



**African Community Empowerment for
Progress Organization
(ACEPO)**

**Policy on Sexual Exploitation and Abuse
(PSEA)**

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Acknowledgement

ACEPO acknowledges UNICEF's PSEA Tool Kit resources and trainings that have supported in the development of this policy. The Interagency Standing Committee (IASC) is also referenced in this policy because they have authored key SEA guidance documents.

All ACEPO current and future staff and partners must read, sign and comply with this Code of Conduct.

I certify that I have read and understood all the contents above and commit to abide by the PSEA Policy at all times.

A copy of the duly signed form is to be issued to the HR Manager for record purposes

Full Name: _____

Title: _____

Signature: _____

Date: _____

Glossary

Beneficiaries	The individuals, groups, or organizations that directly or indirectly benefit from an intervention, project or program.
Child	A person under the age of 18, regardless of the age of majority or age of consent locally.
Complainant	The person who initially notifies ACEPO or its partners of the sexual exploitation and abuse allegation.
Gender Based Violence (GBV)	An umbrella term for violence directed toward or disproportionately affecting someone because of their actual or perceived gender identity. Sexual exploitation and abuse is a form of GBV.
Implementing Partners (“Partners”)	Entity responsible and accountable for the implementation of the intended programme. It may include government institutions, Civil Society Organizations (CSOs) and UN agencies.
Informed Consent	The voluntary agreement of an individual who has the capacity to give consent, and who exercises free and informed choice.
Personnel	This includes “ACEPO” employees as well as subcontractors, consultants, interns or volunteers associated with or working on behalf of ACEPO or the partner organization.
Sexual exploitation and abuse (SEA)	<p>“Sexual exploitation” is any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including, but not limited to profiting monetarily, socially or politically from the exploitation of another.</p> <p>“Sexual abuse” is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. This includes non-contact and online sexual exploitation and abuse.</p>
Survivor	Refers to a person who is, or has been sexually, exploited, or abused.
Whistle blower	Any UN or partner agencies’ personnel who reports SEA
Zero Tolerance Policy	ACEPO Policy establishing that sexual exploitation and abuse by ACEPO personnel (including by partners) is prohibited and that every transgression will be acted upon.

1. Introduction

The Protection against Sexual Exploitation and Abuse (PSEA) policy has been developed to provide guidance to ACEPO Staff on how to address SEA allegations and violations. This policy is a step-by-step guide to all ACEPO staff, personnel, contractors, interns, volunteers and members of the Board of Directors to prevent and respond to sexual exploitation and abuse (SEA) of beneficiaries and vulnerable members of the community. ACEPO recognizes the need for a more concerted effort to protect vulnerable populations from the negative effects of sexual exploitation and abuse.

ACEPO is committed to addressing the challenges and negative consequences of SEA and on protecting the rights and well-being of affected communities. It is the responsibility of ACEPO's senior management to develop policies and procedures on prevention of and response to SEA allegations and to ensure it has adequate safeguards to take appropriate action to tackle SEA allegations or violations. ACEPO is committed to the PSEA commitments outlined in the [UN Secretary General's Special Measures for Protection from Sexual Exploitation and Abuse \(ST/SGB/2003/13\)](#) and the [IASC Minimum Operating Standards for PSEA](#).

As ACEPO works towards its mission of ensuring that the most vulnerable people in South Sudan have access to better quality life, all staff and personnel are expected to uphold and practice the highest standards of behavior, accountability and integrity with everyone including beneficiaries. Beneficiaries have a right not to be abused or exploited by humanitarian workers in exchange for receiving aid or assistance. Sexual exploitation and abuse undermine the assistance and the positive change that aid is trying to bring.

ACEPO is committed to the [Protection from Sexual Exploitation and Abuse \(PSEA\)](#) by its staff and representatives and recognizes the inherent power dynamics evident within humanitarian and development partner over beneficiaries. ACEPO is committed to ensuring that all staff and partners are in compliance to PSEA policies and code of conduct in their work.

