InterAction
A UNITED VOICE FOR GLOBAL CHANGE

PSEA Basics
Training Guide

Preventing and Responding to Sexual Exploitation & Abuse (PSEA)

Three simple to use training modules:
PSEA Basics
Reporting Systems
Community Based Complaints Mechanisms

December 2013

Forward

Sexual exploitation and abuse (SEA) of beneficiaries by aid workers is a serious concern of the humanitarian community, and represents one of the most egregious failures of protection. As organizations dedicated to alleviating harm and respecting and honoring the dignity and integrity of everyone, InterAction members have an obligation and responsibility to perform in a manner that is consistent with the fundamental principles of human rights. Given this, we must remain at the forefront of efforts to prevent SEA.

The *InterAction PSEA Basics Training Guide* was developed to provide NGOs with three simple to use training modules which focus on the PSEA fundamentals and can be easily adaptable to many locations. The methodology across the three modules is designed to engage participants through discussions and group work. The content of the modules covers: 1) understanding SEA and upholding the Code of Conduct; 2) the importance of having a well-functioning reporting system; and 3) the basic elements that make up a community-based complaints mechanism.

Much of the content in this manual is drawn from guidance developed by the Building Safer Organizations initiatives now housed within the Humanitarian Accountability Partnership, and other documents developed by the IASC PSEA Task Force. All resource materials can be found online: www.pseataskforce.org

This training guide was developed by Daisy Francis for an InterAction project funded by the U.S. Department of State's Bureau for Population, Refugees, and Migration.

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Module 1: PSEA Basics

Facilitation Guide

Purpose: Module 1 is designed to engage participants through simple exercises to understand what actions and behaviors constitute sexual exploitation and abuse (SEA) of beneficiaries and that they develop an appreciation of the personal stake they have in upholding their Agency's Code of Conduct.

Training Audience: This module can be used as an introductory training unit with field-based new hires [front-line staff, volunteers, etc.] and also as a quick refresher course. The unit can also be inserted into focus-group discussions with beneficiaries. For discussion with beneficiaries, omit Session 2, as the latter is relevant to humanitarian staff. Rather, focus on explaining to beneficiaries about their right to be free from SEA and the good conduct that they should expect from staff [i.e. explain that your Agency has a strict standard regarding Staff Conduct and that beneficiaries have a right to expect this level of good conduct and therefore, a right to bring forward any concerns where staff are not upholding the expected conduct].

Timing: Depending on the audience, this module may take 60 minutes [e.g. senior management] or go to 180 minutes [programming staff; beneficiaries; partners]. A key part of tailoring this training is assessing the audience's needs and then deciding how much time to devote to each of the three sessions in this module.

Materials: If needed, the Agency Code of Conduct and Handout 2 should be translated into the relevant local language. If this is not possible, it will be important to have a co-facilitator who can provide oral translations of these materials, for those who are not able to work in English, if you the trainer cannot do this.

Agenda:

Session 1: Understanding SEA
- Opening Discussion
- Handout 1: Definitions Page
- Discussion

Session 2: The Six Core Principles/Code of Conduct (CoC)
- Presentation of your agency's CoC
- Compare to IASC Principles
- Discussion

Session 3: Code of Conduct Violations: Illustrative examples
- Handout 2: Brief Scenarios
- Small Group Work
- Plenary Discussion

In this opening session participants will gain a better understanding of what is meant by SEA and related terms. Participants will be given a brief introduction to the terminology and will receive a handout with the various definitions.

Ask participants what they think SEA means. Make sure you create a comfortable setting where participants feel "safe" to talk about this sensitive issue. Do not be judgmental. It is culturally appropriate to talk about SEA and of our responsibility to act and behave in a way that is fully respectful of the dignity of the beneficiaries.

Read aloud [or ask someone in the room to read aloud] the formal definition of sexual exploitation. Then ask for suggestions of examples of this. Below are ideas to share with the group.

Examples of Sexual Exploitation

- A head teacher at a school, employed by an NGO, who refuses to allow a displaced child to enter his school unless her mother sleeps with him.
- A UN driver who regularly provides rides in the official UN vehicle to village schoolboys travelling to school in a neighboring town, in exchange for him taking photographs of them posing naked.
- The female boss of an NGO office, refusing to give employment to a young man applying to be a kitchen server unless he sleeps with her. (*Remember: even if the young man refuses to sleep with her, if she <u>attempts</u> to abuse her position by making such a request, she is guilty of sexual exploitation*

- It also includes situations where a staff member or related personnel facilitate SEA, while not directly engaging in the abuse or exploitation. For example: A peacekeeper is requested by his superior officer to encourage a female member of the local population to engage in a sexual relationship with him in exchange for small sums of money.

Read aloud the definition of sexual abuse. Again, ask the group to offer examples of this.

