

Protection from Sexual Exploitation, Abuse and Harassment (PSEAH) Policy

updated July 2025

Issued by the Executive Office, this policy is set to be reviewed in July 2027.

This Policy is applicable to all employees of Berghof Foundation, associates and external collaborators as well as Partner organisations – as outlined below in section 4.

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1. POLICY STATEMENT

The Berghof Foundation maintains a zero-tolerance stance on sexual exploitation, abuse, and harassment (SEAH). We are dedicated to upholding human dignity and fostering a safe, respectful environment for all individuals we engage with, both within our organisation and among external partners. In collaboration with stakeholders, we continuously strengthen safeguarding measures to enhance accountability, provide robust support to those affected by SEAH, and drive cultural transformation through exemplary leadership.

This policy delineates the expectations and obligations for both Berghof Foundation staff and our partners in managing SEAH risks and preventing incidents during service delivery. Recognising that protection from SEAH is a shared responsibility, the policy emphasises collective action to effect meaningful change.

All Berghof Foundation partners are explicitly required to actively mitigate SEAH risks in accordance with this policy. Furthermore, the Berghof Foundation affirms its commitment to the **United Nations Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13)** and aligns with the **Inter-Agency Standing Committee Minimum Operating Standards on PSEA (MOS PSEA IASC, August 2024)**¹ and the principles and recommended actions by the **Common Approach to Protection from Sexual Exploitation, Sexual Abuse and Sexual Harassment (CAPSEAH)**.

Through this policy, we reiterate our resolve to foster an environment of integrity, respect, and safety in every aspect of our work and values.

2. PURPOSE

The purpose of this policy is to ensure that all Berghof Foundation staff and partners clearly understand their roles and responsibilities in safeguarding communities, stakeholders, and colleagues from all forms of sexual exploitation, abuse, and harassment (SEAH). Furthermore, the purpose of this policy is to ensure that leaders demonstrate a clear and visible commitment to a zero-tolerance approach to inaction on sexual exploitation, abuse, and harassment (SEAH), fostering a culture of accountability and proactive safeguarding.

This policy aims to promote a culture of accountability and respect, ensuring a safe and respectful environment across all areas of engagement.

3. KEY DEFINITIONS

Berghof Foundation has an overarching SEAH approach covering both Sexual Exploitation and Abuse and Sexual Harassment.

Berghof Foundation adopts the collective term "SEAH" to encompass sexual exploitation (SE), sexual abuse (SA), and sexual harassment (SH), recognising that these behaviours stem from power

¹ IASC: Minimum Operating Standards PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE BY OWN PERSONNEL, Revision August 2024

imbalances and inequalities, particularly gender inequality, and all necessitate decisive action. By linking these issues under a single term, we aim to promote comprehensive efforts to address and prevent all forms of harmful and unwanted sexual behaviour by individuals involved in humanitarian, development and peace (HDP) work, regardless of the location of the incident or the identity of the victim/survivor.

Sexual Exploitation (SE) - 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. For example, coercing individuals into engaging in sexual activities in exchange for aid, services, employment opportunities, or other benefits.

Sexual Abuse (SA) - the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. This includes sexual assault, rape, molestation, and other forms of non-consensual sexual activity.

Sexual Harassment (SH) - a range of unacceptable and unwelcome behaviours and practices of a sexual nature that may include, but are not limited to, sexual suggestions or demands, requests for 'sexual favours', sexual, verbal or physical conduct, or gestures that are or might reasonably be perceived as offensive or humiliating. This includes jokes, comments or messages of a sexual nature; suggestive looks, staring or leering; display of or circulation of pornographic material.

While sexual harassment typically involves a pattern of conduct, it may also take the form of a single incident. The perspective of the person who is the target of the conduct shall be considered when assessing the reasonableness of expectations or perceptions.

Our definition intentionally excludes intent as a constitutive element. This reflects a pragmatic, victim/survivor-centred approach that prioritises addressing the unacceptability of the behaviour, actions, or threats, and focuses on their impact on victims/survivors rather than the perpetrator's intent.²

GBV- SEAH – Gender-Based Violence refers to any harmful act that occurs against a person's will and where their gender is a contributing factor. GBV covers a range of abuses, including physical, sexual, psychological, and economic violence, and can happen anywhere. While both sexual GBV and SEAH involve harmful acts of a sexual nature, SEAH refers to acts committed by people delivering humanitarian, development or peace work.

Sexual relationships with and among staff members

We recognise that workplace relationships may occur and do not intend to impose undue restrictions on employees dating each other. However, it is essential to ensure that such relationships do not create awkwardness or disrupt the workplace.

