



# Support for Persons Affected by Child and Youth Abuse

March 2024




## General information

Approved by	The Executive Board and the Management Council		
Approved on	22.3.2024		
Version	1		
Binding for	<p>All member associations of SOS Children's Villages International (ordinary members), including their affiliated entities; the members of their governing bodies; and their employees and others working for them or on their behalf</p> <p>and</p> <p>SOS Children's Villages International, including its affiliated entities; the members of its governing bodies; and its employees and others working for it or on its behalf</p>		
Based on	<a href="#">Child and Youth Safeguarding Policy</a>		
Replaces			
Related materials	<p><a href="#">Workspace on child and youth safeguarding</a></p> <p><a href="#">Child and Youth Safeguarding Regulation</a></p> <p><a href="#">Misconduct Incident Management Regulation</a></p> <p><a href="#">Misconduct Investigation Regulation</a></p> <p><a href="#">Sexual Misconduct Regulation (PSHEA)</a></p> <p><a href="#">Code of Conduct</a></p>		
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Document owner	International Director of Safeguarding, International Office		
Revision history	Section	Amended on	Comment

If you have any general questions about this regulation, please contact: [childsafeguarding@sos-kd.org](mailto:childsafeguarding@sos-kd.org).

# Policy framework

The SOS Children's Villages policy framework has three levels of binding rules for member associations and SOS Children's Villages International. They build a hierarchy, starting with foundations as the highest, followed by policies and finally, regulations.

 <b>Foundation</b>	 <b>Policy</b>	 <b>Regulation</b>
Foundations are the highest constitutional and fundamental documents, establishing basic norms and legal obligations.	Policies define guiding principles and minimum requirements for members based on the norms and obligations established in foundations.	Regulations provide further detail (e.g. procedures and processes) on how to fulfill the minimum requirements and obligations defined in policies or foundations.
Approved by the General Assembly	Approved by the International Senate	Approved by the Executive Board in consensus with the Management Council

# Categories of rules

This regulation defines the following categories of rules.

**Legally binding (B):** legally binding rules of a regulation constitute the minimum common standard to be implemented and applied by each member association and SOS Children's Villages International. Subject to applicable national laws, member associations or SOS Children's Villages International can apply a stricter standard for regulations or its individual rules, but they cannot go below the standard of rules as defined in the regulation. Each member association and SOS Children's Villages International are obliged to notify the CEO in the event one or more rules of the regulation contravene applicable national laws and they must mitigate the consequences by proposing alternative solutions to ensure compliance. The breach of a legally binding rule entails consequences, depending on the gravity of the breach. This includes disciplinary measures for employees, suspension/termination of governing body membership or suspension/expulsion of federation membership. Legally binding rules are phrased as "**must**" requirements.

**Recommended (R):** recommended rules go beyond the minimum common standard and are not required to be implemented and applied by member associations. SOS Children's Villages International, as the norm-setting authority, however, will implement and apply recommended rules, and all member associations are strongly encouraged to follow this example as far as applicable national laws or their internal policies allow, in order to achieve more uniform standards across the federation. Recommended rules are phrased as "**should**" requirements.

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# Purpose

This Regulation on Support for Persons Affected by Child and Youth Abuse provides a binding framework for member associations, SOS Children's Villages International and operations run by SOS Children's Villages International regarding current and former programme participants who have experienced abuse, neglect or exploitation while in contact with SOS Children's Villages.<sup>1</sup> It provides guidance on the holistic support to be offered by the organisation, and on how to respond to requests for monetary payments.

SOS Children's Villages realizes that the abuse cannot be undone. SOS Children's Villages also recognizes that providing support can never eradicate the pain and suffering inflicted on the affected person. The aim of survivor support is rehabilitation, healing and a sense of closure by meeting the immediate, urgent support needs of those affected by abuse<sup>2</sup>, providing access to psychological support and implementing longer-term support plans, thereby promoting empowerment and self-reliance. The Individual Support Plan is needs-based and is created to give any person who has been affected by abuse the knowledge that they have been heard and that they will receive individual support to assist in their healing.

The regulation is based on the guiding principles and definitions included in the [Child and Youth Safeguarding Policy](#). The regulation is mandatory and must be complied with at all times.

This regulation is not a standalone document and must be applied in conjunction with other relevant policies, regulations and guidelines – in particular but not limited to the [Child and Youth Safeguarding Regulation](#), [Code of Conduct](#), [Misconduct Incident Management Regulation](#), [Misconduct Investigation Regulation](#), [Sexual Misconduct Regulation](#) and other specific child and youth safeguarding and protection documents.

If there is any confusion or uncertainty about the implementation of this regulation, this must be referred to the Safeguarding Team at the International Office for guidance.

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<sup>1</sup> In accordance with the Child and Youth Safeguarding policy, being in contact with the organisation includes, but is not limited to:

- being in the organisation's care;
- receiving any other type of support or service (for example, family strengthening services, humanitarian services in an emergency, medical care, day care, education or training, and counselling);
- participating in any event or activity involving anyone working for or on behalf of the organisation;
- involvement in research or consultation;
- interacting in any other way and for any duration with any person working for or on behalf of the organisation, whether that person is on or off duty; and
- receiving any type of service offered by a partner, contractor or any other party working on behalf of the organisation or in cooperation with SOS Children's Villages.

<sup>2</sup> As used in this document, the term "Affected Person" is understood to mean any person usually referred to as a "victim" or "survivor".

# Key principles

1.1	The approach of SOS Children's Villages is guided by the principle of providing support to the persons affected by abuse (" <b>Affected Person</b> "), aimed at rehabilitation, healing and some sense of closure, by meeting both the immediate support needs of persons affected by abuse, while also developing and implementing longer-term Individual Support Plans.	<b>B</b>
1.2	People who report abuse must be heard and to know that they will be fully acknowledged.	<b>B</b>
1.3	Abuse is often difficult to establish and even more so when the abuse took place a long time ago. It does not have to be proven by the Affected Person. Any benefit of the doubt should always be given to the person reporting abuse or exploitation.	<b>B</b>
1.4	Contact with the Affected Person should be trauma-informed, gender-sensitive and reflect knowledge of the distress that may occur when abusive events are discussed. Interviews with Affected Persons, outside a mental health therapeutic context, should be kept to a minimum to decrease the possibility of secondarily re-traumatizing the Affected Person.	<b>B</b>
1.5	All request for support and projects should be realistic and implemented in country, if possible. Where in-country services are not available, then an agreed upon regional alternative must be created.	<b>B</b>
1.6	SOS Children's Villages guides, supports and advises Affected Persons through the process of identifying the individual support needs. The Affected Person decides which specific type of support they would like to receive as long it remains within the financial frame calculated for the specific individual case (see Article 4.1 et seq.).	<b>B</b>
1.7	The information gathered through the development of individual support plans may be used to strengthen the existing and future safe and protective environment for the children, adolescents and young people currently living under the care of SOS Children's Villages or receiving other support from SOS Children's Villages, while respecting the right to anonymity and privacy of the individual concerned.	<b>B</b>
1.8	The Regulation shall be implemented in accordance with national legislation. Where necessary, member associations shall adapt their approach to supporting those affected by child and youth abuse to comply with the national legislation. The reasons for non-compliance with the Regulation shall be documented.	<b>B</b>
1.9	The Regulation only regulates the response of member associations and operations run by SOS Children's Villages International to concerns and incidents of abuse related to their own programmes, operations and offices. Member associations acting as funding partners for other member associations in the Federation are not required to respond to concerns and incidents reported in the supported member associations in accordance with the Regulation.	<b>B</b>

# Initial contact and determination of eligibility for support (Intake Process)

Most allegations of abuse or exploitation come to SOS Children’s Villages from the affected person or by their personal representative (legal counsel, relative, or friend). This is an *active* or *purposeful* disclosure, in which the affected person has made the decision to come forward to have their case assessed.

