

Chapter 3 Human Resources

Sub-Chapter 3.11 Conduct and Disciplinary Measures

3.11.7 Preventing and Responding to Sexual Misconduct

Annex A: Accountability for Preventing and Responding to Sexual Misconduct

Category 1 Applies to:	Accountability for Preventing and Responding to Sexual Misconduct All PAHO Personnel
All PAHO personnel	- Honor and uphold PAHO's Oath of Office. Abide by the Standards of Conduct for the International Civil Service, PAHO Staff Regulations and Staff Rules, policies and related guidelines and procedures, and set a good example in line with the PAHO Code of Ethical Principles and Conduct (Code of Ethics – POL 3.11.5). - Never engage in, or encourage others to engage in, sexual misconduct. - Never retaliate against anyone who has reported a concern of sexual misconduct, participated in an investigation or audit, or has solicited guidance, advice, or an informal or formal resolution of a concern of sexual misconduct. - Obtain the knowledge and skills to enable you to fulfill your role in the prevention and response to sexual misconduct. Complete mandatory training and role-specific training and participate in raising awareness and risk assessment activities. - Demonstrate and uphold the zero-tolerance policy by: - Reporting sexual misconduct as soon as it is witnessed or when there is a concern about such misconduct by emailing investigations@paho.org, or through the Speak Up! Reporting Portal. - Cooperating fully with investigations and maintaining confidentiality, sharing information only with the Investigations Office (INV) and those who are authorized to receive it.
Category 2 Applies to:	Accountability for Preventing and Responding to Sexual Misconduct Managers (all personnel with supervisory responsibilities)
Managers (including Team Leads, Unit Heads, Coordinators, etc.)	<i>In addition to Category 1 accountabilities:</i> - Promote the Preventing and Responding to Sexual Misconduct (PRSM) policy (POL 3.11.7): Maintain an open dialogue with all personnel you supervise and ensure that the policy is understood and applied; share information on prevention and the response to sexual exploitation and abuse and sexual harassment (PRSEAH), including relevant events and requirements; support implementation of a victim-centered approach; and request PRSEAH Advisors and Focal Points and other relevant entities to support such interactions when additional support is needed. - Uphold and promote the duty to report sexual misconduct, and the Organization's obligations to protect personnel from retaliation, maintain confidentiality of the parties and processes, and respect due process.

	- Ensure that the learning objectives of teams and personnel related to the prevention of and response to sexual misconduct under your supervision are met and updated as required. - Contribute to assessments of sexual misconduct risks and develop related mitigation plans as needed. - When organizing events, promote use of PAHO's sexual misconduct awareness video to inform participants of the expected standards of conduct.
Category 3 Applies to:	Accountability for Preventing and Responding to Sexual Misconduct Incident Managers and Field Coordinators for Emergency Operations
Incident Managers and Field Coordinators for Emergency Response Operations	<i>In addition to Category 1 and 2 accountabilities:</i> - Integrate PRSEAH in the graded emergency response operations in line with related tasks and key performance indicators (KPIs) in the Institutional Response to Emergencies and Disasters (IRED) and based on assessed risks for the emergency. - Ensure resource mobilization efforts incorporate PRSEAH interventions, appropriate risk-based resources and staffing for the prevention and response to sexual misconduct throughout operations, and integrate the SEAH (sexual exploitation, abuse, and harassment) risk mitigation plan into strategic response plans and donor proposals. - Provide management and administrative oversight, including supervision of the dedicated PRSEAH technical expert in the emergency response operations. - Ensure that basic sexual misconduct safeguarding measures are conducted, such as ensuring that all emergency response personnel have 1) completed required mandatory PRSEAH training; 2) been cleared by the Department of Human Resources Management (HRM) in the UN Clear Check database; 3) received briefings and refresher training and know of PAHO's standards of conduct; and 4) are familiar with relevant policies and PAHO's Code of Ethics.
Category 4 Applies to:	Accountability for Preventing and Responding to Sexual Misconduct PWRs/Heads of PAHO Country Offices and Centers
PAHO Representatives/ Heads of PAHO Country Offices and Centers	<i>In addition to Category 1 and 2 accountabilities:</i> - Appoint and support at least one Prevention of and Response to Sexual Misconduct (PRSEAH or PRS) Focal Point (minimum 20% full-time equivalent) in line with the PRSM policy. - Coordinate with the Incident Manager to ensure dedicated PRSEAH capacity in emergency operations. Ensure the completion of at least one annual assessment of sexual misconduct risks (update as required), and develop, implement, and document related mitigation plans as required by the Organization. - Ensure that financial resources for the implementation of sexual misconduct risk mitigation plans are included in Country Office/Center budget planning processes in coordination with a PRSEAH Advisor.

	4. Participate proactively in United Nations action on PRSEAH under the coordination of the UN Resident Coordinator/Humanitarian Coordinator (UN RC/HC) and ensure PAHO PRSEAH Focal Points are collaborating on interagency PSEA/PRSEAH/PRS mechanisms, workplans, and actions. 5. Monitor the fulfillment of all requirements for safeguarding against sexual misconduct in emergency response operations and other community-facing operations, as defined by relevant KPIs. 6. Apply PAHO's PRSEAH guidance on sharing information of allegations of sexual exploitation and abuse (SEA) with UN RC/HC. 7. Facilitate the provision of victim support as requested by the PAHO-mandated officials (PRSEAH/INV/HRM) and/or UN Victim Rights Advocate. 8. Ensure that all new personnel and collaborators in country receive briefings and training on preventing and responding to sexual misconduct and ensure that refresher training is provided as needed. Ensure they are informed of complaint mechanisms and services that can be accessed safely if they experience sexual misconduct. 9. Ensure information on PRSEAH and reporting mechanisms is available in community-facing operations. 10. Ensure the capacity of non-governmental implementing partners in the prevention and response to sexual misconduct is assessed and recorded in the UN Partner Portal and that capacity development support is provided to implementing partners, as relevant. 11. Co. Coordinate, as appropriate, with relevant government entities to strengthen efforts to prevent and respond to SEAH in PAHO-supported operations, including through information sharing, risk-informed collaboration, awareness of expected standards of conduct, and support for safe and accessible reporting and referral pathways. 12. Provide an annual update of progress on PRSM-related actions to the Director as part of the Letter of Representation, which is shared with WHO's Director General for certification to the UN Secretary General.
Category 5	Accountability for Preventing and Responding to Sexual Misconduct
Applies to:	Chief, Investigations Office (INV)
Managers with key responsibilities in prevention and response to sexual misconduct:	<i>In addition to Category 1 and 2 accountabilities:</i> 1. Ensure the efficient functioning and safe access to the Speak Up! Reporting Portal for the reporting of allegations of sexual misconduct to INV. 2. Ensure that allegations of sexual misconduct are addressed in accordance with PAHO's regulatory framework for addressing misconduct, including timeframes and key performance indicators stipulated therein: a. Keep victims informed of assistance and support available from PRSEAH Advisor(s) and Focal Points, and for protection from retaliation throughout the investigation process. b. Provide regular updates on the status of the investigation to victims and subjects according to KPIs.

Chief, Investigations Office	c. Share recommendations and lessons learned from unsubstantiated cases through relevant internal channels and across appropriate levels of the Organization, to strengthen coordination and communication and to identify potential policy or operational shortcomings and any need for preventive or corrective measures. d. Even in the absence of formal complaints and where there is no conflict of interest, provide adequate information to decision makers to enable appropriate action to be taken on matters that suggest that incidents and patterns of behavior of personnel pose a clear and ongoing threat to others. e. For substantiated cases, ensure the decision maker receives a thorough investigation report in a timely manner in line with PAHO Policy 1.6.5 Investigation Protocol. 3. Ensure all investigative actions are recorded in INV's case management system, including the identity of the investigation participants; the content of the allegations; all relevant communications and notifications; and any final reports and administrative actions taken in the case. 4. Ensure information-sharing commitments are met: a. Share information on SEA allegations in accordance with the UN information sharing protocol and pertinent PAHO standard operating procedures (SOPs). b. Facilitate information sharing with heads of PAHO Country Offices and Centers for SEA allegations, with expedited priority to immediately inform on allegations when pertaining to PAHO's emergency response in humanitarian contexts. c. Update PAHO's INV and WHO's IOS dashboards monthly, with Regional Office for the Americas (AMRO) information provided through the latter. d. Conduct data analysis to identify trends and systems improvement. 5. Other a. Provide supplemental screening on request from HRM for PAHO personnel prior to a promotion or changes in assignments, certifying that there are no outstanding allegations of sexual misconduct against them. b. Ensure that investigators and related officials have baseline and refresher training and apply protocols for victim-centered investigations.
Category 5 Applies to:	Accountability for Preventing and Responding to Sexual Misconduct Director, Department of Human Resource Management (HRM)
Managers with key responsibilities in prevention and response to sexual misconduct:	<i>In addition to Category 1 and 2 accountabilities:</i> 1. Ensure that cases of misconduct or wrongdoing are addressed in a fair, impartial, and confidential manner, in accordance with applicable policies and procedures, and with full respect for due process and the rights of all parties involved. 2. Ensure KPIs related to charges of sexual misconduct and disciplinary measures are monitored for the post-investigation phase:

Director, Department of Human Resources Management	a. Ensure the tracking of end-to-end process data points and analyze and address bottlenecks in their own area of responsibility and highlight relevant information to other accountability functions. 3. Related information sharing and communication: a. Ensure the updating of data in the UN Clear Check database in accordance with SOP 3.11.2a. b. Ensure the victim is informed of the conclusion of the case following notification of the decision to the subject of an investigation. c. Ensure adequate support to managers, victims, witnesses, and those returning to active service following administrative leave after unsubstantiated allegations of sexual misconduct or related charges. d. Monitor and take action to rebuild a conducive work environment and provide support to manage potential conflict arising from transition upon return to active service of personnel previously on administrative leave against whom allegations of sexual misconduct are not substantiated. e. Ensure that the public dashboard on disciplinary measures of WHO is updated monthly for PAHO/AMRO. 4. Other safeguarding actions: a. Ensure a dedicated focal point liaises with cost center managers to screen and clear all personnel hired through the HRM contract matrix, including those deployed to country-level operations, through the UN Clear Check database and similar databases, as applicable, before recruitment. b. Ensure that candidates for PWR or senior-level positions are also screened by INV and the Ethics Office (ETH) for any reported allegations of sexual misconduct and for any prior substantiated findings of sexual misconduct. c. Manage and ensure compliance with sexual misconduct-related mandatory training and report compliance on a semi-annual basis. d. Ensure all induction programs across the Organization include a module on the prevention of and response to sexual misconduct. e. Report on the achievement of gender parity targets at all levels of the Organization in accordance with the UN System Wide Accountability Framework (UN-SWAP).
Category 5 Applies to:	Accountability for Preventing and Responding to Sexual Misconduct Ombudsperson (OMB)
Managers with key responsibilities in prevention and	1. Manage informal resolution of sexual harassment where the victim so chooses. 2. Include anonymized data and trends pertaining to sexual harassment in the annual report of the Ombudsperson and contribute to reports of other members of the Integrity and Conflict Management System (ICMS) as needed.

response to sexual misconduct: Ombudsperson	3. Document agreements between parties of a facilitated discussion in accordance with best practice and applicable confidentiality standards.
Category 5 Applies to:	Accountability for Preventing and Responding to Sexual Misconduct Manager, Ethics Office (ETH)
Managers with key responsibilities in prevention and response to sexual misconduct: Manager, Ethics Office	<i>In addition to Category 1 and 2 accountabilities:</i> 1. PRSEAH: a. Oversee PRSEAH program implementation, including victim services and support. 2. Ethics and standards of conduct: a. Ensure that PAHO Standards of Conduct and policies are available and accessible to all personnel. b. Ensure training on ethical conduct is delivered on induction and refreshed at regular intervals to support the prevention of sexual misconduct by addressing root causes. c. Ensure that services and support are made available to victims upon request or referral. 3. Compliance and risk management: a. Provide tools to technical departments and Country Offices for them to assess sexual misconduct risks when examining collaboration requests by third parties. b. Monitor compliance with the PRSM policy, using assessments or other mechanisms as appropriate, and report on progress and gaps at regular intervals.
Category 5 Applies to:	Accountability for Preventing and Responding to Sexual Misconduct PRSEAH Advisor(s)
Managers with key responsibilities in prevention and response to sexual misconduct: Advisor(s), Preventing and Responding to Sexual Misconduct	<i>In addition to Category 1 and 2 accountabilities:</i> 1. Related to policy and strategy: a. Ensure coordination of sexual misconduct prevention and response interventions in all accountability functions, programs, and operations across all levels of the Organization. b. Ensure integration of UN system-wide recommendations adopted by PAHO and maintain and coordinate the updating of rules, policies, procedures, systems, mechanisms, tools, etc. for preventing and responding to sexual misconduct. c. Lead implementation and socialization of the PRSM policy. d. Ensure capacity development and continuous learning of the global network of PRSEAH Focal Points. e. Ensure timely support for the implementation of policy and accountabilities is provided to senior managers.

	f. Ensure timely advice and support to field operations, including but not limited to the PAHO Health Emergencies Department. g. Provide regular updates to PWRs and Director, HRM on the implementation of the UN Protocol on Allegations of SEA involving Implementing Partners and on efforts to assess and strengthen their capacity to address sexual misconduct. h. Provide regular updates and support to the Director's Office and ICMS on issues related to the prevention of and response to sexual misconduct. 2. Related to sexual misconduct case management: a. Ensure that all accountable and responsible officials have information on and instructions for the provision of victim and survivor support services. b. Consult with relevant internal stakeholders on communications of high-profile sexual misconduct cases/incidents that are at risk of being in the public domain. c. Ensure the Survivor Assistance Fund is used effectively and in the best interest of victims. d. Ensure regular communication with victims for required support during and in the post-investigation phase. 3. Related to information sharing and communication: a. Together with relevant stakeholders involved in addressing sexual misconduct, ensure that all communication with victims is conducted in accordance with applicable PAHO policies and KPIs and that victims are offered appropriate services at each interaction. b. Ensure timely information on sexual misconduct cases is received from INV and transmitted to PWRs to fulfill requirements to inform relevant UN RC/HCs. c. Prepare Member State briefings on progress and challenges for victim services and support and prepare information on sexual misconduct prevention and response for Governing Body meetings. d. Support external communication with media on sexual misconduct allegations. e. Collaborate with the Office of the Legal Counsel (LEG) and other relevant stakeholders as needed to ensure communication and information-sharing obligations are met with donors. 4. Country Support: a. Support Country Focal Points to deliver on sexual misconduct risk assessment exercises and mitigation plan development and implementation. b. Ensure the elaboration of country-level and regional workplans that facilitate the implementation of the PRSM policy. c. Ensure that PWRs are kept informed of progress red flags and challenges at least monthly and receive strategic and programmatic advice on sexual misconduct prevention and response as needed. d. Ensure PRSEAH Focal Points are trained and supported.
--	--

	e. Regularly check with PRSEAH Focal Points and Country Offices that basic safeguarding measures are implemented in all countries and that any shortcomings are communicated to relevant stakeholders to mitigate risk and strengthen prevention of sexual misconduct. f. Ensure provision of expertise in high-risk situations and health emergency operations as required by the Incident Manager or Program Manager and in line with the provisions in PAHO's Institutional Response to Emergencies and Disasters (IRED) and Inter Agency Standing Committee (IASC) PSEAH framework. g. Ensure prevention activities in Country Offices including the assessment and mitigation of sexual misconduct risks. h. Participate in regular networking and learning activities for prevention and response to sexual misconduct.
Category 5 Applies to:	Accountability for Preventing and Responding to Sexual Misconduct Director of Procurement and Supply Management
Managers with key responsibilities in prevention and response to sexual misconduct: Director of Procurement and Supply Management	<i>In addition to Category 1 and 2 accountabilities:</i> 1. Ensure that all procurement contracts include sexual misconduct prevention and response requirements and that appropriate measures are taken, in accordance with the contractual terms and conditions.
Category 5 Applies to:	Accountability for Preventing and Responding to Sexual Misconduct Director, PAHO Health Emergencies Program
Managers with key responsibilities in prevention and response to sexual misconduct: Director, PAHO Health Emergencies Program	<i>In addition to Category 1 and 2 accountabilities:</i> 1. Ensure that the PAHO Institutional Response to Emergencies and Disasters (IRED) addresses the risk of sexual misconduct in emergency work, ensure its dissemination across the Health Emergencies community, and review progress in the implementation of KPIs to facilitate reporting to PAHO's Governing Bodies and other relevant bodies as needed. 2. Ensure that funding under the PAHO Emergency Disaster Fund and the PAHO Epidemic Emergency Fund includes a plan and budget for preventing and responding to sexual misconduct, to enable the integration of PRSEAH activities in field responses requiring specific safeguarding measures. Ensure that requests to WHO for funding from the WHO Contingency Fund for Emergencies (CFE) also include the required plan and budget for PRSEAH activities.

	3. Ensure core capacity is established within PAHO Health Emergencies for safeguarding in health emergency response and advocate with donors for additional funding for PRSEAH work in graded emergencies. 4. Ensure that all key health emergency response partner entities (regional) deployed to support PAHO emergency operations have completed mandatory training and been briefed on PAHO's requirements for preventing and responding to sexual misconduct.
Category 5	Accountability for Preventing and Responding to Sexual Misconduct
Applies to:	Unit Chief, Emergency Operations
Managers with key responsibilities in prevention and response to sexual misconduct: Incident Management Support Team Unit Chief Emergency Operations	<i>In addition to Category 1 and 2 accountabilities:</i> 1. Advocate for and support integration of PRSEAH in emergency operations. 2. Advocate for resources (financial and human resources) for PRSEAH implementation in emergency operations. 3. Report and communicate on the progress of PRSEAH implementation in emergency operations in the Region.
Category 6	Accountability for Preventing and Responding to Sexual Misconduct
Applies to:	PRSEAH Focal Points
Personnel with key responsibilities in prevention and response to sexual misconduct: PRSEAH Focal Points	<i>In addition to Category 1 and 2 accountabilities, with the support of the PRSEAH Advisors and under the leadership and general guidance of the PWR or Center Director:</i> 1. Function as in-country PRSEAH point of contact/liaison: a. Ensure all PAHO Country Office and Center personnel know about what constitutes sexual misconduct, mandatory reporting obligations, victim services and support, and how to report allegations to INV. b. Develop and implement the PRSEAH country action/risk mitigation plans and ensure integration into country Biennial Workplans (BWPs). c. Contribute to mainstreaming the prevention and response to sexual misconduct into the work of the Country Office and Center's work, both internally and externally. 2. Risk Assessment and Mitigation: a. In coordination with the Risk Management focal points in each Country Office and Center, support the incorporation and analysis of SEAH into risk assessments. b. Work with Risk Management focal points to develop PRSEAH Country Office/Center risk mitigation plans and contribute to their implementation.

	c. Collaborate with colleagues from Enterprise Risk Management (ERM) and other relevant departments at Headquarters on risk management to ensure integration of PRSEAH into the Organization's risk assessment, management, and mitigation plans. d. If relevant, support PRSEAH experts assigned to Incident Managers during graded emergencies. 3. Strengthen in-country capacity: a. Conduct in-country training and awareness raising on PRSEAH based on corporate training material provided by Headquarters, which can be adapted as necessary to the country context. b. Coordinate with relevant colleagues in the Country Office or Center and help integrate a PRSEAH response with UN interagency teams, partners, communities, and government officials on the prevention and response to sexual misconduct. c. Subject to clearance by PRSEAH Advisors, develop and disseminate relevant communication and awareness materials. d. Support the implementation of regional/country PRSEAH activities. e. Lead implementing partner assessment and capacity-building support and ensure the consistency and quality of records in the UN Partner Portal. f. Ensure all personnel in the respective Country Office or Center have completed mandatory PRSEAH training in coordination with learning focal points. 4. Represent PAHO at the UN interagency level and in the communities served by PAHO: a. Participate in PRSEAH interagency committees, working groups, and interagency initiatives. b. Support inclusion of relevant PRSEAH workstreams as part of community engagement, community-based reporting mechanisms, joint missions, local helplines, etc., and subject to advance clearance from Headquarters for any interagency requests for funding support/cost-sharing. c. Subject to clearance for any reporting of SEA allegations from Headquarters, assist the PWR or Center Director in completing the required SEAH annual and ad hoc reporting to the United Nations Country Team (UNCT) and other reports required by PAHO or WHO. 5. Identification of support services: a. Collaborate with the appropriate PAHO departments, interagency committees, and working groups to identify, secure, map victim services in-country, and keep up-to-date. b. Facilitate victim support when requested to do so by a mandated official (INV or a PRESEAH Advisor).
Category 7 Applies to: Director, PAHO	Accountability for Preventing and Responding to Sexual Misconduct Director
	<i>In addition to Category 1 and 2 accountabilities:</i>

	1. Set regional direction and ensure accountability for the prevention of and response to sexual misconduct and the implementation of related policies and strategies. 2. Promote an organizational culture of speaking up against sexual misconduct. 3. Allocate adequate and predictable global resources for the prevention of and response to sexual misconduct, in line with program budget commitments to the extent possible, and lead resource mobilization. 4. Ensure that accountability functions (i.e., INV, ETH, PRSEAH, HRM, and Ombudsperson) are fit-for-purpose in their structures, scope of responsibility, and resources, and monitor their performance at least annually and take corrective action for failure to meet assigned accountabilities. 5. Ensure compliance with target timelines in sexual misconduct cases, according to established KPIs. 6. Provide reports to PAHO's Governing Bodies and provide information to Member States as needed. 7. Report annually to the UN Secretary General through WHO on progress made by AMRO on issues related to the prevention of and response to sexual misconduct. 8. Require annual letters of assurance and compliance from heads of PAHO Country Offices, Centers, and senior management (PWRs, Directors) on progress made on sexual misconduct prevention within their sphere of influence.
Category 8	Accountability for Preventing and Responding to Sexual Misconduct
Applies to:	Non-governmental implementing partners
Implementing partners	<i>In addition to Category 1 and 2 accountabilities:</i> 1. Take all reasonable and appropriate measures to prevent, address, and take any corrective measures that may be necessary with respect to sexual misconduct by their employees or other persons they engage. 2. Take preventive and response measures as stated in the UN Protocol on allegations of SEA involving implementing partners. 3. Participate in sexual misconduct prevention and response capacity assessments, trainings, and awareness-raising events, and implement capacity development measures identified. 4. Immediately report all credible allegations/cases and action taken to PAHO INV.

Category 8	Accountability for Preventing and Responding to Sexual Misconduct
Applies to:	Other entities collaborating with PAHO
Other entities collaborating with PAHO	<i>In addition to Category 1 and 2 accountabilities:</i> 1. Ensure that the conduct of their employees and any other persons engaged by them to perform any of the terms of reference and/or activities of agreed workplans is consistent with the PAHO's Code of Ethics. 2. Take all reasonable and appropriate measures to prevent, address, and take any corrective measures that may be necessary with respect to sexual misconduct by their employees or other persons they engage.