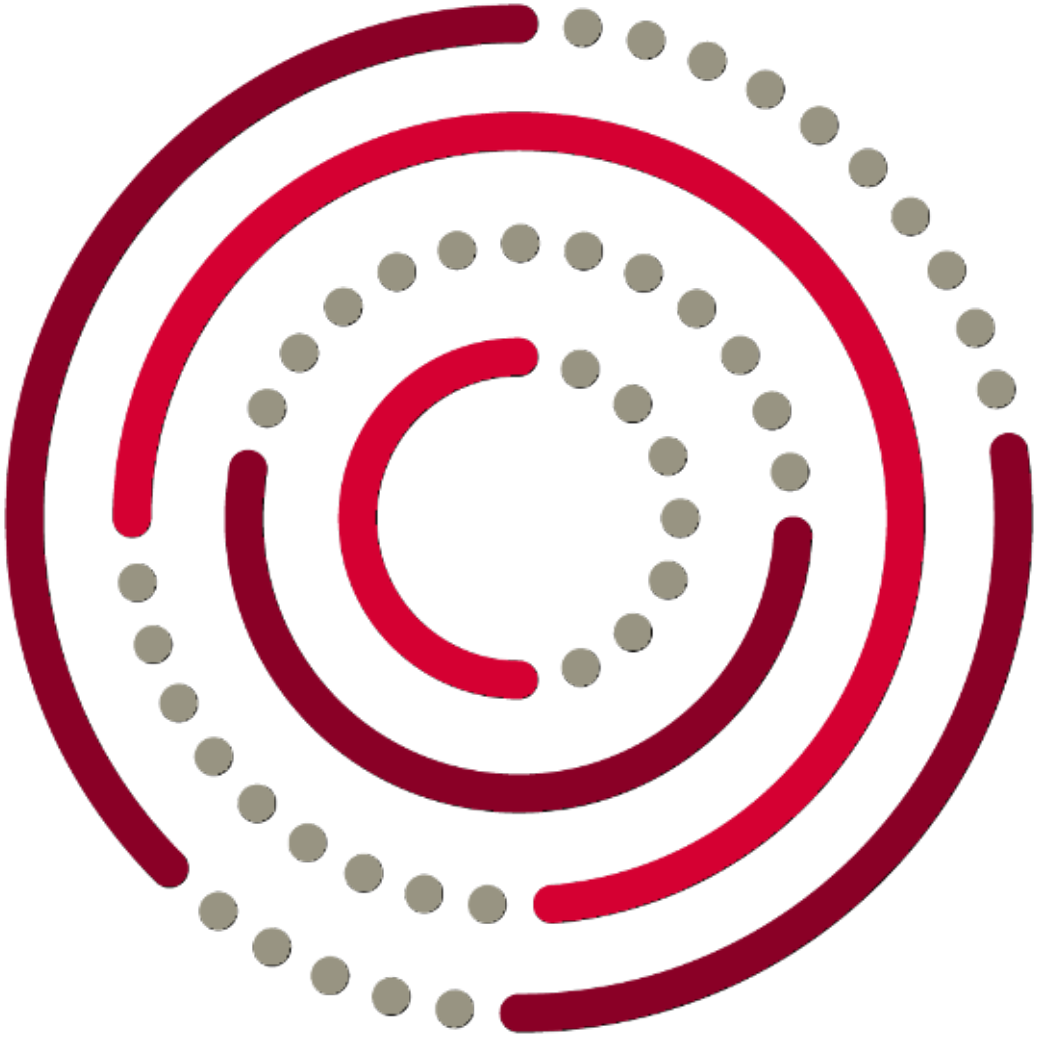
Safeguarding report-handling mechanism

Case studies



About Bond

Bond is the civil society network for global change. We bring people together to make the international development sector more effective. bond.org.uk

Acknowledgements

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Proteknôn Group develops solutions for the care, wellbeing and protection of children, young people and adults facing adversity. We make systems and practices more effective by bridging gaps in knowledge and between generations, academics and practitioners, and experts in the Global North and South. Visit us at proteknon.org

The work was funded by the Department for International Development (DFID) and coordinated by Bond.

Published by Bond, Society Building, 8 All Saints Street, London N1 9RL, UK
Registered Charity No. 1068839 Company Registration No. 3395681 (England and Wales)

Contents

Introduction to the case studies

Why we produced these case studies

Case studies harness the power of story and deepen learning. Stories challenge our assumptions and help us see things from different perspectives. Stories bring ideas to life, so they stick with us in a way that theory may not, providing an almost visual reminder of important concepts and processes.

This set of case studies is to be used to support learning and safeguarding implementation in conjunction with the toolkit 20 core elements: a toolkit to strengthen safeguarding report-handling. The case studies illustrate how some of the elements and principles identified as necessary components of any reporting mechanism apply in real-life reporting scenarios. The case studies presented here aim to enable staff to:

- See the real-life actions that are needed to put a safeguarding report-handling mechanism into practice.
- Understand how a well-functioning report-handling mechanism can help an organisation to overcome common real life safeguarding challenges.

Each case study is followed by an outline of the key issues raised, recommendations, and questions for further consideration.

Given the complexity of reporting and responding to these forms of concerns, such a limited number of case studies cannot present all dimensions of safeguarding, sexual exploitation and abuse, sexual misconduct, and sexual harassment. These case studies are therefore illustrative, highlighting how some tensions and dilemmas can be resolved through the use of appropriate reporting mechanisms. They are representative of the nature of the organisations and scenarios typically encountered by UK-based agencies working in the UK and overseas.

Who the case studies are for

These case studies are to be used by safeguarding and accountability experts. Individuals considered to have the capacity to appropriately use these case studies will meet the competencies as set out in the document: Protection from sexual exploitation and abuse (PSEA) focal point roles and responsibilities, produced by CHS/GCPS Consulting (which you can access here: https://www.chsalliance.org/files/files/PSEA%20Focal%20Point%20Roles%20and%20Responsibilities.pdf).

When to use the case studies

The main use of these case studies is in capacity strengthening, including inductions and training facilitation. They may also be used in post-incident group discussions and recruitment and selection processes. Finally, the case studies may help those who are developing safeguarding policies and reporting mechanisms to think through the issues that should be addressed in their own systems.

How to use the case studies

- Start by choosing the case studies you feel are most relevant to the individuals who will be using them and the context in which you are working.
- Adapt the case studies you choose so they more closely resemble your setting. You can do this by changing the names of the people involved in the case study, giving the places local names, or adding details from local events.

How to use the case studies for training

Facilitators or team leaders can also use the case studies as stand-alone teaching tools. They can serve as the basis for mini refresher courses or as prompts to address a particular concern arising within a team or organisation.

Finally, the case studies can be used independently as pre or post-training exercises.

- Pre-training: the case studies and questions can be distributed to prompt thought on safeguarding and reporting. Fuller discussions can then be held within the training.
- Post-training: they can be used as learning assessments or as take-home reminders of what was covered in the toolkit/training.

As you integrate the case studies into your organisational trainings on safeguarding and reporting, you will find your staff engaging with the material in more practical ways, and thus finding it easier to apply the principles in their daily work.

Training: group work

- Break your participants into groups of three to five people.
- Give each group a case study – you may give each group a different case study or provide everyone with the same case study.
- Then you can give them the following options:
    - Ask the participants in their groups to agree upon and draw a reporting pathway that may have prevented or better responded to the incidents described in the case study.
    - Ask people to review the case study and come up with a different ending that would have better addressed the safeguarding concerns identified.
    - Have the groups go through and discuss the questions presented at the end of each case study.

Training: plenary discussions

- Read one of the case studies aloud and then ask all participants to imagine they are one of the individuals in the story. Ask them what they would have done in this position.
- Ask how the outcomes may have differed if they had acted differently than the characters in the case study.

One-to-one training or inductions

- Share a case study and your organisation’s reporting pathways.

- Ask the training participants to think about how the outcomes would differ if the events had occurred within your organisation with the reporting pathways you currently have in place.

How to use the case studies in recruitment and selection

For someone filling a role in relation to safeguarding

- Written test*:* Share one or two of the example case studies and ask the interviewee to write their own case study of this type.
- Written test*:* Share a case study and then ask the individual to prepare an organisation-wide reporting pathway that would better prevent or respond to the incident described.
- Written test*:* Share a case study and then ask the individual being interviewed to change the last paragraph of the case study so that a better outcome is achieved.

For someone filling other (non-safeguarding specific) roles within the organisation

- Interview questions: Read out the case study or give them a printed copy of the case study to read themselves, then ask:
  - What do you think the major safeguarding concerns are here?
  - What would you do if you were filling the role that you are applying for (enter name of role) to prevent or respond to this type of incident?

How to use the case studies for post-incident group discussions

Whilst organisational awareness of outcomes of incidents may ensure prevention of future safeguarding concerns arising, it is generally inappropriate to have group discussions on individual incidents that occurred. Confidentiality for any survivors, witnesses, and potential wrongdoers must be maintained at all times. After reports of incidents have occurred, should managers wish to remind staff of the safeguarding processes, or give feedback on outcomes of incidents, they may choose to use the case studies set out here. The case studies will likely only be useful for this purpose if they are similar, without being the same.

To facilitate a post-incident discussion:

- Select the most suitable case study.
- Have all staff read through the case study – or read the case study out loud for the staff if literacy is low.
- Facilitate a plenary discussion about the case study by asking staff:
  - What do they think would happen in your setting, in your organisation, if this form of incident occurred?
  - Do people agree with the organisation's response to safeguarding incidents?
  - Do people have concerns about the organisation's response to safeguarding incidents?
  - Are there any questions about the organisation's safeguarding procedures and the way the organisation responds to safeguarding incidents?
- Take notes whilst discussions are taking place.
- Note any areas of concern or feedback for improvement.
- Have the group identify ways to address areas of concern about the organisation's way of responding to safeguarding incidents.
- Set aside a time in the future to provide feedback to all staff involved about how these concerns have been resolved.

How to use the case studies when developing safeguarding or reporting policies, procedures, or mechanisms

- Read through each of the case studies, one at a time.
- For each, identify:
  - The safeguarding concerns.
  - The identified reporting mechanisms.
  - The lapses in reporting mechanisms/follow-up procedures.
  - The alternative mechanisms that could have been employed.
- Compare the case studies to your organisation and context to identify similarities and differences.
- Develop and map a reporting pathway that addresses the concerns suggested by the case studies if this form of incident happened in your context.
- Review the case studies again, this time in light of the mechanism you developed. Does your mechanism provide for satisfactory outcomes? Identify any unresolved issues and adapt the mechanism accordingly.

Supporting documents and references

The case studies should be used in conjunction with the toolkit: 20 core elements: a toolkit to strengthen safeguarding report-handling. Other key resources that will assist in understanding the foundations of safeguarding reporting are:

- GCPS Consulting UK for CHS Alliance, 2017, PSEA Implementation Quick Reference Handbook.
- IASC, IOM, Save the Children, UNHCR, 2016, Best Practice Guide: Inter-Agency Community-Based Complaint Mechanisms: Protection against Sexual Exploitation and Abuse.
- IASC, May 2016, Protection from Sexual Exploitation and Abuse (PSEA): Inter-agency cooperation in community-based complaint mechanisms: Global Standard Operating Procedures.

Case study summary table

Each case study can support multiple learning topics. To help you better decide which case study to use for a given purpose, we have highlighted certain reporting concerns for each case study. Additional topics may also be explored and discussed.

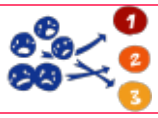
Case Study	Key Actors	Location	Reporting concern
Case Study 1: **Workplace harassment**	• Small UK-based NGO. • UK nationals.	UK	• Inappropriate staff-staff conduct. • Reporting challenges in small organisations.
Case Study 2: **Sexual exploitation and abuse**	• INGO. • Staff of a community based organisation.	Outside UK	• Inappropriate staff-community conduct. • Response challenges in diverse cultural contexts. • Working with local partners.
Case Study 3: **Safeguarding violations and their impact on community relations**	• UK-based donor. • Private consultancy firm. • International consultant from outside the UK. • Adolescent beneficiaries.	Outside UK	• Inappropriate staff-community conduct. • Response actions that support individual/community recovery.
Case Study 4: **Cultural sensitivities**	• UK-based NGO. • National staff. • International staff.	Outside UK	• Reporting/response challenges in contexts that are sensitive to gender/sexuality. • Inappropriate international-national staff conduct.
Case Study 5: **Vague suspicions**	• Senior Child Protection (CP) staff from large INGO. • Experienced CP staff from smaller NGO.	Inter-agency training outside UK	• Reporting challenges when there is no “evidence” of wrongdoing.
Case Study 6: **Silent survivors**	• National volunteer at a child friendly space. • Young child with disabilities. • International NGO staff.	Child friendly space outside UK	• Identification and reporting challenges for survivors who have difficulty communicating.
Case Study 7: **Asking for favours**	• International NGO staff. • Refugee incentive workers. • Young refugee widow.	Outside UK	• Reporting mechanisms and their effectiveness. • Inappropriate staff-community conduct.

