



Guidance on Receiving and Responding to Allegations of Misconduct Related to Safeguarding in USAID Programs

A Mandatory Reference for ADS Chapter 113

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INTRODUCTION

USAID is committed to ensuring that our programming reflects the principle of “do no harm,” protects and advances human dignity, and ensures respect for human rights. Safeguarding refers to the implementation of preventative, protection, and compliance measures for populations that may be at increased risk of harm. The guidance below provides step-by-step information for the USAID workforce on receiving and responding to allegations of misconduct in USAID programs involving the following safeguarding areas:

- Sexual exploitation and abuse and sexual harassment (SEAH)¹,
- Trafficking in persons (TIP), and
- Child abuse, exploitation, and neglect.

In this document, the terms “safeguarding” and “safeguards” are applied specifically to receiving and responding to SEAH, TIP, child abuse, exploitation, and neglect while noting that safeguarding is not limited to the aforementioned areas. While prevention of misconduct is essential, USAID staff members who become aware of allegations of misconduct related to safeguarding in USAID’s programs must be prepared to respond appropriately while prioritizing a survivor-centered approach.

This guidance is intended to:

- Improve USAID’s capacity to receive and respond to allegations of misconduct related to safeguarding in USAID programs,
- Centralize USAID’s processes on receiving and responding to allegations of misconduct related to safeguarding in USAID programs,
- Reduce operational and programmatic risk to USAID and its program participants, and
- Strengthen USAID’s ability to ensure U.S. taxpayer funds do not support misconduct.

¹ While the Agency does not require partner reporting of allegations of sexual harassment within their workplaces, incidents that involve an exchange of sex for jobs, continued employment, promotion, or benefits, etc., may often be described as “sexual harassment” by a partner or other party and could potentially qualify as trafficking in persons. Such incidents must still be reported by the USAID workforce pursuant to this guidance.

This guidance does not:

- Provide guidance for preventing and responding to internal workplace sexual misconduct within USAID. For more information on internal workplace sexual misconduct, please see [ADS 113, Preventing and Addressing Sexual Misconduct](#).
- Interfere with an employee or complainant's right to disclose allegations of fraud, waste, and abuse (including sexual exploitation and abuse) to the USAID Office of Inspector General (OIG): <https://oig.usaid.gov/>.
- Serve as a substitute for partner policies, internal controls, and procedures for addressing workplace misconduct, including workplace sexual harassment.² Recipient and contractor employees must follow their award terms and employer policies and procedures.
- Intend to address allegations of other forms of misconduct (such as corruption, abuse of power, theft or fraud, etc.).

Any questions related to this guidance, including general technical assistance related to safeguarding and/or receiving and responding to allegations of misconduct related to safeguarding in USAID programs, can be directed to the Bureau for Management, Office of Management Policy, Budget, and Performance, Responsibility, Safeguarding, and Compliance (M/MPBP/RSC) Division at **safeguarding@usaid.gov**. Any information or questions related to specific allegations or reports should be directed to **disclosures@usaid.gov**.

PURPOSE AND APPLICABILITY

This guidance identifies mandatory standard operating procedures for the USAID workforce related to receiving and responding to allegations of misconduct related to safeguarding in USAID programs. The guidance supplements existing USAID policy documents, including the [Policy on Protection from Sexual Exploitation and Abuse](#) and [Counter-Trafficking in Persons Policy](#).

In addition to the guidance outlined in this document, staff members should also consult any applicable Bureau/Independent Office (B/IO), or Mission-specific guidance related to receiving and responding to allegations of misconduct. All additional or supplementary guidance from B/IOs and Missions should align with the guidance laid out in this document. All acquisition and assistance staff members, including Contracting and Agreement Officer's Representatives (CORs/AORs), and staff members managing agreements with Public International Organizations (PIOs) must consult the specific award requirements related to the various types of misconduct

² In limited instances, where partner workplace misconduct poses reputational or programmatic risk to USAID's mission or is an indication of inadequate internal controls, USAID may choose to request additional information to ascertain whether additional action is required.

discussed in this guidance when allegations are reported. For more information on safeguarding-related award requirements, consult this [fact sheet](#). Depending on the award terms and conditions, USAID may monitor the partners' responses, as well as request additional information, as needed, to ensure that allegations are being handled in accordance with USAID policy.