However, in other cases, the allegation of abuse may be reported by a third party, such as a whistle-blower or an affected person who discloses that they were not the only target of abuse. This is an *external disclosure*, and how a potentially affected person will react to contact under this circumstance may be markedly different from those persons in active disclosure. Where SOS Children’s Villages is making initial contact with a potentially affected person not in active disclosure, it is important make clear to them both why they are being contacted (to ascertain if they were affected by abuse) and what SOS Children’s Villages would like to discuss with them, if they were so affected.

<p>2.1 When a member association or operation run by SOS Children’s Villages International receives a report of alleged abuse or learns about such abuse, the person reporting their alleged experience of abuse (“<b>Reporter</b>”) must be offered a contact with a caseworker<sup>3</sup>. At the same time, the Reporter must receive a simple, transparent and user-friendly description of the support process and its different steps.</p>	<b>B</b>
<p>2.2 The role of the case worker is to guide the reporter through the entire process of the organisation’s response to the reported abuse, including answering any questions the reporter may have about the process. This also includes supporting the reporter if he/she decides to request support from the organisation.</p>	<b>B</b>
<p>2.3 The caseworker is not a member of the Misconduct Incident Management Team, as described in the Misconduct Incident Management Regulation.</p>	<b>B</b>
<p>2.4 The purpose of the Intake Process is to determine the plausibility of the report submitted by the Reporter and to assess the impact of the reported abuse on the Reporter’s life, health and psychological well-being. It includes a due diligence check and psychological assessment.</p>	<b>B</b>
<p>2.5 The Intake Process is only conducted if the Reporter is a former programme participant, requests support from the organisation and it is not possible to follow a misconduct incident management process described in the Misconduct Incident Management Regulation.<sup>4</sup></p>	<b>B</b>

<sup>3</sup> The caseworker should have a background as a social worker, psychologist, mental health practitioner or similar.

<sup>4</sup> This includes, for example, a situation where information on former programme participants is not available, people involved in the reported incident have left the organisation, the programme service has been discontinued, etc.

2.6	The Intake Process does not apply to current programme participants, where the member association or operation run by SOS Children's Villages International is required to follow the incident management process described in the Misconduct Incident Management Regulation. Support from the organisation is then provided in accordance with this Regulation (see Article 5.1 et seq.).	<b>B</b>
2.6.1	In case of current programme participants, it is not necessary that the programme participant requests support. SOS Children's Villages is required to provide the support as part of the duty of care.	<b>B</b>
2.7	SOS Children's Villages can only store information provided by the Reporter during the Intake Process on the basis of the Reporter's free, prior and informed consent in accordance with national legislation.	<b>B</b>
2.8	If necessary, the member association or the operation run by SOS Children's Villages International contracts an external organisation to carry out the Intake Process.	<b>R</b>
2.9	Any support required by the Reporter will only be provided after the Intake Process has been completed, with the exception of psychological support (counselling) during the psychological assessment (see Article 2.16 et seq.).	<b>B</b>

## Determining the plausibility of the report (due diligence check)

In determining whether a potentially affected person may be entitled to "Affected Person" status, the standard of review is plausibility. This standard of review is well below that used in law, either criminally (beyond a reasonable doubt) or civilly (by a preponderance of the evidence).

Plausibility requires only that the facts as put forward by the potentially affected person are reasonably possible. A plausible report is defined as an account that presents information that is reasonable, believable, and supported by evidence or logical reasoning.

In assessing plausibility, caution must be taken in using many of the factors that are normally used in making such a determination. When an individual is affected by historical trauma and the trauma of reliving the event now, as well as the passage of time, factors used to assess the plausibility of statements should be viewed in an informed manner, as trauma and time may impact full and rigidly consistent memory recall.



<p>2.10 When evaluating the plausibility of a report, it must always be done in a trauma-informed, gender-sensitive manner. Factors could include:</p> <ul style="list-style-type: none"> <li>- Evidence: A plausible report should be supported by reliable evidence, which can include factual data, expert opinions, research findings, or documented sources. The evidence should be verifiable and relevant to the claims being made.</li> <li>- Logical consistency: Recognizing the role trauma may play in negatively impacting the reporting, the report should demonstrate basic logical coherence and internal consistency. The information provided should not contain extreme contradictory statements or unaccountable logical fallacies.</li> <li>- Contextual relevance: The plausibility of a report can also depend on its alignment with the broader context or background information.</li> <li>- Source credibility: The credibility of the Reporter who reported the abuse is an important factor in assessing plausibility. However, it must be remembered that vulnerabilities, such as mental health issues or disabilities, may have made the Reporter a target for abuse, as perpetrators think no one will believe the victim with those conditions.</li> <li>- Lack of bias: A plausible report should strive to be objective and unbiased. It should present information fairly, without distorting facts or selectively presenting evidence to support a particular agenda or viewpoint.</li> <li>- Reasonable assumptions: In cases where complete information is not available, a plausible report may rely on reasonable assumptions or extrapolations. These assumptions should be clearly stated and grounded in logical reasoning or known facts.</li> </ul>	<b>R</b>
<p>2.11 A member of the incident management team ("<b>Incident Manager</b>") at the appropriate level of the organisation organises the initial meeting with the Reporter.</p>	<b>B</b>
<p>2.11.1 The Incident Manager gathers the Reporter's perspective on what has happened, but avoids any personal assessment and judgement of the shared experience.</p>	<b>B</b>
<p>2.11.2 The gathering of this information may be gained through an in-person meeting with the Reporter or via alternative means, at the discretion of the Reporter.</p>	<b>R</b>
<p>2.11.3 It is important that during the initial meeting with the Incident Manager, the Reporter provides the following information to support their report:</p> <ul style="list-style-type: none"> <li>- Period in which the abuse took place;</li> <li>- Length of the abuse;</li> <li>- The nature and extent of the abuse;</li> <li>- The name(s) of the perpetrator(s);</li> <li>- Members of the family at the SOS Children's Village programme, where the Reporter lived, and their role in the reported incident (if the person has participated in an alternative care programme); and</li> <li>- Description of the impact of the abuse.</li> </ul> <p>This information is used for due diligence check (see Article 2.12 et seq.).</p> <p>As long as the above information has not been submitted, the report will not be finalised and will not be taken into consideration.</p>	<b>B</b>

2.11.4	The Incident Manager records the information provided by the reporter on the initial meeting form. A template Initial Meeting Form is provided in a separate document. The Initial Meeting Form supplements the information provided in the initial report (see the Misconduct Incident Management Regulation).	<b>B</b>
2.12	Based on the information provided by the Reporter during the initial meeting with the Incident Manager, the Misconduct Incident Management Team will conduct the due diligence check.	<b>B</b>
2.12.1	The purpose of the due diligence check is to verify basic information about the reported incident of abuse using the information available at SOS Children's Villages. Due diligence is not an investigation and should not include investigative interviews.	<b>B</b>
2.12.2	If the Misconduct Incident Management Team is unable to verify the information provided by the Reporter due to a lack of information at the member association or the operation of SOS Children's Villages International, the information provided by the reporter is considered correct.	<b>R</b>
2.12.3	Once a due diligence check has been carried out on the information gathered above (timeframe, misconduct, etc.), a face-to-face meeting with a psychologist must be arranged to make a psychological assessment of the impact of the reported abuse on the Reporter's life, health and psychological wellbeing.	<b>B</b>
2.13	If the Reporter is not able or willing to share their expectations from SOS Children's Villages at the first meeting with the Incident Manager, they can do so at any point of time in the future.	<b>B</b>
2.14	It must be remembered that keeping the number of interviews to a minimum will limit the potential re-traumatization of the Reporter.	<b>B</b>
2.15	If a member association or an operation run by SOS Children's Villages International commissions a misconduct investigation <sup>5</sup> or refers the case to the relevant state authorities for criminal investigation, further decisions about the support offered to the potentially affected person will be made after the investigation has been completed. In the course of the investigation, the Reporter is supported by the designated caseworker and the organisation offers psychological support (counselling) to the Reporter.	<b>B</b>

