SNV Safeguarding, child protection, and protection from sexual exploitation, abuse, and harassment (SEAH) procedure

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## Document information

### Document ownership

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<th>SNV Safeguarding, child protection, and protection from GBV and SEAH procedure</th>
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Changes compared to the previous version:
- Relevant definitions
- Misconduct reporting mechanism and fact-finding process description
- Staff vetting process

### Version history

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<thead>
<tr>
<th>Version number</th>
<th>Owner</th>
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<th>Summary of changes</th>
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</tbody>
</table>
Contents

Document information ........................................................................................................................................2
Document ownership ........................................................................................................................................2
Version history .............................................................................................................................................2
Introduction ..................................................................................................................................................4
Procedure audience .....................................................................................................................................6
Procedure objectives .....................................................................................................................................6
Related Policy House documents ...............................................................................................................7
Chapter 1: Definitions ..................................................................................................................................8
Chapter 2: Reporting a case of alleged physical violence or SEAH .............................................................11
What can be reported under this procedure? ..............................................................................................11
What cannot be reported under this procedure? ..........................................................................................11
Who can file a report? ..................................................................................................................................12
When should a report be submitted? ............................................................................................................12
How should a report be submitted? ...............................................................................................................12
What happens after a report is submitted? .....................................................................................................13
How is the CD or Global Manager involved in the process? .......................................................................14
What happens in the fact-finding process? .....................................................................................................14
What are the final steps? ................................................................................................................................15
How is privacy protected for all parties? .......................................................................................................17
When is a case referred to national statutory authorities? ..........................................................................17
Chapter 3: Roles and responsibilities .........................................................................................................19
Chapter 4: Safeguarding – confidentiality and non-retaliation .....................................................................20
Confidentiality of reports ..............................................................................................................................20
Non-retaliation: how do we protect those who speak up? .............................................................................20
What happens if this procedure is misused? .................................................................................................20
SNV Safeguarding, child protection, and protection from SEAH procedure

Introduction

Safeguarding, child protection, and protection from sexual exploitation, abuse, and harassment (SEAH) are paramount in any organisation that upholds the principle of *do no harm* and that deals directly with people who might be in a vulnerable condition and/or are in a position of imbalanced power relations.

This procedure focuses on how to ensure protection for SNV team members and others who work for or with our organisation, directly or indirectly.

While the **SNV Environmental and social safeguarding procedure** focuses on projects above a certain financial threshold (€100,000), the present procedure applies to any situation where an inappropriate and potentially harmful behaviour is detected, irrespective of whether it occurred in the context of project implementation or of the size of the project. The only element that determines whether this procedure is applicable is whether the alleged perpetrator is directly or indirectly associated with SNV.

At SNV, we believe that having a safeguarding, child protection, and protection from SEAH procedure represents an opportunity to create a robust framework to enable change and to support best practices.

It is important to stress that SNV commits to preventing every form of misconduct, through a number of measures that are intended to educate people about cultural differences, appropriate and inappropriate behaviour, and situations that have the potential to result in an individual harming themselves and/or the people they work with and for. SNV has a zero-tolerance policy on any form of harassment or misconduct. We are committed to providing a safe environment for all, thus ensuring that any breach of the **SNV Code of Conduct** and related procedures by SNV team members, consultants, interns, partners, suppliers, and service providers is investigated promptly and thoroughly, and acted on. We do this through a survivor-centred approach to ensure that victims/survivors are treated respectfully, and that their needs are taken into consideration.

In line with the United Nations Convention on the Rights of the Child,¹ we believe that children in all their diversity should be given the rights, confidence, and environment in which they can thrive and freely make choices. Children must be empowered to become change agents in their communities by ensuring their protection from harm, discrimination, and abuse. See the **SNV Child protection statement**, which is an integral part of this procedure.

SNV strives to ensure that the principles of safeguarding, child protection, and protection from SEAH are applied in all contexts, including fragile settings.

