



Misconduct Investigation Regulation

January 2023

General information

Approved by	Management Council Executive Board
Approved on	11 January 2023
Version	1
Binding for	All member associations of SOS Children's Villages International (ordinary members), including their affiliated entities; the members of their governing bodies; and their employees and others working for them or on their behalf and SOS Children's Villages International, including its affiliated entities; the members of its governing bodies; and its employees and others working for it or on its behalf
Based on	<i>People and Culture Policy</i> (upcoming), <i>Child Safeguarding Policy</i> (upcoming), <i>Financial Management Policy</i> (upcoming)
Replaces	Child Safeguarding Investigations International Policy Support Document, 2016
Related materials	Safeguarding Hub - Home (sharepoint.com)
Next review	January 2026
Document owner(s)	International Office: Human Resources and Organizational Development; Integrity, Compliance and Legal; Child Safeguarding
Revision history	Section Amended on Comment

If you have any general questions about this regulation, please contact: misconduct@sos-kd.org.

For questions related specifically to child safeguarding, please contact childsafeguarding@sos-kd.org. For questions related specifically to PSHEA, please contact pshea@sos-kd.org.

Policy framework

The SOS Children's Villages International policy framework, approved by the General Assembly in June 2021, has three binding levels (foundations, policies and regulations) and a non-binding level (user guides).

 Foundation	 Policy	 Regulation	 User guide
Principal binding documents of our federation that form the basis of our work	Binding documents with high-level obligations, anchored in a foundation	Binding documents with detailed implementation obligations, anchored in a policy or foundation	Non-binding guidance material to support in implementation of foundations, policies & regulations
Approved by General Assembly	Approved by General Assembly	Approved by the MCO and the Executive Board	Approved by Executive Board



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Purpose

The purpose of this regulation is to lay down the process for SOS Children's Villages International and its member associations on how to investigate suspected incidents of misconduct, as guided by the principles set out in this regulation. Misconduct means any breach of the SOS Children's Villages Code of Conduct or of any policy or regulation referred to in the Code of Conduct with respect to the safeguarding of children and adults and to the protection of the financial assets of SOS Children's Villages.

Categories of rules

This regulation defines the following categories of rules.

Legally binding (B): legally binding rules of a regulation constitute the minimum common standard to be implemented and applied by each member association and SOS Children's Villages International. Subject to applicable national laws, member associations or SOS Children's Villages International can apply a stricter standard for regulations or its individual rules, but they cannot go below the standard of rules as defined in the regulation. Each member association and SOS Children's Villages International are obliged to notify the CEO in the event one or more rules of the regulation contravene applicable national laws and they must mitigate the consequences by proposing alternative solutions to ensure compliance. The breach of a legally binding rule entails consequences, depending on the gravity of the breach. This includes disciplinary measures for employees, suspension/termination of governing body membership or suspension/expulsion of federation membership. Legally binding rules are phrased as "**must**" requirements.

Recommended (R): recommended rules go beyond the minimum common standard and are not required to be implemented and applied by member associations. SOS Children's Villages International, as the norm-setting authority, however, will implement and apply recommended rules, and all member associations are strongly encouraged to follow this example as far as applicable national laws or their internal policies allow, in order to achieve more uniform standards across the federation. Recommended rules are phrased as "**should**" requirements.



Misconduct investigation principles

The investigation of all suspected cases of misconduct must be guided by the following principles, which demonstrate our commitment to pursue and respond to all violations of the SOS Children's Villages Code of Conduct and the policies or regulations referred to in it and to prevent further harm:

Duty of care. SOS Children's Villages International (SOS CVI) and its member associations (MAs) recognize their duty to protect the persons in their programmes and in their organizations from harm. The duty of care extends to all persons involved in the reported misconduct, including victims/survivors, witnesses, subjects of complaints, and all those responding to the incident such as incident managers and investigators, and to the resources entrusted to the respective organization.

Do no harm. SOS CVI and its MAs ensure that the actions to respond to any concern adhere to the principle of "do no harm" with regard to reporters, victims/survivors, witnesses, subjects of complaints, programme participants, staff, families, community members, and anyone else who may be impacted by, or responding to, the misconduct. Do no harm is defined as the organization's responsibility to minimize the harm that may be created inadvertently as a result of the organizational activities.

Competent and responsible investigators. SOS CVI and its MAs nominate only well-trained staff and external experts with a relevant professional background in the investigation topic and a proven track record in conducting misconduct investigations.

Confidentiality. SOS CVI and its MAs protect the personal data¹ of reporters, victims/survivors, witnesses, and subjects of complaints against any unauthorized use outside of the misconduct incident management process. Information is available only to a limited number of people, authorized by designated senior manager, for the purpose of responding to the defined misconduct. Information can be disclosed to any third party only based on consent² of the persons concerned, unless the organization is bound to do so by a specific legal obligation according to the national or local legislation (e.g. referral of criminal incidents to governmental authorities). Special attention needs to be paid in case of risk of harm to self or others. This is to fulfil the principle of "do no harm."

Victim/survivor-centred. The wishes, feelings, needs and rights of the children and adults who experience misconduct as well as the best interests of each child are prioritized at every step of the investigation. Without exception, every child and adult affected by misconduct has access to appropriate, accessible, timely and quality support services, tailored to the individual's needs, experiences and choices. This

¹ "Personal data" means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person." See Article 4, Point 1, of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

² "Freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her." See Article 4, Point 11 of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).



approach reinforces the agency (the degree to which an individual has the ability to make decisions about their life) and self-determination (the right to make choices freely) of the affected persons.

Professionalism. Investigations are conducted in line with international investigation standards for the terms of reference, the investigation plan, the roles and responsibilities of investigation team members, written notifications to all parties involved about their rights and duties, and sound evaluation of evidence and statements of all parties involved; they are solely focused on finding out whether or not misconduct has occurred.

Due process. SOS CVI and its member associations conduct misconduct investigations in accordance with this regulation, taking into account the rights of all parties to a fair investigation, including the right of subjects of complaints to be considered innocent until an investigation has confirmed that they have committed misconduct. This right does not preclude suspension from work during an investigation.

Impartiality and objectivity. The investigation team conducts a misconduct investigation independently, without any influence that could impair their judgement and without any operational, supervising or monitoring responsibility in the organization and subject it investigates. Findings and evidence supporting or refuting the reported misconduct are gathered and documented in an unbiased and independent way.

Accuracy and documentation. All forms of evidence collected during an investigation (paper or digital data), including written statements collected in the course of investigative interviews, are carefully documented, along with exact information on how, when and from whom the investigation team received a specific piece of evidence.

Follow-up. The conclusions of an investigation are presented in an investigation report, and they are supported by adequate documentation. The investigation report includes specific recommendations for follow-up preventive and remediation actions, excluding disciplinary actions against concrete individuals. Decisions about disciplinary actions are the responsibility of the executive level, supported by HR.

Closure. The incident management team is responsible for informing all relevant stakeholders, including reporters, victims/survivors, witnesses and subjects of complaints, about the conclusions of the investigation. This communication is guided by HROD and local law, and organized in a way that protects confidentiality.



