Regional Refugee Response for the Ukraine Situation

PSEA NETWORK, POLAND

Standard Operating Procedures for Interagency Referrals of SEA Allegations

Providing assistance to survivors and recording and processing Sexual Exploitation and Abuse complaints by actors taking part in the refugee response in Poland.

October 2025

1. Purpose and Scope

These Standard Operating Procedures (SOPs) define steps and measures to be taken when there is suspected Sexual Exploitation and Abuse (SEA) committed by actors taking part in the refugee response in Poland. They provide system-wide clarity on procedures for Interagency Referrals of SEA Allegations, so that when an allegation is received, it is safely referred to a participating entity for the purposes of ensuring access to appropriate support and follow-up. This includes investigation of SEA allegations with the informed consent of the survivor and the informed assent of children.

The SOPs are a tool to implement the Secretary-General's Bulletin ST/SGB/2003/13 on "Special measures for Protection from Sexual Exploitation and Sexual Abuse (PSEA)", as well as the Secretary-General's Report A/71/818on "Special measures for protection from sexual exploitation and abuse: a new approach". The SOPs have been designed in line with the 2016 SOPs on Inter-Agency Cooperation in Community-Based Complaint Mechanisms and their latest revisions.

Each member of the PSEA-AAP Network has their own internal policies, rules and procedures for handling complaints and responding to SEA incidents. **These SOPs in no way intend to change or override internal policies. Rather, they reinforce common action when agencies are engaging in inter-agency cooperation for SEA referrals.** While these SOPs will serve to guide inter-agency coordination and standardize referral procedures, they must be complemented by each entities' commitment to fully implement their internal PSEA policies, including investigations and staff training.

These SOPs describe procedures that apply when an SEA complaint has been received by an entity's PSEA Focal Point and requires referral to another entity. **It is *not* in the scope of these SOPs how to receive a complaint, which falls within entities' own internal policy. It also does *not* cover how to set up a complaints and feedback mechanism (CFM).**

2. Overview of the PSEA-AAP Network in Poland.

The presence of the PSEA-AAP Network does not lessen the responsibility of individual organisations in Poland to develop, implement, and strengthen their internal PSEA systems and programs at the country and local levels, in line with the IASC Minimum Operating Standards on PSEA.

The PSEA-AAP Network co-chairs will work to ensure that any complaint is received, logged, referred and followed-up on with the concerned organisation when referred. The Network also has the responsibility to promote the right of survivors to receive timely assistance and support according to their individual needs.

The PSEA-AAP Network is not responsible for investigating, adjudicating complaints, or dealing directly with complainants. These functions rest exclusively with the entity/entities that employ or are in any other way associated with the individual against whom a complaint has been alleged, in line with internal policies and procedures and applicable national legislation.

3. Basic rules on receiving and recording Complaints and Reports of SEA:

a. Every SEA complaint must be treated as the highest priority for a receiving organisation.
b. It is not the responsibility of the person receiving an SEA complaint to determine its credibility, or whether there is sufficient information for an investigation. Any investigative measures shall be taken only by person(s) or entities appointed by an organisation.
c. Survivors/complainants should be informed about the mandatory reporting and confidentiality provisions. Every SEA incident must be reported, but it is a decision of a survivor how much details shall be disclosed.
d. All staff must promptly report all SEA complaints of which they become aware, as well as any concerns or suspicions they may have, via the reporting channels established by their respective organisation. The obligation to report applies also even if the alleged perpetrator does not work for the same organisation. The staff member retains the right to report anonymously and is owed the same confidentiality and protections as the survivor(s).
e. The organisation receiving the complaint must provide immediate advice to the survivor/complainant regarding available assistance and access to services. All actions concerning access to services and referrals to other organisations or institutions must be made only with the full consent of the survivor/complainant.
f. In case of absence of referral pathways and/or limited capacities to provide support, the organisation receiving a complaint may request support from the PSEA-AAP Network Co-chairs to advise the organization on how to access necessary services.

4. Referring and processing complaints

If the **allegation is related to a different entity,** the PSEA Focal Point should complete the Offline Referral Form (appendix B) and refer to the PSEA Focal Point of the relevant entity employing the alleged perpetrator. If needed the PSEA–AAP Network

Co-chairs provide support by advising the referring organization on the appropriate focal point(s) within the organization implicated in the allegation. If the survivor's identity is unknown, but the alleged perpetrator and their entity is known, the allegation should still be forwarded to that entity, with the available information at hand.

