

Preventing Sexual Exploitation and Abuse in the Kenya Refugee Program
Checklist
Draft

14 June 2005

This self-auditing tool is aimed to better inform your agency as to where it stands in relation to preventing sexual exploitation and abuse. The process will enable you to identify gaps and to provide guidance on the next steps the agency may need to take to strengthen its ongoing work in protecting those with whom we work.

IRC Kenya has developed this tool using a variety of checklists developed elsewhereⁱ. Because this is a pilot exercise, spaces are left at the end of each section for your agency to fill in additional checkpoints that may be relevant, so please provide feedback on the usefulness of the tool and the relevance of the checkpoints. The checklist exercise will be conducted in July 2005 and repeated in 2006 as a tool to measure progress for individual agencies as well as the Preventing Sexual Exploitation and Abuse in the Kenya Refugee Programⁱⁱ.

As part of ongoing efforts to strengthen the prevention of SEA in the Kenya Refugee program, the results of these checklists will be centralised and used to identify specific measures that, overall, agencies working with refugees in Kenya still need to focus on to strengthen the prevention of sexual exploitation and abuse.

For the purposes of this checklist, Code of Conduct refers to the *Code of Conduct for Humanitarian Workers in the Kenya Refugee Program*. Although this can also refer to the Agency's own Code of Conduct if it incorporates the Six Core Principlesⁱⁱⁱ that relate to sexual exploitation and abuse.

For each statement, tick the box which corresponds: **A = in place; B = partially done; C = not in place.**
 By grouping the results into Mostly As/Bs or Cs, this will provide an indication of your agency's progress.

PART ONE

ADMINISTRATION/MANAGEMENT

1	RECRUITMENT AND INTERVIEWS	A	B	C
A	The agency monitors the gender-balance of staffing and strives to be gender-balanced, at all levels of responsibility, in both main and sub-offices and amongst nationally and internationally contracted staff and refugee incentive workers.			
B	The Agency has reviewed impediments to achieving gender balance and implemented strategies to remove such obstacles.			
C	Training and written guidance on safer recruitment practices are provided for those responsible for recruiting and selecting staff.			
D	During the recruitment / interview process, the agency discusses the policies of staff/beneficiary relations and assesses interviewees responses to questions related to sexual relations with beneficiaries and vulnerability.			
E	References are rigorously gathered and follow a specific format / checklist. They should include questions about disciplinary actions.			
F	All agency staff contracts include the main principles of the Code of Conduct or have the Code of Conduct attached.			
G	All job advertisements reaffirm the agency's commitment to the Code of Conduct.			
H	Applicants must fill in job application forms, which require the applicant to give information about			

	criminal convictions, reasons for leaving previous jobs and periods when no employer is listed.			

2	ORIENTATION	A	B	C
A	There is a staff orientation process for all staff, including refugee incentive staff, which includes administrative procedures and human resources as well as programmatic and operational issues.			
B	Guidance is provided to new employees on the cultural context and appropriate behavior expected of staff.			
C	During the orientation process, the employee is rigorously taken through the Code of Conduct and the SEA complaints and investigations mechanisms. Staff are given the time to discuss and fully understand the policies and procedures. Staff formally acknowledge receipt and acceptance of the Policy and documents are kept on personnel files.			

3	HR MANAGEMENT	A	B	C
A	The agency has developed and incorporated into staff rules and regulations, appropriate disciplinary procedures for when violations of the core principles occur.			
B	The agency Code of Conduct has been reviewed to include the 6 IASC Core principles related to sexual exploitation and abuse.			
C	Job descriptions, employment contracts and performance appraisal systems etc. for managers have been revised to ensure adequate attention to their responsibility to prevent and respond to sexual exploitation and abuse.			
D	The agency considers rotation of existing field staff taking into consideration staff morale and motivation as a means to prevent long-serving field staff from abusing their positions.			
E	The agency has reviewed their policies and procedures for any weakness in managing disciplinary cases, survivor referral systems, and HR practices that may increase potential for abuses and has acted upon, or advocated for, change as necessary.			
F	Managers are required (and evaluated on their ability) to promote the standards outlined in the Code of Conduct to their subordinates and amongst their project beneficiary population.			
G	When references are requested by potential employers of existing or past employees, the policy is to share relevant information regarding the employee and proven SEA incidents.			

