

**Fundacja Jedność (NGO Unity)**  
**Protection Against Sexual Exploitation and Abuse (PSEA) Policy**

Protection Against Sexual Exploitation and Abuse (PSEA) Policy	3
Section 1 Scope, definitions and principles	3
Section 2 Organizational and staff commitments and responsibilities	4
Section 3 Procedures for preventing and responding to SEA	5
Annex 1 Fundacja Jedność PSEA Focal Point Terms of Reference	9
Annex 2 Fundacja Jedność Code of Conduct	10
Annex 3 Sample Interview Questions	12
Annex 4 Applicant Information Release Form	13
Annex 5 Sample Reference Check Questions	14
Annex 6 Sample Text for Job Descriptions	15
Annex 7 Complaint Mechanisms Checklist and Communication Messages	16
Annex 8 Guidance on Survivor-Centred Response to SEA Disclosure	17
Annex 9 Guidance on Responding to Reports	20
Annex 10 Guidance on Preparing for an Investigation	23
Annex 11 Standard Clause for Contracts	27

# **Fundacja Jedność (NGO Unity) Protection Against Sexual Exploitation and Abuse (PSEA) Policy**

**Date:** July 2023

**Approved by:** VOICE Amplified Europe

## **Section 1 Scope, definitions and principles**

### **1.1 Purpose**

Fundacja Jedność is committed to preventing all forms of sexual abuse and exploitation (SEA). This policy seeks to ensure that all participants in Fundacja Jedność programs and services are safe and not exposed to any threat or conduct involving sexual exploitation or abuse.

### **1.2 Applicability**

This policy applies to all employees, consultants, independent contractors, and volunteers (“staff”) who work on Fundacja Jedność programs.

### **1.3 Definition**

Sexual exploitation is defined as an actual or attempted abuse of a position of power or trust, for sexual purpose. Exploitation can include profiting monetarily, socially, or politically from the sexual exploitation of another. Sexual abuse is defined as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

### **1.4 Examples of prohibited behaviours**

Fundacja Jedność staff are prohibited from engaging in any form of sexual exploitation or abuse of a person participating in an Fundacja Jedność program or receiving services from Fundacja Jedność. Fundacja Jedność staff are never to engage in sexual relationships with program beneficiaries, as these relationships are based on inherently unequal power dynamics. Examples of sexual exploitation and abuse include, but are not limited to:

- Sexual assault or abuse, including touching of a sexual nature;
- Non-physical forms of sexual abuse, including sexual harassment;
- Coercing someone into sexual activities;
- Forcing someone into sexual activities;
- Demanding sexual contact or activities;
- Making sex a condition for aid or participation in a program;
- Forcing a person to engage in sex work or pornography.

### **1.5 Principles**

This policy is guided by the following principles:

**Safeguarding** Fundacja Jedność is committed to all community members having the right to protection from sexual exploitation and abuse irrespective of ability, ethnicity, faith, gender, sexuality, and culture. A key principle within this is that all processes are survivor-centred. Fundacja Jedność commits to survivors leading the complaint process where it is possible and appropriate to do so.

**Shared responsibility** For this policy and procedures to be effective in reducing the risks to beneficiaries and communities, all Fundacja Jedność staff must share responsibility for implementation and improvement.

**Effective communication** Fundacja Jedność effectively communicates with all staff and partners in simple and accessible language to create a positive and accessible culture where responsibilities for PSEA are clear.

**Dignity and respect** The principles of dignity and respect for all staff, partners and community members served by the organisation are at the heart of what Fundacja Jedność does. Included in this are the principles of being non-judgemental when hearing the concerns and complaints of survivors of sexual exploitation and abuse.

**Zero tolerance** Fundacja Jedność has zero tolerance for any forms of sexual exploitation and abuse.

**Confidentiality** Fundacja Jedność is committed to confidentiality and information about survivors, subjects of complaints, witnesses and those making reports will not be shared outside those responsible for acting on complaints, unless it is absolutely necessary, and those involved are advised that information will be shared.

## **Section 2 Organizational and staff commitments and responsibilities**

### **2.1 Organisational commitment and responsibilities**

Fundacja Jedność believes that all people have a right to live their lives free from sexual exploitation and abuse and will not tolerate its staff or partners engaging in any behaviour that puts beneficiaries or communities at risk. Fundacja Jedność commits to:

1. Creating a safe culture for both those it serves and those who work for and represent the organisation.
2. Following through on any complaints and concerns in a timely manner and taking each complaint seriously.
3. Sensitising staff, partners and beneficiaries on how to make a complaint.
4. Ensuring zero tolerance towards sexual exploitation and abuse.
5. Building a culture of dignity and respect where all those who work with and are served by Fundacja Jedność feel empowered to report complaints.
6. Educating staff and partners that sexual exploitation and abuse constitute gross misconduct and are grounds for termination of employment and possibly legal action.
7. Providing information on how to report complaints and the investigation procedure.

8. Ensuring that all staff and partners are familiar with the PSEA policy and understand their responsibilities.
9. Identifying and supporting a PSEA Focal Point with responsibility for engagement with the affected population, support the head of office to prevent SEA, respond to SEA incidents and representation of Fundacja Jedność in PSEA and relevant coordination systems. (See *Annex 1 PSEA Focal Point Terms of Reference*).

## **2.2 Staff commitment and responsibilities**

All staff must commit to:

1. Adhering to this policy at all times and are reporting any suspicions or concerns of sexual exploitation and abuse of others.
2. Signing the Fundacja Jedność Code of Conduct and an acknowledgement of having read and understood this policy. (See *Annex 2 Agreement with Code of Conduct*).
3. Contributing to a culture of dignity and respect towards Fundacja Jedność staff, partners and beneficiaries
4. Respecting the confidentiality, dignity, wishes and rights of survivors of SEA.

## **Section 3 Procedures for preventing and responding to SEA**

### **3.1 Staff recruitment and vetting**

Fundacja Jedność has a robust recruitment and screening process to minimize the risk of recruiting a person who poses an unacceptable risk of engaging in sexual exploitation and abuse.