## Psychological assessment

2.16	Following a due diligence check of the information gathered from the Reporter, a face-to-face meeting must be arranged with a psychologist, mental health practitioner or other relevant expert who has expertise, experience and/or training in working with trauma affected people to provide a psychological assessment of the impact of the reported abuse on the Reporter's life, health and psychological wellbeing.	<b>B</b>
2.16.1	The required profile of the expert is described in a separate document. The expert reports to the Misconduct Incident Management Team.	

<sup>5</sup> See the [Misconduct Investigation Regulation](#).

<p>2.17 The role of the expert meeting with the Reporter is to assess, using a trauma-informed approach, the following issues:</p> <ul style="list-style-type: none"> <li>- Current mental health status.</li> <li>- The Reporter’s history of mental health (e.g. mental health problems prior to the reported abuse).</li> <li>- The description of the person’s family network, with a focus on a common family history in the SOS Children’s Village or other type of alternative care provided by SOS Children’s Villages where the Reporter lived.</li> <li>- Distress caused by past abuse.</li> <li>- Impact of the abuse on the person, past and present.</li> <li>- Therapy that addresses the effects of the abuse the person has received in the past.</li> <li>- The person’s overall psychological and emotional needs.</li> <li>- The need for referral to a mental health professional.</li> <li>- Recommendations and way forward.</li> </ul>	<b>B</b>
<p>2.18 The expert then shares their assessment with the Misconduct Incident Management Team.</p>	<b>B</b>
<p>2.19 The organisation should offer psychological support (counselling) to the reporter during the psychological assessment. The process of providing psychological counselling is coordinated by the caseworker who informs the designated senior manager, coordinating the organisational response to the reported incidents<sup>6</sup>, so the psychological support can be provided as soon as possible (see Article 6.5 et seq.).</p>	<b>R</b>

## Identifying the root causes that allowed the abuse to happen

<p>2.20 Where the Intake Process concludes that the reported allegation is plausible, the Misconduct Incident Management Team focuses on identifying the root causes that allowed the abuse to happen, and the necessary improvements in the current organisational policies and practice.</p>	<b>B</b>
<p>2.21 The designated senior manager informs the national director (or equivalent) of the member association or operation run by SOS Children’s Villages International of the results of the plausibility assessment. The national director in turn informs the governing body of the member association. In case of operations run by SOS Children’s Villages, the national director informs the SOS Children’s Villages International Representative.</p>	<b>B</b>

## Necessary improvements of the organisational policies and practice

<p>2.22 In case the Intake Process concludes that the reported allegation is plausible, the designated senior manager, coordinating the organisational response to reported incidents, coordinates with the national Child and Youth Safeguarding Focal Person the necessary improvements of the organisational policies and practice.</p>	<b>R</b>
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<sup>6</sup> See the [Misconduct Incident Management Regulation](#).

2.22.1 The national Child and Youth Safeguarding Focal Person reports on the outcomes of the agreed actions to the national director (or equivalent) who in turn informs the governing body of the member association.	<b>B</b>
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## Recommendations of the incident management team, communication to the reporter

3.1 The Intake Process is concluded with a report submitted by the Misconduct Incident Management Team to the designated senior manager, coordinating the organisational response to reported incidents.	<b>B</b>
3.1.1 The Intake Process report must be submitted within six weeks after the allegation has been reported to SOS Children's Villages.	<b>B</b>
3.1.2 The report states whether the alleged abuse is plausible, provides an overview of the impact of the abuse, and, if the Reporter has requested support from the organisation, makes recommendations for possible support or not based on the information gathered during the due diligence check and the psychological assessment.	<b>B</b>
<p>3.2 The recommendations must include a specific rationale as to why the Misconduct Incident Management Team has chosen to make a particular recommendation, leading to one of the following conclusions:</p> <ul style="list-style-type: none"> <li>- Not eligible for support If the recommendation of the Misconduct Incident Management Team is that the Reporter is not eligible for support (e.g., because the report was not plausible), the Incident Manager and the caseworker will arrange a face-to-face meeting to explain this outcome to the Reporter. The Reporter will also receive a closure letter signed by a designated senior manager, coordinating the organisational response to the reported incidents. The member association or SOS Children's Villages operation retains a copy of the closure letter, signed by the Reporter and the designated senior manager, coordinating the organisational response to the reported incidents.</li> <li>- Eligible for support If the recommendation of the Misconduct Incident Management Team is that the Reporter is eligible for support, the Misconduct Incident Management Team must make specific recommendations as to the nature, extent, and duration of the support.</li> </ul> <p>The Incident Manager and the caseworker will arrange a face-to-face meeting to explain the outcome and the next steps to the Reporter, including the recommended forms of support so that the Reporter can make an informed decision about the support they seek from the</p>	<b>B</b>

<p>organisation. The Reporter will also receive a letter from SOS Children's Villages formally acknowledging the report and the reported past experiences of abuse (see Article 3.4 et seq.).</p> <p>If the Reporter has requested longer-term support, monetary payment or a combination of both, the Misconduct Incident Management Team will calculate the financial framework for the support using the criteria set out in the Article 5.4 et seq. The team will submit the calculation to the senior manager coordinating the organisational response to reported incidents for approval.</p>	
<p>3.3 The Reporter will only be assessed as eligible for support if they are not addicted to drugs, are not experiencing an emergency mental health crisis, etc. If the due diligence check or the psychological assessment reveals any of these issues, the Reporter must be referred to an appropriate support service (rehabilitation centre, etc.) organised by the government or another NGO before they can start receiving the support.</p>	<b>B</b>
<p>3.3.1 Drug testing is a mandatory part of the initial due diligence check. This must be done on the basis of free, prior and informed consent of the person.</p>	<b>B</b>

## Letter of acknowledgement

Acknowledging to the Reporter that the organisation has heard them and that their disclosure, experience and feelings are understood can be a vital part of a further path towards rehabilitation, healing and closure. Included in an acknowledgement should be an explanation of what steps have been taken so that child safeguarding is now stronger.

An acknowledgement is not a confirmation or rejection of a report of abuse, but an acknowledgement of understanding how difficult and emotional abuse and its reporting can be, as well as any related challenges the Reporter has faced.

