

## Samenvatting Oxfam Novib- Triage of severity

### Assessment of the complaint

#### Stap 1: Eerste inschatting ernst grensoverschrijdend gedrag: is er sprake van zeer laag severity level?

Indien .....

1. Schade is zeer beperkt, er is geen kind betrokken en er is geen seksuele component; én
2. Er is 1 slachtoffer en deze is staflid; én
3. Vermeende dader is 1 persoon en geen lid van het management; én
4. Het overschrijdend gedrag is geen misdaad/overtreding wet; én
5. Potentiele reputatieschade is laag.

... kan deze klacht in behandeling worden genomen door de ondersteunende staf in samenspraak met de klager. Eventueel kan *mediation* volgen.

In alle andere gevallen door naar stap 2:

#### Stap 2: verantwoordelijkheid om te acteren bepalen en registratie van de klacht.

Gaat het om grensoverschrijdend gedrag van staf, vrijwilligers, consultants, partners, leveranciers, stagiaires van de organisatie?

Zo nee: doorwijzen naar verantwoordelijk manager, consulteer HR, ga naar *integrity lead*.

Zo ja:

- Is de vermeende dader een staflid of vrijwilliger of stagiaire: dan eerst kijken of er al elders onderzoek loopt: zelf oppakken of meenemen in ander onderzoek? Als niet elders in onderzoek: registreren. Als wel elders in onderzoek maar buiten scope: zelf oppakken: registreren.
- Is de vermeende dader een leverancier, partner of consultant: door verwijzen naar betreffende organisatie. Alleen als die niet geëquipeerd is: zelf oppakken en registreren.

Als zelf verantwoordelijk:

#### Stap 3: Triage: categoriseren: m.b.v. van tool voor vaststellen de ernst van de klacht, registreren en vervolgstappen.

Bij vaststellen van de ernst wordt gekeken naar 5 variabelen/risicofactoren:

1. **Grootte van de schade:** frequentie, duur, psychische of fysieke schade: low, medium, high.
2. **Slachtoffer:** iemand van de staf, niet iemand van de staf maar geen kwetsbaar iemand, kwetsbare volwassenen of kind, meer dan 1 persoon (staflid of niet staflid);
3. **Vermeende dader:** non-management staf, management maar niet CD, HQ-director, geen staf, meer dan 1 persoon (staf of geen staf).
4. **Strafrechtelijke status:** kan blijken crimineel gedrag te zijn volgens nationale of internationale wetgeving.
5. **Reputatie-impact:** geen reputatieschade, interne reputatieschade, externe reputatieschade

Elke variabele op zich wordt gescoord naar ernst. De Oxfam Novib-tool genereert vervolgens automatisch de totaalscore (achterliggend algoritme) leidend tot een van de zeven onderscheiden niveaus van lage naar hoge mate van risico/ernst (niveau 0, 1a, 1b, 2a, 2b, 3a, 3b). Het onderscheid tussen niveau a en b heeft niet te maken met de ernst maar met verschil in respons.

#### Stap 4: Toekennen rollen voor adequate respons

Na scoring altijd meteen casemanager toewijzen. Afhankelijk van ernst volgt:

1. Level 0: geen onderzoek (wel *mediation* met instemming beide partijen), slachtofferzorg, betrokken actoren
2. Level 1a + 1b: intern lokaal onderzoek, zorg voor slachtoffer, betrokken actoren.
3. Level 2a: Intern EA onderzoek, zorg voor slachtoffer, betrokken actoren.
4. Level 2b: Intern EA onderzoek (optioneel extern onderzoek), zorg voor slachtoffer, betrokken actoren.
5. Level 3a + 3b: Extern onderzoek, zorg voor slachtoffer, betrokken actoren.