Examples of Sexual Abuse

- A refugee, who is employed as an incentive worker by WFP, lures a female refugee collecting food to a deserted warehouse and rapes her, announcing that he will tell her husband they are having an affair if she reports the case.
- A local Red cross worker touches a 6-year-old girl inappropriately while playing with her as part of a psycho-social intervention.
- Solicitation of a prostitute.

Ask participants what are our responsibilities vis-à-vis beneficiaries. These are some of the key points you want to underline throughout the discussion.

1. We always work in areas that are affected by conflicts, disasters and poverty, where people will do everything to access food or get some services.
2. We have power. By driving our big white cars and distributing assistance we are perceived as people who have power. There is always a power imbalance between NGO workers and beneficiaries. It is easy to misunderstand and take advantage of beneficiaries' vulnerability.

3. Make sure participants understand the difference between SEA of beneficiaries, wider GBV issues and sexual harassment.

4. In many cases our staff do not perceive engaging with prostitutes as SEA. They feel there is a consent and clarity when it comes to the terms of the transaction. It is a service they pay for and no one – girls or boys - is forced to engage. Remind them of the power imbalance and that we work in highly vulnerable context where people will do anything to survive and feed their families. Many times staff will use as a justification to engage with prostitutes the fact they are away from families and they have biological needs. Ask what systems and procedures does your agency have in place to address the issue of prolonged separation from families. (e.g. R&R)

5. Remind participants that they are on duty "24/7" [i.e. there is no time when you are not bound by it]. And that they are required to uphold the obligations, when it comes to SEA, even outside their official working hours.

At the end of Session 1, hand out the Definitions page, as they will need it for the next Session.

Session 2: The Six Core Principles/Agency Code of Conduct

This session will introduce the IASC's Six Core Principles and give facilitators a chance to match it against their own Agency's Code of Conduct. The goal is to outline the obligations of humanitarian staff as a result of signing their Code of Conduct. This session may be omitted if the primary audience for the training is beneficiaries or community members.

Start the session by asking the group if they have signed the Code of Conduct? Ask those that have signed it to raise their hands. Now, ask those that have not signed the Code of Conduct to raise their hands. Ask those that have answered YES to 'signing' if they remember what is in the Code of Conduct.

Now, hand out copies of your Agency's Code of Conduct and ask if they remember signing it [only in sessions with agency staff].

These are some key messages you could include during your presentation. At this stage participants should have sufficient understanding of what SEA is and that the Code of Conduct is one of the tools the humanitarian community has to prevent and sanction cases of SEA of beneficiaries. Ask participants to note where the Agency's Code of Conduct incorporates the Six Core Principles.

- Who is obligated? All staff are bound by their Agency's Code of Conduct. 'Staff' will be understood to mean anyone employed, contracted or otherwise designated or charged with the provision of goods, products, skills or services to beneficiaries on behalf of their organization whether for pay, a fee for service arrangement, as an in-kind contribution or as a volunteer. This is applicable in emergency and non-emergency contexts; there are no exceptions.

- What are you required to do? All staff (as defined above) are obligated to report any witnessed or alleged act of sexual exploitation and abuse as defined in the code. Even if you think it is only a rumor, you MUST report. It is up to your agencies investigation management team to assess whether there is any merit to the allegation. Emphasize that failure to report constitutes a breach of the Code and the staff person could be subject to punitive measures.

Select one or two of the scenarios found in the scenarios handout for group work. Divide participants into small groups [depending on number of participants, could be groups of 3 or 4 people]. Tell people that they will be given a brief scenario/story to read which highlights issues related to the Code of Conduct. Assign each group one of the two scenarios and tell them that they will be using their Agency's Code of Conduct to answer three questions found on the page with the scenarios.

Hand out the case studies [English or relevant language edition]. Assign 15 minutes for completing the task.

Report out in plenary. Each group will present on their conclusions regarding their case studies.

HANDOUT 2: BRIEF SCENARIOS

In your group, read the scenario you were assigned and then answer the following questions:

- Has the Code of Conduct been breached?
- If so, what rule has been broken?
- What would you do next?

Case Study (Scenarios)

1) **Carlos is one of our logistics officers**. He has helped set up a boys' soccer club in town. Carlos enjoys the soccer games but he seems to particularly enjoy being with local teenagers. He gives presents (magazines, candy, sodas and pens) to many boys. You have heard rumors that he offers these gifts in exchange for sexual acts. However, when you ask around, you are told that the boys making the allegation are always fabricating stories like this. The senior manager who has reported the allegation to you finds it hard to believe as last summer he went on leave with Carlos to Geneva. While in Geneva he and Carlos visited a brothel together.