ROLES AND RESPONSIBILITIES

This section details the role played by the USAID workforce in receiving and responding to allegations of misconduct related to safeguarding in USAID programming. Certain backstops, including Contracting and Agreement Officers (COs/AOs), CORs/AORs, Resident Legal Officers (RLOs), and Mission Directors (MDs), have additional responsibilities related to responding to allegations of misconduct related to safeguarding in USAID programs and may be included as individuals with a need-to-know for relevant B/IOs and Missions, as further explained below. Implementing partners are responsible for the initial response, inquiry, and/or investigation into allegations of misconduct in their USAID-funded programming. In some cases, the OIG may choose to initiate an investigation of its own, under its independent authority.

The USAID Workforce: The USAID workforce is required to report allegations of misconduct related to safeguarding in USAID programs including but not limited to TIP, SEAH, child abuse, exploitation, and neglect to USAID's Disclosures Mailbox at disclosures@usaid.gov and the USAID OIG ([OIG Portal](#)). Contractors must follow their award terms and employer policies and procedures.

Bureaus, Independent Offices, and Missions: In addition to the general responsibilities outlined above, B/IOs and Missions are responsible for:

- Following Agency policies and protocols related to need-to-know, confidentiality, and privacy.
- Upon request or consultation with M/MPBP/RSC, providing technical guidance, which may include but is not limited to: sector and subject-specific technical guidance, regional and country-specific guidance, communications and media support, etc.
- When appropriate, identifying leads across B/IOs for coordination with M/MPBP/RSC.

Mission Directors (MDs): In addition to the general responsibilities outlined above, MDs are responsible for:

- Supporting the Agency implementation of safeguarding standards to the greatest extent practicable and to identify opportunities to strengthen safeguards in their respective Missions.

- Ensuring Mission staff members are aware of resources and existing safeguarding services, that staff know how to access this information and have the capacity to respond to misconduct related to safeguarding using a survivor-centered approach.
- Consulting with the cognizant CO/AO, pursuant to relevant award requirements related to partner codes of conduct.

Bureau for Management (M):

Suspending and Debarring Official (SDO): In addition to the general responsibilities outlined above, the Agency SDO is responsible for suspending or debarring individuals and organizations from participating in federal awards when such action is in the public interest, including considering such measures to respond to allegations and substantiated instances of SEAH, TIP, child abuse, exploitation, and neglect.

Bureau for Management, Office of Management Policy, Budget, and Performance, Responsibility, Safeguarding, and Compliance (M/MPBP/RSC) Division: In addition to the general responsibilities outlined above, M/MPBP/RSC staff members are responsible for:

- Managing the Disclosures Mailbox (disclosures@usaid.gov) and related case/incident tracking, including assignment of an M/MPBP/RSC case manager to each incident.
- Coordinating with relevant B/IO and Mission leads, as applicable.
- Providing guidance to the USAID workforce, including COs/AOs and CORs/AORs (as relevant), on incident response and award management.
- Advising, for purposes of suspension and debarment determinations per [FAR 9.4](#) and [2 CFR 180](#), USAID's SDO regarding the "present responsibility" of organizations and individuals to manage USAID funds.
- In consultation with the Office of the General Counsel, Litigation and Enforcement Division (GC/LE), providing direct support and recommendations to the SDO in all matters relating to suspension and debarment.
- Coordinating the Agency's response to public inquiries about allegations of misconduct related to safeguarding in USAID's programs with affected B/IOs and Missions.
- Analyzing disclosures or referrals related to misconduct, coordinating with the Interagency Suspension and Debarment Committee, as necessary, and responding to present responsibility determination referrals received from the OIG related to allegations of misconduct.

- Analyzing trends in misconduct allegations and Agency response and using that analysis to inform Agency policy and operational guidance, as appropriate.
- As authorized, corresponding with the recipient for further information relating to allegations of misconduct.

