

Legal Action Worldwide
Complaints and Investigations Policy
May 2025

1. Introduction

Sexual Exploitation and Sexual Abuse (SEA) are serious issues, and the UN Secretary General's Bulletin on Protection from Sexual Exploitation and Abuse (2003) defines each as:

Sexual Exploitation: Any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes including but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another'

Sexual Abuse: The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions

For further definitions of terms in this Policy please see [Annex 1 – Definitions](#).

SEA and safeguarding policies and practices aim to prevent and reduce the risk of SEA/Safeguarding incidents but despite preventative measures inappropriate behaviour can still occur and in such circumstances there is an obligation to ensure that allegations are reported and responded to in a timely and appropriate manner, and that survivors receive support and assistance in line with our survivor centred approach.

LAW has a framework of safeguarding policies including; Sexual Exploitation Abuse and Sexual Harassment, Child Protection Policy, Conflict of Interest policy, and the Code of Conduct which form part of our contractual obligations and are applicable to all LAW's staff and /or representatives such as volunteers, partners, consultants, contractors and /or suppliers and requires them to behave with integrity and professionalism.

All the safeguarding policies are binding on all staff, regardless of their office and locations (whether full time, part time or engaged on fixed term contract). LAW's Code of Conduct is binding both in and outside of working hours and in all aspects of a staff member's life.

2. Scope of this Complaints and Investigation Policy

This Complaints and Investigations Policy explains how complaints relating to SEA can be raised and how such complaints will be handled.

This Policy is relevant to all staff who should be familiar with the details of the policy as part of their induction and/or during their employment. It is also relevant and can be shared with complainants, partners, donors and any relevant authorities.

3. Core Principles

LAW is committed to:

- Preventing any form of sexual harassment, exploitation and abuse (including child abuse) and responding robustly when these incidents take place.
- Not deliberately or inadvertently causing harm.
- Creating a safe working culture that upholds the rights and dignity of all, as outlined in our Code of Conduct.

- Ensuring that our approach is survivor-centred and that we are committed to upholding the power and dignity of survivors by respecting their confidentiality and their right to make decisions over what happens to them, where it is safe and appropriate for them to do so.
- Demonstrating our zero-tolerance approach to sexual harassment, exploitation and abuse and other Safeguarding concerns by:
 - ensuring that all allegations of sexual harassment, exploitation and abuse and other Safeguarding concerns are responded to in a timely, robust, and survivor-centred manner.
 - ensuring that we embed our Safeguarding approach into every aspect of our work – how we recruit, to how our programmes are designed and building skills and capacity.

LAW's Senior Management Team (SMT) and the Board of Directors hold overall accountability for this policy and its implementation. They are also responsible for ensuring the policy is reviewed and updated frequently.

4. Reporting Complaints

All LAW staff, interns, volunteers, partners, consultants and /or suppliers, clients/beneficiaries and members of the public can report directly any SEA and Safeguarding concerns to LAW country offices in person, or via email, or via complaints boxes or telephone.

See [Figure 1](#) for an illustration on how to report concerns.

Complainants may wish to report an incident(s) to a field office or to LAW's Head Office in Geneva directly.

Field Office - In the field offices this can be reported to any of the following staff members:

- Programme Manager
- Line Manager (if staff are reporting)
- HR Coordinator

This can be done in person, via email, or through our complaints boxes at offices.

If any person is concerned about reporting in the first instance to a field office or if they want to raise concerns on how a process has been managed in a field office, they can also report directly to:

Head office - At the Head Office this can be reported to and in the following way:

- By email to the Head of HR and Compliance: waheed@legalactionworldwide.org
- Whistleblowing email: complaints@legalactionworldwide.org
- Write to us at: Legal Action Worldwide, Rue de Varembe 3, 1202 Geneva, Switzerland.
- Call us on +41 76 509 1270
- WhatsApp us on +447702834567

See [Figure 1: Reporting SEA or Safeguarding Concerns](#)



Figure 1 – complaints mechanism

5. How to Report Complaints

When reporting a concern, a complainant should provide as much information and details about the incident(s) to the extent possible.

Individuals can report anonymously if they wish to do so but this may limit our capacity to follow up and to give any feedback. We therefore warmly encourage people to share their contact details which will be held confidentially.

All LAW staff and representatives (meaning volunteers, partner staff, contractors, consultants, suppliers) have an obligation to report whenever they have concerns or suspicions that an SEA /safeguarding incident has or might occur. Staff are specifically required to report concerns if:

- A community member alleges that they or another person is experiencing or at risk of experiencing sexual exploitation or abuse - whether carried out by LAW staff, interns, volunteers, partners, consultants and /or suppliers etc.
- A LAW staff, intern, volunteer, partner, consultant and/or supplier suspects that someone connected to LAW is or may be about to carry out sexual exploitation and abuse towards clients, community group members or others including other staff members.
- A staff member or other representative suspects that someone external to LAW (e.g. a Community Leader) is or may be about to carry out sexual exploitation or abuse towards community members, or others.

If a staff member and/or representative does not report an incident or suspicion of an incident in breach of the Code of Conduct then they may face disciplinary conduct, potentially amounting to termination of employment (in the case of staff) or contract (in the case of volunteers, contractors, consultants, partners).

For specific advice on where to report depending on the position of the alleged perpetrator (partner PM, member of SMT, ED etc) please see Annex II

LAW staff and /or representatives should not investigate SEA or safeguarding allegations themselves, so that they do not compromise confidentiality, put victims and witnesses at risk, disrupt due process and negatively impact the integrity of the investigation process.

6. Survivor-Centred Approach

As part of LAW's survivor-centred approach, survivors/complainants can choose when, and how to make a report and decide whether they want LAW to take any formal action. This includes the option of refusing assistance or support at any time, including after they have begun to receive it. They also have the right to access support at a later stage if/when they choose to do so. There is no time limit on when a person can raise a concern about something they have experienced.

Individuals do not have to report their own experience of sexual harassment, exploitation, or abuse. There may be occasions where LAW has a duty of care to respond even if the survivor/complainant does not want to take forward action. This will be managed sensitively on a case-by-case basis, following clear risk assessments, and the safety and wellbeing of the survivor/complainant will be paramount throughout.

LAW will also ensure that the safety, dignity and rights of the survivor are always respected. We are committed to carrying out robust and fair investigations that protect the rights of all involved, with a particular focus on the survivor/complainant and the subject of the complaint, ensuring that confidentiality is maintained and that the wellbeing of all is protected.

7. Confidentiality

Confidentiality is critical to SEA and Safeguarding investigations. LAW is committed to working with survivors/complainants and others involved in an incident management process in a confidential and respectful manner. From the point of disclosure to the outcome of any investigation, every effort will be made to maintain confidentiality to protect the safety and privacy of individuals involved.

Necessary information must be shared with management on a 'need to know' basis – that is, only those who need to be informed to either support an investigation, to make an informed decision on the outcome and /or because they hold overall accountability will be given tactful information. Personal details such as names etc may also be withheld to protect the identity of the individual unless explicit consent is obtained as appropriate and necessary.

If sensitive information is shared such as names and/or details identifying the individual or confidentially which relates to a child or suggests that a person's life is in danger, then action will be taken outside of standard confidentiality procedures to ensure that everyone is safe. This will be managed on a case-by-case basis, and the safety and wellbeing of the child or at-risk adult in question is always paramount. Staff involved in the complaint process such as the investigator, translators, fellow staff /witnesses, SEA and safeguarding panel members are required to complete the 'Confidentiality Agreement'

[Please see Annex V attached for the confidentiality agreement template](#)

In addition, LAW will ensure that it complies with local and international data protection laws when gathering, storing, or sharing any data relating to individuals involved in SEA and Safeguarding incident.

8. Managing Complaints

When a complaint is raised at a field (country) office and it relates to any allegations of SEA and/or Safeguarding, the Programme Manager must be informed (unless s/he is the subject of the complaint).

The Programme Manager (or other staff member if the programme manager is subject of the complaint) must then immediately inform the Head of HR and Compliance. Similarly, if a complaint is received

via the complaints email, or any of the hotlines listed in this policy, the Head of HR and Compliance must be informed.

The Head of HR and Compliance will inform the Senior Management Team (SMT) of any allegations, and a decision will be made by the SMT whether the allegation should be investigated at a field level or by Head Office as appropriate including designating a suitable investigation lead and the SEA/Safeguarding panel with clear role and responsibilities.

9. Responding to Concerns and Complaints

Incident Management Process

Any individual can raise a concern or complaint. An individual can raise a complaint even if they have no evidence other than their own experience, recognising that sexual harassment, exploitation and abuse usually occurs away from witnesses and therefore it can be difficult to produce supporting evidence.

LAW will work with survivors and complainants to understand how they would like the issue they have raised to be addressed; this policy does not prejudice the right of survivors and complainants to use external procedures (e.g. criminal justice procedures) where that is their preference to do so. Support options will be offered to survivors and complainants regardless of whether they decide to make a formal complaint.

[Please refer to Annex III outlining Support and Assistance guidance.](#)

If a survivor or complainant makes a formal complaint and wants an investigation to be carried out, or if LAW takes the view that they have a duty of care to carry out such an investigation, then an investigation process will be initiated.

LAW will put the necessary measures in place to ensure that any investigations carried out are objective and timely.

Appointing investigator(s)

In order to carry out an investigation in an appropriate manner, the investigator must have the following qualifications:

- Experience in investigating SEA allegations in the past
- Experience in writing investigation reports and recommendations that are effective.
- Independent of the allegations, not connected to the complaints or alleged perpetrators.
- Commitment to the survivor centred approach and confidentiality principles.
- Analytical capacities and contextual knowledge
- Attention to detail
- Able to maintain objectivity and resist bias or pressure.

In the case of LAW, we have a pool of internal investigators with relevant qualifications

Executive Director	Considerable experience investigating highly complex cases, including CRSV, GBV and SEA.
Head of Litigation	Extensive experience investigating and prosecuting crimes of a sexual and exploitative nature
Operations Director	HAP qualifications in investigating SEA, and has investigated many SEA and other CoC related allegations in a humanitarian setting.

Head of HR	Experience investigating breaches of the code of conduct
Programme Manager and Legal Advisors	Within our PMs and LAs we have quite a few colleagues who have good experience in investigating allegations of violations and sexual exploitation, abuse and harassment, who depending on circumstances may be able to lead or assist an investigation in a contexts.

If an investigation requires external assistance, for example in the case of child abuse where the expertise is very specialised, LAW has several options:

- On LAW's roster we have several highly qualified and experienced child investigators and child psychologists
- On LAW's board there are several experienced human rights lawyers with a wide network of expert investigators and lawyers.

Step 1: Complaint received (timeframe: actions taken within 48 hours)

- Within 24 hours the complaint is acknowledged, and the Programme Manager (or other staff member as appropriate) will engage with the complainant/survivor to ensure they are safe, and their concerns are understood. The Head of HR and Compliance will be informed so they can support appropriately in line with the support and assistance guidelines ([See Annex III](#)).
- Within 48 hours, the SMT will be informed and will decide who will lead on the investigation, what resources may be required such as supporting investigators with translators and set the timeline for the investigation to be carried out.
- The SMT will also designate and appoint a Chair for the SEA and Safeguarding Panel ("SEA panel") which will consist of minimum three individuals and will include at least two members of the SMT members and may include another senior staff not related to the complaint.
- If an investigation cannot be carried out reasonably (e.g. if the survivor does not want an investigation or there is insufficient information to proceed) then the SEA/Safeguarding Panel will close the case with recommendations about what other actions can be taken to address concerns such as training and awareness raising, reviewing procedures and complaints mechanisms, further outreach, monitoring of the situation and/or individuals, changes in working practices.
- A risk assessment will also be carried out to address any immediate security or welfare concerns for any person related to the complaint and where relevant to seek legal guidance. Depending on the circumstances of the cases, risk assessments may relate to the complainant, witnesses, the investigators and/or the alleged perpetrator.
- The Head of HR and Compliance will advise the SEA/Safeguarding Panel whether the subject matter of the complaint requires any reporting to any relevant authorities in line with international or national laws.

Step 2: Investigation (timeframe: approx. 4 weeks but this may differ depending on nature and complexity of the case, but should be completed in as timely a manner as possible)

- The investigation may include carrying out interviews, collating, gathering any supporting evidence, and producing an investigation report for the SEA/Safeguarding Panel.
- The complainant/survivor should be interviewed first (or provide a written response to questions submitted by the Investigator should a verbal interview is not possible), followed by any witnesses and then the person(s) subject of complaint.
- The Investigation Report is submitted to the SEA/Safeguarding Panel to make an informed decision.

Refer to Annex IV for further guidance on what the contents of an investigation report.

Step 3: Decision (timeframe: actions taken within 72 hours)

- The SEA/Safeguarding Panel will review the investigation report and make an informed decision based on the report and its findings. The SEA/Safeguarding Panel may require the lead investigator to present his/her findings in person and answer any questions.
- The decision for any follow up should be taken by The SEA /Safeguarding Panel, by majority vote. If a decision cannot be reached, the Chair will make the final decision.
- The SEA/Safeguarding Panel is responsible for ensuring that any recommendations agreed (such as disciplinary hearing, termination, awareness raising, policy development) are carried out with the support of the Head of HR and Compliance as required.
- The SEA/Safeguarding Panel will also instruct the Head of HR and Compliance to inform the complainant of the outcome of the investigation, in line with data protection principles. The individual subject of the complaint will also be informed by the Head of HR and Compliance of the findings and any proposed disciplinary measures.

Step 4: Appeals (time frame: action taken within approx. 2 weeks of receiving an appeal)

- The subject of complaint and the complainant have the right to appeal against any decision(s) of the SEA and Safeguarding Panel within 7 days of receiving the decision outcome. The appeal should be made in writing (unless the complainant is unable to in which case it can be done by telephone) to the Head of HR and Compliance who will forward it to the Executive Director.
- The Executive Director will review the investigation report, the findings, recommendations and decision-making process of the SEA/Safeguarding Panel and will make the following decision within 2 weeks as follows:
 - (i) Uphold and confirm the decision(s) of the SEA and Safeguarding Panel
 - (ii) Partially uphold or uphold all the decisions of the SEA and Safeguarding Panel but make additional or further recommendations.
 - (iii) Overturn the original decision of the SEA and Safeguarding Panel. The Executive Director may also make an alternative decision and/or recommendations.

10. Retaliation Against Complainants, Victims and Witnesses

LAW will take the necessary action against any staff and /or representatives who seek or carry out retaliatory action/victimisation such as intimidation, or threatening behaviour (this is not an exhaustive list) against complainants, survivors, witnesses or any other person involved or believed to be involved in the incident management process.

Staff who are found to have behaved in this manner will be subject to disciplinary action, which could amount to termination of employment.

11. Malicious Complaints

Malicious or false allegations of sexual harassment, exploitation and abuse are extremely rare, however, if LAW's staff member is found to have made an allegation that they knew to be false they will be subject to disciplinary action, up to and including termination of employment.

Should a case not be upheld that does not mean the complaint was false, but that there was insufficient evidence to uphold the allegation.

12. Support Mechanisms

Support will be offered to survivors/complainants regardless of whether a formal response is carried out such as an investigation. Support measures will also be offered as appropriate to others that may be involved in an incident management process, recognising the impact this can have, for example on witnesses and those accused of carrying out inappropriate or harmful behaviours. This can include psycho-social counselling, medical support, legal support and/or access to other specialist and appropriate support as needed.

Survivors and complainants can choose if and when they would like to take up the support options available to them. LAW will also ensure support for children and adults at-risk is provided by appropriate professionals and organisations by ensuring that cases are referred to them. [Refer to Annex III for further guidance on Safeguarding Support and Assistance.](#)

LAW is committed to listening to and learning from survivors about what support they want and being guided by them where safe and appropriate to do so. Should you have any questions about support options, please contact the Programme Manager or Head of HR and Compliance.

13. Monitoring and Evaluation

LAW will ensure that all monitoring and evaluation activities such as complaints mechanisms, recommendations, reports and feedback from individuals, group and /or beneficiary, community member are reviewed on an ongoing basis. In addition, reviewing risk assessments across programmes to help address SEA and Safeguarding considerations, and that data is analysed and shared with senior management so that lessons can be learnt, and good practice is shared. Any reporting of concerns informally or formally will assist with building knowledge, intelligence and help prevent SEA and safeguarding incidents.

14. Raising Awareness and Training

Raising awareness and information sharing is important. At LAW we encourage capacity-building of all our staff including interns and volunteers to take steps to prevent it. For example, we ensure that all LAW staff and /or representative have signed the Code of Conduct and aware of the specific policies from the outset of their appointment, during induction and throughout their employment life cycle.

We will ensure that LAW staff, consultants, contractors, volunteers and partners are aware both of their own responsibilities and obligations to prevent SEA and safeguarding under this Policy and of the appropriate action to be taken if SEA /Safeguarding is suspected, observed or reported

For LAW staff, we organise compulsory annual training and refresher sessions and so they have understood and recognise the behaviours related to sexual exploitation, harassment and safeguarding which includes where and how to report it. We also organise trainings for volunteers and offer it to the staff of partners.

Safer recruitment - as part of LAW's commitment all job vacancies and application processes require a self-declaration from candidates that they have not been subject of a safeguarding investigation. Interview questions will test the candidate's knowledge and understanding of the importance of safeguarding. All job offers are subject to satisfactory references and background checks which include safeguarding questions..

Annex I - Definitions

The UN Secretary General's Bulletin on Protection from Sexual Exploitation and Abuse (2003) defines sexual exploitation and abuse as:

Sexual exploitation: 'Any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes including but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another' ¹

Sexual abuse: 'The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions' ²

SEA Sexual Exploitation and Abuse: Particular forms of gender-based violence that have been reported in humanitarian contexts, specifically alleged against aid workers.

Sexual Harassment versus SEA: SEA occurs against a beneficiary or member of the community. Sexual harassment occurs between personnel/staff and involves any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature. Sexual harassment is not covered by SEA

Survivor: A person who has SEA perpetrated against him/her or an attempt to perpetrate SEA against him/her. For the purposes of this policy, persons who report SEA committed against themselves are treated as survivors for the purposes of security and needs assessments

Code of Conduct: A set of standards and behaviour that staff of an organisation are obliged to adhere to.

Beneficiaries: A person who receives assistance as part of an assistance programmes. Persons under this title include members of affected populations including refugees, internally displaced persons and other vulnerable individuals, as well as host community members.

Complainant: a person who brings an allegation of SEA or safeguarding in accordance with established procedures. This person may be an SEA survivor or another person who is aware of the wrongdoing.

Whistleblower: For the purposes of SEA Policy, a whistleblower is a type of complainant, not the survivor, who is making a report of SEA. The policy encourage staff to report concerns or suspicions of misconduct by colleagues by offering protection from retaliation for reporting and clarify the rules and procedures for reporting and addressing such cases. Same key principles apply such as confidentiality to whistleblowers as they would to any complainant, and internal agency policies shall protect whistleblowers on SEA from retaliation, as long as the report is made in good faith.

LAW Staff and/or representative refers to staff, volunteers (includes board members, directors), interns, partners, consultants, suppliers, vendors and visitors. This also includes non-LAW entities and their employees who have entered into partnership, contractors, vendors or suppliers' agreements with LAW. This is not an exhaustive list and may cover anyone who is a representative of LAW.

SMT: Senior management team or members of the senior management team within LAW.

Annex II- Guidance in relation to specific types of incidents

Nature of Concern	Response
Allegation about staff at a Partner Organisation	Concerns about staff at a Partner organisation must be reported to the Programme Manager in the first instance. They will report to the designated person in the partner organisation and work with the partner to ensure the matter is addressed swiftly and appropriately. This may be through the partner's internal process or through a joint process agreed by LAW and the partner. If LAW has concerns that a complaint has been dealt with inappropriately or inadequately by a partner, LAW should raise concerns to the appropriate management and if these concerns are not addressed, they must consider whether they will withdraw funding or end the relationship. This will be discussed and authorised by SMT.
Allegation about staff (personnel) at another NGO/INGO	Concerns related to the behaviour of staff of another UN or I/NGO must be reported to the Programme Manager or Head of HR and Compliance. They will report to the designated person in the other organisation to ensure the matter is addressed. This may be through the other organisation's internal process or through a joint process agreed by LAW and the organisation. If LAW has concerns about the other organisation's response, they should raise concerns to the appropriate reporting channels within the organisation and consider termination of engagement if no action is taken.
Allegation relating to criminal activity and/or relating to a child where others have a remit to investigate	For allegations that relate to criminal issues and for which there is an obligation to report, LAW will support the external process such as a police investigation. LAW is not a child protection agency and does not have the expertise required to carry out investigations of child abuse itself. This will be carried out in joint partnership with internal and external experts brought in specifically for this purpose.
Allegation raised against a Programme Manager	Concerns raised about a Programme Manager must be raised to SMT/Head of HR and Compliance.
Allegation raised against a member of the SMT excluding the Executive Director	Concerns about anyone within the SMT Team, excluding the Executive Director must be raised directly to the Executive Director. The risk will be assessed and monitored by LAW Board.
Allegation raised against the Executive Director	Concerns raised about the Executive Director should be raised with the Chair of the Swiss board for investigation.

Annex III - Safeguarding Support and Assistance

LAW will ensure survivors of SEA and safeguarding who have raised concerns and or made a complaint will receive immediate professional assistance, either by providing them with direct services or referring them to relevant service providers (based on where they are living, gender and language needs) where consent is given.

LAW will provide immediate support and safety without waiting for any pending investigation or outcome.

The table below provides an overview of the types of support services survivors may need. This is not an exhaustive list.

Type of Services	Support Description
Safety	Immediate safety or protection measures for survivors and witnesses to address the risk of retaliation or further violence, such as survivor safety planning, safe shelter (i.e. space that offers temporary safety to individuals fleeing harm), relocation support. Where appropriate, consider support for families including children.
Medical Care	Medical care, including post-exposure prophylaxis (PEP) to prevent HIV (within 72 hours of possible exposure) treatment for Sexually Transmitted Infections (STIs), pregnancy care, emergency contraception
Psychosocial Support	Mental health care, emotional and practical support, either individually or family. Access to LAW's own roster of psychosocial support is also available.
Legal Services	Legal assistance services, including free legal counselling, legal representation and other support.
Basic Assistance	Provision of food, clothing, shelter, school re-integration and livelihood support to the survivor

Annex IV – Investigation Report Template

This template provides a structured approach to conducting PSEA investigations and adherence to best practices.

1. Introduction

* Date of Report: [Insert Date], * Investigator(s): [Insert Names], * Subject(s) of Investigation: [Insert Names and Positions], * Allegation(s): [Brief Description of Allegations]

2. Background Information

* Context: [Provide context of the situation, including location, date, and any relevant background information], * Complainant(s): [Insert Names and Contact Information]

* Victim(s)/Survivor(s): [Insert Names and Contact Information, if different from complainant]

3. Investigation Plan

* Objectives: [Define the objectives of the investigation], * Scope: [Outline the scope of the investigation], * Methodology: [Describe the methods to be used, such as interviews, document review, site visits]

4. Evidence Collection

* Interviews Conducted: [List of individuals interviewed, their roles, and dates of interviews]

* Documents Reviewed: [List of documents reviewed, such as policies, reports, emails]

* Other Evidence: [Any other evidence collected, such as photographs, recordings]

5. Findings

* Summary of Findings: [Summarize the key findings of the investigation]

* Detailed Findings: [Provide detailed findings, including any corroborating or conflicting evidence]

6. Analysis

* Assessment of Evidence: [Analyse the evidence collected and its relevance to the allegations], * Compliance with Policies: [Assess whether the actions in question comply with LAW policies and SEA /Safeguarding standards]

7. Conclusions

* Summary of Conclusions: [Summarise the conclusions drawn from the investigation]

* Recommendations: [for action, such as disciplinary measures, policy changes, training]

8. Reporting and Follow-Up

* Report Submission: [Details on to whom and how the report will be submitted]

* Follow-Up Actions: [Outline any actions points, including timelines and responsible parties]

9. Confidentiality and Data Protection

* Confidentiality Measures: [Describe measures taken to ensure confidentiality of the investigation]

* Data Protection: [Outline how data will be protected and stored securely]

10. Appendices

* Appendix A: [Include any relevant documents, such as interview transcripts, evidence logs]

* Appendix B: [Any other supporting materials]

Annex V – Confidentiality Agreement

This agreement outlines the confidentiality obligations for individuals involved in complaints and investigations procedures relating to SEA and/or safeguarding.

Purpose: The purpose of this agreement is to ensure that all parties involved complaints and investigations procedures uphold the highest standards of confidentiality, protecting the privacy and dignity of survivors.

1. Confidentiality Obligations: The undersigned agrees to:

- Treat all information disclosed by or about survivors of sexual exploitation and abuse /safeguarding as strictly confidential.
- Not disclose any personal, identifying, or case-specific information to any third party without the explicit, informed consent of the survivor, unless required by law or professional ethics.
- Not disclose the identity of any survivor or the details of any case outside the legal or professional context in which such disclosure is necessary for the delivery of justice or support services and wherever possible with informed consent

2. Exceptions to Confidentiality: Confidentiality may be breached only in the following situation:

- Where there is a **legal obligation** to disclose, such as in compliance with judicial orders or law enforcement investigations.
- If there is a **risk of harm** to the survivor or others, and disclosing information is necessary for the protection of life or safety.
- When the survivor gives explicit, **informed consent** for information to be shared, specifying the scope and purpose of the disclosure.

3. Safeguarding Survivor Privacy:

- The undersigned agrees to ensure that all data, documents, records, and communications relating to survivors are securely stored and handled for the duration of the purpose.
- Any physical or digital records containing confidential information must be kept in a secure, password-protected, or locked environment, both on and off-site.

4. Duration of Confidentiality Obligation:

- The confidentiality obligations outlined in this agreement shall remain in force **indefinitely**, even after the individual's involvement in the case or project has ended.
- The undersigned acknowledges that the breach of confidentiality may result in disciplinary action and could undermine the trust and safety of the survivor(s) involved.

5. Acknowledgment and Agreement:

By signing this agreement, the undersigned acknowledges their understanding of the importance of maintaining confidentiality and agrees to adhere to the terms outlined above.

Signature:

(Full Name of Individual)
Role/Position:

Date: