

## **Reporting Framework for Allegations of Sexual Exploitation and Abuse**

### ***PSEA Network Myanmar***

#### **Introduction**

Following the introduction of minimum requirements for the implementation of safeguarding or protection from sexual exploitation and abuse (PSEA) policies, PSEA Network actors have voiced concern regarding the sharing of information of allegations of sexual exploitation and abuse (SEA), particularly *outside* of their own organizations or agencies. These concerns include: how to meet the various mandatory reporting requirements of UN agencies and donors; how to ensure that reporting is done in a manner that respects confidentiality and the wishes of the survivor; and how to refer an allegation regarding a perpetrator of another organization.

The purpose of this reporting framework is to provide a guide to handling allegations of SEA beyond an individual agency or organization. It seeks to foster collective accountability in PSEA reporting and response in Myanmar, and to enable safe reporting of non-identifiable information on SEA cases so that the Network can be apprised of the overall situation in Myanmar. It articulates the role of the PSEA Network in filling gaps in terms of response where this is needed. The framework consists of separate documents related to reporting.

The framework documents are:

1. Inter-organizational complaints referral procedures
2. Information-sharing protocol
3. Reporting guidance for Network members vis a vis donors
4. Annexes

#### **1. Inter-organizational complaints referral procedures**

This document provides guidance to PSEA Focal Points and staff receiving complaints that concern an alleged perpetrator of another organization. It also provides guidance on how to handle 'up in the air' complaints or rumours. It is based on the IASC guidance on community-based complaints mechanisms, and may in the future be adapted into the community-based complaints mechanism for specific operational areas.

#### **2. Information-sharing protocol**

The protocol is based on the gender-based violence (GBV) Information Management System Information Sharing Protocol as SEA is largely reliant on GBV services; however, it has been adapted due to the mandatory reporting requirements, immediate provision of services, and the fact that information may not come from a service-provider, but rather from PSEA focal points. It sets out the type of information that should be shared to the PSEA Network Coordinator and the PSEA Network Co-Chairs and when, and how the information will be used. It is intended to apply to all documents in this framework.

#### **3. Reporting guidance for Network members vis a vis donors**

The reporting requirements for organizations on safeguarding breaches or allegations of SEA are governed by partnership agreements with donors and internal PSEA policies; however, at times these agreements are unclear regarding the overall obligation to report, and what information is required. This document seeks to provide guidance on the reporting obligations to ensure understanding between all actors in situations where an alleged perpetrator is a staff member of a Network member organization, whether or not it is an NGO, CSO or UN Agency.

#### 4. Annexes

**A) Sample internal complaints handling process**

This document provides a sample internal complaints handling process for organizations that do not yet have this structure set up. It is intended as a guide only and should be adapted according to the size of the organization and the organization's mandate/mission in Myanmar. It is based on IASC guidance.

**B) Sample complaints intake form**

**C) Sample complaints referral form**

**D) Summary information for reporting**

This document is a Word version of the Excel table (Excel version should be included as a separate document).

**E) PSEA Focal Point list**

This is a separate document and will be updated quarterly.

#### Endorsement and application

The framework shall be endorsed by members of the HCT, and the UNCT will be informed of the endorsement. Following endorsement, All Network members, including UN, NGOs and CSOs are suggested to adhere to the documents contained in this framework in as much as internal policies allow, with the exception of the Annexes, which are provided as samples only.

The intention of the framework is to implement best practice of inter-agency reporting of PSEA as outlined by the IASC Global Standard Operating Procedures on Inter-Agency Cooperation in Community-Based Complaints Mechanisms, as well as operationalizing IASC commitments on collective accountability.<sup>1</sup> PSEA Network members are encouraged and in the absence of an internal policy, shall adopt and /or implement the framework as a guide and reference as an example of international best practice, and implementation will be monitored by the Network Co-Chairs.

*Final version endorsed by HCT on 6 July 2023*

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<sup>1</sup> See for example IASC Plan for Accelerating Protection from Sexual Exploitation and Abuse in Humanitarian Response at Country-Level, endorsed by IASC Principals on 3 December 2018, available at: [https://interagencystandingcommittee.org/system/files/iasc\\_plan\\_for\\_accelerating\\_psea\\_in\\_humanitarian\\_response.pdf](https://interagencystandingcommittee.org/system/files/iasc_plan_for_accelerating_psea_in_humanitarian_response.pdf); and Statement on Protection from Sexual Exploitation and Abuse, endorsed by IASC Principals on 11 December 2015, available at: [https://interagencystandingcommittee.org/system/files/principals\\_statement\\_on\\_psea\\_2015.pdf](https://interagencystandingcommittee.org/system/files/principals_statement_on_psea_2015.pdf).



## PSEA NETWORK MYANMAR INTER-ORGANIZATIONAL<sup>2</sup> COMPLAINTS REFERRAL PROCEDURES

### Introduction

1. This document is guided by the *Protection from Sexual Exploitation and Abuse Strategy for Myanmar*, which enshrines the principles of key global guidance such as the Secretary General's Bulletin ST/SGB/2003/13. These referral procedures aim to establish safe and ethical procedures for the handling of complaints of sexual exploitation of abuse (SEA) among UN agencies, NGOs and CSOs operating in Myanmar in both humanitarian and development contexts.
2. This document is based on the Inter-Agency Standing Committee's Global Standard Operating Procedures for Inter-Agency Cooperation in Community-Based Complaints Mechanisms (May 2016).
3. Sexual harassment in the workplace is not included in the scope of these referral procedures.

### Definition

4. As per ST/SGB/2003/13, sexual exploitation and sexual abuse are defined as follows:
  - a. 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;
  - b. Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

### Scope

5. The intention of this document is to complement organizational internal policies of PSEA, and provide guidance when reports of complaints need to be referred *beyond* one individual organization.
6. It seeks to operationalize the IASC global standard operating procedures for inter-agency cooperation in CBCMs among all PSEA Network members in Myanmar.
7. This document is not intended to replace an individual organization's policies of handling complaints of SEA. It provides a set of minimum guidelines for Network members. Area-specific mechanisms or procedures that have been or will be developed by relevant sub-national PSEA working groups should be aligned with this guidance.
8. The final responsibility to address the complaint and follow-up any investigation lies with the individual organization or agency.
9. These procedures shall apply from the date of endorsement by the HCT and/or UNCT.

### Principles

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<sup>2</sup> The term 'organizational' refers to non-governmental organizations, civil society organizations, and UN entities including UN agencies.



10. All agencies and organizations agree to uphold the principles of confidentiality, transparency, accessibility, survivor<sup>3</sup>-centered approach and partnership when any allegation or complaint is made to their organization and in implementing the current procedures. In referring complaints, all agencies and organizations must maintain confidentiality and respect the reputation of the organization and of the individuals involved in an allegation or complaint. Organizations agree to receive complaints referred from another entity in good faith and in the spirit of cooperation and deal with it in a timely manner.