1.1 Purpose

The purpose of this PSEA Policy for preventing and responding to SEA. This policy will set out minimum standards and interventions to create and maintain a SEA free work environment. ACEPO will ensure that all ACEPO employees and personnel are committed to make ethical decisions in their professional and personal lives will comply with this policy. All staff and personnel are expected to ensure the protection of all people, particularly women and children against Sexual Exploitation and Abuse (SEA).

This PSEA Policy will cover:

- Prevention
- Reporting
- Assistance
- Investigation

1.2. Scope

The ACEPO PSEA Policy applies to everyone associated with ACEPO. This includes the ACEPO Board and all ACEPO employees and personnel including, contractors, consultants, interns, volunteers, and partners. Any breach of this PSEA Policy will result in disciplinary action including termination of employment and contractual agreements as well as legal action against the perpetrator.

Those in positions of authority with ACEPO have a duty and responsibility to ensure compliance to this policy by both themselves, staff, personnel and partners. Management is mandated to support and develop appropriate systems to facilitate compliance, prevention, reporting, assistance and investigations.

1.3. Citation

This Policy may be cited as "ACEPO Policy and Regulations on the Protection of Sexual Exploitation and Abuse (SEA), 2023."

2. Definitions:

ACEPO has adopted the definition of sexual exploitation and abuse as stated in the [UN Secretary-General's Bulletin](#) ("Special Measures for Protection from Sexual Exploitation and Abuse" (ST/SGB/2003/13). This bulletin definition is below

- **"Sexual exploitation"** is any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including, but not limited to profiting monetarily, socially or politically from the sexual exploitation of another.
- **"Sexual abuse"** is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

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SEA are forms of gender-based violence (GBV), which describes any harmful act perpetrated against a person's will that is based on socially ascribed differences between women and men. Furthermore, SEA may also involve child safeguarding violations if the "conduct by (the organization's personnel) causes significant harm to a child including any kind of physical, emotional or sexual abuse, neglect or exploitation." This highlights the need for focused attention on children as part of PSEA efforts.

Examples of conduct or behavior which constitute sexual exploitation and abuse include, but are not limited to:

Physical conduct

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging,
- fondling, or inappropriate touching
- Physical violence, including sexual assault
- The use of job-related threats or rewards to solicit sexual favors

Verbal conduct

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the worker
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email)

Non-verbal conduct

- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Whistling
- Leering

"Sexual exploitation" are practices by which a person achieves sexual gratification, financial gain or advancement through the abuse or exploitation of a person's sexuality by abrogating that person's human right to dignity, equality, autonomy, physical and mental well-being; i.e., trafficking, prostitution, prostitution tourism, bride trade, pornography, stripping, battering, incest, rape and sexual harassment.

- **"Suspicion"** is when a concern is expressed about abuse that may have taken place or concern that abuse may take place.

3. Policy Statement

ACEPO is committed to providing a safe environment for all its beneficiaries, employees, personnel and partners. ACEPO is committed to a zero-tolerance policy for any form of SEA and will promptly investigate all allegations of SEA. Any ACEPO staff, personnel or partner found to have engaged in any act of SEA, will face disciplinary action including dismissal from employment, termination of contract, or prosecution according to the laws of South Sudan.

ACEPO staff, personnel and partners must comply with this Policy and refrain from engaging in:

- Sexual exploitation and abuse of beneficiaries or vulnerable members of the communities we serve.
- Sexual activity with children (persons under the age of 18). This is prohibited regardless of the age of majority or age of consent according to local laws or customs. Ignorance or mistaken belief regarding the age of a child is not a defense.
- Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior. This includes the exchange of assistance that is due to programme beneficiaries.
- Sexual relationships between ACEPO employees and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of ACEPO's and humanitarian principles.

Where employee or personnel develops concerns or suspicions regarding sexual abuse or exploitation by a client to this Policy, whether in the same agency or not, he or she must **report** such concerns via ACEPO's established reporting mechanisms. ACEPO employees are obliged to create and maintain an environment which prevents sexual exploitation and abuse. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

The ACEPO PSEA Policy encompasses all types of SEA and exploitation and abuses of power, including exploitation, forced labor, slavery and trafficking. ACEPO has a zero-tolerance policy towards employees, board members, volunteers and service providers.