In situations where the **PSEA Focal Point of the concerned entity is the subject of a complaint**, or in situations where the PSEA Focal Point's ability to handle the complaint may be compromised (e.g. the allegations are related to a director or a senior management staff), the complaint may be referred to the PSEA-AAP Network co-chairs, based on informed consent by survivor/complainant.

If the **allegation involves personnel related to an entity that is not a member of the PSEA-AAP Network or a representative of a government, local authorities or public institutions** as a perpetrator, the PSEA Focal Point of the receiving organisation will fill out the referral form (annex B) and share the allegation with the PSEA-AAP Network co-chairs, based on informed consent of survivor. The PSEA-AAP Network co-chairs will share the allegation with the Refugee Coordinator, who in turn will share it with the country director, senior most responsible person in the concerned organisation or the relevant government counterpart for action. In instances when the alleged perpetrator is the country director, the Refugee Coordinator will share the allegation with a focal point within the board of the organisation, if safe to do so.

If **it is unclear who the alleged perpetrator is**, **or with which organisation they are affiliated,** the PSEA Focal Point receiving the complaint, should complete the referral form (annex B) and share with the PSEA-AAP Network Cochairs, based on informed consent by the survivor. Such inquiry shall keep the best interest of the survivor as a priority and the need to minimize interviews to avoid re-traumatisation. The PSEA-AAP Network co-chairs should provide feedback to the PSEA Focal Point who received the complaint and who should be in touch with the survivor.

5. Information Sharing and Data Protection

Every participating agency should adhere to the existing national Data Protection regulations, as well as, procedures for handling allegation/complaints in the event that they collect, receive, use, transfer, or store any personal and complaint related data.

SEA-related information shall be protected. The names of all parties to a complaint shall remain confidential. The identity of the subject of the complaint must be protected, out of considerations of due process, potential retaliation, and presumption of innocence. Under no circumstances should the name of the survivor or complainant be released to the subject of the complaint. Any personal information on

survivors shall be collected and shared only with the informed consent. Information about SEA incidents should not be handled in physical files to prevent accidental disclosures.

All correspondence regarding SEA allegations must be limited only to the persons directly working with the case. All shared documents must be password-protected. The title of any email communications should not include any identifying information.

The PSEA-AAP Network co-chairs will inform the PSEA-AAP Network members on the total number of complaints received through the established Complaint and Feedback Channels. Updates will only contain anonymized aggregated data.

6. Responding/providing feedback to survivors

Building on the IASC's Six Core Principles Relating to Sexual Exploitation and Abuse, and the United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse, agencies and organisations agree to uphold the principles of confidentiality, human rights and survivor-centered approach, partnership, safety and do-no-harm and the best interests of the child, when any allegations/complaints are made to their organisations and in implementing the current procedures. They also commit to enforcing a zero-tolerance policy on inaction against SEA.

Investigating entities/organisations should inform a survivor if an investigation is going to be conducted (or not), in accordance with due process requirements. Investigating entities also have a responsibility to notify the survivor of the outcome of their investigation, as well as to provide feedback at relevant intervals including: when the case has been closed, measures taken with regards to the perpetrator, strengthened prevention and organisational culture - while taking into account obligation to protect confidential information related to the relevant stakeholders. Feedback to the complainant who is not a survivor, should be limited to communication confirming the receipt of a complaint.

7. Informed consent, assent, and mandatory reporting.

Informed consent

Informed consent is the voluntary agreement of an individual who has the capacity to give consent and is above the age of 18. The individual has the right to place limitations on the type(s) of information to be shared, and to specify which organisations can and cannot be given the information.

Consent must be obtained before sharing a survivor's personal information with anyone. Consent must be obtained for every new action or referral. Survivors have the right to revoke consent at any time. Consent should be written if possible; if it is not possible, survivors can give verbal consent, which is recorded by the person recording the complaint/allegation. To provide informed consent, the individual must have the capacity and maturity to understand the nature of the services being offered and be legally able to give their consent.