#### Stap 5: Toewijzen mediators en onderzoekers + registreren

Zie voor volledige toelichting de bijlage: *Guidelines Oxfam Novib Triage of severity*

# OXFAM NOVIB - TRIAGE OF SEVERITY

## 1. ASSESSMENT OF THE COMPLAINT

In principle, cases are first pre-assessed and then registered, before the severity level is categorized. However, there are cases where the assessment shows clear evidence of low severity (level 0, see 1.1.2b), and therefore by definition these cases are handled internally by Integrity focal Point (in countries) by Integrity lead (in The Netherlands). In those cases, all these factors are simultaneously found:

- The magnitude of harm is low, not child involved and not of sexual nature
- The survivor is only 1 staff,
- The alleged perpetrator is only 1 non-management staff,
- The alleged behaviour does not constitute a crime, and
- The potential reputational impact is low.

The response to these cases can range from supporting staff to solving the issue themselves with the person involved up to mediation.

For all other cases that do not fit all of these criteria, the response will be guided by the following procedure:

### 1.1.1 PRE-ASSESSMENT AND REGISTRATION OF A COMPLAINT

|   | Guiding questions  | select:  | Action   |
|---|--|--|--|
| 1 | Is the suspicion a case of unwanted behaviour from or against Oxfam staff, volunteers, interns, consultants, partners, suppliers or beneficiaries? | <input type="checkbox"/> Yes   | → Question 2   |
|   |  | <input type="checkbox"/> No  | This procedure does not apply. Instead, refer the case to the responsible line manager, consult HR or the Integrity Lead in The Hague.   |
| 2 | Who is the SoC (alleged Perpetrator)?  | <input type="checkbox"/> Oxfam staff, volunteer, or intern                           | → Question 3   |
|   |  | <input type="checkbox"/> Consultant, partner staff, or supplier contracted by Oxfam? | Refer the case to the respective organisation for them to lead the response. If the organisation does not have a response mechanism in place --> Question 3.                     |
|   |  | <input type="checkbox"/> Beneficiary   | Liaise with partners to coordinate with them how to deliver the response. And go to Question 3.  |
|   |  | <input type="checkbox"/> Other: _____  | This procedure does not apply. Instead, refer the case to the respective organisation, consider referral to authorities, or consult the Integrity Lead in The Hague.             |
| 3 | Is there already a response or investigation action taking place by another Oxfam or other actor?  | <input type="checkbox"/> Yes   | Liaise with that actor to explore the appropriate involvement of CO/ONL. If it shows that is within the scope of our responsibility to follow up then register and go to step 2. |
|   |  | <input type="checkbox"/> No  | Register the case and go to STEP 2: Categorising the case of Unwanted Behaviour.   |

Figure 1: Step 1 - Pre-assessment of the suspicion raised

The Integrity Focal Point (if in place) / Lead undertakes an initial assessment of the complaint using the question grid in STEP 1 of the Triage to identify whether it is within Oxfam Novib's mandate to take the responsibility of the response as described in the flowchart above.

### KEY ACTIVITIES & RESPONSIBILITIES

- Within 24 hours, the Integrity Focal Point (for complaints reported in Countries) or Lead (for complaints reported in The Hague) performs a pre-assessment of the complaint, using the categorization Tool (TAB 1) that enables a check whether the complaint is indeed a case of unwanted behaviour from Oxfam staff, consultants, partners, suppliers, interns, volunteers, or beneficiary (and not a pure labour conflict, financial misconduct, or security incident), and that no response or investigation action is being conducted by another Oxfam or other actor.
- If the pre-assessment determines that Oxfam Novib is responsible for the response, then the Integrity Lead starts the registration of the case in the caseload register (see a).
- The Integrity Lead designates a case number (see b).
- The Integrity Lead keeps files up to date.

#### a. Registering the case

Responding to Complaints about Unwanted Behaviour

At this stage the Integrity Lead will ensure that information is being registered in the Oxfam Caseload Register (see link to caseload)

If there is insufficient information to identify Oxfam Novib's responsibility to respond, the Integrity Focal Point / Lead can try to informally gather facts, for instance by talking to the complainant or reviewing HR files, always with due attention to not jeopardise a potential later investigation.