Bureau for Management, Office of Acquisition and Assistance (M/OAA): In addition to the general responsibilities outlined above, the Bureau for Management Office of Acquisition and Assistance (M/OAA) staff members are responsible for ensuring that USAID’s safeguarding policy is appropriately addressed in any required acquisition and assistance (A&A) policy.

Contracting/Agreement Officers (COs/AOs): In addition to the general responsibilities outlined above, COs/AOs are responsible for:

- Incorporating required partner misconduct and safeguarding-related award requirements in all A&A awards.
- Taking administrative, remedial, or other award-related actions consistent with the terms and conditions of an award.

Bureau for Humanitarian Assistance (BHA): In addition to the general responsibilities outlined above, BHA staff are responsible for:

- Consulting BHA’s Safe and Accountable Programming (SAP) team for technical assistance related to allegations of misconduct related to safeguarding in USAID programs.
- Following and applying *BHA’s Guidance for Documenting, Reporting, and Responding to Incidents of SEA* in addition to the Agency-wide guidance laid out in this document.

Please contact **BHA.TPQ.SAP@usaid.gov** with questions on BHA-specific guidance.

Bureau for Planning, Learning, and Resource Management (PLR):

Bureau for Planning, Learning, and Resource Management, Office of Development Cooperation (PLR/DC): In addition to the general responsibilities outlined above, PLR/DC staff members are responsible for:

- Coordinating with M/MPBP/RSC and GC on PIO cases when additional information is required as well as coordinating with PIO coordinators and other stakeholders in other B/IOs and Missions, as appropriate. This may include liaising with the OIG as the recipient of PIO SEA disclosures under [ADS 308](#).

- Sharing information on PIO cases, as appropriate, and coordinating with the United States Government (USG) interagency in responding to such allegations.
- Analyzing trends in PIO cases and Agency response and using that analysis to inform Agency policy and operational guidance and organizational capacity reviews of PIOs, as appropriate.

Contracting/Agreement Officer's Representatives (CORs/AORs): In addition to the general responsibilities outlined above, CORs/AORs are responsible for:

- Fulfilling award management responsibilities consistent with their COR or AOR designation letter, including any responsibilities related to monitoring for partner misconduct.
- Communicating with the implementing partner, when requested by the CO/AO, related to any allegations of misconduct, including any necessary follow-up or information requests as determined in consultation with, M/MPBP/RSC, GC or the RLO, and/or the OIG.

Office of the General Counsel (GC) and Resident Legal Officers (RLOs): In addition to the general responsibilities outlined above, GC and RLOs are responsible for:

- Providing counsel to the USAID workforce regarding data privacy, confidentiality, and personally identifiable information (PII) considerations in relation to allegations of misconduct in USAID programs as well as providing support for related training for the USAID workforce.
- Providing legal advice on potential remedial actions taken in response to allegations of misconduct in USAID programs.
- Providing legal advice and consultation to M/MPBP/RSC on possible recommendations for suspension and debarment in relation to partner misconduct.

Office of Inspector General (OIG): The OIG operates independently and maintains its own policies and guidance for the OIG workforce. The OIG has independent legal authority to:

- Investigate allegations of misconduct, mismanagement, or violations of law, rules, or regulations by employees or program participants, as well as fraud, waste, and abuse in USAID programs, including SEAH, TIP, child abuse, exploitation, and neglect.

- Investigate allegations of criminal, civil, and administrative violations related to USAID's programs, which includes directly communicating any requests for information to the partner.
- Refer allegations and investigative results of misconduct to the appropriate parties for review and potential administrative action.

PROTOCOLS FOR RECEIVING AND RESPONDING TO ALLEGATIONS OF MISCONDUCT RELATED TO SAFEGUARDING IN USAID PROGRAMS

The process for receiving and responding to allegations of misconduct related to safeguarding is laid out in five steps. The USAID workforce should follow steps one and two for every report. Steps three through five are led by M/MPBP/RSC, which will maintain internal USAID coordination as needed.

B/IOs and Missions may also have additional guidance for responding to allegations of safeguarding-related misconduct in USAID programs, and any B/IO and Mission-specific guidance must not conflict with the guidance laid out in this document.