2) **Joey is a 19 year old driver we hired locally**. He transports relief items from the warehouse to the refugee camp where the items are distributed. On one of his trips he recognized a 17-year-old refugee girl walking on the side of the road and gave her a ride back to the camp. Since then, to impress her, he frequently offers to drive her wherever she is going and sometimes gives her small items from the relief packages in his truck, which he thinks she and her family could use. The last time he drove her home she asked him to come inside her home to meet her family. The family was pleased that she had made friends with a NGO worker. Joey really likes the girl; he wants to start a romantic relationship with her and to ask her parents' permission to marry her. He knows her family will approve.

The local age of consent is 16 years of age and Joey is from the same ethnic group as the young woman.

3) **Josie is a refugee in one of our camps**. Pieter is a refugee we recruited as an incentive worker, to distribute food. He has offered to give Josie a little extra during the distribution if she will be his 'special friend'. She agrees willingly. Both of them agree that they should start a sexual relationship and neither of them thinks that anything is wrong. Josie hopes that the relationship might be a passport to a new life in another country or at least an opportunity to supplement her rations. Pieter does nothing to discourage these hopes.

4) **Darlene is one of our international recruits**. She is always on the lookout for good business opportunities since she has to support her family back home. She has been asked by a local colleague, Stanislaus, to contribute some money towards renovating a bar in the town, in return for a portion of the bar's profits. Darlene soon finds she is getting a steady income from the bar, and gives more money to hire more staff, including security. She does not go to the bar, but knows that there is a lot of prostitution going on there and that UN peacekeepers, as well as NGO and other UN staff use the bar often. However, she doesn't think that concerns her, since she is not directly involved in those issues. She's just glad for the extra money.

Facilitator's Notes/Explanations of the Scenarios

1) **Carlos the logistics officer:** If it is true that Carlos has offered gifts in exchange for sexual acts, then he has abused a position of differential power for sexual purposes. The exchange of money or goods for sexual services violates the standard of conduct expected of NGO staff. Such acts constitute serious misconduct under the IASC's Core Principles [principle 3]. In addition, Carlos is in breach of the Code for performing sexual acts with children (anyone under the age of 18, regardless of the local age of consent). Carlos and the senior manager's visit to a brothel in Geneva also violates the expectation that the Code of Conduct is in force '24/7' and so the exchange of money for sex, even in a European country constitutes violations under the Code of Conduct. Underline the fact that humanitarian workers are held to a strict standard even when they are abroad or not on duty [*The latter may warrant discussion in the group].*

2) **Joey the driver:** under the Code of Conduct, Joey is prohibited from having sexual activity with anyone under 18, regardless of the local age of consent. Moreover, the rules strongly discourage sexual relationships between NGO staff and beneficiaries, since they are based on inherently unequal power dynamics and undermine the credibility and integrity of humanitarian work. There is an exception which allows local staff to marry girls of less than 18 if they are over the age of consent in their country of citizenship.[1] However, Joey cannot engage in any sexual activity with the girl until they are married.

3) **Pieter the incentive worker:** Pieter's relationship with Josie constitutes sexual exploitation; exchange of goods for sex or sexual favors is explicitly prohibited. This includes any exchange of assistance that is due to beneficiaries of aid. In general, all Codes of Conduct strongly discourage sexual relationships between NGO staff and beneficiaries.

4) **Darlene the international recruit:** Darlene and Stanislaus are at least aiding sexual exploitation. Darlene is in breach of the Code of Conduct, as aid workers are "obliged to create and maintain an environment that prevents sexual exploitation and abuse." There is the issue of her financially profiting from the proceeds of prostitution at an establishment which 'encourages' Code breaches by others who are also accountable (NGOs; UN staff; peacekeepers; etc.). This violates both the spirit of the Code and also creates a climate that promotes or tolerates sexual exploitation and abuse.

At the conclusion of the training, offer as examples of materials they could use, the various visual materials developed.

[1] Agency policies regarding this issue vary across humanitarian organizations. So, it would be important that your own agency's policy on this matter inform this part of the discussion of this case study. If your agency does not have a specific policy related to this, it would be important to ask your human resources department to develop guidance on this matter.

Module 1: PSEA Basics

Handout 1: Understanding Sexual Exploitation and Abuse (SEA)

Key Definitions

Sexual Exploitation
"…means 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
"…the **actual *or* threatened** physical intrusion of a sexual nature, whether **by force or under unequal or coercive** conditions."

Sexual Harassment versus SEA
SEA occurs **against a beneficiary or vulnerable member of the community. Sexual harassment** occurs when power differentials between staff members are abused.

GBV and SEA
Gender-based violence (GBV) is violence that is perpetrated against someone because of his/her gender. Thus, SEA can be seen as a type of GBV, as victims of SEA are often abused because of their vulnerable status as women, girls, boys or even men [in some circumstances].

