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Corporate Policy, Processes and Measures on the Prevention of Harassment, Sexual Harassment and Authority Abuse

Executive Summary

This document provides an update on the Corporate Policy, Processes and Measures on the Prevention of Harassment, Sexual Harassment and Authority Abuse. It presents the current status of actions related to improved reporting, investigation and decision making, as well as outreach and support, and its alignment to recommendations of the UN system Chief Executive Board (CEB).

Suggested action by the Council

The Council noted FAO's report on the strengthening of the implementation of the Action Plan on the Prevention of Harassment, Sexual Harassment and Authority Abuse, and encouraged FAO to continue its efforts in coordination with the UN system entities.

Queries on the substantive content of this document may be addressed to:

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I. Context

1. FAO's position is consistent with the principles and values of the UN system on the prevention of harassment and sexual misconduct as unacceptable behaviour; and thus of fostering a safe working environment and establishing a mechanism to reinforce prevention and response efforts.
2. FAO Staff Regulations and Rules require the highest standards of integrity from all FAO personnel. The Organization thus has the duty to ensure that its staff are treated, and treat one another, with dignity and respect, free from abuse or harassment. FAO is committed to creating and maintaining an environment that prevents sexual misconduct by establishing appropriate measures and developing the necessary safeguards to strengthen this commitment.
3. To this end, the Organization has put in place corporate policies and procedures to prevent harassment, sexual harassment and abuse of authority, to identify sexual misconduct and to enable complaints to be made and to be investigated fully and promptly. Thereupon, fast-track procedures to receive, process and address complaints, efforts enhancing protection against retaliation for FAO personnel who report unsatisfactory conduct and cooperate with duly authorized audits and investigations are among core responsibilities of FAO as a UN organization.
4. The principles and the procedures are included in three policies, considered the pillars underpinning FAO's approach to the prevention of sexual exploitation and abuse (SEA) and sexual harassment (SH): the Policy on the Prevention of Harassment, Sexual Harassment and Abuse of Authority, the Policy on Protection from Sexual Exploitation and Sexual Abuse and the Whistle-blower Protection Policy.

II. Participation in UN initiatives

5. Since November 2017, in line with its engagement in the fight against sexual exploitation and abuse and sexual harassment, FAO is participating in the CEB Task Force on Addressing Sexual Harassment, an inter-agency effort to eradicate sexual exploitation and abuse and sexual harassment within the organizations of the United Nations System.
6. In response to the urgency of the task and the need for technical expertise in a broad number of fields with legal, policy and human resources dimensions, the Task Force established a number of sub-working groups to focus on discrete work streams, each led by representatives of relevant UN system entities. FAO actively participated in the works of the Task Force, in particular in the "Policy reference model", "Improved reporting" and "Helplines/Hotlines" sub-groups, providing inputs and feedback and contributing to the development of common UN policies and guidelines.
7. Following intense collaboration and consultation, in September 2018, the CEB Task Force presented these outcomes, concluding the first phase of its work:
 - A UN System Model Policy on Sexual Harassment that is applicable to all organizations.
 - Launch of the "ClearCheck" Sexual Harassment Screening Database to avoid re-hiring of individuals whose working relationship with an organization of the system ended because of a determination that they perpetrated sexual harassment.
 - Development of a mechanism for system-wide collection and analysis of data to ensure timely and accurate reporting and evidence-based policy making.
 - Selection of initiatives to strengthen investigative capacity across the UN system.
 - Model Code of Conduct to prevent sexual harassment during and in relation to UN events.
 - Assessment of best practices in the field of helplines/hotlines that aims to lead to a proposal for a common approach across the UN system.

- Perception survey to better understand the views of individuals most directly affected, to be launched across multiple UN entities.

8. The High-Level Committee on Management (HLCM) reviewed the report of the Task Force on 11-12 October 2018 and adopted the UN System Model Policy on Sexual Harassment and recommended a periodic review of its terms at least every three years. FAO is now implementing this decision with a view to accelerate prevention and effective response to incidents of sexual harassment, with emphasis on victim-centred strategies, services and support.

III. UN System Staff Survey on Sexual Harassment

9. As mentioned above, one of the actions of the CEB Task Force is the launch of a perception survey for identifying the incidence of sexual harassment within the UN as well the perceptions of how these incidents are handled.