**Note on mandatory reporting of SEA and how it relates to confidentiality and the survivor's consent:**

While reporting SEA is mandatory, the organization should at all times seek the informed consent of the survivor and when a child should apply child-sensitive actions. This obligation may in practice conflict with the principles of confidentiality and the right of the survivor to choose how they would like to address the incident. Agencies and organizations will need to internally reconcile this potential conflict, balancing both the right of the survivor and the safety of the individual and broader community. Organization and its designated official should inform the survivor of the internal policies and procedures that apply and the mandate to report SEA while seeking informed consent to proceed (*IASC Global Standard Operating Procedures on Inter-Agency Cooperation in CBCMs*).

11. On confidentiality, where informed consent is given, disclosure of information should be restricted on a need to know basis only
12. Unauthorized disclosure of allegations may constitute misconduct. Personnel must refrain from making public statements on the substance of a case or any proceedings. This includes commenting or posting on social media.
13. To help ensure confidentiality, the survivor's name and other identifying information like location, organization name, community name etc. should not be used in any correspondence. Instead, a code (e.g. case code, numbers or other letters) should be used.
14. The identity of the alleged perpetrator must be protected at all times, out of considerations of due process, potential retaliation, and presumption of innocence. To protect against possible retaliation, the names of the complainant and survivor should never be released to the alleged perpetrator without the survivor's consent.<sup>4</sup>

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<sup>3</sup> The term 'survivor' is used in this document and refers to survivors and victims including alleged victims of SEA. The term 'victim' is often used in relation to survivors of SEA as this is the language used in United Nations General-Assembly mandated activities and is defined as an individual whose claims that they have been sexually exploited or abused by UN staff or related personnel have been established through a UN administrative process or Member States' processes, as appropriate. Source: UN Glossary on Sexual Exploitation and Abuse, 24 July 2018.

<sup>4</sup> Global Protection Cluster, GBV AOR, Handbook for Coordinating Gender-Based Violence Interventions in Emergencies, 2019, p 39. During an investigation, an alleged perpetrator may request to know the survivor's name.



15. Where the survivor is a child, the name should never be disclosed to the perpetrator. The caregiver should be informed and engaged in all due process and informed consent should be prioritized using sensitive approaches.
16. Information pertaining to cases of SEA should be stored in a secure manner (for example, *not* saved on a shared drive accessible to all personnel) and access to the information should be authorized by the RC/HC.
17. Information about an **incident** or **allegation** is different to an **investigation**. For the purposes of this mechanism, the terms 'incident' and 'allegation' will be used interchangeably to refer to the act of SEA. **Incident** information on the alleged perpetrator typically consists of the basic questions : *Who* is the staff member, if connected to an organization, what is the name of the organization affiliated with, *What* did she/he do, *When* did it happen, *Where* and the time of the day it happened. Information about the basic information on the survivor will be necessary to facilitate the process of provision of services and investigation based on informed consent. ALL information will be kept confidential and not to be disclosed. Incident information is necessary to facilitate the process of referrals for services and to move on to the investigation.

For incidents and allegations raised by a third party (someone who witnessed or received disclosures and is not considered to be the survivor or alleged person involved), the information questions above mentioned applies. For purposes of follow-ups or investigation procedures, the contact details of the report will be kept confidential at all times.

18. An **investigation** is an in-depth process that is conducted by a trained professional and typically involves interviews with individuals involved. For most international organizations, investigations are conducted by a dedicated unit based in headquarters. The investigator will collect all facts on the case, make a report and do not give recommendations or verdicts on the case/incident reported. The decision should be made by the authorized personnel only based on facts/evidence collected by the investigator and with reference to internal policies and procedures established including the whistleblowing policy.

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If the survivor has not given consent, this request should be refused and other facts should be used in order to present the specifics of an alleged incident without having to disclose the survivor's name. Investigative policies may differ between organizations and agencies.



### **Informed Consent**

Informed consent is the voluntary agreement of an individual based upon a clear appreciation and understanding of the facts and implications of an action. Informed consent may be written or given verbally. The PSEA Focal Point should ensure that the survivor is fully aware of the mandatory reporting obligation for allegations of SEA and how information will be shared. PSEA Focal Points should therefore be familiar with what information will need to be provided for their organization's internal procedures when handling a complaint. For example, will the survivor have to file a report, and if so to whom? Does the survivor have the choice to participate in an investigation or not? What information will be shared and to whom?

Children are generally considered unable to provide informed consent (*Coordinating GBV in Emergencies*, 2019).

For more information on informed consent in GBV case management and sample scripts, see the *Interagency GBV Case Management Guidelines* 2017, Chapter 2.

### **Referral process**

#### ***Receiving the complaint***

19. The staff member receiving the complaint, either in writing or verbally, should:

- a. Get the basic incident information and immediately refer to appropriate individuals and organization
- b. Explain to the complainant the requirement to report. If the survivor has not given consent to report the incident, there is nevertheless the obligation to report.
- c. If the survivor has not given consent to share their name, it must not be passed on.
- d. If the survivor is the complainant, seek their informed consent to share information confidentially (see above).
- e. Immediately refer the survivor to appropriate GBV services including specific services if the survivor is a child.
- f. Will not make judgements if the incident is SEA or otherwise

#### ***Complaints regarding a staff member of the focal point's own organization or UN agency***

20. The staff member receiving the complaint should refer the complaint to the PSEA focal point of the staff member's own organization immediately or as soon as possible after receiving the complaint or report directly according to internal reporting channels. If, for whatever reason, the staff member does not want to refer to the PSEA focal point, they should refer to a member of senior management, or to one of the PSEA Network co-chairs (national or sub-national).

21. The PSEA focal point should report the incident information following the organization's internal procedures. The PSEA focal point should NOT conduct an investigation.

22. The PSEA focal point or person receiving the complaint should also inform the PSEA Network Coordinator or one of the PSEA Network co-chairs for monitoring of the case and provision of support



if requested.<sup>5</sup> Information shared should be non-identifying ‘summary information for reporting’ as per the Information Sharing Protocol.

23. It is the organization’s responsibility to keep the complainant (and if separate, the survivor) notified in a safe and timely manner of the status and outcome of an investigation, in accordance with the organization’s internal protocols.
24. The PSEA focal point should take note of the date of reporting the incident to mandated management staff.

***Complaints regarding a staff member of another organization or UN agency***

25. The staff member receiving the complaint should refer the complaint to the alleged perpetrator’s organizational complaints reporting system (e.g. reporting email or hotline), if known.
26. If the alleged perpetrator’s organization complaints reporting system is not known, the staff member should refer the complaint to the PSEA focal point of the staff member’s own organization immediately or as soon as possible after receiving the complaint. If, for whatever reason, the staff member does not want to refer to the PSEA focal point, they should refer to a member of senior management, or to either the PSEA Network Coordinator or one of the PSEA Network co-chairs (national or sub-national). This person receiving the complaint, for the purposes of these procedures, is referred to as ‘PSEA focal point (1)’, and should proceed to the below steps.
27. The PSEA focal point (1) should then refer the complaint to the PSEA focal point (2) of the organization of the alleged perpetrator as soon as reasonably possible, and *no longer than 48 hours of receiving information of the complaint*.<sup>6</sup>
28. The PSEA focal point (1) should take note of the date of reporting the incident to PSEA focal point (2). See Annex C, Sample Inter-Organizational Complaints Referral Form.
29. The PSEA focal point (1) should also inform either the PSEA Network Coordinator or one of the Network co-chairs for monitoring of the case and provision of support if requested (if not previously referred).

