Prevention from Sexual Exploitation Abuse and Harassment Policy



soleterre

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This policy must be revised every two years OR if internal Focal Points leave the organisation.

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PURPOSE AND SCOPE OF THE PRESENT POLICY

This policy defines workplace SEAH and outlines procedures for reporting complaints, investigating claims, and issuing appropriate disciplinary action for violations.

It applies to all employees of Fondazione Soleterre ETS (here after "Soleterre" or "the Organisation") based in Italy and abroad. **All staff at every level will be subject to discipline, up to and including termination of employment, for any violation of this policy. Employees are prohibited from engaging in sexually harassing behaviours whether on or off the workplace premises and during or outside of work hours.**

Any form of exploitation, abuse and harassment of affected populations based on imbalance of power represents a failure in the safeguarding systems as well as in the mission and goals Soleterre pursues as it causes additional harm to the already vulnerable people that Soleterre committed to serve and protect. Therefore, any misconduct perpetrated by staff and partners represents a risk for the organisation's reputation. As exploitation, abuse and harassment affect the accountability and integrity of humanitarian organisations, PSEAH should not be addressed only as an issue related to sexual and gender-based violence, but it should be regarded more in general as an ethical and organisational concern. For these reasons, the measures considered by this policy are to be applied to all cases of exploitation, abuse and harassment based on abuse of power, not necessarily of sexual nature.

COMMITTMENT OF FONDAZIONE SOLETERRE ETS

Soleterre acknowledges that many forms of violence are rooted in abuses of power. This is particularly evident within the power imbalances inherent in the international aid sector, and within the wider social norms and structures in which Soleterre works.
Sexual exploitation, abuse and harassment (hereinafter "SEAH") perpetrated by humanitarian organisations against affected population or beneficiaries of their services violates universally recognised international and national legal standards and our main values and are a profound failure of the commitment of Soleterre in preventing and protecting the community which the Organisation is part of.

Soleterre adheres to humanitarian principles and promotes a safe environment through proactive, accessible, effective measures and approaches with the aim of preventing these phenomena or responding in reasonable time should they occur. Soleterre applies a zero-tolerance policy towards perpetrators of any form of discrimination, gender-based violence and intimidation.

GLOSSARY[1]

Accountability: A situation in which people who are affected by decisions (e.g. staff or people of concern) are able to influence the decisions and decision-makers through questions and complaints. Accountability implies one person's right to 'have a say' and another person's duty to consider and respond.

Beneficiary or **Person of Concern**: a person who receives assistance as part of either emergency relief or development aid through assistance programs.

Complaint mechanism or procedure: processes that allow individuals to report concerns such as breaches of organizational policies or codes of conduct. Examples of mechanisms include suggestion boxes, whistleblowing policies and designated focal points.

Gender: refers to the social attributes and opportunities associated with being male and female and the relationships between women and men and girls and boys, as well as the relations between women and those between men. These attributes, opportunities and relationships are socially constructed and are learned through socialization processes. They are context/ time-specific and changeable. Gender determines what is expected, allowed and valued in a woman or a man in a given context. In most societies there are differences and inequalities between women and men in responsibilities assigned, activities undertaken, access to and control over resources, as well as decision-making opportunities. Gender is part of the broader socio-cultural context. Other important criteria for socio-cultural analysis include class, race, poverty level, ethnic group and age

Gender-based Violence: An umbrella term for violence directed toward or disproportionately affecting someone because of their actual or perceived gender identity. The term 'gender-based violence' is primarily used to underscore the fact that structural, gender-based power differentials around the world place women and girls at risk for multiple forms of violence. This includes acts that inflict physical, sexual or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty, whether occurring in public or in private life. While women and girls suffer disproportionately from GBV, men and boys can also be targeted. The term is also used by some actors to describe targeted violence against lesbian, gay, bisexual, transgender, and intersex (LGBTI) populations, in these cases when referencing violence related to norms of masculinity/femininity and/or gender norms.

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

Rape: Penetration – even if slightly – of any body part of a person who does not consent with a sexual organ and/or the invasion of the genital or anal opening of a person who does not consent with any object or body part. *Comment: This term is used in the Secretary-General's report on Special Measures for Protection from Sexual Exploitation and Sexual Abuse A/70/729 for entities other than peace operations.*

Sexual Abuse: Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Highlight that "physical intrusion" means "sexual activity". "Sexual abuse" is a broad term, which includes acts such as rape, sexual assault, forced prostitution etc.