Step 1: Intake of Reports and Confirmation of Receipt

Intake refers to the point at, and process by which, USAID receives information concerning allegations of misconduct. USAID staff members may become aware of allegations through a variety of sources, including, but not limited to: disclosures from implementing partners or other parties, survivors reporting directly to USAID staff members, witnessing misconduct directly, notifications from the OIG, or learning of misconduct through reporting from news and media outlets, including social media.

USAID staff members who receive a report of misconduct related to safeguarding from implementing partners and other parties³ must confirm receipt of the report. However, the process of confirming receipt of a report may vary depending on whether the report was transmitted in writing or verbally and the source of the report.

The USAID workforce must comply with the requirements of [ADS 508](#) to protect the PII of all parties implicated in misconduct allegations and limit access to information concerning the allegation to a need-to-know basis (see **Privacy Considerations Annex** below for more information).

Reports from Implementing Partners

USAID staff members who receive written disclosures from implementing partners must: (1) confirm receipt; and (2) confirm that the USAID workforce will follow USAID's internal processes related to alleged misconduct in USAID programs. USAID staff members must also inform the partners that they are required to follow the award terms and conditions in regard to mandatory notification and disclosure requirements. USAID

³ Other parties may include witnesses, journalists and media, OIG, survivors, and whistleblowers.

staff members must then submit a report as described in Step 2. If the received report contains PII, USAID staff members should redact PII before submitting a report.⁴ If the report is received verbally, USAID staff members must document the conversation and submit the report consistent with Step 2 below and also request that the partner follow the award terms and conditions in regards to mandatory notification and disclosure requirements and submit the information in writing to the CO/AO and not share PII.

Reports from Other Parties

USAID staff members who receive written disclosures from parties other than the implementing partner should not respond directly, but first submit a report as described in Step 2 below. If the received report contains PII, USAID staff members should redact PII before submitting a report. If the report is received verbally, USAID staff members must document the conversation and submit the report consistent with Step 2 below and also request that the party submit the information in writing to the CO/AO and not share PII.

Reports from Survivors

The USAID workforce does not typically engage directly with survivors, though they should be alert to circumstances in which they may receive a report directly from a survivor, for example during the course of a site visit or other community engagement. USAID staff members who receive disclosures from survivors in writing must not respond directly to the survivor but must first submit a report as described in Step 2 below. If the received report contains PII, USAID staff members should redact PII before submitting a report. USAID staff members who receive disclosures from survivors verbally can ask the survivor if they would be comfortable submitting the information in written format but should clarify that this is not required for action to be taken, and they are not obliged to do so.

Reports from Witnessing Misconduct Related to Safeguarding, Notifications from the OIG, and Media Reporting

USAID staff members who learn of misconduct by witnessing the misconduct directly, through notifications from the OIG, or by learning of safeguarding-related misconduct through reporting from local news and media outlets (including social media) must submit a report as described in Step 2 below. USAID staff members should ensure PII is redacted before submitting a report.

Step 2: Reporting

Once USAID staff members become aware of allegations related to safeguarding, they must share the allegations with the USAID OIG ([OIG Hotline](#)) and USAID's Disclosures Mailbox (disclosures@usaid.gov) and with any other need-to-know entities specific to their B/IO or Missions' reporting procedures within three business days of becoming

⁴ In some cases, after a report is submitted, a case manager may follow up in cases where PII is needed.

aware of the allegations. If USAID staff members are aware that allegations have been shared with the OIG and the Disclosures Mailbox already, they should note that in their report. Others with a need-to-know may also be copied. In cases where a USAID staff member has been notified of an allegation, but is still awaiting additional information from the partner or other parties, the staff member should send a brief email to the Disclosures Mailbox (**disclosures@usaid.gov**) providing any information they have received to date and noting that additional information will be forthcoming.

Sharing any allegation should be kept to a strict, need-to-know basis. The Disclosures Mailbox is limited to USAID staff members who manage allegations to ensure details are shared on a need-to-know basis only. Staff members should make sure to redact all PII, including the names and personal information of those involved in the allegations (e.g., survivors, witnesses, and subjects) and label the email as sensitive but unclassified (SBU). Once a report has been submitted, the USAID staff member who submitted the report will receive a confirmation of receipt.