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<sup>5</sup> The IASC Global SOPs on Inter-Agency Cooperation in CBCMs notes that, where a member agency has an institutional complaint handling procedure that requires its staff to report all SEA allegations directly to his/her investigative unit at headquarters, it is ‘highly recommended that the investigating agency notify the CBCM Coordinator [i.e. the PSEA Coordinator] of the report for data tracking purposes’, paragraph 4.2.2(b). Furthermore, that ‘based on status updates shared by the investigating agency, the CBCM will monitor to ensure that the complaint was received by the investigative unit, maintain current records on the status of each complaint, facilitate contact with and information flow to the complainant and/or survivor, and remain available to assist the concerned agency/organization throughout the next steps upon request... apprising the CBCM is highly recommended for transparency and accountability to the complainant/survivor, and for monitoring and evaluation purposes’, paragraph 4.3.1.

<sup>6</sup> This timeframe is recommended in the IASC Global SOPs on Inter-Agency Cooperation in CBCMs, at 4.2.2(b).



30. The PSEA focal point (2) of the alleged perpetrator's organization should report the incident information following the organization's internal procedures. The PSEA focal point (1) and (2) should NOT conduct an investigation.
31. It is the organization's responsibility to keep the complainant (and if separate, the survivor) notified in a safe and timely manner of the status and outcome of an investigation, in accordance with the organization's internal protocols.

***Complaints where perpetrator's organization not known***

32. If the alleged perpetrator's organization is not known, or if the perpetrator is not employed by an organization, the incident should be referred to ONE PSEA focal point in the area, the area PSEA Network chair, the PSEA Network Coordinator or one of the national PSEA Network co-chairs.

Where a survivor has not given consent to share information, or if the survivor cannot be contacted or reached, there may be circumstances where the alleged incident is so severe that action must still be taken. In such cases, the utmost care should be taken to protect the identity of the survivor.

***<sup>7</sup>Referral to Myanmar Police Force***

33. Given the survivor's informed consent, they should be referred to relevant services and consent must also be given before referring the complaint to the Myanmar Police Force (MPF). Information should be given about advantages and disadvantages surrounding referral to MPF.
34. Where the survivor gives informed consent, it is the decision of the investigating organization to refer cases to the MPF in conformity with their internal procedures.

Where the survivor is a child, a social welfare officer from the Ministry of Social Welfare may be informed of the case to provide care and protection (Child Rights Law, s 58(a)). In this case, the social welfare officer is under an obligation to report the case to the MPF if there is reason to believe that a criminal offence has occurred. All decisions and actions regarding children should always take into consideration the best interests of the child (s 19(b)).

***'Up in the air' complaints or rumours***

35. If neither the survivor or alleged perpetrator is known, or if there is only a rumour of an SEA incident, the staff member should still inform the PSEA focal point of their own organization. The staff member should NOT make further inquiries. The PSEA focal point should inform senior management in their

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<sup>7</sup> This option may not be realistic under the current arrangements. But, there may still be a few cases where the survivor may still want to report to police.



own organization to assess the situation as to whether or not there is sufficient information for an investigation to take place. The PSEA focal point should also inform the PSEA Network Coordinator or one of the Network co-chairs, using the summary reporting format (refer to the Information Sharing Protocol).

### **Monitoring and compliance**

36. The PSEA Network Coordinator or one of the Network co-chairs should log each complaint, monitor the progress of investigations and provide an annual report as per the Information Sharing Protocol.

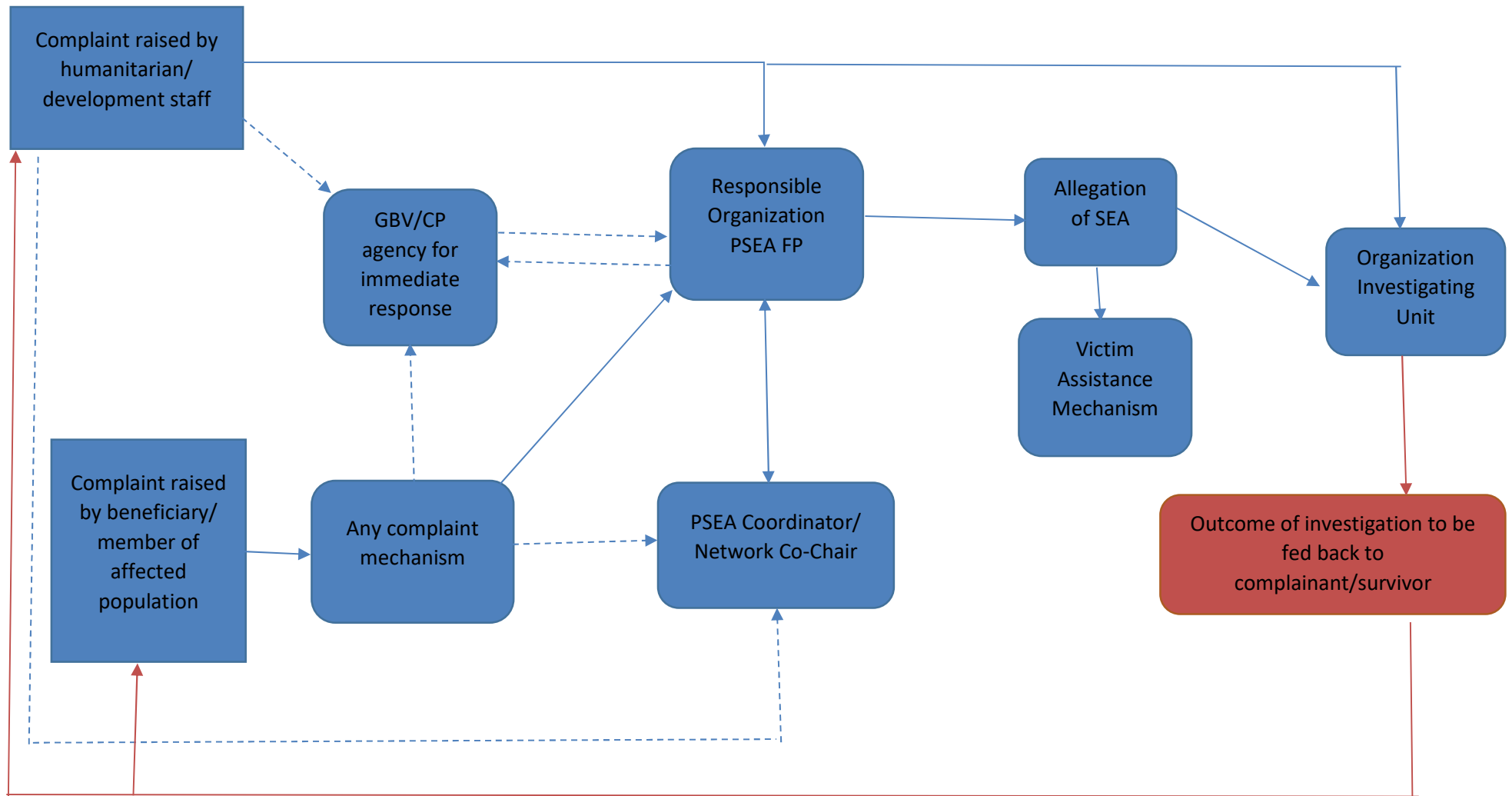
### **Request for investigators**

37. The PSEA Network is able to support any organization that may need investigative capacity. A request should be made by an organization's senior management to the PSEA Network Coordinator or one of the Network co-chairs. Standard Operating Procedures for the request and deployment of investigators from the pool of investigators are currently being drafted.





## INFORMATION FLOW





### Sample case study

*The following scenario is based on an actual case that was reported in the media in Myanmar. Names and some factual details have been changed.*

Ma Ma is blind and has learning difficulties. She was given an opportunity to work as a masseur and received several trainings from an NGO, Seeing Hands, that had a program to provide vocational training and placements for students in massage parlours where they could earn some money. The NGO was supported by a number of larger NGOs and donors. A male staff member of Seeing Hands asked Ma Ma to provide a massage service at his compound, every Sunday.

U Chit, who is Ma Ma's Uncle, and Ma Ma lived in a small rented apartment in San Chaung. One day, U Chit heard that Ma Ma was crying and asked her about the pain that Ma Ma had suffered. Ma Ma told him that she had been repeatedly raped by the Seeing Hands staff member.

U Chit wants to report the case but doesn't know where to report. He spoke to the media about the case. Ma Ma received medical care and counseling from the Social Welfare Department.

There are a couple of possible reporting scenarios for this case. If we use the example of the Inter-Agency Complaints Referral Procedures, the information flow could be as follows:

Scenario 1: Seeing Hands has safe reporting procedures in place

U Chit should report to the Seeing Hands PSEA focal point.  
The Seeing Hands PSEA focal point should then provide summary information to PSEA Network Co-Chairs or Coordinator.  
Seeing Hands should conduct an investigation and inform its donors of the outcome of the investigation, using the Summary Information for Reporting template.  
If Seeing Hands does not

Scenario 2: Seeing Hands has no reporting procedures/reporting procedures are compromised

U Chit should report to the PSEA Network Co-Chairs or Coordinators. If he doesn't know of the PSEA Network, he should report to any other NGO staff member whom he trusts.  
The NGO staff member should refer the case to their internal PSEA focal point.  
The PSEA focal point should then provide summary information to the PSEA Network Co-Chairs or Coordinators.  
The PSEA focal point should

## 1. PSEA Information Sharing Protocol

### Protection against Sexual Exploitation and Abuse Information Sharing Protocol between PSEA Network Members, Myanmar

#### PURPOSE

This information sharing protocol is to set out the guiding principles and describe procedures for sharing anonymous statistical data on reported cases of Sexual Exploitation and Abuse (SEA) captured by the community-based complaints mechanism through the PSEA Co-chairs and the PSEA Coordinator. The protocol is meant to facilitate the information sharing between participating actors.

This protocol is based on the standard gender-based violence (GBV) information-sharing protocol for the GBV Information Management System, as SEA is a form of GBV and thus SEA data carries with it the same sensitivities.

PSEA Network members recognize that sharing and receiving non-identifiable SEA data will contribute towards improved inter-agency coordination, identifying and targeting gaps, prioritization of actions, and improved programming of prevention and response efforts. It may also result in improved advocacy efforts, increased leverage for fund raising and resource mobilization, and improved monitoring. All signatories will protect information to ensure that no harm comes to any survivor, service provider or the community from information sharing efforts.

The UN is required to report allegations of SEA to the Secretary-General through the RC/HC. UN implementing partners also have an obligation to report allegations of SEA to the UN partner entity.<sup>8</sup> For other organizations not affiliated with the UN, sharing information on allegations of SEA according to this Information Sharing Protocol is strongly encouraged. This Information Sharing Protocol is designed to increase confidence among all organizations in ensuring that information will not be misused or shared beyond the boundaries specified in this document.

#### GROUND RULES

- Information submitted by PSEA Network members to the PSEA Co-chair and Coordinator will be submitted in the agreed-upon format and **will not contain any identifying information of survivors or agencies**. Non-identifiable SEA data is context specific but excludes data points that

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<sup>8</sup> United Nations Protocol on Allegations of Sexual Exploitation and Abuse Involving Implementing Partners, available at: <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/policies>. While this protocol is not binding, reporting obligations should be specified in the partnership contracts between UN entities and partners. Whether the reporting obligation covered by the contract applies only to allegations against UN-funded program staff or all staff of the organization regardless of funding source, is dependent on each contract. If the contract is unclear, it is up to the discretion of each organization to take a broad or narrow approach; however, a broad approach enables increased accountability system-wide.



could result in a survivor (or, in some cases, those organizations providing services to them) becoming known. The data points to be shared must consider all possible outcomes that could lead to a survivor being identified and must consider both the number of cases being reported and the context.

- The information shared by PSEA Network members will be consolidated by **PSEA Network Co-chair and the Coordinator** into an annual report.<sup>9</sup> This report will be shared back to the PSEA Network organizations signatory to this protocol for further shared analysis.
- All PSEA Network members will protect information to ensure that no harm comes to any survivor, service provider or the community from information sharing efforts.
- Each PSEA Network member reserves the right to share its own data with identifying information externally, for example for internal and donor reporting requirements, and for accountability purposes. Even when using its own data externally, each PSEA Network member is expected to do this in a responsible manner that **maintains the safety and security of SEA survivors, service providers and their communities**.
- The PSEA Network recognizes that organizations may have a duty to report allegations of SEA to their donors. The requirements of mandatory reporting will depend on the individual agreements with donors. If the agreements are vague or unclear in specifying what information is required, anonymous statistical data should be shared for reporting purposes. Any requests from donors for SEA information should be directed to the relevant organizations' PSEA focal points.
- New PSEA Network members will familiarize themselves to the network information sharing protocols by:
  1. Reviewing the ISP and discussed the process for information sharing within their organization;
  2. Read and understand the data sharing protocol; and
  3. The most senior member of the organization in Myanmar has acknowledged the protocol and disseminated it amongst relevant personnel including partners and its staff members.
- For security purposes and to ensure survivor confidentiality, **no survivor-specific information that can lead to identification of the survivor will be shared**, e.g., name, initials, address, phone number, etc. All information shared will be anonymous statistical data.
- Following endorsement of the protocol by the HCT and/or UNCT, the PSEA Network members and the co-chairs of the PSEA Network have a **responsibility to train their colleagues** and/or be familiar with the standards and procedures outlined in this information sharing protocol.

## DATA SECURITY

<sup>9</sup> The frequency of reports may change if/when the number of reported allegations increases.

The Co-chair/Coordinator and the PSEA Network members will ensure that all data is safe and secure and will implement appropriate procedures to maintain confidentiality of the data. Organizations will submit an Excel document and will employ password protection. The ***password for these submitted files*** has been agreed upon by PSEA Network members.

Information on how the data of this protocol will be used:

- Received: Email to PSEA Coordinator or Network co-chair<sup>10</sup>
- Stored/deleted: Stored in PSEA Coordinator or Network co-chair's computer in non-shared drive; deleted annually
- Protected in the computer: Password protected
- Used by whom (who has access to the data and the computer): PSEA Coordinator or Network co-chair

In case the security situation further deteriorates in Myanmar, hampering Co-chair/Coordinator or the PSEA Network members' abilities to protect and assist survivors or their information, the information sharing protocol will be reviewed and consequently adapted to respond to the changing environment. The PSEA Network Technical Working Group **initially comprised of the Co-chairs, PSEA Coordinator and relevant organizations/individuals** will develop contingency plans for data security and information sharing should the security situation change.

<b>ANNUAL REPORT</b>
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1. Frequency: PSEA Network members will submit an Excel table of summary information (Annex D) to the PSEA Network Coordinator (or, if the PSEA Network coordinator role no longer exists, the PSEA Network Co-Chairs) whenever an allegation of SEA is received, or on an agreed quarterly basis.
2. The PSEA Network Coordinator or the PSEA Network co-chairs will consolidate all submitted data into an aggregate table on an annual basis. The frequency may be revised if/when allegations of SEA incidents increase.
3. The annual report will be presented in PowerPoint format by the PSEA Network Coordinator or the PSEA Network co-chairs at a PSEA Network meeting with PSEA Network members. The purpose is to update members on SEA trends and response and to ensure that accountability actions are taken. During or after the meeting, Network members may raise concerns about any of the data and/or request to amend data.
4. Following discussions with PSEA Network members, the annual report in Excel format will be shared with the UN Resident/Humanitarian Coordinator, in his/her capacity as the senior most UN official with accountability in the implementation of the Secretary General's Bulletin on Sexual Exploitation and Abuse (see pre-approved information-sharing).

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<sup>10</sup> See the Focal Point document.



5. The annual report will be presented in PowerPoint format by the PSEA Network Coordinator or the PSEA Network co-chairs to the HCT and UNCT for accountability purposes (see pre-approved information-sharing).

## MONITORING AND ACCOUNTABILITY

The secondary purpose of aggregating information received by PSEA Network members is to ensure that each allegation of SEA has been promptly followed up and investigated by the relevant organization. This is to ensure that no gaps in follow-up occur and that organizations take appropriate and necessary accountability actions.

## PSEA FOCAL POINTS

The individuals responsible for the submission of data are listed in the PSEA Focal Point document (**Annex E Focal Points Document**). Each organization or agency that is part of the PSEA Network should have a primary and secondary PSEA Focal Point to fulfill the roles and responsibilities. In the case of staff turnover, each agency is responsible for designating a new focal point, doing a complete handover of SEA reporting responsibilities, and communicating this change to the PSEA Network Coordinator or the PSEA Network co-chairs, who will be responsible for updating the PSEA Focal Point document. In case no update is provided about the new PSEA Focal Point, the PSEA Network Coordinator or the PSEA Network co-chairs will contact the senior management of the concerned organization to obtain the new focal point details, and update the PSEA Focal Points Document.

## WHEN OTHERS REQUEST SEA INFORMATION

### Internal and Donor Reporting

PSEA Network members are authorized to use their own consolidated statistics on reported SEA incidents for their internal and donor reporting requirements.

When sharing data for their internal reporting requirements, organizations and agencies should maintain data protection standards of confidentiality and security. In that purpose they should send the following caveat along with the SEA statistics:

*The data shared is only from reported cases, and is in no way representative of the total incidence or prevalence of SEA in Myanmar. This data should not be used for direct follow-up with survivors or organizations for additional case follow-up. The following information should not be shared outside your organization/agency. Failure to comply with the above will result in the suspension of sharing SEA statistics in the future.*

PSEA Network members can share information with each other without seeking approval from all members. Additionally, individual network members may authorize external sharing of its information bilaterally with another network member.

It is not recommended to include the media as a pre-approved point for information sharing as context and security situations can change rapidly. Media requests should be handled on a case by case basis and in a transparent manner.

#### Pre-Approved Information Sharing to Non-PSEA Network members

The agencies/entities below have been approved by all PSEA Network members to access the agreed-upon consolidated data reports for the specific purposes mentioned.

Who	Location	Purpose	Format
HCT	Yangon	Accountability, advocacy	Verbal and written presentation of summary information
UNCT	Yangon	Accountability, advocacy	Verbal and written presentation of summary information
RC/HC	Yangon	Accountability	Verbal briefing and Excel table

Following presentation of the annual aggregate data to the PSEA Network, the PSEA Coordinator or PSEA Network co-chairs will share the same aggregate table of the summary data (Annex D) including the caveat above with the above pre-approved external actors.

If any of the pre-approved partners request information which is outside of the pre-approved format or purpose, they should also submit a request to the PSEA Network Coordinator and/or Co-Chairs.

#### Media and Other External Actors

Due to the impact it can have if data is shared inappropriately, all information requests from the media and external actors will be carefully scrutinized. Any request for SEA consolidated information needs to be made in writing including information on how the data will be used to the PSEA Network Coordinator or Co-Chairs, who will call an ad-hoc meeting of the Technical Working Group to consider whether or not the information should be shared.

By this information sharing protocol, the PSEA Network members understand that they can refer any request for SEA consolidated information to **the PSEA Network Coordinator or Co-Chairs** who can then

share the data after receiving authorization from the Technical Working Group in response to the written request.

#### **TIME LIMIT**

Once agreed, this information sharing protocol will take effect from the agreed upon date for information sharing to begin and will be on trial basis for one year from the date the ISP has been endorsed. After this time, the PSEA Network members will review the effectiveness of, use of, and adherence to the protocol. In the absence of a new agreement, this protocol will automatically be renewed for 3 months, until a revised version<sup>11</sup> can be agreed upon.

To ensure regular review, an on-going agenda point on the ISP will be included at the end of the quarterly PSEA Network meetings to inform participating actors of information sharing protocol issues that require a follow-up discussion.

#### **BREACHES**

In cases of breach by any of those participating in this information sharing protocol, a meeting will be convened of the PSEA Network Technical Working Group within one week to discuss the matter and to determine appropriate action to be taken. If a meeting cannot be convened within one week or a resolution cannot be reached, then the following process should be undertaken:

- A meeting will be convened Senior Management from the PSEA Network Technical Working Group to discuss the matter and to determine appropriate action to be taken within one (1) week.
- If unresolved, the matter should be referred to the RC/HC within two (2) weeks of the breach or suspected breach.

This resolution process should not impact regular information sharing if resolved.

PSEA Network members reserve the right to stop sharing data if the ISP is breached and will inform the Co-chair and Coordinator in writing with the reasons for stopping the flow of data. While the matter is being resolved, and if the Co-chair and/or Coordinator is not involved, it is recommended that PSEA Network members continue to share data with the Co-chair and/or Coordinator for accountability purposes and to inform PSEA Network activities. The SEA consolidated information will not be shared externally until the breach is resolved.

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<sup>11</sup> If it is agreed that a revision is not necessary, the dates can be updated and the agreement again signed.



## **Annexes**

### **Annex D: Summary information for reporting**

**Annex E: PSEA Focal Points** (updated PSEA Focal Points list available at:  
<https://www.themimu.info/sector/protection-sexual-exploitation-abuse-psea>)

## 2. Reporting guidance for PSEA Network members vis a vis donors

The below table provides guidance for PSEA Network members (NGOs, CSOs, UN agencies, funds and programmes) to navigate the various reporting requirements of donors where the alleged perpetrator of an SEA incident is a staff member of the specific Network member. Many Network members will be guided by their own internal information-sharing policies and this should be the starting point. As a next step, it is recommended that Network members refer to their separate agreements with donors in order to guide the reporting obligations, procedures and timelines. Where these agreements are unclear, the table may provide some guidance.

The question of *who* does the reporting to the respective donor(s) should be clarified by each Network member organization.

If in the event that a donor requires a Network member to report *all* allegations regardless of the existence of a funding relationship between the alleged perpetrator's position or relevant program and the donor, this should be explicitly stated in the partnership agreement.

In all situations, it is highly advised that information is shared according to the guidance in the Information Sharing Protocol, and in a timely fashion.

**Fig. 1.1: Reporting guidance where alleged perpetrator is staff member of the particular Network member**

	Donor	PSEA Network
<b>A. Where alleged perpetrator is staff of organization without donor funding</b>	Not applicable	If investigation support needed, all incident information  If investigation support not needed, summary information for reporting (see table)
<b>B. Where alleged perpetrator is staff of organization with single donor funding only</b>	Obligation to report allegation as per agreement between donor and organization	If investigation support needed, all incident information  If investigation support not needed, summary information for reporting (see table)
<b>D. Where alleged perpetrator is staff of organization with multiple sources of funding</b>	If perpetrator's position or program is funded by donor - reporting as per agreement between donor and organization	Summary information for reporting (see table)

	If perpetrator's position or program funding mixed- as per agreement between donor and organization	Summary information for reporting (see table)
	If unclear or if in doubt, report summary information	Summary information for reporting (see table)

The below table sets out the information required in the 'summary information for reporting' and is based on the data points presented in the UN system-wide reporting format<sup>12</sup> in addition to the IASC Global Standard Operating Procedures on Inter-Agency Cooperation in Community-Based Complaints Mechanisms.<sup>13</sup> It is intended as a guide only, and organizations should, as mentioned above, refer to their internal information-sharing protocols as a first step. The information required should be selected from the drop-down menu provided in the Excel table. The drop-down menu items are provided below for the sake of clarity. If an allegation is in the process of being investigated or reviewed, the subsequent fields can remain blank.

**Fig 1.2: Summary information for reporting**

Date of incident	Date of reporting	Alleged perpetrator international/national	Gender of Survivor	Age of Survivor	Type of Allegation	Action taken	Findings	Interim action/Assistance rendered	Date investigation concluded	Referral for criminal proceedings
		National	Female	Adult	Sexual Exploitation	Organization to investigate	Substantiated			Yes
		International	Male	Child (under 18)	Sexual Abuse	UN to investigate	Unsubstantiated			No
		Unknown	Unknown	Unknown	Insufficient basis to proceed	Unknown	Pending			
					Other	None				
					Unknown					

#### **A. Where alleged perpetrator is staff of Network member without donor funding**

- a) There are no obligations to report to specific donors if the Network member is not receiving funding.

<sup>12</sup> See <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/data-allegations-un-system-wide>

<sup>13</sup> Global SOPs, May 2016, para 4.3.3 'Communicating investigation status and findings to the CBCM' notes that, 'To the extent possible and in coordination with internal investigative policies and procedures, agencies are encouraged to provide the following information to the CBCM: 1. When the complaint was received by an investigative unit; 2. When/whether investigation commenced or the complaint was determined an insufficient basis to proceed; 3. When the investigation concluded; 4. The outcome of the investigation; and 5. When/whether outcome (or any information) was provided to the survivor, or if providing feedback is prohibited by the investigating agency's internal policies'.



- b) If the Network member organization is a member of any professional network or alliance, there may be reporting responsibilities arising from the membership. The organization should therefore check any policy documents attached to its membership with any networks. If there are reporting obligations attached to membership status, the organization should provide only 'summary information for reporting', as per the table above in Fig. 1.2.
- c) If the Network member requires support to conduct an investigation into the allegation, the Network member should provide all allegation or incident information to the PSEA Network Coordinator or PSEA Network Co-Chairs by any means (confidential meeting in person, email with incident information attached in password-protected document, etc.) in order to assign an investigator.
- d) If the Network member does not require support to conduct the investigation into the allegation, the Network member should send confidential, non-identifying information in the 'summary information for reporting', Fig. 1.2, to the PSEA Network Coordinator or one of the PSEA Network Co-Chairs for tracking and reporting purposes (see Information Sharing Protocol).

**B. Where alleged perpetrator is staff of Network member with single donor funding only**

- a) There may be an obligation to report allegations to donors, and Network members should refer to the partnership agreements with the relevant donor.
- b) If the Network member is a member of any professional network or alliance, the organization should follow the procedure as per A. b)
- c) If the Network member requires support to conduct an investigation into the allegation, the organization should follow the procedure as per A. c)
- d) If the Network member does not require support to conduct the investigation into the allegation, the organization should report summary information to the PSEA Network Coordinator or one of the PSEA Network Co-Chairs as per A. d)

**C. Where alleged perpetrator is staff of Network member with multiple sources of funding**

- a) If a Network member receives funding from different entities, the organization should check the individual partnership agreements with each entity in order to guide reporting obligations.
- b) Generally speaking, the organization should report allegations to the particular entity responsible for funding the program or position of the alleged perpetrator.
- c) However, there may be circumstances where the alleged perpetrator's position is of such seniority or where the alleged perpetrator is involved in numerous programs that there may be an obligation to report to more than one funding entity. In this case, only summary information should be provided as per Fig 1.2.



- a) In all situations, the Network member should report summary information to the PSEA Network Coordinator or one of the PSEA Network Co-Chairs as per A. d).

#### **Future funding and disclosure**

Donors may request a Network member to disclose its previous allegations of SEA prior to signing or agreeing to a funding agreement. In this case, the Network member should submit summary information only. If the donor requires more information than what is contained in the summary information, the Network member is advised to refer the donor to this reporting framework and the agreed standards set herein.

## **Annex A – PSEA Network: Sample complaints handling policy**

*Based on IASC Taskforce on PSEA Model Complaints and Investigation Procedures 2004*

### **Purpose and applicability**

1. This internal complaints handling policy specifies the steps to be taken when sexual exploitation and abuse is suspected and when that abuse is allegedly perpetrated by a (AGENCY NAME) staff member. The policy also provides some guidance for situations in which complaints are received by an (AGENCY NAME) but the perpetrator's organization is unknown.
2. Sexual harassment of staff members is not included in the scope of these procedures.<sup>14</sup>
3. For the purposes of this document, "staff member" shall be taken to include any person who either works for (AGENCY NAME), regardless of whether or not they are paid for their work.
4. This policy applies to all staff, including consultants, interns and volunteers working for (AGENCY NAME).

### **Commitment to PSEA**

5. (Agency Name) 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.
6. All (AGENCY NAME) staff must report any concerns, including both specific complaints and rumours, regarding possible sexual exploitation or abuse by a(n) (AGENCY NAME) staff member, or any other humanitarian or development aid worker. Failure to report information through the proper channel should result in disciplinary action. Complaints should be reported even when the perpetrator's organization unknown.

### **Complaints handling procedures**

7. It is the responsibility of the staff member to report a concern/complaint via the following process:
  - a. The first point of contact should be the designated PSEA Focal Point.
  - b. If the staff member cannot trust this reporting channel, or if they genuinely believe that this reporting route is compromised, then the complaint should be raised directly with another [AGENCY NAME] manager or focal point at the country, regional or headquarters level.

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<sup>14</sup> Within the UN system, policies and procedures for handling cases of sexual harassment are set forth in ST/AI/379, entitled "Procedures for dealing with sexual harassment." NGOs should refer to existing relevant agency policy and procedures for dealing with harassment cases.



- c. In exceptional circumstances, the complaint could also be made to another organization's PSEA Focal Point or UN agency PSEA Focal Point if the staff member genuinely believes that raising the matter within [AGENCY NAME] would not be effective, or if s/he has already disclosed the matter to [AGENCY NAME] but no effective action has been taken.
- d. It is suggested that the complaint should be recorded or should be written using a standard complaint intake form (Annex B – Sexual Exploitation and Abuse intake form), which should be signed and dated. [AGENCY NAME] must ensure that the individual who makes a complaint is informed of the [AGENCY NAME]'s policy on confidentiality. [AGENCY NAME] may wish to obtain a written consent from the complainant for the information to be made available to others within the complaint management system.
- e. Once a complaint or report is made, the PSEA focal point who receives the information should immediately report it to [AGENCY NAME]'s designated focal point at headquarters and/or the most senior member of staff of the organization. Once the complaint is received, the Head of [AGENCY'S NAME], in consultation with the agency focal point will consider the appropriate steps to take, including the initiation of preliminary inquiry or an investigation as per the Investigation Procedures.
- f. Any investigation that is undertaken must be completed, regardless of whether the alleged perpetrator is still a(n) (AGENCY NAME) staff member. In the event that a complaint does not warrant a full investigation, the Head of Office or Mission may nonetheless be asked to take a number of steps to address concerns in other ways, (for example, addressing matters of poor practice via training, a change in working arrangements or a change in procedures).
- g. If the complaint involves staff of other UN agencies, NGO partners, military personnel or non-staff personnel, such agencies must be informed of the complaint via established inter-agency mechanisms.
- h. Where the complaint involves personnel of more than one agency, consideration must be given to conducting a joint investigation in the interests of information and resource sharing, as well as limiting the number of interviews necessary. This would be coordinated through a joint strategy meeting, convened urgently to discuss the complaint and agree on a course of action.
- i. If the complaint involves allegations against persons who could be UN staff or partners, even when the precise affiliation of the person(s) is unknown, the matter should be referred to the PSEA Network, and consideration should be given to conducting an interagency investigation to ensure that 'rumours' are addressed expeditiously.
- j. The Head of Office of [AGENCY NAME] must inform the subject of the complaint against them. He or she must be given an opportunity to answer the allegations in writing and to produce evidence to the contrary.



### **Protection of whistle-blowers**

8. Staff members should be reassured that there will be no action taken against any member of staff who reports in good faith information indicating a violation of the [AGENCY NAME]'s Staff Rules and Regulations and applicable codes of conduct regarding sexual exploitation and abuse and which, following investigation, proves unfounded. However, if a staff member knowingly and wilfully reports false or malicious information regarding another member of staff, such false reports will lead to disciplinary action.

### **Record keeping**

9. A detailed record of information gathered via the complaints protocol should be kept confidentially on file as it may be used in subsequent disciplinary or legal action. Every effort must be made to ensure the security of such files.
10. Complaint protocol and investigation procedures should include systematic monitoring and evaluation and be subject to audit and review for lessons learned.

### **Needs of the Survivor**

11. Urgent medical assistance and counselling must be made available to anyone who was potentially harmed by any alleged sexual exploitation or sexual abuse. This will generally be through referral to the appropriate service provider. The physical and psychological wellbeing of any such survivor must be a primary concern throughout the reporting and investigation process.
12. It is particularly important that, where the complainant is a beneficiary, the staff member receiving the complaint considers whether the beneficiary has ongoing needs requiring protection or assistance. There may be immediate safety needs if the beneficiary is returning to an unsafe situation, or immediate health and psychological needs, particularly if there was a risk of transmission of disease. As [AGENCY NAME] is responsible for the action of its staff, every effort must be made to ensure that any survivor of sexual exploitation or abuse is provided with the necessary means for protection and rehabilitation. This will generally involve referral to other organisations able to address these needs.
13. Staff members working for or on behalf of [AGENCY NAME] will provide complainants of sexual or gender based violence with full information and advice on existing redress and compensation mechanisms and/or procedures. Such information shall include at the minimum the contact or addresses where claims may be filed and any network helping complainants in the filing of claims or which would otherwise support them.



## Investigation Procedures

14. The investigation of complaints should be conducted with due regard to a number of key principles including: confidentiality, safety, impartiality, objectivity, thoroughness, timeliness and accuracy as well as safeguarding the due process rights of the alleged perpetrator. (AGENCY NAME), in cooperation with relevant agencies or local institutions, will do all in its power to protect witnesses and survivors and to promote their safety and welfare. All individuals concerned, including the subject of the complaint, have the right to be treated with respect and dignity and to be kept informed of the progress of the investigation.
15. [AGENCY NAME] must designate a senior member of staff or focal point to assume responsibility for the oversight and monitoring of the investigation. The designated senior member of staff or focal point will be responsible for ensuring that an investigation is undertaken according to the principles of confidentiality, safety, impartiality, objectivity, thoroughness, timeliness and accuracy, in line with (AGENCY NAME'S) established sexual exploitation and abuse investigation procedures, and local inter-agency agreement or procedures. Consequently, the senior member of staff or focal point should be trained in investigation skills and in dealing with sexual exploitation and abuse complaints.
16. In cases where multiple agencies are implicated in the complaint, all such agencies must be involved in the investigation and consideration given to conducting a joint investigation.
17. Where senior members of staff have not yet been trained in investigation skills in dealing with sexual exploitation and abuse complaints, or where (AGENCY NAME'S) Head of Office or most senior staff member deems that (AGENCY NAME) lacks sufficient internal capacity to conduct an investigation, the PSEA Network pool of investigators may be used. In this case, a request should be made to the PSEA Network co-chairs.
18. Investigators are appointed by the Head of [AGENCY NAME] or senior management and are provided with Terms of Reference and delegated authority. [AGENCY NAME] will ensure that all investigators receive the necessary training to undertake interviews of women and children who have been sexually exploited and abused.
19. Investigators are responsible for developing a written plan of the investigation and conducting the investigation in accordance with established complaint procedures.
20. The general principle of confidentiality is such that the disclosure of the identity of complainants, witnesses, survivors, the subject of the complaint and any others involved in an investigation, is restricted and is permitted only on an authorised or "need to know" basis, and only in certain exceptional circumstances. A breach of confidentiality may lead to disciplinary action.
21. The [AGENCY NAME] owes a duty of care to the subject of the complaint, which includes conducting a fair and impartial investigation.



22. Interviews should be conducted in a safe and supportive environment and in accordance with the principles of good practice, which apply at every stage of the interview process.
23. Witnesses should always be interviewed in the language of his/her choice.
24. The survivor's race, age, gender, caste, culture, and ethnicity should be given due consideration by the interviewer. The interviewer should be aware of the role of unequal positions of power and cultural differences when conducting the interview. The interviewer should also take into consideration factors affecting responses such as fear of reprisal, vulnerability, anxiety, intimidation, or contravention of cultural norms.
25. If, after proper investigation, there is evidence to support allegations of sexual exploitation or sexual abuse which may contravene national laws, in consultation with the complainant and survivor and appropriate legal advisors, these cases may be referred to national authorities for criminal prosecution.

### **Disciplinary Action**

26. The report of any investigation will be submitted to the Head of [AGENCY NAME], who will, in consultation with the focal point and Head of Office or Mission, decide upon an appropriate course of action. Should the investigation indicate that misconduct has not occurred, the case will be closed. Should the investigation indicate that misconduct has occurred, the matter will be referred to the head of administration with a recommendation for disciplinary action, including possible summary dismissal, pursuant to [Agency Name] Staff Rules and Regulations.
27. [AGENCY NAME] must obtain references for a candidate for employment from previous employers to ensure that the candidate has not been subject to disciplinary action as a result of a breach of the former employer's code of conduct. Staff qualifications, prior employment records, as well as declarations with respect to criminal records or prosecutions should be thoroughly checked.

## Annex B – Sample sexual exploitation and abuse allegation intake form

FILE NUMBER: \_\_\_\_\_

Gathering information at the time of reporting is a crucial element of the process. The report should be objective and precise, focusing on the facts and relevant information that will help when it is time to act.

When a child discloses maltreatment or abuse, make sure to ask the questions needed to have a clear understanding of what the child is saying and to ensure the security and welfare of the child. **DO NOT SEARCH FURTHER.**

- Inform the person that all information given in the complaint will remain confidential.
- Be receptive of the complainant and listen to what he or she has to say.
- Write a clear record of what is said by the complainant in their own words. Take the time to cross-check with the complainant that you understand everything before writing.
- Allow the complainant to read what you have written. If the complainant is illiterate, read out the text to ensure that what you have written is what he or she meant. Ask the person if he or she is satisfied with what you have written. If they are not, correct the text with them.

**DATA PROTECTION – Ensure that this form, once completed, is stored in a locked file and/or is destroyed once the information is no longer needed.**

### Complainant information

Full name:	Date of complaint:
Telephone:	Address:

**The complaint** (Use the complainant's own words and ask questions to get as much important information as possible. At a minimum, the complainant should indicate who, when, how, where and what the complaint is about)



Date of the incident (when): \_\_\_\_\_

\_\_\_\_\_

Full name of the survivor (who) – fill only if consent is given: \_\_\_\_\_

\_\_\_\_\_

Age of the survivor: \_\_\_\_\_

\_\_\_\_\_

Where: \_\_\_\_\_

\_\_\_\_\_

How: \_\_\_\_\_

\_\_\_\_\_

What: \_\_\_\_\_

\_\_\_\_\_



### Information about the accused

Name of accused: \_\_\_\_\_

Position held by accused: \_\_\_\_\_

Organization for which the accused work(s): \_\_\_\_\_

Relationship to the survivor: \_\_\_\_\_

Current residence of the accused (if known): \_\_\_\_\_

\_\_\_\_\_

Gender: \_\_\_\_\_

\_\_\_\_\_

Physical description of accused: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Service provision



Has the survivor been informed of the available medical care ?	Yes	No
If yes, has the survivor sought medical treatment after the incident?	Yes	No
If yes, who provided treatment? _____		
_____		
If no, provide information to the complainant regarding the nearest medical care and psycho-social support services, or get the consent of the survivor to pass on their details (using the form below) to refer them.		
Has the survivor contacted police?	Yes	No
If yes, what has been done? _____		
_____		
_____		
Has the survivor sought legal advice?	Yes	No

### Consent, confidentiality and next steps

Explain to the complainant that you are under an obligation to report allegations of sexual exploitation and abuse to donors, but that identifying information about the complainant, the survivor and the name of the alleged perpetrator will not be shared *unless otherwise indicated*. However, for the purposes of an investigation, the name and contact details of the complainant will be necessary.

Complainant consents to sharing name and contact details for investigation purposes: Yes      No

Inform the complainant that the organization conducting the investigation will keep in contact with them to keep them informed of the progress of the complaint.

### Name of the PSEA/Safeguarding Focal Point:

Organization/Agency: \_\_\_\_\_



## Annex C – Sample inter-organizational complaints referral form

This form should be used when referring a complaint of SEA from one organization to another.

It should NOT be used for referring a survivor to a GBV service-provider.

Information in this form is *confidential*. All forms must be *password protected*.

Name of Complainant: _____	ID number: _____
Address: _____	Age: _____
_____	Sex: _____
How does complainant prefer to be contacted (give details): _____	
Name of survivor (if not complainant): _____	ID number: _____
_____	Age: _____
Address/contact details: _____	Sex: _____
_____	
Name(s) and address of parent/guardian, if under 18: _____	
_____	
How does survivor prefer to be contacted (give details): _____	
Has the survivor given consent to the completion of this form and referral?	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know	
Date of incident(s): _____	Time of incident(s): _____
Location of incident(s): _____	
Brief description of incident(s) in the words of the survivor/complainant (attach additional page if necessary):	
_____	
_____	
Name of accused person(s): _____	Position/Job title of person(s): _____
_____	_____
Organization accused person(s) works for: _____	_____
Address or location where accused person(s) works: _____	
<b>ORGANIZATION RECEIVING COMPLAINT</b>	
Name of PSEA Focal Point: _____ Name of person completing form: _____ Position/Job title: _____	
<b>REFERRAL TO ORGANIZATION OF CONCERN PSEA FOCAL POINT</b>	
Name of organization/name of person (PSEA Focal Point) report forwarded to: _____	
Name and position of person report forwarded to (if different from above): _____	
_____	
Date of referral: _____	
<b>ACKNOWLEDGMENT OF RECEIPT</b>	
Name: _____	Organization: _____
_____	Position/Job title: _____



Protection from Sexual  
Exploitation and Abuse

PSEA Network Myanmar

Signature:

Date received:

\_\_\_\_\_

\_\_\_\_\_

## **Annex D : Summary Information for Reporting**

Word version extracted below; see Excel version for drop-down items

Information can also be submitted to the Network Co-Chairs through the MIMU PSEA page: <https://www.themimu.info/sector/protection-sexual-exploitation-abuse-psea> (restricted to PSEA Network members only)

## **Annex E : PSEA Focal Points List**

The PSEA Focal Points List is available to PSEA Network members only, at: <https://www.themimu.info/sector/protection-sexual-exploitation-abuse-psea>

*Endorsed by HCT 6 July 2023*

*Endorsed by the UNCT 27 July 2023*