[1] The listed definition are standard definitions as per described in the following two sources:
- *IASC - Guidelines to implement the Minimum Operating Standards for Protection from Sexual Exploitation and Abuse by UN and non - UN Personnel, 2013.*
- *United Nations Glossary on Sexual Exploitation and Abuse, Second Edition, 2017.* https://hr.un.org/sites/hr.un.org/files/SEA%20Glossary%20%20%5BSecond%20Edition%20-%202017%5D%20-%20English_0.pdf

Sexual Exploitation: Any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. Sexual exploitation is a broad term, which includes acts such as, transactional sex, solicitation of transactional sex and exploitative relationship

Sexual Harassment: It is defined as any form of unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment.

Sexual Violence: Acts of a sexual nature against one or more persons or that cause such person or persons to engage in an act of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of 10 violence, duress, detention, psychological oppression or abuse of power, or by taking advantage of a coercive environment or such person's or persons' incapacity to give genuine consent. Forms of sexual violence include rape, attempted rape, forced prostitution, sexual exploitation and abuse, trafficking for the purpose of sexual exploitation, child pornography, child prostitution, sexual slavery, forced marriage, forced pregnancy, forced public nudity, forced virginity testing, etc.

Survivor: 'Victim' is a term often used in the legal and medical sectors, while the term 'survivor' is generally preferred in the psychological and social support sectors to a person who has experienced sexual or gender-based violence because it implies resilience.

Survivor-centred Approach: A survivor-centred approach seeks to empower survivors by prioritizing their rights, safety, well-being, needs and wishes. Organizations must ensure that survivors have access to appropriate, accessible and good quality services. For that reason, it is important for organizations to have survivor-centred response and support mechanisms in place in case allegations arise. Following an incident (a traumatic experience, such as sexual assault), a survivor-centred approach will give the survivor control over the decision-making process. This serves to provide space and time for the survivor to express their needs and for the organization to arrange for the relevant support. This approach also serves to recognize that the various coping-mechanisms and healing processes are unique to each individual. However, there may be limitations that would require different levels of action, for example, legal limitations, especially when minors are involved. The principle of "do no harm" is at the heart of the survivor-centred approach. Maximizing agency is therefore key to prevent survivors from having to endure any further unnecessary grief.

Transactional sex: The exchange of money, employment, goods or services for sex, including sexual favours other forms of humiliating, degrading or exploitative behaviour. This includes any exchange of assistance that is due to beneficiaries of assistance. *Comment: Sex, including sexual favours, is understood to mean "sexual activity". This term is used in the Secretary-General's report on Special Measures for protection from sexual exploitation and sexual abuse A/70/729 for peace operations. It will replace the term "Exchange of money, employment, goods or services for sex" used in A/70/729 and previous reports on Special Measures for protection from sexual exploitation and sexual abuse for entities other than peace operations.*

Violence Against Women: Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. Violence against women shall be understood to encompass, but not be limited to, the following: (a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal

violence and violence related to exploitation; (b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution; (c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

Whistleblowing: an organisational policy which encourages staff members to report concerns or suspicions of misconduct by colleagues. The reports may concern people at other organizations and people at other levels in the organization's hierarchy.

Zero Tolerance: Approach consisting of severely punishing any individual/entity falling under the categories listed above, who has committed a (sexual) offence against colleagues, beneficiaries or members of the communities in view of the unacceptable nature of such an act, whether this occurred as part of their activities with Soleterre or in a private context.

DEFINITION OF PSEAH

PSEAH stands for Protection from Sexual Exploitation, Abuse and Harassment.
In particular, it refers to protection of a person of concern or staff who has been sexually abused, harassed or exploited in any way by those providing humanitarian assistance and services, vendors, partner organisations, donors, visitors. Sexual exploitation is an actual or attempted abuse of someone's position of vulnerability, differential power, or trust, or to obtain sexual favours, including but not only, by offering money or other social, economic, or political advantages. Sexual abuse is the actual or threatened physical intrusion of a sexual nature, whether by force, or under unequal or coercive conditions. Aid worker encompasses all persons involved in providing protection and/or assistance to affected populations. SEAH is an act of gross misconduct and a violation of humanitarian standards of conduct and core principles. SEAH is a type of gender-based violence; different from other types of GBV in that it involves a humanitarian aid provider and/or its partners.

APPLICATION OF PSEAH POLICY

This policy must be applied in all Soleterre's humanitarian and development programmes for all sectors to mitigate risks of SEAH.

In particular, this policy applies to:

- Members of the Board of Trustees and the Board of Directors of Soleterre;
- Soleterre staff working full-time or part-time, whether national or international staff on the field missions, based at the HQ level or in Italy or working remotely, employed with an open-end or closed-end contract, or collaborating by virtue of a collaboration contract;
- Staff working under a collaboration and/or consultancy contract;
- Soleterre's visitors on the field;
- Donors, journalists, celebrities, politicians and anyone else directly involved in Soleterre projects or services for the entire duration of this direct contact (hereinafter "visitors");
- Staff, volunteers and representatives of partner organisations and any other individual, group or organisation that has formal/contractual relations with Soleterre which entail direct contact with adult beneficiaries (hereinafter the "staff of partner organisations");
- Sub-grantees, suppliers, vendors, and implementing partners.

The principles and measures suggested in the present policy to prevent and respond to SEAH incidents should be considered and applied in all phases of programme from the design to the implementation, including proposal design and writing, recruitment phase, implementation of activities.
Moreover, as stated in the Code of Conduct of Fondazione Soleterre ETS lus, Soleterre rejects and prohibits any form of harassment or sexual activity that is unwilling, coercive or characterized by abuse of power with:

- Beneficiaries;
- Donors;
- Partners and their employees;
- Soleterre employees.

In the event that there is any conduct that falls into the above cases, without prejudice to criminal and civil protection, the persons concerned must immediately notify the Ethical Officer of Soleterre, in order to assess the implications and applicable safeguard measures, if any.
In any case, it is forbidden to have sexual relations with persons under the age of 18 (or at the age of majority established by local law).
The above stated rules must be applied due to the imbalance of power existing between humanitarian and development workers and people benefitting from the aid provided by Soleterre. Humanitarian and development workers have influence over who receives goods and services. This places them in a position of power in relation to people who need assistance. For that reason, Soleterre applies strict rules over staff to discourage any sort of sexual relationships with anyone affected by a humanitarian emergency or any other person related to development activities carried out by Soleterre.

CONTEXTUALISING THE PSEAH POLICY

The basic principle of application of the PSEAH Policy is **Everyone, Everywhere and Every Day**.

This means that the present policy must be applied to every mission and to every single programme that is developed by Soleterre. The principles outlined in this document are general principles that must be mainstreamed in every action, sector and situation whatsoever and with no exceptions. The latter statement implies operations developed in Italy; humanitarian and development operations outside of Italy; activities and programmes of different nature and falling under different sectors (i.e., activities falling under WASH, Nutrition, Distribution, Protection, Child Protection and GBV, Shelter, Livelihood, etc. sectors).

PSEAH must be mainstreamed in every activity and it involves every member of the staff (not only those directly carrying out the activities) but also office staff (administrators, drivers, logistics staff, cleaners, etc.).

PSEAH POLICY STANDARDS AND CRITERIA

Guiding principles

Soleterre is aware that it must follow key fundamental principles in order to provide support services to people in need in the best possible way. These principles are in line with international standards including the Universal Declaration of Human Rights and other international treaties and conventions that recognise all human beings as having "equal dignity and rights, without distinction of any kind".

The following standards and criteria define the minimum requirements for an adequate Policy's creation, implementation, monitoring and evaluation. These standards and criteria will be monitored regularly and updated where necessary.

1. This policy's implementation plan must ensure a **survivor-centred approach**.

A survivor-centred approach should be guaranteed at different levels such as:

- Organisational culture (values and mission of the organisation envisages the rights and safety of all survivors are key; all staff is trained about GBV and how to prevent/respond to GBV; all staff is trained on PSEAH and the organisation's commitment to a PSEAH-free environment; etc.)
- Survivors' inputs are sought by responding to simple questions such as: *are there formal or informal mechanism in place to ensure survivors are listened and their voices are heard? Do survivors have the chance to suggest to the organisations ways that could help prevent or respond to SEAH? Is the survivor involved in the investigations, outcomes and consequences of the reporting process?* Etc.
- Resources allocated for a safe and confidential reporting are available: check by responding to questions such as *Are there multiple reporting mechanisms including anonymous ones? Is there a way to protect the survivors? Is there a list of external resources available in an accessible manner – in the people of concern's language)?*
- Accountability: *have resources such as time and staff been allocated to prevent and/or respond to SEAH cases?*