The seven case studies are based on incidents and concerns that have been observed in the past. They are real-life situations, but none of the case studies are exactly as was experienced or observed in any particular setting. Rather, they are composites of real events. All locations and names have been made anonymous.

Key to case study mark up

There are two versions of each case study presented on the following pages.

- The first version is plain - it describes a safeguarding incident or concern as it may be experienced in real life in any setting. The plain version may be printed and used by staff and associate trainees, learners, or job applicants for them to read, review, and write notes on.
- The second version of each case study, entitled "Mark up of case study", appears with our notes and thoughts in the margins. These notes describe key elements of a reporting mechanism that should be engaged at different points when handling a safeguarding concern or incident. We have used the icons that are presented in the toolkit "20 core elements: a toolkit to strengthen safeguarding report-handling", to which we refer. Each icon represents an essential element as described in the toolkit. We recommend you view the "mark up case studies" as a starting point for connecting the case studies to the toolkit.
- The key to the icons used in the case study mark ups is below.

20 core elements of safeguarding report-handling mechanisms Key to icons			
 Range of reporting mechanisms	 Systems to bypass reporting pathway	 Timeframe for action	 Sort incoming reports
 Prioritise reports	 Document	 Safeguarding focal point/team	 Senior decision making
 Action plan	 Safety and protection	 Health support	 Mental health and psychosocial support
 Legal authorities	 Initial assessment of report	 Fact-finding and enquiry	 Disciplinary action
 Feedback and communication	 Donor feedback and reporting	 Case closure and organisational learning	 Interagency coordination and collaboration

Detals of reporting mechanism icons				
 Report **face-to-face**	 Report through hotline or by phone	 Report by email or online	 Report by SMS	 Report in writing/ complaints box

Case study 1: Workplace harassment

Ann is a caseworker with a small UK-based charity (NGO) that helps refugees access public aid. In addition to Ann, the staff includes Adam, another caseworker; Jenny, the administrative assistant/bookkeeper; and Philip, the supervisor. Everyone reports to Philip who, in turn, presents monthly reports to the Board of Trustees. The staff work long hours together in a small office, so they get to know each other well and start to share information about their personal lives.

Some of the reasons Ann decided to work for this charity are the friendly and informal working environment and the care everyone shows towards each other. When her cat is run over by a car, she feels comforted by her colleague, Adam, when he puts his arm around her shoulder. Slowly, however, it seems that Adam is finding excuses to make physical contact with her: leaning over her shoulder to see case files on her computer screen, putting his hand on her back when he passes her in the coffee room, or touching her arm when she discusses cases with him.

One day Ann asks Jenny if she ever has similar experiences with Adam. Jenny shrugs and responds that he is a bit "handsy" and a bit "touchy feely." One evening, Adam and Ann are the last two in the office. They are standing together and chatting when he suddenly leans in and tries to kiss her. Ann decides this is too much. She asks for a meeting with Philip and tells him her concerns.

According to the organisational human resources grievance policy, Philip is supposed to inform the board of any incidents of this nature. Instead, Philip speaks to Adam at a football match and asks him to avoid Ann because she is "a bit hyper-sensitive." Adam stops talking to Ann and makes a point of never being alone with her. Ann quits a few months later and takes a job in a larger NGO.

Mark up of case study 1:
Workplace harassment

Ann is a caseworker with a small UK-based charity (NGO) that helps refugees access public aid. In addition to Ann, the staff includes Adam, another caseworker; Jenny, the administrative assistant/bookkeeper; and Philip, the supervisor. Everyone reports to Philip who, in turn, presents monthly reports to the Board of Trustees. The staff work long hours together in a small office, so they get to know each other well and start to share information about their personal lives.

Organisational culture is important

Some of the reasons Ann decided to work for this charity are the friendly and informal working environment and the care everyone shows towards each other. When her cat is run over by a car, she feels comforted by her colleague, Adam, when he puts his arm around her shoulder. Slowly, however, it seems that Adam is finding excuses to make physical contact with her: leaning over her shoulder to see case files on her computer screen, putting his hand on her back when he passes her in the coffee room, or touching her arm when she discusses cases with him.

Need clear policies for sharing concerns & incidents

Bypassing individuals should be possible

One day Ann asks Jenny if she ever has similar experiences with Adam. Jenny shrugs and responds that he is a bit "handsy" and a bit "touchy feely". One evening, Adam and Ann are the last two in the office. They are standing together and chatting when he suddenly leans in and tries to kiss her. Ann decides this is too much. She asks for a meeting with Philip and tells him her concerns.

Have a range of options for receiving feedback

According to the organisational human resources grievance policy, Philip is supposed to inform the board of any incidents of this nature. Instead, Philip speaks to Adam at a football match and asks him to avoid Ann because she is "a bit hyper-sensitive". Adam stops talking to Ann and makes a point of never being alone with her. Ann quits a few months later and takes a job in a larger NGO.

Follow formal procedures

Fact-find with discretion

Study notes for case study 1: Workplace harassment

Key issues

- In very small organisations, the limited number of personnel and the close working conditions make it difficult to **maintain confidentiality**. People may not consider discussing the situation with a friend – who happens to be a colleague – the same as breaking confidentiality.
- Small organisations can foster a degree of relational intimacy that can blur lines between their **professional and personal lives**. This can contribute to inappropriate behaviour and/or a reluctance to handle allegations according to formal procedures and good practice.
- **Human resources and grievance policies only work when they are implemented.** Addressing concerns raised according to good practice and policy provides safety and support for both the individual sharing the concern and the potential wrongdoer.

Recommendations

- **Clear policies need to outline inappropriate behaviour and the actions to be taken** when inappropriate behaviour arises. Safeguarding policies, codes of conduct, and/or sexual harassment policies must clearly define and provide examples of harassment and misconduct to reduce the likelihood that incidents are addressed inappropriately.
- **Policies and procedures need to be accompanied by training for staff** – even in small organisations. Organisations need to ensure that all personnel understand:
    - The meaning of terms such as misconduct, harassment, abuse, and exploitation.
    - The ways in which different forms of inappropriate behaviour manifest themselves.
    - The formal actions that must be taken when they arise.
- **Staff need clear referral pathways.** Small organisations must have pathways that allow reports to be shared with someone outside of the direct working team – for example, a member of the board of trustees or a named individual in a partner agency. With a referral pathway that explains options for reporting outside of the team, Ann may have been able to retain greater confidentiality, and a formal assessment of Adam's behaviour may have taken place.