Assessing the need for an investigation

1. If assessment of a reported incident of misconduct (see the Misconduct Incident Management Regulation) concluded the incident may constitute a criminal act according to the laws of the country in whose jurisdiction the incident reportedly occurred, the incident management team that is managing the incident in question must report the incident to the relevant governmental authorities. **B**
 - 1.1. In all cases where referral to governmental authorities is required, a basic risk assessment must be conducted. **B**
 - 1.2. If such governmental authorities do not exist or if the authorities decline to pursue or prosecute the reported crime, the MA or the General Secretariat (GSC) must investigate the incident. **B**
 - 1.3. Once the investigation is complete or once there is new evidence, the incident management team must report the incident to the authorities again. **B**
 - 1.4. If the authorities have declined to address the conclusions of the investigation conducted by the MA or the GSC, the designated senior manager who coordinates the incident management process must proceed with internal remediation (including disciplinary actions) in consultation with an HR specialist and a lawyer. **B**
 - 1.5. The incident management team must document all communication with the governmental authorities within the scope of an investigation. **B**
2. If the reporter or the victim/survivor does not want the incident to be reported to the authorities and requests an internal response instead, the incident management team must assess potential risks to the reporter or victim/survivor but also to the organization. **B**
 - 2.1. The incident management team must recommend the next steps to the designated senior manager for approval. **B**
 - 2.2. The incident management team must inform the reporter or victim/survivor of the decision made by the designated senior manager whether to report to the governmental authorities and of its rationale. **B**
3. If reporting a misconduct allegation to governmental authorities would put a victim/survivor or a reporter at risk, the incident management team must assess any additional risks associated with non-reporting (including risks to the organization, staff, etc.). **B**
4. Decisions not to report misconduct to the authorities contrary to the legislation of the respective country may have a broader, federation-wide impact (e.g. negative media coverage or loss of income), even when such decisions would protect the best interests of a **B**



victim/survivor or reporter. In such cases, the designated senior manager who coordinates the incident management process must consult the relevant governing body and the respective senior manager at the GSC to seek their approval of the decision not to report the case to governmental authorities.

- 4.1. In the absence of serious risks to victims/survivors or reporters, federation-wide risks such as negative media coverage or loss of income do not constitute a legitimate ground for non-reporting the allegation to the governmental authorities. **B**
- 4.2. If the initial allegation does not contain elements of a potential criminal offense having been committed, but these elements are uncovered in the course of the investigation, it is mandatory to report this to the governmental authorities. **B**
5. If assessment of the reported incident shows that it falls under any type of misconduct defined in binding SOS Children's Villages International policies and regulations and meets the criteria for opening an investigation, the incident management team must hand the incident over for investigation to an investigation team, in accordance with the Misconduct Incident Management Regulation. **B**

Misconduct investigators

6. All investigations must be conducted in accordance with this regulation. **B**
7. Investigations commissioned by SOS CVI and its MAs must be conducted either by trained SOS Children's Villages staff (internal investigators) or by external investigation experts. External investigators must be engaged if any of the following is true: **B**
 - a) There is a conflict of interest.
 - b) There are concerns over objectivity, safety or brand and reputation.
 - c) The subject of complaint is a senior manager or board member.

The decision to involve external investigators must be made by the designated senior manager who coordinates incident management, provided that the manager is not the subject of complaint and has no conflict of interest.

8. Only well-trained staff and external investigation experts can conduct misconduct investigations. **B**
 - 8.1. Investigators must meet the profile of an internal misconduct investigator included in annex 1 of this regulation. Only investigators who have attended a training on conducting misconduct investigations can be nominated members of an investigation team. **B**
 - 8.2. External investigation experts must have relevant professional training and a proven track record in conducting misconduct investigations. **B**



- 8.3. Designated senior managers who coordinate the incident management process must have attended a training on misconduct incident management and on conducting misconduct investigations. **B**
9. For the duration of an investigation, staff nominated as investigators must be released from the duties of their regular position. This includes the time required for planning an investigation, conducting an investigation, and writing an investigation report. **B**
- 9.1. Staff released from their regular duties to perform the duties of an investigator cannot be dismissed, demoted or be subject to a pay cut during the time that they serve in the investigator capacity, nor can they be transferred to a different position following their return without their free informed consent. **B**
- 9.2. The designated senior manager who coordinates the management of the reported incident must appoint staff who will stand in for those nominated as investigators for the duration of the investigation. **B**
10. All staff nominated as investigators must have access to psychological support, supervision and training. **B**
- 10.1. Designated senior managers who coordinate incident management at SOS CVI or MAs must budget for these support services. **B**
- 10.2. The HR department in coordination with other departments involved in misconduct incident management must identify providers of support services for internal investigators. **B**
- 10.3. SOS CVI must organize regular refresher trainings for both new and experienced internal investigators. The costs of these trainings must be budgeted by the respective MAs and GSC offices that appointed the investigators. **B**

Lead investigator

11. The person appointed lead investigator must have taken part in at least two misconduct investigations as a member of an investigation team. **B**
- 11.1. The incident management team must assess the quality of the investigations where the internal investigator considered for the role of lead investigator took part. The investigator can only be appointed lead investigator if their previous investigations meet the quality requirements of this regulation. **B**
- 11.2. The incident management team may request the internal misconduct investigator to participate in additional trainings or more misconduct investigations as a member of an investigation team before they can act as lead investigator. **B**



Internal misconduct investigators appointed by MAs (Level 1)

12. Depending on the needs of individual member associations and national legislation, the designated senior manager who coordinates incident management must appoint misconduct investigators, in consultation with the departments involved in misconduct management. *B*
13. Staff appointed as investigators in investigations commissioned by MAs must have attended a basic training on conducting misconduct investigations, facilitated by certified internal misconduct investigators (see [16–20](#) below¹¹). *B*
14. If an internal misconduct investigator has not conducted any investigations in the past three years, they must not conduct an investigation until they receive a refresher training facilitated by certified internal misconduct investigators. *B*
15. If an internal misconduct investigator has not conducted any investigation in the past five years, they cannot be considered a misconduct investigator anymore. *B*

Certified internal misconduct investigators (Level 2)

16. SOS CVI must create a pool of certified misconduct investigators. The size of the pool must be appropriate to the number of investigations commissioned or supported by SOS CVI in different regions and at the global federation level. *B*
 - 16.1. Certified misconduct investigators are MA and SOS CVI staff who have attended advanced training on conducting misconduct investigations. *B*
 - 16.2. The organizational units of SOS CVI in charge of safeguarding (Child Safeguarding, Internal Audit, and Human Resources and Organization Development) must define the training curriculum based on the existing best practice in the sector and lessons learned by the organization in the past investigations. *B*
 - 16.3. All certified misconduct investigators must attend a refresher training every three years at a minimum. *B*
17. Certified misconduct investigators must be appointed by the international director of their region or by another designated senior manager,³ in consultation with the departments involved in misconduct management. *B*
18. If in the past three years the international office of the region (IOR) has been involved in more than ten misconduct investigations a year on average, it is required to appoint a full-time *B*

³ This can be, for example, a deputy international director of the region or a CVI representative.



certified misconduct investigator. The average number of investigations per year must be understood to include not only investigations by staff but also those conducted by external investigation experts.