2. Soleterre applies a **zero-tolerance approach** towards perpetrators of exploitations and abuses of any kind.

Soleterre believes that all people have the right to live free from sexual violence and any abuse of power regardless of age, gender, sexuality, sexual orientation, disability, religion, or ethnic origin. We recognize that there are unequal power dynamics across the organisation and in relation to those benefiting from humanitarian services, and that Soleterre may face the risk of some people exploiting their position of power for personal gain. Soleterre will not tolerate its employees, volunteers, consultants, partners, or any other representative associated with the delivery of its work carrying out any form of sexual harassment, sexual exploitation, or sexual abuse and it commits to prevent and strongly respond to those violations. A Zero-tolerance approach is applied to any form of exploitation and abuse, even if not of sexual nature. Zero-tolerance does not mean zero cases or incidents. The actual application of the present policy and the improvement of safeguards, in fact, may increase reporting of incidents.

3. Soleterre is **accountable** towards its beneficiaries and people in need of support and services.

In situations of crisis, affected people are urgently dependant on services provided by aid organisations. Such dependence unfortunately creates fertile conditions for abuses of power perpetrated towards those people aid agencies commit to protect.

Aid organisations must take responsibility for their actions on the field as not only a matter of their own reputation but, in general, as a matter of respecting the rights of vulnerable individuals including being treated with dignity and respect. Therefore, it is vital that Soleterre recognises the power it holds to do good or to cause harm. **Accountability** towards beneficiaries is a fundamental principle that the organisation applies by fulfilling its obligations to provide accurate and timely information. It must also make the time and space to listen and respond to people's needs and concerns on an ongoing basis. The present policy aims at ensuring that survivors participate in every step and decisions that the organisation makes.

4. In all its humanitarian and development programmes, Soleterre applies the principles of **Do No Harm** and **Non-Discrimination**

Soleterre's humanitarian and development aid is based on the principle of Do No Harm, always trying to prevent the negative effects commonly associated with humanitarian action, such as harm due to a lack of knowledge of the context and conflicts in the areas in which one intervenes and a lack of an understanding of the suffering and trauma faced by the people one intends to support through services. As vulnerable individuals have typically already gone through distress and harm caused by other people or natural disasters including losses and abuses, it is fundamental to ensure that no single action carried out by any Soleterre's staff member causes or may cause in the future any form of further suffering or harm.

Moreover, Soleterre's humanitarian and development aid does not discriminate on the basis of nationality, race, religious or class beliefs, or political opinion. Its objective is exclusively to alleviate suffering by giving priority to those who suffer greater deprivation.

5. Respect **confidentiality** of vulnerable individuals and survivors of violences is key for all staff employed by Soleterre.

Confidentiality, informed consent and the wishes of the survivor of sexual exploitation and abuse and sexual harassment will always be given priority, and in parallel, rules of mandatory reporting should be observed.

Complementing elements

The application of the present policy requires the development, regular updates and awareness of other policies that all Staff and partners must adhere to. Among those, Soleterre's **Code of Conduct** or Ethical Code is fundamental to complement and complete the present policy. Soleterre's Code of Conduct must be regularly updated and signed by all staff along with the employment contract. Ideally, the newly recruited person should signs both the Employment Contract and the Code of Conduct (two different signatures). Having two different documents to be signed would be an incentive for new staff to carefully read the Code of Conduct.

Confidential complaint mechanisms must be in place in every Soleterre's emergency and development missions as well as in the areas of intervention in Italy. For more details, please refer to the dedicated section below.

Information and awareness about PSEAH are a fundamental element of the present policy. Informed people are enabled to make better decisions and may become more confident in reporting cases and incidents. Soleterre's dedicated personnel will commit not only to train its staff at mission and HQ level but also beneficiaries, communities through a variety of tools and methods. There will be training, awareness and information sessions and dissemination of information material. PSEAH awareness materials (such as posters and pamphlets) and reporting contact details will be clear and visible to beneficiaries at the service facilities/distribution/hygiene site, offices and/or will be included in distribution kits.

GBV awareness materials in general (such as posters and pamphlets) and reporting contact details will be distributed and/or hung in a visible manner to beneficiaries at the service facilities/distribution/hygiene site and/or will be included in distribution kits. Those materials will have written signs as well as figures and animations to make sure also illiterate people can understand their meaning.

Another fundamental element is to have a clear **mechanism for internal reporting** (whistleblowing). The internal referral or reporting system must be in place in every mission as per described below.