## b. Building a case number

For a systematic registration of cases, the case number is built in the following way:

| Explanation | Affiliate | Safeguarding | Fin. Year | Country Code <sup>o</sup> | Case Number (per country) |
|-------------|-----------|--------------|-----------|---------------------------|---------------------------|
| #           | ONL       | / SG         | / 2017-18 | / CC                      | / 001                     |

For example, the third case of unwanted behaviour (safeguarding) in The Netherlands in February 2018 (financial year 2017-2018) would be registered as ONL/SG/2017-18/NL/003.

### OUTPUT STEP 1

1. Case Pre-assessment.
2. Caseload register updated.

### <sup>o</sup>Country Codes

| EA Countries |             |
|--------------|-------------|
| AF           | Afghanistan |
| BI           | Burundi     |
| KH           | Cambodia    |
| EG           | Egypt       |
| MZ           | Mozambique  |
| NE           | Niger       |
| NG           | Nigeria     |
| PS           | OPTI        |
| SO           | Somalia     |
| TN           | Tunisia     |
| TR           | Turkey      |
| UG           | Uganda      |
| VN           | Vietnam     |
| NL           | Netherlands |

## 1.1.2 CATEGORISATION OF THE CASE (TRIAGE)

For the purpose of harmonising the registration of Safeguarding cases, Oxfam Novib developed a categorisation tool that will help determine the severity of a case and the path of action to be taken.

### KEY ACTIVITIES & RESPONSIBILITIES

Within 24 hours of receiving the complaint:

- The Integrity Lead performs the categorization of the case by using the Triage Tool.
- Categorization is reviewed by Decision Maker in country and/or HQ
- Update of the caseload register.

### a. Severity Assessment

The Integrity Lead uses STEP 2 of the Excel Triage tool [link](#) to categorise the case according to severity. The levels of severity reflect the risks:

- to the survivor,
- to the integrity of the investigation, and
- to Oxfam Novib's internal and external reputation.

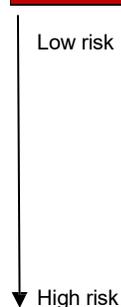
The severity scores range between 0 and 3 and is directly related with the level of risk of the case. The sub-division between A and B is only to differentiate the different paths of response due to the nature of the SoC: For example, if a CD is the SoC, then the Regional Director steps into the Decision Maker role.

To determine the severity, the Tool takes into account five factors: magnitude of harm, who is the survivor, who is the SoC, if there is a suspicion of crime and the reputational risks. For each factor, different criteria have been foreseen and for each criterium, a severity level has been assigned. Some criteria are very specific to ensure standardization, while others are more open to allow for flexibility and the particularities of each case. For example, for factor 4 (crime status):

| # | Factor       | Assessment tips  | Criteria (Dropdown) ↓ | Associated Severity Level |
|---|--------------|--|-----------------------|---------------------------|
| 4 | Crime status | To determine the crime status, take into account the legal frame of national and international law (in case of conflict international law prevails). | please select         | x                         |
|   |              |  | not a crime           | 1A                        |
|   |              |  | crime                 | 3A                        |

## b. Factors and score range

|           |
|-----------|
| Not known |
| 0         |
| 1A        |
| 1B        |
| 2A        |
| 2B        |
| 3A        |
| 3B        |



- 1) Magnitude of harm, to capture the harm caused, it is relevant to take in account the vulnerability dimension, and how power dynamics influence in the magnitude of the harm, therefore within this factor we aim to assess frequency, length, and the physical or psychological impact of the unwanted behaviour: low, medium, high.
- 2) Survivor, to capture whether the unwanted behaviour affected one staff, one non-vulnerable non-staff, one vulnerable adult or child or more than one staff or non-staff.
- 3) Perpetrator, to capture whether the alleged perpetrator(s) are non-management staff, management-staff but not CD, CD, HQ director, non-staff, or more than 1 staff or non-staff.
- 4) Crime status, to capture whether the alleged conduct may constitute a crime in the respective national legislation or international legislation.
- 5) Reputational impact, to capture the probability or actual exposure of sensitive information: no reputational impact, internal reputational impact, or external reputational impact (local level or broader).