This procedure outlines:

- relevant definitions;
- preventative measures and reporting mechanisms;
- roles and responsibilities of all SNV parties involved;
- investigation and mediation processes;
- sanctioning measures;
- matters of confidentiality.

This procedure also focuses on measures that can be taken from the recruitment process onwards so that SNV team members are vetted to ensure no newly recruited team member has a history of misconduct, especially for positions that entail close contact with children and vulnerable adults. SNV also commits to introducing and maintaining continuous training opportunities, which are accessible to all.

As an organisation, we take all allegations of misconduct seriously. We commit to maintaining thorough and open communication with the person reporting a case of misconduct throughout the fact-finding process, with empathy and within reasonable time.

Each reported case shall be treated equally, irrespective of whether the alleged victim/survivor is an SNV team member. However, SNV can only guarantee that action against alleged perpetrators is taken when the person in question is an SNV team member. In all other cases, SNV shall support the partner/service provider with the fact-finding process and advise how best to proceed if and when an individual is proven guilty. However, SNV is not in a position to take direct action.

No person reporting an alleged case shall be held accountable if the allegation is proven unfounded, provided their report was made in good faith. During any period of investigation, provisions shall be made for alleged victims/survivors and/or people who report on their behalf to keep working in the safest and most conducive environment possible, whether in person or remotely.

Similarly, alleged perpetrators shall be considered innocent until proven otherwise and they shall be guaranteed a fair and impartial fact-finding process. They shall be allowed to continue working, either in person or remotely, based on an assessment of the severity of the allegation, their role, relation, and proximity to the alleged victim/survivor and other elements, which shall be evaluated on a case by-case basis. However, this is only applicable where the alleged perpetrator does not pose a threat to the alleged victim/survivor or reporting person and where their presence is not going to intimidate other colleagues and stakeholders.
In line with a survivor-centred approach, SNV commits to prioritising a victim’s/survivor’s wishes on how to proceed. Therefore, if a perpetrator is found guilty in the internal fact-finding process, it is up to the victim/survivor to decide whether to seek legal recourse with the relevant national authorities or not.

As a principle, based on the gravity of the offence, SNV prefers to initiate the fact-finding process on safeguarding, child protection and SEAH matters internally and without involving national authorities if the type of misconduct or the identity of the people involved may lead to a violation of their human rights.

To ensure the swift attribution of responsibility, SNV commits to prioritising reports of misconduct based on the severity of the offence, on the probability of it occurring again, and on the vulnerability of the alleged victim/survivor, etc.

However, it is acknowledged that some cases of misconduct may occur in a place, at a time, or under certain conditions (e.g., the perpetrator is intoxicated, making threats to escalate violence, etc.) when the only viable and safe option for reporting is via national authorities.

SNV places the utmost importance on the safety of any alleged victim/survivor, therefore we encourage them – and where possible provide support – to report an incident to the national authorities if the case requires it.

In compliance with donor requirements, all cases of safeguarding failure and SEAH shall be reported to donors who require it and shall be reported as part of the SNV Annual Report. Personal and identifying details shall not be divulged to anyone aside from the SNV team members working directly on each case, however.

**Procedure audience**

This procedure applies to all SNV team members in their professional and personal capacity, all SNV partners, consultants, suppliers, and service providers, and to all people involved in projects where SNV team members are working.

The rationale behind this is that SNV strives to protect the image – acquired through years of dedication to outstanding work and commitment to communities – of an organisation which, under no circumstances, condones nor tolerates the harassment, exploitation, or abuse of people directly or indirectly associated with it.

**Procedure objectives**

The main objectives of this procedure are to:

1. ensure that all SNV team members, partners, suppliers, and service providers are familiar with the concepts of safeguarding, child protection, and protection from SEAH;
2. provide a framework within which team members, partners, suppliers, and service providers are made aware of their rights and obligations regarding appropriate behaviour and reporting of misconduct, including the reporting tools and process (both for a person who has experienced discrimination, harassment, or abuse and for bystanders), and the process for mediation, investigation, and the resolution of complaints;

3. provide a welcoming and safe space for vulnerable adults, children, and their families to come forward with concerns related to safeguarding, without fear of exclusion from project activities or retaliation of any sort.

