



# GOAL Protection from Sexual Exploitation and Abuse (PSEA) Policy

January 2018

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<b>Clients:</b>	All GOAL staff, including all GOAL Head Office and Field staff, all GOAL entities' Boards of Directors, consultants, secondees, interns, volunteers, visitors, implementing partners, contractors, donors, and vendors.
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# 1. Introduction

When we refer to GOAL in the GOAL PSEA Policy we mean GOAL (International), GOAL US and all GOAL subsidiaries, branches and/or liaison officers and other entities established in programme countries from time to time (all defined as "GOAL").

As GOAL works towards its mission of ensuring that the poorest and the most vulnerable people in the world have access to the fundamental rights of life, we, as GOAL employees and representatives, must always uphold and be seen to practice the highest standards of behaviour, accountability and integrity with everyone we encounter.<sup>1</sup>

GOAL is committed to the protection from sexual exploitation and abuse (PSEA) by its staff and humanitarian workers and recognizes both the particular vulnerability of women, girls and boys to sexual exploitation and abuse (SEA) as well as the inherent power dynamics evident within humanitarian and development partnerships. Humanitarian workers and managers hold positions of power over the population they serve, their staff and implementing partners.

We have an obligation to use our power respectfully and must not abuse the power and influence we have over the lives and well-being of the participants of our programmes and others in the communities where GOAL works. "Do No Harm" is a core principle of humanitarian action, and GOAL is committed to giving this principle the adequate resources and attention to be implemented at all levels and ensure that this policy is adhered to. The Code of Conduct 2016 highlights that abuse, harassment and discrimination based on gender and sexual orientation are not acceptable in the workplace and in our contacts with others.

Sexual exploitation and abuse of programme participants or others in the communities we serve by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.

# 2. Purpose

The purpose of the GOAL PSEA Policy is to ensure that all GOAL employees and related personnel make ethical decisions in their professional and personal lives to ensure the protection of all against sexual exploitation and abuse (SEA) by GOAL staff and related personnel.

- a. Women, girls, boys and men with whom GOAL interacts are protected from SEA. GOAL acknowledges that no document can offer complete protection, however mandatory adherence endeavours to minimise risk.
- b. Staff and representatives are protected. By implementing the GOAL PSEA Policy all staff and representatives will have clear guidance regarding mandatory behaviour and reporting lines should there be an issue.
- c. The organisation is protected. By implementing the GOAL PSEA Policy, GOAL is making clear its commitment to PSEA. The GOAL PSEA Policy is a tool to enable GOAL to move towards best practice in this area and to deter those who would wish to abuse it from joining or working with the organisation.<sup>2</sup>

The GOAL PSEA Policy has been developed in accordance with the six core principles adopted in 2002<sup>3</sup> by the Inter-Agency Standing Committee Task Force on Prevention and Response to Sexual Exploitation and Abuse (2002), and the principles of the United Nations Secretary General's Bulletin on Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13)<sup>4</sup>.

1 - GOAL Code of Conduct, November 2016

2 - GOAL Child Protection Policy

3 - <https://goo.gl/3SDuvo>

4 - <http://www.un.org/Docs/journal/asp/ws.asp?m=ST/SGB/2003/13>

As local laws and customs differ widely across the world, the GOAL PSEA Policy is informed by International Human Rights Law, United Nations' standards, and best practice guidelines from the humanitarian sector (including GOAL's own policies and experience). It applies regardless of location and local law<sup>5</sup>. The GOAL PSEA Policy is also in line with the following:

- IASC Minimum Operating Standards; Protection from Sexual Exploitation and Abuse by own Personnel (2012);
- The Global Review of protection from Sexual Exploitation and Abuse by UN, NGO, IOM and IFRC Personnel, July 2010;
- The Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and Non-UN Personnel, August 2008; and
- The Core Humanitarian Standard (CHS) on Quality and Accountability<sup>6</sup>.

The GOAL PSEA Policy covers:

- Sexual exploitation and abuse of and/or by GOAL staff which is addressed in GOAL's Code of Conduct.
- The process of ensuring that SEA victims are referred to/receive medical and psychological care. This should be addressed by the Country focal point who will have received training on how to deal with victims in these situations.
- If SEA is committed by one programme participant on another programme participant. However, GOAL would encourage staff to report all cases of concern, suspicion and disclosures made to allow GOAL management to deal with the appropriate authorities in such cases.

### 3. Scope

The GOAL PSEA Policy applies to everyone associated with GOAL. This includes the GOAL Board and all GOAL employees, whether part-time or full-time and to any paid or unpaid consultants, contractors, interns, secondees and volunteers who provide services to GOAL in Ireland and worldwide.

Any violation of the GOAL PSEA Policy will be treated with the utmost seriousness and will be dealt with in accordance with GOAL's Disciplinary Procedure detailed in the HR Manual and applicable laws. This may result in a disciplinary sanction up to and including termination of employment, as well as legal action.

Those in positions of authority with GOAL have a particular duty to ensure adherence by both themselves and others to the GOAL PSEA Policy and to support and develop appropriate systems to facilitate compliance, disclosures and follow up.

Service providers are expected to be committed to the GOAL PSEA Policy or to their own PSEA policy, provided it promotes similar principles.

### 4. Definitions & Acronyms

- **Abuse** is defined as any action that intentionally harms or injures another person. In many cases, it is characterized by unbalanced power relationships between stakeholders (the abuser and the victim).
- **A disclosure** is defined as a specific allegation of abuse made against a named individual.
- **GOAL Board** is defined as GOAL Ireland Board, GOAL UK Board, and GOAL US Board.
- **Harassment** is defined as an unwelcome behaviour of offensive nature severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or

abusive. This includes discrimination based on gender, race, religion, sex (including pregnancy), ethnicity, age, disability or genetic information. It includes bullying, stalking, sexual harassment, personal harassment, and harassment based on any characteristics listed above.