Figure 2:  
Severity Score Range

## How to use the Severity Categorization Tool

The Integrity Lead will only need to select the criterium that applies for each factor, based on facts or strong assumptions as available at the time the allegation is received. The Excel tool then automatically assigns the overall score. The tool is built in a way that allows the assessment of the criteria on each factor independently, and then, once the relevant criteria are selected for each factor, it automatically determines the overall level of severity on any of the factors.

For instance, if a case has a broader reputational impact (Factor 5), the case is automatically scored as 3A, regardless of the assessed magnitude of harm, the type or number of survivors, the type of perpetrator, and although the alleged behaviour is not a crime.

|   | Factors                  | Assessing tips  | Criteria for each factor (click on cell --> arrow to see options) | Severity level |
|---|--------------------------|---|---|----------------|
| 1 | Magnitude of harm        | To determine the magnitude of harm take into account the type of conduct, frequency, length and physical or psychological impact (in case of sexual and/or physical violence --> high)  | low   | 0              |
|   |                          |   | medium  | 1A             |
|   |                          |   | high  | 2B             |
| 2 | Survivor (type & extent) | To determine the survivor, take into account:<br>- volunteers and interns are considered as staff.<br>- consultants, partners and service suppliers are considered as non-staff.<br>- if a survivor is under 18 years old or otherwise vulnerable, select '1 vulnerable adult or child involved'. | 1 staff   | 1A             |
|   |                          |   | 1 non-staff (non-vulnerable)                                      | 1B             |
|   |                          |   | 1 vulnerable adult or child involved                              | 2B             |
|   |                          |   | more than 1 staff or non-staff                                    | 2B             |
| 3 | Perpetrator              | To determine the perpetrator,<br>- volunteers and interns are considered as staff.<br>- individuals that have a contractual relation with ONL as consultants, partners and service suppliers are considered as non-staff  | 1 non-management staff  | 1A             |
|   |                          |   | 1 management staff but not CD                                     | 1B             |
|   |                          |   | CD  | 2A             |
|   |                          |   | EA director   | 3B             |
|   |                          |   | 1 non-staff   | 1B             |
|   |                          |   | more than 1 staff or non-staff                                    | 2B             |
| 4 | Crime status             | To determine the crime status, consider national and international law (in case of conflict international law prevails). If in doubt, select 'crime'.   | not a crime   | 1A             |
|   |                          |   | crime   | 3A             |
| 5 | Reputational impact      | To determine the reputational impact, consider the fact that sensitive information has already been exposed and/or the risk that it will likely be exposed.   | no reputational impact  | 0              |
|   |                          |   | internal reputational impact                                      | 1A             |
|   |                          |   | ext. reputational impact (local)                                  | 1B             |
|   |                          |   | ext. reputational impact (broader)                                | 2B             |

Table 1: Step 2 - Safeguarding Categorisation Tool, with the highest score highlighted

Important: Because the scoring via the Excel tool takes place automatically, don't forget to select the correct criterion for **each** of the five factors, or the wrong severity level might be determined. If you don't know the correct criterion for a factor, keep the option 'please select'.

#### OUTPUT STEP 2

1. Categorization grid completed.
2. Caseload register updated.

## 1.2 ASSIGNMENT OF ROLES FOR MANAGING AN APPROPRIATE RESPONSE

After the case of unwanted behaviour is categorised, the immediate follow up action is to appoint a Case Manager responsible for coordinating and implementing the response actions. Until a Case Manager is assigned, the Integrity FP / Lead takes up the role of Case Manager.

### KEY ACTIVITIES & RESPONSIBILITIES

- The Decision Maker (DM) appoints a Case Manager (the role of DM depends on the case category, please see Table below).
- The Integrity Lead (IL) shares relevant information of the case with the CM that enables her/him to perform his/her role. For cases of category 0, the Integrity Focal Point (IFP) steps in as CM for cases in countries, the Integrity Lead for cases in The Hague.
- If applicable, the IFP in country and Integrity Lead in The Hague appoints a mediator.
- If applicable, the CM in coordination with the IL appoints the investigators, including an Investigation Lead.
- People appointed sign Confidentiality Agreement.
- Integrity Lead updates caseload register.