<p>3.4 It is a very important part of the healing and closure process for the Reporter to receive an acknowledgement from the organisation.</p>	<b>R</b>
<p>3.4.1 If the Reporter is a former programme participant, he/she should receive a letter of acknowledgement in an official physical meeting with a senior representative of the respective member association or SOS CVI operation. Such a meeting should always be offered to the Reporter.</p>	<b>R</b>
<p>3.4.2 If the Reporter is a current programme participant, the respective member association or SOS CVI operation decides how the Reporter is to be acknowledged. It is recommended to do this in an official meeting with a senior representative of the respective member association or SOS CVI operation.</p>	<b>R</b>
<p>3.5 The letter of acknowledgement shall be drafted in such a way that, in the event of legal proceedings, it does not provide the Reporter and his or her counsel with statements against the interests of the organisation.</p>	<b>B</b>

3.5.1	The wording of this letter of acknowledgment must be consistent throughout SOS Children's Villages International and any translations must be validated by the national legal adviser prior to distribution to ensure such consistency and compliance with national legislation and the internal policies and regulations of the member association.	<b>B</b>
3.6	The letter of acknowledgement should be signed by a national director of the member association or SOS CVI operation.	<b>R</b>

## Request of the Affected Person for support

4.1	If the Intake Process or a misconduct investigation concludes that the reported abuse is plausible (see Article 2.10), the Affected Person may request support from the organisation, as long as the overall costs remain within the financial framework calculated by the Misconduct Incident Management Team (see Article 5.4 et seq.).	<b>B</b>
4.2	The request for support must be made by the Affected Person or by someone who acts on behalf of the Affected Person (authorized person).	<b>B</b>
4.3	<p>The request for support must contain at least the following information:</p> <ul style="list-style-type: none"> <li>- Name, address and contact details of the applicant;</li> <li>- If the applicant and the Affected Person are not the same person, name, address details and copy of the ID of the Affected Person;</li> <li>- Name of the member association or operation run by SOS Children's Villages International the Affected Person has been in contact with;</li> <li>- Bank account number of the Affected Person or applicant should they request monetary payment. In case the Affected Person or applicant does not have a bank account, they need to provide the organisation with another means of transferring the money to them. Payment in cash is strongly discouraged.</li> </ul> <p>As long as the above-mentioned information is not submitted, the request will not be regarded as finalized and cannot be considered. Persons who are already receiving support from SOS Children's Villages need to submit only the information that is not available to the organisation.</p>	<b>B</b>
4.3.1	The member association or the operation run by SOS Children's Villages International sends the Affected Person an acknowledgment of receipt of the request for support as soon as possible.	<b>B</b>
4.3.2	A request for support can be made free of charge.	<b>B</b>
4.4	In case the Affected Person chooses the option of a sole monetary payment, they are not entitled to any further support from SOS Children's Villages, except for psychological support. Support and guidance from a caseworker on how they can best manage the money is however available if needed.	<b>B</b>

# Financial frame for longer-term support and/or monetary payment

5.1	All member associations and operations run by SOS Children's Villages International must set up transparent internal mechanism for responding to requests for support from persons affected by abuse.	<b>B</b>
5.2	If the report of abuse has been found plausible (see Article 2.10) and the Affected Person has requested support from the organisation, the Misconduct Incident Management Team will calculate the financial frame for the organisational support to the Affected Person. This calculation must be made within 10 working days of the completion of the Intake Process and receipt of the Reporter's request for support.	<b>B</b>
5.3	The financial framework as calculated by the Misconduct Incident Management Team represents the maximum amount of support that the Affected Person is entitled to receive from SOS Children's Villages.	<b>B</b>

## Calculation of the financial frame

5.4	The financial frame for the support offered by SOS Children's Villages is determined based on a number of categories. Each category carries with it a number of points. The total amount of the financial frame depends on the total points accumulated.	<b>B</b>
5.5	Irrespective of the circumstances of the abuse and its impact, each Affected Person will receive a minimum of 40 points. These points form the basis of an amount of the financial framework for the support offered by the respective member association or operation run by SOS Children's Villages International.	<b>R</b>
5.5.1	The value of the points relates to the costs of living in the country where the Affected Person lives. Every member association use the data provided by the World Bank in the <a href="#">International Comparison Program</a> (ICP) <sup>7</sup> to calculate the amount for the respective country. The reference amount for the global average (world = 100) is 200 EUR/point. <sup>8</sup>	<b>B</b>
5.5.2	If a particular country is not included in the International Comparison Program (ICP), it is the responsibility of the member association to calculate the reference amount using the national statistics.	<b>B</b>

<sup>7</sup> Data collected in the indicator "Households and NPISHS final consumption expenditure" under the classification Price Level Index.

<sup>8</sup> If the Price Level Index by the World Bank for a certain country is e.g. 50, then the amount will be 100 EUR/point.

<p>5.5.3 In these 40 points, the following circumstances have been assumed:</p> <ul style="list-style-type: none"> <li>- The children and youth who were abused whilst in contact with SOS Children's Villages were vulnerable. They often experienced awful things before SOS Children's Villages was involved and had little or no family or friends. It is therefore all the worse that SOS Children's Villages failed in providing them with a safe and protective environment;</li> <li>- The abuse took place within a care setting in which there was a power difference and hierarchy; and</li> <li>- Abuse has serious adverse consequences. It often leads to feelings of anxiety, shame and depression and a negative effect on the Affected Person's future life, such as on school and the ability to study, or work performance, and the ability for the Affected Person to build relationships.</li> </ul>	<b>B</b>
<p>5.6 If the perpetrator was responsible for providing direct care to the Affected Person, a minimum of 5 points is added. A maximum of 20 points are added, depending on the varying factual circumstances.</p>	<b>R</b>
<p>5.7 If sexual abuse, including sexual harassment and coercion, of the Affected Person has taken place, a minimum of 5 points is added. A maximum of 20 points are added, depending on the varying factual circumstances.</p>	<b>R</b>
<p>5.8 If the abuse involved severe physical abuse, such as burning, cutting, beatings/physical contact that resulted in permanent or life threatening injuries or permanent disabilities, a minimum of 5 points is added. A maximum of 20 points are added, depending on the varying factual circumstances.</p>	<b>R</b>
<p>5.9 If the abuse has occurred multiple times over an extended period of time, a minimum of 5 points is added. A maximum of 20 points are added, depending on the varying factual circumstances.</p>	<b>R</b>
<p>5.9.1 'Multiple times' means three times and more.</p>	<b>R</b>
<p>5.9.2 'Extended period of time' means six months and beyond.</p>	<b>R</b>
<p>5.10 If the abuse has led to permanent limitations for the Affected Person, a minimum of 5 points is added. A maximum of 20 points are added, depending on the varying factual circumstances.</p>	<b>R</b>
<p>5.10.1 'Permanent limitation' refers to consequences of the abuse that have a lasting negative impact on the life and well-being of the Affected Person. It includes sensory disability or mental disorder, or a combination of these. For the purpose of the assessment of the impact of abuse, such limitation should be diagnosed for at least one year.</p>	<b>R</b>
<p>5.11 The maximum points an applicant can accumulate is 140 points.<sup>9</sup></p>	<b>R</b>
<p>5.12 In exceptional circumstances, the number of points may be increased by an additional 20 points. In this case, the maximum number of points an applicant can accumulate is 160 points.</p>	<b>R</b>

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<sup>9</sup> If the Price Level Index by the World Bank in the respective country is equal to the global average (world = 100), the value of the accumulated points is 28,000 EUR (140 points x 200 EUR).