Procedures include:

- Applicants will be requested to disclose whether they have had a substantiated SEA or sexual harassment claim made against them in any context as part of their application.
- Interview questions for applicants about sexual harassment and abuse are used to determine past actions, beliefs, attitudes, motivations, and values regarding children, women, men and all vulnerable adults and towards working with these groups
- Two verbal reference checks which include asking questions relating to the applicant's general conduct as well as questions regarding any concerns about candidate's conduct when working or interacting with especially with children and vulnerable adults in the context of sexual harassment, sexual exploitation and abuse. One reference must be from the person's current or most recent employer. (See *Annex 4 Applicant Information Release Form* and *Annex 5 Sample Reference Check Questions*).
- Successful applicants are required to sign a job description which includes text on Fundacja Jedność commitment to PSEA. (See *Annex 6 Sample Text for Job Descriptions*).
- Successful applicants are required to sign a Code of Conduct prior to commencement.
- Manager will ensure an induction is carried out to outline behaviour expectations around safeguarding and the prevention of sexual exploitation and abuse of children and adults.
- All employment contracts contain provisions for disciplinary actions up to and including dismissal for any person who breaches the Code of Conduct.

### **3.2 Reporting and receiving allegations**

Fundacja Jedność has safe, confidential and accessible mechanisms and procedures for staff, beneficiaries and communities, including children, to report SEA allegations and ensure that beneficiaries are aware of these. (See *Annex 7 Safe Reporting Mechanism Checklist and Community Messages*).

Fundacja Jedność staff are obligated to bring to the attention of the relevant manager any potential incident, abuse or concern that they witness.

Staff members who have a complaint or concern relating to breach of the Code should report it immediately to their line manager by observing the principles of integrity and honesty. If the line manager is the subject of the complaint, then staff members should report to the focal point of the organization.

Staff members receiving reports or concerns are obliged to action or refer the report immediately as per the Fundacja Jedność Complaints Policy and procedures.

In the event of suspicion of the above behavior, you should:

- 1) take care of the welfare and safety of the victim first,
- 2) separate the violent person from the victim if possible,
- 3) report the incident of violence in one of the following ways:
  - a) by talking to coordinators or focal point
  - b) anonymously through an online form
  - c) by email to [miedinstvo@gmail.com](mailto:miedinstvo@gmail.com)
  - d) directly to the person assisting the Board of Directors
  - e) directly to the members of the Board
- 4) upon receipt of a report, the person receiving the report is responsible:
  - a) for explaining the situation and hearing from the victim, the person suspected of abuse and witnesses to the incident or superiors,
  - b) If abuse is found, the case is reported to the Board and disciplinary action is taken: official admonishment or dismissal of the employee/volunteer.

The SEA Focal Point will take immediate steps to provide a survivor-centred response to an SEA disclosure. (See *Annex 8 Information on Survivor-Centred Response to Disclosure*).

### **3.3 Responding to allegations**

*Escalating reports:* Fundacja Jedność SEA Focal Point is responsible for ensuring reports are immediately escalated to Focal Point of the organization.

*Referring non-SEA matters:* For cases reported to that do not involve SEA, Fundacja Jedność SEA Focal Point or other delegated staff member is responsible for referring the person to the appropriate service for assistance and support.

All complaints must be filed according to the procedure described in paragraph 3.2. of this document.

There is a list of organizations of protection in different fields with contacts via this link. The manager or Focal Point of organization also should use this resource for redirect submission to specific organizations if necessary.

<https://data.unhcr.org/en/documents/details/94681>

*Survivor support:* Fundacja Jedność recognizes that a survivor of SEA has the right to safety, dignity and support and Fundacja Jedność has a process for ensuring that survivors are referred for appropriate care, support and protection.

The Focal Point of the organization takes responsibility for making sure that victims are informed of all the options available to them.

If the victim is an adult, explain the risks associated with this option (such as retaliation, harassment, etc.) so they can make an informed decision on how they want to proceed and whether they want to receive services from that organization, being fully aware of the risks.

If the victim is a child, depending on their age and level of understanding, they should be consulted on their preference. For young children (under the age of 12), always consult the trusted adult they identify and take into account their best interests when making a decision on their behalf.

*Immediate response to allegations:* Manager of the foundation is responsible to immediately take appropriate steps to respond to the allegation as follows:

- Where the allegation *concerns a staff member of another agency/organization*, refer the complaint/allegation to the relevant agency/organization with consent of the survivor.
- Where the allegation *concerns a staff member of Fundacja Jedność*, undertake an initial assessment by gathering further information to:
  - a) identify and respond to any risks to the survivor, and to the person making the report (if different from the survivor);
  - b) decide if the matter requires investigation;
  - c) if the matter does not require an investigation, implement corrective actions to address the matter with the perpetrator (for example, if it is a minor matter or the person admits wrong-doing);
  - d) instigate and manage an investigation if required and manage the alleged perpetrator pending further investigation. This may include transfer to other duties, suspension pending investigation or other actions.
  
- As needed, initiate an investigation. (See *Annex 9 Guidance on Responding to Reports*)

### **3.4 Investigating allegations**

Fundacja Jedność has a process for investigation of SEA allegations in place and shall conduct an investigation of SEA by its staff, or refer to the proper investigative body if the perpetrator is affiliated with another entity. Fundacja Jedność manager will designate a focal point to be responsible for investigation. (See *Annex 10 Guidance on SEA Investigations*).

### **3.5 Sanction and corrective action**

The following measures can be applied to Fundacja Jedność staff who is found to have breached the PSEA Policy. Action taken will depend on the nature of the breach. All substantiated allegations involving any sexual exploitation or abuse or other serious harm to another person will result in termination of employment and may be referred to the authorities for further action. Minor breaches of the Code of Conduct may be dealt with through other measures such as:

- Meet to discuss the breach and offer an opportunity for the subject to provide their account of the situation.
- Demotion.
- Performance management.
- Further education on this Policy.
- Formal warning and monitoring of progress against recommendations.
- Transfer to other duties.
- Termination of employment.
- The above measures will apply alongside any criminal investigation where relevant.

### **3.6 Protection from retaliation**

Fundacja Jedność maintains zero-tolerance for retaliation against anyone for reporting sexual exploitation or abuse, assisting in making a complaint, or participating in an investigation. Any staff, associate, or partner who makes a good-faith complaint of sexual exploitation or abuse, assists, testifies, or participates in any investigation or proceeding or who reasonably opposes such conduct in the workplace will not be adversely affected in the terms and conditions of his or her employment and will not be discriminated against or discharged for engaging in such activity.

Complaints of retaliation will be promptly investigated. If retaliation is substantiated, appropriate disciplinary action, including possible dismissal, will be taken. Some examples of retaliation include but are not limited to the following:

- Termination, demotion, disadvantageous transfers or assignments, refusals to promote, threats, reprimands, or negative evaluations.
- Co-worker hostility or retaliatory harassment, which includes intimidation, gossip, rumours, insults, or otherwise offensive conduct that would subject a person to ridicule or humiliation.
- Any action or combination of actions that is reasonably likely to materially and adversely affect an employee's job performance or opportunity for advancement.