4. Prevention of SEA

ACEPO will ensure the prevention of PSEA through having policies, training of staff and risk assessment and management in all programs. ACEPOs SEA preventative measures will be in line with the [UN and IASC](#) global policies to tackle SEA. ACEPO is committed to the following Inter Agency Steering Committee (IASC) principles:

[IASC Six Core Principles \(2002; updated 2019\)](#), in which IASC encourages agencies to integrate the following items into their respective codes of conduct:

- “Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
- Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.
- Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of money or sex for humanitarian assistance that is due to beneficiaries.
- Any sexual relationship between those providing humanitarian assistance and beneficiaries that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.
- Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must **report** such concerns via established agency reporting mechanisms.
- Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

ACEPOs preventative measures will also be guided by the [UN Secretary-General’s Bulletin \(2003\)](#) (“Special Measures for Protection from Sexual Exploitation and Abuse” (ST/SGB/2003/13) (“SG’s Bulletin”) which stipulates that;

- SEA “constitute(s) serious misconduct (and) therefore grounds for disciplinary measures, including summary dismissal”.
- UN staff and all entities and individuals who have cooperative agreements with the UN to are obligated to report incidents of abuse.

In addition, ACEPO is committed to pursuing a **survivor-centered approach** for responding to GBV, including SEA. This approach seeks to empower survivors and promote their recovery by prioritizing their rights, needs and wishes.⁷ Key standards for applying this approach include:

- **Safety:** The safety and security of the survivor is the primary consideration.
- **Confidentiality:** Survivors have the right to choose to whom they will or will not tell their story, and information should only be shared with the informed consent of the survivor.

4.1 Board and Senior Management Responsibilities in Prevention of SEA

- The Board is ultimately responsible for developing policies and procedures for the prevention and response to SEA.
- Managers and supervisors must ensure that their employees and personnel understand and comply with the ACEPO PSEA Policy and its Core Principles.
- The Board will ensure that adequate technical support is provided to ACEPO programmes to adapt and be compliant to this SEA policy in all interventions.
- The board will identify one member of the board as the PSEA focal point.
- Senior staff and managers are expected to **report** PSEA violations to the Board for further action.
- Management will ensure that a yearly report is prepared by the Deputy Country Director's office and submitted to the Board.
- **Managers must** disseminate ACEPO PSEA Policy within the organization to all staff, personnel and to partners and representatives.

The ultimate responsibility for implementing this policy is with the Board of Directors. The Senior Management team shall hold staff and personnel accountable for ensuring compliance to the PSEA Policy including reporting and response mechanism.

Through the PSEA Policy, ACEPO commits to addressing inherent power dynamics within humanitarian and development partnerships and promotes meaningful engagement with stakeholders as active participants in line with the Core Humanitarian Standards.

4.2 Responsibilities of All ACEPO employees and personnel in Prevention of SEA

- Where employee or personnel develops concerns or suspicions regarding abuse or exploitation by another staff or personnel whether in the same agency or not, he or she must **report** such concerns via ACEPO's established reporting mechanisms.
- Employees or personnel are obliged to attend trainings on SEA and show proof of attendance

Compliance to this PSEA Policy by all employees and personnel is mandatory and a contractual agreement.

4.3 Human Resources Responsibilities on Prevention of SEA

- HR personnel are accountable for implementing this PSEA policy and all other internationally recognized policies on prevention of SEA and GBV.
- HR must ensure that recruitment and hiring process prohibit and prevent SEA through a rigorous vetting process that includes reference checks and police checks.
- HR must recruit more women at all levels including management and leadership positions. Sexual exploitation and abuse are grounded in gender inequality therefore, HR must implement strategies and employment programs to accommodate more women.
- HR must integrate PSEA Policy into the HR manual and Staff handbook.
- HR must **distribute to all staff PSEA Policy** in addition to the HR Manual and Staff handbook through posters and internet etc.
- All staff and personnel are required to **sign their receipt** and acknowledgement of all policies
- Develop PSEA training package and orientation trainings to raise awareness on the prevention of SEA
- Ensure all staff and personnel are informed about the ACEPO PSEA Policy during their induction and onboarding and inform all staff of the consequences of misconduct and with regard to SEA and GBV.
- Train all staff and personnel in the head office and field offices on the PSEA Policy and ensure all staff attain certificates of the training.
- Incorporate appropriate job responsibilities (such as staff training, complaints and reporting mechanism in specific staff positions to support and ensure effective implementation of organizational strategies to prevent and respond to SEA.
- Ensure recruitment processes use thorough background checks and also vet potential employees' and personnel attitudes towards PSEA, in line with PSEA policy and applicable laws.