Informed assent

Informed assent is the expressed willingness of the child to participate in or receive assistance. A child's "informed assent" is sought with children (everyone under the age of 18) as they cannot give informed consent but are old enough to understand and agree to participate in or receive assistance.

Children must be consulted and given all the information needed to make an informed decision. In practice, this means securing both the caregiver's informed consent and the child's informed assent, with the child's best interests guiding all decisions, using child-friendly techniques that encourage them to express themselves. (See also the GBV Guiding Principles in Section 2.1 and Caring for Child Survivors of Sexual Abuse).

Mandatory reporting of SEA and how it relates to confidentiality and survivor consent or assent

While reporting SEA is mandatory for most humanitarian workers, as per their organisations' codes of conduct (CoC), this obligation may in practice conflict with the principles of confidentiality and the right of the survivors to choose how they would like to address an SEA incident.

Survivors should always be informed that there are limits to confidentiality, as soon as they come forward with an allegation, and this should be explained in a way that it is easy to understand the information and level of detail that will be reported, who will have access, and what formal follow-up actions might take. This will support the survivors to understand and assert their right to confidentiality, as it can provide them with an opportunity to reflect on what aspects of their case they may want to disclose or not. For children who are too young to understand, this information should be shared with their trusted adult.

In some instances, national legislation may impact SEA complaint handling, including local mandatory reporting laws. This should not be confused with the principle of **mandatory reporting** for humanitarian staff within their own entities or for

inter-agency referral. Understanding the implications of national legislation for the survivors, communities and for perpetrators is crucial. In a situation when the particular case of SEA constitutes a criminal offense, it is the responsibility of the investigating agency to refer cases to the proper law enforcement authorities, taking into account the mandatory reporting required by law. For reference, please see Annex C.

8. Assistance to Survivors

The assistance and support provided to survivors of sexual exploitation or abuse is an utmost priority. Assistance should be provided in a non-discriminating manner and with the survivor's consent. For more information on service providers for SEA survivors, including children in Poland, please see the GBV referral pathways.

9. Investigation of Complaints

Investigations of complaints or allegations of SEA should be undertaken exclusively by dedicated personnel of the concerned entity or by the established investigative body affiliated with the entity/organisation associated with the alleged perpetrator. **It is neither the responsibility of PSEA Focal Points, nor of the PSEA-AAP Network co-chairs and/or Network, to conduct investigations or try to verify the validity of a complaint.**

If an **entity does not have the capacity** to safely, professionally and effectively manage an accredited SEA investigation internally, or have an agreement with an affiliated investigative body, the PSEA-AAP Network co-chairs should explore options for support and guidance for the relevant entity, including shared investigative capacity (i.e., through the PSEA-AAP Network's Pool of Investigators). External specialist support may also be required in cases where the survivor and any witness, is a child and/or a person with a disability.

10. Challenges to Implementation of these SOPs and other consideration

In cases where challenges in implementing these SOPs are raised, a process will be followed to discuss the matter by the PSEA-AAP Network to determine appropriate actions to be taken and address the issue in order to facilitate on-going information sharing and referrals. A meeting will be convened including the PSEA Focal Point(s) of the relevant entities and the PSEA-AAP Network/co-chairs to discuss the matter, and to determine appropriate actions to be taken within two weeks from the identified challenges in the implementation.

Annexes

A) Contact information for complaint-handling bodies – SEA – September 2025, Poland (link: Annex A_Contact information for complaint-handling bodies - Google Sheets)

B) Offline referral form (English and Polish versions)

INTER-AGENCY REFERRAL FORM FOR COMPLAINTS ABOUT SEXUAL EXPLOITATION AND ABUSE (in the context of the refugee response in Poland) Please refer SOPs for Interagency Referrals of SEA Allegations with instructions on this form and what to do with it once completed.	
REMEMBER: *All cases must be handled confidentially and with a survivor-centred approach.* *If the survivor(s) is (are) in need of medical, psychological and/or legal support, please contact the GBV focal point in your organisation and/or activate the GBV referral pathways for Poland available here.*	
INFORMATION ABOUT THE COMPLAINANT	
Name of the complainant: Name of the organisation: Phone number: Email address: Other contact details:	Gender (male, female, non-binary, prefer not to say): Age:
How does the complainant prefer to be contacted (e.g., phone, email, Telegram, WhatsApp)? Preferred time of day for contact (day/afternoon/night, exact time, etc.): What is the complainant's preferred language for communication (circle the best option)? Ukrainian / Russian / Romani / Belarusian /Romanian / English/ Polish or Ukrainian Sign Language / Other:_____	
INFORMATION ABOUT THE SURVIVOR *(Consent must be obtained before collecting any identifying information for the survivor)*	
Name (and nickname) of the survivor (if not the complainant): Phone number: Email address: Other contact details:	Gender (male, female, non-binary, prefer not to say): Age:

How does the survivor prefer to be contacted (e.g., phone, email, Telegram, WhatsApp)?