### **3.7 Partnership and contract agreements**

All Fundacja Jedność contracts and partnership agreements include a standard clause requiring contractors, suppliers, consultants and sub-partners to commit to a zero-tolerance policy on SEA and to take measures to prevent and respond to SEA. (See *Annex 11 Sample Clause for Contracts and Partnership Agreements*)

The failure of those entities or individuals to take preventive measures against SEA, to investigate allegations, or to take corrective action when SEA has occurred, shall constitute grounds for termination of any cooperative arrangement.



## Annex 1 Fundacja Jedność PSEA Focal Point Terms of Reference

### Background

PSEA is a core commitment of the UN Secretary-General and the Inter-Agency Standing Committee (IASC). To deliver on this commitment, the IASC has prioritized the acceleration of PSEA from the outset of humanitarian response, with a focus on key priority areas including safe and accessible reporting, survivor-centered response, and enhanced accountability.<sup>[1]</sup>

### Role Description

The PSEA Focal Point (FP) or FP Alternate is a staff member of **Fundacja Jedność** tasked with implementing PSEA in direct coordination with their Head of Office, both internally, externally, and (when applicable) as an active member of their country or region's PSEA Network.<sup>[2]</sup> The nomination of a PSEA FP does not relieve the Head of Office of their ultimate responsibility for PSEA in the office but supports the Head of Office.

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

To ensure the FP is allowed enough time to devote to PSEA responsibilities and that the activities are covered during leave, **Fundacja Jedność** will designate two PSEA FPs, taking gender balance into consideration. The responsibilities outlined in these TORs will be divided between the FPs at their discretion and under the supervision of their respective supervisors as sharing responsibilities equally or as one primary and one alternate. The Head of Office and FPs are mutually responsible for ensuring each are kept up to date on collective, organizational, and inter-agency PSEA developments.

The role of the FP is limited to PSEA. Although the PSEA PFs need to be able to identify links between sexual exploitation and abuse (SEA) and other forms of staff misconduct in order to correctly refer SEA complaints, they are not responsible for implementing activities beyond PSEA.

The PSEA FP does not have an investigative role *as such*. However, the PSEA FP of an organization without a separate HQ investigation unit *may also* have an internal investigation role, if trained and qualified as an SEA investigator. In such a scenario, the FP must recuse themselves from an investigation if he/she begins providing survivor support and/or otherwise compromises his/her impartiality or fosters an impression of conflict of interest. An organization can also set up an investigation procedure which dictates that investigations will be referred externally. This is recommended for small organizations with limited capacity.

### Responsibilities

Under the 4 pillars of IASC Minimum Operating Standards on Protection from Sexual Exploitation and Abuse and in line with global standards on PSEA<sup>[3]</sup>, the PSEA FP(s) will undertake the following:

### Core Activities

## **Engagement with and support of the affected population<sup>[4]</sup>**

- Disseminate awareness-raising tools and facilitate events for community members with emphasis on their rights, what SEA and staff reporting obligations are, and options for reporting sensitive complaints and survivor assistance services.
- Where applicable, work with the PSEA Network to establish an Inter-agency Community- Based Complaint Mechanism (IA CBCM), incorporating **[Organization]**'s existing complaint and feedback mechanism (CFM) and in line with PSEA and GBV good practice.<sup>[5]</sup>

## **Prevention**

### **Support the Head of Office** to:

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

### **Take the lead on:**

- Collaborating with Human Resources to ensure all new hires receive induction on PSEA.
- Regularly train/support trainings staff and field personnel on PSEA and **[Organization]**'s COC and mechanisms for reporting SEA.
- Collect and analyze information on SEA risk factors (via internal programming) and (when applicable) country-wide trends (via the Network and other sources) and make recommendations to senior management on how to enhance prevention strategies.

## **Response**

- In line with international standards (and where applicable established Inter-Agency SEA Complaints Referral SOPs) act as a channel to receive allegations of SEA. Report and where relevant refer allegations to the organization whose personnel are implicated and survivors to assistance in line with internal procedure and available GBV referral pathways.
- Limit sharing of sensitive complaint information to a “need to know” basis, in line with data protection principles and a survivor-centered approach.
- When applicable work in coordination with colleagues working on *Monitoring Evaluation Accountability and Learning (MEAL) and Accountability to Affected Population (AAP)* and support program managers to strengthen and/or establish safe, accessible, and contextually appropriate channels to receive sensitive allegations, informed by good practice and community consultations.
- Advocate with the Head of Office to establish and/or strengthen complaint handling and investigation protocols, engaging with Fundacja Jedność HQ PSEA technical guidance and when needed external actors providing PSEA technical assistance

## **Management and Coordination**

- Raise awareness of the FP's identity, contact details, and Fundacja Jedność CFM throughout organization, the affected community and when applicable IA PSEA Networks
- When applicable, represent Fundacja Jedność at PSEA Network meetings, actively participate in fulfilling the Network's Action Plan, and report back to the Head of Office on Network progress and lessons learned.
- Generally assist the Head of Office to meet his/her senior leadership PSEA responsibilities.

## **Required Qualifications and Experience**

### **Professional experience and background**

- Can speak on behalf of Fundacja Jedność internally and externally about PSEA and has sufficient decision-making authority to initiate institutional change and implement and train others on established procedures. The PSEA FP has direct access to the Head of Office in PSEA-related matters.
- Strong knowledge of the local context and norms related to sex and gender
- Strong knowledge and understanding of Fundacja Jedność institutional approach on PSEA and related strategies, policies, rules and regulations
- Compatibility of the PSEA FP function with his/her assigned position and workload
- Demonstrated experience working directly with local communities (if in a position that receives complaints)
- Experience in protection-centered work is an advantage
- Familiarity with data protection and confidentiality measures and protocols

### **Skills**

- Professionalism (proven integrity, objectivity, and professional competence)
- Communication, facilitation, and interpersonal skills
- Time-management

### **Behavioral requirements**

- Embracing cultural diversity
- Sensitivity to gender issues and understanding of the survivor-centered approach
- Ability to interact in a sensitive manner with survivors and understand their fears and complaints
- Commitment to maintaining confidentiality under all circumstances
- Ability to work in a stressful environment

### **Languages**

- Polish required. English, Ukrainian, and/or Russian a strong benefit

### **Training**

The Head of Office will support the FPs and Alternate PFs to be trained on:

- The definition of SEA, including the [Six Principles](#) and how they are captured in Fundacja Jedność COC, PSEA Policy, and other PSEA tools and procedures
- Other forms of misconduct, to enhance the ability to recognize SEA when mixed with other issues
- Gender-Based Violence (GBV), Accountability to Affected Populations (AAP), and Child Protection (CP) Guiding Principles to promote survivor-centered and accountable approach to PSEA
- Fundacja Jedność internal complaints procedures and survivor assistance mechanisms
- Investigation standards, so that the intake and reporting process does not jeopardize a subsequent SEA investigation.