<p>5.12.1 'Exceptional circumstances' refer to situations such as:</p> <ul style="list-style-type: none"> <li>- the perpetrator was a senior manager (e.g. national director or equivalent, programme director or other person in a position of similar perceived or actual power) or a member of the governing body of a member association;</li> <li>- SOS Children's Villages has failed to support the Affected Person through the criminal justice system to prosecute the perpetrator who was an SOS Children's Villages employee;</li> <li>- the Affected Person was the first to disclose the abuse and, as a result, was the target of further abuse or pressure to withdraw the statement.</li> </ul>	<b>R</b>
<p>5.12.2 If the abuse involved exceptional circumstances, a minimum of 5 points is added. A maximum of 20 points are added, depending on the varying factual circumstances.</p>	<b>R</b>
<p>5.13 The Misconduct Incident Management Team informs the senior manager coordinating the organisational response to reported incidents of the calculated financial frame for the support and seek his/her approval. The Misconduct Incident Management Team's calculation shall be prima facie correct.</p>	<b>R</b>
<p>5.14 The calculation prepared by the Misconduct Incident Management Team includes the following information:</p> <ol style="list-style-type: none"> <li>a) the name and place of residence of the Affected Person;</li> <li>b) a summary of the situation of abuse described by the Affected Person;</li> <li>c) if applicable, a summary of the support given by SOS Children's Villages to the Affected Person with respect to the abuse;</li> <li>d) the facts and circumstances that the Misconduct Incident Management Team has found relevant for the calculation of the financial frame;</li> </ol> <p>As for the specific amount of the financial framework, the Misconduct Incident Management Team will also communicate:</p> <ol style="list-style-type: none"> <li>a) the amount of the financial framework, calculated by the Misconduct Incident Management Team;</li> <li>b) how the amount of the financial framework was built up, including - when applicable - what amounts have been settled (in case an Individual Support Plan has been developed and (partly) executed) and why the Misconduct Incident Management Team has found it reasonable to settle these amounts;</li> <li>c) the name of the members of the Misconduct Incident Management Team that assessed the request and provided the calculation;</li> <li>d) the date of the calculation.</li> </ol>	<b>R</b>
<p>5.15 The final decision on the calculated financial frame for support must be made by the senior manager coordinating the organisational response to reported incidents within 10 working days of receipt of the Intake Process report from the Misconduct Incident Management Team.</p>	<b>R</b>
<p>5.15.1 If more than 10 working days have elapsed since receipt and no action has been taken by the senior manager coordinating the organisational response to reported incidents, the calculation shall be deemed correct and final, and the Misconduct Incident Management Team shall notify the members of the governing body of the member association of the calculation.</p>	<b>R</b>

5.16 The Incident Manager and the caseworker shall inform the Affected Person of the calculated financial framework for support in a face-to-face meeting. The meeting must take place within 10 working days of the senior manager coordinating the organisational response to reported incidents deciding on the calculated financial framework for support.	<b>B</b>
5.17 The Affected Person can file a complaint with respect to the handling of the request by the Misconduct Incident Management Team and / or the way the member association or the operation run by SOS Children's Villages International has executed the advice from the Misconduct Incident Management Team. A complaint should be filed with the national Ombudsperson. This may be the organisational Ombudsperson or a state Ombudsperson office. In case the member association or the operation run by SOS Children's Villages International has not set up a national Ombudsperson, the caseworker informs the Affected Person that the complaint needs to be submitted to the Global Ombudsperson Office.	<b>B</b>

## Types of Support Offered

Once the Reporter has been identified as a person affected by abuse ("**Affected Person**"), either through an Intake Process or a misconduct investigation, and has requested support from the organisation, the type of support that may be appropriate for the Reporter needs to be assessed. This process should be guided by the recommendations of the Misconduct Incident Management Team report, but it is important to respect the Reporter's wishes and preferences regarding support.

6.1 If the Reporter has requested support from the organisation, it is the caseworker's responsibility to guide the Reporter so that the support requested can have a long-term positive impact.	<b>B</b>
6.1.1 If the Reporter requests support that may not have this long-term positive impact, the caseworker must bring this issue to the attention of the Misconduct Incident Management Team. If there is an ongoing disagreement with the Reporter about the support requested, the caseworker will seek further guidance from the designated senior manager, coordinating the organisational response to the reported incidents.	<b>B</b>
6.1.2 The support provided by the organisation must reflect the impact of the abuse to the life, health and psychological well-being of the Affected Person, as identified by the relevant expert in the psychological assessment (see Article 2.16 et seq.).	<b>B</b>
6.2 The support offered by SOS Children's Villages includes the following options: <ul style="list-style-type: none"> <li>- <b>Psychological support (counselling)</b> during the Intake Process and whilst support is being provided by the member association or operation run by SOS Children's Villages International;</li> <li>- <b>Immediate support</b>, if the report of abuse has been found plausible and immediate support is needed. The immediate support is intended to stabilize the situation of the Affected Person. This includes financial support, medical support, help with living conditions situation etc.;</li> </ul>	<b>B</b>

<ul style="list-style-type: none"> <li>- <b>Longer-term holistic support</b>, if the report of abuse has been found plausible and the Affected Person chooses this type of support. Longer-term holistic support addresses the specific impacts of the abuse; and</li> <li>- <b>Monetary payment</b>. If the report of abuse has been found plausible and the Affected Person chooses for this type of support instead of a longer-term holistic support. The decision to allow monetary payments is at the discretion of the member association or SOS CVI operation, depending on national legislation and available funds. Monetary payment is not available to the current programme participants in alternative care programme services.</li> <li>- <b>Reimbursement of costs incurred as a result of abuse</b>, if the report of abuse has been found plausible and the Affected Person has directly paid for his/her own mental health support costs (e.g. counselling, psychological support, medicines prescribed as part of a mental health treatment plan), medical costs or other costs directly resulting from the reported abuse.</li> </ul>	
<p>6.3 The caseworker discusses with the Reporter the calculated financial framework for support and the recommended forms of support. The caseworker also discusses with the Reporter that they can choose to receive holistic, longer-term support, a monetary payment or a combination of both, and request this support from the organisation.</p>	<b>B</b>
<p>6.3.1 The cost of psychological support and immediate support is not deducted from the financial framework calculated for the individual support.</p>	<b>R</b>
<p>6.3.2 The longer-term holistic support, monetary payment, or a combination of both provided by the organisation must remain within the calculated financial framework for support.</p>	<b>B</b>
<p>6.4 In the case of a former programme participant, before the implementation of the agreed form of support begins, the Affected Person signs an Individual Support Agreement with SOS Children's Villages. This formally summarises the agreement on the support that SOS Children's Villages will provide to the Affected Person. The document is prepared by SOS Children's Villages and presented to the Affected Person by the Incident Manager and the caseworker in a face-to-face meeting. A template of Individual Support Agreement is provided in a separate document.</p>	<b>B</b>

## Psychological support (counselling)

<p>6.5 The Affected Person must have access to psychological support (counselling) during the Intake Process and throughout the whole time they receive support from SOS Children's Villages. However, it remains the decision of the Affected Person whether they want to use this service or not.</p>	<b>B</b>
<p>6.6 SOS Children's Villages will provide psychological support to the Affected Person according to the clinical assessment of a qualified psychologist or a mental health practitioner.</p>	<b>B</b>
<p>6.7 The caseworker connects the Affected Person with a suitable psychologist, mental health practitioner or therapist, considering the specific needs of the Affected Person. This person should have expertise, experience or training in working with those who have experienced trauma. It can be an expert contracted by the member association or the operation run by SOS Children's Villages International, or an external expert. The caseworker respects the wish of the Affected Person in case they prefer a male or female expert.</p>	<b>B</b>