- **PSEA** means Protection from Sexual Exploitation and Abuse.
- **Sensitive cases** are cases where individuals or groups are harmed, discriminated against, exploited or neglected by individuals. This includes, but is not limited to:
  - o Non-compliance with the GOAL Child Protection Policy and the GOAL Protection Against Sexual Exploitation and Abuse Policy.
  - o Any harm caused by an individual or organisation contracted by GOAL (employee, volunteer, trainee, consultant, partner, sub-grantee etc.). Harm done can be physical, sexual, emotional, and/or discriminatory and can lead to situations of exploitation and abuse of power
- **Sexual Abuse** means the actual or threatened physical intrusion of a sexual nature, including inappropriate touching or harassment, which can occur
  - a. by force;
  - b. under unequal conditions; or
  - c. under coercive conditions.
- **Sexual exploitation** are practices by which a person achieves sexual gratification, financial gain or advancement through the abuse or exploitation of a person's sexuality by abrogating that person's human right to dignity, equality, autonomy, physical and mental well-being; i.e. trafficking, prostitution, prostitution tourism, bride trade, pornography, stripping, battering, incest, rape and sexual harassment.
- **Suspicion** is when a concern is expressed about abuse that may have taken place or concern that abuse may take place.
- **Exploitation** shall include, at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs<sup>7</sup>.
- **Trafficking in Persons** is the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

## 5. Policy Statement

GOAL staff and all clients to this Policy must not engage in:

- a. Sexual exploitation and abuse of programme participants or others in the communities we serve.
- b. Sexual activity with children (persons under the age of 18). This is prohibited regardless of the age of majority or age of consent locally<sup>8</sup>. Ignorance or mistaken belief regarding the age of a child is not a defence.
- c. Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This includes the exchange of assistance that is due to programme participants.
- d. Sexual relationships between GOAL employees and beneficiaries of GOAL's programmes are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of GOAL's development and humanitarian aid work<sup>9</sup>.
- e. Harassment, discrimination, exploitation and abuse based on gender (including pregnancy) and sexual orientation in the workplace or towards partners and service providers.

7 - Adopted from article 3, paragraph (a) of the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons.

8 - A GOAL Employee who is married to someone under the age of 18 may declare for a derogation from this provision, if the legal age of consent for marriage in their legal jurisdiction allows. The Country Director may decide if this derogation is accepted. The derogation must be recorded and a record maintained. Should the Country Director wish to gain consultation on the decision of whether to accept/reject the derogation s/he may consult the Head of Ethics & Compliance in GOAL HQ or the Global Protection Advisor.

9 - GOAL considers that engaging in non-professional ways with beneficiaries or project participants can raise the risks of conflicts of interest, as defined in GOAL's Conflict of Interest policy and further explained in its appendix 1, Personal Interest.

Where a GOAL employee develops concerns or suspicions regarding sexual abuse or exploitation by a client to this Policy, whether in the same agency or not, he or she must report such concerns via GOAL's established reporting mechanisms.

GOAL employees are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of the GOAL PSEA Policy. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

The GOAL PSEA Policy encompasses all types of SEA and exploitation and organised abuses of power, including exploitation, forced labour, slavery and trafficking.

GOAL condemns exploitation, slavery, and forced labour and has a zero-tolerance policy towards employees, board members, volunteers and service providers who are exploiting human beings for their benefit. These principles are embedded in the GOAL Employee Handbook, the Code of Conduct and in the GOAL Guidelines and Compliance Plan Against Human Trafficking, Exploitation and Forced Labour.

## 6. Responsibilities

### **GOAL Board and Senior Management**

The GOAL Board is ultimately responsible for the application and implementation of the GOAL PSEA Policy through Senior Management Teams in Head Office and in country programmes.

The GOAL Board will ensure that adequate technical support is provided to country programmes to adapt and implement the GOAL PSEA Policy.

One member of the board is identified as the PSEA focal point.

Senior staff and managers are expected to report on PSEA and breaches of the GOAL PSEA Policy to the GOAL Board.

A yearly report, based on an internal audit is also sent by each GOAL country programme to the Head Office Senior Management Team.

PSEA policy implementation is regularly monitored by the Audit and Risk Committee.

### **ALL GOAL employees**

Where a GOAL employee develops concerns or suspicions regarding abuse or exploitation by a client to this Policy, whether in the same agency or not, he or she must report such concerns via GOAL's established reporting mechanisms<sup>10</sup>.

GOAL employees are obliged to create and maintain an environment which prevents exploitation and abuse and promotes the implementation of the GOAL PSEA Policy. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

### **GOAL Management at HQ and Country Level**

GOAL managers and supervisors must ensure that their employees and related personnel understand and comply with the GOAL PSEA Policy and its Core Principles (see section 5, 'Policy Statement' above).

GOAL managers and supervisors commit to:

- a. Policy
  - Managers agree to disseminate the GOAL PSEA Policy within the organisation and among partners and representatives.

- Adherence to the GOAL PSEA Policy by all employees and related personnel is mandatory and a contractual agreement.
- b. Human Resources
- All staff, related personnel and visitors are informed about the GOAL PSEA Policy during their induction.
  - It is the responsibility of the field office where staff are stationed to ensure that all staff members receive training on the GOAL PSEA Policy.
  - Incorporate appropriate job responsibilities (such as staff training, complaints and response mechanisms, coordinating high-level oversight and progress reports) in specific staff positions to support and ensure effective implementation of organizational strategies to prevent and respond to SEA.
  - Ensure that in every country there is a Protection focal point who responds for both Child Protection and Gender issues. The focal point must have resources and time allocated to its responsibilities.
  - Incorporate the GOAL PSEA Policy in induction materials and training courses for employees. Follow up training on complaints and feedback should also be provided.
  - Ensure recruitment processes use thorough background checks and also vet potential employees' attitudes towards PSEA, in line with applicable laws.
- c. Procedures
- Include PSEA in risk assessment, monitoring and reporting processes e.g. Risk Register.
  - Develop organization-specific strategies to prevent and respond to incidents of SEA at HQ which are led by the Head of Ethics and Compliance.
  - Through our on-going work, commit to engagement with stakeholders, in particular individuals, communities and governments with whom we work to address underlying root causes of SEA.
- d. Accountability
- Accessible complaints and response mechanisms that have responsibilities for responding to instances of SEA.
  - The ultimate responsibility for implementing this policy is with the GOAL Board of Directors. The Senior Management Team shall hold Regional Directors to account for ensuring implementation of the GOAL PSEA Policy including risk management processes.
  - Though the PSEA Policy, GOAL commits to addressing inherent power dynamics within humanitarian and development partnerships through promotion of meaningful engagement with stakeholders as active participants in line with the Core Humanitarian Standards.