In cases where the implementing partner or individual provides additional information related to a report they have previously made, USAID staff members must confirm receipt and forward any related additional information to **disclosures@usaid.gov** following the same processes as the initial report (e.g., marking SBU, redacting PII, etc.). If the person who provides additional information is a survivor, USAID staff members should not directly respond, but should instead forward any related additional information to **disclosures@usaid.gov**, which will conduct appropriate follow-up. All follow-up emails to the Disclosures Mailbox should follow the same processes as the initial report (e.g., marking SBU, redacting PII, etc.).

Step 3: Internal Review of Report and Coordination

Once an allegation has been submitted to the Disclosures Mailbox and the OIG, M/MPBP/RSC will assign an incident number and case manager to initiate a review of the available information. The assigned case manager will be responsible for managing allegations and coordinating any Agency follow-up, including engaging with the partner under the relevant award. B/IOs and Missions may also want to appoint their own leads for coordination purposes, and B/IOs and Missions with additional procedures for handling allegations of misconduct related to safeguarding should coordinate with M/MPBP/RSC via **disclosures@usaid.gov** to determine the B/IO or Mission lead (when applicable) after submitting the allegation to the Disclosures Mailbox.

The USAID workforce, including cognizant COs/AOs or CORs/AORs, is not responsible for conducting investigations. USAID relies on its partners to respond to allegations in a survivor-centered manner. The OIG maintains separate and independent processes for reviewing allegations and reserves the right to request additional information, including PII, and/or to initiate an investigation at any time.

After review of a report of allegations of safeguarding-related misconduct through the Disclosures Mailbox, the M/MPBP/RSC case manager will follow up with the cognizant CO/AO, COR/AOR (as relevant), OIG, and other B/IOs and/or Missions as required by

Agency policy to confirm they have been alerted, ensuring removal of any remaining PII to protect the names and identities of any parties involved as part of the process.

The case managers will also review the available information to determine if there is a need for additional information about the allegation or Agency action related to deficiencies in partner procedures, policies, standards, as applicable, in coordination with the involved stakeholders, including GC, M/OAA, B/IO and Mission leads, and the OIG, as applicable.⁵

If, after review of the report, additional information is needed, the involved stakeholders will coordinate communications and requests for additional information with the prime awardee.⁶ USAID staff members must forward any additional information shared by the partner (including interim or final investigation results) related to the case using the same method identified above, making sure to redact any PII and mark the email as SBU.

Leadership Attention

In very limited situations, the M/MPBP/RSC case manager may decide that Agency leadership (such as the Administrator, Deputy Administrator, Counselor, etc.) has a need-to-know for the specific details of a report and may recommend bringing it directly to their attention. This will be done in close coordination and consultation with the M/OAA Director, the cognizant CO/AO and COR/AOR (as relevant), GC or RLO, B/IO or Mission lead, relevant B/IO or Mission leadership, and any relevant subject matter technical experts.

Step 4: Agency Response

In response to allegations of misconduct related to safeguarding, the role of USAID staff members is focused on oversight and monitoring, including but not limited to taking administrative, remedial, or other award-related actions. Once the stakeholders identified above have reviewed the report and additional information is provided by the partner (if deemed necessary), the M/MPBP/RSC case manager, in consultation with the involved stakeholders, including the Mission(s), will then make recommendations for specific actions, as appropriate. For award specific actions, these recommendations may include additional oversight, specific conditions, or award suspension or termination. In addition, the case manager may refer a partner or individual for

⁵ The Agency has the right to request additional information, in line with award requirements.

⁶ Additional information may include: the award title and number, the location of the program, name of the organization, a point of contact, the type of allegation, and the position(s) of those involved, and if survivors under the age of 18 were involved; what actions were taken to investigate or respond to the allegation, including referral to local authorities; steps to ensure the survivor's and whistleblower's safety; resources and information available to the survivor; any established organizational procedures or framework to respond; interim or final measures taken or planned to ensure accountability of the alleged perpetrator; and protective measures or reforms, such as changes to applicable policies and procedures, in order to assess, address, or mitigate factors that contributed to the incident.

consideration of suspension and debarment. The OIG may also refer allegations and investigative results of safeguarding-related misconduct to the appropriate parties for review and potential administrative action. If a USAID staff member receives an OIG referral, they must forward the referral to Disclosures Mailbox (disclosures@usaid.gov). In many cases, the action taken by the partner will suffice, and there will be no additional action needed from the Agency. In limited circumstances, the OIG may refer substantiated allegations of trafficking in persons, and M/OAA, in consultation with M/MPBP/RSC, will identify an Agency official responsible for conducting an administrative proceeding, allowing the implementing partner an opportunity to respond, and making a final determination as to whether the allegations are substantiated and will notify the AO to consider remedial actions, as outlined in [ADS 303.3.32](#).

Step 5: Case/Incident Close-Out

Following appropriate Agency response as identified in Step 4, or a determination that no such action is necessary, the case/incident will be closed. Any decision to close a case by the M/MPBP/RSC case manager is done in consultation with the B/IO or Mission lead (as applicable), GC or RLO, and/or the OIG, and any relevant subject matter technical experts as needed.

ANNEX

DO NO HARM

A “do no harm” approach recognizes that no intervention is neutral, and all interventions have the ability to cause more harm than good. In other words, all interventions have intended and unintended consequences, and “do no harm” considers the unintended consequences of programming on relationships between groups of people in a particular context (whether cultural, regional, or other). A “do no harm” approach in safeguarding recognizes the need for approaches that are survivor-centered and put the best interest of the survivor first.

SURVIVOR-CENTERED OR VICTIM-CENTERED APPROACH

A survivor-centered approach is used to describe approaches in which the survivor’s needs, wishes, rights, experiences, strengths, insights, and dignity are prioritized in both prevention and response efforts. USAID’s [Protection from Sexual Exploitation and Abuse \(PSEA\) Policy](#) defines a survivor-centered approach as: “one in which the survivor’s dignity, experiences, considerations, needs, and resiliencies are placed at the center of the process -- from the initial program design to investigating and responding to potential allegations.” Similarly, USAID’s [Countering Trafficking in Persons \(C-TIP\) Policy](#) also calls for a “survivor-centered approach” that is also “trauma-informed, survivor-informed, and culturally competent.” USAID is committed to working with its implementing partners to prioritize a survivor-centered approach in its response to allegations of misconduct related to safeguarding in USAID programs.

Within a survivor-centered approach: “the survivor should be informed, participate in the decision-making process, and provide notice on the possible use and disclosure of their information. Persons interacting with the survivor and/or handling information regarding the allegation must maintain confidentiality, prioritize the safety of the survivor, and apply survivor-centered principles which are safety, confidentiality, respect, and non-discrimination.”

A victim-centered approach is one that involves placing victims’ priorities, needs, and interests at the center of programming; providing an emphasis on their self-determination; assisting them in making informed choices; prioritizing efforts to restore their feelings of safety and security; and safeguarding against policies and practices that might inadvertently expose them to secondary or tertiary risk or harm. Successful programs are accessible, tailored, contextually appropriate, and reinforce victims’ dignity and well-being.⁷

When the survivor is a child, the approach must consider the best interests of the child and engage with the family/caregivers, as appropriate. USAID staff members and partners should comply with host country and local child welfare and protection legislation and international standards, whichever gives greater protection, and with U.S. law as applicable.

The [Safeguarding Partner Toolkit](#) contains additional information on survivor-centered approaches, including information about how to conduct survivor-centered investigations. As detailed below, in certain circumstances USAID may, in the course of monitoring an implementing partner’s response, request additional information related to the support for the safety, protection, and privacy of the survivor.

PRIVACY CONSIDERATIONS

Data privacy and security are of the utmost importance to USAID. Information related to misconduct allegations is extremely sensitive and can have dangerous consequences if misused or mishandled. As part of upholding a survivor-centered approach, the USAID workforce must appropriately protect such information, including any PII. Protecting such information is consistent with law and USAID policy and mitigates the risk of unauthorized disclosure regarding this sensitive information.