Questions for further consideration

- Would an organisation with a culture that was less amicable and more formal have been able to avoid such an incident? How can an organisation be friendly and show respect for individuals' boundaries? What social activities may encourage a culture of friendly professionalism?
- Even if the formal processes had been followed, what would have needed to happen so that both Ann and Adam were supported throughout the reporting and response processes? What and how should Philip have communicated with Adam? What and how should Philip have communicated with Ann?

- Would Philip's response have been different if Adam had tried to kiss a man? How can we ensure that male survivors are believed and taken seriously? And how would an organisation respond if the potential wrongdoer was a woman? Should they respond differently or in the same way?

Case study 2: Sexual exploitation and abuse

Amadi is a 35-year-old staff member for a small community-based organisation (CBO) providing basic services. He spends much of his time in remote villages distributing items such as food, clothing, and medical supplies. A British INGO funds his programme activities and covers his salary. The INGO value Amadi and his CBO as they have direct contact with the community, they speak the local language, and are familiar with the local terrain and customs. Amadi gets along very well with the international staff of the INGO. The INGO staff enjoy his company when they go to the field with him and do not judge his behaviour when he stays out late.

One day, a couple from a distant village comes to the INGO's field office with their 16-year-old daughter, Nala, who is six months pregnant. The father talks to Sarah, who supervises the activities on which Amadi and his CBO are working. He tells Sarah that Amadi raped Nala when visiting their village. Nala's father demands that Amadi take responsibility for his actions. Nala had initially kept her pregnancy – and its cause – a secret from her parents, but she revealed the details to her local priest during confession. The priest advised her to tell her parents and told the parents to report the incident to the INGO.

The INGO makes safeguarding a priority:

- Their safeguarding policy is posted in prominent locations in English and local languages.
- The local language policy is shared with all partners, who have to sign a Memorandum of Understanding (MoU) that mentions safeguarding and the Code of Conduct.
- All staff and partners receive regular refresher trainings on its implementation.

In accordance with the policy, the Head of Office, Sarah, presents the situation to both the Head of the CBO and to the country director who emails the INGO's UK-based head of safeguarding. At the same time, Sarah suspends funding to the CBO for the activities managed by Amadi. A fact-finding process is initiated.

The fact-finding process supports Nala's claims and also reveals that she was betrothed to a man in her village who no longer wants to marry her. The community generally addresses such issues themselves. The parents want Amadi to marry Nala, provide for her, erase her stigma, and support the unborn child.

The INGO advise the CBO to terminate Amadi's employment, and encourages the family to pursue formal legal action. The CBO ends Amadi's contract – they want to maintain their funding relationship with the INGO. However, local law enforcement chooses not to pursue the matter. Amadi and Nala are married shortly before the baby is born. Staff at the INGO and Head Office are frustrated at the outcome of the case.

Mark up of case study 2:
Sexual exploitation and abuse

Amadi is a 35-year-old staff member for a small community based organisation (CBO) providing basic services. He spends much of his time in remote villages distributing items such as food, clothing, and medical supplies. A British INGO funds his programme activities and covers his salary. The INGO value Amadi and his CBO as they have direct contact with the community, they speak the local language, and they are familiar with the local terrain and customs. Amadi gets along very well with the international staff of the INGO. The INGO staff enjoy his company when they go to the field with him and do not judge his behaviour when he stays out late.

Interagency feedback system must be clear

For prevention, track & act upon concerns as well as confirmed incidents

One day, a couple from a distant village comes to the INGO's field office with their 16-year-old daughter, Nala, who is six months pregnant. The father talks to Sarah, who supervises the activities on which Amadi and his CBO are working. He tells Sarah that Amadi raped Nala when visiting their village. Nala's father demands that Amadi take responsibility for his actions. Nala had initially kept her pregnancy – and its cause – a secret from her parents, but she revealed the details to her local priest during confession. The priest advised her to tell her parents and told the parents to report the incident to the INGO.

Build trust with key people in the community to increase rates of feedback

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Handled correctly further violence could be prevented

The INGO advise the CBO to terminate Amadi's employment, and encourages the family to pursue formal legal action. The CBO ends Amadi's contract – they want to maintain their funding relationship with the INGO. However, local law enforcement chooses not to pursue the matter. Amadi and Nala are married shortly before the baby is born. Staff at the INGO and Head Office are frustrated at the outcome of the case.

Study notes for case study 2: Sexual exploitation and abuse

Key issues

- **Local customs** can make it difficult to ensure local actors are held accountable for violations. Child protection systems – including legal frameworks – are embedded in the sociocultural norms of the setting. Even formal structures like the police are influenced by the sociocultural norms.
- INGOs and NGOs should implement **community awareness raising and advocacy** to counter harmful traditional practices that hinder justice for survivors.
- Local customs may sometimes offer "solutions" that are actually **further violations** and do not reflect the best interests of the child.

Recommendations

- **Partner organisations** must be supported – including through technical inputs and funding – to **develop their own codes of conduct and safeguarding policies.** These must be locally routed, acknowledging and tackling local safeguarding issues. Partner organisations may be encouraged to make commitments to training their staff and having all their staff sign their codes of conduct.
- **Reporting systems between agencies must encourage openness.** A relationship of trust and respect must be established between donor agencies and their partners. Threats of cutting funding may lead partner organisations that receive funding to hide any concerns or incidents that are raised. Instead positive collaboration can enable partners to work together to openly discuss concerns and incidents and jointly address them.
- **Staff and partner training, behaviour change, gender equality, and unconscious bias training** may all contribute to culture change. Signing of a code of conduct may also reduce the likelihood that staff will commit offences.
- **A full understanding of the culture and context as well as appropriate handling of a report** can enable organisations to prevent violence as well as respond. In this case by following the case more closely, offering psychosocial and economic support to the family, and understanding the common response of the traditional justice system may have prevented child marriage.
- **Closer collaboration with religious leaders** at the community level may have enabled faster reporting to the INGO, may have prevented the child marriage, and enabled an alternative solution focused on the best interests of the child.
- **Close supervision of staff and partners** is essential. This includes addressing suspected or apparent violations of behavioural standards. In this case INGO staff should have acted when they observed Amadi's behaviour on field visits.
- **Interagency coordination** is vital. If someone is found to have committed maltreatment or harm, this should be recorded, communicated to relevant organisations, and their future employment in similar positions should be closely monitored.