The above reporting system is explained below under the chapter REPORTING PROCEDURES.
In addition, there should be clear measures to be taken (internal investigation; involving an experienced lawyer if needed; psychologist; Internal Zero Tolerance policy; and/or reporting to the police, etc.) to ensure survivors are protected. All actions must be taken in a reasonable time span and priority should be given to safety and security of the survivor.

POLICY IMPLEMENTATION PLAN

The following indications describe the steps to be taken by each Soleterre emergency field mission aiming to implement the present PSEAH Policy. The Policy must be incorporated into all existing and future management systems and processes of Soleterre that imply the protection of beneficiaries from sexual exploitation, abuse and harassment so as to guarantee their right to protection.

1. **Identify the PSEAH Focal Points (Field & HQ) or Leads**

The Focal Point in the field should be someone speaking local language; ideally, the people of concerns (PoC)' language and English or French (depending on the country of operations). *Ideally a psychologist profile but not required.*

The role of Focal Point is to coordinate, support and advice on the development and implementation of Soleterre's PSEAH Policy and procedures. This person will also be the main referent when cases of sexual exploitation, abuse or harassment arise and initiate the reporting and response procedures.

The person identified will be able to operate within the organisation for the appropriate investigations with a certain degree of autonomy, avoiding having to request authorisations (and thus having to give explanations) at every step: this will guarantee confidentiality both towards the survivor and towards the aid worker who is allegedly known as the perpetrator of the report. The margins of intervention of the person involved should be defined and clarified at the time of his/her identification.

The main responsibilities of the Focal Point include:

a) Familiarise with concepts related to PSEAH and take a lead role in raising awareness about the PSEAH Policy among the staff.
b) Ensure that prevention measures are considered and integrated in all programmes and activities.
c) Promote the participation of people of concerns so they are aware of the organisation's PSEAH measures and Code of Conduct, and of their right to protection including how they would raise a concern about Sexual Exploitation, Abuse and Harassment (SEAH) and other safeguarding concerns.
d) Support the managers in conducting service mapping and develop referral pathway for Soleterre that allows survivors access available services.
e) Work with managers to establish community-level complaints mechanisms[2] that facilitate reporting of concerns by programme participants, service beneficiaries and other community members.
f) Receive and safely document SEAH incident reports, respond in accordance with this policy's procedures, provide referral or next step advice.
g) In coordination with the HQ Focal Point, form a PSEAH Case Management Team when cases are reported.
h) In coordination with the HQ Focal Point, guide, plan and support any investigation of a SEAH incident conducted by the PSEAH Case Management Team as necessary. Discuss subsequent action required, to ensure the safety and welfare of individuals in cases of SEAH caused by any Soleterre's staff.
i) Ensure that an immediate response takes place to protect the survivor, in case the survivor is exposed to risk of further SEAH incidents.
j) Monitor progress of all cases and ensure that cases are resolved in a reasonable time in order to avoid new incidents and risks for the survivor of SEAH.

[2] For paediatric cancer projects, the community must be considered as the people hosted at Soleterre's shelters, and not the community of origin, because our beneficiaries come from a variety of communities all diverse and located in different geographical areas.

2. **Inform the staff about the existence of a PSEAH policy.**

Staff on the field and at HQ level should be informed about the creation and, consequently, existence of a PSEAH Policy. Staff should be able to read the materials and provide feedback, comments or suggestions if necessary.
For this reason, Soleterre may decide to create an email address specifically dedicated to staff's suggestions and feedback. This email address should be disseminated among all staff at HQ and field level.

3. **Create a list of local resources.**

A list of safe shelters and /or hotline numbers in the intervention area and beyond that could be potentially used to address/respond to SEAH cases). The list should comprise also information material and training resources. This list should be regularly updated and comprehensive of all types of services a survivor may need such as:

- Number of police;
- Number of local hospital + number of emergency unit and number of the gynaecology department;
- Safe shelters (contact details);
- Other organisations providing GBV prevention and response programmes and activities;
- Organisations providing health services, mental health and psychosocial support services;
- Organisations providing legal counselling and legal actions;
- Any other useful contacts.

For what concerns the contact of the police station, ideally PSEAH Focal Point of the area of intervention should have a site visit to the police station, establish a relationship with the personnel and, where a police woman is available, seek her direct phone number. Alternatively, it would be important to train the police personnel about sensitive cases and how to deal with survivors of violence[3].

4. **Create confidential complaint mechanisms.**

Given that Soleterre's emergency missions operate mainly through mobile units and activities, there should be a diversified variety of available methods for reporting and whistleblowing.
Depending on the feasibility in each geographical areas where Soleterre operates, complaint mechanisms could be of various nature.
Below please find some possible ways to install safe complaint mechanisms.

