

Safeguarding Investigations at the IFRC

Overview

Not all Safeguarding cases can be investigated as not all incidents are reported. This is a sector-wide concern as survivors experience various pressures to remain silent, including fear of retaliation, shame, lack of trust in reporting mechanisms and social expectations to keep sexual exploitation and abuse (SEA) a secret. This case study provides an insight into how investigations are carried out and what steps have been taken to strengthen efficacy of reporting and maintaining a survivor-led response.

Background

The IFRC Office of Internal Audit and Investigations (OIAI) is composed of five Senior Investigators based in the five regions (Africa, MENA, Americas, Asia Pacific and Europe), two Integrity Interns based in Beirut and Nairobi (further two Integrity Internships opened in Americas and APAC), a Corruption Prevention Officer, an Intake Officer, and the Head of Investigations all of whom are all based in Geneva. All investigators are trained to carry out both fraud and corruption investigations as well as Safeguarding investigations related to Sexual Exploitation and Abuse as well as Child Safeguarding. In addition, all investigators are already CHS Alliance SEA investigation certified or are in the process of being certified.

The OIAI, in theory, does not handle sexual harassment (between staff) cases as these are handled by the Human Resources Department. The OIAI has the ambition of having a surge capacity for conducting investigations. Investigators have the opportunity to join two rosters: one on Fraud and Corruption, where they can take the Certified Fraud Examiner exam, and one on Sexual Exploitation and Abuse investigation, where they take CHS Alliance certification training. Furthermore, the OIAI has the ambition to constitute a surge capacity within National Societies and a community of practice.

How investigations are conducted

All allegations of (Safeguarding, fraud, and corruption) are received by the Corruption Prevention Officer and Intake Officer through the Integrity Line form (ifrc.integrityline.org), phone (+41 800 437 272) or email address (speakup@ifrc.integrityline.org). A Safeguarding allegation is regarded as high priority and is dealt with immediately before any other allegations.

The first action is to send a message to the reporter acknowledging the receipt of the report. Then, a preliminary assessment is made by the Corruption Prevention Officer or the Intake Officer by talking, if needed, to the person who has made the report, who may not be the survivor but a witness to the incident.

Following the survivor-centred approach, an initial assessment is carried out to check on the safety of the survivor and if they or others are at risk. If needed, immediate operational response will be initiated for the protection of survivors and witnesses. The IFRC can consult an expert on sexual and gender-based violence (SGBV) and takes into consideration the applicable laws in the country where the reported incident occurred. The survivor is asked if he/she wishes to report the incident to local law enforcement. Based on the preliminary assessment, a decision is made whether to open an investigation. If this is the case, a Predication Note is written, and the deliberation group decides whether to authorise the investigation.

If a survivor makes a report, a trained investigator will interview them so that, ideally, they do not have to talk about the incident repeatedly at risk of re-traumatisation. A single interview is an ideal scenario although experience has shown it may be necessary to corroborate evidence with the survivor at a later stage. In reporting, the allegations should be as detailed and specific as possible (who, what, when, here, how), and with due regard to the delicate nature of Safeguarding children. The report should cite if there was any witness. Many details help assess the materiality, verifiability and credibility of the allegations and greatly support the work of the investigation team. It is important to note that if the survivor wishes to report the incident to the police, it is important to refrain from conducting an internal interview at this stage in order to respect the integrity of police investigation process.

The survivor is offered support and is provided with the contact details of the psychosocial support (PSS). A survivor is offered psychological, legal and medical support by the person in charge of the case and it is their decision whether to take up the support. The OIAI also takes note of other kinds of support if the survivor raises them and submits the wish of the survivor to management. It is not in the investigators remit to follow up on whether the survivor received the support they need, that is up to psychosocial support personnel within the IFRC.

The investigator in charge of the case is determined upon gender, language skills, cultural background and CHS Alliance Certification. Investigators collect evidence during the interviews of possible witnesses and run forensics analysis. As far as possible, the survivor is not interviewed a second time. Once the Investigation team has collected all evidence and gathered the relevant testimonies for the case, a fact-finding report is drafted which includes the findings and the conclusions of the investigation. At the conclusion of the investigation, the report confirms if the allegations are substantiated or report that an allegation was made (if unsubstantiated).

The investigation report is submitted to senior management, consisting of Legal, Human Resources and Senior Managers at the IFRC, who take disciplinary action based on the conclusion of the investigation. The investigators have no say in the disciplinary outcome or sanctions. The internal deadline to complete the investigation is 90 days.

If the investigation concludes that an allegation is substantiated, Human Resources and Senior Management decide upon the disciplinary process. After the investigation, the perpetrator may face disciplinary action which may lead to the termination of their contract. If that is the case, their name can be communicated in the framework of the Inter-Agency Misconduct Disclosure Scheme. The OIAI cooperates on a case-to-case basis with other organisations with which the IFRC has a memorandum of understanding (MoU) and with members of the Inter-Agency Misconduct Disclosure Scheme.

If the investigation substantiated a criminal conduct, the IFRC Secretary General, in consultation with the General Counsel, may refer the case the competent authorities once the survivor's needs are considered and their consent given. If the survivor is a minor, then there is an obligation to refer the case to the authorities, subject to risk assessment.

Steps taken

For the last year, the OIAI has implemented Integrity Line which is the IFRC's new reporting and case management system. It enables confidentiality and the possibility for anonymous reporting. The OIAI also worked to improve the regionalisation of its investigative capacities.

The IFRC OIAI also encourages and supports National Societies to have their own investigation units. The IFRC OIAI's mandate is limited to allegations with an impact on IFRC funding or when an IFRC Staff member is involved. The OIAI offers the opportunity for National Societies to join Integrity Line for their own reporting and case management needs, and for low-income National Societies, the IFRC takes in charge the setup and the initial first year costs of the Integrity Line. Furthermore, the OIAI offers investigation trainings tailored to each National Societies' needs. At present, one National Society has a live Integrity Line, two have signed to adopt it and twelve are currently testing the platform.

These initiatives resulted in an increase in the number allegations made due to the communication on the new platform as well as the awareness raised with the presence of the Regional Senior Field Investigators.

Key learning

The advice that the OIAI would provide to National Societies is that successful SEA investigations unit must have experience in leading such investigations, be gender-balanced, speak languages relevant to the environment and be able to exercise cultural sensitivity.

The OIAI also encourages the investigators to have the CHS Alliance certification. The OIAI remains at the disposal of National Societies for any need or guidance.

Finally, from the experience of the investigators and intake officers, it is important to always remember that the root of Safeguarding incidents is the difference in power between perpetrator and survivor. What could also motivate perpetrators of SEA is their belief that the survivor will not report the incident. But there are ways to improve reporting, such as enhancing trust in reporting, having complaints mechanisms that meet the needs of diverse people, including those often marginalised, and making reporting as accessible as possible.. In addition, once National Societies join the Inter-Agency Misconduct Disclosure Scheme it will promote further cooperation between organisations who are members of the Scheme. Hopefully, the more organisations join, the more robust Safeguarding mechanisms become and the greater the likelihood that incidents can be prevented.