Questions for further consideration

- What can this case study teach us about working with and through partner organisations?
- What further action, if any, should the agency have taken to protect Nala from child marriage? How could they have encouraged earlier reporting of the alleged rape?
- What checks and balances are there for situations where community based actors are being managed by staff who are unfamiliar with local customs/languages?
- What is the role of the UK INGO head office when they receive a report of this nature? What actions could they have taken to protect Nala, fact check the incident, and support the community based organisation to take action?
- If the INGO does have policies and practices in place, how else could they have supported the CBO to prevent such an incident occurring?
- How can faith-based organisations ensure that religious convictions do not violate individual human rights?
- What can this case study teach us about the challenges faced by INGOs seeking to address cultural norms that infringe on people's rights?
- What advantages may faith-based organisations have in working to change cultural norms?

Case study 3: Safeguarding violations and their impact on community relations

James is a 41-year-old American consultant managing a large and successful education and advocacy project for a private consultancy firm called Pivotal. Pivotal had won a competitive bid for funding from a British donor. Project benchmarks are consistently being met and exceeded, and the donor is thrilled. Future funding is not only possible, but likely. Co-workers generally attribute the success of Pivotal's education project to James's ability to relate to and motivate the youth in the community. There are rumours about James being "very social" with community members, but none of the staff thinks about this too much.

The donor's project manager, Kate, is upset when, on a monitoring visit to the project, a local community leader files an official report against James. The community leader tells Kate that James invites young people from the community to the staff guesthouse and serves them alcohol. The community leader believes James is encouraging the youth – boys in particular – to reject the community's cultural values.

Pivotal has a Code of Conduct and a Safeguarding Policy that all staff and consultants, including James, must sign before employment. These include guidance on behaviour and the practical steps to be taken to protect children. The policy does specify that the consumption of alcohol in the workplace is prohibited and all staff must work in pairs when dealing with children. The policy covers steps to be taken to inform clients or donors of any safeguarding concerns or incidents. After some initial informal fact-finding, Kate becomes convinced that James has not only violated the Code of Conduct, but has also sexually abused some of the boys at the parties.

Kate speaks to the director of Pivotal and requests that Pivotal initiates internal disciplinary action against James. Pivotal does not lodge a report with national legal authorities, as national laws prohibiting same-sex relationships would place the survivors at risk. Kate immediately advises her head of office in London, and a note is placed in Pivotal's human resource files that James is not to be hired again. The director of Pivotal then comes out on a field visit to hold a series of carefully-worded community meetings to acknowledge what occurred. In addition, Pivotal finances medical treatment and enables access to mental health and psychosocial support activities for the boys to help them overcome the abuse.

Mark up of case study 3 :
Safeguarding violations and their impact on community relations

James is a 41-year-old American consultant managing a large and successful education and advocacy project for a private consultancy firm called Pivotal. Pivotal had won a competitive bid for funding from a British donor. Project benchmarks are consistently being met and exceeded, and the donor is thrilled. Future funding is not only possible, but likely. Co-workers generally attribute the success of Pivotal's education project to James's ability to relate to and motivate the youth in the community. There are rumours about James being "very social" with community members, but none of the staff thinks about this too much.

Concerns should be acted upon to ensure prevention

The donor's project manager, Kate, is upset when, on a monitoring visit to the project a local community leader files an official report against James. The community leader tells Kate that James invites young people from the community to the staff guesthouse and serves them alcohol. The community leader believes James is encouraging the youth – boys in particular – to reject the community's cultural values.

Legislation from several countries may be binding

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Prevention steps include establishing a positive safeguarding culture & a Code of Conduct

Kate speaks to the director of Pivotal and requests that Pivotal initiates internal disciplinary action against James. Pivotal does not lodge a report with national legal authorities, as national laws prohibiting same-sex relationships would place the survivors at risk. Kate immediately advises her head of office in London, and a note is placed in Pivotal's human resource files that James is not to be hired again. The director of Pivotal then comes out on a field visit to hold a series of carefully-worded community meetings to acknowledge what occurred. In addition, Pivotal finances medical treatment and enables access to mental health and psychosocial support activities for the boys to help them overcome the abuse.

Study notes for case study 3: Safeguarding violations and their impact on community relations

Key issues

- **Safeguarding policies must provide practical guidance to keep children safe.** Policies alone, however, are not enough. Organisation members and leaders must be alert to violations and must act on them immediately. The organisation must make the affected population fully aware of their rights to report and to request assistance (as well as the procedures for doing so).
- **When members of an organisation harm children, the organisation must address the needs of the survivors and their community.**
- **Consultants typically have short-term contracts, so they may change organisations and locations frequently and quickly**. This poses a challenge for preventing offenders from being re-recruited and, subsequently, re-offending.
- **Donors also have a responsibility to respect** and follow an organisation's safeguarding report-handling procedures.

Recommendations

- Having a **system for recording suspicions and rumours** of inappropriate conduct may raise awareness of negative behaviour and enable the organisation to detect and/or prevent offences.
- **A risk assessment** is required before making any reports to legal authorities.
- It is important to implement a system for referring cases involving expatriate offenders to **international law enforcement** or the legal system in their country of origin.
- When cases involve a number of (potentially unknown) survivors, additional resources and support may be necessary to conduct **fact checking, formal enquiry, and/or survivor support.**
- It is critical that fact-finding and response actions do **not expose the survivors to further harm**. It may not always be appropriate to provide the wider community with full disclosure of the nature of the offense.
- Safeguarding policies should clearly describe how **donors**:
  - Should report any safeguarding concerns or incidents.
  - Should hear about any safeguarding incidents or reports raised against an organisation.

Questions for further consideration

- How can offences committed by mobile consultants be recorded and relayed to potential employers? How can we improve inter-agency information sharing on personnel performance to prevent repeated abuse in an international sector?
- What role might international law enforcement agencies play in taking action against potential wrongdoers like James? How could appropriate linkages and referral pathways be established?

- What role can and do donors play in monitoring and reporting safeguarding concerns or incidents?
- What additional support may be necessary from Head Office when there is a potentially large (and/or unidentified) group of survivors?
- How can feedback on the organisation's response be given to the community without breaching survivor confidentiality?

Case study 4: Cultural sensitivities

Ras is a 28-year-old programme officer for a British NGO in his home country of Iraq. He has a wife and four children, and the family is respected in the community. A permanent contract with an international NGO – like the one he has – is highly sought after. Ras harbours a secret, however. He is gay. Though Ras has sometimes imagined a relationship with another man, he has never acted on this out of fear of the potential ramifications.