A. Complaint/feedback boxes (physical boxes in the areas of intervention), clarifying in the most visible and clear way, that the information reported in the complaint and feedback will be treated in the most confidential manner to ensure the safety of the complainer. These physical boxes must be locked and the key of the locker should be in the hands of the responsible person within the staff.

B. A dedicated hotline available 24/7 through a local number (possibly not on payment), whose number is displayed in every location of intervention, public spaces, distributed through flyers or

[3] Soleterre acknowledges that, although establishing a positive relationship and/or organise training sessions is ideal, this is not possible in every context and the level of engagement of police officers varies according to the situation, cultural background and other factors, most of which cannot be addressed solely by Soleterre's personnel.

other informative means, clearly mentioned during meetings, Focus Group Discussions, training or other occurrences.

C. A dedicated email address, whose details are displayed in every location of intervention, public spaces, distributed through flyers or other informative means, clearly mentioned during meetings, Focus Group Discussions, training or other occurrences.

D. Any digital means that Soleterre can apply (a dedicated App, WhatsApp channel, Telegram channel, etc.).

E. In person: Soleterre will inform people of concerns or beneficiaries about the name and details of the PSEAH Focal Point in the field and will make sure every PoC is aware of the possibility to report a SEAH case to an identified person within Soleterre staff.

Soleterre may decide to apply all the above-suggested means or others. If other mechanisms are chosen, these should be always discussed with PSEAH Focal Points prior their application in order to determine the respect of fundamental principles such as confidentiality, do no harm, safety and security of PoCs.
The PSEAH Focal Point will make sure the application of any complaint mechanism is confidential and accessible by everyone, including people with specific needs and people with disabilities.
There should be multiple complaints channels to be used in all missions to ensure reporters can choose what is the best and safest mean to use for their complaint to be reported. Soleterre should aim at making people of concerns feel as confident and safe as possible while reporting a case of SEAH.

REPORTING PROCEDURES

It is NOT the responsibility of personnel receiving a complaint to ascertain whether or not the allegation is true or to make any investigation into the allegation. It is their responsibility to report the allegation to their investigative body, PSEAH Focal Points.

Initial phase: complaint reported and whistleblowing

- Complaints, suspicions or cases of SEAH that have been reported by the survivor or another person[4] must be reported as soon as possible (by using the specific hotline or not, in person or in writing) to the PSEAH Focal Point on the field within Soleterre mission. Reporting must be done by the end of that same working day and, in any case, within 24 hours from the moment in which the case has been reported.
- The Report Form (annex 1) should preferably be used, which, in any case, must be completed, possibly at a later time.
- If, for any reason, the PSEAH Field Focal Point is not available within the specified time span, the whistleblower will refer the complaint to the PSEAH HQ Focal Point. The Head of Mission should be informed (without providing confidential details).
- If the PSEAH Field Focal Point or the Head of Mission is one of the suspected perpetrators, the complaint must be reported to the PSEAH HQ Focal Point.
- All allegations of SEAH, and subsequent follow-up, will be documented in a secure and confidential database to ensure accountability.

GBV technical staff and/or PSEAH Focal Point may be asked to conduct sensitive counselling with the survivor. In this case it is important that the Focal Point collect the following information:

[4] If the whistleblower is a person close to the victim (e.g. the victim's brother/sister, mother/father, son/daughter or other close persons), it is still necessary to take the case into consideration, Soleterre's staff should then talk to the whistleblower and explain to him/her that it would be important to speak directly with the survivor in order to pursue the investigation.

- What happened & when: describe what is being reported in the words of the complainant(s), taking note of names of survivors, perpetrators and perpetrators' organisation, presence of witnesses where possible, dates or locations of the incident(s) where possible.
- How the complainant or survivor can or prefers to be contacted.
- Date of when the statement was taken.

Anonymous complaints must be treated and investigated anyway (even if more difficult) and mechanisms/actions to facilitate whistleblowing must be applied.

Operational phase: internal reporting and PSEAH case management team

1. The PSEAH Field Focal Point, once received the complaint, should try to reach out to the survivor and inform them about the PSEAH procedures and next steps. The survivor may choose to provide a preferred contact (and hours) for the PSEAH Field Focal Point to be able to reach out with a multiple scope:

    a) Gather additional details and information as required by the PSEAH Case Management Team to conduct the investigation;
    b) Inform the survivor about any step or action decided upon with the PSEAH Case Management Team;
    c) Seek consent by the survivor before taking any action.