6.7.1	Initially, the caseworker works with the Affected Person to find a psychologist or therapist who is covered by their health insurance. If there is no or only partial reimbursement, SOS Children's Villages will reimburse the additional costs.	<b>B</b>
6.7.2	Should the Affected Person already have their own psychologist or therapist, they can continue in counselling provided by this expert. In such case, SOS Children's Villages should offer taking over the reasonable costs associated with the services provided by the psychologist or therapist. Prior to SOS Children's Villages taking over the costs, the psychologist or therapist must provide relevant evidence that they are qualified/legitimate mental health care professionals.	<b>R</b>
6.7.3	SOS Children's Villages covers the costs associated with providing this counselling for at least six months, with a maximum length of treatment of three years or 100 sessions.	<b>R</b>
6.8	SOS Children's Villages can also refer the Affected Person to other organisations that may be able to meet the unique needs of the individual when necessary to provide specialized, holistic support to the Affected Person.	<b>R</b>
6.9	If the Affected Person chooses to receive only a monetary payment (see Article 6.53 et seq.), SOS Children's Villages will not provide any further support beyond the monetary payment. This includes, for example, the cost of travel to see a psychologist or mental health practitioner for psychological support.	<b>B</b>

## Immediate support

6.10	The focus of the immediate support is to stabilize the life situation of the Affected Person so they can focus on further steps, addressing the impact of the abuse and leading towards rehabilitation, healing and closure. The general time limit for all types of immediate support is 12 months.	<b>B</b>
6.11	Depending on the individual situation of the Affected Person and based on the advice of the caseworker, the member association or the operation run by SOS Children's Villages International provide one or more of the following types of immediate support: <ul style="list-style-type: none"> <li>- Financial support;</li> <li>- Medical support; and</li> <li>- Living conditions support.</li> </ul>	<b>B</b>
6.12	The process of providing immediate support is coordinated by the caseworker who informs the Misconduct Incident Management Team. Final approval is given by the designated senior manager, coordinating the organisational response to the reported incidents.	<b>B</b>
6.13	If the Intake Process report prepared by the Misconduct Incident Management Team (see Article 3.1 et seq.) or an investigation concludes that the reported allegation of abuse is plausible, the caseworker will assess with the Affected Person whether immediate support is required.	<b>B</b>
6.13.1	A decision on the offered support must be communicated to the Affected Person in writing within 10 working days after they requested the support.	<b>B</b>

6.13.2	Member association or the operation run by SOS Children's Villages International must transparently inform the Affected Person about the extent of the immediate support and for how long this support will be provided. This communication is done in writing via the caseworker.	<b>B</b>
6.14	The services may be provided by SOS Children's Villages staff directly, or through specialised third-party professionals or organisations agreed upon by the Affected Person and SOS Children's Villages.	<b>R</b>
6.14.1	Services of professionals or organisations should be paid directly by SOS Children's Villages, once a contract for those services has been agreed and signed.	<b>R</b>

### Financial support

6.15	In case the Affected Person is struggling with obtaining the basic means of living, the member association or the operation run by SOS Children's Villages International should provide them with direct financial support.	<b>R</b>
6.16	The amount allocated as direct financial support must reflect the costs of living in the country where the Affected Person lives.	<b>R</b>
6.17	It is recommended that the direct financial support should be made available to the Affected Person for at least six months and a maximum of 12 months.	<b>R</b>

### Medical support

6.18	In case the Affected Person is in need of medical support, the member association or the operation run by SOS Children's Villages International supports the Affected Person so they obtain access to the public system of medical / health insurance.	<b>R</b>
6.18.1	If the public system of medical / health insurance covers only part of the costs associated with medical support or psychological help, the remaining costs are covered by SOS Children's Villages.	<b>R</b>

### Living conditions support

6.19	As part of the immediate support, the Affected Person may also request support of the caseworker regarding more appropriate living conditions in terms of safety, hygienic conditions etc.	<b>R</b>
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6.20 It is important that the improved living conditions enable the Affected Person and their family to continue in all their regular activities, such as children attending a school, being active members of the community, remain in contact with their supportive <sup>10</sup> relatives and friends, etc.	<b>R</b>
6.21 The member association and the Affected Person must sign a contract regarding the support with living conditions, detailing the financial conditions and the period for which this support will be provided. It is recommended that the immediate support with living conditions should be provided for a minimum of six months and a maximum of 12 months.	<b>R</b>

## Holistic, longer-term support

6.22 In case the Affected Person chooses a holistic, longer-term support, they work together with the caseworker on a thorough Individual Support Plan. The Individual Support Plan includes specific support actions such as psychosocial (counselling), medical, educational, legal and economic support <sup>11</sup> , and improving the living conditions of the Affected Person.	<b>B</b>
6.22.1 This support focuses on a long-term, sustainable process of rehabilitation, healing and closure, and it must reflect the individual situation of the Affected Person and the impact of the abuse on their life, health and psychological wellbeing, as assessed during the Intake Process (see Article 2.1 et seq.) or a misconduct investigation.	<b>B</b>
6.22.2 SOS Children's Villages commits to provide the support defined in the Individual Support Plan during the whole time that the Individual Support Plan is in effect, to ensure that all individual support actions can be implemented as planned.	<b>B</b>
6.22.3 It is recommended that the Individual Support Plan be planned for a maximum of three years.	<b>R</b>
6.23 Each Affected Person receives the support in accordance with their Individual Support Plan. The Individual Support Plan is discussed and agreed between the Affected Person and the caseworker representing the organisation. When necessary, the caseworker invites other experts such as e.g. a psychologist, lawyer etc. to this discussion.	<b>B</b>
6.24 It is important that the Affected Person and the caseworker agree on the specific support actions, so they represent a realistic, achievable set of actions that will help the Affected Person to achieve their personal goals on the way to closure.	<b>B</b>
6.24.1 Support actions and measures included in the Individual Support Plan must address the impact of the abuse experienced by the Affected Person and support the Affected Person on their way to closure.	<b>B</b>

<sup>10</sup> 'Supportive' refers to being emotionally supportive. Not all family members are supportive and distancing the affected person from negative family members may be optimal in a particular case.

<sup>11</sup> Economic support refers to e.g., providing a start-up capital for a small business.

6.24.2 In case the caseworker is of the opinion that the actions included in the Individual Support Plan require specific support from another organisation or expert, these additional costs are covered by SOS Children's Villages, and they are not deducted from the financial framework as calculated by the Misconduct Incident Management Team. This includes e.g., the development of a business plan, legal assessment of possible criminal complaints etc.	<b>R</b>
6.24.3 The Individual Support Plan should reflect the average living standards of the country where the Affected Person lives	<b>R</b>
6.25 The caseworker inserts all agreed actions into a structured Individual Support Plan and submits the plan to the designated senior manager, coordinating the organisational response to reported incidents. A template of an Individual Support Plan is provided in a separate document.	<b>B</b>
6.25.1 The designated senior manager must decide whether he/she approves the submitted Individual Support Plan within two weeks after receiving the plan.	<b>B</b>
6.25.2 The Individual Support Plan provides a brief introduction of the current situation of the Affected Person and an overview of the agreed support actions. For each action, the Individual Support Plan provides the following information: <ul style="list-style-type: none"> <li>- Detailed description of the (planned) support actions</li> <li>- Desired outcome (what does the Affected Person want to achieve)</li> <li>- Specific indicator measuring whether the actions have been successfully completed (e.g. training completed and certificate obtained)</li> <li>- Timeline of the action (by when it should be completed)</li> <li>- Required budget (how much money it will cost)</li> <li>- Support experts (who will support the Affected Person in achieving this goal)</li> </ul>	<b>B</b>
6.25.3 The Affected Person signs the agreed Individual Support Plan before the implementation of the agreed support begins. In the case of a former programme participant, the Individual Support Plan is signed together with the Individual Support Agreement.	<b>B</b>
6.25.4 By signing the agreed Individual Support Plan, the Affected Person undertakes to use the funds earmarked for his/her Individual Support Plan only for the agreed activities. Misuse of funds may be grounds for termination of the support provided.	<b>R</b>
6.26 Should there be a disagreement between the Affected Person and a caseworker about the nature, amount or timeframe of the requested support, the caseworker escalates the situation to the designated senior manager coordinating the organisational response to reported incidents for a decision.	<b>B</b>
6.26.1 If the designated senior manager has any specific questions about the content of the Individual Support Plan, he/she sends them in writing to the caseworker. The caseworker clarifies these issues with the Affected Person and, if necessary, together they adjust the Individual Support Plan. The caseworker informs the designated senior manager of the adjustments.	<b>B</b>
6.26.2 The designated senior manager must make a final decision about the approval of the Individual Support Plan within two weeks after receiving the adjusted version of the plan and/or clarification of the initial questions.	<b>B</b>