4	AWARENESS RAISING / TRAINING	A	B	C
A	The Code of Conduct (either the simplified or complete version) is displayed in all operational and office areas.			
B	The agency has distributed the Code of Conduct, in English or translated versions, to all staff.			
C	All existing staff have read and signed the inter-agency or agency Code of Conduct and have knowledge about the consequences of breaches.			
D	A manager is responsible for ensuring that a training strategy is being implemented to raise awareness of gender, GBV, human rights, SEA prevention and response and the Code of Conduct amongst all staff and how to report incidences, whether substantiated or not. (This includes consultants, contractors, incentive staff, security guards)			
E	Staff who have direct contact with beneficiaries receive more in depth			

	training on causes and consequences of GBV and SEA			
F	All relevant PSEA guidelines and reference materials are available in the field for staff reference.			
G	Employees with prolonged and largely unsupervised time with women and children are especially targeted for PSEA support, advice and training.			

5	REPORTING AND COMPLAINTS MECHANISMS	A	B	C
A	The agency has established, together with beneficiaries, a confidential and safe SEA reporting system suitable for staff and beneficiaries.			
B	All beneficiaries and staff, regardless of designation and work location know where and how they can make a complaint.			
C	A means to make anonymous SEA complaints is also available e.g. complaints box / telephone hotline.			
D	Staff who receive complaints are trained how to deal with complainants/ how to fill in the complaints referral form and advise on support services available.			
E	The IASC Model Complaints Referral form, or a similar form, is in use for receiving initial complaints.			
F	The agency has a clear and documented guideline on reporting cases to management.			
G	The agency promotes a culture and environment in which children and women are listened to and respected as individuals.			
H	The actions taken by the agency when an SEA case is reported are satisfactory.			

6	RESPONSE	A	B	C
A	The Agency promotes the development of a culture, which ensures that reported abuses are immediately reported upwards and acted upon.			
B	Responses are “survivor focused” keeping the needs of the survivor at the forefront of any investigation process.			
C	The agency responds to reported cases according to standard guidelines outlined in the IASC Model Complaints and Investigation Procedures and Guidance Related to Sexual Abuse and Sexual Exploitation.			
D	The agency ensures that all confidential information is channelled correctly and handled with the utmost discretion			
E	The Agency will coordinate investigations with other agencies when and if appropriate.			
F	The agency has a team of staff with the skills and expertise to investigate SEA cases.			
G	Administrative, logistical and psycho-social support is available to investigators to carry out their job properly.			
H	The agency provides feedback to the subject of the complaint / complainants / survivors on progress of investigations.			
I	The agency ensures that all cases are properly tracked and followed up to ensure that the survivor receives the optimum support required.			
J	Senior managers have a clear understanding about if, and when, to report a case to the police.			
K	Appropriate disciplinary action is always taken against perpetrators.			

L	Employees are evaluated on their performance when dealing with a SEA report.			

7	PREVENTION	A	B	C
A	The Agency has signed the Code of Conduct or the agency has its own Code, which incorporates the six principles related to sexual exploitation and abuse.			
B	The Agency has an action plan in place for mainstreaming PSEA.			
C	Identification of PSEA strategies is a participatory process involving all staff as opposed to a top-down approach.			
D	Strategies to reduce risks are integrated into regular programme planning, monitoring and evaluation processes.			
E	Project work plans incorporate PSEA.			
F	Project implementation does not, at any time, create opportunities for the increased vulnerability of beneficiaries nor the opportunity for false allegations by beneficiaries.			
G	The agency has undertaken a gender analysis of all programs to ensure gender sensitive programming and implementation.			
H	The agency ensures that basic services and goods are adequate.			
I	PSEA awareness and sensitivity is mainstreamed in all programmatic activities.			
J	Budgets include PSEA funding lines for promotional materials/trainings etc.			
K	The agency promotes regular interaction between beneficiaries and senior staff.			