2. The PSEAH Field Focal Point, once received the complaint, share all relevant information with the PSEAH HQ Focal Point.

3. The Head of Mission is informed but she/he does not necessarily take direct part in the investigation nor is given any sensitive information regarding the survivor and perpetrator. However, she/he may be involved and interviewed to gather all relevant information to carry out the investigation.

4. The PSEAH HQ Focal Point will form the PSEAH Case Management Team, which will be composed of:
    - PSEAH HQ Focal Point (appointed as Case Leader);
    - PSEAH Field Focal Point (who will likely be working remotely from the field base);
    - Human Resources Director or appointed person within the Human Resources team;
    - Psychologist;
    - Lawyer (if and when necessary).

5. The PSEAH Case Management Team will act upon the information in its possession or arrange for an internal investigation.

6. The PSEAH Case Management Team will prioritise the safety and security of the survivor, making sure the survivor is safe and protected before commencing any investigation.

7. Any action decided or step considered by the Case Management Team must be shared and agreed upon with the survivor to ensure a survivor-centred approach. The information provided to survivor must be complete, comprehensive, in the survivor's native language and understandable.

Final phase: accountability, investigation and results

The PSEAH HQ Focal Point guarantees that accountability is ensured and assumes responsibility for the oversight and monitoring of the investigation. This person would be responsible for ensuring that an investigation is undertaken according to the core principles as per listed below and in line with these procedures. It is essential that Soleterre establishes procedures that detail actions to be taken and allocate clear and specific roles and responsibilities to named post-holders.

Core principles[5] of an investigation to be applied are:

- THOROUGHNESS: investigations must be conducted in a diligent, complete and focused manner.
- CONFIDENTIALITY: complainants, witnesses and the subject of allegations have a right to confidentiality other than in certain, exceptional circumstances.
- SAFETY PARAMOUNT: the safety and welfare needs of the victim/survivor and/or complainant are paramount.
- COMPETENT, RESPONSIBLE, INDEPENDENT INVESTIGATORS: people conducting investigations and preparing reports should be responsible, independent and have received training.
- IMPARTIALITY: investigations must be conducted in a fair and equitable way. Investigators must be free of any influence that could impair their judgement.
- OBJECTIVITY: evidence to support and refute the allegation, must be gathered and reported in an unbiased and independent manner.
- TIMELINES: investigations must be conducted and resolved within a reasonable time span from the first reporting. Even if legal actions may take long time, it is part of Soleterre's accountability to make sure that the resolution guaranteeing the safety of beneficiaries is found in a timely manner.
- ACCURACY AND DOCUMENTATION: investigation reports and their conclusions must be supported by adequate documentation.
- COMPLIANCE: all decisions taken must adhere to and comply with local Privacy Law.

The PSEAH Focal Point(s) will compile a Final Report which will include findings, evidence, witnesses' declarations, possible measures to be taken and resolution. The report will be compiled by the PSEAH Focal Point with the support of the whole case management team and the involvement/approval of the survivor. The final report must be signed by the whole PSEAH Case management team.

Possible outcomes may include:

- Administrative/disciplinary action towards the perpetrator and in accordance with the disciplinary system established by the Code of Ethics, if staff member, issued by the Head of Mission or HR Focal Point on the field upon authorisation from the management team.
- Legal action towards the perpetrator, if staff member, issued directly by HQ Human Resources department and/or Lawyer.
- Due consideration and assistance should be given to the complainant to seek legal redress from the competent authorities in the host country or in the country of the nationality of the perpetrator when such legal remedies are actionable.
- Should the allegations be insufficiently established or unfounded, the staff member will be officially notified that he/she has been cleared. If the allegation was made known to other staff members, the Field Manager or Head of Mission will take appropriate action to inform the staff about the decision of clearance.

[5] Core principles mentioned in this list are a quote from *Model Complaints and Investigation Procedures and Guidance Related to Sexual Abuse and Sexual Exploitation, 2004*.

RECEIVING A COMPLAINT RELATED TO AN EXTERNAL ORGANISATION

Allegations of misconduct and SEAH by staff from another Organisation/Agency or body should be referred to the PSEAH Field Focal Point who, together with Head of Mission, will report cases to the relevant organisations involved where safe to do so. Referrals will need to consider circumstances that could indicate a potential risk of harm to an individual or others in the future.
Complaints should be referred to local PSEAH working groups, networks, and/or the charity commission/police/donors where appropriate and safe to do so and/or in circumstances that could indicate a potential risk of harm to an individual or others in the future. Soleterre will not investigate cases related to other organisations but does have an obligation to report.