Ras's struggle remains private until Gaspard, an older French man, comes in-country as the new country director. One afternoon at the end of the workday, Gaspard approaches Ras and gently probes him about his orientation. Accustomed to living an open lifestyle in Europe, Gaspard feels frustrated at the need to hide his sexuality. He tells Ras their working together is fate and urges Ras to start a sexual relationship with him. Ras is flattered that Gaspard would choose to have a relationship with him and is impressed by Gaspard's apparent acceptance of his own sexuality. Ras also feels uncomfortable refusing his supervisor. Eventually, he is seduced by Gaspard's advances.

Within weeks, however, Ras's fear of exposure and his personal uncertainty about his relationship with Gaspard creates a change in his behaviour. He is nervous and less outgoing at work. Lisa, an expat colleague, notices that Ras has become unenthusiastic about work and seems easily distracted and startled. When she asks if something is wrong, he reveals the relationship. A colleague from the Human Resources department in London, John, is on a field visit and is staying in the same guesthouse as Lisa. Lisa finds him kind and approachable, so she sets up a meeting between Ras and John.

After hearing the story, John recommends that Ras "keep his private life private" for the "wellbeing of everyone involved." John does not raise the issue with Gaspard – he knows that the London office is trying to ensure greater diversity in the workplace and fears there may be a negative reaction if Gaspard feels attacked because of his sexuality. Lisa feels as though she has betrayed Ras's confidence and is upset that he was advised not to say anything.

Mark up of case study 4:
Cultural sensitivities

Ras is a 28-year-old programme officer for a British NGO in his home country of Iraq. He has a wife and four children, and the family is respected in the community. A permanent contract with an international NGO – like the one he has – is highly sought after. Ras harbours a secret, however. He is gay. Though Ras has sometimes imagined a relationship with another man, he has never acted on this out of fear of the potential ramifications.

An unbias & diverse workplace enables a positive safeguarding culture

Ras's struggle remains private until Gaspard, an older French man, comes in-country as the new country director. One afternoon at the end of the workday, Gaspard approaches Ras and gently questions him about his orientation. Accustomed to living an open lifestyle in Europe, Gaspard feels frustrated at the need to hide his sexuality. He tells Ras their working together is fate and urges Ras to start a sexual relationship with him. Ras is flattered that Gaspard would choose to have a relationship with him and is impressed by Gaspard's apparent acceptance of his own sexuality. Ras also feels uncomfortable refusing his supervisor. Eventually, he is seduced by Gaspard's advances.

What are support needs of staff who identify as or are LGBTQIA+?

The organisation needs to do a risk assessment to establish concerns faced by LGBTQIA+ staff[*]

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Do witnesses have to report even without the survivor's consent?

Staff must act within a certain timeframe

There's a need for regular contact between management & staff

After hearing the story, John recommends that Ras "keep his private life private" for the "wellbeing of everyone involved". John does not raise the issue with Gaspard – he knows that the London office is trying to ensure greater diversity in the workplace and fears there may be a negative reaction if Gaspard feels attacked because of his sexuality. Lisa feels as though she has betrayed Ras's confidence and is upset that he was advised not to say anything.

[*] LGBTQIA+ = Lesbian, Gay, Bisexual, Pansexual, Transgender, Genderqueer, Queer, Intersexed, Agender, Asexual, and Ally

Study notes for case study 4: Cultural sensitivities

Key issues

- **When a colleague observes or hears about an incident, they become a witness to the abuse or harassment.** This may place them in a very uncomfortable situation. They may feel unable to pursue a report without the survivor's consent. Equally, they may not be happy to continue to work in an organisation that condones such inappropriate behaviour.
- **Those in the most senior positions may also maltreat or harm other staff or community members because of the effects of power dynamics.**
- Sometimes **leaders may not act out of fear of repercussions** to the organisation or themselves. It is important to remember that no one individual should be sacrificed for another employee or the organisation itself.

Recommendations

- **Those who are responsible for addressing issues of sexual harassment, sexual misconduct, and sexual exploitation and abuse** – be they Human Resources staff, managers, or trained focal points – **must have the organisational power, capacity, and values to raise concerns** at a level senior enough to ensure action is taken.
- **There must be personal, regular, and ongoing outreach from head offices and more senior levels of management** to more junior staff in remote locations to ensure open channels of communication.

Questions for further consideration

- Would the situation have been different if Gaspard had been heterosexual and had put pressure on a female staff member for a sexual relationship? Would John have acted differently?
- How could the work culture be changed to empower Ras to refuse the country director's advances?
- What support do we need to give to LGBTQI staff and colleagues when working in environments where homosexuality is illegal?
- How can you ensure that staff – particularly senior individuals that have the most power to shape organisational culture – are sensitive to the local culture?
- What risk assessments/preventative actions should take place when relocating individuals to new cultures/environments in order to support them and their personal needs?
- Should there be disciplinary action if someone like Lisa does not report an incident of which she is aware?

Case study 5: Vague suspicions

Elise is a 40-year-old child protection worker with a large INGO. She has been in the field in one capacity or another for nearly 20 years and has "seen it all." Last week, she attended a three-day in-country inter-agency child protection strategic planning meeting. One of the new colleagues was a 30-year-old Argentinian named Mateo. He had been working for a small INGO as national staff for several years, and now is working internationally in West Africa. This was his first inter-agency meeting.

On the first day of meeting, Elise and Mateo were in the same discussion group for a couple of activities. That night as she returned to her room, Elise thought about Mateo. He seemed to be the ideal child protection worker: he listened to the opinion of others, shared his own ideas respectfully, and had a thorough understanding of safeguarding and protection principles. Why, then, did she feel as if something were "off" with him?

Elise's feeling of unease grew throughout the meeting. Was it something about the way he looked at female colleagues? His jokes? He was paying lots of attention to younger female colleagues. Some might say he was just being charming. Was she jealous? Perhaps it was a cultural difference; she had never met an Argentinian before.

Then Elise overheard two colleagues talking outside the meeting room. One said: "He won't leave me alone, he keeps asking me out, I have told him no again and again. And I don't like that his room is on the same floor as mine. I don't know what to do?" The other replied: "You're single aren't you? He's good looking and charming, you should go for it." Elise felt convinced they must be talking about Mateo.

Normally Elise would have asked a colleague for their opinion of him, but she didn't know anyone in Mateo's organisation. When she was back in her office later in the week, Elise decided she should talk to the inter-agency Protection from sexual exploitation and abuse (PSEA) focal point, but she was not sure who that was.