² This is in line with the German General Act on Equal Treatment (AGG) that defines sexual harassment in terms of the objective perception of what happened and not in terms of the intention of the harassing person. Thus, the key aspect is only whether certain conduct is objectively of a sexual nature and the person concerned felt harassed by it.

Employees are not required to inform HR or their line manager about short-term relationships or casual dating lasting less than two months, provided there is no impact on their work or the broader work environment. If a relationship extends beyond two months, employees are asked to notify HR or their line manager. This allows us to manage any potential issues, such as gossip or conflicts of interest, with discretion and sensitivity. HR and line managers will always respect employees' privacy and handle such matters confidentially.

While relationships between employees from different departments or at the same professional level are permitted, all employees must maintain professionalism in the workplace. Personal matters should not be discussed openly, and behaviour that is distracting, disruptive, or inconsistent with the company's values and culture is prohibited.

Due to their status as role models, their access to sensitive information and their ability to affect the employment of individuals in subordinate positions, staff in line managing positions are not allowed to enter into a sexual and/or romantic relationship with any of their staff members.

4. SCOPE

The PSEAH policy applies to:

a) All employees of Berghof Foundation

This includes full-time employees, board, temporary personnel, interns, and personnel on loan, regardless of their contractual status, responsibilities, or location of employment. All Berghof Foundation staff are required to adhere to the principles and reporting requirements outlined in this policy.

No individual is exempt from the PSEAH policy. Violations will be addressed in accordance with relevant employment policies and procedures and may result in disciplinary actions, including termination of employment and potential legal prosecution. Safeguarding background checks may also be conducted with current and previous employers at any stage of the recruitment process.

b) Associates and external collaborators

This includes:

- Contractors and their personnel,
- Suppliers in direct contact with Berghof Foundation's target population,
- Consultants, advisors, and contracted individuals,
- Sub-contractors,
- Sponsorship partners and donor representatives,
- Volunteers involved in Berghof Foundation projects,
- Visitors to Berghof Foundation programme areas,
- Staff seconded to and from Berghof Foundation.

These groups are expected to apply the policy commensurate with the level of SEAH risk associated with their activities and their organisation.

c) Partner organisations

This includes organisations receiving material or non-material support from Berghof Foundation.

Partner organisations are required to act in accordance with the principles and reporting requirements outlined in this policy and adhere to their own relevant policies, international declarations, conventions, agreements, and domestic legal frameworks concerning SEAH. Berghof Foundation incorporates PSEAH into its due diligence processes and requires assurances of policy application from partner organisations.

Where required by law or local practices, Berghof country offices may enhance the standards set out in this policy. Compliance with this policy will be evidenced through signing Berghof Foundation's Code of Conduct, and training on this policy is mandatory for all Berghof Foundation staff, associates, and partners.

Responsibilities of leaders and managers

Leaders and managers play a vital role in implementing this policy, setting the tone for a culture of dignity and respect through their actions and practices. The responsibilities reflect and align with our leadership standards.³

The responsibilities of leaders and managers include:

- Policy dissemination: Ensuring that all staff and individuals working on behalf of the organisation are informed about the content and principles of this policy.
- Internal complaint mechanism: Establishing a robust internal mechanism that enables staff to safely and confidently raise sensitive concerns and complaints.
- Awareness raising: Informing programme participants about the behavioural standards expected of the organisation's staff and representatives.
- Community complaint mechanism: Ensuring that a safe and accessible complaint and response mechanism is developed in each Berghof Foundation programme in collaboration with communities. This mechanism must empower community members to raise sensitive concerns and complaints and include measures to assist survivors and victims.
- Policy enforcement: Taking prompt and appropriate action when any breach of this policy occurs, ensuring accountability and adherence to its standards.
- Implementation: Ensuring that a plan of action for the implementation of the policy is established, including necessary resources.

Through these actions, leaders and managers demonstrate a commitment to upholding the values and principles of the policy.

³. See Berghof Code of Conduct, 3. Leadership Standards

5. OUR PRINCIPLES

Berghof Foundation adheres to a set of principles designed to guide and support SEAH-related conduct for all our staff and partners engaged in our humanitarian, development, and peace-related work.⁴

SEAH is prohibited: SEA constitutes gross misconduct and grounds for termination of contract, and potential prosecution under criminal, civil or military law. SH is misconduct and can constitute gross misconduct depending on its severity. Acts of SEAH are an abuse of power and undermine the integrity and impact of HDP work.

The following actions are strictly prohibited under this policy:

1. Sexual intrusion or coercion:

Any actual or threatened physical intrusion of a sexual nature, whether by force or under conditions of inequality or coercion.