19. For every ten misconduct investigations a year, the IOR must appoint an additional full-time certified misconduct investigator. **B**
20. Certified misconduct investigators must conduct initial and refresher trainings for Level 1 investigators appointed within member associations. **B**

External investigation experts

21. If an investigation is to be conducted by external investigation experts, the incident management team must define the requirements for selecting the external investigators. These requirements must include their professional background, specific experience, language skills, etc. **B**
 - 21.1. The requirements must form the basis for a call for proposals where the respective MA or GSC office invites relevant external experts to submit a technical proposal with a suggested methodology of the planned investigation, including the timeline and estimated cost of the investigation. **B**
 - 21.2. The call for proposals must meet confidentiality standards and the requirements of the EU General Data Protection Regulation (GDPR): it must not include anything but basic information on the reported misconduct. To ensure strict confidentiality and protection of everybody involved in the reported incident, it can't include any identifying details. **B**
 - 21.3. The call for proposals must be conducted in accordance with the applicable procurement rules. **B**
 - 21.4. If there is a need to nominate a team of external investigation experts, they must be represented by one legal entity that acts on their behalf and can enter into a contractual relationship with the commissioning MA or GSC office to ensure a regulated legal context for future reference in case it is required. **B**
 - 21.5. External service providers must have at least 14 calendar days to develop and submit their proposals. **B**
22. The incident management team must review all proposals received and shortlist those that meet the requirements for proposals and applicable procurement rules. **B**
 - 22.1. After signing a confidentiality agreement, the external experts of the shortlisted legal entities must receive detailed information about the reported misconduct so they can update their technical proposals, including the timeline and the cost estimate. The confidentiality agreement template is included in annex 2 of this regulation. **B**



- 22.2. Along with the updated technical proposal, the external experts each must complete and sign a declaration of interest form. The form is included in annex 3 of this regulation. **B**
23. The incident management team must recommend one proposal to the designated senior manager who coordinates the incident management process for signature. **B**
24. Based on the recommendation by the incident management team, the designated senior manager must make a final decision on the selected external investigation experts and sign a contract with the entity representing them. **B**
- 24.1. The contract must define the roles and responsibilities of both signing parties. It must include the terms of reference of the investigation and the final technical proposal submitted by the selected external investigation experts, including the timeline and the cost estimate. **B**
- 24.2. Along with the contract, the selected external investigation experts must individually sign the SOS Children's Villages Code of Conduct and a sworn declaration. The sworn declaration is included in annex 4 of this regulation. **B**

Commissioning a misconduct investigation

25. Only a designated senior manager who has the authority to instruct all relevant staff to cooperate with an investigation team can commission an investigation. This designated senior manager is responsible for coordinating the incident management process in the respective MA or GSC office. **B**
26. The designated senior manager must inform members of the governing body of the respective MA or the CVI representative at the respective IOR (for GSC-run operations) about the decision to commission an investigation. **B**
27. If the investigation is commissioned by SOS CVI, the IOR must inform the incident management team at the International Office about the decision to conduct an investigation so that the designated senior manager at the IOR can coordinate next steps and information flow to the senior management and other stakeholders (e.g. media, partners and governmental authorities). **B**
28. The MA or the GSC office that has commissioned the investigation must cover the investigation-related costs. **B**



Nominating an investigation team

- 29.** Depending on the nature of the reported misconduct, the designated senior manager who coordinates the incident management process must decide whether the investigation will be conducted by internal misconduct investigators or by external investigation experts (see [7](#)). **B**
- 29.1.** Member associations may request support from the global pool of misconduct investigators. If they do, their IOR must support them in identifying a suitable person from the pool. The requesting member association must cover all associated costs. **B**
- 29.2.** Only members of the global pool of certified misconduct investigators or external investigation experts can conduct investigations commissioned by the GSC. If there is no suitable external expert or member of the global pool of misconduct investigators, the GSC office that commissioned the investigation can nominate a trained Level 1 investigator from an MA. **B**
- 30.** The incident management team at the level of the organization where the investigation was commissioned must support the set-up of the investigation team and monitor the investigators' work so that the requirements of this regulation are met. **B**
- 31.** The investigation team must consist of at least two persons. This is to allow more objectivity and ensure sufficient capacity to complete the investigation tasks. **B**
- 31.1.** The composition of the investigation team and the professional background and skills of the investigators depend on the focus of the investigation. The incident management team must identify the most suitable persons for the assignment. **B**
- 31.2.** The composition of the investigation team must ensure a good understanding of the local context. **B**
- 31.3.** At least one investigator must have a good command of the language used by the community where the investigation will take place. The other members of the investigation team who don't speak the community's language must work with an interpreter. See also [46.5](#). **B**
- 32.** One member of the investigation team must be lead investigator (see also [11](#)). **B**
- 32.1.** The lead investigator is responsible for the following: **B**
- a) liaising with the incident management team
 - b) drafting a detailed plan of the investigation
 - c) coordinating the investigation according to the terms of reference approved by a designated senior manager
 - d) submitting the final investigation report on time
- 32.2.** Other members of the investigation team must complete specific tasks as agreed with the lead investigator, depending on their professional background and experience. **B**



- 33.** All misconduct investigators must be protected against any form of harm or reprisal due to their involvement in an investigation. **B**
- 33.1.** If an investigator believes that they are a subject of a disciplinary hearing due to their involvement in an investigation, they must immediately inform the designated senior manager who coordinates the incident management process. **B**
- 33.2.** Any disciplinary measure against an investigator brought up within one year after the investigation requires approval by the MA's governing body. If the investigator conducted an investigation where a subject of complaint was a member of that governing body, the designated senior manager must inform the next organizational executive (IDR or designated senior manager) and seek their approval of any action against the investigator. **B**
- 33.3.** With a certified investigator, both the MA's governing body and the executive at the next organizational level must approve any disciplinary measure against the investigator. **B**

Planning an investigation

- 34.** The misconduct investigation team must conduct their investigation on the basis of the terms of reference drafted by the incident management team. **B**
- 34.1.** The terms of reference must provide an overview of the reported misconduct and set the frame for the investigation by defining the following: **B**
- a) the purpose and objectives of the investigation
 - b) the composition of the investigation team
 - c) the scope of the investigation
 - d) the methodology of investigation, including whether the investigation will be completed on-site or virtually
 - e) the information flow between the investigation team and the incident management team during the investigation, including the final investigation report
 - f) the time frame in which the investigation needs to be concluded, with the possibility of requesting an extension due to unexpected circumstances pending approval by the designated senior manager
- 35.** The designated senior manager who coordinates the incident management process must issue the approved terms of reference to the lead investigator. **B**
- 36.** Before starting the investigation, the investigation team, including any external investigation experts, must sign a confidentiality agreement and a sworn declaration, as included in annexes 2 and 4 of this regulation. **B**
- 37.** Any support personnel involved in the investigation (e.g. interpreters or psychologists) who may have access to specific information from the investigation must sign a confidentiality agreement before they are allowed to get access to this information. **B**



- 37.1.** Considering that support personnel will potentially have access to vulnerable individuals and sensitive information, support personnel must be subject to a vetting procedure prior to being contracted for the investigation. This includes submitting to a police check and a reference check. **B**
- 38.** Based on the terms of reference (see [35](#) above), the investigation team must prepare a detailed written investigation plan. **B**
- 38.1.** The investigation plan must establish the following: **B**
- a) the time frame of the investigation and its different stages
 - b) the location where the investigation will take place
 - c) the persons who need to be interviewed and the sequence in which the interviews will take place
 - d) other potential sources of evidence that the investigation team will look for
 - e) use of interpreters and other support personnel
 - f) measures to meet the protection and support needs of the individuals involved in the investigation, including reporters, victims/survivors, witnesses and subjects of complaint
 - g) measures to meet the protection and support needs of the investigation team, which includes a safety and security plan if the investigation will take place in a risky environment
 - h) measures to maintain confidentiality throughout the investigation
 - i) procedures to record and store evidence
 - j) the information flow between an MA and the GSC if the incident may have with a broader, federation-wide impact
- 39.** While planning an investigation, the lead investigator must assess security risks in the location where the investigation is planned. The assessment must consider the fragility of the security situation in the area, religious or ethnic conflicts, political instability, possible escalation of the situation, potential risks to the national staff who support the investigation team, the remoteness or isolation of the programme location where the investigation should take place, and so on. **B**
- 39.1.** It is recommended that the lead investigator consult the Safety & Security Team at SOS CVI for the security risk assessment. **R**
- 39.2.** If the assessment identifies significant security risks, the following issues must be addressed before the investigation team is deployed: **B**
- 39.2.1.** The MA or the GSC office that commissioned the investigation must arrange accommodation for the investigation team in consultation and agreement with the investigation team. If the investigation was commissioned by the GSC due to a conflict of interest in the member association, details of the accommodation arrangements must not be disclosed to anyone from the member association if that may compromise security. **B**
- 39.2.2.** The investigation team and the commissioning MA or GSC office must agree on the detailed investigation plan, including any travel within the country, before the **B**



investigation starts. Any changes in the travel plan must be agreed upon by the investigation team and the commissioning office before the start of the trip.