<sup>[1]</sup> IASC *Strategy on Protection from Sexual Exploitation and abuse and Sexual Harassment* (2021), available here; IASC *Plan for Accelerating PSEA in Humanitarian Response at Country-Level* (2018), available here; UN *Secretary-General's Strategy on PSEA* (2017), available here.

<sup>[2]</sup> See the *Generic Terms of Reference for in-country PSEA Networks* (2021).

<sup>[3]</sup> See e.g. the *Minimum Operating Standards on PSEA*, and the *Core Humanitarian Standard*.

<sup>[4]</sup> All PSEA engagements with the local population should be done in coordination with actors working with affected populations to avoid duplication of efforts and to inform said engagements.

<sup>[5]</sup> Good practices in setting up systems for inter-agency referrals of SEA complaints and survivor/victim assistance, are found in the *IASC Best Practice Guide* and the *GBV AoR's Handbook for Coordinating Gender-Based Violence Interventions in Emergencies* Chapter 1.8

## **Annex 2 Agreement with Fundacja Jedność with Code of Conduct**

I, \_\_\_\_\_, working for Fundacja Jedność in \_\_\_\_\_, am signing this Code of Conduct to confirm that I understand and commit to uphold the highest standards of professional and personal conduct. I understand that the Code of Conduct applies to me throughout the period that I am employed by or representing Fundacja Jedność including when I am off duty, away from my duty station or on leave.

### **Standards of Personal and Professional Conduct**

I understand that I have a responsibility at all times to ensure that all people – women, girls, boys and men – are treated with dignity and respect. As a worker involved with humanitarian response to the Ukraine crisis, I understand that I have a responsibility to uphold humanitarian principles of humanity and impartiality. In this regard, I will not take part in any of the following:

- Engaging in any form of discrimination, harassment, abuse, intimidation or exploitation, or in any activity that undermines people’s ability to exercise their human rights;
- Engaging in or facilitating any form of theft, fraud, corruption or abuse of power/authority;
- Asking for or inviting any personal payment, service or favour from others, without exception, in return for humanitarian assistance, support, goods or services of any kind;
- Being in possession of, or profiting from the sale of, illegal goods or substances;
- Taking bribes;
- Accepting significant gifts (except small tokens of appreciation) from governments, affected people, donors, suppliers or others, which have been offered as a result of my employment or representation role with the organization, without declaring them;
- Viewing, downloading, creating or distributing pornography on the organization’s computer/system;
- Engaging in or facilitating any unlawful activities such as child trafficking, human trafficking, drug trafficking, trafficking of weapons or any other illegal goods or substances.

### **Protection from Sexual Exploitation and Abuse**

I understand that sexual exploitation and abuse is unacceptable behaviour that undermines the fundamental values and principles of humanitarian assistance. It also jeopardizes the credibility and reputation of all humanitarian organizations and causes harm to trust in humanitarian actors’ relationship with the affected population. I am therefore fully committed to respect and abide by the following core principles:

- Sexual exploitation and abuse is a serious misconduct and grounds for disciplinary measures, including summary dismissal;
- Sexual activity with children (persons under the age of 18) is prohibited, regardless of the age of majority or local age of consent. Mistaken belief in the age of the child is not a defence; Humanitarian workers may not engage in sexual relationships with individuals under 18, even if it is legal in their country.

- Exchange of money, employment, goods or services for sex, including any humiliating, degrading, or exploitative behaviour is prohibited. This includes paying or offering money in exchange for sex with a person providing sexual services.
- Sexual relationships between staff and beneficiaries of humanitarian assistance are forbidden since they are based on unequal power dynamics;
- Workers providing assistance to beneficiaries of humanitarian assistance are obliged to create and maintain an environment that prevents sexual exploitation and abuse. Managers at all levels have an additional responsibility to do so;
- Where a staff member or associate has concerns or suspicions regarding sexual exploitation or abuse by an aid worker, he/she must report such concerns.

**Reporting incidents that may breach the Code of Conduct**

I understand that I have a responsibility to report on incidents that may be a breach of this Code of Conduct. I commit to:

- Report any incident or concern that relates to a breach of this Code of Conduct including by a humanitarian worker in an organization other than mine;
- Raise any matters that I believe are in breach of the Code of Conduct through the appropriate channels, in line with the internal policies and procedures of Fundacja Jedność.

As an employee of \_\_\_\_\_ organization, I confirm that I understand the information, expected behaviours and responsibilities set out in this code of conduct. I agree to uphold its principles and acknowledge that violation of these provisions can lead to disciplinary action, up to and including dismissal.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

I have witnessed the signature of the above employee/volunteer/consultant and confirm that they have been provided with a copy of the Code of Conduct and that its provisions have been explained to them.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Annex 3 Sample Interview Questions

Approximate questions concerning PSEA for a job interview.

is committed to preventing all forms of sexual abuse and exploitation (SEA) and ensuring that all participants in Fundacja Jedność programs and services are safe and not exposed to any threat or behaviour involving sexual exploitation or abuse.

- In the context in which you will be working, who do you think the different types of groups will be that you may interact with? Are some of these groups vulnerable and if so, what might make them vulnerable?
- What are some of the approaches you will need to work effectively with vulnerable groups?
- What minimum standards would you expect to be in place to ensure the protection of vulnerable individuals/groups from abuse or exploitation by our organization? What do you see as your responsibility?
- Have you had experience of having to respond to concerns about how another individual has been interacting with vulnerable groups/individuals? If so, what did you do?
- Are you aware of Fundacja Jedność Protection from Sexual Abuse and Exploitation policy? Have you worked in an organization with a similar policy?
- What is your understanding of what a Protection from Sexual Abuse and Exploitation policy should contain?
- Have you ever worked anywhere where a colleague behaved inappropriately towards a member of the community or a colleague? What happened and how was it handled? What did you think of the way it was handled? Would you have handled it differently yourself?
- Is there anything that we might find out about during reference checks that you'd like to talk about?
- What would you do if you are not comfortable about something you have witnessed or overheard?

## Annex 4 Applicant Information Release Form

I understand that Fundacja Jedność will check references as a part of the hiring process. I understand that those references will be confidential and that I will not have access to them. The references may include information regarding my past work record, behavioural and technical knowledge and capabilities, reputation with relation to safeguarding and protection from sexual exploitation and abuse.

I, \_\_\_\_\_ authorize Fundacja Jedność to seek from relevant information from my previous and present employers, and authorize all my previous and present employers to release to Fundacja Jedność, any and all information pertaining to my employment history.

I, \_\_\_\_\_ release, promise to hold harmless Fundacja Jedność and my previous employers on the basis of its attempts to obtain and disclose information.

Name of Applicant:

Signature of Applicant:

Date:



## Annex 5 Sample Reference Check Questions

- Fundacja Jedność is committed to zero tolerance of sexual exploitation and abuse in line with international humanitarian policies and standards. We therefore are obliged to ask these questions as part of our recruitment process for all staff and volunteers. Please do not consider the questions I am going to ask to be in any way an accusation of (name of person who the reference check is being done for). Fundacja Jedność asks these questions about all applicants as part of our procedure to ensure the safety and dignity of the communities and individuals we serve.
- What is your relationship with the applicant?
- How long have you known the applicant?
- Have you managed/supervised this person directly?
- What is the reason(s) why the applicant is leaving (or left) the employment?
- [Explain the nature of the position to the referee and the work they will be doing. Explain that safeguarding is an organisational priority.] Would you have any concerns in relation to the applicant performing this role, including the contact s/he would have with colleagues or communities, children, young people, or other vulnerable groups?
- Is the applicant currently being investigated regarding an allegation of sexual exploitation, sexual abuse, or sexual harassment? If yes, please provide details.
- Based on organisational policies, was the applicant found to have committed any misconduct during the period of employment? If yes, please provide details.
- Has the applicant been subject to a substantiated disciplinary process relating to their work conduct? If yes, please provide details.
- Do you have any concerns to raise about whether the individual can follow an organisational Code of Conduct or Policy on Protection from Sexual Exploitation and Abuse?

## **Annex 6 Additional Text for Job Descriptions**

Fundacja Jedność is committed to safeguarding program participants from exploitation and abuse. The successful candidate is expected to sign and adhere to Fundacja Jedność Protection from Sexual Abuse and Exploitation (PSEA) Policy and Code of Conduct. Adhering to this policy includes the following responsibilities:

- Take responsibility to fully understand the policy and its implications.
- Follow the Code of Conduct and respect the PSEA policy at all times (in your professional and personal lives) and ask for clarification if anything is unclear.
- Carry out work duties in a way that does not harm children or adults Fundacja Jedność serves or other staff or volunteers, and does not expose them to risk of abuse or exploitation.
- Promote an environment of respect and trust with program participants and community members, both at the office and in the field.
- Report any safeguarding concerns according to Fundacja Jedność procedures.

## Annex 7 Complaint Mechanisms Checklist and Communication Messages

### Checklist for complaint mechanisms<sup>1</sup>:

The following are the minimum in a checklist for PSEA complaint mechanisms:

1. The organization has established, together with communities or affected population, a confidential and safe reporting mechanism to report SEA.
2. All beneficiaries and staff, regardless of designation and work location, know where and how they can make a complaint.
3. Complaints can be made anonymously if preferred by the beneficiary or staff.
4. Staff responsible for receiving complaints know how to safely document complaints and are familiar with tools (use of a confidential incident reporting form such as the PSEA Network Incident Reporting Form or similar organizational form used for documenting complaints).
5. The organization has clear and documented guidelines on receiving and handling complaints.

### Sample community messages

There are key messages that every member of the affected community should be aware of, and every humanitarian worker should aim at disseminating.

These are:

1. Humanitarian aid is free and should be given without exchange of favours.
2. All NGO staff have a duty to treat you with dignity and respect.
3. If you experience misconduct by any aid worker or related personal, it is not your fault, and you have the right to report it directly to the organization or to a humanitarian worker you trust. SEA may constitute criminal acts and you have the right also to report to the police.
4. Reporting SEA incidents/concerns does not affect your access to services at any humanitarian organization.
5. SEA reports are handled safely and confidentially. Your name or information will not be shared without your consent.
6. Survivors of SEA have the right to access safety, protection, psychosocial, medical, and legal support, and any other relevant services.

---

<sup>1</sup>PSEA Organizational Prevention and Mitigation Checklist: [WoS PSEA Network Organizational Checklist EN 2021 \(1\).pdf \(safeguardingsupporthub.org\)](#)

An effective complaints mechanism checklist: [3.5.1 PSEA an effective complaints mechanism checklist\\_A5\\_English.pdf \(safeguardingsupporthub.org\)](#)

## Annex 8 Guidance on Survivor-Centred Response to SEA Disclosure

### 1. The roles and responsibilities of SEA Focal Points receiving an SEA disclosure include:

- To receive the disclosure with empathy and compassion that validate the survivor's experience and courage in disclosing.
- To respond in a survivor-centred manner to support immediate emotional and safety needs.
- To provide the survivor with useful information to help them decide what information to share and what services and supports are available to address her needs.

#### What is a survivor-centred approach?

A survivor-centred approach involves centring the rights and dignity of a survivor. It involves prioritizing and respecting a survivor's safety, confidentiality, choices and agency. This approach recognizes that every victim/survivor:

- Should be believed and treated with respect, kindness, empathy and compassion;
- Should be treated as a unique individual with equal rights to care and support;
- Has different strengths, capacities, resources and needs;
- Has the right, appropriate to her/their age and circumstances, to decide who should know about what has happened and what should happen next.

See the *GBV Disclosure Toolkit: Responding to GBV Disclosure in Humanitarian Settings* for more information about a survivor-centred approach to responding to disclosure: [https://bpb-us-w2.wpmucdn.com/sites.wustl.edu/dist/1/2391/files/2023/03/Polish-toolkit\\_230223.pdf](https://bpb-us-w2.wpmucdn.com/sites.wustl.edu/dist/1/2391/files/2023/03/Polish-toolkit_230223.pdf)

### 2. Tips for receiving SEA disclosure

- Always thank the person for sharing information that it can be very difficult, and sometime traumatic to talk about.
- Explain mandatory reporting for SEA and what this means so the person can decide what information they wish to share. For example, make sure to let them know that when sexual exploitation and abuse is perpetrated by humanitarian workers, it is mandatory to report this information and take steps to protect the person who has been harmed and hold the perpetrator accountable.
- Let the person know that your role is to give them information about what will happen next so they can decide what information to share.
- Explain mandatory reporting Explain that all allegations of sexual misconduct and abuse need to be referred to management of the relevant organizations to be investigated. There is zero tolerance for any SEA committed by staff, partners, contractors, affiliates, or volunteers against refugees.
- Explain the limits of confidentiality. Explain the commitment to maintain the confidentiality of the person where it is possible to do so. Explain the limits of confidentiality, how the case will be managed, and who will have access to the information. Ask if the person wishes to

proceed and if so, ask for their consent to collect and share information, letting them know it's ok to remain anonymous.

- If the person doesn't consent, you must still report an allegation or complaint of SEA but you without providing any identifying information. You can share that having more information helps aid investigations but do not pressure a survivor to consent to reporting identifiable information.
- If you have consent to proceed, ask whether the person knows the identity of the worker involved. If the name or identity isn't known, ask for other identifying information such as the agency or organization they are affiliated with, position or job title, approximate age, etc, Ask for basic information about:
  - Description of what happened?
  - When did it happen?
  - Where did it happen?
  - Who was involved? What is their name? What organization do they work for?
  - Were there any witnesses? If so, can you share what they witnessed?
  - Was a formal report made? This can count as a security, police, or legal referral depending on how the report was made.
- Provide information on available services the person can go to for help. For rape/sexual exploitation survivors, make sure to inform them of the benefits of seeking health care within 3 days if possible.
- Help a distressed person feel calm and safe (see tips for responding to distress below).

### **3. Tips for responding to distress to promote safety, coping and well-being**

“Psychological first aid” is a psychosocial support activity that service providers can use to help GBV survivors who are in distress, are struggling and may need support. Psychological first aid can help promote both immediate and longer-term well-being and can help survivors cope with the impacts of traumatic experiences or events. It involves helping the survivor feel safe, connected to others, calm and hopeful, as well as promoting their access to physical, emotional and social support.

There are three basic elements to psychological first aid that focal points can implement after receiving an SEA disclosure to help a distressed person's safety, well-being, coping and recovery:

- 1) Promote safety
- 2) Promote calm
- 3) Promote connectedness

**Promoting safety.** Safety refers to both physical safety and security as well as to a sense of psychological and emotional safety for people who are highly distressed. Service providers who receive GBV disclosure should help survivors address their safety and security needs. Ensuring safety for GBV survivors may include:

- Helping the survivor identify how to make themselves safe;
- Helping the survivor obtain emergency medical attention;
- Providing physical and emotional comfort (remember to always ask a survivor for consent before offering touch; for example, “*May I place a hand on your shoulder?*”); and

- Providing simple and accurate information about how to get basic needs met, including for safety. (For example, is there a place the survivor can go where they would feel safer? Are there safe people the survivor can turn to for support or to help them meet their basic needs?)

**Promoting calm.** An important first step in promoting calm is to normalize the survivor's feelings, thoughts and reactions after disclosure. Other ways of promoting calm may include:

- Stabilizing survivors who are overwhelmed or disoriented: making sure they are warm, comfortable and have water or something else to drink;
- Providing a calm, safe environment;
- Listening to survivors who wish to share their experiences and emotions, while never forcing them to talk;
- Remembering that there is no right or wrong way to feel after GBV;
- Being friendly, calm and compassionate;
- Offering accurate information about the consequences of GBV and available services and supports; and
- Providing information on stress and coping.

**Promoting connectedness.** Social connectedness and support can assist with emotional well-being and recovery following traumatic events, including GBV. Service providers who receive GBV disclosure can help establish connections with supportive family, friends or others who can support the survivor's immediate and longer-term well-being and recovery. Promoting connectedness after GBV disclosure may include:

- Helping the survivor decide who they feel safe speaking with about their experiences;
- Ensuring that parents and/or caregivers have information about how to communicate with and support child and adolescent survivors and survivors with disabilities;
- Offering practical help to survivors to address immediate needs and concerns; and
- Providing information and making referrals for available services and supports, with the survivor's consent.

## Annex 9 Guidance on Responding to Reports<sup>2</sup>

**1. When you receive a report**, or hear of a concern about SEA, there may be several different actions the organisation might take. These could include:

- The report or concern does not actually represent a breach of policy – no actions taken.
- The report or concern results in immediate dismissal according to your organisation's disciplinary procedures – for example, if there is already clear evidence that SEA took place, or the staff member does not deny it.
- If the report involves a criminal act, it must be referred to the local authorities if it relates to a child under the age of 18, it may be referred to the local authorities if it involves an adult, s/he agrees to a referral and if this does not represent a protection risk to anyone involved.
- More information is needed to determine if SEA took place, which may require an investigation.

Remember if a report has been raised through your complaints mechanism, you will need to respond to the complainant to let them know you have processed the complaint and resolved the issue. For confidentiality reasons, more detailed information is not usually provided.

**2. You might need to gather more information** to identify if there is a credible allegation. A credible allegation includes enough information to identify the specific, alleged perpetrator(s), specific misconduct and either a specific victim/survivor or a specific target group, within a certain time period. It is credible if it could possibly occur (i.e., the perpetrator had the opportunity to commit misconduct).

If it is a vague allegation that does not identify any alleged perpetrator(s) and/or the specific misconduct, consider the designated investigator returns to the reporter for more details, especially a third-party reporter; the person who returns to a victim/reporter should be the same investigator for the duration of the investigation; OR

If unable to reach the reporter, consider doing broad awareness-raising sessions with potentially involved staff about standards of conduct and reporting mechanisms if they have suspicions of misconduct. This could be:

- Surveys or focus group discussions with the target population about their experiences with the program and staff.
- Document the review, narrowing down people who could be involved, and identifying any past complaints or HR issues.
- The investigator conducts discrete interviews with a few staff members to see whether they have any concerns in the field or in the office.

**3. Once there is a credible allegation** identify:

---

<sup>2</sup> Sources for this Annex: CHS Alliance (2017) *PSEA Implementation Quick Reference Handbook*, CRS, <https://psea.interagencystandingcommittee.org/resources/chs-alliance-quick-reference-handbook> and CRS (2021) *Strengthening Partners in Protection Against Sexual Exploitation and Abuse (SPSEA): A toolkit for local and national organizations*, <https://www.crs.org/our-work-overseas/research-publications/strengthening-partners-protection-against-sexual>

- Potential policy violations.
- Whether there is potential criminal conduct that requires reporting to law enforcement.
- How you will undertake an investigation.

### Information gathering versus investigating

Keep in mind that it can be difficult to distinguish between gathering more information and beginning the investigation. Generally, when you begin interviewing others besides the original reporter, that is an investigation. However, when there has been a very serious allegation (such as an unidentifiable staff member is sexually exploiting or abusing program participants or children in the program), more follow-up may be required before the actual investigation can begin. At a minimum, hold refresher sessions with staff on expected conduct and ways to report misconduct, so that other staff can report if they have observed something. The degree of follow-up should always be proportionate to the type of misconduct alleged. An initial allegation that lacks sufficient detail does not relieve the organization of some degree of follow-up, even if there is not a full investigation.

**4. If an investigation is required,** it is advised that it is undertaken by experienced and qualified professionals, who are trained on sensitive investigations such as allegations of SEA. If there is no-one within your organisation with these qualifications and training, you should consider accessing external resources to help you.

Contact the Safeguarding Resource and Support Hub (RSH) for Eastern Europe (<https://easterneurope.safeguardingsupporthub.org/safeguarding-helpdesk>), which is a resource for organisations and individuals responding to the war on Ukraine. It provides practical and accessible safeguarding resources that aim to reduce harm to refugees and displaced people. You can use the online form <https://easterneurope.safeguardingsupporthub.org/form/safeguarding-helpdesk-eastern-eu> or email [easterneurope@safeguardingsupporthub.org](mailto:easterneurope@safeguardingsupporthub.org).

While the Safeguarding Hub cannot undertake investigations, they refer you relevant resources and provide advice on what to do.

It is extremely important that reports relating to SEA are investigated properly. If you do not follow due process, it can make it harder for you to discipline or dismiss a staff member. Staff members who have been the subject of concerns may move on to work for other organisations without the issue having been addressed. Staff members who are the subject of an allegation are entitled to a fair process to determine what actually happened, rather than being subject to gossip and rumours.

**5. Once the SEA case has been resolved,** there are several issues you will need to consider:

- Confidentiality will still need to be maintained. The issue should not be discussed with anyone other than on a need-to-know basis.
- All paperwork relating to the case will need to be kept securely.
- Your organisation will need to have a policy on what goes on the personnel file of the staff member against whom the complaint was made – whether it was upheld or not.
- If a staff member was found to have breached the Code of Conduct, be clear on what can be included legally in their references.

A case of SEA can have an impact on staff morale. By the time a complaint is made, there might already have been months of rumours and concerns circulating in the affected office, and in the wider community. Staff may then feel excluded by the investigation, as confidentiality requirements mean they can know nothing about it. They may feel let down by the conclusion. The organisation



may well have to invest time in restoring staff and community morale, by listening to their concerns and reassuring them that due process has been undertaken, whilst explaining why some aspects of the case need to remain confidential.

## Annex 10 Guidance on Preparing for an Investigation<sup>3</sup>

*Note: This information is for organizations that have the human, financial and other resources to carry out SEA investigations.*

### Prepare an investigation plan

Keep in mind the following points when preparing the investigation plan:

*Safety of all involved is the priority:* How you conduct the investigation should always consider the safety of the victims/survivors, reporters, witnesses, investigators, the subject of the complaint and colleagues.

Safety concerns should determine the order of interviews and the amount of information on the allegations shared with interviewees. Safety is the responsibility of managers.

*Confidentiality:* Confidentiality is an important part of security. Ensure that only those that need to know are informed of identities, and of the content of allegations and statements made during the investigation.

*Criminal conduct:* Do the authorities need to be informed or involved in the investigation? You should never jeopardize an investigation that law enforcement will ultimately lead. If the misconduct will be reported to the authorities by either the organization or the victim/survivor, the investigation plan should identify this action and any actions taken to suspend the subject of the complaint, and should list any relevant documents, computers, phones, etc., that have been sought/confiscated. If law enforcement takes the lead on the investigation, you can suspend the subject of the complaint, in compliance with labour law, and await the outcome of the investigation.

*Compliance with labour law:* Ensure the investigation approach and plan comply with local labour law and internal policies about when the subject of the complaint needs to be informed, type of information shared, etc.

*Donor reporting:* Is the implicated staff member funded by a donor who requires mandatory reporting of all allegations? Prepare and send the notification of the credible allegation as soon as possible, and inform the donor that you will share a copy of the investigation plan when ready.

### Identify the investigation and response teams

*Trained investigators:* There is a team member who knows how to conduct an investigation.

*Language skills:* Are there special language skills needed for some interviews?

*Special expertise:* If children are involved, only those well-versed in interviewing children, such as a child psychologist, should participate in those interviews.

*Response team:* This should include only those who will make decisions on outcomes and disciplinary procedures, and have authority to take the necessary actions during the investigation (require

---

<sup>3</sup> Source for this Annex: CRS (2021) *Strengthening Partners in Protection Against Sexual Exploitation and Abuse (SPSEA): A toolkit for local and national organizations*, <https://www.crs.org/our-work-overseas/research-publications/strengthening-partners-protection-against-sexual>

interviewees to stop regular work). It will not necessarily include the subject of the complaint's supervisor.

### **Identify risks in the investigation process**

*Safety risks:* Decide how best to protect the victim/survivor, in accordance with their wishes. (See also below on support services for victim/survivor and interim steps for the subject of the complaint). Decide how best to protect community members and other staff from potential future harm, and what safety concerns there are for witnesses and investigators.

*Operational and program:* Decide whether the investigation requires a temporary suspension of activities. How will that affect the community? How can the investigation be conducted with the least interference with activities, while also ensuring the safety of community members and staff? What sort of information should be shared to avoid unnecessarily alarming staff and the community?

*Legal:* There is also the risk that the subject of the complaint may take legal action against the organization, and may have grounds to do so if proper procedures were not followed and there was not compliance with applicable laws. In some cases, there may also be a risk to the victim/survivor of a defamation claim.

*Reputation and media:* Confidentiality by team members is extremely important and should be stressed because rumours can circulate in the communities, affecting the population's trust in the agency, and even making media headlines. A robust investigation response will help ensure the organization does not receive further negative attention, besides that already generated by the incident itself.

### **Identify support services for victim/survivor**

*Medical and psychosocial services:* Map services in the area prior to any incidents so that such a referral and contact information can be offered to a victim/survivor as soon possible. If the referral requires the organization to reach out to the service provider on behalf of the victim/survivor, the victim/survivor must consent to the sharing of their information.

### **Identify interim steps for subject of the complaint**

How serious is the alleged misconduct? The more serious, the more you should consider suspension to avoid potential further harm.

Has the subject of the complaint threatened the victims/survivors or witnesses? If threats of retaliation or of more serious harm have been made, consider suspension.

How affected is the victim/survivor by the misconduct? It may be particularly traumatic for a staff member to continue working alongside the subject of the complaint pending the investigation. If necessary, suspend the subject of the complaint as suspension of the victim/survivor could be seen as retaliation for them making the report. Should the victim/survivor request leave, this should be honoured.

Can people be protected by reassigning the subject of the complaint during the investigation? For instance, if the subject of the complaint has been accused of unsuccessful attempts to exploit program participants, preventing their access to the field and interaction with participants may be appropriate. This will enable more information to be gathered before the subject of the complaint is informed of the allegations.

Suspension of the subject of the complaint will likely require an explanation. At a minimum, the subject of the complaint will need to be informed of the nature of the allegations and the policies potentially violated, even if not interviewed at the time of suspension. That can suggest to them who may have filed a report against them.

### **Identify the documents to be reviewed**

Safeguarding investigations are typically people-centred, but documents can help corroborate facts, such as times and locations, and provide more context for the investigators to understand the circumstances in which the allegations arose.

Documents can also help identify gaps in procedures on corrective measures so that the risk of similar misconduct can be reduced in the future. To protect confidentiality, documents should be requested by senior managers for broader review reasons.

Usually, the request should include a broad range so as to limit speculation by those outside the investigation around why they are being requested.

*Relevant program documents:* If an investigator is not familiar with the program in which the allegations originated, program documents, such as programmatic reports and standard operating procedures will give them an understanding of the scope of program activities and help them understand the rules in place, whether those were followed, and whether that was a contributing factor for the safeguarding violation occurring.

*Relevant records, lists, logs and attendance sheets:* Corroborating time, place and individuals involved through records or other documents can be helpful evidence. Significant gaps in record keeping or apparent falsification of documents could also be relevant to the investigation.

*Human Resources files for the relevant parties:* Review HR files for dates of hire, instances of prior misconduct, signed policies (such as code of conduct), and training attendance records on relevant policies.

*Review public social media postings:* Review public postings on social media, where the subject of the complaint may unknowingly have posted incriminating images or messages.

*Any documents provided by victim/survivor and/or witnesses:* Victim/survivors may share screenshots of text messages, email messages, social media messages, etc. Similarly, witnesses may be “friends” with the subjects of the complaint on social media, and may be able to provide screenshots of images that might not be publicly available.

*Searches of emails and phone records:* When appropriate, and consistent with internal policies, searches can be conducted of email records and phone/text logs (where the organization pays for phone bills and receives the records directly). Searches should be done using specific time periods, specific persons in the “to” and “from” lines, and relevant keyword terms.

### **Identify the interviewees, order of interviews and place**

*Interviewees and order of interviews:* Generally, first interview the person making the allegation (who may also be the victim/survivor), then the witnesses, the subject of the complaint and any additional witnesses the subject of the complaint identifies. When the subject of the complaint is immediately suspended, it may be necessary to interview them earlier on. Some investigators prefer this approach, as the subject’s statement is placed on record and can be held against contrary evidence during a second interview. However, there may be a concern that giving the subject of the complaint

too much detail at the start of the investigation may allow them to influence other witnesses. These issues should be considered on a case-by-case basis. Here are some considerations:

*Most detailed accounts:* Who has indicated that they have the most detail to share about the allegations? Interview them early in the process.

*Most cooperative witnesses:* Who seems to be in possession of information that could aid the investigation and appears now, or has in the past been, willing to help counter misconduct. Those closest to the subject of the complaint may share with them information from the investigator. Thus, get as much detail from cooperating witnesses to identify when associates of the subject of the complaint may be providing information contrary to that supplied by most witnesses, and undermining their own credibility.

*Interview most team members:* To prevent the reporter of an allegation from being identified, the investigation team may decide to interview all colleagues who work closely with the reporter and not just the witnesses. This helps deflect attention away from a single individual.

*Interview the subject of the complaint when you have sufficient detail of allegations:* While it may be helpful to interview the subject of the complaint early to place their statement on record so it can be held against later contrary information, it is only helpful when there is sufficient information to credibly make the allegation. If there is a detailed account from the start from the victim/survivor, interview the subject of the complaint earlier in the process, especially if suspending them. However, you may need more details from witnesses to understand the full breadth and scope of the allegations in order to ask appropriate questions.

*Be cautious about sharing too many details with the subject of the complaint or their close associates if there are safety concerns:* There may be significant security concerns in the community for the victim/survivor or witnesses that may limit the information you can share with the subject of the complaint. Yet, for the subject of the complaint to adequately respond, it is necessary to give them sufficient information of the allegations against them. It can be difficult to balance these needs: you are not required to identify the witnesses; you only need to ask questions about whether or not the subject engaged in certain behaviours, without naming names, which they can either admit or deny. Always prioritize protecting the victim/survivor and witnesses when their physical safety could be at issue.

## **Place**

When interviewing community members, ensure the location is safe and private. You may not want to interview them in your office due to concerns for their safety and well-being. If you meet in a public place, ensure there is some privacy so that your conversation can't be overheard.

If interviewing other staff, conducting the interview in the office may be appropriate, as observers would not be able to single out the reporter. Nevertheless, ensure the interview room is private and that confidential conversations cannot be overheard. If you are only interviewing a few staff member witnesses, conduct the interviews as discretely as possible, which may mean conducting them away from the office.

## **Annex 11 Standard Clause for Contracts**

Fundacja Jedność has a zero-tolerance approach to sexual exploitation and abuse.

Sexual exploitation is defined as an actual or attempted abuse of a position of power or trust, for sexual purpose. Exploitation can include profiting monetarily, socially, or politically from the sexual exploitation of another.

Sexual abuse is defined as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. For these purposes, sexual activity with any person less than eighteen years of age, regardless of any laws relating to consent, shall constitute the sexual exploitation and abuse of such a person.

(Contractor/partner/supplier) shall take all appropriate measures to prevent sexual exploitation or abuse of anyone by it or by any of its employees or any other persons who may be engaged by the (contractor/partner/supplier) to perform any services under the Contract.

In addition, (contractor/partner/supplier) shall take all appropriate measures to prohibit its employees or persons engaged by it from exchanging any money, goods, services, offers of employment or other things of value, for sexual favours or activities or from engaging in any sexual activities that are exploitive or degrading to any person.

(Contractor/partner/supplier) acknowledges and agrees to this being an essential term of the contract and that any breach of this shall entitle Fundacja Jedność to terminate the Contract immediately upon notice to (contractor/partner/supplier), without any liability for termination charges or any other liability of any kind.