## 7. Reporting

It is the obligation of all GOAL staff and related personnel to raise any concerns or suspicions they have, actual or perceived, of any breach of the GOAL PSEA Policy by any colleague or client to the Policy.

This should be done through:

1. GOAL's internal and external mechanism as laid out in the Whistleblowing Policy;
- OR
2. To a senior manager with whom they feel comfortable;
- OR
3. The Country team focal point for PSEA<sup>11</sup>;
- OR
4. Global Protection Advisor.
- OR
5. Head of Ethics and Compliance.

When made aware of an alleged breach of the GOAL PSEA Policy, GOAL will:

- Take appropriate action to the best of its capacity to protect persons from retaliation when allegations of sexual exploitation and abuse are made in good faith.
- Investigate allegations of sexual exploitation and abuse involving GOAL staff and related personnel in a timely and professional manner, and to the best of its capacity encourage all designated stakeholders to do the same.
- Inform donors and relevant regulatory authorities as required by contracts and law, respectively.
- Use appropriate interviewing practices with complainants and witnesses, particularly with children. This may include engaging professional investigators or securing investigative expertise as appropriate.
- Take swift and appropriate action, including legal action when required, against employees and related personnel who commit sexual exploitation and/or abuse.
- Take swift and appropriate action against those who were aware of such abuse/exploitation but did not report it.
- Support survivors of SEA, including but not limited to medical assistance, if required.

All GOAL staff should be made aware of the reporting mechanisms for PSEA by ensuring that reporting lines on how to raise concerns are displayed in an accessible location in all GOAL offices. This display must contain the contacts of all focal points, the internal and external whistleblowing contacts, the complaints response mechanism, the Head of Ethics and Compliance and the Global Protection Advisor (see Annex 4).

## 8. Training and Communication

All staff, related personnel and visitors are to be informed about the GOAL PSEA Policy during their induction. It is the responsibility of the field office where staff are stationed to ensure that all staff members receive training on the GOAL PSEA Policy. Each country's Protection Focal Point will also conduct regular updates and specific trainings to meet the needs of particular staff roles within the local context and its accompanying risks.

GOAL will audit its operations annually to ensure that PSEA is being addressed correctly in 4 components:

- a. Policy: the GOAL PSEA policy is applied in all GOAL country programmes it is easily accessible to all staff and fully understood by all GOAL staff and related personnel.
- b. Procedures: systems are in place to reduce risks of abuse, rumours and the possibility of harm.
- c. People: staff are recruited, managed and work in an environment that addresses PSEA through support, training, information and response.
- d. Accountability: systems are in place to receive and respond to concerns, and to recognize and limit risks.

## 9. Non-compliance

Any concern regarding PSEA or suspicion of SEA or a breach of the GOAL PSEA Policy, at any level is treated with the utmost seriousness by GOAL. The disciplinary actions are detailed in GOAL's HR Manual and include investigation into gross misconduct and breach of Policies. In absentia, the reference manual is the GOAL Head Office Employee Handbook (updated February 2017).

GOAL appreciates that cases of sexual abuse or exploitation can be exceptionally difficult to discover and/or prove. Survivors of sexual abuse and exploitation often face enormous social and cultural barriers to reporting any abuse or exploitation. In many cases alleged perpetrators may wield power or position over their victims, and/ or live in close proximity to them.

GOAL recognises that these factors may interfere with any investigation into cases of sexual abuse or exploitation. GOAL also recognises the significant damage that can be caused by malicious or unfounded accusations and will endeavour to provide protection for staff who may be wrongly accused.

## 10. Related policies and procedures

The GOAL PSEA Policy is linked to and must be read in conjunction with:

- GOAL Code of Conduct
- GOAL Gender Equality Policy and Strategy
- GOAL Child Protection Policy
- GOAL Risk Management Policy
- GOAL Employee Handbook
- GOAL Whistleblowing Policy

A list of all GOAL's active policies can be found on the Policies and Guidelines page on GOAL's intranet.