### 1.2.1 APPOINTMENT OF CASE MANAGER (<5 DAYS OF SEVERITY ASSESSMENT)

The responsibility to appoint the Case Manager depends on the severity level (see Column B below), as set out in STEP 3 in the Triage tool. Where possible, we aim to empower countries to act as national Case Managers. Therefore, in principle, for cases categorized as level 0, 1A and 1B, the Integrity Focal Point / Lead or CD will step in as Case Manager or propose a suitable replacement. The Integrity Lead or other staff proposed by the Decision Maker will act as Case Manager in cases higher than 2A or where a country is lacking local capacity. In cases of major assault, sexual violence or otherwise complex cases, the Case Manager, in coordination with the Integrity Lead, might suggest to the Director of Operations to consider setting up of a Crisis Response Management Team to collaboratively take key decisions about the response, in line with Oxfam Novib's Crisis Management Protocol.

When appointing a Case Manager, it is crucial to ensure that the SoC (alleged perpetrator) and other potentially involved staff are not part of the response team, and that any other perceived biases or conflicts of interest are identified and addressed.

| Severity of Allegation<br>(A) | Characteristics of severity level<br>(B)  | Decision-Maker:<br>Appointment of Case Manager & approval of Report(s) (DM)<br>(C) | Case Manager (CM)<br>(D)   | Investigation Lead (IL)<br>(E)           | Response plan<br>(F)  |
|-------------------------------|---|--|--|--|---|
| Level 0                       | Low magnitude of harm   | In CO: Integrity FP<br>In ONL: Integrity Lead                                      | In CO: Integrity FP<br>In ONL: Integrity Lead  | Not needed                               | Mediation (mediator to be agreed by both parties)<br>CCs support optional to the survivor<br><br>Strategic info: number of level 0 cases for monitoring organizational culture trends.  |
|                               | Survivor : 1 staff internal   |  |  |  |   |
|                               | SoC: 1 Staff non mgt  |  |  |  |   |
|                               | Non crime<br>Non reputational impact  |  |  |  |   |
| Level 1 - A                   | Medium magnitude of harm  | In CO: CD<br>In ONL: Director of Operations  | In CO: Integrity FP / CD<br>In ONL: Integrity Lead   | In CO: Country Level<br>In ONL: EA Level | Internal local investigation<br>CCs support or external assistance optional<br><br>(if applicable) Management lead mitigation actions to repair internal reputation<br>Protection measures will be put in place (if applicable)                             |
|                               | Survivor : 1 staff internal   |  |  |  |   |
|                               | SoC: 1 Staff non mgt  |  |  |  |   |
|                               | Non crime<br>Internal reputational impact   |  |  |  |   |
| Level 1 - B                   | Medium magnitude of harm  | In CO: CD<br>In ONL: Director of Operations  | In CO: CD/ Integrity FP (in coord with Integrity Lead)<br>In ONL: Integrity Lead (in coord Director of operations) | EA Level                                 | (if applicable) Management lead mitigation actions to repair internal reputation<br>Protection measures will be put in place (if applicable)  |
|                               | Survivor : 1 non-vulnerable non-staff   |  |  |  |   |
|                               | OR SoC: 1 Mgt staff but not CD or Director OR 1 non-staff   |  |  |  |   |
|                               | Non crime<br>OR External local reputational impact  |  |  |  |   |
| Level 2 - A                   | Magnitude of harm: any  | OI RD (in coord with Director of Operations)                                       | In CO: OI RD   | EA Level                                 | Internal EA investigation<br>CCs support or external assistance optional to the survivor<br>Protection measures will be put in place (if applicable)<br><br>RD lead mitigation actions to repair internal reputation  |
|                               | Survivor : any type   |  |  |  |   |
|                               | SoC: CD   |  |  |  |   |
|                               | Non crime<br>Reputational impact: any type  |  |  |  |   |
| Level 2 - B                   | High magnitude of harm  | In CO: CD (in coord with Integrity Lead)<br>In ONL: ONL Director of Operations     | In CO & ONL: Integrity Lead in coord with CD, OIPD & RD  | EA Level                                 | Internal EA investigation (optional external)<br><br>Support to survivor (internal or external optional)<br><br>Protection measures will be put in place (if applicable)<br>Management lead mitigation action to repair internal and/or external reputation |
|                               | OR Survivor : 1 vulnerable non staff or more than 1 staff or non-staff  |  |  |  |   |
|                               | OR SoC: 1 mgmt or non-mgmt staff but not CD/EA director if vulnerable survivor, or when SoCs are more than 1 staff or non staff |  |  |  |   |
|                               | OR External broader reputational impact<br>Non crime  |  |  |  |   |
| Level 3 -A                    | Magnitude of harm: any  | EA Director of Operations (in coord with OI RD)                                    | EA Integrity Lead in coord with OI RD & COO  | External investigator                    | External investigation<br>Support to survivor (internal or external) optional<br>Protection measures will be put in place (if applicable)   |
|                               | Survivor : any type<br>Reputational impact: any type  |  |  |  |   |
| Level 3-B                     | Magnitude of harm: any  | ONL Chair BoS in coord with OICOO  | ONL chair of BoS in coord with OI COO  | External investigator                    | When there are facts that lead to crime immediately report to authorities.<br>Management will lead mitigation actions to repair internal and external reputation.   |
|                               | Survivor : any type   |  |  |  |   |
|                               | SoC: ONL Director<br>Crime/non crime  |  |  |  |   |
|                               | Reputational impact: any type   |  |  |  |   |