2. Exploitation through exchange:

Offering or demanding money, employment, goods, or services in exchange for sex, sexual favours, or other forms of abusive, humiliating, degrading, or exploitative behaviour. This includes leveraging any assistance or protection intended for people or communities.

3. Abuse of rank or power:

Engaging in sexual relationships that involve the improper use of rank, role, or position, or that exploit power imbalances.

4. Sexual activity with minors:

Any sexual activity with children (individuals under 18 years of age) by those engaged in HDP work is strictly prohibited, regardless of the local age of consent or age of majority. A mistaken belief about a child's age is not considered a valid defence.

5. Sexual harassment:

Sexual harassment of colleagues (whether within the same organisation or external) or individuals in communities receiving assistance or protection is strictly forbidden.

These prohibitions aim to ensure a safe and respectful environment for all individuals working for or with the Berghof Foundation and all those who participate in our conflict transformation and peacebuilding operations.

Zero-tolerance

Sexual exploitation, abuse and harassment are never acceptable. Berghof Foundation recognises that achieving a significant reduction in SEAH is a long-term endeavour. Zero tolerance is not the same as zero incidents.

For the purposes of this policy, Berghof Foundation defines zero tolerance as acting on every allegation in a fair and reasonable way with due regard for procedural fairness. Berghof Foundation also has a zero tolerance for inaction to prevent, and zero tolerance for retaliation against victim/survivors or whistleblowers.

⁴ The principles follow CAPSEAH and IASC

Strong leadership accelerates culture change

Leaders set the tone for organisational culture. Berghof Foundation expects leaders to set clear expectations and model respectful behaviour in their interactions at work. This will support communities, victims/survivors and whistleblowers, allowing them to feel safe, report concerns and be assured their allegations are taken seriously.

Strong leaders address SEAH by taking measures to improve diversity and inclusion.

Leaders will encourage scrutiny of their own behaviour and that of senior management.

Survivor-centred approach: Prioritising victim/survivor needs

Berghof Foundation strongly believes that addressing SEAH must be guided by the “do no harm” principle, prioritising the rights, needs, and wishes of the victim/survivor while maintaining procedural fairness for all parties. This approach emphasises:

- **Dignity and respect:** Treating victims/survivors with the utmost dignity and respect.
- **Active involvement:** Engaging victims/survivors in decision-making processes that affect them.
- **Informed support:** Providing comprehensive information to enable victims/survivors to make informed choices.
- **Confidentiality:** Ensuring privacy and confidentiality to protect their identity and well-being.
- **Non-discrimination:** Guaranteeing equitable treatment regardless of gender, age, race/ethnicity, disability, sexual orientation, or other characteristics.
- **Access to services:** Offering compassionate, professional support services such as counselling and healthcare to aid recovery.

Our support will be extended to victims/survivors irrespective of the participation in or the outcome of investigations.

Addressing gender inequality and power imbalances

The intersection of gender with other forms of inequality can further amplify the risk of SEAH.

Berghof Foundation applies an intersectional approach to PSEAH.

Engagement with target communities at Berghof Foundation is rooted in respect for diversity, the promotion of gender equality and social inclusion, accountability, and a strong commitment to the “do no harm” principle.

While children are beyond the direct scope of this policy, it is essential to recognise that they face heightened SEAH risks, particularly those with disabilities, living in institutional care, with histories of trauma, or identifying as gender diverse.⁵

⁵ For guidance on safeguarding children and adolescents, refer to Berghof’s Child Protection Policy.

All allegations will be taken seriously and treated confidentially

All information and reports of concern regarding SEAH will be taken seriously. Berghof Foundation maintains confidentiality and does not disclose the personal details of those involved in SEAH concerns.

- Berghof Foundation expects staff's concerns or suspicions of SEAH, whether within Berghof Foundation or not, to be reported.
- Berghof Foundation applies a victim/survivor-centred approach to assistance and investigation (details below)
- Berghof Foundation holds those found to have committed SEAH accountable and takes appropriate action in line with relevant due process.

Respecting local culture without compromising principles

Addressing SEAH requires nuanced, locally tailored solutions that consider social norms, dynamics, and local policy and legal frameworks. SEAH is perceived differently across cultures, and effective prevention and response strategies must be adapted to the specific context of each community. Berghof Foundation is committed to supporting locally informed and inclusive analyses as well as context-specific, inclusive interventions, to ensure the success of PSEAH efforts. However, cultural considerations can never justify or excuse behaviour that is sexually exploitative, abusive, or harassing. Adherence to universal principles of dignity, respect, and human rights remains non-negotiable for Berghof Foundation.