### Support Toolkit Associated with implementation of this policy:

Annex 1: Flow Chart of Reporting Sensitive Cases

Annex 2: Names and Contact Details for Reporting and Responding to Sea

Annex 3: Reporting and Responding to Suspicion or Disclosure of Sensitive Case

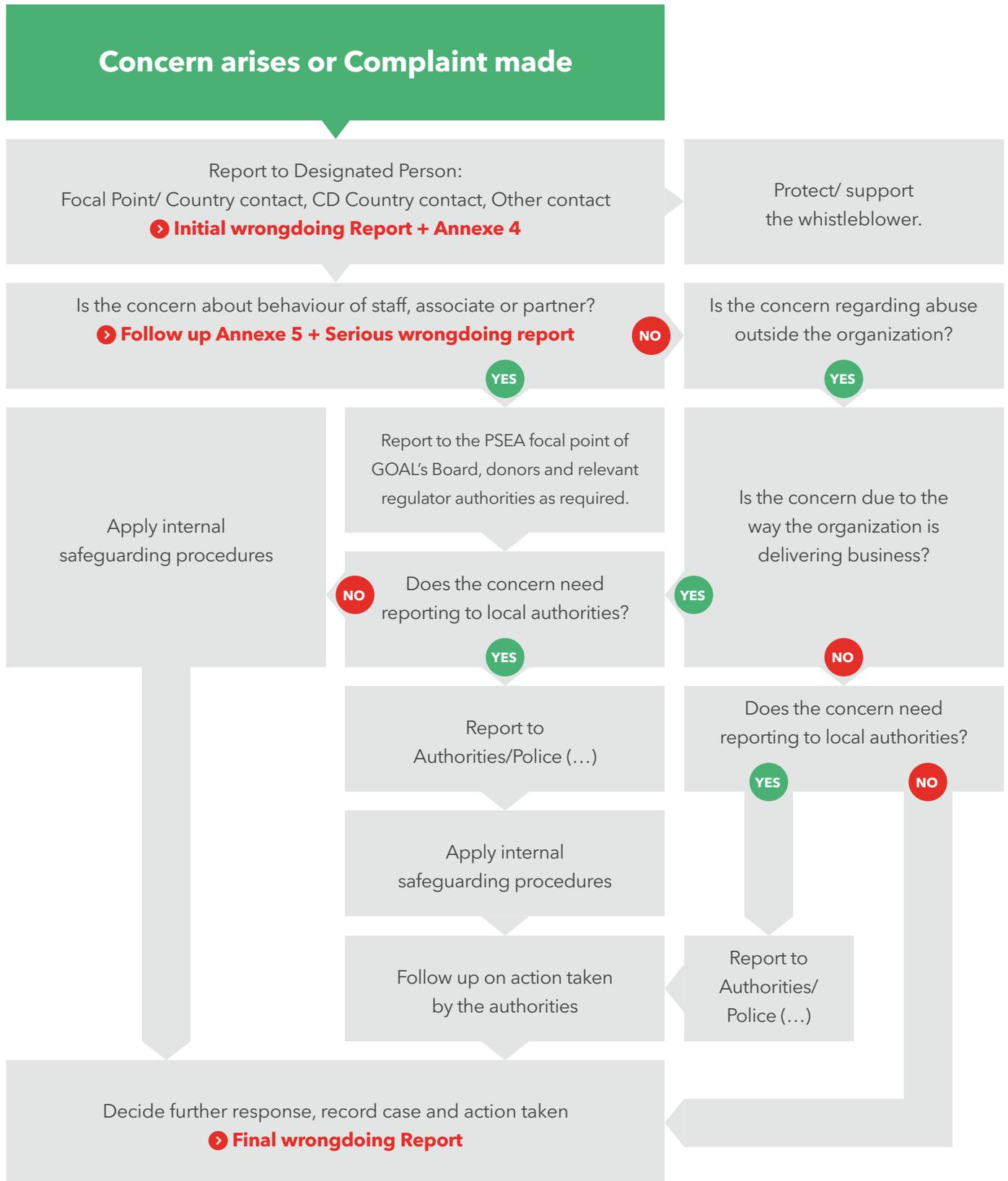
Annex 4: Protection Report Form

Annex 5: Protection Case Follow-Up Form

Annex 6: Self Audit Tool

Annex 7: Check Up for Compliance and Internal Audit (under review)

# Annex 1: Management of SEA Cases



## Annex 2: Names and Contact Details for Reporting and Responding to Abuse And Neglect

### GOAL Ireland Contacts

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Each country will map local resources and develop a list of regularly updated contact details for the police, local authorities, courts, health service providers (physical and mental), legal assistance providers, social services and other relevant stakeholders for PSEA. Details to be recorded in the local mapping shall include the following.

- 1. Summary**
  - a. Summary of main protection risks and issues, including details of commonplace/culturally accepted practices that may be harmful.
- 2. Statutory Protection - Government Ministries etc.**
  - a. Details of any government bodies or agencies with statutory authority for protection- include names and contact details of Senior Officers at national and local level
  - b. Summary of key points of legislation governing welfare/protection and/or national frameworks that describe policy/practice on PSEA
  - c. Brief analysis of implementation/enforcement of legislation as far as this is known
- 3. Criminal Investigation/Prosecution - Police and Judiciary**
  - a. Local police position on investigation of criminal assault and likelihood of prosecution of such offences
  - b. Legal age of consent in country, legislations regarding harassment, sexual exploitation and abuse.
  - c. Legislations regarding LGTBQA.
  - d. Name and contact details of Senior Police Officer/s to whom referrals may be made
- 4. Other Agencies - Health Services, NGOs, Interagency Forums**
  - a. Details of health and other services that may be accessed as part of victim response at local level
  - b. Names and contact details of NGO's, other agencies, other relevant bodies and professional networks, including any local joint arrangements for dealing SEA issues
- 5. Community**
- 6. Details of informal/community based justice and protection mechanisms and how these function**

## Annex 3:

# Reporting And Responding To Suspicion Or Disclosure Of Sensitive Case

## Introduction

Sensitive case englobe cases where individuals or groups are harmed, discriminated against, exploited or neglected by individuals. The sensitive cases will cover:

- Non-compliance with the Child protection policy, the Protection from Sexual exploitation and Abuse policy, the anti-trafficking policy
- Any harm caused by an individual of organisation contracted by GOAL (employee, volunteer, trainee, consultant, partner, sub-grant,...). Harms done can be physical, sexual, emotional, discriminatory and can lead to situations of exploitation, abuse of power,...

Considering that most sensitive cases are characterised by the relation of powers between the stakeholders (the abuser and the victim), we are referring to them as "abuse".

A clear reporting structure and response process is critical to ensure that any report is handled consistently. This is important in order to protect the best interests of the victim, the organisation and the staff.

This is a step-by-step guide which must be followed when a disclosure or suspicion of sensitive case/abuse is reported.

- **A disclosure is defined as a specific allegation of abuse made against a named individual.**
- **Suspicion is when a concern is expressed about abuse that may have taken place or concern that abuse may take place**

## Specificities of human-related sensitive issues, what to do if a disclosure of suspicion is reported

Barriers to report a concern/ suspicion of human misbehaviours are very important.