Inter-Agency Standing Committee's [IASC] Six Core Principles

1. Sexual exploitation and sexual abuse constitute acts of **serious misconduct** and are therefore grounds for **disciplinary measures, including summary dismissal**.
2. 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 in the age of a child is not a defence.**
3. **Exchange of money, employment, goods or services for sex,** including sexual favours **or other forms of humiliating, degrading or exploitative behaviour,** is prohibited. This includes any exchange of assistance that is due to beneficiaries of assistance.
4. Sexual relationships between United Nations staff and beneficiaries of assistance, since they are based on **inherently unequal power dynamics** are ***strongly discouraged.***
5. Where a [United Nations] staff member develops **concerns or suspicions** regarding sexual exploitation or sexual abuse by a fellow worker, whether **in the same agency or not** and whether or not within the United Nations system, he or she **must report such concerns via established reporting mechanisms.**
6. [United Nations] staff are **obliged to create and maintain an environment that prevents sexual exploitation and sexual abuse.** Managers at all levels have a **particular responsibility** to support and develop systems that maintain this environment .

Staff member
Staff is defined as **any person who either works for or represents your organization**, regardless of whether or not s/he is compensated monetarily. So, it includes agency paid staff, volunteers, interns, board members, people recruited from the beneficiary population to do work for the agency [perhaps in return for additional rations or other benefits], etc. Some agencies define this beneficiary 'staff' group as incentive workers.

Module 1: PSEA Basics

Handout 2: Code of Conduct Exercise

In your groups, read the scenario you were assigned and then answer the following questions:

- Has the Code of Conduct been breached?
- If so, what rule has been broken?
- What would you do next?

You have 15 minutes to read the scenario and to discuss, as a group, your answers to the above questions. Be prepared to present briefly on what you discussed.

Scenarios

1) **Carlos is one of our logistics officers**. He has helped set up a boys' soccer club in town. Carlos enjoys the soccer games but he seems to particularly enjoy being with local teenagers. He gives presents (magazines, candy, sodas and pens) to many boys. You have heard rumors that he offers these gifts in exchange for sexual acts. However, when you ask around, you are told that the boys making the allegation are always fabricating stories like this. The senior manager who has reported the allegation to you finds it hard to believe as last summer he went on leave with Carlos to Geneva. While in Geneva he and Carlos visited a brothel together.

2) **Joey is a 19 year old driver we hired locally**. He transports relief items from the warehouse to the refugee camp where the items are distributed. On one of his trips he recognized a 17-year-old refugee girl walking on the side of the road and gave her a ride back to the camp. Since then, to impress her, he frequently offers to drive her wherever she is going and sometimes gives her small items from the relief packages in his truck, which he thinks she and her family could use. The last time he drove her home she asked him to come inside her home to meet her family. The family was pleased that she had made friends with a NGO worker. Joey really likes the girl; he wants to start a romantic relationship with her and to ask her parents permission to marry her. He knows her family will approve.

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3) **Josie is a refugee in one of our camps**. Pieter is a refugee we recruited as an incentive worker, to distribute food. He has offered to give Josie a little extra during the distribution if she will be his 'special friend'. She agrees willingly. Both of them agree that they should start a sexual relationship and neither of them thinks that anything is wrong. Josie hopes that the relationship might be a passport to a new life in another country or at least an opportunity to supplement her rations. Pieter does nothing to discourage these hopes.

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Module 2: Reporting Systems

Facilitation Guide

Purpose: Module 2 is designed to convey the importance of having a well-functioning reporting system, introduce your agency system and think through barriers to reporting.

Training Audience: Module 2 is principally designed for use with Agency staff. However, it can be modified for use with beneficiaries. Suggestions on how to modify this unit for use with beneficiaries is found below.

Timing: Depending on the audience, this module may take 60 minutes [e.g. senior management] or go to 180 minutes [programming staff; beneficiaries; partners]. A key part of tailoring this training is assessing the audience's needs and then deciding how much time to devote to each of the three sessions in this module.

Materials: If needed, the handouts should be translated into the relevant local language. If this is not possible, it will be important to have a co-facilitator who can provide oral translations of these materials, for those who are not able to work in English, if you the trainer cannot do this.

Agenda:

Session 1: Overview of Reporting
- Opening discussion: Value of Reporting Systems
- Handout: Reporting Systems Guidance

Session 2: Agency System
- Quiz: Test Staff Knowledge
- Presentation of your Agency's System: Internal Reporting
- Optional Handout: Your Agency's Reporting Guidance
- Plenary Discussion

Session 3: Barriers to Reporting
- Small Group Work: Barriers to Reporting
- Plenary discussion

Session 1: Overview of Reporting systems

Begin by reviewing with the group the basic values of having a reporting system. Point out, in particular, that mandatory reporting actually frees staff from having to make a decision regarding whether or not to report what they saw.