Preferred time of day for contact (day/afternoon/night, exact time, etc.):

What is the survivor's preferred language for communication (circle the best option)? Ukrainian / Russian / Romani / Belarusian /Romanian / English/ Polish or Ukrainian Sign Language / Other:_____

Has the survivor given consent for the completion of this form and referral (circle the best option)?
Yes / No / Don´t know

Any urgent needs identified for the survivor/complainant, including safety concerns? Please provide any important information:

Has the survivor been referred to an organisation for assistance (please give details about the organisation's name and services provided):

If victim/survivor is a child (under 18 years-old):

Name(s) and contact details of parent/guardian (*In situations where informing a parent or guardian could increase the risk of harm to the child, the child's own consent may be considered sufficient, in line with child safeguarding and Victim-Centered Approach (VCA) principles.)*:

The child is (circle the best option): with family / unaccompanied / separated.

INFORMATION ABOUT THE INCIDENT
(Please complete only the parts on which you have information. Do not contact the survivor to answer further questions.)

Date of incident(s): Time of incident(s):	Location of incident(s):

Brief description of incident(s) in the words of the survivor / complainant:

Name (and nickname) of the alleged perpetrator:

Name of the organisation the alleged perpetrator works for:

Position / Job title of the alleged perpetrator:

Address or location of the organisation where the alleged perpetrator works:

Any other information/ details considered useful:

INFORMATION ABOUT THE AGENCY OR ORGANISATION FORWARDING THE COMPLAINT

Report completed by (name of the PSEA focal point or another responsible person):

Position/Job title:

Name of the organisation for which the PSEA focal point works:

Date completed:
INFORMATION ABOUT THE AGENCY OR ORGANISATION RECEIVING THE COMPLAINT (ACKNOWLEDGMENT OF RECEIPT)
Report completed by (name of PSEA focal point or another responsible person): Position/Job title: Name of the organisation for which the PSEA focal point works: Date received:

MIĘDZYAGENDOWY FORMULARZ ZGŁOSZEŃ DOTYCZĄCYCH WYZYSKIWANIA I WYKORZYSTYWANIA SEKSUALNEGO (SEA) (w kontekście RRP w Polsce) Zapoznaj się ze Standardowymi Procedurami Operacyjnymi (SOP) dotyczącymi kierowania zgłoszeń związanych z SEA, gdzie znajdują się instrukcje dotyczące wypełniania tego formularza oraz dalszych kroków.	
PAMIĘTAJ: *Wszystkie zgłoszenia muszą być traktowane poufnie i z zastosowaniem podejścia skoncentrowanego na osobie doświadczającej SEA.* *Jeśli osoba poszkodowana wymaga pomocy medycznej, psychologicznej i/lub prawnej, skontaktuj się z osobą ds. GBV w twojej organizacji i/lub skorzystaj ze ścieżek przekierowania dostępnych tutaj.*	
DANE OSOBY ZGŁASZAJĄCEJ	
Imię i nazwisko osoby zgłaszającej: Nazwa organizacji: Numer telefonu: Adres e-mail: Inne dane kontaktowe:	Płeć (mężczyzna, kobieta, osoba niebinarna, wolę nie podawać): Wiek:
Preferowana forma kontaktu (np. telefon, e-mail, Telegram, WhatsApp): Preferowana pora kontaktu (ranek, popołudnie, wieczór, dokładna godzina itp.): Preferowany język komunikacji (zakreśl właściwą opcję): ukraiński, rosyjski, romski, białoruski, angielski, polski lub ukraiński język migowy, inny:_____	
DANE OSOBY DOŚWIADCZAJĄCEJ SEA *(Należy uzyskać zgodę osoby poszkodowanej przed przekazaniem jej danych)*	
Imię i nazwisko (pseudonim) osoby poszkodowanej: Numer telefonu: Adres e-mail: Inne dane kontaktowe:	Płeć (mężczyzna, kobieta, osoba niebinarna, wolę nie podawać): Wiek:
Preferowana forma kontaktu (np. telefon, e-mail, Telegram, WhatsApp):	