USAID staff members may also consult [ADS 508, Privacy Program](#), for additional information related to USAID’s privacy requirements.

Need-to-know Basis

⁷ The term “victim-centered” is a standard term used in the U.S. Government’s approach to C-TIP. This Policy uses the term “victim” in connection to the legal aspects of TIP and seeking justice, and by doing so in no way do we diminish the courage and dignity of those who have survived human trafficking. Please see the [National Action Plan to Combat Human Trafficking](#).

Agency staff members must only share information on individual allegation reports related to allegations of misconduct on a need-to-know basis. This means information is only shared when there is an absolute need-to-know in order to perform official duties and/or make an Agency decision. When sharing information with external parties, such as other USG agencies, staff must also ensure that those parties have a need-to-know.

Personally Identifiable Information (PII)

USAID encourages partners not to share PII, unless specifically requested by the Agency. Any information that would potentially re-identify, and therefore increase risk to those individuals involved in an allegation, should be considered PII.

If transmitting PII, it should be encrypted and shared with only those with a need-to-know. Otherwise, PII should be redacted. For questions about privacy or confidentiality, please consult with GC and/or the RLO.

Information Security Considerations

Security considerations may include but are not limited to securely transferring data (encryption, secure file transfers, etc.) and security and storage (access controls, etc.).

Note: USAID's privacy requirements do not affect the OIG's right to access this information from the Agency.

DEFINITIONS

Aid Worker: Any individual who may be working for or acting on behalf of humanitarian and development organizations, whether on a voluntary or paid basis. This includes all international and national staff, as well as all staff or employees or individuals who have entered into a cooperative arrangement with these organizations including interns, volunteers, international and local consultants, and contractors, including day laborers.

Allegation: A claim or assertion that misconduct has happened.

Best interest of the child determination: Considers the best possible outcome for a vulnerable child who has been exposed to violence, abuse, exploitation, or neglect.

A **case or incident:** A report, disclosure, or notification that is being or has been processed by the Agency.

A **case manager:** The person or team who is responsible for information management, coordination with key stakeholders, and ensuring close-out of the incident in the USAID system.

A **child:** A person younger than 18 years of age.

Child abuse, exploitation, and neglect: Emotional, physical, sexual, or any other ill-treatment carried out against a child by an adult or a failure to provide for a child's basic

needs in the absence of the child's parent or guardian. Child abuse, exploitation, and neglect includes, but is not limited to: injury to the psychological capacity or emotional stability of the child caused by acts, threats of acts, coercive tactics, or failures to act resulting in injury (not necessarily visible) or unnecessary or unjustified pain or suffering without causing injury; harm or risk of harm to a child's health or welfare, or death; or any actual or threatened physical intrusion of a sexual nature carried out against a child by an adult. Please see this [factsheet](#) from the Department of Health and Human Services for more guidance.

Debarment: An action taken by the Agency Suspending and Debarring Official to exclude an individual or organization from receiving future federal awards for a reasonable, specified period of time; an individual or entity so excluded is “debarred.”

Exploitation: Any actual or attempted abuse of a position of vulnerability, differential power, or trust, including profiting monetarily, socially, or politically from another person.

Misconduct: An umbrella term that captures a wide range of behavior that is inappropriate. Misconduct may include, but is not limited to, sexual exploitation and abuse, TIP, child exploitation, abuse, and neglect, and fraud, waste, and abuse.

A report, also called a disclosure or notification: An allegation of misconduct that has been submitted to USAID.

Retaliation: Any act of discrimination, reprisal, harassment, or vengeance, direct or indirect, taken against a survivor or a person who makes a report (or their relatives or associates) by any person because the survivor or a person who makes a report has made a report or a disclosure reasonably believing it to be true. Confidentiality plays a key role in mitigating the risk of retaliation by ensuring that only those with a demonstrated need-to-know are informed.

Safeguarding: The practice of implementing preventative, protection, and compliance measures for populations who may be at an increased risk for harm across an organization's operations, for the purposes of preventing harm, including but not limited to exploitation, abuse, and violence, generally.

Safety and security: The protection of the well-being of people.

Sexual abuse: Any actual or threatened physical intrusion of a sexual nature whether by force or under unequal or coercive conditions.⁸ In more basic terms, sexual abuse happens when a person forces someone with less power to participate in sexual activities against their will, for example, if an aid worker forces someone to kiss them or participate in sexual activities with them.⁹

⁸ USAID Policy on Protection from SEA https://www.usaid.gov/sites/default/files/2022-05/PSEA_Policy_Digital.pdf

⁹ Interaction and Translators Without Borders - No Excuse for Abuse: Preventing Sexual Exploitation and Abuse in Humanitarian Action (English) <https://youtu.be/48MCG22FqrE>

Sexual exploitation: Any actual or attempted abuse of a person in a position of vulnerability, differential power or trust, for sexual purposes, including profiting monetarily, socially, or politically from the sexual exploitation of another.¹⁰ For example, if an aid worker offers extra rations or money in exchange for sex. Physical contact does not have to occur for an incident to be considered sexual exploitation; for example, abuse that occurs online or by text message.

Sexual Harassment: Misconduct of a sexual nature or about a person's sex, which is frequent and/or severe. It can include verbal or physical harassment of a sexual nature, as well as offensive remarks related to a person's sex.

Survivor and victim: Terms that are used to describe someone who has experienced some form of violence, abuse, or another form of misconduct. The term "victim" may be most often used when referring to someone who has recently experienced violence and is often used as a legal definition and within law enforcement systems to describe a person who has been subjected to a crime. The term "survivor" may be most often used to describe a person who is going through the recovery process and may be used as a term of empowerment. Some people identify more as victims, others as survivors; there is no single term that captures everyone.¹¹

Suspension: An action taken by the Agency Suspending and Debarring Official that makes an individual or organization temporarily ineligible to receive federal awards; an individual or entity so disqualified is "suspended."

Trafficking in persons: "The recruitment, transportation, transfer, harboring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud or deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation."¹² The recruitment, transportation, transfer, harboring, or receipt of a child for the purpose of exploitation is trafficking even if it does not include threats, use of force, coercion, abduction, fraud, deception, the abuse of power, or payment.

ADDITIONAL REFERENCES

- [AAPSM Webpage](#)

¹⁰ USAID Policy on Protection from SEA https://www.usaid.gov/sites/default/files/2022-05/PSEA_Policy_Digital.pdf

¹¹ <https://sakitta.org/toolkit/docs/Victim-or-Survivor-Terminology-from-Investigation-Through-Prosecution.pdf>

¹² This definition is found in the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, more commonly known as the Palermo Protocol, which the United States ratified. The Victims of Trafficking Victims Protection Act of 2000 (TVPA) and FAR 52.222-50 Combating Trafficking in Persons include additional definitions for severe forms of trafficking in persons, trafficking-related activities, and the procurement of a commercial sex act.

- [Acquisition & Assistance Policy Directives \(AAPDs\)](#)
- [ADS 302mas, Special Contract Requirements](#)
- [ADS 303, Grants and Cooperative Agreements to Non-Governmental Organizations](#)
- [ADS 303maa, Standard Provisions for U.S. Non-Governmental Organizations](#)
- [ADS 303mab, Standard Provisions for Non-U.S. Non-Governmental Organizations](#)
- [ADS 303mat, Standard Provisions for Fixed Amount Awards to Nongovernmental Organizations](#)
- [ADS 308mab, Standard Provisions for Cost-Type Agreements with Public International Organizations \(PIOs\)](#)
- [ADS 502, The USAID Records Management Program](#)
- [ADS 508, Privacy Program](#)
- [AIDAR - USAID Acquisition Regulation](#)
- [Cyber Awareness Notice: What is PII and Need to Know?](#) (USAID log-on required)
- [Federal Acquisition Regulation](#)
- [Counter-Trafficking in Persons Policy](#)
- [OIG Fraud Awareness and Indicators](#)
- [Procurement Executive Bulletins](#)
- [USAID's Protection from Sexual Exploitation and Abuse \(PSEA\) Policy](#)
- [USAID Safeguarding Partner Toolkit](#)
- [US Government Strategy: Advancing Protection and Care for Children in Adversity](#)

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