Instead, she spoke with her manager, expecting him to refer her to the interagency PSEA focal point. Her manager listened patiently, but when she was finished, he told Elise that he thought she was being overly sensitive and was likely picking up on harmless cultural differences. He also said that it was not appropriate to smear a new worker's reputation: reports should contain something concrete. Elise was taken aback, but she relied on her manager's judgment and said nothing more.

Mark up of case study 5:
Vague suspicions

Elise is a 40-year-old child protection worker with a large INGO. She has been in the field in one capacity or another for nearly 20 years and has "seen it all". Last week, she attended a three-day in-country inter-agency child protection strategic planning meeting. One of the new colleagues was a 30-year-old Argentinian named Mateo. He had been working for a small INGO as national staff for several years, and now is working internationally in West Africa. This was his first inter-agency meeting.

Need interagency systems for receiving information about concerns & incidents

On the first day of meeting, Elise and Mateo were in the same discussion group for a couple of activities. That night as she returned to her room, Elise thought about Mateo. He seemed to be the ideal child protection worker: he listened to the opinion of others, shared his own ideas respectfully, and had a thorough understanding of safeguarding and protection principles. Why, then, did she feel as if something were "off" with him?

Systems must enable reports of suspicions

Elise's feeling of unease grew throughout the meeting. Was it something about the way he looked at female colleagues? His jokes? He was paying lots of attention to younger female colleagues. Some might say he was just being charming. Was she jealous? Perhaps it was a cultural difference; she had never met an Argentinian before.

Diversity must be respected, but behaviour must be guided by policies

Then Elise overheard two colleagues talking outside the meeting room. One said: "He won't leave me alone, he keeps asking me out, I have told him no again and again. And I don't like that his room is on the same floor as mine. I don't know what to do?" The other replied" You're single aren't you? He's good looking and charming, you should go for it."

All suspicions should be recorded to be able to observe patterns of unacceptable behaviour

Normally Elise would have asked a colleague for their opinion of him, but she didn't know anyone in Mateo's organisation. When she was back in her office later in the week, Elise decided she should talk to the interagency Protection from sexual exploitation and abuse (PSEA) focal point, but she was not sure who that was. Instead, she spoke with her manager, expecting him to refer her to the interagency PSEA focal point. Her manager listened patiently, but when she was finished, he told Elise that he thought she was being overly sensitive and was likely picking up on harmless cultural differences. He also said that it was not appropriate to smear a new worker's reputation: reports should contain something concrete. Elise was taken aback, but she relied on her manager's judgment and said nothing more.

All suspicions & concerns must lead to some level of fact-finding

Study notes for case study 5: Vague suspicions

Key issues

- **While our conscious minds may interpret our feelings as irrational, they are often based on subtle cues of voice and body language that our subconscious identifies.** Sometimes we ignore these feelings because we have been trained to doubt our instincts. Sometimes we fear making a judgment out of cultural insensitivity. In protection, we should act on our instincts and log even mild concerns; fact-finding should determine whether or not there are reasons for further action. Acting on concerns, suspicions, and rumours may prevent future incidents. That being said, confidentiality must be maintained at all times so that if it is concluded that the suspicions were unfounded, the reputation of the individual is not harmed.
- In the international sector, staff come from a range of different backgrounds, countries, cultures, and religions. **Whilst this diversity has to be respected, behaviour has to be guided at all time by policies that are in place.**

Recommendations

- **A report of concern can be initiated on a "feeling" or "suspicion";** evidence is not required.
- **All suspicions should be recorded** so as to be able to observe any patterns in unacceptable behaviour.
- **All reports, however vague, should lead to some level of fact-finding** to confirm that there are not deeper reasons for concern.

Questions for further consideration

- What should Elise's manager have done? What is his level of responsibility to ensure any suspicions are acted upon when the individual concerned works for another organisation?
- What form of fact-finding could take place when there is no reported incident? What kind of fact-finding could take place when there is a sense that someone may behave unacceptably in the future, but has not done so yet? What form would disciplinary action take in this scenario?
- How can we respect cultural differences and still ensure we adhere to safeguarding policies that prevent maltreatment or harm occurring either between staff members or between staff and affected populations?

Case study 6: Silent survivors

Ajij is a 25-year-old Indonesian national who volunteers in a child friendly space (CFS) in Sulawesi. He lost much of his family - including a younger brother, nieces, and nephews - in the 2018 tsunami. At the CFS, he has become particularly close with Kadek, a deaf six-year-old whose parents have died. With his family, Kadek had used a local sign language dialect, but nobody at the CFS knows the language. Ajij has learned a few basic signs, but most of his communication with Kadek happens through football and art. Kadek is energetic and enthusiastic. After he scores, he waves his hands in the air and opens his mouth as if cheering. His artwork is full of playful animals, vibrant colours, and bold brush strokes.

A couple of months ago, the INGO sent a new worker, Danelle, to oversee the CFS because she had a background in early childhood development and special education. Shortly after she arrived, Ajij noticed that Kadek seemed more contained than usual. He still played football with Ajij and seemed happy to see him, but his cheering was more subdued. His artwork began featuring darker colours and carefully drawn boxes.

At first Ajij was concerned that Kadek was suffering from an illness. Then he began noticing a pattern. On the days when Danelle was not in the CFS, Kadek would seem more like his old self; when she was around, he was more reserved. Ajij felt confused. When he tried to get Kadek to tell him what was wrong, all the child would do is sign, “don’t like.” From his training, Ajij knew he could report a suspicion. But to whom should he report? He couldn’t go to the manager, because his concerns were about her. After deliberating, he decided to go to his organisation’s child safeguarding focal point.

The focal point was visibly uncomfortable about Ajij’s report, but she assured him she would look into the matter. The focal point contacted Kadek’s aunt who was caring for him. They brought in a sign language translator to translate for Kadek. Then they interviewed Danelle and engaged in fact-finding. They determined that Danelle had been physically punishing Kadek when he would not do as she was telling him to or when she felt his behaviour towards others was inappropriate. As set out in the organisation’s Human Resources Manual, disciplinary action was taken.

Mark up of case study 6:
Silent survivors

Ajij is a 25-year-old Indonesian national who volunteers in a child friendly space (CFS) in Sulawesi. He lost much of his family - including a younger brother, nieces, and nephews - in the 2018 tsunami. At the CFS, he has become particularly close with Kadek, a deaf six-year-old whose parents have died. With his family, Kadek had used a local sign language dialect, but nobody at the CFS knows the language. Ajij has learned a few basic signs, but most of his communication with Kadek happens through football and art. Kadek is energetic and enthusiastic. After he scores, he waves his hands in the air and opens his mouth as if cheering. His artwork is full of playful animals, vibrant colours, and bold brush strokes.

Mechanisms must respond to incidents experienced by diverse individuals

A couple of months ago, the INGO sent a new worker, Danelle, to oversee the CFS because she had a background in early childhood development and special education. Shortly after she arrived, Ajij noticed that Kadek seemed more contained than usual. He still played football with Ajij and seemed happy to see him, but his cheering was more subdued. His artwork began featuring darker colours and carefully drawn boxes.

Young children & children with disabilities may not be able to SAY what happened but may show signs of harm

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Details of signs of maltreatment must be documented

Reporting mechanisms should have multiple pathways

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Study notes for case study 6: Silent survivors

Key issues

- **Children with disabilities are especially vulnerable** to exploitation and abuse. Certain disabilities, particularly those that contribute to communication problems, put children at even higher risk.
- Children who have communication limitations due to disability or age may not be able to say what happened but may express it by **changes in behaviour**.
- **Reporting mechanisms should always have multiple pathways** in case the potential wrongdoer also holds a key reporting position.

Recommendations

- **Train staff** – especially those who have direct contact with children – **on how to identity the signs of abuse as expressed by diverse children**. This includes children who are younger than five years old and those living with disabilities. It is important to emphasise that **signs of violence, abuse, exploitation, and neglect can exhibit differently for girls and boys and for adolescents and younger children**. They may also differ depending on the cultural context.

Questions for further consideration

- What are some signs of violence, abuse, exploitation, or neglect exhibited by children under five years old?
- What are some signs of violence, abuse, exploitation, or neglect exhibited by children with disabilities?
- How should a report-handling mechanism reflect options to by-pass your line manager in case your line manager is involved in the incident?

Case study 7: Asking for favours

Tsitsi is a recently widowed 25-year-old with three small children. When her husband was alive, she rarely worried about meeting the family's basic needs. Although they were refugees, her husband had regular work. They were not wealthy, but they never went hungry. Now, however, she finds herself struggling to provide enough food for her children.

Her neighbour told her a local INGO would give her food even if she had no money. When Tsitsi replied: "Is it free?", her friend replied: "Yes, yes, it is free. And if the men like you, they will even give you a little extra, and that does not cost you any money either."

The next distribution day, Tsitsi joined her friend in the queue.

The queue was very long, so Tsitsi had time to watch those around her. Two men were in charge of distributions. One was an international staff member, and one was a fellow refugee. From time to time, the international staff member would spend more time with a woman, take her aside, speak to her for a few moments, take her phone number, and give her additional supplies.

When Tsitsi arrived at the front of the line, the international staff member leaned forwarded and whispered in her ear: "You look worried and hungry. I can give you extra help if you need it. Write your phone number and address on this piece of paper, and I can come by to see you later." Tsitsi felt uncomfortable but didn't know what else to do. She agreed.

Later that night, the man came to her house after her children were in bed. He knocked and knocked at the door. Given his visit was after dark, Tsitsi felt this was inappropriate. She did not think he was just bringing her more goods. She suspected that he probably intended something else. Tsitsi felt angry and frightened. She did not like the man or what he wanted in exchange for this "extra help." She asked her friend the following day who confirmed that this man would give more food and help to women who would have sex with him.

Near her tent was a comment box. She wrote a note saying what had happened and asked for immediate help. No one ever contacted her about the report. She felt scared to return for further assistance from the INGO.

Mark up of case study 7:
Asking of favours

Tsitsi is a recently widowed 25-year-old with three small children. When her husband was alive, she rarely worried about meeting the family's basic needs. Although they were refugees, her husband had regular work. They were not wealthy, but they never went hungry. Now, however, she finds herself struggling to provide enough food for her children.

Focal points in the community may have enabled earlier face-to-face reporting

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Reporting mechanisms apply to all those who are associated with an organisation

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Training may have encouraged the refugee assistant to report

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Need community awareness raising on rights & organisational codes of conduct

Near her tent was a comment box. She wrote a note saying what had happened and asked for immediate help.

Community members should be able to report incidents, rumours & / or suspicions

No one ever contacted her about the complaint. She felt scared to return for further assistance from the INGO.

Study notes for case study 7: Asking for favours

Key issues

- **In times of crisis people will make choices to survive that they wouldn't make in ordinary situations.** The prevalence of a particular behaviour (such as exchanging sex for food) should not make it acceptable.
- When an individual says "yes" to engaging in an act it is not automatically full and informed consent.[1] Individuals may feel they have no choice in order to survive and/or support their family. If someone exchanges sexual acts for assistance to which they have a right, this is exploitation.
- **Community members should be able, and be encouraged, to report incidents** that they witness, rumours that they hear, and/or suspicions that they have about staff maltreatment or harm of other staff or community members.

Recommendations

- Advertised **reporting mechanisms –** such as complaints boxes **– must be visited and checked regularly,** preferably daily. Many of the protection concerns in humanitarian contexts are extremely time-sensitive.
- **Communities must be advised that they are entitled to available assistance** without exchanging payment of any kind – materials, services, benefits, or favours.
- We can **encourage reporting** by following up on every report and giving feedback to the community about what action was taken in response to every incident that is reported to the organisation.

Questions for further consideration

- What should the organisation have done in order to respond to the sexual exploitation of those who are entitled to the available assistance?
- What sorts of alternative reporting mechanisms/protocols (e.g. guaranteed confidentiality, regular SGBV training, etc.) might have encouraged the refugee assistant to report the international staff's behaviour?
- What other actions (e.g. awareness messaging, visible focal point, etc.) could the organisation have taken to ensure the community knew which behaviours were unacceptable and actionable?
- Should the organisation's response be different if the refugee volunteer who is helping with the distributions is the one seeking sex in exchange for assistance?

[1] An individual giving **free and informed consent** must have all relevant information at the time consent is given and be able to evaluate fully the consequences of an action. They must be aware of and have the power to refuse to engage in an action. They must not be coerced or persuaded based on force or threats. Children are considered unable to give informed consent because they are unable to anticipate the implications of an action and may not understand their right to refuse. There are instances where consent might not be possible due to cognitive impairments and/or physical, sensory or intellectual disabilities (as laid out in Guidelines for Integrating Gender-Based Violence interventions in Humanitarian Action: Reducing risk, promoting resilience and aiding recovery, Inter-Agency Standing Committee, 2015.) Whenever there is a power difference between the two parties involved in an exchange it should be understood as exploitative. This is always the case with persons under 18 years old. It is also always considered to the be the case between humanitarian workers and affected populations given humanitarian staff have economic, political, and social power as compared to those they are there to assist.

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