

Outcome of Investigations

An Agency's internal investigation may lead to the following results:

1. Allegations Founded/Established/Substantiated

- The allegations are considered as established by the persons in charge of the investigation process. The investigation report should be sent to the competent managers/department who will take the appropriate administrative/disciplinary action as per the rules applicable to the Agency's staff. Found by reasonable inference is sufficient grounds to recommend disciplinary action.
- Due consideration and assistance should be given to the complainant to seek legal redress from the competent authorities in the host country or in the country of the nationality of the perpetrator when such legal remedies are actionable.
- Any particular concern about possible reprisals against witnesses should be noted. The designated senior staff member should put in place concrete plans to monitor this. If, after proper investigation, there is evidence to support allegations of sexual exploitation or sexual abuse, these cases may, upon consultation with the appropriate internal legal advisors, be referred to national authorities for criminal prosecution.
- The decision reached as the result of the disciplinary process of the agency will automatically be inserted in the personal administrative file of the perpetrator and will be communicated to any prospective employer seeking a reference for this person.

2. Allegations Unsubstantiated

- If the allegations are insufficiently established or unfounded, the staff member will be officially notified that he/she has been cleared. If the allegation was made known to his/her staff, the field manager will take appropriate action to inform the staff about the decision of clearance. While there is no legal requirement to inform the complainant, it may be appropriate to do so as long as confidentiality and safety concerns can be adequately addressed. Should the investigation indicate that the allegations have not been substantiated, the case will be closed.

3. Allegations Unsubstantiated, but indication of poor practices or programming issues

- If there is an indication of poor practice, negligence, or programming implications which does not amount to abuse or exploitation, steps might be recommended specifically for the subject of the complaint and/or other staff (e.g., training, supervision, programmatic changes).

4. Malicious Complaint

- If a finding of malicious complaint by another member of staff is reached, sanctions will be pursued against that member of staff.