8	MONITORING AND EVALUATION	A	B	C
A	The agency has established procedures for monitoring incidences, to better identify trends and improve the assessment of program risks.			
B	Regular programmatic monitoring and evaluation incorporates PSEA as a matter of course.			
C	Supervisory staff visit sites of affected populations and report on progress made to reduce sexual exploitation and abuse.			
D	Regular evaluations of assistance (distribution of commodities, health services, education) take place with significant participation of beneficiaries.			
E	Senior managers regularly visit the field.			

9	COMMUNITY AWARENESS RAISING	A	B	C
A	The agency has strengthened the mass information systems to ensure that all beneficiaries regardless of sex, age and ability, receive information in appropriate forms, that goods and services are their entitlement and do not require payment of any kind.			

B	The agency has disseminated the Code of Conduct amongst the communities with which it works and community leaders can advise their communities on the Code and the reporting mechanisms.			
C	The agency ensures that translated copies of the Code of Conduct are freely available to beneficiaries			
D	Information on complaints mechanisms are displayed prominently at service delivery sites and translated into local languages.			
E	The agency ensures that field staff have the ability to promote and encourage standards of accountability and Code of Conduct to the beneficiaries in their programs.			
F				

10	COORDINATION	A	B	C
A	A focal point within the agency has been appointed for the implementation / follow up of PSEA activities.			
B	The agency has strengthened collaboration and coordination among all sectors and implementing partners in addressing SEA with emphasis on the needs of the survivors; e.g., case management, advocacy and emotional support.			
C	The PSEA focal point or her/his alternate attends regular coordination meetings with all actors to ensure a concerted effort in prevention and response to sexual exploitation and abuse.			

11	EXTERNAL/IMPLEMENTING PARTNERS	A	B	C
A	All contracts with external implementing partners or service providers (including transporters, warehouse staff, guards) incorporate the core principles of the Code of Conduct as part of the agreement.			
B	It is written into the contract that any violation of the Code of Conduct by that partner can result in termination of contract.			
C	All implementing partners are aware that they are responsible for ensuring the Code of Conduct is made known to the beneficiary community with whom they are working.			
D	All partners and GOK officials participate in SEA trainings offered by the agency.			

TOTALS		A	B	C

**PART TWO
SECTORAL**

“The potential risk of abuse and exploitation is increased markedly, where basic goods and services are inadequate or unpredictable” Warburton, RSQ 2004

This part of the checklist draws heavily on various tools but draws most from the work of NRC, IRC, UNHCR, DRC and OCHA in drafting the Camp Management Toolkit (2004) <http://www.nrc.no/NRC/eng/frames/camp.htm> and the Inter-Agency Standing Committee (draft for peer review, 2005) Guidelines for Gender-Based Violence Interventions in Humanitarian Settings. Agencies are advised to further consult these tools for more guidance.

12 FOOD DISTRIBUTION	A	B	C
A	The agency has reviewed the composition of the food basket and undertaken an assessment of food qualities, food accessibility, cultural food practices, and additional food needs to ensure they are adequate to the refugee needs.		
B	Women (beneficiaries and staff) are involved in the food distribution process.		
C	There are proper monitoring procedures of food distribution at, and also beyond, the distribution site.		
D	Food distributions take place in an open space.		
E	Problems and issues arising from the distribution are handled by more than one person, including a female employee.		
F	The nutritional status of the population is monitored and assessed by gender and age to ensure adequate distributions are made to the most vulnerable.		
G	There is a special system in place to facilitate the distribution of food to vulnerable individuals.		
H	At food distribution points clear information is provided on the timing and contents of food distributions; what to do if the ration card is lost; that aid is free; what complaints mechanisms exist.		

13 LOGISTICS COORDINATION	A	B	C
A	Appropriate means of transportation is provided to vulnerable beneficiaries and appropriate escorts are provided where necessary to provide security.		
B	The agency ensures that female employees are involved when providing transport to vulnerable beneficiaries.		
C	Beneficiaries feel comfortable when approaching the logistics department for assistance.		
D	In logistics offices clear information is provided on the services provided; that aid is free; what complaints mechanisms exist.		
E	There is an open door policy for all meetings between beneficiaries and logistics staff.		

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14 NON-FOOD ITEMS (NFIs)		A	B	C
A	The agency provides clothing, including underwear, and shoes for refugees (with priority granted to refugees at risk, such as adolescent girls).			
B	The agency provides fuel-efficient stoves to households to reduce the need for firewood and the associated risks to girls/ women when collecting firewood.			
C	The agency provides security to girls and women when they are collecting firewood.			
D	There are proper monitoring procedures of NFI distributions at, and also beyond, the distribution site.			
E	Women (refugee and staff) are involved in the NFI distribution process.			
F	Distributions take place in an open space.			
G	At distribution points clear information is provided on the assistance provided; that aid is free; what complaints mechanisms exist.			

15 WATER AND SANITATION		A	B	C
A	The agency has ensured that water points, latrines, and other facilities (schools, health posts etc) are located in secure areas and that they are within easy walking distance from private shelters.			
B	The agency has ensured that sanitary facilities, bathing areas, in particular, are well demarcated and separated for female/male use			
C	Women are consulted in locating and designing latrines.			
D	The agency monitors queues at water points to assess effectiveness and security of service delivery.			
E	Special measures are in place to ensure provision of water to those with access / movement difficulties, e.g. the old and disabled.			
F	At public facilities, information is displayed that aid is free and what the complaints mechanisms are.			

16 HEALTH		A	B	C
A	The agency involves female and male community members in addressing issues of SEA.			
B	The agency has identified and trained young women to be able to identify the needs of sexually exploited and abused young women for referral to health posts.			
C	The agency has intensified the dissemination of information and promotion of the use of health services through the use of radio, schools, health and social clubs, peer education, and community health workers.			
D	The agency collaborates with traditional health practitioners to identify, report, refer and provide adequate primary-level support to survivors			
E	The agency has identified the gaps and designed strategies to address factors contributing to SEA in health facilities.			
F	Medical examinations and treatments are performed by staff trained in SEA and/or GBV, ideally from			

	the same sex as those in need of the services. Alternatively, another medical professional of the same sex is present.			
G	The agency has worked with and trained all health personnel to ensure full understanding of the relationship between SEA and health problems.			
H	The agency has trained staff in following the appropriate protocols for treating SEA survivors.			
I	The agency has trained health staff to identify and report SEA cases.			
J	There are mechanisms through which men and women can confidentially channel their opinions on how to improve or make health services more accessible to survivors.			
K	The agency collects disaggregated data by sex, age and ethnicity to ensure fair and equal access to services.			
L	The agency ensures that appropriate protocols and adequate equipment, supplies, and medicine are used during the examination to avoid further damage/injury.			
M	Comprehensive health care is easily accessible to SEA victims.			
N	The agency ensure that employees testify in court about medical findings if the survivor chooses to pursue police action.			
O	At all health facilities clear information is provided that aid is free; what complaints mechanisms exist.			

17 PSYCHOSOCIAL CARE		A	B	C
A	Safe and confidential counselling services are provided.			
B	Procedures are instigated to ensure that staff and clients are safe during consultations (e.g. open door policy).			
C	Records are kept in a secure place with limited access.			
D	As far as possible beneficiaries see counselors and use translators of the same sex			
E	Clear information is provided at the service center that aid is free; what complaints mechanisms exist.			

18 INFRASTRUCTURE AND SHELTER		A	B	C
A	In cooperation with beneficiaries the agency has reviewed shelter needs for vulnerable groups to ensure protection and privacy.			
B	The agency distributes additional plastic sheeting and other construction materials as required.			
C	The agency ensures access to assistance for shelter construction for those unable to construct shelter for themselves, especially female-headed households.			
D	There are female employees within the sector.			
E	New buildings are designed to ensure maximum protection for those who will use the spaces.			
F	Lighting is provided on key access routes and at key facilities.			
G	In offices clear information is provided that describes how shelter is allocated; that aid is free; what are the complaints mechanisms.			

19 CAMP MANAGEMENT		A	B	C
A	Camp leaders are elected fairly for a specified period of time.			
B	There are rules outlining how often a person can be re-elected.			
C	Male and female camp leaders are accorded equal respect and have equitable responsibilities.			
D	Gender awareness training is provided to all staff to ensure that women’s participation is real.			
E	Camp leaders recognise that they are also humanitarian workers and sign a Code of Conduct.			
F	Beneficiaries have an independent grievance committee for making complaints against leaders.			
G	There is a system for ensuring that all relevant information required by beneficiary communities is transmitted via all the appropriate languages and widely disseminated, to ensure that minority groups are not marginalized.			
H	All women refugees and unaccompanied minors are registered independently.			
I	Refugee status determination is completed as speedily as possible.			
J	There are sufficient women in camp management positions of responsibility.			
K	Information on refugees/beneficiaries is stored securely with access only to specified staff.			
L	Information on camp populations is disaggregated by sex and age and monitored.			
M	A Gender analysis has been carried out on the beneficiary population, which covers ethnic and traditional practices, which might place women and children at risk.			
N	The host community is involved as far as possible in decisions related to the camp.			
O	There is an open door policy for all meetings between beneficiaries and camp management staff			
P	Host communities are also provided with information regarding their rights, access to services and complaints mechanisms.			

20 COMMUNITY SERVICES		A	B	C
A	The agency has developed mechanisms to ensure systematic monitoring of the specific needs of the most vulnerable persons and of solutions that are being implemented to address these needs.			
B	The agency has identified, trained and supported community-based support workers to help survivors by providing emotional support, information about choices and services available, referral and advocacy.			
C	The agency has developed specific programs for survivors of SEA and their families.			
D	The agency, in collaboration with health actors and refugee women, has established “drop-in” centres where survivors can receive confidential and compassionate listening, counselling, support and advocacy.			
E	Community services personnel are easily accessible to all beneficiaries.			
F	There is an open door policy.			
G	Care of unaccompanied minors is given priority. Carers are identified carefully.			
H	At community services offices clear information is provided on that aid is free; what are the complaints			

	mechanisms.			

21 EDUCATION		A	B	C
A	The agency promotes increased levels of school attendance at primary / secondary level.			
B	The agency has adapted existing education programs to address the issue of SEA (life–skills training, peace education) and detect survivor’s problems.			
C	The agency has built safe guards into education structures to ensure that SEA does not take place within the school system, e.g. through paying attention to recruitment and monitoring of teachers; increasing the number of female staff; and monitoring one on one teacher/pupil time; design of building and facilities.			
D	Teachers and other school staff are trained on the Code of Conduct and have signed it.			
E	The agency raises awareness among beneficiaries on the importance of education for all children.			
F	Disaggregated data is collected and analysed on school attendance figures. Anomalies are researched and addressed.			
G	Parents and pupils and education staff know how to report SEA cases in schools.			
H	The agency has special provisions for unaccompanied girl children (e.g. providing uniforms, supplies and examination fees) to ensure that they do not become vulnerable to SEA.			
I	The agency has established non-formal education / vocational training programs targeting those most vulnerable.			
J	The agency has taken action to use school as a way to sensitize children on SEA and to identify SEA incidences.			
K	Parent Teacher committees are established to provide a forum to discuss a range of issues including SEA.			
L	At all educational facilities (classrooms, teachers offices, latrines) clear information is provided on that aid is free; what complaints mechanisms are available to the pupils.			

22 INCOME GENERATION		A	B	C
A	Income generating activities are implemented for those most vulnerable to SEA.			
B	The agency promotes income-generating activities to reflect needs of beneficiaries e.g. soap, vegetables, and other assets not provided in normal assistance distributions.			
C	Female employees are involved in the decision making on how to disburse loans/funds.			
D	In offices clear information is provided on the way services are allocated; that aid is free; which complaints mechanisms are available.			

23 YOUTH AND RECREATION		A	B	C
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A	Appropriate facilities are located close to the sports ground (separate washing facilities for boys and girls; drinking water).			
B	Safe child care facilities are provided so that mothers can participate.			
C	Recreational activities are supervised and monitored.			
D	Youth groups and youth leaders are promoted.			
E	At recreation facilities, clear information is provided on the way services are allocated; that aid is free; which complaints mechanisms are available.			
F	Youth and recreational activities are targeted as a means to raise awareness of, and identify, SEA.			

24 LEGAL ASSISTANCE AND PROTECTION		A	B	C
	<i>Legal Environment</i>			
A	The agency widely publicizes that a ‘child’ is anyone under the age of 18.			
B	All refugees receive an individual identity card.			
C	The agency has undertaken a review of the existence and implementation of adequate legislation ensuring both protection of women’s and children’s rights and the prosecution of perpetrators of SEA.			
D	The agency has lobbied the government to ensure that the workers they second to the refugee camps sign and adhere to a governmental Code of Conduct.			
E	Training is given to all police and security services on refugee and human rights, SEA and GBV.			
F	The agency has lobbied with the government to ensure that abuses by national police and security forces are prevented and effectively prosecuted if they occur.			
G	The agency ensures that the national police and security forces posted to the refugee camps have high standards of professional ethics and understand their role as humanitarian workers.			
H	The national police and security officers have records/background checks done before being posted to refugee camps.			
I	Beneficiaries are aware of provisions/entitlements related to SEA.			
J	All protection staff know the Code of Conduct and have received specialist training in gender; GBV, PSEA.			
K	Each Head of Office ensures that protection staff are above reproach; detailed reference checks are carried out.			
L	At offices clear information is provided on that aid is free; what complaints mechanisms exist.			
	<i>Legal Justice (police and national courts)</i>			
M	The agency provides the services of a lawyer for the SEA victims when the victim wishes to take the case to court.			
N	The agency ensures that the somebody accompanies the survivor to the police station and court.			
O	Whenever possible, the agency engages same sex advisers, interpreters, and police interviews for following up on reports.			
P	The agency advises the survivor on the consequences of her decisions and the importance of taking legal			

	action against the perpetrator.			
Q	The agency counsels the survivor on the applicable law, procedures, evidentiary requirements, and likely time frame of a court proceeding.			
R	The agency prepares the survivor about what to expect in court, the type of questions likely to be asked, and the general insensitivity she may face along the way.			
S	The agency ensures that the rights of the survivor are promoted and protected throughout the legal process.			
T	The agency follows up closely with the police / prosecutors to ensure rigorous prosecution of SEA crimes, with minimal delays and disruptions to the process.			
U	The agency discourages the survivor from pursuing justice through traditional courts but provides support if this is the chosen channel, ensuring as far as possible that procedures and processes are fair and just.			

25 SECURITY		A	B	C
A	The agency organizes training and sensitization for the security enforcement agencies on SEA, human and refugee rights, national laws, reporting and referral mechanisms as well as prevention at the field level.			
B	A security assessment has been undertaken to identify the SEA risk factors in the camp and its surroundings and to address with agencies/authorities the potential risks appropriately.			
C	The agency advocates with the authorities to establish and strengthen police posts as necessary, including regular patrols, to increase camp security and protect vulnerable refugees.			
D	The agency advocates / campaigns for the inclusion of female employees in the law enforcement sector working in the camps.			
E	The agency holds regular meetings with the security forces to deliberate on how to reduce SEA risks within the camp.			
F	Community members and especially women are also actively involved in security matters in the camp.			
G	In offices and security gates clear information is provided that services are free; what complaints mechanisms exist.			

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Sources:

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ⁱⁱ A BPRM funded inter-agency project: IRC, CARE, FilmAid International and UNHCR
ⁱⁱⁱ Six Core Principles as noted in the Secretary-General’s Bulletin Special measures for protection from sexual exploitation and sexual abuse, 9 October 2003, ST/SGB/2003/13