In plenary, ask participants: <u>what should be reported</u>? Ask someone to write down on flipchart what people identify [5-15 minutes for this exercise, depending on audience]. Ideally, the answers in the room can be grouped into the following broad categories:

- A **practice or behavior** suggesting that a staff member has abused the power invested in him/her, by virtue of his/her post, to sexually exploit or abuse a beneficiary
- An allegation that a staff member has breached an agency's policy and rules regarding SEA **outside the work environment** (e.g., by engaging in sex with a person under 18)
- **Concerns that cover a wide range of issues** involving the exploitation of women and/or children ranging from inappropriate behavior to possible criminal offences
- Concerns regarding the **past behavior** of a staff member
- **Concerns expressed by a government partner, UN agency, NGO or international NGO** about the behavior of a staff member

Distribute copies of the Handout, to assist with the next two sessions. Point out the section on terminology.

<u>Terminology: Complaints, Reports and Allegations</u>

- The terms *complaints*, *reports*, and *allegations* are used interchangeably
- Your organization can decide which term it will use. The important thing is to understand what is being addressed by the term.

Session 2: Agency Reporting system

This session will rely on your own Agency's reporting guidelines. For a staff-only session, ensure you cover both internal [staff] and external [beneficiaries] reporting systems. If you are only meeting with community members or beneficiaries, focus on the beneficiary reporting system.

For the Staff only session, begin with a quick oral quiz based on your own Agency's reporting system. The purpose of this exercise is to test awareness among staff of the internal and external reporting systems. After the quiz/questions, you may wish to hand out copies of your Agency's reporting guidance/guidelines to staff. Review key aspects of this including how reports are submitted, who receives the reports, and other rules your agency may have regarding Reporting.

For a session with beneficiaries only, ask them what would they do, if they had concerns about the behavior or actions of your staff? Do they know they have a right to complain/identify issues? Do they know how to bring it forward? Again, when only meeting with beneficiaries, it would be best to orally review the system and then ask someone, at the end, to recap what they heard, to ensure the external reporting system is understood. Unless you are certain that everyone is literate, a handout would not be appropriate in this context.

Session 3: Barriers to Reporting

Staff Session: Divide the participants into two groups, one representing Staff and the other representing beneficiaries. Ask each group to identify what might be barriers to reporting, either as staff or as beneficiaries. Give them 15 minutes for this exercise and then, in plenary, have the beneficiaries group present some of the barriers they identified. Do the same then with those who worked on staff barriers. Review whether some issues were similar [e.g. unequal power dynamics impacting ease of reporting; cultural barriers to idea of ‘complaining’]. Conclude with note that when designing reporting systems, concerns such as these need to inform the design process.

Beneficiaries/Community members session: Ask participants how they view ‘complaining’ or bringing issues forward. How do they address difficult issues in their community? Do they have prior experience with NGO-led or other systems and if so, what was the experience? Did they feel heard and listened to when issues were brought forward?

NOTE: if women or children are present, it is important to have a separate conversation with them about barriers, as they will likely not name them in the presence of men/elders.

Go through some barriers to complaining if they have not been identified by participants, such as:

- Lack of trust that the allegation will be taken seriously
- Fear of reprisal and no protection
- Respect for/fear of senior officer/expat
- Little confidence in reporting mechanisms because beneficiaries perceive no action will be taken
- Lack of trust that the allegation will be taken seriously
- Fear of reprisal and no protection
- Respect for/fear of senior officer/expat
- Little confidence in reporting mechanisms because beneficiaries perceive no action will be taken
- Fear that aid/source of income will be taken away
- Fear of losing life, job, status, prospects
- Cultural issues and norms – SEA seen as acceptable practice
- Not culturally appropriate to challenge those in authority
- Reporting may render one “unmarriageable”
- Few channels for reporting
- Concern that boxes are not secure
- Beneficiaries are benefiting from the transaction, so they may not want to complain
- Beneficiaries may not desire punishments as proposed by NGOs – may wish to shop for alternatives
  Fear of being accused of making a false accusation if they have no tangible proof
- No one has heard outcomes of investigations
- Fear of getting it wrong
- Community leaders act as gatekeepers to engaging with aid organizations

Barriers for Children:

- They will not be believed
- They will be killed or hurt if they tell
- They will be taken away from families
- They will not be able to explain/articulate
- Their families will be hurt
- Abuse is normal and it happens to everyone
- The abuser will be sent to prison, fired, or killed
- They are bad and it is their fault
- Abuse is their fault because they do not practice religion enough
- Will not receive presents, money, food

Module 2: Reporting Systems

Handout 1: Internal and External Reporting

Reporting Systems: General Guidance

Value of Formal Reporting Systems

- The system is transparent and known to all
- There is a consistent approach
- Staff know what to do with concerns of inappropriate behavior
- Beneficiaries are protected
- Staff are protected (clear reporting & investigation procedures guard against false allegations)
- The organization will be less attractive to potential abusers
- The organization can maintain its reputation
- The organization shows commitment to the protection of human rights, thereby minimizing SEA