6.26.3	Should there be a continued disagreement about the approval of the Individual Support Plan, the designated senior manager must escalate the matter to the national director (or equivalent) for a decision.	<b>B</b>
6.27	The Individual Support Plan can be adjusted to ensure that it meets the existing individual support needs of the Affected Person. The financial framework calculated by the Misconduct Incident Management Team remains the same.	<b>B</b>
6.27.1	If the Individual Support Plan needs to be adjusted, the Affected Person and the caseworker discuss this as soon as possible. The caseworker informs the designated senior manager, coordinating the organisational response to reported incidents and asks for his/her approval.	<b>B</b>
6.28	Adjustment of the Individual Support Plan can mean: <ul style="list-style-type: none"> <li>a) Specific actions included in the Individual Support Plan can be replaced with other actions.</li> <li>b) Timeline of the Individual Support Plan can be extended in case the implementation has not been concluded within the expected timeframe.</li> <li>c) Adjustments of the Individual Support Plan must be confirmed in writing.</li> <li>d) Adjustments of the Individual Support Plan must remain within the calculated financial framework for support.</li> </ul>	<b>R</b>
6.29	The Affected Person agree to use the funds earmarked for their immediate support or their individual support plan only for the agreed activities. Misuse of the earmarked funds may be grounds for the termination of the support provided.	<b>R</b>

### Psychological support

6.30	In case the Affected Person decides to continue with psychological counselling as part of the holistic, longer-term support, the caseworker and the Affected Person include this specific form of support in the Individual Support Plan of the Affected Person (see Article 6.22). The associated costs are not deducted from the calculated financial framework for support.	<b>R</b>
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### Medical support

6.31	Medical support may be part of the immediate support or part of longer-term support. However, the medical condition must be related to or address the direct medical consequences of any abuse suffered. General health support is beyond the scope of the Individual Support Plan.	<b>R</b>
6.32	A holistic approach to medical assistance should be adopted, to include items such as prescription medicine or Over-The-Counter (OTC) medication, physical therapy as needed to address the condition, as well as transportation costs to enable to person to obtain medical treatment.	<b>R</b>

### Educational support

6.33	Educational support entails supporting the Affected Person in terms of finalizing pending qualifications and/or obtaining additional qualifications.	<b>R</b>
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6.34	It is important that the wish to pursue certain educational path is realistic. It is the task of the caseworker to guide the Affected Person and help them to find the best possible educational path, which will both respond to the needs of the Affected Person and reflect their capacity for further studies.	<b>R</b>
6.35	Affected Person shall be supported to complete their current level of education and one additional level of education (i.e. one additional degree/certificate/diploma, etc.) or to finish their last educational level begun, if they left an education programme prior to completion.	<b>R</b>
6.35.1	The caseworker prepares a list of accredited universities/institutions in the country, or in the region if there is no in-country option, for the selected field of study and provides it to the Affected Person.	<b>R</b>
6.36	Payments will be made directly to relevant universities, colleges, or other qualified centers of learning.	<b>R</b>
6.37	Educational support should not exceed five years.	<b>R</b>
6.38	Programmes should be within the country, or region if no programme is available in-country. Only in exceptional circumstances will education outside the country/region be considered.	<b>R</b>
6.39	Living expenses will be provided according to the standard of living in-country, and will be provided for the duration of studies, assuming the Affected Person successfully progresses with their studies/trainings.	<b>R</b>
6.40	If the Affected Person stops attending the educational/vocational program, without good cause, all financial support provided by SOS Children's Villages for this purpose will cease and may not be revived.	<b>R</b>

## Legal support

6.41	If abuse occurred while the Affected Person was in the care and/or custody of SOS Children's Villages, including being a participant of other programme services than alternative care, SOS Children's Villages may assist with the costs of the Affected Person bringing a civil suit against the perpetrator.	<b>R</b>
6.42	In case the Affected Person wishes to see the perpetrator(s) of the abuse criminally prosecuted and this is a viable option, legal activities required for the prosecution will be supported by SOS Children's Villages. Ultimately, however, it is the decision of the relevant government authorities if a criminal case can be pursued.	<b>R</b>
6.42.1	SOS Children's Villages will support the legal activities by ensuring legal advice to the Affected Person and providing relevant and non-privileged documents and other information available to the organisation.	<b>R</b>
6.42.2	It is important an initial assessment/enquiry takes place to ascertain if litigation, civil or criminal, is barred for any legal reason, the most common with historical cases being the statute of limitations. Additionally, ability to secure the presence of the perpetrator in the jurisdiction must be determined. This enquiry should be led by a local/national/regional legal practitioner, who has knowledge of the relevant laws.	<b>R</b>

6.42.3 In addition to legal impediments, practical issues must be considered, e.g. the whereabouts of the perpetrator; whether he/she is available to respond to litigation must be determined (e.g. the perpetrator may have died, or their physical or mental health may not allow for litigation (e.g. the perpetrator has Alzheimer or other similar afflictions).	<b>R</b>
6.42.4 In case of a criminal prosecution, the caseworker must inform the designated senior manager coordinating the organisational response to reported incidents at the member association or the operation run by SOS Children's Villages International, so the organisation can prepare for possible enquiries by the state authorities, or the attention by media, donors and the general public.	<b>R</b>
6.43 If the Affected Person requests legal support related e.g., to inherited property, SOS Children's Villages may also consider these other forms of legal support required within an individual action plan.	<b>R</b>
6.44 All cases of legal assistance shall be reviewed by an SOS Children's Villages General Counsel/Legal team member to assess the viability of the legal remedies sought, prior to any dispersal of funds.	<b>B</b>
6.45 Participating in an Individual Support Plan and using the services offered by SOS Children's Villages does not act as a bar to future legal action being taken by the Affected Person. However, any financial claim, payment or reimbursement obtained as part of a support plan, or as a stand-alone amount, will act to offset any future damages claimed or assessed against SOS Children's Villages.	<b>B</b>
6.46 In cases where the Affected Person has begun legal action, civil or criminal, against SOS Children's Villages, affiliated entities, partner organisations or subsidiaries, SOS Children's Villages will cease all legal assistance and legal support, due to the conflict of interest. SOS Children's Villages is never to fund any potential lawsuit by the Affected Person against the organisation, be it a member association, operation run by SOS Children's Villages International, or SOS Children's Villages International.	<b>B</b>
6.46.1 The presence of a lawsuit against SOS Children's Villages shall not act as a determinative barrier to continuing with other types of support, e.g. psychological support (counselling).	<b>B</b>
6.46.2 To preclude possible conflict of interest allegations, if there is pending legal action and the psychological support is being offered by SOS Children's Villages or SOS Children's Villages affiliate employee or consultant, the Affected Person must be made aware of the potential or perceived conflict of interest in this relationship and must waive in writing any claim of conflict of interest before continuing with the support.	<b>B</b>
6.47 In cases where the Affected Person raises the possibility of contacting legal representation, this is a right that an Affected Person may exercise at any time, and that in and of itself, such contact/representation is not a bar to moving forward with an Individual Support Plan.	<b>B</b>
6.47.1 However, where national legal experts instruct SOS Children's Villages to cease contact with the Affected Person, or the Affected Person's legal representative instructs SOS Children's Villages not to contact the Affected Person any longer, unless it is through them, SOS Children's Villages will cease to continue direct contact with the Affected Person.	<b>B</b>