5. Reporting Mechanism

All ACEPO staff and personnel are obliged to **report** any concerns or suspicions they have, actual or perceived, of any violation of the PSEA Policy by any staff, personnel or partner.

This will be done through:

- ACEPO's internal and external mechanism as laid out in the Whistleblowing Policy
- To a senior manager with whom they feel comfortable
- The Country team focal point for PSEA

5.1 Reporting Mechanisms for Staff

This reporting mechanism is the means by which any SEA complaint is received, documented and referred to management staff in the head office. ACEPO has adopted the complaint procedures outlined below from the IASC complaints and investigation guidelines for SEA. **Reporting is mandatory.** All staff and personnel are expected to comply with these procedures and follow them to report any SEA complaint.

- a) The first point of contact if any staff or personnel receives a SEA complaint (or needs to report a SEA complaint him/herself) is the Programme Manager or Deputy Country Director or the designated SEA focalpoint)
- b) If the staff member who receives the complaint fears because of retaliation, he or she can report directly to the Board of Directors.
- c) The complainant can also report directly to a UN agency or another NGO if the staff believes that the organization's established reporting route has been compromised and is not effective or could result in further victimization or if he/she has already reported the matter and no action has been taken.
- d) The complaint must be recorded or written using the organizations complaint referral form and must be signed and dated. The person receiving the complaint must inform the victim of the organization's confidentiality policy and receive written consent from the complainant regarding the information that will be made available to others within the complaint management system.
- e) Once the complaint is received senior management in consultation with relevant staff should consider the appropriate steps to take including initiating a preliminary inquiry or investigation as per the organization's investigation procedure. Confidentiality should be maintained at all times with information being shared with those involved in the process on a needs-to-know basis.
- f) Any investigation must be completed and in the event the complaint does not warrant a full investigation, head of the organization should take a number of steps such as refresher trainings on SEA, changing seating arrangements
- g) The subject of the complaint (alleged perpetrator) must be informed about the complaint against him/her and must be given the opportunity to answer the allegations in writing and to produce evidence to the contrary.

5.2 Establishment of an Effective Reporting Mechanism

ACEPO has adopted the following characteristics of establishing an effective reporting mechanism from Building Safer Organizations (BSO) guidelines.

Safety- Safe reporting mechanisms consider the potential dangers and risks to all parties and incorporate preventative measures. This includes ensuring confidentiality, offering physical protection when possible, and addressing the possibility of retaliation against witnesses.

Confidentiality-Confidentiality is an ethical principle that restricts access to and dissemination of information. In SEA investigations, confidentiality requires that information is only available to a limited number of authorized people for the purpose of conducting the investigation.

Confidentiality in Reporting

1. Regarding confidentiality, where informed consent is given, disclosure of information should be restricted to those who need to know. Unauthorized disclosure of allegations may constitute misconduct and may result in disciplinary action. Staff must refrain from making public statements on the substance of a case or any proceedings. This includes commenting or posting on social media.
2. To ensure confidentiality, the survivor's name should not be used in any correspondence. Instead, a code (e.g., case code, numbers or other letters) should be used.
3. The identity of the alleged perpetrator must be protected, out of considerations of due process, potential retaliation, and presumption of innocence.
4. To protect against possible retaliation, the names of the complainant and survivor should never be released to the alleged perpetrator without the survivor's consent.
5. Where the survivor is a child, the name should never be disclosed to the perpetrator.
6. Information pertaining to cases of SEA should be stored in a secure manner (for example, not saved on a shared drive accessible to all staff).
7. Information about an incident or allegation is different to an investigation. For the purposes of this mechanism, the terms 'incident' and 'allegation' will be used interchangeably to refer to the act of SEA. Incident information typically consists of the 3Ws: who is the staff member, what did she/he do, when did it happen, where did it happen. Information about the survivor is not necessary and should not be disclosed. Incident information is necessary in order to make a judgement about whether or not to move on to the investigation.