- 39.2.3. The investigators must conduct interviews in a location other than where they are staying. The investigation team together with the commissioning MA or GSC office must identify suitable locations for interviews, which cannot include a programme location. **B**
- 39.2.4. All local travel must be organized by a transport company selected by the commissioning office. **B**
- 39.2.5. Ideally, one dedicated driver should be available to the investigation team for the whole period of the investigation. **R**
- 39.2.6. An emergency phone number must be available to the investigation team 24/7. The phone number must be managed by a person located where the investigation is taking place so that an immediate response is feasible in case of any problems. **B**
- 39.2.7. In addition to being provided with an emergency phone number to communicate their concerns, the investigation team must be added to the emergency call tree (the communication chain that is used to notify specific individuals of an emergency event), to ensure that the team members can always be reached in the event of an emergency (in situations of political instability, inter-ethnic or inter-religious conflict, etc.). **B**
- 39.2.8. A local mobile phone number must be arranged for the investigation team by the commissioning MA or GSC office. This mobile phone number must be communicated to the persons involved in the investigation as one of the ways to contact the investigation team. **B**
- 39.2.9. The commissioning MA or GSC office must arrange travel insurance with specific coverage for conflict zones for all members of the investigation team coming from abroad. **B**
- 39.3. The security measures described in [39.2.1–39.2.9](#) must be included in the investigation plan. **B**

Suspension pending investigation

- 40. Staff under investigation may be suspended at any time pending the outcome of the investigation. The decision to suspend staff must follow local labour law. **B**
- 40.1. Suspension must not be automatic and must never be arbitrary. **B**



- 40.2. A manager, guided by local laws, may recommend that a member of staff be suspended in the context of a pending investigation, depending on the nature and gravity of the alleged misconduct in question. **B**
- 40.3. Potential suspension must be planned and assessed as a matter of priority at the start of an investigation and, where not considered necessary, still be monitored throughout the investigation. **B**
41. Placement on suspension must be without prejudice to the rights of the suspended staff and cannot constitute a disciplinary measure. The purpose of a suspension from work is to allow the investigation to proceed unhindered and to protect the reporter or victim/survivor from any potential physical or emotional harm. **B**
42. The decision to suspend a staff member must be made by the senior management team of the MA or the GSC office and must follow local labour law. **B**
- 42.1. The staff member must be informed in writing of the reasons for suspension and the expected duration. **B**
- 42.2. So far as practicable, the duration of suspension should not exceed the period of the investigation or three months. **R**
43. If the staff member under investigation is not suspended but, during the investigation, the investigators uncover evidence to suggest that the alleged misconduct may be more serious than originally thought, the investigation team may request that the incident management team arrange for the staff member to be suspended. **B**

Conducting an investigation

44. The designated senior manager who coordinates the incident management process must issue a letter of authority to the investigation team. The letter of authority provides the investigation team access to all information they may need for the investigation and establishes the obligation of all staff to cooperate with the investigation team. **B**
- 44.1. If a member association's designated senior manager has a conflict of interest, the letter of authority must be issued by the chair of the association's board. **B**
- 44.2. If the General Secretariat's designated senior manager has a conflict of interest, the letter of authority must be issued by the CEO of SOS Children's Villages International. **B**
- 44.3. If the misconduct allegation is against a member of the Executive Board of SOS Children's Villages International or a member of a national board, the letter of authority must be issued by the Leadership Selection Committee of the International Senate. **B**



- 45.** The investigation team must notify all individuals it wishes to interview about the planned interview in advance and in writing. This communication must include the purpose of the interview and the role of the individual (subject of complaint, alleged victim/survivor, or witness). **B**
- 45.1.** To maintain confidentiality, only the investigation team is allowed to have the contact details of the individuals invited for an interview. The lead investigator may grant access to this information to the persons supporting the investigation team in the country or programme location. The lead investigator must record this decision. **B**
- 45.2.** The interview notification must be written in the language spoken by the interviewee and contain the following: **B**
- a) the reason for the interview and the role of the individual invited
 - b) the time and place for the interview with the note that if the requested date, time or location does not suit the interviewee, they should inform the investigation team without delay to reschedule the interview
 - c) explanation that the interviewee is allowed to be accompanied to the interview by any support person who is not involved in the investigation
 - d) explanation that the interviewee can decline to participate in the interview
 - e) warning that the interviewee must keep all information about the reported misconduct and the investigation confidential and must not to share it with anyone else
- 45.3.** If the interviewee does not respond to the invitation within ten working days, the investigation team must contact the interviewee once again. If there is no response within the next ten working days, it is considered that the interviewee cannot be reached, and the investigation team does not continue attempts to contact the interviewee. The investigators must keep records of this process. **B**
- 46.** Only investigators who have received specific training on investigative interviews can conduct interviews. **B**
- 46.1.** If the investigation team deems it necessary, it can invite other experts (e.g. a psychologist or a speech therapist) to attend or facilitate the interview. All these invited experts must sign a confidentiality agreement before receiving any specific information about the content of the investigation. **B**
- 46.2.** Children and young people should participate in an investigative interview in a manner consistent with their mental and cognitive development levels. It is strongly recommended not to interview children below the age of 12. **R**
- 46.3.** Children below the age of 15 who have been invited to an investigative interview must be accompanied by their legal guardian, unless another specific age is defined in the national or local legislation for such processes. **B**
- 46.3.1.** If the legal guardian is a subject of complaint, he or she cannot participate in the interview. If there is nobody else who can replace the legal guardian, the interview with the child cannot take place. **B**



- 46.4. Only investigators who have received a specific training on investigative interviewing of children can interview children. **B**
- 46.5. The investigation must be conducted in a language that the interviewees and other people involved in the investigation fully understand. If any members of the investigation team do not understand this language, they must engage an interpreter. **B**
- 46.6. To avoid disclosing the identities of the individuals who will eventually be invited to an interview, the investigation team must ask for the language preferences of a bigger, non-specific group of people, even though the investigation team only plans to invite one or two interviewees. **B**
- 46.7. The victim/survivor and the reporter must be given an opportunity to express their preference for the gender of their interviewer or interpreter or another invited professional (psychologist, speech therapist, etc.). **B**
47. At the beginning of the interview, the lead investigator must inform the interviewee of the following: **B**
- a) audio and video recording of the interview and the right to decline being recorded
 - b) the role of the interpreter if one is present
 - c) the role of the interviewee in the reported incident
 - d) the right to be accompanied by a support person
 - e) the right not to cooperate with the investigation
- For details, see [47.1–47.5](#) below.
- 47.1. Audio and video recording of the interview
- 47.1.1. The investigation team must record all interviews conducted during the investigation. This requirement applies to face-to-face and virtual interviews. **B**
- 47.1.2. The interviewee must be informed that the interview is being recorded and that the recording is intended solely for the purpose of the investigation. Since the recording may include information about individuals other than the interviewee, the interviewee must be informed that it will not be possible to share a copy of the recording with them for privacy reasons. **B**
- 47.1.3. The interviewee has the right to decline the interview being recorded. If they do decline, the investigation team must put this on the record and continue the interview while taking detailed notes to capture what is said. One team member must focus on asking questions, and a second team member must be responsible for taking notes. **B**
- 47.2. Interpretation
- 47.2.1. The interview must be held in a language spoken by the interviewee. If it is not, the lead investigator must hire an interpreter. **B**