Table 2: Step 3 - Assigning roles for deciding on, leading, and operationalising response action. In blue the factors that differ from the previous severity level.

### 1.2.2 APPOINTMENT OF MEDIATOR(S) (<5 DAYS OF SEVERITY ASSESSMENT)

As level 0 cases are usually of lower severity – e.g. misunderstandings or personal differences, the aim is that Oxfam staff is empowered to be proactive and solve conflicts or grievances among themselves through respectful dialogue. However, if that is not possible or appropriate, or where staff are unable to address issues through dialogue, mediators will support the staff to develop solutions. In such cases, the Case Manager – usually the Integrity FP / Lead – will encourage the parties to agree on a mediator who is trusted by both sides, in order to ensure the neutrality of a mediation.

### 1.2.3 APPOINTMENT OF INVESTIGATORS (<5 DAYS OF SEVERITY ASSESSMENT)

Depending on the complexity of a case, it is advisable that investigations are conducted by two (or more if necessary) skilled investigators who have participated in appropriate training(s) and are registered in Oxfam’s investigator pool (to be created in Q2/Q3 2018).

From this pool,

- **In-country investigators** are appointed for allegations on level 1 that emerge in the country. If in-country capacity is not in place yet, EA investigators can also support investigations in other countries when they request it.
- **Investigators in The Hague** are appointed mainly to conduct investigations if an allegation emerged in The Hague, when a level 2 allegation emerges in an EA country, or to support external investigation in a level 3 allegation.
- **External investigators** are appointed from Oxfam’s pool of qualified external investigators (to be established in Q2/Q3 2018) to conduct level 3 investigations and to support other cases when needed.

When appointing the investigation team, it is important to consider different factors that will enable trust among the interviewers and interviewees. Factors that might be relevant could include among others, and depending on the context: gender, sexual orientation, age, culture, race, ethnicity, religion, or ability, as well as their intersections. Perceived or actual conflicts of interest and other factors that may affect the independence and impartiality of investigators are also to be considered.

Where necessary, Oxfam Novib’s Senior Investigator will support local investigators, for instance by acting as lead investigator or building investigation capacity.

#### OUTPUT STEP 3

1. Appointment letter or email.
2. Confidentiality agreements signed.
3. Caseload register updated.