

SURVIVOR POLICY

Key Data and Policy Statement

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1	Title:	Oxfam GB Survivor Support Policy
2	Sponsor:	Director of Global Safeguarding (Clifford Isabelle)
3	Date for adoption:	July 2019
4	Date for renewal:	July 2022
5	Approved by:	Trustee Safeguarding Group on behalf of Council
6	Geographical Scope:	Global
7	Confidentiality:	Policy statement can be made public

Policy Statement

Oxfam GB has a zero-tolerance policy towards sexual harassment, exploitation, and abuse. Oxfam will not tolerate its employees, volunteers, consultants, partners or any other representative associated with the delivery of its work carrying out any form of sexual harassment, sexual exploitation or sexual abuse. Oxfam GB commits to supporting survivors of any incidents where the perpetrator is an Oxfam GB employee or the incident is associated with the delivery of Oxfam GB's work.

Support can include psycho-social counselling, access to Oxfam's employee assistance programmes (where available, in relation to staff) and/or access to other appropriate support as needed. Survivors can choose when they would like to take up the support options available to them. Oxfam will strive to assist survivors access support where it is available that is sensitive and appropriate to the individual's needs and capacity. Oxfam also advocates for improvements in such support services.

Safeguarding (SG) Focal Points and the Global Safeguarding Team will use this Policy in conjunction with relevant employment/labour laws, duty of care and relevant criminal laws to inform decisions about how to respond to any complaints and concerns raised. For further advice, please contact your local SG Focal point. Safeguarding (SG) Focal Points and the Global Safeguarding Team will receive training on this Policy. This Policy also includes implementation plans.

Note: *This Policy does not form part of an employees' terms and conditions of employment and may be subject to change at the discretion of management.*

Associated Policies and Procedures

- One Oxfam Policy on Protection from Sexual Exploitation and Abuse
- One Oxfam Code of Conduct (2017)
- Oxfam Adult Safeguarding Policy
- One Oxfam Child Safeguarding Policy

- Misconduct Standard Operating Procedures

Scope

This Policy applies globally to all Oxfam GB employees and those associated with the delivery of Oxfam GB work (whether volunteers, consultants, or partners, where the abuse is associated with Oxfam's work). In countries where the policy contravenes local legislation, the local legislation must be followed with guidance from the Global Safeguarding Team and the Head of HR. Oxfam policy will apply where it is more stringent than local legislation. This policy will also apply to victims of Modern Slavery associated with Oxfam's work.

Outline and contents

The One-Oxfam Policy on Protection from Sexual Exploitation and Abuse (PSEA) and the One-Oxfam Child Safeguarding Policy outline Oxfam's aspiration to provide survivors of sexual harassment and sexual exploitation and abuse (SHEA) and Child Abuse with access to competent support services. **Recognizing that access to and availability of quality survivor support services will vary from one context to another, this Policy introduces a set of common definitions, principles, and steps related to supporting survivors/victims to access support.**

The Policy highlights:

- Core Principles of Survivor/Victim Support
- The kinds of support survivors/victims of SHEA and Child Abuse may need
- Implementation in UK
- Implementation in programme countries and international offices
- Training

- Monitoring

SURVIVOR/VICTIM ASSISTANCE

Did you know? Sexual harassment, exploitation, and abuse (SHEA) are forms of gender-based violence.

Survivors/victims of gender-based violence, including SHEA, may require specialised support services including:

- Medical assistance to treat injuries and support prevention of certain sexually transmitted infections like HIV;
- Psychological support, such as counselling, to address trauma and other long-term impacts of SHEA;
- Legal counselling to understand and provide advice on pursuing both legal and administrative claims;
- Immediate material assistance, such as shelter, clothing, or food, if, for example, a survivor/victim has had to relocate as a result of SHEA;
- Protection from ongoing situations of abuse and retaliation from reporting wherever possible.

Children require special support and protections. Children are people under the age of 18.

Core Principles of Survivor/Victim Support

Oxfam strives for a survivor-centred approach to SHEA and Child Abuse survivor/victim support. The following guiding principles should be placed at the core of provision of survivor/victim assistance and support. These guiding principles are interlinked and mutually reinforcing.

The principles and rights in this section should be implemented progressively, recognizing resource constraints. The Global Safeguarding Team will prioritize the principles and locations where they can be implemented, and will provide regular updates to the Trustee Safeguarding Group on the implementation process. We recognize that the availability of support varies from location to location, and that in some locations support is provided by the State, in others by civil society, etc. It would neither be possible nor desirable for Oxfam to substitute for that provision, but in determining prioritization we will have regard for the resources already available in each country.

Oxfam acknowledges that survivors of abuse may not report immediately where abuse has taken place. Oxfam will support survivors of abuse which has been perpetrated by Oxfam members of staff whenever it happened. Oxfam will also endeavour to support

“An individual is a victim regardless of whether the perpetrator of the violation is identified, apprehended, prosecuted or convicted [...]”

+ [Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law](#), (RES/60/147, V.9)

survivors of abuse which has been perpetrated by other people when such abuse is associated with the delivery of Oxfam GB's work.

Principle 1 : Respect, Dignity and Protection

Assistance and support for survivors/victims should be based on the guiding principles of **do no harm, confidentiality, safety** and **non-discrimination**. Every effort must be made to ensure the dignity of survivors/victims at all times.

Oxfam believes that support to the survivor/victim should be organized in a manner that allows survivors, as much as possible, to benefit from a relationship of trust, and reduces risks of further victimization (including retaliation) in the process of (i) reporting an incident, (ii) seeking assistance, as well as (iii) throughout and following the investigative process. This also applies to third party complainants who are not survivors, but who may require support in the aftermath of reporting a concern of SHEA or Child Abuse.

Principle 2: Assistance

Wherever possible, all survivors/victims should have access to support regardless of whether s/he wishes to make a complaint or participate in an investigation. A survivor/victim does not need to identify the alleged perpetrator, participate in an investigation, or prove that s/he was victimized in order to receive assistance. **The provision of assistance is not dependent on the outcome of an investigation.**

All forms of assistance and support should be survivor-centered, age and gender sensitive, and culturally appropriate, and should be provided through qualified services, programmes and networks that are contextually appropriate and in a manner that does not further isolate or stigmatize survivors/victims.

Survivors/victims should have a say over what assistance is appropriate, and information should be provided regarding their full range of options within the means available.

Principle 3: information, engagement, and participation

To the greatest extent provided under the local law, and wherever possible, Survivors/victims have the right to be informed not only of their rights, but of how their complaint will be managed, including any mandatory reporting requirements and case management procedures, wherever possible *prior to* sharing their story. Their informed consent to share information should be voluntarily and freely given based on a clear understanding of the facts, implications and future consequences of sharing information. Survivors/victims should be informed that they have the right to withdraw or change their minds at any time. These rights may be subject to legal constraints in different countries, and to Oxfam's obligations, but we should be transparent as far as we can in identifying those constraints and obligations.

Oxfam should strive to ensure that information about internal and external support services for survivors is made available to both staff and people in communities where Oxfam and its partners work. This will need to be progressively realised.

Survivors/victims should where practical be provided with information concerning their case, such as an investigation and measures to prevent future abuses. Oxfam will endeavour to ensure that survivors/victims are regularly informed of the status of their case should the survivor/victim consent, and be contactable.

Investigations into SHEA and child abuse allegations should be survivor-centred, effective, impartial, and transparent, and should be sufficiently independent of the alleged perpetrator(s).¹

¹ The Redress Trust: Sexual Exploitation and Abuse in Peacekeeping Operations: Improving Victims' Access to Reparation, Support and Assistance. Sept 2017, pg. 20

Access to health care (where appropriate):

Survivors/victims should where possible be referred to a health care provider located as closely as possible to the survivor/victim's home² that has the infrastructure, necessary supplies and trained clinical staff to provide free, safe and confidential clinical management of sexual assault in line with national and international standards, policies and guidelines, including:

- Providing confidential examination rooms;
- Obtaining informed consent;
- Performing physical examinations and providing treatment by a same-sex provider (including Post-Exposure Prophylaxis (PEP), emergency contraception if available, STI prevention and syndromic treatment; care of wound and life-threatening complications; and pregnancy counseling);
- Providing psychological first aid;
- Documenting injuries and keeping careful written records in the event the survivor chooses to pursue legal action. *(Note: Medical or any other information regarding a sexual assault should ideally not be kept in the personnel file of the survivor, unless at the survivor's request, and then only in a sealed envelope available only to those the survivor has designated).*

Access to psychosocial support:

Trained advisers in psychosocial support and other related support includes:

- Quality, safe and confidential psychological and psychiatric support (free if possible);
- Immediate material support (e.g. clothing, food, petty cash);
- Direct support or referrals for livelihoods opportunities;
- Direct support or referral to educational opportunities;
- Direct support or referral to safe shelter.

Oxfam staff who are survivors/victims of SHEA may also have access to international on-line/phone counselors contracted by Oxfam as part of an employee assistance programme. This should be progressively realized.

Access to legal counseling:

- legal counseling may include advice on decisions about whether to make a legal complaint in-country (which should rest with a survivor, and be informed by their assessment of their safety). While legal counseling may be available to the survivor, Oxfam should not place undue emphasis on formal justice systems as a mechanism of response.
- In cases where the survivor chooses to pursue criminal prosecution, advice on protection of survivors and their family members from secondary and repeat victimization, from intimidation and from retaliation may be facilitated through consultation with local legal, GBV, CP and other experts), as well as measures to

² Should a survivor have concerns of anonymity and wish to access support in a hospital further from her/his home, Oxfam should aim to ask whether there is access to a health care provider in a different location. This will not always be possible.

protect the dignity of survivors during questioning and when testifying (e.g. by supporting a victim advocate or case worker to accompany the survivor to legal proceedings). Advice may also include procedures established under national law for the physical protection of victims and their family members, if these are deemed safe.

- International staff may have access to their embassy where they can receive immediate support and referrals for legal advice based on their nationality.

Access to safety and security:

- In settings where police response is deemed survivor-centered (by GBV, CP and other local experts with whom Oxfam is coordinating), Oxfam offices could investigate referral to designated police personnel available for a survivor. Even when police response may be assessed as sub-standard, sharing accurate information about the likelihood that a case reported to the police will proceed to court and/or result in conviction is also important. Such information will help the survivor analyze the benefits versus costs or risks of reporting to the police.
- In countries where there is a mandate to report rape or other crimes deemed to pose a risk to others, the Safeguarding Focal Point should understand their responsibilities and inform the survivor of any and all mandates to report prior to taking a complaint so that the survivor can determine the information she/he wishes to share in the complaint.

Implementation in UK

In the UK the Global Safeguarding Team is able to direct survivors to sources of all 4 kinds of support.

Medical care is available on the NHS, international visitors should have medical insurance.

Victim Support <https://www.victimsupport.org.uk/> is a national charity providing advice on legal issues for victims of crime, and the Safeguarding Team can also refer to other specialist agencies who have networks of legal advisers (through Women's Advice networks).

The police throughout UK have designated personnel available for survivors.

In relation to shop teams, we can also make referrals to the Retail Trust www.retailtrust.org.uk

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Implementation in programmes globally

The support available varies widely from location to location, and often within countries. Local knowledge is crucial. The Global Safeguarding Team and Safeguarding Focal Points will do what they can to provide advice on the local support available.

In many countries where Oxfam works, there are existing GBV and Child Protection coordination mechanisms (working groups, networks, sectors, sub-clusters, etc.) that have referral pathways in place. Oxfam Offices, overseen by the Head of Office, therefore, have two main avenues to explore:

- Work with local GBV, CP and other experts to identify what services exist locally and how referrals can be made;
- Provide information about referrals for support for survivors/victims according to the referral pathway, share information about Oxfam case management procedures, agree on a clear follow-up plan and, where practical if requested, accompany the survivor to services.

Country Security Advice should be updated during the year to include contact points for local support where it has been identified, and to women's rights and GBV organizations.

Each country team and each Country Safeguarding Focal Point should create an Advice note to signpost available survivor support. This should where possible include the 4 kinds of survivor support: medical, psycho-social, legal and safety and security.

We recognize that in some locations it is harder to access support, and survivors may vary in the confidence they have in the available channels. Survivors can choose when they would like to take up the support options available to them. Oxfam will strive to facilitate access to support that is sensitive and appropriate to the individual's needs and capacity.

[Training[- TIMELINES TO BE CONFIRMED BY SGT until then not part of Policy]

This Policy will be included in the standard Oxfam safeguarding training course in English from [] 2019 [and in French and Spanish by []].

Safeguarding Focal Points will receive online or face to face training on this Policy by the end of [December 2019].

In 2020 we will develop training for Senior Managers, including Country Directors.

We will consult with survivor advocates in the revision of the training in 2020.]

Monitoring and Reporting on the Implementation of the Survivor Support Policy

Responsibility for monitoring the implementation of this policy rests with the Director of Global Safeguarding reporting to the Trustee Safeguarding Group.

The Global Safeguarding Team should carry out periodic reviews to include lessons learned and in appropriate cases would provide an opportunity for those involved in a case to provide confidential feedback. This feedback should be used to update this policy and shape future responses to SHEA and child abuse cases.

Hearing the voices of survivors in the development of policy

As we develop and mature measures intended to assist survivors, we should ensure we hear the voices of survivors where we can. This will partly be through the

learning of the Global Safeguarding Team, but also we should seek out and have dialogue with survivor advocacy groups.