47.3. Role of the interviewee in the reported incident

- 47.3.1. From the invitation to the interview, the interviewee must already be informed of their alleged role in the reported incident of misconduct. It gives the interviewee an opportunity to prepare for the interview and collect the evidence they need to support their position. **B**
- 47.3.2. The lead investigator must be cautious about the amount of information shared with the interviewee to minimize risks to the investigation and the individuals involved (victims/survivors, witnesses, etc.). All information about the reported incident of misconduct must be anonymized. Any information that is shared with the interviewee before, during or after the interview must be limited to the interviewee's role in the reported incident. **B**
- 47.3.3. For the record, at the beginning of the interview the lead investigator must tell the interviewee once again why they have been invited to the interview. **B**

47.4. Support person

- 47.4.1. In the invitation to the interview, the interviewee must be informed that they can come to the interview with a support person. **B**
- 47.4.2. In the invitation to the interview, the interviewee must be asked to inform the investigation team in advance whether a support person will come to the interview and who this support person will be. This allows the investigation team to prepare for the interview. **B**
- 47.4.3. If the support person is an attorney, it is highly recommended that the lead investigator ask the designated senior manager for legal support. **R**
- 47.4.4. The support person must sign a confidentiality agreement before the interview. **B**

47.5. Right not to cooperate

- 47.5.1. The lead investigator must inform the interviewee that they have the right not to cooperate with the investigation team, for example to decline answering certain questions. However, the interviewee must be made aware that such decisions may affect the way the investigation team interprets the role of the interviewee in the reported misconduct. **B**

48. If an interviewee other than the subject of complaint is not available for either a face-to-face or a virtual interview, the investigation team must ask this person for a written statement. **B**

48.1. The investigators must send this person a set of questions while also encouraging the person to provide any additional information on the reported incident. **B**

48.1.1. Ideally, the statement should be provided in the form of a free narrative in the interviewee's first language. **B**



- 48.1.2. If based on the statement the investigators have important follow-up questions, they must determine whether an interview is still needed. If an interview is required, the investigation cannot be closed before it takes place. **B**
- 48.2. If the person declines to provide a statement, the lead investigator must notify the incident management team and ask for guidance. **B**
- 48.3. Written statements can under no circumstances be used to collect information from a subject of complaint. **B**
- 48.4. SOS Children's Villages staff accused of misconduct must make themselves available for an interview. **B**
49. In addition to investigative interviews, the investigation team must also collect other forms of evidence (physical, documentary and digital) to confirm or refute the reported misconduct. **B**
- 49.1. The investigation team must record and store all evidence collected. **B**
- 49.2. The evidentiary records must include information on the chain of custody, i.e. who has been in possession of the collected evidence after it was collected by the investigation team and who has had access to the collected evidence. The lead investigator must record this information in the confidentiality plan form, provided in annex 5. **B**
50. If while collecting evidence and conducting interviews the investigation team learns about new allegations of misconduct that is not related to the current focus of the investigation as defined in the terms of reference, the lead investigator must inform the incident management team immediately. Together, the incident management and investigation teams must discuss the best way to handle the situation and then notify the designated senior manager with a recommendation for the next steps. **B**
- 50.1. If possible, new allegations should be included in the terms of reference and investigated within the current investigation. **R**
- 50.2. If it is not possible to include the new allegations in the scope of the current investigation, the new allegations must be recorded by the incident management team, and the designated senior manager must decide how they will be investigated. **B**
51. It is prohibited to send any sensitive information on the investigation via email, unless email is the only viable option (see [51.2](#)). Sensitive information includes, for example, any information on the nature of the reported misconduct or individuals involved in the investigation. **B**
- 51.1. The investigation team should use a protected workspace with restricted access as the only platform to store all documents collected before and during the investigation, including interview transcripts. Only members of the investigation team and members of the incident management team are allowed to have access to this protected workspace. **R**
- 51.2. If a protected workspace cannot be used (e.g. if the investigation takes place in a location with poor internet connectivity) and the investigators have to use email to send documents to each other, these messages must always be encrypted by specialized **B**



software that does not allow persons who do not have a password to read the content of the email.

- 52.** The investigation team must make its conclusions based on objective assessment of all collected information in its entirety, including investigative interviews and other sources of evidence. **B**
- 53.** An investigation must be completed within 90 calendar days after the lead investigator receives the terms of reference of the investigation, unless the deadline has been extended by the designated senior manager. **B**

Investigation report

- 54.** A misconduct investigation must be concluded with an investigation report. **B**
 - 54.1.** The lead investigator is responsible for leading the drafting process and submitting a final draft of the report to the incident management team for a quality check. **B**
 - 54.2.** The investigation report must focus on the following: **B**
 - a) the allegations investigated and the organizational policies that have been breached
 - b) investigation findings with reference to the relevant testimonies and other evidence
 - c) analysis of the evidence that explains the logic and the basis on which the conclusions were reached
 - d) conclusions
 - e) recommendations for improvement
 - 54.3.** A template of an investigation report is available in annex 6. **B**
 - 54.4.** Any comments or suggestions by the incident management team must be made in writing, with a clear and substantiated explanation for these suggested changes. A document summarizing the feedback by the incident management team must be attached to the investigation report as an annex. **B**
 - 54.5.** When the incident management team confirms that the investigation report meets all requirements and answers the questions described in the terms of reference, the investigation team must finalize the report and submit it to the designated senior manager who coordinates the incident management process. **B**
- 55.** The investigation report must have the following structure: **B**
 - 55.1.** Executive summary **B**
 - 55.1.1.** The executive summary must provide a very concise overview of the investigation. It can contain only information that can also be found in the main body of the report. **B**



The executive summary must be written after all other sections have been completed.

55.1.2. The executive summary must give an overview of the allegations and the individuals mentioned in the allegations as victims/survivors, witnesses, and subjects of complaints, including their role (e.g. victim/survivor, witness, subject of complaint), place of work, and so on. It must also mention how the incident came to light and whether it was reported to the governmental authorities for follow-up and investigation. *B*

55.1.3. The executive summary must also provide a summary of the conclusions reached in the investigation. If an allegation consists of several aspects to be separated to reach a conclusion, the investigation report must include conclusions drawn for every specific aspect of the allegation. *B*

55.2. The introduction must cover the following: *B*

- a) investigation timeline
- b) assignment
- c) purpose and objectives of the investigation
- d) investigation team
- e) anonymity of victims, reporters and witnesses
- f) methodology

55.3. Allegation investigated *B*

In this section, the alleged misconduct must be described in one sentence. The sections of binding policies of SOS Children's Villages International, the provisions of local, national and international laws, and contractual obligations that were breached must be quoted in full.