Internal Reporting: Staff Reporting System

- Responsibility of each agency to develop
    - Approaches may differ
    - Not necessarily participatory [in terms of developing the system]
- Mandatory reporting
    - Understanding penalties for not reporting
    - Protects staff who worry about reporting on colleagues
- Clear guidelines on how to report
    - May rely on existing channels [e.g. fraud reporting; sexual harassment reports]
    - Including alternate channels if necessary

External Reporting: Beneficiary/Community Complaints/Feedback System

- Community reporting of SEA should IDEALLY be common to all agencies in a given location
- Simple, consistent reporting procedures
- Co-designed with beneficiary/community input

Terminology: Complaints, Reports and Allegations

- The terms *complaints*, *reports*, and *allegations* are used interchangeably
- Your organization can decide which term it will use. The important thing is to understand what is being addressed by the term.

Module 3: Community Based Complaints Mechanisms

Facilitation Guide

Purpose: This module focuses on the basic elements that make up a community-based complaints mechanism [CBCM], including, the non-negotiable characteristics ("4"), the principles guiding the development of an **effective** CBCM ("10") and the steps to be taken, to ensure you have an effective system ("6"). "4-10-6" is a mnemonic [memory tool], a short-hand for remember the components for any good CBCM.

Training Audience: Module 3 is principally designed for use with Agency staff. However, it can be modified for use with beneficiaries. Suggestions on how to modify this unit for use with beneficiaries is found below.

Timing: Depending on the audience, this module may take 60 minutes [e.g. senior management] or go to 180 minutes [programming staff; beneficiaries; partners]. A key part of tailoring this training is assessing the audience's needs and then deciding how much time to devote to each of the three sessions in this module.

Materials: If needed, the handouts should be translated into the relevant local language. If this is not possible, it will be important to have a co-facilitator who can provide oral translations of these materials, for those who are not able to work in English, if you the trainer cannot do this.

Agenda:

Session 1: Four Characteristics of an effective CBCM
Opening discussion
Handout 1: Four Characteristics

Session 2: Ten Principles for a CBCM
Handout 2: Ten Principles
Small group work on principles
Plenary discussion of challenges

Session 3: Six Steps in developing a CBCM
Opening discussion
Handout 2: Six Steps for a CBCM
Small group work on engaging community and barriers
Plenary discussion

Session 1: Four Characteristics of an effective CBCM

Begin by introducing the general purpose of this training unit [i.e. when you leave this session, you will have a basic understanding of what is an effective community based complaints mechanism and key elements that need to be considered when designing a CBCM].

On a flipchart, write the four characteristics of an effective CBCM [just the following words]: CONFIDENTIAL; ACCESSIBLE; TRANSPARENT; SAFE. In plenary, discuss why these concerns are important. Given limited time, move quickly through the four headings, to ensure all are covered. Participants will have time to return to these characteristics throughout this training unit.

Give participants Handout 1: Four Characteristics of a CBCM

Session 2: Ten Principles for a CBCM

Give participants Handout 2: Ten Principles

Divide participants into small groups and assign each group 2 or 3 of the principles [depending on number of participants]. Ask them to discuss the assigned principles, to ensure there is a good understanding of these. Then ask each group to identify challenges in meeting these principles – these could include challenges specific to the context in which the CBCM is being implemented, challenges related to the kind of program being implemented or even related to agency practices. Ask groups to be ready to offer one or two key challenges during the plenary. Give the groups 15-20 minutes for this exercise.

In plenary, ask each group to list the principles they discussed [just the headings] and share one challenge for being able to uphold these principles. Allow 15-20 minutes for this before moving onto the final session. Write up the challenges identified on flipchart paper.

Session 3: Six Steps in Developing a CBCM

Begin by noting that the challenges identified by the groups are typical concerns, when you are looking to have an effective community based complaints mechanism.

Distribute Handout 2: 6 Steps in Developing a CBCM.

Review the Six steps in plenary. It would be good if you have these previously written up, on flipchart paper or on chalk boards, so everyone is not reading the handouts. Take 10-15 minutes to do this.

Ask everyone to go back into their groups and, using Handout 2, discuss the following questions [post these up on a whiteboard/chalk board/flipchart paper]:

- Given the challenges identified previously, what are some practical things you/your agency has done when setting up your CBCM(s)? Were you able to follow all of the steps?
- With regard to engaging the community, how did you go about this? Who all did you involve? Did any group not participate and if so, why?

Give the groups 15-20 minutes to do this exercise. Then, in plenary, ask groups for their responses to the two question areas – practical steps taken; engaging the community.

Module 3: Community Based Complaints Mechanisms

Handout 1: Four Characteristics of an Effective Complaints Mechanism

These are the key characteristics of an effective complaints mechanism [CAST]. They are all essential, the **non-negotiable critical elements** for any effective complaints mechanism.