10. FAO joined this initiative and participated in the working group together along with other 30 UN entities.

11. Based on industry best practices and with attention to the sensitive and confidential nature of this issue, the Task Force developed the specifications and launched a tender with the objective of selecting an external provider. Once identified, the 31 participating UN entities worked together on the preparation of the survey and agreed to launch it on 29 October. The survey will be open until November and a final report with up-to-date information for the UN system and individual entities is expected by the end of December 2018.

12. The survey is anticipated to provide qualitative and quantitative data and information on personnel experiences and perceptions of sexual harassment to support an evidence-based approach to the ongoing work on sexual harassment, including development of specific actions, changes in organizational culture and victim-support. Lastly, the survey questions will have scientific validity and the results could be easily benchmarked against other studies, allowing to compare data also with other UN Organizations.

IV. FAO Action Plan and areas of work

13. As previously reported¹, FAO developed an Action Plan with the intent to identify key areas of work and concrete actions that are essential to ensure enforcement of the rules aimed at creating and promoting a working environment that prevents sexual harassment, sexual exploitation and abuse.

14. As a result, FAO is implementing many actions in the three areas of work, involving internal offices and divisions with the coordination of the Office of the Human Resources. During these months the internal task force organized group and individual meetings in order to define the objectives and to follow up on the single actions with the responsible offices. A summary of the status of the actions is presented below.

¹ CL 159/8 and CL 159/8 Information Note.

Reporting

a) Conduct targeted perception survey for FAO personnel, aligned to the CEB Task Force

15. As mentioned above, FAO collaborated with other 30 UN entities, collecting and consolidating inputs for finalizing the list of questions. In October, the external provider worked on the finalization and launch of the survey. The final report will be delivered to UN by the end of December.

b) Enhance hotline/helpline reporting capabilities

16. FAO has currently an internal hotline, active during working hours at headquarters and a voice mailbox for voice messages handled by the Office of the Inspector General.

17. FAO joined also the CEB sub-working group for Assessment of Best Practices in Hotlines/Helplines. Since the inception of the working group, FAO has engaged in discussion with WFP to facilitate the hotline procurement process in order to ensure an outsourced 24 hours coverage with multilingual trained personnel.

c) Establish mechanism to monitor implementing partners accountability on a regular basis

18. At country office level, FAO is working to establish mechanisms to monitor implementing partners' adherence to FAO standards. Currently, the procurement contracts already include specific provisions requiring contactors to confirm that they do not enter into exploitative practices. This text will also shortly be incorporated in the template for Letters of Agreement.

19. To the same end, it is foreseen that the next Annual Report of Country Offices will include a dedicated and mandatory section regarding Sexual Harassment and Sexual Exploitation and Abuse in which country offices will be responsible for listing actions and measures taken to prevent and handle possible sexual misconduct.

d) Improve Community Based Complaint Mechanism

20. Accountability to Affected Populations (AAP) is a people-centred approach, sensitive to the varying needs of different segments within a community, and the importance of ensuring that women, men, girls and boys can equally access and benefit from assistance in a dignified way. AAP is applicable to all of FAO's programmes, whether humanitarian or for development.

21. This commitment reflects the need to operationalize accountability and protection from sexual exploitation and abuse through investments in appropriate mechanisms, targeted capacity development and specific actions. To achieve this commitment, FAO applies the Inter-Agency Community-Based Complaint Mechanisms established by the Inter-Agency Standing Committee regarding Protection against Sexual Exploitation and Abuse and will formulate targeted questions in the FAO Internal Controls Questionnaire for Decentralized Offices (DOs) in order to reinforce the implementing partners' accountability and adherence to FAO standards.

e) Establish and maintain confidential database by PSEA Focal Points network of all sexual exploitation and abuse reports received

22. The Ethics Office established a list of 169 PSEA (Prevention of Sexual Exploitation and Abuse) focal points and alternates which are present in 87 countries. Upon appointment, the focal points undergo specific training sessions which enable them to perform a series of duties including sharing and implementing best practice in PSEA response and raising awareness of the responsibility to report all reasonable concerns of SEA. These training sessions are conducted by the Ethics Officer who frequently travels to country offices to provide face-to-face courses.

23. Focal points are responsible for keeping an up-to-date database of all SEA complaints or concerns containing details of names, contact details of reporting and affected individuals. A yearly report incorporating statistics and analysis of SEA cases is also presented to the senior focal point for PSEA at Headquarters, with whom the local focal point liaises regularly.

f) Sexual Harassment Screening Database

24. In June 2018, the UN Sexual Harassment Screening Database (“ClearCheck”) was successfully implemented, in line with the agreed operational and legal framework. FAO signed the necessary confidentiality undertakings and is a contributor to the system.

25. The ClearCheck Database is an online platform where UN entities can record data on those individuals against whom allegations of sexual exploitation and abuse and sexual harassment, while in service with an organization, were substantiated by a final determination and whose working relationship was terminated by an organization as a result. The tool aims to avoid the hiring and re-hiring of individuals and could be expanded to cover a much broader range of offenses.

g) Provide yearly statistical data of sexual harassment related cases

26. Since 2015, the Office of the Inspector General has the mandate to investigate allegations of Harassment, including sexual harassment and sexual exploitation and abuse.

27. OIG maintains a database of the formal complaints received by staff members who wish to pursue the formal process. This data is part of the Annual Report of the Inspector General presented to the Finance Committee in the spring session.

Investigation and decision-making

a) Increase investigative capacity

28. In order to assist with managing the investigation caseload, including provision of specialist expertise in its new mandate areas of harassment and sexual exploitation and abuse, the Investigative unit of OIG was supplemented with an additional Professional position at level P-3. In addition, the HLCM noted that among the issues identified deserving further system-wide attention was the strengthening of investigative capacity, including greater consolidation of resources among UN investigative services and improved sharing of expertise among UN system entities. HLCM agreed that this issue needed to be addressed in the next phase of the Task Force’s work through a dedicated sub-group, in cooperation with the humanitarian Inter-Agency Standing Committee (IASC) and the Network of UN Representatives of Investigations Services (UN-RIS).

b) Strengthen network with peers in the humanitarian sector to share experiences and good practices

29. Given its crucial role of Focal Point for the Protection from Sexual Exploitation and Abuse, the Ethics Officer is frequently involved in external meetings and webinars for sharing experiences and good practices. In particular:

- The Ethics Officer is periodically engaged with the Ethics Offices of the other Rome-based Agencies for reviewing and providing inputs on policies and standards;
- Inter-Agency Standing Committee (IASC) webinars held in Geneva;
- Task Team on PSEA webinars and phone conferences. The Task Force supports the establishment of UN and NGO policies and develops tools so as to assist in protecting from sexual exploitation and abuse by our own staff.

Outreach and support

a) Mandatory learning tools on PSH and PSEA

30. As part of the efforts on raising awareness on employees, FAO established and rolled out a mandatory learning tool based on FAO's policy on the prevention of Harassment, Sexual Harassment and Abuse of Authority. The objective is to ensure employees are aware of the importance of the FAO policy, identify the types of harassment and how to prevent them and know the actions that should be taken when harassment takes place.

31. By launching an extensive campaign, a very high level of compliance has been achieved for staff and non-staff personnel which is constantly increasing. As of 15 October 2018, the rate of compliance with the mandatory video on the prevention of Harassment, Sexual Harassment and Abuse of Authority was 94% for staff members and 75% for non-staff employees.

32. In addition, FAO is finalizing the customization of the UN e-learning "Working Harmoniously", which will be released and become mandatory in the next months, together with an additional video on Prevention of Sexual Exploitation and Abuse.

b) Face-to-face training and video training sessions in headquarters and decentralized offices

33. Since mid-2014, the Ethics Office has delivered 26 training sessions on the prevention of sexual exploitation and abuse at headquarters, 17 in DOs and 36 video conferences where sexual harassment and sexual exploitation and abuse were addressed. The rate of attendance to face-to-face training courses on this topic generally exceeds 70% of staff and non-staff, at both headquarters and DOs.

34. During these training courses, special focus was given to Regional Offices and countries in emergency situation such as Kabul (Afghanistan), Quetta, Peshawar and Islamabad (Pakistan), Kinshasa, Goma and Bukavu (Democratic Republic of Congo). Many other training sessions are scheduled for the next months, including Haiti and South Sudan.

c) Awareness raising sessions on PSHEA for FAO focal points in selected priority countries

35. With the purpose of sensitizing and raising awareness on SEA and SH in selected priority countries, the Organization is currently planning specific sessions for FAO focal points in Somalia, Nigeria, Uganda, Central African Republic and Lebanon and targeted training-of-trainers in Regional Offices, including Bangladesh, South Sudan, Yemen, Niger, Chad, Mali and Democratic Republic of Congo.

d) Short Guide for Managers on Prevention of and Response to SH in the Workplace

36. A short Guide for Managers on Prevention of, and Response to Sexual Harassment in the Workplace has been recently developed and made available on the FAO intranet to assist managers in the effective fulfilment of their obligations, to create a safe and harmonious work environment, to respond to reports of sexual harassment in the workplace, and to hold personnel accountable for any form of prohibited conduct.

37. The guide includes a checklist of appropriate actions to be taken by managers before, during or upon completion of an assignment (including what to do when witnessing or receiving a report of sexual harassment).

e) Reinforced internal communications on SEA and SH

38. With regard to the reinforcement of internal communication on SEA and SH, FAO is moving forward with multiple approaches:

- Broadcast email from the Ethics Office through corporate internal communication channels to all FAO personnel reminding of the Organization's commitment to zero tolerance and to encourage reporting of SEA and SH.
- Over 20 direct and indirect references have been published on a continuous basis on the intranet homepage and on screens both in headquarters and in the regional offices, including articles, a training section and highlighted notices and pop ups.
- In March and August, FAO published two newsletters on its intranet regarding Focus Topics, including SH matters and hotline reporting. An upcoming newsletter in December will contain articles on PSEA and SH matters.
- OIG's internet and intranet webpages will be enhanced, listing policy and processes for reporting.

f) Counselling support to staff

39. A Staff Counsellor is available in FAO's premises and the service is extended to DOs via tele-counselling.

40. The Staff Counsellor is in charge of the counselling service, aimed also at preventing, managing and solving the issues of harassment and sexual harassment occurring in the work environments brought to his attention.

41. To this end, among other duties, the Staff Counsellor is in charge of hearing and protecting the presumed victim of such harassment, also in relation with possible formal and non-formal conflict resolution procedures. The activity of the Counsellor is marked by independence, privacy and respect of the will of the involved person, targeted at the best strategy to manage and solve difficult situations.

g) Development of a dedicated intranet page

42. The Office of Human Resources has published a dedicated intranet page on the prevention of SEA and SH thereby providing one single place where all the relevant policies, training and informative material on the topic can be easily accessed for download by all employees. The intranet page aims to provide constant updates on PSEA and SH matters and will include more information as it becomes available.

V. The way forward

43. Further to the evaluation of the effectiveness of existing policies and procedures to prevent and address sexual harassment within UN, through the UN System Staff Survey, the data will be consolidated and the overall results will be shared internally and with partner organizations. The final report of the UN System Staff Survey on Sexual Harassment will be instrumental for the definition of a snapshot of the incidence of sexual harassment within the UN.

44. The UN System Staff Survey includes questions on staff satisfaction whose results will be leveraged for developing an independent and anonymous FAO staff satisfaction survey, which will be conducted among its employees next year, depending on the budgetary availability.

45. Based on this, a revised set of recommendations towards a trustworthy formal system addressing the issues will be developed. The statistics reported will contribute to the improvement of the comprehensive guides, prioritized measures, frames and the provision of adequate and targeted training.

46. In this regard, FAO policies will be updated as appropriate. In particular, an updated version of the Policy on the Prevention of Harassment, Sexual Harassment and Abuse of Authority will be issued following the UN System Model Policy to further reinforce the continued procedures refinement in order to make FAO a space free of harassment of any kind and to ensure that a clear tone of zero tolerance is set.

47. In addition, FAO will continue to monitor the progress on the implementation of the Action Plan for the Prevention of Sexual Exploitation and Abuse and Sexual Harassment. For this purpose, the Office of Human Resources will continue to schedule periodic meetings with the relevant Divisions providing a platform for a revised operating model of the outlined actions.

48. Finally, sexual harassment complaints procedures and policies will be monitored, evaluated and regularly reviewed, in light of new findings and trends, to ensure that they are in line with legal developments and that their functioning is effective.