55.3.1. Findings *B*

The "Findings" section contains references to testimonies and other evidence proving or disproving an allegation. Opposing or contradictory testimonies or evidence must be included. Where several people gave the same testimony, it is possible to summarise these testimonies, but it is important not to interpret or analyse the testimonies at this stage. The main goal is to provide a comprehensive, impartial picture of the information and evidence collected by the investigation team about the specific allegation.

55.3.2. Analysis *B*

In this section, the investigators must analyse the testimonies and evidence presented in the "Findings" section. The analysis can be based only on information included in the "Findings" section. No new information can be presented in the "Analysis" section that is not included under "Findings." The investigators describe why they accept or reject what someone testified or why they give more or less weight to certain testimonies or evidence.



- 55.3.3. Conclusions** *B*
- 55.3.4. Recommendations** *B*
- In this section, the investigators must describe the recommendations flowing from the findings, analysis and conclusions. Recommendations made by the investigators must aim at reviewing or improving any weaknesses identified in existing procedures or behaviours that may have caused or contributed to the reported incident of misconduct.
- 55.3.5. Appendices** *B*
- This section includes all supporting documentation in a form of testimonies and other evidence collected during the investigation. The documents must be numbered to allow for cross-referencing.
- 56.** The misconduct investigation can come only to one of the following conclusions, according to the evidentiary standard of reasonable grounds to believe: *B*
- The allegation is upheld by reasonable inference based on the evidence.
 - The allegation is not substantiated because the evidence is insufficient or unclear.
 - The allegation is unfounded based on evidence, which clears the subject of complaint and may prove a malicious report.
- 57.** Recommendations and decisions about disciplinary actions to be taken against staff who have violated the Code of Conduct and policies referenced in the Code of Conduct are not the responsibility of the investigation team but of senior managers, who must seek HR expert advice to ensure compliance with local labour law. *B*
- 58.** The investigation team must draft two versions of the investigation report, a full one and an anonymized one. *B*
- 58.1.** The full version of the investigation report must include the names of the people involved and other sensitive details. The investigation team submits this full version of the report to the incident management team and designated senior manager. The full version of the investigation report can be shared with others only on a strict need-to-know basis. This includes, for example, HR for a disciplinary hearing against the subject of complaint or state authorities for a court proceeding. *B*
- 58.2.** All other stakeholders, including funding partners, who need more information on the incident, the investigation and the findings can receive only an anonymized version of the report where all names and other identifying details are replaced with codes. *B*
- 58.2.1.** The decision about sharing an anonymized investigation report with various stakeholders must be made by the incident management team on a strict need-to-know basis. *B*
- 58.2.2.** Unless the stakeholders need specific information, it is recommended to share only an overview of the incident, investigation findings and recommendations. *R*



- 58.2.3. If the investigation was commissioned by the GSC, the designated senior manager must share the anonymized version of the report with the governing body and the national director of the member association so they can respond to the findings of the investigation. **B**
59. All members of the investigation team must sign the investigation report. **B**
- 59.1. If one member of the investigation team does not agree with the findings and agreement is not possible, this team member must summarize the objections in a separate document, which must be attached to the investigation report as an annex. **B**
60. The designated senior manager who coordinates the incident management process may request further clarifications from the investigation team. **B**
- 60.1. The incident management team must coordinate the process of obtaining further clarifications from the investigation team. **B**
61. If the designated senior manager who coordinates the incident management process does not accept the reviewed investigation report, the manager must provide the investigation team with a rationale for that decision. **B**
- 61.1. The investigation team is required to consider the comments and edit the report in consultation with the incident management team. **B**
- 61.2. If there is a continuing disagreement with the designated senior manager, the incident management team must escalate the situation to the governing body of the MA. **B**
- 61.3. If the investigation was commissioned by an IOR and there is a disagreement between the investigation team and the designated senior manager, the IOR incident management team must escalate the situation to the IO incident management team, which in turn informs the CEO of SOS Children's Villages International. **B**
- 61.4. If there is a disagreement at the level of the Executive Board of SOS CVI, the IO incident management team must escalate the situation to the International Senate. **B**
62. After concluding the investigation, the investigation team must hand over all evidence collected in the investigation to the incident management team. The incident management team must store the evidence in a secure place. **B**
- 62.1. The lead investigator must confirm in writing that the handover of the documents and evidence to the incident management team has been completed. **B**



Addressing investigation findings

- 63.** After concluding an investigation, the MA or the GSC office where the investigation took place must draft an action plan addressing the findings of the investigation. ***B***
- 63.1.** The action plan must provide an overview of specific remediation actions, the staff members responsible for their implementation, the timeline and resources needed for the implementation, and key performance indicators used to measure the progress of implementation. ***B***
- 63.2.** The incident management team is responsible for coordinating and monitoring the implementation of the action plan. ***B***
- 64.** If the incident may have a broader, federation-wide impact, the Communications and Brand experts of the MA or the GSC office must draft an external communications strategy that supplements the action plan. ***B***



Definitions

Term	Definition
anonymized	Presented in a way which does not reveal the provider (source) of the information and makes it impossible to trace the information back to its provider (source) unless the recipient of the information receives additional data enabling them to identify the provider (source).
designated senior manager	The person responsible for leading the incident management team, coordinating the organizational response to the reported or identified incident, and making strategic decisions. The designated senior manager is also in charge of appointing incident managers.
incident	A situation someone has reported or identified as involving misconduct by one or more individuals. A single incident may concern harm to one or several people or harm to the organization.
incident management	The process of responding to a reported or identified incident of misconduct.
incident management team	The body made up of at least three members representing the respective safeguarding teams or departments (child safeguarding, adult safeguarding, asset protection) that is in charge of responding to reported and identified incidents of misconduct.
misconduct	Any breach of the SOS Children's Villages Code of Conduct or of any policy or regulation referred to in the Code of Conduct with respect to the safeguarding of children and adults and to the protection of the financial assets of SOS Children's Villages.



need-to-know principle	<p>Information related to a reported incident of misconduct is shared with different stakeholders depending on their role in the process of responding to the incident.</p> <ul style="list-style-type: none">– The designated senior manager coordinating the organizational response and the incident management team responding to the reported incident have full access to the information about the incident.– Other staff receive specific information about the incident if they need it to fulfil their work-related tasks (e.g. an HR manager receives information necessary for a disciplinary process).– All other stakeholders (e.g. the reporter, GSC staff, promoting and supporting associations) receive information without the personally identifying data about the incident to protect the confidentiality of all persons involved.
reasonable grounds to believe	<p>Reasonable grounds to believe means that a reasonable person would believe that misconduct was in the process of being committed, had been committed, or was going to be committed.</p>
safeguarding	<p>The responsibility that organisations have to make sure their staff, operations and programmes do no harm to children and adults. This includes preventing the risk of harm and abuse and reporting any concerns to the authorities.</p> <p>For SOS Children's Villages, safeguarding is an umbrella term that covers child safeguarding (under the age of 18) and adult safeguarding (over the age of 18), including the prevention and protection from sexual harassment, exploitation and abuse.</p>
subject of complaint	<p>The person whose behaviour someone has reported as misconduct and about whom a complaint has been made.</p>
victim/survivor	<p>The person who has been harmed or may have been harmed as a result of misconduct.</p> <p>Some people prefer the term survivor as it describes that they went through a traumatic experience and continue to function and perhaps even prosper. It can denote a sense of newfound power and strength in recovery. The term survivor can also signify for some that the perpetrator no longer holds any power or control over their emotions or life.</p> <p>Some people prefer the term victim as they do not feel they survived the abuse but struggle to regain their personal strength. It acknowledges the emotional pain, anxiety, depression or PTSD that very often comes after experiencing abuse. The term victim highlights that there is an individual who is at fault – the perpetrator who carried out the abuse, and that people who are abused are not responsible for it happening.</p>



Annex 1. Profile of an internal misconduct investigator

Internal misconduct investigators serve as a team of experts conducting misconduct investigations. Internal misconduct investigators need to fulfil the following requirements:

- Relevant degree in psychology, social work, forensic science or other related areas
- At least 5 years of experience in the area of alternative care for children
- Hands-on experience in the area of child safeguarding, adult safeguarding, or asset protection
- Commitment to SOS CVI's vision and mission and to promoting the rights and well-being of children and young people from disadvantaged backgrounds
- Hands-on experience in one of SOS CV's areas of programme interventions
- Team player with excellent communications skills and culturally sensitive
- Good communication skills with children and young people
- Excellent analytical, research and problem-solving skills
- Facilitation, negotiation, and diplomatic skills
- Proven project and team management skills
- Good coordination and organization skills, including ability to plan, organize and deliver results
- Ability to work under pressure
- Ability to prioritize and handle a large amount of information



Annex 2. Confidentiality agreement

I, the undersigned,

Name, surname

Organization, address

hereby declare in my role as, supporting the investigation team in the misconduct investigation in the SOS Children's Village programme, commissioned by Mr/Ms, that I will keep all information disclosed to me in the course of the investigation process confidential. I agree not to disclose any part of this information to any person except other members of the investigation team, Mr/Ms who commissioned the investigation, and other persons authorized by Mr/Ms

Agreed to and signed in, on (date),

SIGNATURE

.....

.....

Name and surname



Annex 3. Declaration of interest

Information:

For the purpose of the envisioned review or investigation, 'conflict of interest' means a situation where the impartiality and objectivity of a decision, opinion or recommendation of an individual is or might be perceived as being compromised by a personal interest held by or entrusted to that given individual.

Your answers on this form will be reviewed by SOS Children's Villages International ("SOS CVI"), who will solely and independently decide, if a conflict of interest exists. The decision may result in your exclusion from the envisioned review or investigation.

Disclosure:

As an employee / expert working for or on behalf of SOS CVI, I declare that I have answered the following questions truthfully, completely and in good faith.

I understand that should any answer to the questions below change during the envisioned review or investigation, I am required to immediately inform SOS CVI in writing.

1. **Are you implicated, either by function or by personal name, in any past, ongoing or the envisioned review or investigation in any country into allegations of misconduct (such as child-safeguarding misconduct, (sexual) harassment, corruption, or other types of misconduct as established under the SOS CVI Code of Conduct)?**

Yes No

If yes, please disclose in which past, ongoing or envisioned review or investigation you are implicated, referencing date of the review or investigation and location:

2. **Do you have any ties (personal/family, business/financial, or work/volunteer affiliations), in a past, ongoing or envisioned review or investigation performed or commissioned by SOS CVI into allegations of misconduct (such as child-safeguarding misconduct, (sexual) harassment, corruption, or other types of misconduct as established under the SOS CVI Code of Conduct), with**

a) SOS CVI (in case of corruption) and/or the (alleged) victims/survivors (in case of other types of misconduct) of the alleged misconduct?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
b) the investigation subjects?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
c) any witnesses?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
d) employees of the government or public authorities in the country/region in which the review or investigation was conducted, is or will be conducted?	Yes <input type="checkbox"/>	No <input type="checkbox"/>



If you answered "yes" to any of the above questions, please disclose the name(s) of the person(s) and the relevant relationship:

- 3. Have you or one of your family members received a benefit, gift, or hospitality (e.g. entertainment, meals, drinks) or any other favours above what would be considered modest and basic courtesy from someone who stands to gain or lose from your involvement in a past, ongoing or envisioned review or investigation?**

Yes No

If yes, please disclose the details below.

- 4. Do you or any of your family members hold any position, serve as an officer, hold a managerial role, serve on a supervisory or executive board or otherwise have a significant relationship (financial or non-financial, including consulting) with the SOS Children's Villages Federation, which could influence the course or the outcome of the review or investigation?**

Yes No

If yes, please provide details about your position, or the name and the position of your family member.

- 5. Do you hold any private or professional views or biases that may lead others within SOS CVI or external third parties, to conclude that you are not the appropriate person to be involved in any way in a past, ongoing or envisioned review or investigation?**

Yes No

Please explain your answer as to why, or why not, you think you are the appropriate person to be involved in a past, ongoing or envisioned review or investigation:

- 6. Do you have any other information you would like to disclose and share with SOS CVI?**

I understand that failure to provide true, complete and correct information in this form to the best of my knowledge and belief, or failure to cooperate in good faith in reviewing and verifying my statement or in resolving any identified conflict of interest, may result in immediate exclusion of my organization from the bidding process.

Signature:

Date:

Print Name:

Position:

Your Organisation's full legal name:



Decision by SOS CVI:

Approved

Not Approved

Signature:

Signature:

Name:

Name:

Position:

Position:

Date:

Date:



Annex 4. Sworn declaration

I, the undersigned,

Name, surname

Position, Organisation, Country

- Duly appointed by the authorities of SOS Children's Villages as an investigator of misconduct incidents,
- Having accepted this responsibility,

Hereby declare on my honour that I am mindful:

- That the investigation of misconduct incidents is a serious undertaking;
- That my investigations as well as the findings into misconduct incidents involving children are matters that impact on the lives of these children, their reputation, their wellbeing, their futures and those of everyone involved in these allegations;
- That the processes and the findings of these investigations impact on my credibility and that of SOS Children's Villages
- That my own behaviour during and outside these investigations has an impact on the findings of my investigations;
- That the investigation of these incidents is an emotionally charged activity which may stir intense emotions that can affect me as a person.

Based on the foregoing, I voluntarily undertake:

- To be an investigator of misconduct incidents on behalf of SOS Children's Villages
- To act as investigator of misconduct incidents only on the basis and within the limits of a written assignment issued by a designated senior manager who commissioned the investigation and to inform this assigning person of any changes of this assignment if and when they arise during the investigation process;
- To carry out the investigation with professionalism, dedication and personal commitment for the duties entrusted to me;
- To treat each incident entrusted to me with expertise, demonstrating empathy, objectivity, transparency and professionalism and prioritising the best interest of the children involved;
- To voluntarily give up investigating an incident assigned to me if I believe that in one way or another the findings of my investigation may be influenced by my emotions, my interaction with the individuals involved, or for any other reason that may interfere with my ability to handle the incident objectively;
- To ask for help whenever there is a need.



Furthermore, I commit myself;

- To not disclose neither information nor the results of my investigations to third parties except for the other member of the investigation team, and persons authorized by the designated senior manager who commissioned the investigation.

Agreed to and signed in on (date)..... ,

SIGNATURE

.....

.....

Name and surname

Approved by:



Annex 5. Confidentiality plan form

Incident No.

The investigation team responding to a reported incident of misconduct does not share any information that could disclose the identity of a reporter, victim, witnesses, subjects of complaint, or other individuals involved in the reported incident with anyone outside of the investigation team. This principle applies unless the designated senior manager who coordinates the incident management process approves sharing specific information of the incident. This is done on a need-to-know basis and it is documented in the Confidentiality Plan. The Confidentiality Plan includes also information on the chain of custody, i.e. who has been in possession of the collected evidence after it was collected by the investigation team and who has had access to the collected evidence. The Confidentiality Plan is maintained by the lead investigator.