6. OUR PREVENTIVE ACTIONS

Berghof Foundation is dedicated to ensuring that all staff and individuals associated with our organisation fully understand the definitions of sexual exploitation, abuse, and harassment, their responsibilities in preventing such harm, and the appropriate actions to take if incidents occur. We strive to make our staff, partners, and the communities we work with aware of this policy, clearly communicate the standards of behaviour they can expect, and provide accessible channels for reporting any concerns.

Safe recruitment and Human Resource Management

Berghof Foundation is committed to preventing sexual exploitation, abuse, and harassment from the outset of the recruitment process. This commitment is reflected in:

- Job advertisements: Clearly outlining Berghof Foundation's dedication to safeguarding and PSEAH in all job postings.
- Interview processes: Including discussions on safeguarding and PSEAH as part of the interview process.
- Code of Conduct: Sharing Berghof Foundation's Code of Conduct with shortlisted candidates to ensure alignment with our principles.

- **Screening measures:** Making employment offers conditional upon obtaining satisfactory references and conducting criminal record checks.

We believe that stringent actions are taken against any staff, associates, or visitors found to be involved in SEAH, ensuring accountability and upholding our safeguarding standards.

Capacity development and training

- Mandatory SEAH training for all Personnel and relevant training for associated personnel.
- Committee members receive specialised training in handling sensitive cases.
- Dedicated budget for policy maintenance, expert consultations, and investigations.

Safe programming

Berghof Foundation programme activities are based on the “do no harm” principle. Safeguarding and SEAH risk assessments and mitigation strategies are incorporated into existing risk assessment processes at all levels and are designed in cooperation with the communities. We continuously monitor and evaluate our efforts to ensure that we as an organisation do no harm to the people we work with.

Respect for dignity in media and communications

Berghof Foundation ensures that all media and communications related to its work adhere to strict safeguarding standards. This commitment extends to:

- Visual language and photography: Ensuring respectful and dignified representation in all imagery used.
- Print and digital publications: Applying these standards to materials such as website articles, flyers, brochures, and other printed and digital content.
- Online platforms and social media: Maintaining safeguarding principles in all posts, publications, and shared content across websites and social media channels.

No stories, images (still or moving), or text will be published without the consent of the individual or when working with minors under 18-years old, written consent of a parent or guardian. Through these measures, Berghof Foundation upholds the dignity and rights of individuals featured or represented in its communications.

Partner assessment – Due Diligence

Programme partners are required to adhere to a PSEAH policy and reporting framework approved by Berghof Foundation. This will be checked during the Due Diligence process prior to signing a partnership agreement with a potential programme partner. Where a programme partner does not already have PSEAH policies and processes in place, Berghof Foundation will support them in achieving these over a specified timeline as a condition of contract. A safeguarding clause is included in all contracts and partnership agreements with programme partners. Programme partners are responsible for investigating safeguarding incidents occurring within their organisations except where there is a conflict of interest, or concern that the incident will not be adequately investigated. In

these instances, Berghof Foundation will advise on the best course of action to take on a case-by-case basis.

7. OUR REPORTING PRINCIPLES & PROCEDURES

If a Berghof Foundation staff member or any other stakeholder has concerns or suspicions regarding SEAH by a colleague or against a colleague, whether within Berghof Foundation or externally, they are obliged to report it as soon as possible, and **no later than 48 hours** after becoming aware of the situation. This includes looking into concerns or suspicions raised via rumours or gossip.

Reporting may be done through the various mechanisms set out below, and where consent to report is not given by the survivor, reporting can and should be done with the survivor's name withheld.

The survivor can report the incident themselves at any time.

Failure to report will be considered gross misconduct and may result in disciplinary action, up to and including dismissal.

Berghof Foundation will ensure the **availability of safe and accessible reporting channels**, providing multiple pathways for individuals to report SEAH concerns appropriately.

As long as the person raising a concern does so in **good faith**, they only need to genuinely believe that there is an issue before making a disclosure. If under investigation the disclosure is found to be unsubstantiated, the person who raised the concern will still be protected under the Berghof Foundation Whistleblowing Policy.

If the person making the disclosure does so in **bad faith, for malicious or vexatious reasons**, they will not be protected under the Whistleblowing Policy and their complaint may result in disciplinary action, up to and including dismissal without notice.

In line with the principle that **victims' and survivors' needs are prioritised**, their safety and well-being must be the foremost consideration during the reporting process, and their information must be kept confidential. Whistleblowers must also feel safe and protected throughout the reporting process.

