEA policy and HR manual and that I will act in accordance with the principles presented to me during the work organized by the Organization DokuFest. I understand that violating any of the rules in this documents, depending on the seriousness of the violation, will result in disciplinary action that includes dismissal.

I undertake to report through all available channels any violations of the Code of Conduct and the standards described therein.

Name and surname

Date

Position

Signature

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Annex 2

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 interview panels during hiring processes and conduct gender neutral interviews¹
- ☐ 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, including when subcontracting
- ☐ Outline disciplinary measures in the event of proven SEA allegations (e.g. termination of contract)
- ☐ Include 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

¹ Also see [UNICEF Gender Balance Strategies and Tools](#), accessed July 8, 2019

² Organizations can adapt the following language for the PSEA clause: "The Contractor shall take all appropriate measures to 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. Any breach of the provision by the Contractor shall entitle Dokufest to terminate the contract with immediate effect."

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- ☐ 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 authorities³
- ☐ 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.

³ Organizations may choose not to refer a case to national law enforcement (see previous footnote on [referral to local law enforcement agencies](#))

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ANNEX 3

PSEA raising awareness plan

ACTION	PERSON RESPONSIBLE	REQUIRED/AVAILABLE RESOURCES (e.g. financial, HR, logistics)	TARGET DATE FOR COMPLETION	STATUS (i.e. not started/in progress/completed)
<u>Example 1:</u> Revise HR Policy to include definition of SEA; standards of behaviour; & zero tolerance of SEA;	DokuFest	n/a	31 Jan 2022	In progress
<u>Example 2:</u> Revise code of conduct to include specific aspects related to SEA	DokuFest	n/a	31 March 2022	In progress
<u>Online PSEA courses for all staff</u> https://agora.unicef.org/course/view.php?id=7380	Manager	n/a	31 Dec 2022	In progress
<u>Example 4:</u> Revise templates for partnership agreement and service contract to include clause on PSEA	DokuFest	n/a	31 March 2022	In progress
<u>Example 5:</u> Develop full day face to face PSEA training package,	DokuFest	Required \$1000	31 May 2022	Not started
<u>Example 6:</u> Revise Orientation Package for new staff to include requirement for PSEA training	DokuFest	n/a	31 March 2022	In progress

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ACTION	PERSON RESPON SIBLE	REQUIRED/AV AILABLE RESOURCES (e.g. financial, HR, logistics)	TARGET DATE FOR COMPLE TION	STATUS (i.e. not started/in progress/com pleted)
<u>Example 7: Include PSEA Refresher training in annual all staff retreat as standing agenda item</u>	DokuFest	n/a	31 May 2022	Not started
<u>Example 8: Design, translate and widely disseminate awareness-raising and reporting mechanisms posters in all work sites,</u>	DokuFest	Required: \$3000 (translation, design, printing, film rights, booking venues) <u>Available:</u> \$300 (translation)	31 May 2022	Not started

Annex 4

WHISTLE-BLOWING POLICY

DokuFest requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the DokuFest, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

Reporting Responsibility

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that DokuFest can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, employees and volunteers to report concerns about violations of DokuFest's code of ethics or suspected violations of law or regulations that govern DokuFest's operations.

As to commitment to PSEA policy DokuFest will organize screenings of films with Q&A sessions in different Schools, University and in DokuKino to raise awareness for PSEA. DokuFest will print and distribute brochures for PSEA awareness.

No Retaliation

It is contrary to the values of DokuFest for anyone to retaliate against any board member, officer, and employee or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of DokuFest. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

Reporting Procedure

DokuFest has an open door policy and suggests that employees share their questions, concerns, suggestions or complaints with their supervisor. If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with [insert here another title, such as Executive Director, or a board member, if the organization

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is very small and involving the board would be appropriate]. Supervisors and managers are required to report complaints or concerns about suspected ethical and legal violations in writing to the DokuFest's Admin and Compliance officer Dea Mormorina, who has the responsibility to investigate all reported complaints. Employees with concerns or complaints may also submit their concerns in writing directly to their supervisor or the Executive Director or the organization's Admin and Compliance Officer.

Admin and Compliance Officer

The DokuFest Admin and Compliance Officer is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. The Compliance Officer will advise the [Executive Director and/or the Board of Directors] of all complaints and their resolution and will report at least annually to the [Treasurer/Chair of the Finance Committee/Audit Committee] on compliance activity relating to accounting or alleged financial improprieties.

Accounting and Auditing Matters

The DokuFest Dea Mormorina shall immediately notify the Audit Committee/Finance Committee of any concerns or complaint regarding corporate accounting practices, internal controls or auditing and work with the committee until the matter is resolved.

This information is for educational and informational purposes only and should not be considered legal or other professional advice for specific matters. Prior to adopting this sample document for their own use, nonprofits should seek the advice of their own professional advisors.