Full name	Position	Form of access to information	Details of information shared ⁴	Access to information from – to (date)	Reason for sharing the information
		Choose an item.			
		Choose an item.			
		Choose an item.			
		Choose an item.			
		Choose an item.			
		Choose an item.			
		Choose an item.			
		Choose an item.			
		Choose an item.			
		Choose an item.			

Person in charge of this document

- Full name:
- Position:

Document last updated on:

⁴ Provide specific details on what was shared.



Annex 6. Investigation report

INVESTIGATION INTO...

INVESTIGATION REPORT
STRICTLY CONFIDENTIAL

Submission date

This report consists of pages, including this cover page.



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Executive Summary

This report details the investigation process and findings into misconduct and safeguarding related allegations in SOS Children's Villages **country, programme location**. The basis for this investigation is the Terms of Reference of **date** issued by **name, position**.

The investigation was conducted in **programme location, member association** between **date** and **date**. In total, the investigation team conducted a total of **number** interviews. Besides the investigative interviews, the investigation team reviewed existing documentation of the actions or the lack of actions related to the reported allegations of misconduct.

Short description of the allegations and other relevant information. Keep in mind the following points:

- *Keep the description short (1 – 2 paragraphs)*
- *Focus on what was reported (no interpretation)*
- *Maintain confidentiality*
- *Any important information providing relevant context (e.g. weak child protection system in the country, more incidents reported recently etc.)*

The table below provides a summary of the allegations and conclusions reached:

No.	Allegation	Conclusion
1		Upheld
2		Upheld
3		Not Substantiated

Analysis of the allegations, findings and conclusions suggests that the root causes for the allegations are linked to **include specific organizational practise/issue (if applicable)**.

During the course of the investigation the investigation team made some observations that were not included in the planned scope of work but that nevertheless should be recorded. Find these observations below:

Issue 1

Brief description of the issue

Issue 2

Brief description of the issue



2. Introduction

2.1 Investigation Timeline

Date	Description

2.2 Assignment

The basis for this investigation is the Terms of Reference of **date** issued by Mr(s) **name, position**.

2.3 Purpose & Objectives of the Investigation

The overall purposes of the investigation (broader questions about the role of different individuals and/or specific organizational practices with regard to the reported allegations) are to find out whether:

- i.
- ii.

The objectives of the investigation (specific questions related to the reported allegations) are to establish whether or not:

- i.
- ii.

2.4 Investigation Team

The investigation was led by Mr(s) **name, position, organization/company**. He/She was supported by Mr(s) **name, position, organization/company** and Mr(s) **name, position, organization/company**.

With regard to the necessary translations from **language spoken by interviewees** to **language of the investigation**, the investigation team was supported by Mr(s) **name, organization/company**.

2.5 Anonymity of Victims, Reporters and Witnesses

Between **date** and **date**, a total of **number** face-to-face interviews were conducted at the national office of **member association** in **location**, and **number** face-to-face interviews were conducted during the onsite



work in **programme location, member association**. In addition, **number** interviews were conducted remotely while the investigation team was in **location, country**.

An offsite office was rented in **location** for the interviews with the national office staff and for remote interviews. In **programme location**, interviews were conducted in **specific room/office**. At the request of the interviewees, **number** face-to-face interviews in **programme location** were organized in a different place outside of the SOS premises. This includes **number** interviews organized at a local restaurant and **number** interviews at the private workplace of the interviewees.

To the extent possible the investigation team tried to avoid other SOS staff seeing or knowing to whom the investigation team was speaking. The investigation team arranged that the interviewees do not meet or see each other at the interview locations.

The interpreter who supported the investigation team signed a confidentiality agreement prior to receiving any specific information of the investigation.

2.6 Methodology

The investigation team had an introductory meeting with Mr(s) **name, position** at **national office/programme location** and outlined the purpose of the investigation without providing specific details.

The investigation team held face-to-face interviews with relevant current and former staff of **member association**. To the extent possible all interviews were conducted with confidentiality and privacy in mind. Where interviewees had other evidence to support their statements, the investigation team requested them to provide copies.

In addition, **number** interviews were conducted remotely while the investigation team was in **location, country**. This includes **number** interviews conducted by telephone, **number** interviews conducted by Skype, and **number** interviews conducted by **communication application**. **Number** interviewees were in another location in **country**, while **number** interviewees were outside of **country**.

All interviews were audio recorded with the prior consent of the interviewees. **Number** interviews were recorded in **local language** along with a translation into **language of the investigation**, while the remaining **number** interviews were recorded in **language of the investigation**. In total the investigation team conducted about **number** hours of interviews.

Subsequently, the investigation team prepared written summaries of the recordings of each of the interviews.

Based on the information obtained prior to the arrival to **country** and in the course of the investigation, the investigation team requested access to specific physical, documentary, and digital evidence. The investigation team received all requested information before leaving **country**.

The investigation team visited **programme location** to collect specific information on site and conduct face-to-face interviews with the relevant staff. Travel to **programme location** required **number** full days including the interviews conducted.



3. Allegations Investigated

3.1 Allegation 1:

Mr(s) name, position sexually coerced two young female from the Girls Youth House in **programme location** between **date** and **date**.

This allegation relates to the section of the Child Protection Policy on the definitions and terminology with regard to child abuse.

Sexual abuse is evidenced by an activity between a child and an adult or another child who, by age or development, is in a relationship of responsibility, trust or power; the activity being intended to gratify or satisfy the needs of the other person. Child sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact and penetrative or non-penetrative acts. This may also include involving children in looking at, or in the production of, pornographic material, or encouraging children to behave in sexually inappropriate ways.

This allegation also relates to the section 2.6 of the SOS Children's Villages Code of Conduct that are valid for all board members and all employees of SOS Children's Villages:

Section 2.6: "I will not initiate or become involved in sexual relationships with children. I am aware that such a relationship will lead to legal consequences and impact the organization's reputation. Mistaken belief regarding the age of a child is not a defence."

3.1.1 Findings

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3.1.2 Analysis

Lorem ipsum

3.1.3 Conclusion

The actions by Mr(s) **name, position** are serious and contrary to SOS Children's Villages values, and they represent a clear breach of the Code of Conduct and the Child Protection Policy.

Therefore, based on what is presented above, the investigation team finds the allegation that:

Mr(s) name, position sexually coerced two young female from the Girls Youth House in **programme location** between **date** and **date**,

upheld, thereby breaching the responsibilities described in the sections 2.6 in the Code of Conduct.



3.1.4 Recommendations

These recommendations relate to learnings and improvements for SOS Children's Villages. Potential disciplinary measures remain at the discretion of the respective supervisors and oversight bodies.

- i. *Lorem ipsum*
- ii. *Lorem ipsum*

3.2 Allegation 2:

3.2.1 Findings

3.2.2 Analysis

3.2.3 Conclusion

3.2.4 Recommendations

3.3 Allegation 3:

3.3.1 Findings

3.3.2 Analysis

3.3.3 Conclusion

3.3.4 Recommendations

4. Organisational, Governance and Management Issues

During the course of the investigation there were some observations by the investigation team that were not included in the planned scope of work but that nevertheless should be recorded.

4.1 Issue 1

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4.2 Issue 2

Lorem ipsum

5. Appendices



Signature

Name

Lead Investigator

Date

Signature

Name

Investigator

Date

Abbreviations