The following principles are therefore fundamental for Berghof Foundation:

Confidentiality of complaints

Berghof Foundation is committed to safeguarding the confidentiality of allegations of sexual exploitation, abuse, and harassment to the greatest extent possible. This approach aims to protect the integrity of investigations and prevent harm, including stigmatisation, discrimination, harassment, or retaliation.

Confidential or sensitive information obtained by staff during an investigation will not be disclosed unless legally required. Any concerns regarding the confidentiality of information provided will be addressed with utmost sensitivity. However, complete confidentiality cannot be guaranteed, as

conducting a thorough investigation may necessitate sharing certain details with the subject of the allegations or potential witnesses.

Berghof Foundation will limit the sharing of information about allegations strictly to those who need to know. Additionally, all records relating to SEAH complaints will be handled and stored confidentially, adhering to the same principles of restricted access.

Whistleblower protection

In line with the German Whistleblower Protection Act⁶ all disclosures are treated with strict confidentiality. Berghof Foundation provides a secure, third-party reporting system to enable staff, partners, and vendors to report potential misconduct safely and anonymously.

While anonymous reporting is allowed, it is not encouraged, as anonymity may limit the protections afforded under this policy and can complicate the investigation process. Anonymous reports will only proceed to preliminary review and investigation if objective facts substantiate the claims. Therefore, it is essential that anonymous reports include sufficient supporting evidence to enable further investigation.

Zero tolerance for retaliation

Berghof Foundation maintains a zero-tolerance policy for retaliation against individuals who report sexual exploitation, abuse, and harassment; assist in filing a complaint; or participate in an investigation. Any staff member, associate, or partner who, **in good faith**, reports such misconduct, assists in the process, testifies, participates in investigations, or reasonably opposes such behaviour in the workplace is protected. Their terms and conditions of employment will not be adversely affected, and they will not face discrimination or dismissal for engaging in these activities.

Retaliation and intimidation harm not only the individuals involved but also undermine trust in Berghof Foundation's leadership, damaging employee morale and organisational integrity.

Complaints of retaliation will be investigated promptly. If retaliation is confirmed, Berghof Foundation will take appropriate disciplinary action, up to and including termination of employment. This protection from retaliation is not intended to prohibit supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors.

Survivor-centred approach

Berghof Foundation prioritises the rights, safety, needs, well-being, and dignity of victim/survivors during reporting, case management and/or investigations. Victims/survivors who report an incident are supported in accessing necessary services, regardless of their decision to participate in an investigation.

⁶ Hinweisgeberschutzgesetz or Whistleblower Protection Act came into force at the beginning of July 2023.

8. HOW TO REPORT?

Berghof Foundation understands that survivors of sexual exploitation, sexual abuse and/or sexual harassment often do not report incidents through established reporting mechanisms.

Reports may be received through the following channels:

Concerns or reports about others, either anonymously or with the survivor named by consent can be raised to staff members and brought to the attention of line managers or Berghof Foundation focal points in-country

- Formal written reports may be submitted through Berghof Foundation's Secure Online Reporting Tool (anonymous "[Whistleblowing Tool](#)") using the "**Report Misconduct**" button at the bottom of our website or through the safeguarding page.
- via email to the following addresses:
 - complaints@berghof-foundation.org - this is a dedicated confidential email channel that is only accessed by the members of the [Intake Committee](#).
 - hr-support@berghof-foundation.org - Human Resources Department.
 - workers.council@berghof-foundation.org - Berghof Foundation Worker's Council.
- Via community-based and local complaints mechanisms, or those of our partner organisations.
- Informally to a Berghof Foundation staff member or associate via text message or other electronic means.

Where safe to do so, and when in accordance with the wishes of the victims/survivors and whistleblowers, all alleged SEAH incidents that involve a criminal aspect should be reported through the correct local law enforcement channels.

It is acknowledged that safeguarding/SEAH reports are most frequently made in person to junior staff members as they are considered most approachable. It is therefore essential that all Berghof Foundation team members are trained in how to receive and submit a safeguarding/SEAH incident report.⁷

Staff members with a complaint or concern related to SEAH are encouraged to report it immediately to their Safeguarding Focal Point or Line Manager, as appropriate. The concern will then be promptly escalated to the Intake Committee.

After submitting a safeguarding incident report, the person who submitted the report (the Safeguarding Focal Point or the Line Manager) will need to step back. To ensure confidentiality, they will only be told the minimum amount of information following the submission of an incident report. They should not inform others of their suspicions or try to investigate further. This can hinder an investigation and cause distress to survivors or persons unfairly accused.