They are at two main levels:

- Our interventions are embedded in **relations of powers**. The abuser are generally using their powers (hierarchy, seniority, critical role in providing support,...) to exploit, abuse and get advantages. When a suspicion of misbehaviour is raised, it highlights the opportunities the system provides for abuse, questioning the systems (HR management, procedures,...)
- From the **victim's perspective**: their age, gender, vulnerability, dependence,... can prevent them from disclosing the abuse they are victim of. Furthermore, local values and culture may increase barriers to report concern: macho culture, police response, attitude towards women and LGBTQ,... are factors that will influence the "protection" and impunity of the abuser. Victims often feel hostage of their abuser, and helpless. They do not know, trust or dare to report concern. The way the abuse is felt by the victim, with shame, feelings of worthlessness, responsibility will also increase barriers to report.
- From the **listener perspective**: Abusers may be part of the circle of colleagues and partners. Especially in groups under stress or sharing strong values/ belief systems, the individuals will react first in solidarity and protection to their groups. This brings important bias/ defensive mode against any concern raised and disbelief.

The following gives guidance on dealing with a disclosure of abuse:

## Some basic principles for dealing with a disclosure of abuse are:

- Accept what the person says.
- Keep calm and do not appear shocked, don't panic, use a low, soothing voice.
- Don't seek help while the victim is talking to you, stay with them until they have finished speaking and/or crying. Remember, it may have taken the person a lot of courage and time to build up to disclosing the information.
- Fully take the local environment and culture into consideration.
- Do not promise not to tell anyone; explain that you may need to tell a parent/doctor/counsellor, to seek help and support for the person.
- Be honest.
- Never ask leading questions, instead repeat the last words the person has said in a questioning manner.
- Try not to repeat the same questions – for this reason, it is important to stay calm and focused.
- Never push for information.
- Don't fill in words, finish their sentences or make assumptions.
- Be aware that the person may have been threatened, and so may be fearful about sharing this information.
- VERY IMPORTANT – Reassure the person that they are not to blame.
- VERY IMPORTANT – Reassure the person that they were right to tell you.
- Let the person know what you are going to do next and that you will let them know what happens.
- Take proper steps to ensure the physical safety and psychological wellbeing of the person. This may include referring them for medical treatment, to a psychologist or to a place of safety.
- Make certain you distinguish between what the person has actually said and the inferences you may have made. Accuracy is very important in this stage of the procedure.
- Do not permit personal doubt to prevent you from reporting the allegation.
- As soon as possible, when you have finished being with the person, document what the person told you using the Protection Report Form<sup>4</sup> (Annex 4) or other paper, if this is not available. Include: how the person seemed, words the person used to describe the abuse or neglect, dates/times the person detailed the abuse as having occurred, and names of people the person mentioned. Date and sign this documentation, (even if it is untidily completed on loose paper).

### Things to say:

- ✓ Repeat the last few words in a questioning manner.
- ✓ 'I believe you'
- ✓ 'I am going to try to help you'
- ✓ 'I will help you'
- ✓ 'I am glad you have told me'
- ✓ 'You are not to blame'

### Things not to say:

- ✗ 'You should have told someone before'
- ✗ 'I can't believe it. I am shocked'
- ✗ 'Oh, that explains a lot'
- ✗ 'No not.....he is a friend of mine'
- ✗ 'I won't tell anyone else'
- ✗ 'Why? How? When? Where? Who?'
- ✗ 'I can't believe that would happen'

## Protecting the alleged victim pending investigation

The alleged victim must be protected pending an investigation. If the accused person is a staff member, the organization must immediately suspend the staff pending a full investigation. The suspension takes immediate effect, with full salary, until the investigation comes to a conclusion: whether all suspicion have been lifted or not. In cases of abuse and misbehaviour, proving beyond doubt can be extremely difficult. Levels of suspicion are enough to take disciplinary actions.

If it is a beneficiary who is accused of abuse of another beneficiary, the suspected person must be removed from the place where the exploitation has happened during the course of the investigation.

# Who should conduct the investigation?

The following table is designed to give those responding to an allegation an idea of who should conduct the investigation. This list is intended for guidance only, the Ethics and Compliance department assisted by the Global Protection Advisor will provide support to adapt it.

Type of abuse	Police should conduct the investigation	Organizations can conduct the investigation	Who in the organisation
Physical abuse	Physical abuses that causes grievous bodily harm (the crime of causing somebody serious physical injury)	Physical abuse that doesn't cause grievous bodily harm	CRM protocol followed. Head of Ethics and Compliance in cc
Sexual abuse	All allegations of a sexual nature must be reported to the police <sup>5</sup>	All allegations of sexual abuse must be reported to the police unless: the victim specifically refuses because it will increase his/her risks (life threat, ex. Honour killing, target against LGBTQ, ...). If the risks are founded, the decision not to report to the police must be taken after confirmation by experts.	CRM protocol followed. Head of Ethics and Compliance to respond and confirm the lines of action taken. For suspicion of sexual abuse against a child, an external support will be seek for communication and inquiry. The Global Protection Advisor will provide advice.
Emotional	Emotional abuse that seriously interferes with mental health. Emotional abuse maybe a component of sexual or physical abuse and, if it is, would most likely be referred to the police as physical or sexual abuse	Organizations should be able to respond to emotional abuse when it happens without any other form of abuse e.g. grievous physical or sexual abuse.	CRM protocol followed. Head of Ethics and Compliance in cc
Neglect, discrimination and harassment	Any act or failure to act on the part of someone in power <sup>6</sup> which results in death, serious physical and emotional harm, sexual abuse and exploitation.	Any act or failure to act on part of someone in power that does not result in death, serious physical and emotional harm, sexual abuse and exploitation.	CRM protocol followed. Head of Ethics and Compliance in cc
Risk of unsafe migration	When there are brokers coming in a community who entice specific individuals to migrate, and their promises are "too good to be true"	When there are known flows of the population migrating seasonally, or segments of the population migrating in numbers (ex. Teenage and youths boys/girls)	CRM protocol followed. Head of Ethics and Compliance in cc
Unsafe migration	When migrants are showing signs of: <ul style="list-style-type: none"> <li>- The profile of the migrant raises alarms: the age, gender, migrating route/ means are known signs for human trafficking in that context/ region.</li> <li>- Lack of knowledge about their destination and activities they will conduct</li> <li>- Resentment to identify the identity of people who facilitate their mobility, will host them at their destination. No contact can be made with anyone at the destination area.</li> <li>- Not knowing who is accompanying them.</li> <li>- Not having documents (ID, passports, authorisation to travel,...)</li> <li>- Travelling by backroads, in unconventional manners or in ways that are significantly above their means.</li> <li>- The migrant has paperwork that is perfect, but the story of the migration raises suspicion (depending on the profile of the migrant).</li> <li>- Raising concerns and asking for help</li> </ul>	When migrants on the road are "fitting" with a profile related to known migration flow: <ul style="list-style-type: none"> <li>- Families are travelling together.</li> <li>- Group of youths of similar age are travelling together alone.</li> <li>- The identity of the person accompanying is clear, the migrant knows them personally.</li> <li>- The migrant has information about the destination and the activities they will do. A contact with someone at the destination can be made.</li> <li>- The migrant has documents and authorisations to travel.</li> <li>- The story of the migrant seem genuine and details are provided.</li> </ul>	
Exploitation (labour)	In all cases when the victim is at risk for his/her health (mental and physical), identity, social belonging. When the labour condition are against the labour laws and social norms.	When the labour conditions are within the social norms.	
Exploitation (commercial sex work)	In all cases when the victim is at risk for his/her health (mental and physical), identity, social belonging. When organizing and facilitating commercial sex ("pimping") is defined as a crime.	When the legislation is criminalizing the sex worker but not the organisation or facilitation of prostitution.	
Exploitation (other, including adoption, specific conditions as disability, illness, poverty, image...)	In all cases when the victim is at risk for his/her health (mental and physical), identity, social belonging. In all cases that are against the legislation.		

