

NGO HEALTH BENEFITS WORKSHOP

BUILDING OUR ORGANIZATIONAL CAPACITY TO
PREVENT AND RESPOND TO SEXUAL HARASSMENT
AND ABUSE



INTRODUCTION

Anthony Val Flynn, EU Commission



WELCOME

Arjan Toor, CEO Cigna International Organizations & Africa
Helen Pleger, Senior Manager InterAction



TIMELINE: MORNING

- 09.30 Breakfast and registration
- 10.00 Introduction by Anthony Val Flynn, EU Commission
- 10.15 Opening note by Arjan Toor, CEO Cigna International Organizations & Africa and Helen Pleger InterAction Senior Manager
- 10.30 The importance of defining safeguarding by Christine Williamson, Founder of Duty of Care International
- 11.00 Introduction of afternoon break-out sessions
- 11.15 Investigations Management and competencies by Matthew Thacker, Global Security and Safeguarding Director at Population Services International
- 12.00 Coffee break & sign up for afternoon workshop
- 12.15 Change management NGO case study by Jennifer Emond, Head of Safeguarding Oxfam America
- 13.00 Lunch



THE IMPORTANCE OF DEFINING SAFEGUARDING

Christine Williamson, Founder of Duty of Care International





Duty of Care
International

Defining safeguarding

A brief look at how safeguarding is being interpreted and thoughts on how we can lift our standards more effectively

Defining safeguarding

As a term:

To protect from harm or damage with an appropriate measure (duty of care?)

Legal



- UK - Safeguarding is a term to denote measures to protect the health, well-being and human rights of individuals, which allow people, especially children, young people and vulnerable adults, to live free from abuse, harm and neglect
- USA...

Safeguarding crisis

Sector-wide

....to protect staff from harm (abuse, sexual harassment and violence) and to ensure staff do not harm beneficiaries

‘without systemic change, safeguarding will only keep INGOs safe — not people.’

Bruce-Raeburn, A



Scope

Broadening...labels

- Children at risk, child protection, child safeguarding
- Adults at risk, adult safeguarding
- Children, young people and vulnerable adults

Safeguarding policy framework





Taking
responsibility

What is safeguarding really
about?



Who is responsible?

- Project managers
- Line managers
- HR, Security, Risk – who else?
- Which policy?

Safeguarding framework



1. **To provide a harmonious working environment** - leading by example on good behavior
2. **To protect your people** from harm of poor behavior
3. **To support managers** with this aim – to help them create a positive working culture and react appropriately to signs of poor behavior
4. **To provide a system and the resource** that supports this aim – encourage good behavior, prevent and punish poor behavior



More points

- Prevention is better than cure
- Leaders lead by example
- Train managers
 - To be role models
 - To spot signs
 - To create a positive working culture
- Conduct risk assessments and use mitigation measures for roles working in higher risk/pressured environments
- Act on the findings of pulse surveys
- Be a listening manager and organisation and let this be evident in the way you govern and are held accountable



Duty of Care
International

Thank you

INTRODUCTION OF AFTERNOON BREAK-OUT SESSIONS



INVESTIGATIONS MANAGEMENT AND COMPETENCIES

Matthew Thacker, Global Security and Safeguarding Director at
Population Services International





Finding the Truth: An overview of Investigating Safeguarding in a Survivor-Centered Manner

Matthew Thacker, Director
Global Security and
Safeguarding
June 2019

Policies

Allegations of wrongdoing require the following:

- 1) A policy that explains unacceptable behavior
- 2) Awareness amongst beneficiaries what their rights are
- 3) Methods for staff, beneficiaries, and partners to report wrongdoing

Policies

A policy explaining unacceptable behavior

- Major donors have all begun to mandate their requirements around safeguarding in contracts and guiding documents
- Organizations must create their own policies in compliance with donors and international community standards
- Personnel globally must all be under the policy and acknowledge and agree to it

Policies

- Personnel
 - Must know unacceptable behavior so they exhibit acceptable standards
 - Must know how to recognize questionable behavior in others to prevent or report
 - Consent and power dynamics
- Beneficiaries
 - Consent and power dynamics
 - Must know expectations for proper interactions with NGO personnel
 - Must know their rights and how to question or report improper behavior

Policies -- Whistleblowing

- Beneficiaries
 - Multiple methods of reporting – verbal, written, electronic, paper
 - Community-based complaints
 - Vulnerable populations may have their own reporting needs
- Personnel
 - Multiple methods of reporting – locally or directly to HQ
 - Reporting concerns: Retaliation, “getting someone in trouble”, Not knowing process

**WE RECEIVED AN
ALLEGATION! ALL
HANDS ON DECK!
EVERYONE PANIC!**

(Not really. Take a breath and take charge)



Partners

- Everyone will want to be involved in the allegation to feel helpful. Too many cooks spoil the pot!
 - It IS, however, a team effort. Assign roles to everyone and prevent mission creep. There's PLENTY of work to go around.
- SURVIVOR-CENTERED RESPONSE ALERT!!!