TRAINING & OUTREACH

Soleterre commits to broadly disseminate the PSEAH Policy, the relative procedure and the Code of Conduct. The Consultant will conduct a training to HQ Staff involved and (if required) to Heads of Mission and/or Protection and GBV staff, who will cascade the training to all mission's personnel. After the above-mentioned training, the Consultant will share the presentation and other related materials with Soleterre field missions, for the Head of Mission to decide how to diligently cascade the information to all staff. The dissemination must include all staff involved in Soleterre operations (including Head of Mission, managers, technical staff, support staff), its partner organisations and, above all, people of concerns. The dissemination must guarantee full comprehension of the documents. This may require translations into the languages used by the beneficiaries.

All Staff involved in the operation should receive at least 1 training about PSEAH, providing basic definitions (such as Confidentiality, Do No Harm principle, GBV, Sexual assault, harassment, sexual abuse, sexual exploitation, etc) as well as what it is meant by PSEAH; why, when and where its application should take place, which mechanisms to respond to SEAH are in place at Soleterre (e.g. whistleblowing policy).

The training course should be complemented with the below actions:

1. All the Staff involved the operations must sign and adhere to a Code of Conduct.
2. There is at least one female staff present at any facility who has been trained to supporting GBV survivors, referral / access to GBV case management / survivor assistance.
3. Head of Mission and Managers' responsibilities: Senior managers are responsible for promoting awareness of this policy with people they manage and for supporting/developing systems that create and maintain a safe working environment. This also includes the responsibility for ensuring that all staff and related Personnel receive regular PSEAH trainings, with a particular emphasis on staff who are in direct contact with the people we serve. Managers should prioritize PSEAH awareness raising for themselves and their divisions, individual departments or teams, and provide budget lines for some activities.

PSEAH trainings should be conducted also for beneficiaries, community leaders in order for them to gain awareness about what PSEAH is, basic principles, how to report cases. Ideally, Soleterre staff should collect points of view, opinions and feedback from community members and beneficiaries and make sure they are taken into consideration during the review of the present policy.

MONITORING, EVALUATION & LEARNING

Soleterre commits to monitor this policy and related practices constantly. Lessons learned in implementing this policy, through the management of specific incidents which may occur, will be used to integrate, enrich and ameliorate this policy.
Moreover, Soleterre must endeavour to gather feedback and suggestions from beneficiaries and community members and ensure that, if reasonable, meaningful and appropriate, these are integrated in the policy when it is revised.

The present policy should be revised and updated every 2 years according to international standards.

Annex 1 – Reporting Form

CONFIDENTIAL

Country of operations: Place:

Beneficiary name and surname:

Report details

Date: Time: Exact place:

Reporter details

First name and surname: Address:

Main telephone N°: Job:

Relationship to beneficiary:

Beneficiary details

First name and surname: Age: Date of birth:

Gender: Address: Nationality:

Language(s) spoken *(please list all)*: Preferred contact:

Any specific conditions of vulnerability:

Other relevant information to share:

Immediate actions to be considered/undertaken for survivor's dependents:

Contact of close relative:

Details of alleged abuse: what, who, where, when *(including testimony of interested party if collected)*

Details of Suspected Perpetrator (if known)

First name and surname: Address:

Date of birth: Job:

Relationship to beneficiary:

_____

Current safety conditions of beneficiary *(including information regarding whether the place they are staying in is safe, if they have expressed fears or concerns related to their safety or security, if they have received any threats, if the perpetrator[s] know or may be able to know their current location, etc.)*

_____

Indicate if the beneficiary required emergency medical care *(If so, please indicate details such as if it was provided, what was the need, which medical centre and/or person provided medical care, what has been provided [medicine, service, treatment, etc])*

_____

Indicate if the beneficiary required any other life-saving service *(such as shelter, food, legal advice, or other and if this has been provided [by whom])*

_____

Who else is aware of the case?
Agency, body, organisation, other:

_____

Actions taken to date *(e.g. reported to police, judicial authorities or other entity. Specify place and day, type of action taken, parties involved and their contact details)*

_____

Consent

Does the survivor agree to share the above information with the PSEAH Focal Point and Case Management Team? YES ☐ NO ☐

_____

Reported by *(if this is the same person filing the report, only the signature is needed)*

Name: Role and place:

Date: Signature: