

PREVENTION AND RESPONSE TO
SEXUAL EXPLOITATION,
ABUSE AND HARASEMENT

HUMANITARIAN ORGANIZATION
FOR PROTECTION AND EDUCATION – VELA



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INTRODUCTION

VELA-HUMANITARIAN ORGANIZATION FOR PROTECTION AND EDUCATION is committed to protecting and supporting the most vulnerable. It is committed to holding itself accountable to people it supports and aims to prevent misconduct and any form of abuse to safeguard vulnerable populations. All staff and management are committed to upholding and protecting the principles of safeguarding the rights and dignity of people in need and the people we work with.

Vela is committed to demonstrating loyalty to serving the rights of people we cooperate with, acting with the highest ethical standards. It is also committed to engaging partners, vendors and allies in protecting the most vulnerable, making sure they understand the implications of their behavior and especially of breaching or violating the terms and principles included in this document.

This policy applies to all work performed by all staff members, volunteers and partners in and out of the workplace and is supported by other guidance, training and policy documents of Vela.

DEFINITIONS

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

Sexual abuse: Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. All sexual activity with a person under the age of 18 –a child – is considered sexual abuse. Sexual abuse includes rape, sexual assault, sex with a child and sexual activity with a child (United Nations Secretary General’s Bulletin 2003/13).

Sexual exploitation: Any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, sexually or politically from the sexual exploitation of another. This includes any exchange of money, goods or services against sexual activities and favors (United Nations Secretary General’s Bulletin 2003/13).

Sexual Exploitation, Abuse, and Harassment (SEAH): Sexual exploitation and abuse refer to breaches of the provisions of the Secretary-General’s bulletin ST/SGB/2003/13, or the same definitions as those adopted for military, police and other United Nations personnel. Sexual harassment refers to any unwelcome sexual advance, comment, expressed or implied sexual demand, touch, joke, gesture, or any other communication or conduct of a sexual nature, whether verbal, written or visual, by any person to another individual, including co-workers and managers. This definition includes sexual harassment that is directed at members of the same or opposite sex, harassment based on sexual orientation and sexual advances becoming a term or condition of employment or a basis for



employment decisions.

Gender-based violence (GBV): An umbrella term for violence directed towards or disproportionately affecting someone because of their actual or perceived gender identity. Such incidents include acts that inflict physical, sexual or mental harm or suffering; threats of such acts; coercion; and deprivation of liberty, whether occurring in public or in private life. While women and girls suffer disproportionately from GBV, men and boys can also be targeted. The term is also used by some actors to describe violence targeted towards lesbian, gay, bisexual, transgender and intersex (LGBTI) people where such violence relates to norms of masculinity/femininity and/or gender.

Corruption: Abuse of trust, power or position for improper gain. Actions taken to instigate, aid, attempt, conspire or cooperate in a corrupt act, also constitute corruption.

Discrimination: any unfair treatment or arbitrary distinction based on a person's race, sex, gender, sexual orientation, gender identity, gender expression, religion, nationality, ethnic origin, disability, age, language, social origin or other similar shared characteristic or trait. Discrimination may be an isolated event affecting one person or a group of persons similarly situated or may manifest itself through harassment or abuse of authority.

Exploitation: Using inappropriately one's position of authority, influence or control over people and resources, to pressure, force or manipulate someone by means of threat or coercion, such as withholding aid or unduly threatening people with negative repercussions.

Misconduct: Failure of a staff member to comply with their obligations under the internal rules or policies including this policy, regulations or other instructions issued by the relevant manager or authority including contextualized security provisions and sexual harassment. SEAH constitutes serious misconduct, resulting in the initiation of a disciplinary process and the imposition of disciplinary measures.

Child or minor: A person under the age of 18 (regardless of the legal age of majority or the age of consent under national legislation).

Beneficiary: Recipient of humanitarian aid and protection of Vela.

Victim/Survivor: A person who is, or has been, sexually exploited or abused. "Victim" is a term often used in the legal and medical sectors, while the term "survivor" is generally preferred in the psychological and social support sectors to refer to a person who has experienced sexual or gender-based violence.

Subject (of an investigation): A person or entity who/that is the focus of an investigation or has been implicated in unsatisfactory conduct/misconduct.

Alleged perpetrator(s): A person(s) against whom there is an allegation of SEAH who, at the time, has not been proven guilty.



Perpetrator(s): A person (or group of persons) who commits an act of SEAH or other type of crime or offence.

Complainant/declarant: A person who brings an allegation or complaint of SEAH to the attention of Vela in accordance with established procedures. This person may be a survivor of SEAH, a person acting on their behalf, or another person who is aware of the wrongdoing.

Whistleblower: any person, staff or non-staff member who reports a concern regarding sexual exploitation or abuse, sexual harassment or other misconduct. In the context of the policy for protection against retaliation, in defined circumstances, a staff member, intern or volunteer who reports misconduct, including sexual exploitation or abuse, may be entitled to protection under the terms of this policy.

Whistleblowing: the disclosure of information which relates to suspected wrongdoing or dangers at work. These may include a criminal offence, the breach of legal obligation, a miscarriage of justice, danger to the health and safety of an individual, damage to the environment, failure to comply with any legal obligation or regulatory requirements, financial fraud or mismanagement, conduct likely to damage Vela's reputation, unauthorized disclosure of confidential information, deliberate attempt to conceal any of the above.

Partner Organization(s): Organizations with which Vela is working on a steady basis, either through contractual relationship or informally.

Confidentiality: The disclosure of certain information is restricted. Sensitive information may be classified as "confidential" or "strictly confidential". The designation "**confidential**" shall apply to information or material whose unauthorized disclosure could reasonably be expected to damage the optimal operation of Vela. The designation "**strictly confidential**" shall apply to information or material whose unauthorized disclosure could reasonably be expected to cause exceptionally grave damage to or impede the conduct of the work of Vela.



Zero-tolerance policy: The policy is establishing that SEAH by personnel, staff and non-staff is prohibited and that every transgression will be investigated and subject to disciplinary or administrative action, as warranted.

OBJECTIVE AND SCOPE OF THIS POLICY

This policy stems from the mandate of Vela that it works with vulnerable people, which often puts its staff in a position of power vis a vis the people they cooperate with and the communities where they work. The staff and management have an obligation to use their power with dignity and respect and in no way abuse their power or demonstrate such capacity. The main purpose of this policy is to safeguard and promote prevention and accountability to affected populations and to outline the key responsibilities with regard to staff and non-staff behavior and the steps for reporting alleged or observed exploitation and abuse. These procedures apply to all Vela personnel, including employees, contractors, volunteers, partners, affiliates, and other related personnel.

Vela is determined to prevent, combat and respond to exploitation and abuse of any person. The objective of this policy is to prevent misconduct, including harassment, exploitation and abuse by providing clear standards, guidance and procedures on effective protection and prevention.

When the minimum standards of this policy are higher than national laws and regulations of the country of reference or of donors, the provisions of this policy shall apply.

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 humanitarian personnel. Vela's policy and procedures for responding to allegations of sexual harassment between Vela personnel are outlined in Vela's Internal Operating Procedures.

CORE PRINCIPLES

The following core principles apply to all staff. These principles determine the rules of conduct expected on and off duty, at all times. These core principles are based but not solely on the Inter Agency Standing Committee Core Principles Relating to Sexual Exploitation and Abuse, September 2019.

1. Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.
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 the exchange of assistance that is due to beneficiaries.



4. Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.
5. 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, abuse and harassment 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.
7. Non-retaliation and non-discrimination – All complainants are able to raise complaints without fear of retaliation or discrimination.
8. Confidentiality – Confidentiality of the complainant and of the subject or object of the complaint will be protected unless otherwise agreed by the respective parties. Disclosure of the investigation to relevant stakeholders will be on a need-to-know basis with confidentiality as the main guiding principle.
9. Due process – All complaints will be subject to an independent review or investigation, depending on the nature of the complaint.
10. 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.
11. Independence – A SEAH investigation process is independent of any disciplinary action taken. This independence is maintained through separation of the roles of Investigators and decision-makers.
12. 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.
13. Survivor-centered approach – Survivors 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 survivors and restore their sense of control over their lives and their bodies. Survivors 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 survivors, such as limiting the number of times survivors are interviewed and considering factors such as age, disability, level of trauma, cognitive development and language when preparing for the interview. Assistance is offered to survivors at the outset of the investigation process, without prejudice to the outcome of the investigation. This assistance is offered regardless of whether the survivor initiates or cooperates with the investigation
14. Respect for the law – The investigation is conducted in accordance with all laws and statutes of the country of reference, including mandatory reporting of sexual abuse against children and relevant labor 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 national labor laws. Any disciplinary action taken is consistent with these laws and statutes.

15. 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.
16. 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.

RULES ON SEXUAL CONDUCT FOR HUMANITARIAN WORKERS

The staff will be disciplined for unacceptable behavior in relation to sex. The following rules are to be adhered to by everyone working with Vela:

- Staff are not allowed to have sexual relationships with anyone under the age of 18, even if it is legal in their country. Saying they did not know the person's true age is not a valid excuse.
- Staff are not allowed to pay for sex with money, employment, goods or services, including goods and services intended as aid to people in need. They must not use promises of the above to make other people accept any kind of behavior that humiliates or exploits them. This includes paying or offering money for sex with a prostitute.
- Staff have influence over who receives goods and services. This places them in a position of power in relation to people who need assistance. Staff are strongly encouraged not to have sexual relationships with anyone affected by a humanitarian emergency. Such relationships make humanitarian action seem less honest and credible.
- If a staff member is worried or suspects that anyone in Vela or another organization may be breaking humanitarian rules on sexual conduct, they must report it to the Filed Coordinator-Senior Child Protection Officer or the Director of Vela and follow inter-agency standing reporting procedures if available.
- Staff must create and maintain a work environment which prevents unacceptable sexual behavior. Staff will behave as set out in the code of conduct. All management members are responsible for supporting and developing systems which maintain this environment.

VETTING AND REFERENCE CHECKING OF APPLICANTS

To prevent SHEA, all job announcements will include a statement of commitment to PSEAH, and all shortlisted candidates will be required to provide references and must agree to appropriate vetting procedures.

Short-listed candidates for employment must notify Vela of any criminal convictions or charges in



relation to provisions and standards of this policy. Short-listed candidates must also notify of any findings by any previous employer that he/she has committed acts of misconduct related to sexual exploitation, sexual abuse or sexual harassment.

This vetting and reference checking policy is based on the OCHA Standard Operating Procedures on Sexual Misconduct.

Vela has a zero-tolerance recruitment policy. Those who have committed violations of international human rights or humanitarian law, acts of sexual exploitation, sexual abuse or sexual harassment, or on the basis of reasonable grounds are believed to have been involved in the commission of any of these acts will not be considered for employment. Similarly, those who are found to be in any of the above situations during contracting or hiring process, or those working for Vela will be dismissed from their duties immediately and will cease to be part of Vela in any way.

In order to extend such checks against offenders across all humanitarian agencies, Vela will provide information about any ongoing investigation and/or disciplinary processes concerning a staff member to another protection system entity or prospective employer of a staff member upon the request of such entity or prospective employer, provided that written consent of the staff member to the disclosure of such information has been obtained by the entity or prospective employer and a copy of such consent has been provided to Vela.

If a candidate was previously employed by an organization that informs Vela of such violations, Vela may consult the said organization and contact the relevant focal point to request a reference.

All contracts for consultants and individual contractors or volunteers include general conditions indicating that the said person must comply with the standards of conduct contained in this document. All staff, consultants, individual contractors and volunteers should sign Vela's Code of Conduct. Staff members are required to acknowledge in writing, upon entry into service, contract renewal and reassignment, their knowledge and understanding of Vela's standards of conduct, in particular regarding SEAH, and the consequences for non-compliance.

PSEAH CAPACITY BUILDING

A strong PSEAH culture requires a comprehensive bundle of practices, which are regularly reviewed and updated as required, informed and trained staff and a clear action plan for commitments made. Vela is committed to the following:

- Staff will receive a thorough induction covering all aspects of our PSEAH and relevant procedures, and they will be introduced to the Field Coordinator- Senior Child Protection Officer who has the role of the Safeguarding Lead.
- All staff and volunteers will sign the Code of Conduct, which clearly lays out the expectations of best practice and our goals for nurturing a safe working environment.



- All staff will receive annual (refresher) PSEAH training.
- Staff with specific safeguarding responsibilities will be trained, informed, encouraged to be approachable and will respond to issues in a professional and timely manner.
- This policy will be reviewed at least annually by the Field Coordinator- Senior Child Protection Officer and will be approved by the Directors of Vela.

NON- RETALIATION AND CONFIDENTIALITY

Any allegation of SEAH is strictly confidential and classified information. Disclosure shall be restricted to a minimum number of persons, based on their need to know due to their responsibilities, including as it pertains to conduct and discipline functions.

The staff shall not disclose any confidential information obtained as a result of their service. This obligation continues after separation from service.

Staff shall refrain from making public statements on the substance of a case or any proceedings.

Unauthorized disclosure of confidential information may constitute misconduct.

All file management and correspondence related to SEAH allegations must comply with GDPR. Where physical records are kept, documents must be stored safely to prevent accidental disclosure. Where electronic records are kept, all computers used for data storage should be password-protected.

Anyone including staff, individuals outside of Vela, community members, third parties, beneficiaries or their families and other stakeholders must feel free to raise their concerns and report any incident or allegation without fear of retaliation, unfair treatment or discrimination as a consequence of filing such complaint or concern.

Vela's management is committed to safeguarding the confidentiality of such complaints or concerns, to managing any investigation process with discretion and respecting the dignity of those involved without causing any risks to the continuing employment and career progression with Vela or any other forms of reprisal toward the staff member who filed such complaint or concern.

The related facts and nature of any complaint, the identities of those involved and the documentation resulting from any investigation or related process to the complaint will remain strictly confidential and will only be shared on a need-to-know basis and with the aim to conduct the appropriate investigation or disciplinary action.

Such facts and data will be shared with any disciplinary authorities in the country of operation such as the police and judicial authorities as they are requested. Such disclosures will be made to third



party authorities when absolutely necessary, considering the risks to the parties involved. Where possible, such disclosures will be made with the consent of the victim or person filing the complaint or allegation.

Disclosure to third parties may be necessary when:

- Required by law
- Required by Vela's management in the best interests of all parties involved
- Needed to obtain specific expertise i.e. medical, legal or other

In case of breach of confidentiality, Vela may take disciplinary action.

AWARENESS RAISING

Messaging for PSEAH involves all stakeholders of Vela including management, staff, volunteers, beneficiaries, and partner staff working with our targeted populations. Relevant actions include:

- Testing and adapting of communication materials and messages with target populations before dissemination. This involves sharing of intended content and messaging and receiving feedback on its appropriateness, usability and reach.
- PSEAH policies, capacity building activities, trainings, and awareness raising campaigns are made widely available through our website and online presence, our staff, materials and handouts at locations where we operate etc.
- Capacity building on PSEAH to partners working on joint initiatives through sharing of PSEAH policies, shared staff trainings, information provision to beneficiaries and training of community leaders from refugee and other vulnerable populations.
- Sharing of PSEAH policies and procedures with our donors, institutional, private or public for wide reach of our practices.
- Joining forces with other organizations operating in the same locations for communicating messages on beneficiary rights, sharing of materials, and informing site management.

REPORTING OF SHEA

The following documents are included as annexes to this policy and will be used to support PSEAH procedures:

- Sample Incident Report Form on SEA (Tool 14.2)
- Template for Risk Assessment and Management during SEA investigations (Tool 14.9)
- Sample Terms of Reference for Investigators of SEA Allegations (Tool 14.5)
- Sample Confidentiality Reminder for SEA Investigations (Tool 14.6, 14.7, 14.8)

All staff, volunteers, contractors or others working with Vela have a duty to report any concern, allegation or suspicion of PSEAH of which they are aware immediately. Such reporting will take



place following the appropriate reporting pathways. If any person fails to fulfill such an obligation immediately, he/ she will be considered to be in breach of this policy. Complaints and reports can be submitted through the following confidential channels:

- Verbally to any staff member they trust. The staff member receiving the complaint will try to receive consent by the complainant on completing the Incident Report Form for SEA Allegations (see Annex A) on their behalf. If not, the staff member will take notes with the statements of the complainant. The completed Form or field officer's own report will be submitted to the Field Coordinator-Senior Child Protection Officer. The complainant has the right to choose between the two, to which their complaint will be submitted.
- In writing either through the Incident Report Form for PSEAH Allegations in print or by email at help@vela.ngo or by other forms of electronic text. The email is received by the Director (who does not have direct involvement in field projects and does not interact with persons provided support by the Vela).
- By phone, to the dedicated PSEAH allegations phone number +35797572057, which is answered from 09:00 to 17:00 during working days.
- By any member of staff or other person acting on behalf of a complainant who does not wish to reveal their identity.
- By the secure suggestion box without a specific designation, placed at operating locations of Vela. The keyholder of the box is the on-location highest ranking officer. i.e. center manager or field coordinator of Vela and is also responsible for checking the box, collecting and reviewing any PSEAH reports included therein. All allegations will be submitted to the Field Coordinator- Senior Child Protection Officer.

For all the above, in the absence of the Field Coordinator/Senior Child Protection Officer or because the complainant has chosen so, any complaints will be submitted to the Director of Policies and Programs of Vela.

The reporting of suspected or actual abuse is a professional and legal obligation. Failure to report information can lead to disciplinary action or dismissal. In any case of suspicion of a safeguarding issue the person to whom it has been reported must immediately inform the Field Coordinator- Senior Child Protection Officer.

Anonymous complaints are treated under the same procedure as eponymous complaints. It is possible that a person reports sexual exploitation, abuse and harassment committed by a person who is not a staff member or a volunteer of Vela but a member of the community instead. In such cases Vela's community investigation and protection procedures will be activated.

The written complaints should be kept in locked filing cabinets in a safe location. The aim is to respect and protect the complainants, potential witnesses, alleged perpetrators and the offices and agencies involved.

All feedback and complaints are to be received in an open and respectful manner. Staff must listen, accept the feedback/complaint, and be courteous and respectful. If the feedback is relevant, staff need to demonstrate commitment to pass on feedback or resolve the complaint.



Any member of staff is obliged to forward such complaints or allegations to the Field Coordinator-Senior Child Protection Officer. All communications and complaints from the community are confidential with disclosure of the information on a strict need-to-know basis. Any correspondence will be treated as confidential.

The complainant will receive a copy of the Incident Report Form for PSEAH Allegations as well as information as to when a response can be expected. We take all reports of safeguarding concerns seriously and will treat them confidentially. Vela aims to respond within 48 hours of the concern being filed.

All staff are responsible for maintaining confidentiality of records and cases of allegations or suspicions. This information shall only be made available to the relevant parties. All staff and partners and beneficiaries shall receive additional support, guidance, and supervision during or following an incident or allegation.

INVESTIGATION

11.1 Receiving Allegations

Upon receiving an allegation of sexual exploitation, abuse and harassment, the Field Coordinator-Senior Child Protection Officer (PSEAH Focal Point) will take immediate action as follows:

- Complete an Incident Report Form on SEA, if one has not already been completed (see Annex A) and address it to the Director of Vela. In completing the Incident Report Form on SEA, the FP shall:
 - Use the complainant's own wording to refer to 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 plan (see Annex B). However, there may be urgent safety concerns that require immediate action to protect the health and welfare of parties involved in the investigation.
 - If urgent safety concerns are identified by the FP, these, along with any actions taken, must be reported without delay to the Head of Education and the Head of Policies and Programs.
 - 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 survivor for assistance, keeping in mind the following:
 - If the FP receives the SEAH disclosure directly from the survivor, the FP shall listen, support and promptly refer the survivor 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 survivor on “what comes next” and what will happen with the report. The FP shall inform the Director of Policies and Programs about the allegations. If the survivor chooses to participate in an investigation, the FP coordinates between the Investigators and the service provider(s) to ensure that protection and assistance is provided to the person during the investigation, as part of a survivor-centered approach.
- Notify the Field Coordinator- Senior Child Protection Officer 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 Vela’s Data Protection Policy. The obligation of confidentiality continues after the matter has been closed.
 - If the allegation concerns the Field Coordinator- Senior Child Protection Officer , it will be transmitted to the Director of Policies and Programs.

Review of Allegations

11.1.1 Decision to Investigate

Upon receipt of an allegation, the Field Coordinator- Senior Child Protection Officer will review the allegation and decide whether an investigation is required. All complaints must be reviewed but not all will require a formal investigation process.

In deciding whether an investigation is required, the Field Coordinator- Senior Child Protection Officer shall consider whether the alleged behavior violates one or more of the following standards:

- Vela’s Code of Conduct / Policy on Prevention of Sexual Exploitation, Abuse and Harassment or other element of the its 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; the verifiability of the information received, and risk(s) for the survivor(s) associated with the investigation process. Vela 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 it is decided 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 Field Coordinator- Senior Child Protection Officer to make a decision, he/she 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 Field Coordinator-Senior Child Protection Officer will be guided by the following in deciding whether to proceed with an investigation:

Type of Violation	Action
The behavior alleged in the complaint is not a violation of the PSEAH 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 behavior alleged in the complaint involves staff misconduct but not sexual exploitation, abuse or harassment.	The matter shall be addressed according to Vela's relevant policies on other forms of staff misconduct. An investigation may be opened to help determine the facts.
The behavior alleged in the complaint involves sexual exploitation, abuse or harassment by personnel of another organization.	The complaint will be referred to the organization concerned for their follow-up.
The behavior alleged in the complaint involves sexual exploitation, abuse or harassment by Vela personnel.	An investigation shall be opened after determining whether evidence is available, whether the information received is verifiable, and assessing the risks for the survivors.

The Field Coordinator-Senior Child Protection Officer within 48 hours of receipt of an allegation will make a decision as to whether to investigate.

11.1.2 Initiating an Investigation

If the Field Coordinator/Senior Child Protection Officer finds that the complaint alleges sexual exploitation, abuse or harassment by Vela personnel they shall initiate the investigation process.

When a complaint alleges a criminal offence, Vela will refer the allegation to the authorities for investigation based on current relevant legislation. Vela will take into consideration the following:

- The wishes of the survivor and his/her capacity to give informed consent



11.1.3 Immediate Safety Concerns

While reviewing the allegations, the Field Coordinator-Senior Child Protection Officer shall consider whether any parties to the investigation are at imminent risk of harm. Where immediate safety concerns are identified, they 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 Annex B).

In considering risks to safety for the survivor, the Field Coordinator-Senior Child Protection Officer shall consider possible interim measures directed at the alleged perpetrator to protect the survivor (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.

11.1.4 Complainant

Vela will provide the complainant with formal confirmation that their complaint has been received and is being reviewed within 48 hours 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.

Decisions Regarding Disciplinary Action

Upon receipt of the Investigation Report by the Senior Child Protection Officer – Field Coordinator, the Directors will convene to review the report and make a decision regarding disciplinary action based on their evaluation 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, Director 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, it falls under the responsibility of Vela to 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 employees/volunteers/interns, 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 SEAH. 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 possible¹. The full report should be kept in the Subject of Complaint's personnel file alongside all the details of disciplinary action taken against them.

Vela is obliged to inform the perpetrator about the outcome of the investigation in a timely manner.

If the findings of the investigation indicate that in agreement with the national Criminal Code and applicable legislation, there have been some criminal elements in the SEA report, Vela will refer the case to the authorities when needed. This shall be done with the survivor(s)' consent, in line with the survivor-centered approach and in line with provisions established in the Criminal Code, when applicable.

Where the investigation has uncovered misconduct by personnel from another organization, Vela will report to the other organization.

Appeal

If the Complainant or the Subject of the Complaint is not satisfied with the resolution of the complaint, he/she may lodge an appeal within 30 days upon receipt of the decision. The Field Coordinator- Senior Child Protection Officer – Field Coordinator will analyze the reasons given and any other new evidence to decide whether to conduct a new investigation. The appeal will be considered only once.

Informing Stakeholders of the Outcome of the Investigation

Vela shall inform relevant stakeholders about the outcome of the investigation in accordance with the principle of confidentiality. Donors may be informed of the outcomes as appropriate and as per contractual arrangements. They should also be informed if the investigation does not commence. Personal details about the victim/survivor or other confidential information need not to be shared.

11.1.5 Survivor

Vela will inform the survivor that the investigation has been completed and provide details on the outcome of the investigation.

11.1.6 Alleged perpetrator

¹ 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://www.schr.info/the-misconduct-disclosure-scheme>



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 survivor) and provide comments.

Follow-Up

11.1.7 Survivor assistance

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

In line with the Survivor Assistance protocol the following guiding principles and rights shall be respected and carefully monitored at all stages in the provision of assistance and support:

- Assistance and support will be made available to all survivors regardless of their participation in investigation or accountability procedure.
- Assistance and support shall be provided in a manner that is survivor-centred, rights-based, age, disability-and gender sensitive, non- discriminatory and culturally appropriate, as well as in line with the rights and best interests of victims.
- Assistance provided to survivors shall adhere to the principle of 'do no harm' and be provided in a manner which seeks to uphold their rights, dignity and well-being.
- The rights of survivors to privacy, confidentiality and informed consent in respect of assistance shall be respected.

11.1.8 Support to the Alleged perpetrator

Vela recognizes that being the subject of a complaint is emotionally taxing and difficult. If the allegation has not been substantiated, Vela 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.

Case Management System

Vela 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 Vela'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;
- Survivor assistance provided directly or through referral;

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 Vela'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.

WHISTLEBLOWER PROTECTION

A whistleblower is an employee who reports an activity that he/she considers to be illegal or dishonest. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; Vela's management is charged with these responsibilities. Whistleblower protections are provided in two important areas— confidentiality and retaliation. It is Vela's policy that these protections apply to employees located anywhere in the world. If an employee has knowledge of or a concern of dishonest, illegal or fraudulent activity, the employee is expected to contact the Field Coordinator- Senior Child Protection Officer. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination. Insofar as reasonably practical, Vela may attempt to protect the confidentiality of the whistleblower in an effort to protect the employee from retaliation. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, poor work assignments and threats of physical harm. In some instances, it may not be possible to maintain the confidentiality of the whistleblower and the identity may have to be disclosed to conduct a thorough investigation, to comply with affirmative disclosure requirements, applicable law and/or to provide accused individuals their legal rights of defense.

11.2 Procedure

Any whistleblower who believes they are being retaliated against must contact the Director of Policies and Programs and/or the Field Coordinator- Senior Child Protection Officer immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated. All reports of dishonest,



illegal or fraudulent activities can be submitted by email at help@vela.ngo

ACKNOWLEDGEMENT

This policy reflects Vela's standards and values on prevention of SHEA. Employment, cooperation and any other formal association with Vela are contingent upon agreeing to and abiding by this policy.

The signatory has read, understood and is in agreement with the provisions and standards of this policy.

This policy is subject to periodic review. The signatory is responsible for becoming aware of any revisions. The signatory also understands that breach of any clause or standard contain herein may result in disciplinary action and potentially dismissal, in accordance with respective national laws, labor regulations, Vela's terms of employment, and conditions and guidelines contained in other policy documents of Vela.

Place and Date

Full Name

Signature of staff member/ volunteer

Verified by the Director of Vela:

Full Name:

Signature:



ANNEXES

Consent for Release of Information

CONFIDENTIAL

This form should be read to the client or guardian in her first language. It should be clearly explained to the complainant that she / he can choose any or none of the options listed.

I, [name of complainant] _____ - give my permission to _____ to share information about the incident I have reported to them as explained below:

I understand that in giving my authorization below, I am giving _____ permission to share the specific case information from my incident report with the service provider(s) I have indicated, so that I can receive help with safety, health, psychosocial, and/or legal needs.

I understand that shared information will be treated with confidentiality and respect and shared only as needed to provide the assistance I request.

I understand that releasing this information means that a person from the agency or service ticked below may come to talk to me. At any point, I have the right to change my mind about sharing information with the designated agency / focal point listed below.

I would like information released to the following:

(Tick all that apply, and specify name, facility and agency/organization as applicable)

Security Services (specify): _____

Psychosocial Services (specify): _____

Health/Medical Services (specify): _____

Safe House /Shelter (specify): _____

Legal Assistance Services (specify): _____

Livelihoods Services (specify): _____

UNHCR (specify to whom): _____

Other (specify type of service, name, and agency): _____

Authorization to be marked by beneficiary: Yes No

(Or according to the capacity and best interest of complainant)



I have been informed and understand that some non-identifiable information may also be shared for reporting. Any information shared will not be specific to me or the incident. There will be no way for someone to identify me based on the information that is shared. I understand that shared information will be treated with confidentiality and respect.

Signature/Thumbprint _____ of _____ complainant:

Name of person receiving the complaint: _____

Date: _____

INFORMATION FOR CASE MANAGEMENT (OPTIONAL-DELETE IF NOT NECESSARY)

Complainant's Name: _____

Name of Caregiver/ Guardian (if complainant is a minor): _____

Contact Number: _____

Address: _____

Complainant's code:

___ - mother's first name, 1st letter Mary = M

___ - birth year, 3rd number 1982 = 8

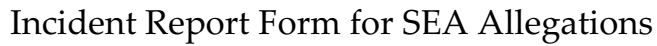
___ - month of birth in letters, first letter August = a

___ - birth order to mother (not from father) Third born = 3

___ - place of birth, first letter Tripoli = T

Authorization to be marked by client: Yes No





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:



Template Self Declaration Form

Name and surname:	
ID card or passport number:	
Date of birth:	
Place of birth:	
Nationality:	
Place of residence:	
Phone number:	
Email address:	
1. 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?	YES/NO <i>If yes, please provide additional information below.</i>
2. 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?	YES/NO <i>If yes, please provide additional information below.</i>
3. 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?	YES/NO <i>If yes, please provide additional information below.</i>



4. Have you ever been or are you currently subject to disciplinary proceedings?	YES/NO <i>If yes, please provide additional information below.</i>
5. Have you left a previous job pending an investigation and refused to cooperate with such an investigation?	YES/NO <i>If yes, please provide additional information below.</i>

Confirmation of statement (please check the boxes below)
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.
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.
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.



	I understand that the information included in this form and submitted by third may be provided by the organization to other persons or organizations in cases he deemed necessary to protect other children or vulnerable adults.
Signature:	
Name and surname in capital letters:	
Date:	

PSEA Clauses for partnership contracts, service providers and suppliers

Clause for subcontractors:

[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 Vela. 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 used²:

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.

Clause for Partners:

[The partner] acknowledges and agrees that *Vela* has a policy of "zero tolerance" for sexual exploitation and abuse. [The partner] 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 used³:

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.

[The partner] 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 occurs⁴.

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.

Any breach of the provision by the Partner shall entitle Vela to terminate the contract with immediate effect."

² UN Secretary-General's Bulletin ST/SGB/2003/13, 2003. <https://undocs.org/en/ST/SGB/2003/13>

³ UN Secretary-General's Bulletin ST/SGB/2003/13, 2003. <https://undocs.org/en/ST/SGB/2003/13>

⁴ Corrective action is defined as actions taken to correct or rectify the situation following a SEA incident





Confidentiality Reminder Note 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:



Oath of confidentiality

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.

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.

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

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

Case Number:

Name:

Title:

Signature:

Date and place:



⁶ 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>