Acting in Good Faith

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

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Handling of Reported Violations

The DokuFest Dea Mormorina will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation. Compliance Officer: * {Note: The Compliance Officer may be a board member, the Executive Director, or a third party designated by the organization to receive, investigate and respond to complaints.}

Dea Mormorina

Admin and Compliance Officer

dea@dokufest.com

Policy approved by the Board of Directors on {Date}.

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Annex 5

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 survivor 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	

Survivor information	
Name:	Phone:
Address:	Age:
Sex	Nationality:
Language:	ID number
If survivor is a minor (under 18)	

Name of primary caregiver:	Relationship to child:
Contact information for caregiver:	Is child separated or unaccompanied? ☐ Yes ☐ No
Caregiver is informed about referral? ☐ Yes ☐ No (If no, explain)	

Background Information/Reason for referral and services already provided

Has the survivor been informed of the referral? ☐ Yes ☐ No (If no, explain below)	Has the survivor been referred to any other organization? ☐ Yes ☐ No (If yes, explain below)
--	---

Services requested

☐ Mental Health Services	☐ Protection Services	☐ Shelter
☐ Psychosocial Support	☐ Legal Assistance	☐ Material Assistance
☐ Social Services	☐ Education	☐ Nutrition
☐ Medical Care	☐ Livelihood Support	☐ Support for children born as a result of SEA
Please explain any requested services:		

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

I, _____(survivor 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 (survivor or caregiver if a child):

Date (DD/MM/YY):

Details of Referral

Any contact or other restrictions? ☐ Yes ☐ No (If yes, please 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:
(DD/MM/YY):

Date received

Annex 6

Sample Terms of Reference (ToR) for PSEA Focal Point⁴ (dedicated resources)

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. Where possible, organizations should consider having at least two focal points in each office, including one female and one male focal point.

Terms of Reference:

Protection from Sexual Exploitation and Abuse (PSEA) Focal Point

1. Background

DokuFest, has zero tolerance for any form of harassment, sexual harassment, intimidation and abuse (as defined in this policy) inside or outside the workplace, including sexual exploitation, abuse and any conduct that is discriminatory or degrading to others. This applies to the premises of the DokuFest, in the communities where we work or elsewhere, as well as during or outside working hours.

1. Purpose

The purpose of the PSEA focal point is to have a designated staff member who supports senior management in coordinating the development and implementation of PSEA policy and procedures.

⁴ Adapted from various sample ToR, including Terms of Reference for in-country Network on Protection from Sexual Exploitation and Abuse by UN/NGO/IGO Personnel, produced by the ECHA/ECPS UN and NGO Task Force on Protection from Sexual Exploitation and Abuse, November 2008; Terms of Reference for Focal Points on Protection from Sexual Exploitation and Abuse by individuals providing humanitarian services within the Syrian refugee emergency response Jordan, produced by PSEA Network Jordan, March 2016.

2. Scope of Work

Key roles and responsibilities of PSEA focal points include:

Prevention

- Conduct periodic assessments of DokuFest PSEA policies and practices and suggest improvements to senior management.
- Conduct training and awareness-raising sessions on PSEA for all personnel on a regular basis.
- Work with human resource and other relevant personnel (project managers, project assistants and Festival Producer) on PSEA-related aspects, including ensuring that all personnel sign the code of conduct and that screening for past SEA violations is a regular part of the recruitment process.
- Facilitate awareness-raising campaigns with beneficiaries and local communities on the definition of SEA, the standards of conduct expected of DokuFest personnel, and the various mechanisms for raising SEA allegations or concerns, including contact details.

Reporting allegations of SEA

- Manage the development of internal procedures for personnel to report incidents of sexual exploitation and abuse safely and confidentiality.
- Receive reports of SEA allegations and related information and coordinate the response according to relevant procedures.
- Report concerns or issues with PSEA implementation to senior management.

Response to SEA allegations

- Once a complaint is received, coordinate DokuFest response, including referral of SEA survivors for immediate, professional assistance and referral of the case for further investigations to [name of organization's entity responsible for handling internal investigations].

Other responsibilities

- Coordinate Dokufest PSEA activities with relevant organizations, including inter-

agency initiatives, as appropriate.

- Support senior management in implementing other PSEA-related activities, as appropriate.

3. Competencies and Experiences

- Proven integrity, objectivity and professional competence
- Demonstrated sensitivity and knowledge of cultural and gender issues; experience in GBV programming is preferred
- Fluent in Albanian and English language
- Demonstrated experience of working directly with local communities
- Proven communication skills

Upon appointment, the focal point will undergo organization-specific training on PSEA, as soon as feasible.

Annex 7

Sample Roles and Responsibilities on PSEA (dedicated resources)

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	• 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
PSEA Focal Point (in coordination with gender/GBV/CP personnel where available)	• Support senior management to meet their PSEA-related responsibilities • Report concerns or issues with PSEA implementation to senior management • 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, including inter-agency efforts
Human Resources	• 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 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	• 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 (<i>particularly for personnel involved in programming</i>)

Annex 8

PSEA Investigation Procedures

PSEA investigation policy exists to ensure investigations of SEA allegations follow due process and protect the safety and rights of those involved, including survivors, witnesses and alleged perpetrators. Implementing this procedure organization should also ensure that investigations

are survivor-centered, respecting survivors' rights to safety, confidentiality, respect and non-discrimination. The following are some key points for organizations to consider when managing (or overseeing) investigations:

- Set up an internal process for reviewing all allegations and deciding on next steps, including the need for an internal investigation and/or referral to local law enforcement authorities (where appropriate as determined by the organization and when possible, the survivor) ; immediate consequences for alleged perpetrator in terms of their work (e.g. suspension, change of job responsibilities); assistance for survivors and others; and communication with the parties involved, partners and others. Some criteria for making decisions regarding the investigation process include the nature of the abuse (i.e. breach of the organization's code of conduct/national criminal law), reliability of source(s) of allegation, availability of hard evidence (e.g. photographs), and risk(s) for the survivor(s) associated with the investigation process. In general, organizations should always keep a record explaining the rationale for their course of action; this is particularly useful if they decide to revisit the case at a later stage.
- 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 10: Sample Terms of Reference for Investigator of SEA Allegations). The investigator(s) should speak the language of witnesses and be familiar with local laws if possible. 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-ins with managers), deliverables and timelines, contingency plans, and other key aspects of the investigation.
- Identify and manage conflicts of interest by verifying that personnel and external experts involved in the investigation do not have personal or professional relations to the survivor, 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:

- o Distinguishing between communications on the process of an investigation (e.g. state of investigation process), which should be transparent, and details relating to the case (e.g. identity of parties involved, details of incident), which should be treated confidentially.
- o Defining which individuals need to have access to what type of information.
- o 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).
- o Providing investigators (internal/external) with access to relevant internal documents, records and personnel, as well as adequate and administrative support to conduct investigations effectively.
- o Requesting all parties directly involved in the investigation process (e.g. investigators, survivors, witnesses, alleged perpetrators, designated managers/personnel) to keep the content of their interviews confidential.
- o Setting up a system for keeping survivors, witnesses, alleged perpetrators and complainants 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).
- Provide adequate protection and other support to survivors, witnesses and complainants/whistleblowers, and alleged perpetrators (as part of their duty of care for personnel) throughout the investigation process as needed. Organizations should adapt their support to each person's specific needs and wishes (accounting for age, gender, abilities, other factors) to offer adequate support, closely working with protection actors and those providing services to survivors and others. For example, individuals directly involved in the case may require independent legal counsel and/or an advisor/support person to provide emotional support, share updates on the investigation, and to serve as a liaison with the investigation team as needed. Child survivors 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).

- Assess and manage risks relating to the investigation process by conducting a comprehensive risk assessment. 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.
- Follow up on investigation outcomes, including through the following actions:
 - o Make the outcomes of the investigation available to the survivor and accused party and follow up with them to find out if they require additional psychosocial or other support.
 - o In case a complaint is substantiated, take appropriate disciplinary actions against the perpetrator that corresponds to the severity of the offense committed, ranging from a written reprimand to dismissal. 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.
 - o 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 when possible, the survivor.
 - o Use investigation reports to identify institutional weaknesses in preventing and responding to PSEA that require changes in the organization's policies, procedures and staffing.

Confidential Report of SEA or retaliation related to SEA

To PSEA Focal Points and supervisors: please complete this form to the best of your knowledge and ability and ensure that it is submitted in a timely way.

I. Information about Complainant or Reporter

- Name of Complainant or Reporter:
- Contact details (including address, phone and email):
- Age: Sex:

II. Incident of SEA or retaliation

- Date and time of incident (start/most recent dates):
- Location of incident:
- Detailed description of incident:
- Witnesses (names and contact details) and facts witnessed:
- Describe the physical / emotional state of complainant:

III. Information about alleged offender

- Name:
- Employer and job title:
- Contact details (including address, phone and email):
- Age: Sex:
- Physical description:

IV. Complainant assistance

- List contacts by the Complainant/Reporter (e.g., medical, psycho/social, police)
- Does the Complainant need and want medical assistance or has s/he sought treatment and, if so, where and from whom
- Who is responsible for ensuring a safety plan for the Complainant
- Describe any security measures put in place for the Complainant
- Describe any referrals and advice about assistance provided to the Complainant

V. Additional information

- Date complaint/report first received and by whom:
- Does the Complainant/Reporter know about IOM's process for handling complaints?
- Has the Complainant consented to share the complaint with the alleged offender?
- SEA Report completed by:

VI. Provide any other relevant information

Name

Date and location

KEEP SEA INFORMATION STRICTLY CONFIDENTIAL