If a staff member feels uncomfortable reporting to their Safeguarding Focal Point or Line Manager – for instance, if they believe the report may not be taken seriously or if the individual is implicated –

⁷ See Annex on dos and don'ts that must always be followed when receiving a report.

they may report to another appropriate staff member or directly contact the **Intake Committee** via complaints@berghof-foundation.org or use the whistleblowing system.

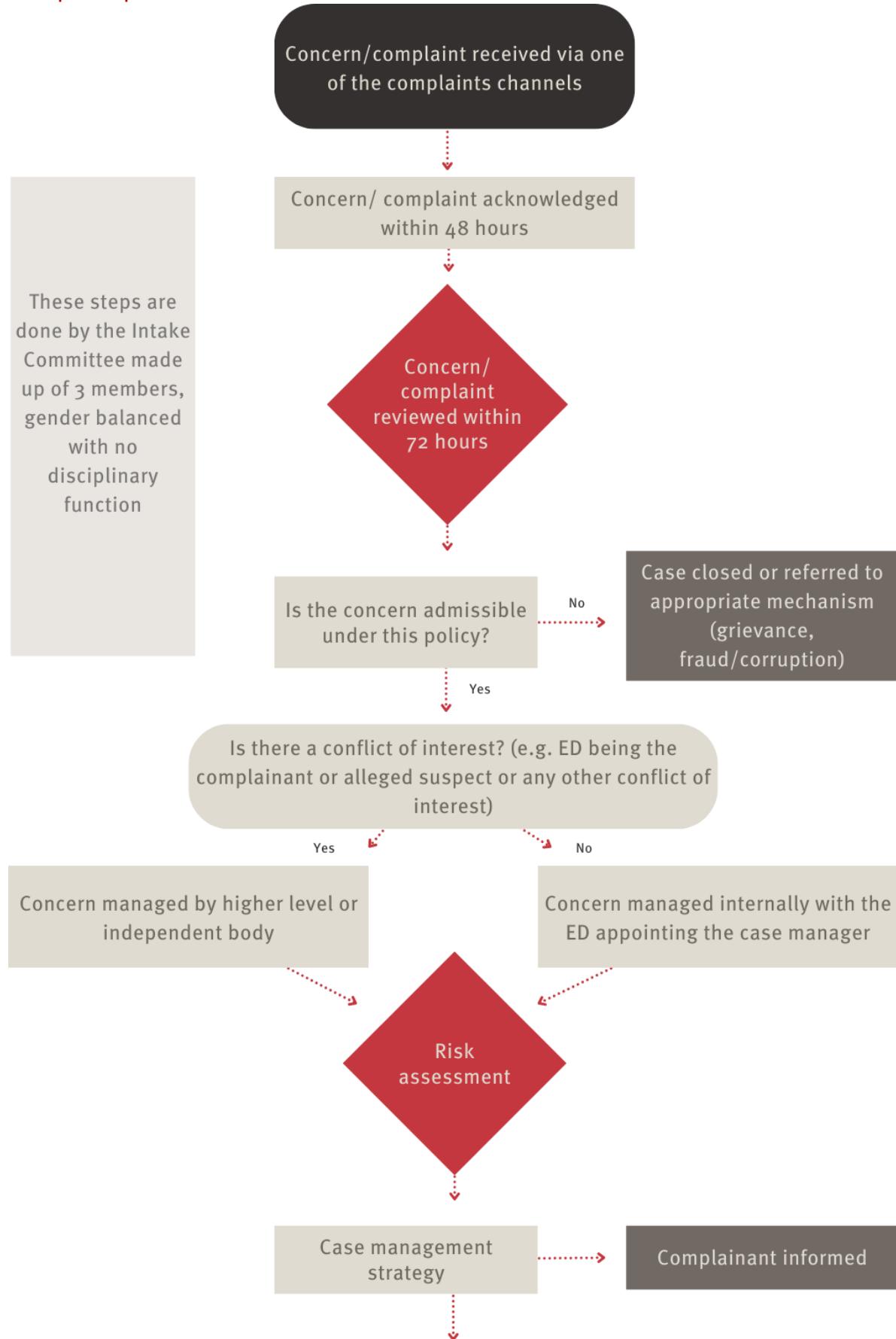
Intake committee

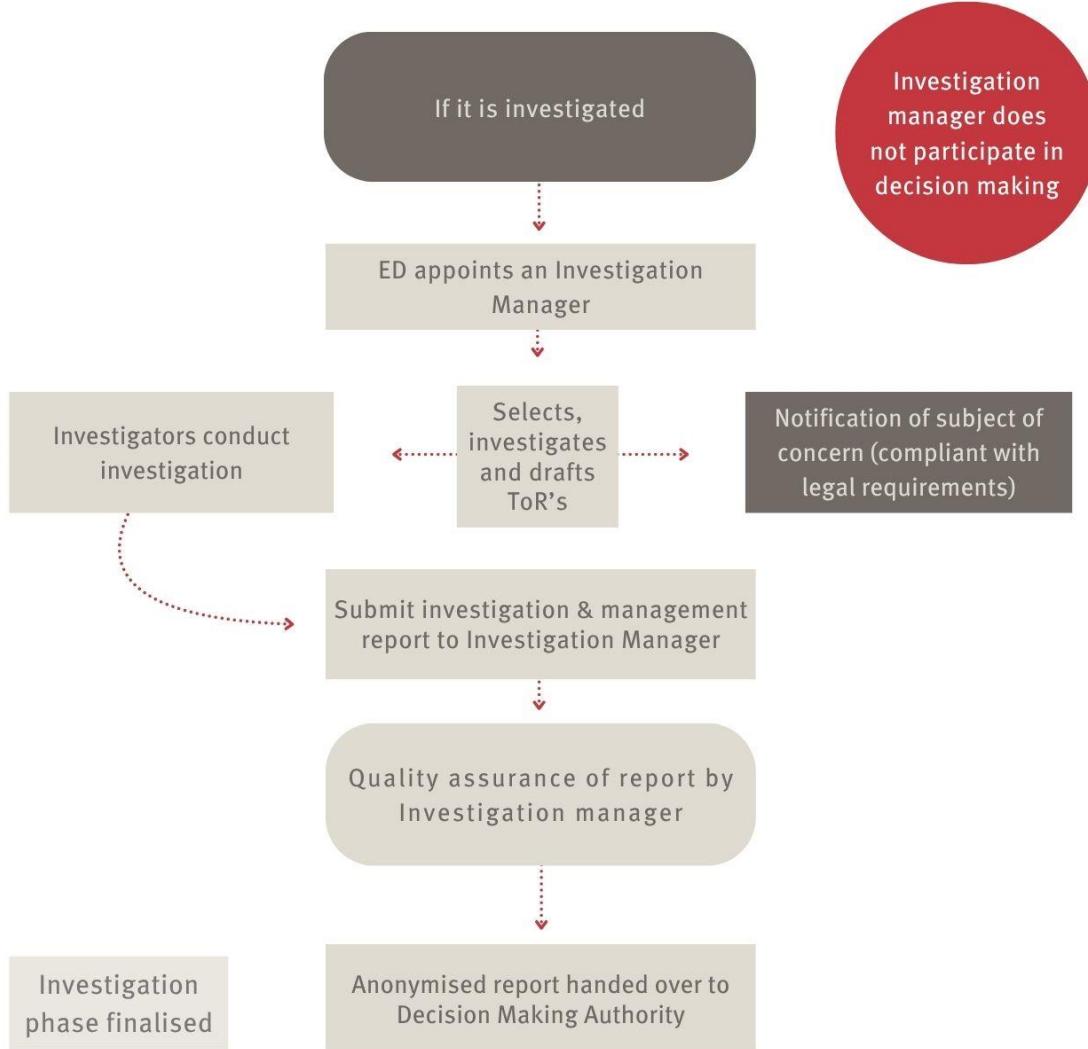
The Intake Committee – composed of (minimum) three designated members (published on the safeguarding page of our website) – will acknowledge receipt of a complaint within 48 hours and will meet, where possible, within 72 hours of receiving a SEAH incident report to evaluate the information and open an investigation if it is considered that a SEAH incident may have occurred.

Due to the sensitive nature of SEAH concerns, confidentiality must be maintained during all stages of the reporting process, and information shared on a limited '**need to know**' basis only. This includes sharing with senior management who might otherwise be apprised of a serious incident.

If the reporting staff member is not satisfied that the organisation is appropriately addressing the report, they have a right to escalate the report, either up the management line or to the safeguarding representative on the Board of Trustees.

Complaint procedure:





POST INVESTIGATION PHASE



9. ADMINISTRATIVE INVESTIGATIONS

When a SEAH incident is confirmed, the **Intake Committee** will determine whether it should be investigated internally or by an external investigator, based on the severity and scale of the incident. Any investigation involving sexual exploitation or abuse, children, or senior management at Berghof Foundation, including Board of Trustee members, must include an expert external investigator.

If an investigation is initiated, an **Investigations Manager** may be appointed from within Berghof Foundation. The Investigation Manager's role is to support the investigative process by coordinating logistics such as arranging interviews, overseeing timelines, and managing travel and payments.