Transparency- A complaints mechanism is "transparent" when all staff/personnel or members of the community know it exists and have sufficient information on how to access it. Information about the complaint's mechanism should be readily available and everyone including community members should know who in the organization is responsible for handling complaints and communicating outcomes.

Accessibility-A mechanism is accessible when it is available to be used by as many people as possible in all places the organization operates

5.3 Communicating with community communities on PSEA

ACEPO will adopt tools and approaches for engaging communities on protection from sexual exploitation and abuse (PSEA), with the aim of introducing it in a way that is non-threatening, accessible to all groups including children, women and people with disabilities. This approach will be contextually and culturally appropriate in tackling taboos or stigma related to PSEA.

ACEPO will ensure that the communities it works in can access timely, relevant, appropriate and context specific information about expected and prohibited staff behavior and the organizations' measures and systems that address SEA. Page | 1

ACEPO will conduct a context analysis that will be periodically updated. This analysis will seek to understand and map out

- Current norms and values
- Gender dynamics, views and practices around GBV and misconduct relating to SEA
- Barriers and cultural, traditional and religious biases that relate to how SEA may be perceived in the community
- The shame, stigma and fear of reprisal that could result should a person disclose abuse

ACEPO will consult protection cluster and PSEA working groups to see if SEA-specific information has already been gathered and analyzed.

ACEPO PSEA focal point will conduct inclusive dialogues with community members to increase awareness of SEA risks and ensure beneficiaries receive humanitarian assistance without the risk of SEA. ACEPO PSEA focal point will ensure that community members and program participants should understand

- That humanitarian aid is always free and should never be exchanged for sexual, financial, social or political gain
- That ACEPO has a zero tolerance for inaction on SEA
- What is expected or prohibited behavior among staff and personnel
- How to report inappropriate behavior

ACEPO will use the following participatory approaches for community dialogues on PSEA

- Focus group discussions
- Key informant interviews
- Outlines and facilitator guides
- Role plays
- Child-friendly and appropriate consultations

ACEPO will share the following PSEA Messages with community members

- Humanitarian aid is always free
- How and where to report SEA complaints
- Definition of SEA
- Referral process and any assistance available
- The organization has the responsibility to prevent, address, and protect witnesses, victims and survivors

ACEPO will use the following methods to ensure that communities can communicate PSEA related issues with the organization

- Face to Face
- SMS
- Email
- Phone (hotline)

5.4 Referral process for Complaints

5.4.1 Receiving the complaint

1. The staff member receiving the complaint, either in writing or verbally, should:
 - a. Get the basic incident information.
 - b. Explain to the complainant the requirement to report. If the survivor has not given consent to report the incident, there is nevertheless the obligation to report.
 - c. If the survivor has not given consent to share their name, it must not be passed on.
 - d. If the survivor is the complainant, seek their informed consent to share information confidentially

5.4.2 Complaints regarding a staff member of ACEPO

1. The staff member receiving the complaint should refer the complaint to the PSEA focal point of ACEPO immediately or as soon as possible after receiving the complaint or report directly according to internal reporting channels. If, for whatever reason, the staff member does not want to refer to the PSEA focal point, they should refer to a member of senior management.

2. The PSEA focal point should report the incident information following the organization's internal procedures. **The PSEA focal point should NOT conduct an investigation.**

3. It is the organization's responsibility to keep the complainant (and if separate, the survivor) notified in a safe and timely manner of the status and outcome of an investigation, in accordance with the organization's internal protocols.

4. The PSEA focal point should take note of the date of reporting the incident to designated senior management staff.

5.4.3 SEA Focal Points

Focal points play an important role in the prevention of SEA. The roles of a focal point include;

- Responsible for raising awareness on the organization's prevention and response mechanisms.
- Receiving complaints.
- Participating in in-country focal points networks
- Identifying new and improved prevention strategies

Selection Criteria for focal points

- Proven integrity, objectivity and professional competence
- Ability to maintain confidentiality
- Experience working directly with local communities
- Strong communication skills

All ACEPO staff should be made aware of the reporting mechanisms for PSEA by ensuring that reporting lines on how to raise concerns are displayed in an accessible location in ACEPO offices. This display must contain the contacts of all focal points, the internal and external whistleblowing contacts, the complaints response mechanism, and the Organization's Senior Managers.