Confidential

- Restricts access to/dissemination of information
- Helps create environment enabling witnesses to engage
- Information should be available to limited number of people

Accessible

- Available to be used by as many people as possible in operational area
- special access measures in place for children, elderly, disabled, etc.
- Communities must be informed how to complain and encouraged to complain as necessary

Safe

- Considers potential dangers/risks to all parties
- Incorporates ways to prevent injury and harm
- Includes ensuring confidentiality, offering physical protection and addressing potential retaliation
- A safe space (also used for other purposes)

Transparent

- Members of affected community know it exists, input into its development, know how to access it, ensure it is adhered to

Module 3: Community Based Complaints Mechanisms

Handout 2: Ten Principles for Establishing a CBCM

These are the 10 principles, as outlined in the PSEA Task Force Guidance document. The '10' criteria are a combination of principles and critical elements needed to establish an effective CBCM. It is the **framework for the ideal system**.

1. Integrated complaints mechanism
   - SEA CMs operate within the overall complaints or feedback mechanism
   - Community structures involved in the overall complaints system

2. Participation, not just consultation
   - SEA CMs operate within the overall complaints or feedback mechanism
   - Community structures involved in the overall complaints system

3. Effective community awareness raising
   - Demystify SEA
     - ✓ training staff
     - ✓ Community awareness-raising on codes of conduct
   - Demystify complaints mechanism
     - ✓ Translate information into local languages
     - ✓ Communicate mechanisms to all stakeholders
     - ✓ Information campaign for all – visual/aural tools etc.

4. Multiple channels
   - Adapt existing systems (e.g. GBV reporting)
   - Incorporate staff with beneficiary contact roles
   - Opportunity for written and verbal complaints
   - Ensure there are a range of options that meet needs of all groups, e.g. teachers might be one option for school-going children

5. Trained staff
   - Early deployment of [SGBV] staff (trained on SEA) with understanding of CBCM
   - People receiving complaints well-trained (esp. for dealing with children)
   - Senior staff to deal with SEA referrals
   - Management ready/committed to respond

6. Commit to confidentiality
   - Trust is critical – confidentiality linked to protection
   - All communications/complaints confidential & disclosed on need-to-know basis
   - Suggestion boxes must be secure and receive other issues as well as SEA
   - Written complaints must be locked away
   - In some cases confidentiality may not be assured – e.g., if it necessitates police involvement.

7. Safety of complainant and staff

Complaining may expose people to risk of retaliation – this affects willingness to complain – therefore CBCM must protect.

- Conduct risk assessment

- ✓ **immediately…**
    - Provide urgent medical assistance
    - Address urgent safety/protection concerns
    - Refer children to child protection specialists (agency)
- ✓ **…and subsequently**
    - Identify who may be at risk, and how
    - Prioritize risks – which are most urgent?
    - Minimize risk – how to respond

Important to have safety plans in place for those at risk of retaliation

8. Information clearinghouse
    - A system for agencies to share information:
    - When complaint received about another agency
    - For sharing information related to receiving/recording complaints
    - For making referrals
    - Not necessarily investigating

9. Feedback to communities/individuals

- Community role must be acknowledged by agencies in how they facilitated the CBCM
- Trust in system reinforced when complainant receives feedback
- Community feedback should be provided based on programming changes as a result of their input

10. Resourcing the CBCM

- A CBCM is mandatory according to the UN's Secretary General's Bulletin
- CBCM-related costs (training, staff time, materials) can be resourced under separate projects
- Essential for accountability purposes and better programming
- Consider too – costs incurred by complainants

Module 3: Community Based Complaints Mechanisms

Handout 3: Steps in Developing a CBCM

This is the suggested process. There is no point in raising awareness of beneficiaries, for example, if staff are not ready and trained. Similarly, don't design the system and *then* consult with beneficiaries – it will be perceived as top-down. The six steps outline **the sequence to be followed, to move forward** with establishing an effective community based complaints mechanism.

The process reinforces some of the principles already discussed and is meant to reinforce the key messages, notably coordination and participation – essential elements of a CBCM.

1. Consultation/coordination
   - A joint CBCM is preferable because:
     - ✓ It is cost-effective
     - ✓ It is simple -beneficiaries do not necessarily differentiate between different agencies.
     - ✓ It promotes coordination
     - ✓ It might be seen as independent
   - If a PSEA in-country network (ICN) is in place under the UN resident coordinator, link with this. It may provide additional technical support and resources.
     Note: ensure your Agency agrees to participation in the ICN [may require headquarters consent]

2. Participatory approaches with community
   Barriers to reporting are site-specific and vary dramatically.
   - A wide range of perspectives should be captured, especially the most vulnerable
   - Try to ensure that "gatekeepers" do not take the lead
   - Community representatives are important, but may also have their own agenda and not fully represent all perspectives
   - Ask people how they would like to report
   - Use variety of participatory methodologies (focus group discussion, key informant interviews)
   - Beware of superficial consultation