Someone has allegedly been violated and their power and rights taken away. NEED TO KNOW situation only. Protect their dignity and confidentiality by keeping the circle of knowledge tight and unbreakable.

Partners

- Safeguarding Case Team
 - Authorize actions and finances for the investigation and related expenses
 - Read the final investigation report and make decisions on personnel and organizational changes
 - Executive Team
 - Legal Counsel

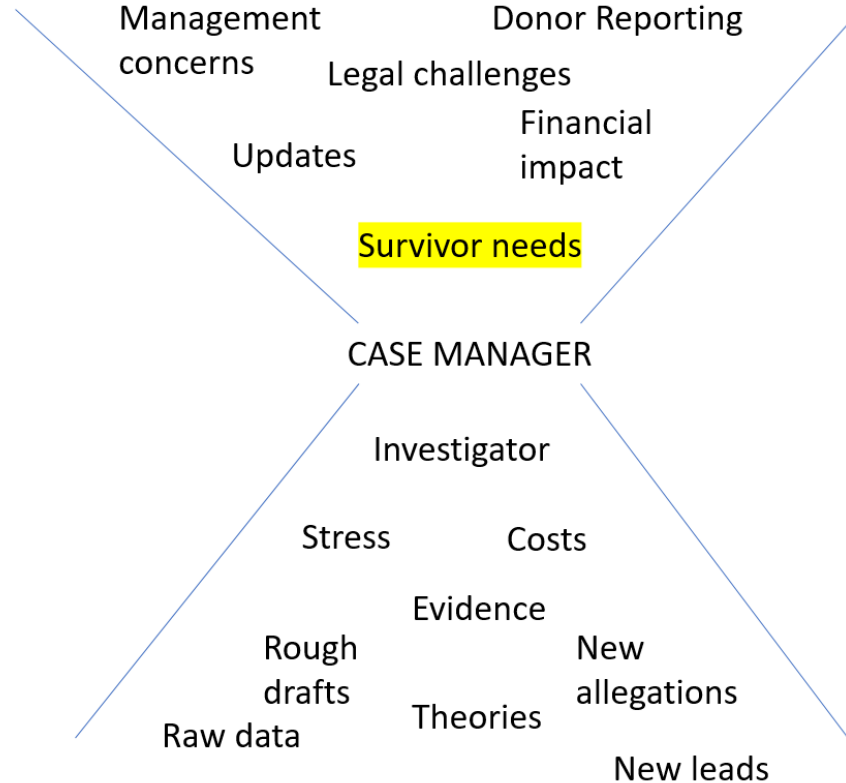
Partners

- Case Manager
 - Oversees the investigative process and all moving parts
 - Submits final investigation report to Case Team and answers questions
 - Coordinates Case Team's decisions on outcomes into action

Partners

- Lead Investigator
 - Designs and implements entire investigation
 - Interviews all parties involved*
 - Identifies and collects evidence
 - Keeps meticulous records and notes

The Importance of a Case Manager



Plans – How to Investigate

- 1) Understand what the alleged wrongdoing is in the report
 - Euphemisms may be used in allegations
 - Cultural words, expressions, or “work around” language may be used to avoid using sexual language
 - Names, dates, times, locations, ages, identifiers may not be used at all, or be incorrect.

REPORTS MAY BE ANONYMOUS AND NO FOLLOW UP POSSIBLE

Plans – How to Investigate

- EVERY allegation must be investigated as best possible
- Best practice is to complete the investigation and make decisions within 28 days of receiving the complaint

Plans – How to Investigate

- 1) Pull together all internal policies that may be relevant
- 2) Pull together any donor policies that may be relevant
- 3) Case Manager and Investigator to jointly review the allegation and policies to decide what to investigate and who the Subject(s) of the investigation are

Plans – How to Investigate

Evidence will generally fall into three categories

Personal Interviews	Digital	Records
Survivor*****	Emails	Vehicle logbooks
Country Director	Phone records	Travel requests
Coworkers	Texts/WhatsApp/Skype/etc	Expense reports
Known witnesses	Security cameras	Timecards
Guards, drivers, bartenders	GPS tracking	
Background interviews	Social Media	

SECURE DIGITAL ITEMS AND RECORDS IMMEDIATELY

Map out the Evidence

Interview considerations

SAFETY OF EVERYONE INVOLVED

Language used and interpreter needs

Cultural and gender considerations of interview

Recording and transcribing interviews

Confirming accurate recording of interview

Pre-written questions for each person (Customized!)

Interview order

Purpose of Interview	Type of Interviewee	Outcome
Understand the big picture; country context; who knows what about allegation; background of person; etc	Country Director	Investigator and Case Manager will know the full scope of the case and how to manage going forward
Get full understanding of what allegedly happened	Complainant	Understand the events from the perspective of the person who made the allegation known to the organization; identify witnesses; timeline; locations;
	Survivor*****	First-hand account. SURVIVOR MAY BE PUT IN DANGER BY BEING INTERVIEWED
Deep background of cultural context	Local HR manager, Senior local staff aware of the allegation	Understand what behaviors are common locally; dangers to survivor and others involved if made public;
Corroboration	Witnesses	Piece together a picture of events from multiple sources
Confirm the story	Subject of the Complaint	Obtain a confession; Alternate theory of events; Maintain innocence; Potential malicious reporting

Interviews

- The Investigator must know what questions they want answered– NOT what answers they want! (No biases!)
- Interviews are not arguments – The Investigator's role is to facilitate the people to speak and be heard
 - The investigator can argue with an interviewee in the investigation report using evidence and reasoning
- Interviews may bring additional allegations – acknowledge and document, and promise follow-up (don't get sidetracked)
- Interviewer should not have biases– all interviewees will be carrying their own baggage. Distinguish fact from opinion.

Three Types of Questions

1) Open-ended questions

“Tell me about what you saw...”

Allows the interviewee to control the pace and details.

Least opportunity for interviewer to “guide” the details to a given path.

Will not always get specifics this way, especially from children or vulnerable populations.

Three Types of Questions

- 2) Specific questions
 - Who, What, Where, When?
 - (Why is a guess on motivation and is used sparingly unless asking about the interviewee's own actions!)

These questions allow the Investigator to clarify specifics in the story.

“And where were you when you saw this happen?”

“When you say “she said it”, who is ‘she’?”

“When did you first notice this?”

Three Types of Questions

3) Closed Questions

Usually result in “one-word” answers, to confirm details.

“Were you in the bedroom or living room when this happened?”

“Is this the first time he did this to you?”

“Was anyone else around when this happened?”

Confirms details stated in the interview. Corroborates evidence collected.

Does not usually lead to new information.

Writing the Report

- The investigation report should:
 - Be clear and concise
 - Bear testimony to the key principles of an investigation.
 - Address evidence to support and refute the complaint (where such exists).
 - Describe the methodology (process) and findings (content).
 - Evaluate evidence against specific provisions of Organization's policies
 - Separate fact from opinion.
 - Provide sufficient evidence to back conclusions and recommendations.

Wrapping up the Report

- Investigator should include:
 - Their recommendation on the Subject's guilt or innocence
 - Recommended actions the organization can take to strengthen policies
 - Awareness amongst staff of policies
 - Trainings
 - Changes to SOPs and Programming
- The Investigator submits the final report and evidence to the Case Manager. The Investigator is not normally part of the Decision-Making Case Team.

Final Thoughts

- The threshold for a safeguarding investigation is “...by reasonable inference this occurred...”
- This Investigation Report is not for a court of law! It is an administrative action! “Beyond a reasonable doubt” is not necessary.
- Investigators should also be supported afterwards for psychosocial wellness by Case Manager
 - Investigators may have heard or seen disturbing details and images
 - Investigator may feel negative emotions and resentment at coworkers and the organization
 - Confidentiality needs may have caused Investigator to internalize all the stress related to the case without a way to vent



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Matthew Thacker
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Psiimpact.com



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COFFEE BREAK & SIGN UP FOR AFTERNOON WORKSHOP

12:00 – 12:15



CHANGE MANAGEMENT NGO CASE STUDY

Jennifer Emond, Head of Safeguarding Oxfam America



LUNCH

13:00 – 14:00



TIMELINE: AFTERNOON

14.00 Interactive Workshops

- Critical Incident Management Response - Lynne Cripe, KonTerra
- Managing Organizational Change - Katherine Bailey LCSW, Organizational and Trauma Consultant
- Bullying and Harassment for Managers - Christine Williamson, Duty of Care International

15.00 Coffee break

15.15 Discussion of break-out sessions and group feedback

16.15 Closing note by Arjan Toor, CEO Cigna International Organizations & Africa Patty McIlreavy, InterAction Vice President for Humanitarian Policy and Practice

16.30 Networking reception

17.30 Close



INTERACTIVE WORKSHOPS



COFFEE BREAK

15:00 – 15:15



BREAKOUT SESSIONS

Discussion and group feedback



CLOSING NOTE

Arjan Toor, CEO Cigna International Organizations & Africa
Patty McIlreavy, InterAction Vice President for Humanitarian Policy
and Practice



NETWORKING RECEPTION