In the long term, the routine application of this procedure and all related instructions shall contribute to raising awareness on different forms of harassment, exploitation, and abuse that pose a threat to the protection of team members, their dependants and people employed by them, and the people SNV works for and with.

In countries with weaker legislation on child protection and on exploitation and abuse, the **SNV Code of Conduct** and related protection procedures (listed below and including the present procedure) are binding for all SNV partners and team members and become the main guiding principles.

**Related Policy House documents**

Other **SNV Policy House** documents that are of relevance to this procedure include:

- [SNV Code of Conduct/Ethical Standards policy](#)
- [Modern slavery and anti-human trafficking statement](#)
- [Child protection statement](#)
- [Whistle-blower protection statement](#)
Chapter 1: Definitions

While exploitation and abuse are deliberate acts where the perpetrator knows that their actions are unacceptable, some cases of harassment stem from a divergence in social norms and the concept of appropriateness of certain actions. SNV has a zero-tolerance policy towards all forms of harassment, and we emphasise the perceived and lived experience of the victim/survivor, rather than on the intention of the alleged perpetrator.

All team members, partners, suppliers, and service providers are encouraged to familiarise themselves with terms and specific issues that are relevant to their country and sector.

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<td>Child</td>
<td>For the purpose of this procedure, a child is defined as a person below the age of 18, regardless of what national legislation defines as a minor and of their sex and gender. ‘Child’ refers to an individual, but also to a group of children.</td>
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| Child abuse   | SNV applies the World Health Organization (WHO) definition that child abuse or maltreatment constitutes ‘all forms of physical and/or emotional ill-treatment, sexual abuse, neglect, or negligent treatment, or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development, or dignity in the context of a relationship of responsibility, trust, or power’.  
  Similarly, ‘cruelty to children’ is defined as ‘behaviour that causes significant harm to a child’. It also includes situations when someone knowingly fails to prevent serious harm to a child or does not enable a child to express themselves and their needs freely.  
  It should be noted that a child who is being abused may experience concurrent forms of cruelty, discrimination, harassment, and bullying which can harm them, both physically and emotionally. |

SNV defines the following types of cruelty:

- **Physical abuse**: any wilful action, including hurting or injuring a child, inflicting pain, poisoning, drowning, or smothering, aimed at inflicting pain on a child.

- **Sexual abuse**: Any direct or indirect sexual exploitation or corruption of children and/or of their image by involving them (or threatening to involve them) in sexual activities. Any form of sexual contact between an adult and a child, even if consensual, is classified as sexual exploitation and/or abuse.

- **Emotional abuse**: Repeatedly rejecting children, humiliating them, and/or subjecting them to degrading treatment or denying their worth and rights as human beings.

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2 See [https://www.who.int/news-room/fact-sheets/detail/child-maltreatment](https://www.who.int/news-room/fact-sheets/detail/child-maltreatment)
- **Neglect**: The persistent lack of appropriate care for children, including safety, nourishment, warmth, education, and medical attention.

### Child labour

Work that harms a child’s well-being and hinders their education, development, and future livelihood.

As part of our commitment to prevent and end modern slavery and human trafficking, SNV adheres to two International Labour Organization (ILO) Conventions – the Minimum Age Convention No. 138[^3] and the Worst Forms of Child Labour Convention No. 182[^4]. These Conventions provide the framework for national law to define a clear line between what is acceptable and what is not, including a minimum age for admission to employment or work. This minimum age should not be less than the age for completing compulsory schooling, and in general not less than 15 years.

It is acknowledged that in certain contexts children are required to contribute to family life by performing household chores. This is only acceptable if the workload is compatible with a healthy lifestyle, and that allows adequate time for school and related activities and free time.

### Child protection

A broad term to describe philosophies, policies, standards, guidelines, and procedures to protect children from both intentional and unintentional harm.

With regards to this procedure, it applies particularly to SNV’s duty of care.