3. Design mechanism in partnership
This is a key requirement, especially if a joint mechanism.
   - Ensures that the expertise of all stakeholders is factored into process
   - Ensures buy-in by all (beneficiaries included)
   - Removes possibility of an imposed structure

4. Training
   - **Staff**
     - knowledge about processes
     - SEA and protection
     - Skills for receiving complaints and carrying out risk assessments
       - Preferably select staff with those profiles for receiving complaints, but all staff are required to know about the CMs and potentially receive complaints
   - **Key community member focal points,** depending on role they will take

PSEA Training Glossary[2]

Accountability – a situation in which people who are affected by decisions (e.g. staff or people of concern) are able to influence the decisions and decision-makers through questions and complaints. Accountability implies one person's right to 'have a say' and another person's duty to consider and respond[3].

Agency – any non-governmental organization or international non-governmental organization or the United Nations.

Allegation – the formal complaint regarding a possible breach in the Agency's Code of Conduct by a member of staff.

Beneficiary – a person who receives assistance as part of either emergency relief or development aid through assistance programs.

Child – any individual under the age of 18, irrespective of local country definitions of when a child reaches adulthood.

Code of conduct – a set of standards about behavior that staff of an organization are obliged to adhere to.

Complainant – the person making the complaint, including the alleged survivor of the sexual exploitation and abuse or another person who becomes aware of the wrongdoing and reports/brings forward the allegation

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

Evidence – information gathered during the investigation that proves or disproves an allegation.

Focal point – a person designated to receive complaints of cases of sexual exploitation and abuse.

Gender – the social differences between men and women that are learned, changeable over time and have wide variations both within and between cultures. Gender affects roles, responsibilities, constraints, opportunities and needs of men and women in any context.

Incentive worker – an individual who receives non-monetary compensation for work or representation for an organization. Incentive workers are usually drawn from the beneficiary community.

Inter-Agency Standing Committee (IASC) - The Inter-Agency Standing Committee (IASC) is the primary mechanism for inter-agency coordination of humanitarian assistance. It is a unique forum involving the key UN and non-UN humanitarian partners. The IASC was established in June 1992 in response to United Nations General Assembly Resolution 46/182 on the strengthening of humanitarian assistance

Investigation procedures or protocol – a clear framework which assists organizations to conduct quality, confidential, safe and transparent investigations into allegations of staff misconduct.

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[2] This reference tool was compiled by InterAction to assist with PSEA trainings. Sources: BSO Guidelines and IASC Model Complaints and Investigations Procedures and Guidance Related to Sexual Exploitation and Abuse.

[3] Humanitarian Accountability Partnership – International, http://www.hapinternational.org/en/page.php?IDpage=64&IDcat=10

Partner - agency or organization executing a project or undertaking any other work in the name of an agency or organization.

Risk – the possibility of loss or harm and/or the probability of an adverse occurrence.

Sexual abuse – an actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.[4]

Sexual abuse of children – the involvement of a child in sexual activity that s/he does not fully comprehend, give informed consent to, or for which s/he is not developmentally prepared and cannot give consent, or that violates the laws or social taboos of society. It is evidenced by an activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person. It may include, but is not limited to, the inducement or coercion of a child to engage in any unlawful sexual activity; the exploitative use of a child in prostitution or other lawful sexual practices; the exploitative use of pornographic performances and materials.[5]

Sexual exploitation – 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.[6]

Sexual exploitation and abuse (SEA) prevention strategy – plans and actions designed and implemented by organizations to reduce the risk of sexual exploitation and abuse of people of concern. Common measures include awareness-raising, staff training, improved recruitment policies, whistleblowing policies, complaint mechanisms, investigation procedures and codes of conduct.

Staff member – a person who works for or represents an organization, whether or not s/he is compensated monetarily for such work or representation.

Subject of the complaint (SOC) – the person alleged to have perpetrated the misconduct in the complaint.

Survivor – the person who is, or has been, sexually exploited or abused. This term implies strength, resilience and the capacity to survive.

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

Witness – any person who gives testimony or evidence in the investigation, including the survivor, the complainant, a person of concern, a staff member of a partner agency, the subject of the complaint or another staff member.

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[4] United Nations Secretariat. 9 October 2003. *Secretary General's Bulletin on Special Measures for Protection from Sexual Abuse and Sexual Exploitation, 2003/13 (ST/SGB/2003/13)*. United Nations.

[5] World Health Organization (WHO). 1999. *Report of the Consultation on Child Abuse Prevention* (WHO/HSC/PVI/99.1). WHO, Geneva.

[6] United Nations Secretariat. 9 October 2003. *Secretary General's Bulletin on Special Measures for Protection from Sexual Abuse and Sexual Exploitation, 2003/13 (ST/SGB/2003/13)*. United Nations.