If the allegations are criminal in nature, the case must at this stage be referred to the Police. If it's not a criminal case, the organization should proceed with an internal investigation.

The team should conduct their investigation in a 'neutral' frame of mind, i.e. they should neither assume guilt nor innocence on the part of both parties. The team also needs to determine who to interview, if there is any need for an interpreter(s) during the investigation process and how to ensure that the confidentiality of witnesses and the subject are maintained.

## Suspicion upheld

Sensitive issues are difficult to prove. They often rely on one's accusation against one's denial of the accusation. In most contexts, the accused will benefit from a favourable protection and impunity environment: a macho/ male dominant culture, stereotypes against women/ LGTBQ/ children, favourable stereotypes for "Aid/ Humanitarian workers" (good values), unfavourable stereotypes for the victim's group,...

Sensitive issues are often characterized by pressures to "drop the case".

Sexual abuse, emotional abuse, harassment, discrimination are particularly difficult to prove. In the case of sexual abuse the issue of consent is central, then physical proofs of injury/violence need to be collected. The window to collect semen and assess violence is limited. In that regard, proving without doubt demands extensive police and justice work which cannot be achieved in many contexts. Reasonable suspicion, or difficulty to show malignant intent/ prove that the abuse has not taken place should be enough to confirm disciplinary measures. A person accused of abuse who remain in the position will continue to carry the suspicion. In that case, GOAL should be able to vouch for the person, and have no doubts of his/her misbehaviour. Abusers tend to repeat their abusive behaviour, and if a person stayed after an accusation, was cleared and recommence, the organization will be flagged as having protected the abuser.

During the case conference, and following review of the documented evidence, it is decided that the suspicion is upheld, disciplinary action will be required. Although the specific context of a violation has to be taken into account, the following table shows the disciplinary action that is likely to take place. All staffs need to be made aware of this disciplinary action.

Type of Abuse	Disciplinary Action
Physical abuse: slapping, hitting and fighting (outside social acceptability)	<b>Termination</b>
Slapping, hitting (socially acceptable relation in the context)	<b>Final warning</b>
Injury	<b>Termination</b>
Sexual abuse and exploitation:	<b>Termination</b>
Emotional: rejecting, ignoring, terrorising, corrupting, bullying, degrading etc	<b>Final warning</b>
Neglect: medical, inadequate supervision, abandonment, educational neglect	<b>Final warning</b>
The person organises human trafficking: has organised the migration/ dislocation, has abused power for force the decision (payment made, emotional abuse, forced decision, rapt,...) and is exploiting the victim/ has placed the victim in an exploitative environment.	<b>Termination</b>
The person facilitate or organise the migration without knowing the origin or destination of the migrant The person exploit the victim (labour, sex, other characteristics of the victim).	<b>Termination</b>
The person facilitate undocumented migration (finding contacts, transporting, putting the stakeholders in contact...)	<b>Final warning</b>
The social/ legal norms surrounding a system (labour, commercial sex,...) are in conflict with the minimum standards and policies observed in GOAL. The employee does not show a behaviour that is socially unacceptable / illegal.	<b>Final warning</b>

At this point, it's strongly advised that the organization seeks legal advice to ensure that all the documentation is in order and the disciplinary action proposed is legally justified.

## Staff Disciplinary Action and Appeal

The members of the case conference meet with the accused member of staff who has been found guilty or whose suspicion could not be erased to inform him/her of the decision taken.

It is important that the accused member of staff is informed prior to the meeting that he/she may bring a representative with him/her. During the case conference the staff member will be informed that they have five working days to submit an appeal in writing to the most senior manager of the organization. The written appeal will then be reviewed again during a second case conference. If new evidence is presented, the investigation will be reopened. If no new evidence is presented, the case conference team will make a final decision, which will be documented and signed by all the members of the case conference and then communicated formally to the accused staff member.

The recommendations and/or disciplinary action from the final case conference are implemented by the human resource department. In the absence of the human resource function, the most senior manager of the organization alongside a representative of the board implements these recommendations and actions.

## Documentation

The most senior manager must ensure that all the documentation related to the allegation, investigation and disciplinary procedures is in order and in place, and a final report is submitted to the head office or to the board as may be appropriate.

## Communication

Due to the sensitive issue, and the difficulties to raise concern, many situations of abuse are not disclosed immediately. When concern are raised, the GOAL staff who receive the concern may not have been the first confident. The case GOAL comes in contact with may only be one among many. The disruption caused by a concern raised can have repercussion against the whistle-blower and the organisation.

When a concern is raised, it is safe to consider that other people are aware and talking, and may spread non-channelled information that are detrimental to the inquiry, reputation, victim and safety of our teams. There are high risks of un-controlled rumours which lead to possible reaction by the team, community, authorities. When a concern is raised, senior management needs to pay great attention to rumours and leaks.

1. If there are rumours and leaks, GOAL ensures that priority is given to communicate about the response and ensure that rumours are dealt with promptly.
2. GOAL's communication focus on ensuring that the alleged victim and perpetrator are protected and their identity/ the story is not disclosed; showing the professionalism and sensitivity of the response; addressing rumours and showing that the organization remains in control.
3. Under no circumstances is GOAL not providing a controlled flow of information, adapted to the informal spread of rumours. The harmfulness of the rumours and leaks damages the organisation, and causes a direct threat for the alleged victim and perpetrator. The steady communication aims to prevent rumours and ensure the public that the organization is fully responding to the matter.

Communication in case of abuse is not left to the country, the Board ensures that specialized experienced support is provided.

## Annex 4: Protection Report Form

This report is to be used as a tool to develop the most un-biased information based report possible. This report complements the initial serious wrongdoing report, in case of sensitive concern related to possible breach of the PSEA, CPP, anti-trafficking policies. Concerns reported in this annex are specific to harm, abuse (physical, sexual, emotional), exploitation, involvement in human trafficking, discrimination and neglect by someone related to GOAL (employee, volunteer, consultant/visitor, partner, contractor) against someone related to GOAL (employee, volunteer, beneficiary/ member of the population, partner,...).

- a. If you have knowledge that a person's safety might be in danger, please complete this form to the best of your knowledge. All information and details are relevant, do not be afraid to include all the detail you can think of and remember. If you need additional space to include all the detail, please use a separate piece of paper. Sign and date this additional paper. For confidentiality reasons, the report should be written and signed solely by you.
- b. Once the report is completed, you must communicate directly with the most senior manager in the organisation and the Head of Ethics and Compliance within 24 hours (preferably within the same working day). It will be held in a safe and secure place and treated in the strictest confidence.

### Protection Report Form

Case number:

#### 1. About you

1.1 Your name: 1.2

Your job title:

1.3 Workplace:

1.4 Your relationship to the alleged victim:

1.5 Your contact details:

1.6 Have you discussed this concern with any other person: If so, who?

#### 2. About the alleged victim

2.1 Alleged victim's name:

2.2 Alleged victim's gender:

2.3 Alleged victim's age:

2.4 Alleged victim's contact details:

2.5 Is this alleged victim involved in one of GOAL's programmes?

Continue overleaf 

### 3. About the concern

3.1 Was abuse suspected or witnessed?

3.2 Is this concern based on first hand information or information divulged to you by someone else? (if so, who?)

3.2 Did the alleged victim disclose abuse to you? If so, describe in detail what the alleged victim said to you, how the alleged victim presented/ looked when talking to you.

3.3 Are there any witnesses to the situation? (if so, who)

3.4 Context of the alleged incident:

3.5 Location of the alleged incident:

3.6 Name of alleged perpetrator:

3.7 Is the perpetrator a beneficiary, staff member, or visitor?

3.8 Residence of alleged perpetrator:

3.9 Title of alleged perpetrator:

Continue overleaf 

3.10 Nature of the concern//What type of event are you concerned about, that would raise suspicion on abuse:

3.11 Your personal observations.  
N.B. make a clear distinction between what is fact and what is opinion or hearsay

3.12 Exactly what the alleged victim or other source said to you (if relevant) and how you responded to him or her (record actual details)

3.13 Any other information not previously covered:

3.14 Were there any other beneficiaries involved in the situation?

3.15 Were there any other parties involved in the situation?

3.16 Action taken/What did you do?:

Signed:

Date:

## Annex 5: Protection Case Follow-Up Form

This form is intended to document the investigation required following a report on a sensitive issue and to finally document the outcome of the investigation (both for organizational and an external criminal investigation)

There is extreme stress involved during an investigation of a sensitive issue allegation, for alleged perpetrator, colleagues, and family members.

There are high risks of un-controlled rumours which lead to possible reaction by the team, community, authorities. For this reason, all follow-up work and decision-making must be viewed as high priority and completed as soon as possible.

1. This report must be completed for both internal organizational investigations of abuse and also to document that the case has been reported to the police for a criminal investigation.
2. It is the responsibility of the most senior manager in the organization to ensure that this form is completed. The most senior manager of the organization may delegate the process of investigation however, s/he remains responsible for the investigation and the accurate documentation of the investigation.
3. All details of the investigation must be captured in this report. The report will remain open until all details of the investigation are complete and a decision has been taken on the outcome of the allegation.
4. Confidentiality of this information is vital and if an investigation team is appointed the team must be able to assure that all information related to the case is kept confidential

Before this report is closed, it needs to document the outcome of the case and actions taken and it must be signed by all persons involved.

### Protection Case Follow-Up Form

Case number:

(Give this form the same number as the Initial Serious Wrongdoing Report, the Serious Wrongdoing report and Annexe 4)

Date of Initial Report:

#### Investigation of alleged human trafficking and exploitation (both disclosure and suspicion)

1. What type of suspicion is being investigated?

2. Is the alleged situation a:

Disclosure      Suspicion

3. Is there any evidence?

Yes      No      Not Yet Determined

4. To be referred to the police?

Yes      No      Not Yet Determined

Information gathering for cases to be handled internally by the organisation-all statements must be documented in writing and signed by both the interviewer and the interviewee.