### Gender-based violence (GBV)

Any form of emotional, psychological, social, physical, and sexual violence perpetrated against a sexual minority (i.e., women or the lesbian, gay, bisexual, transgender, queer, intersex, asexual, and all other identities and orientations (LGBTQIA+) community) because of their (perceived or actual) sex, gender, sexual orientation, and/or under the assumption that their (actual or perceived) identity or orientation will justify the perpetrator’s impunity.

GBV includes but is not limited to: domestic violence, intimate partner violence (IPV), early/forced/child marriage, female genital mutilation (FGM), and denial of resources and basic rights.

### Safeguarding

The set of measures to protect the health, well-being, and human rights of individuals, especially those in conditions of vulnerability, to live free from abuse, harm, and neglect. This is SNV’s commitment towards its own team members, and towards any of the people who are directly or indirectly associated with the organisation. Safeguarding can be considered the operationalisation of a do no harm principle.

### Sexual abuse

Any form of sexual act performed without the consent of the other party.

### Sexual exploitation

The exploitation of a person’s condition of vulnerability for sexual purposes. It may entail benefiting from transactional sex, or forceful demand of sexual favours in exchange for goods, services, or safety. Sexual exploitation also includes sexual slavery, including and aggravated by the trafficking of persons destined for sexual slavery, where any party involved in or aware of the condition of slavery of a person providing sexual services is considered to aid in the exploitation.


Sexual harassment

Any unwelcome sexual advances, request for sexual favours, verbal or physical conduct, gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile, or offensive work environment. This may occur between persons of the opposite or same sex. People of any gender can be either the victim/survivor or the perpetrator of such an offence. While typically involving a pattern of behaviour, it can take the form of a single incident.

Note: SNV recognizes that sex work performed by consenting adults is work, and it is not ascribable to the realm of exploitation if the person providing sexual services is consciously choosing to engage in sexual activity and is in control of the elements that constitute their work (pricing, sexual acts, choice of clients, working hours, etc.). However, because SNV works in countries where for the most part sex work is criminalised, or tolerated but not regulated, it is virtually impossible to establish who freely chooses to enter sex work and who is forced into it. To protect all people, including SNV team members, SNV prohibits any exchange of sex for money, goods or services.
Chapter 2: Reporting a case of alleged physical violence or SEAH

Physical violence and SEAH are very serious issues and represent violations of human rights. SNV expects all team members who witness a case of violence or SEAH to report it through the dedicated channel outlined in this procedure.

All people in the reporting line of SEAH cases are committed to the protection of the alleged victim’s/survivor’s confidentiality and to their safety during and after the process.

What can be reported under this procedure?

- Any behaviour of a sexual nature with a person below 18 years of age, even if initiated by them or if they consent to it, and even if the alleged perpetrator claims to have not known the age of the other person involved.

- Any behaviour that is clearly in violation of a person’s bodily or psychological integrity (intimidation; explicit verbal, physical, sexual violence; explicit request or implicit suggestion that a person will get a job/promotion etc. if they provide sexual favours to an SNV team member or partner; any action that hinders the well-being of a child).

- Any behaviour that may not have an explicitly coercive or harmful intention, but which is perceived so by the person experiencing it (e.g., continuous comments about one’s appearance, alleged involuntary physical contact, etc.).

- Any behaviour of a sexual nature where the power imbalance between the parties is relevant enough to justify the suspicion of coercion and/or a transactional nature of the relationship.

- Any romantic involvement between a supervisor and their direct line report bears an inherent power imbalance, which may not be the origin of the relationship, but which also hinders the supervisor’s impartiality towards the person being supervised. Therefore, any romantic engagement between a supervisor and their line report is prohibited. Any romantic engagement within the same team is strongly discouraged as potential conflicts of interest may arise. Should this happen anyway, the parties involved should inform their supervisor/second-level supervisor so that arrangements can be made for the two people to be assigned to different teams.

The same applies to any relationship between an SNV team member and a partner, service provider, or community member.

What cannot be reported under this procedure?

- Romantic involvement between SNV team members who are not in the same team or line of reporting is considered a consensual relationship between adults. It is advisable to inform the respective supervisors, but it is understood that people...
may prefer to keep the matter private, especially if the relationship has no potential impact on the execution of the individuals’ work.

- Any form of bullying, discrimination, and exclusion in the SNV workplace. This behaviour should be reported under the **SNV Inclusion and elimination of workplace discrimination and harassment procedure**.

**Who can file a report?**

- Any alleged victim/survivor or bystander/witness can file a report. If the identity of the victim/survivor is not known, or if the victim/survivor does not want to report an incident or does not want their identity to be disclosed, the witness can still file a report, omitting the name of the victim/survivor.

- Any alleged victim/survivor can also report anonymously, but since investigating cases relies heavily on the information provided by an alleged victim/survivor, any person reporting anonymously must know that the chances of a thorough investigation and of resolving a complaint decrease as a result. Nevertheless, reporting remains the first and necessary step to ensure that an incident is investigated.

- Any person can file a report on behalf of a third party if the person involved is unable to file the report on their own (e.g., language barriers, the victim/survivor has no access to an internet connection, or they are not familiar with the SNV webform reporting mechanism, etc.), or in cases of violations of human rights against a person whose identity is unknown or who wishes to remain anonymous for fear of retaliation.

**When should a report be submitted?**

- As a general rule, a report should be submitted as soon as possible following an incident. However, SNV is aware that this is not always feasible, therefore complaints can be submitted at any time.

- It is not the responsibility of the victim/survivor and/or reporting person to provide evidence, therefore we encourage individuals to submit a complaint when they are ready, and to not wait to collect substantiating evidence. That is the role of the fact-finding team during any investigation.

**How should a report be submitted?**

- At SNV, we have set up a [webform](#) to report any case of misconduct, to ensure that all parties involved are granted utmost confidentiality and to facilitate a swift reaction from the organisation.

- Reported cases are triaged automatically within the system based on the type of case. The person responsible for each type of case shall be notified as soon as a new report is submitted.
The webform is the preferred channel for the reporting of complaints, as it follows a standardised approach for screening and allows for anonymous reporting too. The webform ensures that all of the necessary information is submitted so that a complaint can be followed up and the fact-finding process can begin (if the victim/survivor and/or reporting person is anonymous).

The report generated by the webform will be sent to a dedicated mailbox (safeguarding@snv.org) and addressed by the Global Inclusion and Safeguarding Adviser, who, in turn, shall report to the CEO and a limited number of other team members on a need-to-know basis.

In order to avoid any possible conflict of interest, the CEO should be notified via email of any complaint filed against the Global Inclusion and Safeguarding Adviser. For the same reason, the Chairperson of the Supervisory Board should be notified via email of any complaint against the CEO.

SNV keeps a registry of cases of all forms of misconduct, which is only accessible to a very restricted number of people to guarantee the privacy of victims/survivors and alleged perpetrators. The registry exists to track trends in complaints and to ensure effective and informative reporting when safeguarding reports are needed (e.g., to donors, for inclusion in the SNV Annual Report, etc.). No identifying details of victims/survivors or alleged perpetrators is ever shared; a general overview of a case may be provided if a perpetrator is found guilty beyond any reasonable doubt and if specific information concerning safeguarding is required in the context of a reference check or vetting process.

SNV also has a dedicated email address (safeguarding@snv.org) where questions and clarifications on the process can be submitted (anonymously or not). Occasionally, complaints may be made through this channel as well. However, we encourage team members to use the webform instead.

Guidance on the process or advice on how to handle a situation before reporting a case of misconduct can be sought from any of the roles outlined in Chapter 3: Roles and responsibilities. However, none of these individuals are able to accept a report in written or verbal form. This is to ensure a standardised and quicker approach to managing complaints that limits opportunities for human errors and delays.

What happens after a report is submitted?

SNV takes every report seriously. We will do our best to ensure that matters are investigated thoroughly, in a timely and fair manner, and that all parties involved are given adequate information and a safe space to work during and after the process. For ease, please see the SNV Reporting and fact-finding process flowchart.

The webform immediately sends a notification to the person responsible for the relevant type of case.

This person shall discuss the case with the CEO (or the Chairperson of the Supervisory Board if the complaint is filed against the CEO) and the CEO shall
appoint them, or any other competent person of their choosing, to carry out a fact-finding process.

- The person in charge of a case has up to two weeks from the day a report is submitted to provide the reporting person with feedback. This is done to prioritise reports that may have further consequences or that may escalate quickly.

- **Named reports:** After reading a report, the person in charge shall contact the team member who has submitted the report to have a more in-depth conversation. This is to follow up on specific issues that may need further clarity, to assess how the individual wishes to proceed (e.g., to whom their name can be disclosed, if at all; if the individual wishes to be removed from the office during the fact-finding process; if the individual is hoping for mediation; or if the individual intends to report the incident to the relevant national authorities, etc.), and to check if there are other people who can/should be contacted as well.

- **Anonymous reports:** After reading a report, the person in charge shall inform the Country Director (CD) and the HR Manager (unless either of these are the alleged perpetrator) to inform them of the situation and to seek their support to observe specific behaviours from the alleged perpetrator which may raise a red flag.

### How is the CD or Global Manager involved in the process?

- Unless they are directly involved in the report as the victim/survivor or alleged perpetrator, the CD or Global Manager (for reports in the SNV office in The Hague) must be informed. This is so they can provide support and their perspective on the issue, and to enable them to respond to questions from senior leadership or donors and partners at country level, should the issue be known to them through other channels.

- In the initial follow-up conversation, the individual in charge of the complaint shall ask specifically if the victim/survivor and/or reporting person wants their identity to be known. **EVEN IF YOU HAVE NOT REPORTED ANONYMOUSLY, YOU CAN STILL CHOOSE TO PROTECT YOUR IDENTITY FROM YOUR COUNTRY OFFICE MANAGEMENT.**

- If the alleged perpetrator is from a partner organisation, supplier, or service provider, SNV shall raise the issue with its management and provide support throughout the fact-finding process to ensure that all best practices are followed, especially if the other party has no system in place. While SNV cannot impose its procedures onto a third party, we can choose to terminate any ongoing contract with them, depending on the allegations made and the willingness demonstrated to address them.

### What happens in the fact-finding process?

- The next step is called a fact-finding process. Similar to an investigation, every allegation against a person involves talking to colleagues close to them and ascertaining if the behaviour follows a pattern.
To avoid unnecessary pressure on other colleagues, the alleged perpetrator is not notified during the initial phase of the fact-finding process.

Based on the information gathered, the alleged perpetrator shall be approached by the person in charge of the case and by the CD/Global Manager to share their version of the incident(s).

If mediation is agreed, a mediated dialogue can be set up between the alleged victim/survivor and the alleged perpetrator. This form of mediation is always advised as a first step, especially where the incident or behaviour may have stemmed from cultural differences, or poor communication, etc., and where the alleged perpetrator is aware of the consequences of their behaviour and is willing to change it.

Mediation is not an either/or choice: any alleged victim/survivor who agrees to attempt mediation and then changes their mind has the right to pursue a formal fact-finding process.

Mediation is voluntary and confidential. Its purpose is to assist the alleged victim/survivor and alleged perpetrator to arrive at a mutually acceptable resolution to a complaint. The mediator shall be a neutral person, agreed upon by both parties and appointed by the CEO/Chairperson of the Supervisory Board (see Chapter 3: Roles and responsibilities). All Inclusion and Safeguarding Focal Persons shall receive training on basic mediation and fact-finding processes so that, if one of the individuals involved is not fluent in English or French, and if the alleged victim/survivor feels confident with them, they can be appointed to conduct the mediation and/or fact-finding process.

During a mediation meeting, both parties (or multiple parties if, in the process, more alleged victims/survivors come forward) have the right to be supported by a person of their choosing.

There may be cases where the alleged perpetrator is unwilling to acknowledge any wrongdoing. In these circumstances, the victim/survivor shall be contacted again to discuss the best solution for them (e.g., if they prefer to keep working in the office vs working from home, or working in the office on alternate days, etc.).

What are the final steps?

Irrespective of the outcome of the mediation and/or fact-finding process, for which different scenarios are outlined below, each of the parties involved shall receive prompt communication or a written report. This is done to ensure that everyone involved has access to information concerning how the procedure has been followed and the agreed way forward.

In case of anonymous reporting, the final report shall be sent to the email address provided or to the email address from which the initial report was submitted.

If the alleged perpetrator is found guilty of having physically or sexually harassed, exploited, or abused a person under the terms of this procedure, and they ARE an SNV team member, the following sanctions apply:
The perpetrator is liable to any sanctions/measures (and any combination thereof) that the CEO and Managing Board deem fit. This may include a verbal or written warning, negative performance evaluation, demotion, suspension, or dismissal.

In all cases but dismissal, the offender shall receive mandatory training on SEAH. They shall also have an initial call with the Global Inclusion and Safeguarding Adviser and regular calls for a period of time agreed upon by the direct supervisor and the Global Inclusion and Safeguarding Adviser, based on the case.

The severity of the sanctions/measures shall be established depending on the extent of the misconduct and on several other factors, such as the gravity of the behaviour, acknowledgment of wrongdoing, continuous/escalating behaviour, targeting a specific group, etc.

Disciplinary measures shall be applied to ensure that incidents of a physical and/or sexual nature are not treated as trivial. Certain serious cases, including physical violence, shall result in immediate dismissal and, where appropriate (and without putting the perpetrator’s life at risk), reporting to the responsible legal authorities, such as the police.

If necessary, the victim/survivor shall also receive: a change in working arrangements, provided these are convenient and agreeable for them; a promotion if they were demoted in retaliation for not agreeing to relations of a sexual nature with the perpetrator; psycho-social support; etc.

**Note:** In extreme cases, SNV shall put all feasible measures in place to ensure the safety of all parties involved and shall limit opportunities for retaliation and intimidation of the alleged victim/survivor or witnesses.

If the alleged perpetrator is found guilty, and they are NOT an SNV team member, the following provisions apply:

- SNV requires that all partners, suppliers, and service providers align with the [SNV Code of Conduct](#) and related policies. Partners, suppliers, and service providers are required to disclose any cases of SEAH they may have encountered, even if no SNV team member is involved. This provision is meant to ensure that all organisations working with SNV reflect and share our values.

- SNV strives to work with organisations that have an approach to integrity that is better or at least similar to that of our organisation. For this reason, SNV offers our support to partners-suppliers/service providers as required, but we shall leave it to the other party to manage the perpetrator and respond to the complaint according to internal HR policies.

- SNV requires that, irrespective of the type and details of the case, the perpetrator is treated with respect.

- Should the partner/supplier/service provider fail to address the issue and choose not to take action, SNV reserves the right to take any action we consider appropriate, including terminating the current contract with the other party or choosing not to engage with that specific partner in the future. Communication
with partners/suppliers/service providers at country level is the responsibility of the CD, with the support of the CEO where needed.

- If the alleged perpetrator is found to be innocent, they and the alleged victim/survivor and/or person who submitted the case resume their respective work.

**Note:** We understand that this entire process can be distressing for all people involved and that it may lead to an uncomfortable or difficult working environment. SNV is committed to supporting all team members to re-establish a healthy workplace. If this is not possible, other options shall be investigated, with utmost respect for the wishes of all parties involved and ensuring that no one suffers any further distress.

**How is privacy protected for all parties?**

SNV strives to protect everyone’s privacy to the extent that doing so does not harm other people.

As far as possible, we shall protect the identity of every victim/survivor and/or person reporting misconduct in good faith. This includes proposing alternative ways of reporting SEAH cases to donors who require that names are given for victims/survivors.

The identity of every perpetrator shall also be protected as far as we are able (i.e., SNV shall not speak to the media, or disclose sensitive information among other team members, etc.). SNV demands that all individuals working for SNV do the same. However, once a perpetrator is found guilty of the allegations submitted against them, this information shall be disclosed in interactions with other stakeholders (e.g., reference letters), as per our commitment to the Steering Committee for Humanitarian Response (SCHR) misconduct disclosure scheme.⁵

**When is a case referred to national statutory authorities?**

- In agreement with the victim/survivor, if they are known, any cases that are found to have contravened this procedure may also be referred to a lawyer who is familiar with the national laws of the host country for advice on whether a criminal offence has been committed.

- If a national law has been broken, SNV shall, in principle, refer the case to the national authorities, unless there is a compelling reason not to do so (such as privacy concerns of the victim/survivor or the alleged perpetrator, or possible disrespect of human rights of either or both parties).

- The decision to refer a criminal case to the national authorities shall be taken by the CEO. If a decision is taken not to refer a case, the reasons why shall be documented in the relevant file. SNV shall consult the victim/survivor before taking a decision on referral, unless there is a compelling reason not to do so.

- In all other cases, the decision to refer to national authorities is made by the victim/survivor. SNV shall support the victim/survivor, reporting person, and

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⁵ See [https://misconduct-disclosure-scheme.org/](https://misconduct-disclosure-scheme.org/)
alleged perpetrator, regardless of whether an individual wishes to report the case to the national authorities or not. SNV’s approach shall always be to comply with reporting obligations under the relevant national law(s), provided that the victim/survivor has given their consent.
Chapter 3: Roles and responsibilities

While roles and authority vary for different types of misconduct, at SNV we emphasise our zero-tolerance approach to any form of violence and sexual misconduct, perpetrated by team members or any person or entity associated with SNV.

All team members, partners, suppliers, and service providers should be aware that safeguarding and protection are everyone’s responsibility. Instructions and guidance documents in the SNV Ethical Standards policy area of OurSNV define – among other things – the roles of team members who have a responsibility to ensure everyone’s safety and well-being within SNV.

Further, please see the current list of SNV Inclusion and safeguarding focal persons for those team members who have a specific responsibility to ensure the safety and well-being of all employees.
Chapter 4: Safeguarding – confidentiality and non-retaliation

Confidentiality of reports

- Confidentiality shall be maintained throughout all reports of misconduct. Information shall only be shared on a strict need-to-know basis and shall only be disclosed more widely if required to do so by law or by the donor (the identifying elements of a report shall be kept confidential in this case).

- Broader disclosure of information concerning cases of misconduct may pose a threat to the safety and mental well-being of an alleged victim/survivor, witness, or alleged perpetrator, therefore any breach of confidentiality shall be subject to disciplinary action. In some cases, such breaches may constitute breaking the law.

- SNV is committed to protecting the privacy of everyone involved. We shall do everything reasonable and practical to safeguard personal data from unauthorised access and processing. Any personal data obtained as part of a report shall only be used for the purposes explained in this procedure or to comply with the relevant national law or an important public interest.

Non-retaliation: how do we protect those who speak up?

- Physical violence and SEAH are very serious violations of human rights and dignity. Therefore, SNV commits to protect all people – alleged victims/survivors and witnesses – who report such incidents in good faith.

- Any form of threat or retaliation shall not be tolerated and shall be treated as a disciplinary matter.

- SNV commits to put in place protective measures to ensure the safety of the alleged victim/survivor, witness, and alleged perpetrator during the investigation process, as well as afterwards (e.g., if the alleged perpetrator is found innocent, or is found guilty of a minor violation and is not dismissed).

What happens if this procedure is misused?

- It is a violation to knowingly make a false accusation of misconduct, to lie to investigators, to interfere with an investigation, or to refuse to cooperate in an investigation. Doing so may lead to disciplinary measures.

- Team members should inform the CEO and the Global Inclusion and Safeguarding Adviser if they believe that their concern or a concern raised against them has not been handled appropriately, or that an investigation has not been performed correctly.