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Safeguarding in humanitarian organisations: a practical look at prevention and response

by **Kelsey Hoppe and Christi Hoppe**

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In part one (<https://odihpn.org/blog/safeguarding-humanitarian-organisations-practical-look-prevention-response/>) of this two-part series, Kelsey Hoppe, director of Safer Edge, a UK-based security risk advisory company, and Christi Hoppe, director and founder of Duty of Care International, discussed the prevention side of safeguarding. In this second part of their discussion with a look at safeguarding response.

For the purposes of this article, ‘safeguarding’ is defined as the actions that humanitarian organisations take to protect their personnel from harm and to protect others. This is expanded from the UK legal definition of safeguarding, which applies to children and vulnerable adults. Safeguarding also includes measures to prevent and respond to harassment and abuse (including sexual harassment).

KH: In discussing prevention, we looked at several key actions that organisations can take to make safeguarding part of their risk management practices. What practices have you seen in relation to response?

CW: Organisations with good safeguarding practices and have made it continuous and built it into their asking safeguarding questions in staff engagement groups with staff and managers, relaunching the meetings to talk about safeguarding and what t

**KH: When I was a senior manager in aid organisations 'gate' all sorts of things – fraud, misconduct, s
er given any training in how to do it. At best, t
handbook under the heading: 'how to conduct
this is commonplace?**

CW: Sadly, yes. Grievance or disciplinary procedures point for those managing investigations. It's important that procedures which are adequate for all types of misconduct are managed by staff trained in their use. Trained staff should take an appropriate way, and decide whether there is a need to meet with the complainant and alleged perpetrator following the nature of the complaint, the alleged perpetrator's circumstances, and the nature of the complaint. Some organisations have policies which allow staff to take time off work with pay while the formal investigation takes place.

Investigations can be a very complex and sensitive process and take time. They usually take place following a complaint or allegation, and *after* the harm has been done. Organisations with a good capability should look for signs of harm and prevent it where possible. Investigation is both part of prevention and response.

KH: This highlights the single point of failure reporting. If misconduct isn't reported, the opening. We know that victims of abuse are often coerced into silence or don't trust reporting mechanisms. How do you avoid placing all the responsibility for taking action on the victim?

CW: Instead of relying on reporting mechanisms, we should actively look for and prevent harm or threats. This information is often already available to you. As one example, you could look through exit interviews or debriefs of people leaving their contracts. The individual leaving might mention the behaviour of another colleague or express concern. If you have a concern, you could conduct an investigation by researching the team. There could be higher absence rates or turnover in the team, or increased complaints in the team, or data from other sources that back that reveals concerns. This desk investigation could be followed by interviews, which in turn might uncover signs of harassment or abuse – prompting a full investigation.

We know anecdotally that harm is happening, but formal investigations need to identify and investigate *possible* threats using professional methods this requires. It is imperative to have people trained to investigate and know the process for handling specific, serious reports and violations. Organisations implementing safeguarding practices may find that they need to support the initial upsurge in reporting.

KH: In addition to proactively discovering risks to complaints or allegations of abuse or harassment, organisations create reporting systems that encourage people to report.

CW: People are more likely to trust a reporting process that is confidential and well-managed. They are more likely to report if they can do so confidentially or anonymously. It is important that the reporting system receives reports, what it does with them and how it supports the reporter either in the way of anonymity or support. There is a lot of research on the safeguarding process. If employees trust the way that the organisation is moving the risk of harm, they are more likely to report a complaint.

There is some evidence that people don't trust the reporting process if they don't see visible consequences, e.g. prosecution. If consequences don't come, the bar to a successful prosecution is very high. It is often mentioned when it appears perpetrators of harm are not being prosecuted. In any way, if the harm is disrupted and stopped through reporting, it is principally about staff having a better understanding of the process to stop harm.

KH: In setting up this system, should organisations have a dedicated team dedicated to safeguarding, or is it possible to integrate reporting into the responsibilities of existing staff?

CW: This will depend on the size and scope of the organisation. In smaller organisations, the manager or an HR representative is often the channel through which employees are encouraged to use when raising a concern. In larger organisations, safeguarding, is the organisation training and equipping staff to handle this kind of information? Do they know what is and is not appropriate to say or do? Anyone with responsibility for handling safeguarding reports needs to have the competence to manage investigations and prepare sensitive reports in a legal way.

I would argue that a more suitable system would be to handle safeguarding complaints directly with a dedicated person or unit – separate from line management. This would provide the reassurance of confidentiality. Having focal points for these issues would demonstrate how seriously the organisation takes issues of harassment and the protection of their staff.

KH: What's the difference between making a complaint and whistle-blowing? Are these different processes?

CW: A whistle-blowing mechanism is the means by which an employee can make a complaint or report anonymously. This mechanism is used for the reporting of issues beyond safeguarding, like reporting a cover-up or other issues that endanger employees. Whistle-blowing should not be confused with whistle-blowing law which, in the UK, covers harassment and discrimination. Whistle-blowing is a legal process.

helpline or email. What's important, as with any that the whistle-blowing procedure is well-known mechanism must be supported and managed to collect and analyse information, and have the ability to conduct investigations on behalf of the organisation in a

KH: Often, perpetrators of harassment or abuse are not identified before they can be dismissed. How can aid agencies identify perpetrators and prevent perpetrators from moving on to

CW: Allegations of harassment can sometimes be the key reasons why there is under-reporting (often complainants don't want to go through the stress of reporting and the consequences that will happen to the perpetrator. To resolve the issue and process, organisations sometimes use Confidentiality Agreements with the alleged perpetrator. These agreements usually include a confidentiality clause which prevents either party from discussing the incident. Such agreements, however, allow perpetrators to move on to other agencies and cause further harm. My strong advice is to have a very clear policy for dealing with safeguarding incidents, including responding to and investigating complaints to ensure that the perpetrator has to prove or disprove allegations of misconduct. A thorough investigation and hearing will ensure the facts are documented and included in the perpetrator's personnel file. Should the perpetrator leave, the reason for leaving can be provided in a future reference check and passed on to the next organisation.

KH: Investigations into safeguarding issues to ensure that organisations respect the need for confidentiality of this type of information?

CW: While those who have suffered harassment and abuse need confidentiality upheld, information – even sensitive information – should be shared with the appropriate people. Employees need to know before they report a safeguarding issue, they know their information related to them and others involved will be handled appropriately. Managers have known about situations but taken no action. We need to understand confidentiality to mean. This is where training for staff to support safeguarding complaints is important. We can ensure that the response is professional and that the issue is handled and correctly handled. They can also follow best practices,⁺ while ensuring that the complainant feels supported and guidance to make good, informed choices.

KH: One question we're often asked about investigations is whether an organisation need to report cases to the police or other authorities, donors or regulators? If information comes to you that has been criminal activity, when, and who, is the organisation required to report it?

CW: In most countries, some instances of harassment and abuse, including sexual violence, are considered criminal offences and reported to police. An organisation that does not report criminal offences is likely to be in breach of the law.

count by the local criminal justice system. Ideal to conduct a parallel investigation into misconduct and own investigation.

Obviously, there are issues with this. Complainants may be reluctant to report to local authorities as they don't trust or know them. If the case involves sexual violence, it is possible in some cases that a counterclaim is brought against the complainant. This issue is also considered when the organisation is developing its policies and processes when beginning work or operating in a new area. Remember that any investigation into sexual harassment should, as far as possible, be led by the informed choices of the complainant. The complainant should be guided on and informed of all options if they have decided to report a case to the local authorities and what support they'll receive from the organisation.

In cases where UK citizens have engaged in serious misconduct (regardless of the nationality of the victim) the National Crime Agency should be informed.

The UK Charity Commission requires UK charities to have policies in place relating to safeguarding (the definition of a 'safeguarding' policy is here (<https://www.gov.uk/guidance/how-to-keep-your-charity-safe>)). With donors and other external partners, there is a legal obligation to report unless it is in a contract. Therefore, all charities should consider and decide on their own approach to setting up their investigations system.

KH: Given that most organisations' safeguarding, how can organisations provide adequate support has been made?

CW: Assuming it is the complainant who experiences supporting them – from the moment they report after a decision has been reached – is one of the organisation can do. The effects of abuse or harassment, less, fearful and potentially traumatised. Miscommunication and a lack of support are likely to lead to a incident or situation even more difficult to overcome. If a complainant has not been supported while an investigation is following a hearing, there was no follow-up from HR. The legal process kicks in and the person who has suffered is forgotten. We have to remember that this individual is unique and that people react differently to traumatic situations and to different types of support. Options for support through a personal or criminal investigation could include:

- Access to appropriate, pre-identified medical and psychosocial health – ideally covered by the organisation. Psychosocial support could be needed for someone who has left the organisation. To support victims of harassment, organisations should consider a longer-term solution to psychosocial support. Unlimited support is provided over a longer period of time, a number of counselling sessions, which is essential for severe and trauma cases.

- Practical employment support during the investigation, including support in communicating with other staff around the investigation, and support to the police (where legal support may be required). It is important to provide reassurance throughout the formal process. For those who require adjustments to the responsibilities of the role, it is important that support is given, the individual needs to be aware of their own needs, and given to how different people and processes will affect their ability to return to work while an investigation may be ongoing.
- Access to a coach or mentor to help the individual build their self-confidence and enable them to return to work.
- Access to further training in areas like psychology, resilience, and of managing resilience in traumatic situations.

KH: We've been mainly discussing response within an organisation, what should an organisation do if they receive allegations from another organisation, or if an employee makes a complaint while working for another organisation?

CW: Having a robust reporting mechanism means that an organisation should be able to receive, and act on, complaints from other organisations. It should allow employees to make complaints about other organisations. Having a confidential email, phone number or line, and other ways others outside the organisation can report, is important. If an individual from another organisation, management or staff, makes a complaint to that organisation in the response. Ideally, the organisation should have robust safeguarding practices. If not, then the organisation should protect the complainant to the greatest degree it can.

KH: In these two conversations, we have only robust safeguarding is critical, and what practices should we consider when implementing safeguarding. What are some best practices for more about safeguarding systems and procedures that work effectively?

CW: The UK Charity Commission, the regulator for charities and their development, has provided a number of links on its website (<https://www.gov.uk/government/news/charity-commission-announces-new-guidance-on-safeguarding>) to relevant information and resources, including guidance on safeguarding. The Department for International Development has issued statements (<https://www.gov.uk/government/news/development-secretary-on-oxfam-and-uk-action-on-safeguarding-in-the-aid-sector>) and will be holding a Safer Edge event (<https://www.saferedge.com/safeguarding>) on how organisations can use discovery and investigation to identify and manage safeguarding risks. The CHS Alliance (<https://www.chsalliance.org/courses-for-managers>) has a course on responding to allegations of abuse. Duty of Care International (<http://dutyofcareinternational.org>) has a course on its website and develops and delivers safeguarding modules for all types of organisations.

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