5.5 Referral to Police Force

1. The survivor must be referred to relevant services and give informed consent before referring the complaint to the Police. Information should be given about advantages and disadvantages surrounding referral to the police.

2. Where the survivor gives informed consent, it is the decision of the investigating organization to refer cases to the police in line with their internal procedures.

3. Where the survivor is a child, a social welfare officer from the Ministry of Gender, Child and Social Welfare may be informed of the case to provide care and protection. In this case, the social welfare officer is under an obligation to report the case to the police if there is reason to believe that a criminal offence has occurred. All decisions and actions regarding children should always take into consideration the best interests of the child.

5.5.1 Monitoring and compliance

The Country Director will log each complaint, monitor the progress of investigations and provide a report to the board of directors.

5.5.2 Responding to Complaints

Once a complaint is received, the complainant must be informed that the complaint will be addressed in line with the organization's policies. Depending on the outcome of the investigation process, a complaint may result in disciplinary action or termination of employment contract of the accused.

5.5.3 Human Resources Implications

Human resources department should review and revise the organizations policy on anonymous complaints, confidentiality, disclosure of information, and staff members who separate from the organization before the conclusion of an investigation. HR in consultation with management will decide on how to handle the accused staff or personnel while investigations are ongoing. This may include requesting the staff to go on leave or changing the working modality to remote working or temporarily assigning the staff member to another office/seating arrangement.

6. Investigation

This section is informed by IASC Task Force Draft Model of Complaints and Investigation Procedures and Guidance related to SEA.

When a SEA complaint is received, Senior management must respond and take swift and appropriate action to address the allegation. Senior management must assume that a full investigation will take place unless preliminary inquiry finds insufficient grounds to proceed with an investigation.

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The purpose of an investigation are to:

- Determine if a staff member has breached the organization's SEA policy;
- Protect individuals from being abused or exploited;
- Highlight weak practices that need to be strengthened;
- Identify aspects of programme delivery or performance that increase risks of abuse or exploitation by staff.

An investigation is an administrative procedure and should not be seen as a substitute for a criminal investigation when this is warranted.

The core principles of an investigation are:

Thoroughness: investigations must be conducted in a diligent, competent, and focused manner.

Confidentiality: complainants, witnesses and the subject of the complaint have a right to confidentiality.

Safety: the safety and welfare of the victim/or complainant are paramount.

Competent, independent and trained investigators: people conducting an investigation and preparing a report must be independent and must have been trained.

Impartiality: Investigations must be conducted in a fair and equitable way. Investigators must be free of any influence that could empower their judgement and compromise the process.

Objectivity: evidence to support or refute the allegations must be gathered and reported in an unbiased and independent manner.

Timeliness: Investigations must be conducted and reported in a timely way.

Accuracy and documentation: investigation reports and their conclusions must be supported by adequate documentation.

6.1 Request for investigators

ACEPO will keep a roster of trained investigators and will hire experienced, impartial and trained investigator(s) to investigate allegations of SEA. These investigators must not have a conflict of interest with the survivor, the complainant or the alleged perpetrator. Upon completion of the investigation the report will be shared with the funding entity.

The organization also has the option of making a request through the organization's Country Director for the deployment of investigators from the particular entity responsible for funding the program or position of the alleged perpetrator.

ACEPO will ensure that the investigator receives the necessary supervision, emotional and psychological support necessary to interview victims of SEA.

The board of directors will appoint at least one senior manager to provide oversight and monitoring of the investigation.

7. Findings of an investigation and disciplinary action

Upon conclusion of an investigation, there are several possible outcomes.