The Investigations Manager is chosen based on the following criteria:

- **Integrity and impartiality:** Must have a strong sense of integrity and no conflicts of interest related to the case.
- **Expertise in investigations:** Should possess a clear understanding of the investigative process, including specific knowledge of safeguarding cases when required.
- **HR and legal knowledge:** Must be familiar with human resources and legal practices relevant to the investigation.
- **Interpersonal and negotiation skills:** Should demonstrate strong interpersonal skills and the ability to negotiate effectively.
- **Technical and contextual knowledge:** May require contextual knowledge or technical expertise relevant to the investigation.
- **Independence from decision-making:** Cannot be part of the group responsible for determining the outcomes of the investigation.
- **Flexibility of role:** The role may also be fulfilled by an external entity in line with agreed Terms of Reference (ToRs).

Anonymised findings from the investigation will be presented to a **Decision-Making Authority (DMA)** that is set up on a case-by-case basis ensuring objectivity, impartiality and no conflict of interest. The DMA will decide on the outcomes, including any disciplinary actions and referrals to appropriate authorities.

Confidentiality will be upheld throughout the process. Berghof Foundation aims to conclude investigations and make decisions within a maximum of **120 days** of receiving a report, although this timeline may be extended depending on the complexity of the case.

If there is a serious concern reported with potential for on-going risk during the investigation, the **Subject of Complaint (SOC)** should be removed from the situation while the investigation is pending, which can involve providing exceptional annual leave.



10. SURVIVOR-CENTRED APPROACH & VICTIM/SURVIVOR ASSISTANCE

Berghof Foundation prioritises the empowerment of survivors by presenting them with available options while refraining from imposing opinions or directing them toward any particular course of action. Berghof Foundation applies the principles of the survivor-centred approach according to the Core Humanitarian Standard (CHS) Alliance.

1. Safety and security

- We ensure the survivor feels physically and emotionally safe throughout the reporting and response process.
- We take steps to protect the survivor from further harm, retaliation, or exposure.

2. Dignity and respect

- We treat survivors with respect and avoid actions or language that could further traumatisise or stigmatise them.
- We recognise and affirm the survivor's experiences without judgment.

3. Informed decision-making

- We provide survivors with clear, accurate, and accessible information about their options, including the implications of each potential action.
- We allow survivors to make decisions about the reporting process, support services, and any legal or disciplinary actions.
- We respect the autonomy of survivors: It is crucial for us to honour a survivor's decision on whether to report an incident to the police or pursue other actions. Some may choose not to involve law enforcement, and their preferences must be respected.

4. Confidentiality

- We maintain the confidentiality of information shared by survivors to the greatest extent possible.
- We share details only with those directly involved in providing support or investigating the case, and always with the survivor's consent (except in cases where mandatory reporting applies).

5. Non-discrimination

- We offer equitable support to survivors regardless of gender, age, race, ethnicity, religion, disability, sexual orientation, or other personal characteristics.

We conduct risk assessments: In certain regions, reporting SEAH incidents to authorities may pose serious risks to the survivor, such as imprisonment or threats to their safety. Comprehensive risk assessments are essential to evaluate potential dangers for all parties before initiating investigations or reporting incidents.

We recognise challenges: Reporting SEAH incidents can present various challenges, including administrative, financial, logistical, and emotional burdens. Berghof Foundation acknowledges these challenges and upholds its duty of care by providing necessary support services to survivors.

Our support services may include:

- Access to medical and psycho-social support.
- Arranging transportation for appointments.
- Granting compassionate leave.
- Offering accompaniment and covering costs for police meetings and reports.
- Providing translation services.
- Facilitating childcare during appointments.
- Signposting to relevant external services as needed.

11. REPORTING TO DONORS AND REGULATORY BODIES

Many institutional donors and private funders have additional SEAH reporting requirements. It is the responsibility of the Strategic Partnerships focal point to ensure that SEAH reporting requirements are communicated to the Intake Committee for all grants and contracts awarded to Berghof Foundation. In the event of a SEAH incident, the Intake Committee will notify the Executive Director, and provide the relevant information relating to the complaint, whilst maintaining confidentiality and a survivor-centred approach. The Executive Director will then ensure that this is communicated to the donors through the appropriate channels.

12. LEARNING AND REVIEW

After an incident it is essential to undergo learning and improvement processes to avoid similar incidents occurring in the future.

In line with the sector's best practice, Berghof Foundation agrees to review this policy **every three years, as a minimum**. It is the responsibility of the Safeguarding Focal Point to complete this review, in collaboration with any key internal stakeholders or external third-party providers.