Preferowana pora kontaktu (ranek, popołudnie, wieczór, dokładna godzina itp.): Preferowany język komunikacji (zakreśl właściwą opcję): ukraiński, rosyjski, romski, białoruski, angielski, polski lub ukraiński język migowy, inny:_____
Czy osoba poszkodowana wyraziła zgodę na wypełnienie tego formularza oraz przekazanie sprawy (zaznacz najbardziej adekwatną odpowiedź): Tak / Nie / Nie wiem Czy zidentyfikowano pilne potrzeby osoby poszkodowanej lub zgłaszającej, w tym dotyczące bezpieczeństwa?
Czy osoba poszkodowana została skierowana do organizacji udzielającej pomocy (podaj nazwę organizacji i informacje o udzielanym wsparciu):
Jeśli osobą poszkodowaną jest dziecko (osoba poniżej 18 roku życia): Imię i nazwisko oraz dane kontaktowe rodzica/opiekuna lub opiekunki prawnej *(W sytuacjach, gdy poinformowanie rodzica lub osoby sprawującej opiekę mogłoby zwiększyć ryzyko zagrożenia dla dziecka, wystarczająca może być zgoda samego dziecka, zgodnie z zasadami ochrony dziecka i podejścia skoncentrowanego na osobie poszkodowanej– VCA).*: Dziecko jest (zakreśl właściwą opcję): z rodziną, bez opieki, oddzielone od opiekunów
INFORMACJE O ZDARZENIU *(Uzupełnij tylko te informacje, które posiadasz. Nie kontaktuj się z osobą poszkodowaną, aby uzyskać dodatkowe informacje.)*

Data zdarzenia: Godzina zdarzenia:	Miejsce zdarzenia:
Krótki opis zdarzenia słowami osoby poszkodowanej:	

Imię i nazwisko (oraz pseudonim) domniemanego sprawcy lub sprawczyni: Nazwa organizacji, w której pracuje domniemany sprawca lub sprawczyni: Stanowisko/funkcja domniemanego sprawcy lub sprawczyni: Adres lub lokalizacja organizacji, w której pracuje domniemany sprawca lub sprawczyni: Inne istotne informacje/szczegóły:
INFORMACJE O ORGANIZACJI PRZEKAZUJĄCEJ ZGŁOSZENIE
Formularz wypełnił(a) (imię i nazwisko osoby odpowiedzialnej za sprawę): Stanowisko/funkcja: Nazwa organizacji: Data wypełnienia:

INFORMACJE O ORGANIZACJI OTRZYMUJĄCEJ ZGŁOSZENIE (POTWIERDZENIE ODBIORU)
Formularz wypełnił(a) (imię i nazwisko osoby odpowiedzialnej za sprawę): Stanowisko/funkcja: Nazwa organizacji: Data otrzymania:

C) Mandatory Reporting Requirements for SEA Situations in Poland

According to the legal framework of the Republic of Poland, mandatory reporting requirements related to Sexual Exploitation and Abuse (SEA) are as follows:

Under the **Polish Criminal Code**, Article 240 (1), any person who has credible knowledge of the preparation or commission of certain crimes is legally required to report them to the authorities (Police or Prosecutor's Office). These crimes include:

- **Murder**
- **Grievous bodily harm**, including:
    - Depriving a person of sight, hearing, speech, or the ability to procreate,
    - Causing severe disability, a serious incurable or long-term life-threatening illness,
    - Inducing permanent mental illness,
    - Causing total or significant permanent incapacity to work in a profession,
    - Inducing significant disfigurement or deformity of the body.
- **Unlawful deprivation of liberty**
- **Rape or causing a person under the age of 15 to engage in sexual activity of a person under the age of 15**
- **Rape with aggravating circumstances (e.g., extreme cruelty)**
- **Engaging in sexual activity with a person who is unable to consent due to helplessness or mental illness**.