- If there is **evidence to clear the subject (alleged perpetrator) of the complaint** he/she must be notified and informed of this. Senior management must also inform staff involved in the investigation or those aware of the allegations that the person has been cleared. Should the investigation indicate that the allegations have not been substantiated, the case will be closed.
- Should the investigation find that the **allegations have been substantiated**, the staff member will be terminated from employment.
- If a finding of a **malicious complaint** by another staff member is reached, disciplinary actions should be pursued against that staff member including demotion or reassignment to another seating arrangement.
- Senior management should put mechanisms in place to monitor any concerns about **possible reprisal or retaliation** against anyone involved in the investigation.
- If, after proper investigation, there is evidence to support allegations of SEA, the case should be **referred to the authorities or police for criminal prosecution**.

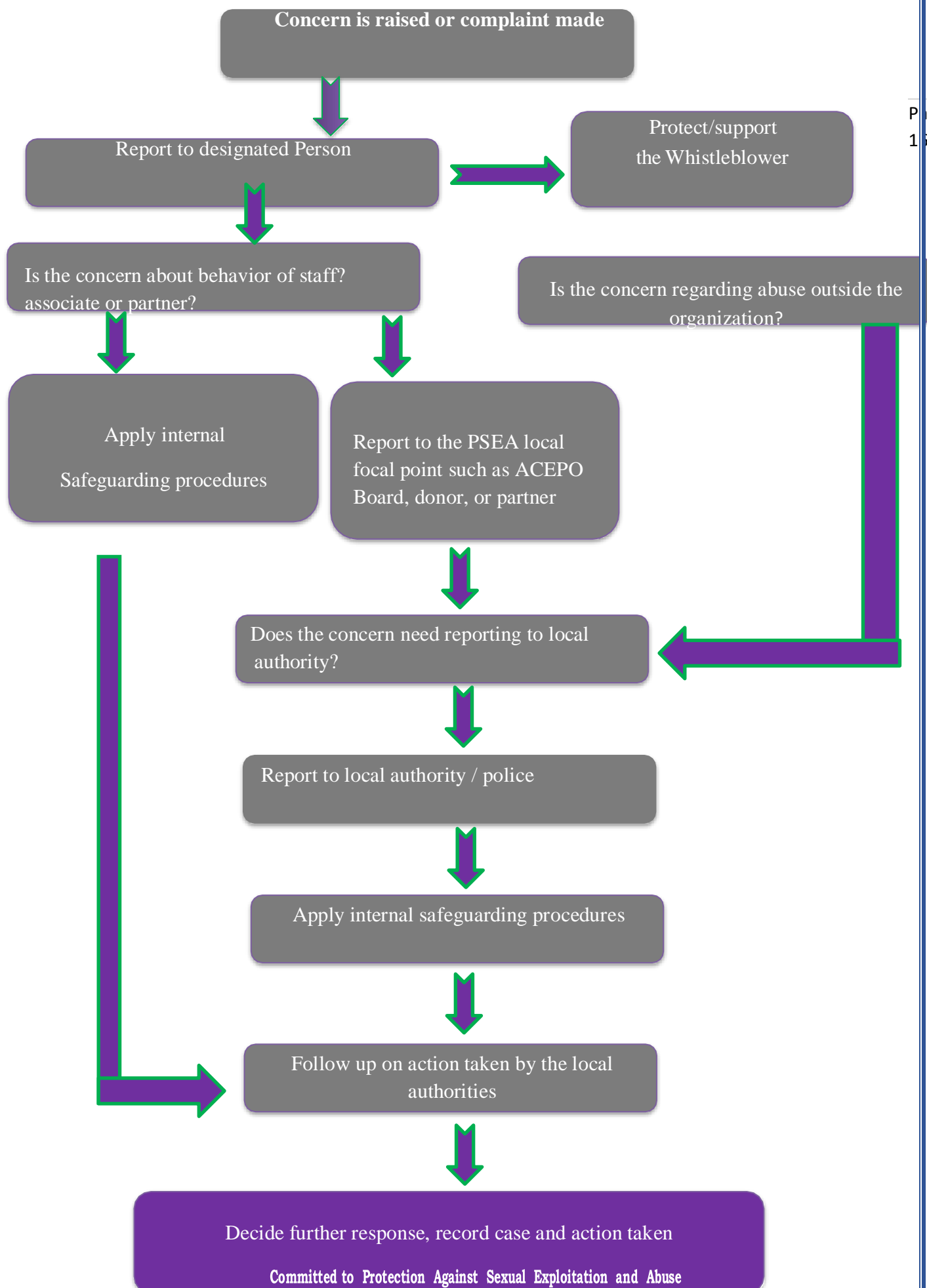
8. Assistance

Senior management must address the needs of the complainant, victims, or any other beneficiary affected by SEA. Assistance must be immediate and must be given highest priority in the midst of an ongoing investigations. Upon receipt of a complaint or initiation of investigation the accused person may also need protection as well. ACEPO will be able to provide the following assistance:

- Medical care
- Psychosocial support and trauma counseling
- Food and clothing
- Shelter
- Security
- Economic assistance

In the event that ACEPO is not able to provide the assistance mentioned above, the PSEA focal point or senior management may contact other NGOs or UN agencies who provide these services as part of their programs. Any assistance in the capital city must also be made available in field locations.

Annex 1: Management of SEA Cases Flow chart



Annex 2: Complaints and Reporting Form (Sexual Exploitation and Abuse)

Complainant information

Full name:	Date of complaint:
Telephone:	Address:
Ethnic Origin/Nationality:	Identity no (if available):
Age:	Sex:

Names of parents if victim is under 18 years

Full name of Mother:	Full name of Father:
Date of Complaint:	
Telephone:	Address:
Ethnic Origin/Nationality:	Identity no (if available):

Annex 3: Informed Consent Form

Informed Consent

Informed consent is the voluntary agreement of an individual based upon a clear appreciation and understanding of the facts and implications of an action. Informed consent may be written or given verbally.

Children are generally considered unable to provide informed consent.

Name of parent/guardian giving consent

Consent given: Yes or No

If no, explain why_____

Annex 4: Complainant information Form

The complaint (Use the complainant’s own words and ask questions to get as much important information as possible. At a minimum, the complainant should indicate who, what, how, where and when the complaint is about)

Date of the incident (when): _____

Full name of the survivor (who) – fill only if consent is given:

Age of the survivor: _____

Where: _____

How: _____

Annex 5: Information about the accused

Name of accused: _____

Position held by accused: _____

Organization for which the accused work(s): _____

Relationship to the survivor:

Current residence of the accused (if known): _____

Gender: _____

Annex 6: Service provision

Has the survivor been informed of the available medical care?	Yes	No
If yes, has the survivor sought medical treatment after the incident?	Yes	No
If yes, who provided treatment? _____		

If no, provide information to the complainant regarding the nearest medical care and psycho social support services, or get the consent of the survivor to pass on their details (using the form below) to refer them.		
Has the survivor contacted police?	Yes	No

Annex 7: Consent, confidentiality and next steps

Explain to the complainant that you are under an obligation to report allegations of sexual exploitation and abuse to donors, but that identifying information about the complainant, the survivor and the name of the alleged perpetrator will not be shared *unless otherwise indicated*. However, for the purposes of an investigation, the name and contact details of the complainant will be necessary.

Complainant consents to sharing name and contact details for investigation purposes: Yes No

Inform the complainant that the organization conducting the investigation will keep in contact with them to keep them informed of the progress of the complaint.

Name of the PSEA/Safeguarding Focal Point:

DATA PROTECTION - Ensure that this form, once completed, is stored in a locked file and/or is destroyed once the information is no longer needed.

Annex 8: List of Service Providers

Type of Service	Service Provider	Contact Person
Safety	Ministry of Gender, Child and Social Welfare	Director General
Medical Care	Juba Teaching Hospital	
Psychosocial support	IOM	
Legal services	UNFPA	
Basic material assistance	UNHCR	

Annex 9: Case hearing/follow up:

Date of case hearing	
Names and positions of all case hearing members	
Name	Position

Annex 10: Summary of Actions/steps taken and results:

Actions	What steps?	When?	Result?

Annex 11: Confirmation of Abuse:
Allegations found to be true or false based on:

Annex 12: Summary of results:

Annex 13: Disciplinary action:

In case of an internal disciplinary action;

- 1. The accused shall attend a disciplinary meeting in which the disciplinary action decided upon is made.
- 2. The accused shall also be given five (5) working days, within which to appeal against the ruling.

In case of a successful appeal, further case hearing shall be conducted and further steps taken and follow up done.

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