#### Check-list of interviews conducted: Have the following persons been interviewed?

5. The alleged victim

Yes      No      Not Yet

6. The parents / guardian of child  
(if applicable)

Yes      No      Not Yet

7. The person who made the report

Yes      No      Not Yet

8. The accused

Yes      No      Not Yet

9. All witness(es)

Yes      No      Not Yet

Note: all interviews should be recorded and included in the case file

Continue overleaf 

**Case Conference:**

Date of Case Conference:

**Names and positions of all case conference members**

Name:

Position:

Name:

Position:

Name:

Position:

Name:

Position:

**Summary of Actions Taken and Results:**

Actions	What Steps?	When?	Results?
Observation of alleged victim			
Information gathering			
Concerning the victim			
Concerning the victim's family			
Concerning the accused			
Consultation with HR & legal advisor			
Other actions			

**Confirmation of Abuse**

Allegation found to be true/false based on:

**Summary of Results:**

Continue overleaf 

## Disciplinary Action

In the instance of any internal disciplinary action,

- a. The accused should attend a disciplinary meeting in which the disciplinary action decided upon is made clear (and should be informed prior to the meeting that they may bring a representative)
- b. The accused should be informed that s/he has 5 working days in which to appeal against the decision in writing.

## Appeal

Date of Appeal Meeting		
Written appeal considered	Yes	No
New evidence highlighted	Yes	No

If yes, detail the new evidence

Investigation reopened	Yes	No
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If yes, detail the additional investigation

## Further Actions Proposed by the Case Conference Team:

Actions	What Steps?	When?	Results?
Observation of alleged victim			
Information gathering			
Concerning the victim			
Concerning the victim's family			
Concerning the accused			
Consultation with HR & legal advisor			
Other actions			

Continue overleaf 

Closure of Case	Yes	No
Date of Closure:		
Summary justification for case closure:		
Signed:	Position:	Date:

## Annex 6: Self-Audit Tool

The objective of safeguarding is to reduce risks of abuse directly caused by GOAL's staff or partners. Self-audit You can use a self-audit tool to assess how well you are integrating child safeguarding measures across your organisation, see below. This tool can be used at different stages during your implementation and monitoring of child safeguarding to check that you are making the necessary improvements.

This self-audit tool is an ideal way to measure how far (or near) the programmes are from meeting the standards on making children safe, and where we need to work to improve them. The idea is based on the work of George Varnava with the former Forum on Children and Violence, NCB (National Children's Bureau), the NSPCC and are reflecting Keeping Children Safe Coalition standards. Read the following statements and decide whether, for your programmes, each Standard is:

**A.** In Place

**B.** Working Towards

**C.** Not in Place

Country:

Name of Project/ Partner:

Contact of Manager:

### Standard 1: Policy

**A B C**

The organisation has a written child safeguarding policy, approved by the relevant management body, to which all staff and associates (including partners) are required to adhere.

The UN Convention on the Rights of the Child and other Conventions and Guidelines pertaining to children informs the policy of the organisation.

The policy has been adapted to the specificities of the country, it is written in a way that is clear and easily understandable and is publicised, promoted and distributed widely to all relevant stakeholders, including children.

The policy is clear that all children have equal rights to protection and that some children face particular risks and difficulties in getting help, because of their ethnicity, gender, age, religion or disability, sexual orientation. Children facing particular risks are clearly identified in programme documents and related risk assessments.

The policy addresses safeguarding children from harm through misconduct by staff, associates and others, from poor practice, and from its operational activities where these may harm children or put them at risk due to poor design and/or delivery, for example.

The organisation makes clear that ultimate responsibility for ensuring the safety of children rests with senior executives (CEO and Country Directors) and managers.

Continue overleaf 

## Standard 2: People

**A B C**

There are written guidelines for behaviour (Code of Conduct) that provides guidance on appropriate/ expected standards of behaviour towards children and of children towards other children. These are adapted to the specificities of the context of the country.

All members of staff, volunteers and associates (100%) are trained on child safeguarding which includes an introduction to the organisation's child safeguarding policy and procedures and learning on how to recognise and respond to concerns about child abuse.

The organisation is open and aware when it comes to child safeguarding matters so that issues can be easily identified, raised and discussed. Staff, partners and associates have access to advice and support where concerns or incidents arise. Staff can also identify sources of support for children and their families.

Children are made aware of their right to be safe from abuse and provided with advice and support on keeping themselves safe including information for children, parents/carers about where to go for help.

The organisation designates key people at different levels (including Director level) as "focal points" with clear defined responsibilities, to champion, support and communicate on child safeguarding and for effective operation of the child safeguarding policy.

Partner organisations are required and supported to develop minimum child safeguarding measures appropriate to their organisation.

## Standard 3: Procedures

**A B C**

The country has a local mapping that analyse the legal, social welfare and child protection arrangements for the context in which it works.

There is an appropriate process for reporting and responding to child protection incidents and concerns that fits with the local systems for dealing with incidents of child abuse (as identified in the mapping exercise).

The identification and mitigation of child safeguarding risk is incorporated into risk assessment processes at all levels, i.e. from identification of corporate risks through to planning an activity involving or impacting on children.

Adequate human and financial resources are made available to support development and implementation of child safeguarding measures, and staff gets support and supervision that lower risks of abuse.

There are clear procedures in place that provide step-by-step guidance on how to report safely which are linked to the organisations disciplinary policy and procedures.

Child safeguards are integrated with and actively managed into existing business processes and systems (strategic planning, budgeting, recruitment, programme cycle management, performance management, procurement, etc.) to ensure safeguarding children is a feature of all key aspects of operations.

## Standard 4: Accountability

**A B C**

Arrangements are in place to monitor compliance with and implementation of child safeguarding policies and procedures through specific measures and/or integration into existing systems for quality assurance, risk management, audit, monitoring and review.

There is a system of regular reporting to key management forums, including Director level, to track progress and performance on child safeguarding, including information on safeguarding issues and child protection cases.

External or independent bodies are used to monitor performance in this area and hold senior executives to account in relation to child safeguarding.

Opportunities exist for learning from practical case experience to be fed back into organisational development.

Policies and practices are reviewed at regular intervals and formally evaluated every three years.

Progress, performance and lessons learnt are reported to key stakeholders (management forums and external or independent bodies where relevant) and included in organisations' annual reports.