## Economic support

6.48	In case the Affected Person is interested in setting up a small business, it is important that they prepare a realistic business plan, showing that the planned activity is viable.	<b>B</b>
6.48.1	The caseworker can support the Affected Person in preparing such business plan.	<b>R</b>
6.48.2	In case the Affected Person wishes to start a business in a specific area where the caseworker does not have sufficient knowledge, it is possible to contract an external consultant who will guide the Affected Person in preparing the business plan.	<b>R</b>
6.49	The caseworker will, if needed with the help of the external consultant, assess whether the business plan is solid, viable and based on realistic assumptions and financial figures.	<b>R</b>
6.50	If the Affected Person stops the business for any reason, while still receiving financial support for living expenses, or any yet-to-be disbursed start-up capital, this financial support provided by SOS Children's Villages will cease.	<b>R</b>

## Improving of living situations

6.51	<p>The funds allocated to improve the living conditions of the Affected Person can cover the following costs:</p> <ul style="list-style-type: none"> <li>- Buying a piece of land for a house;</li> <li>- Construction costs associated with building a house;</li> <li>- Price of an existing apartment or house bought by the Affected Person;</li> <li>- Upgrade of living conditions, such as improved water or sewage or electricity services;</li> <li>- Additions being made to existing accommodation to provide for extra space, privacy and/or safety.</li> <li>- Costs associated with basic furnishing the apartment or house.</li> </ul>	<b>R</b>
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## Monetary payment

6.52	It is important to respect that some people may not want to go down the path of receiving a longer-term support from SOS Children's Villages. In this case, they can ask to receive the same amount as calculated for their Individual Support Plan (see Article 5.4 et seq.).	<b>B</b>
6.53	The decision to allow monetary payments is at the discretion of the member association or SOS CVI operation, depending on national legislation and available funds. Monetary payment is not available to the current programme participants in alternative care programme services.	<b>B</b>
6.54	If the Affected Person chooses a (sole) monetary payment, the payment will be made by the respective member association or the operation run by SOS Children's Villages International within four weeks after receiving the request for support and signing an Individual Support Agreement (see Article 6.4).	<b>R</b>
6.54.1	The payment will be made into the bank account stated in the request for support, signed by the Affected Person, unless agreed otherwise.	<b>R</b>

6.54.2	The payment is made by the member association or operation run by SOS Children's Villages. The member association or the operation run by SOS Children's Villages International can then seek reimbursement or contribution from SOS Children's Villages International.	<b>R</b>
6.55	Due to the strictly personal nature of the request for monetary payment, the right to claim a monetary payment under this regulation is not inheritable.	<b>R</b>

## Reimbursement of costs incurred as a result of abuse

6.56	Where the Affected Person has directly paid for his/her own mental health support costs (e.g. counselling, psychological support, medicines prescribed as part of a mental health treatment plan), medical costs or other costs directly resulting from the reported abuse, these costs shall be eligible for reimbursement. The exact amount of reimbursement will be determined on a case-by-case basis.	<b>B</b>
6.57	Optimally, documentation of costs incurred would consist of receipts for services rendered or similar documentation. Where such documentation is not available (due to passage of time, loss of documents, etc.) a duly notarized document from the Affected Person outlining the timeline, type of costs and location where costs were incurred and affirming the statements made by the Affected Person to be true and accurate to the best of their knowledge and memory may suffice.	<b>R</b>
6.58	A due diligence review of any submission must occur prior to payment authorization.	<b>B</b>
6.59	Reimbursement of expenses should be paid from a separate account and in addition to the amount calculated as the financial framework for support.	<b>R</b>

## Monitoring of implementation of an Individual Support Plan

7.1	<p>The caseworker must monitor compliance with the Individual Support Plan. The monitoring activities may include one or more of the following activities:</p> <ul style="list-style-type: none"> <li>- Meeting with Affected Person to receive feedback on the plan's progress or challenges.</li> <li>- Individual meetings with key stakeholders, including the experts and other professionals supporting the Affected Person, to ascertain the progress and fulfilment of the plan.</li> <li>- Coordination with organisations, institutions and companies for the development or successful execution of individual support actions.</li> <li>- Coordination with Finance Advisor, particularly in the stages of implementation and delivery of project monitoring reports.</li> </ul>	<b>B</b>
7.2	The inability to continue in the implementation of an Individual Support Plan due to drug addiction or an emergency mental health crisis is a reason to suspend support until the situation is improved through appropriate support services provided by a relevant government organisation or other NGO.	<b>B</b>

7.2.1	Where there is a reasonable suspicion of drug addiction, the caseworker may require the project participants to undergo a drug test. Refusal to take such a test will be treated in the same way as a positive test.	<b>R</b>
7.3	The caseworker informs the Misconduct Incident Management Team of the progress of the implementation of the Individual Support Plan.	<b>B</b>

## Case closure

8.1	The case is closed when the agreed support has been fully implemented and completed.	<b>B</b>
8.2	The completion of the implementation of the agreed support must be recorded in writing and, where feasible, signed by the Affected Person and the caseworker.	<b>B</b>
8.3	The process of responding to the reported abuse must be documented and all information, including written documents, recordings and any other available evidence, must be retained in accordance with the procedures described in the <a href="#">Misconduct Incident Management Regulation</a> .	<b>B</b>

# Annex 1 - Legal Risks of Individual Support Plans

**Admission against interest** – all communication should keep in mind that communications may be used later in litigation, and should be careful not to make any statements that may strengthen legal actions against SOS Children’s Villages.

Example: Letters of regret/acknowledgement that have language that may potentially be used in subsequent legal proceedings against SOS.

**Legal responsibility vs moral responsibility to assist victims** – by using a moral motivation to assist Affected Persons, rather than a legal obligation, it may seem that SOS Children’s Villages is attempting to buy off/bribe the Affected Person(s) into silence.

- At all times, it must be made clear to the affected. person(s) that they retain the right to contact legal support or to speak about their history with whomever they chose.
- The right to counsel and the right to free speech must be respected.

**Quality of care issues** - if the Individual Support Plan does not produce the hoped for outcomes (better mental and physical health, improved educational or vocational opportunities, a successful business, etc.) the plan may come under legal or public scrutiny for its effectiveness, or lack thereof.

**Universal consistency of plans and monetary resources to fund them.**

While recognizing that costs will vary by location for plan components such as assistance with vocational training or setting up a small business, in terms of financial payments that exclusively address harm done, there must be consistency to ensure that an Affected Person from one jurisdiction does not receive substantially more or less support than a person who was subjected to similar abuse in another jurisdiction.

It must be anticipated that a comparison of the calculated financial framework for support to Affected Persons may take place, particularly within a limited geographic area. This comparison may lead to claims of disparate treatment of similarly situated Affected Persons, based on discriminatory factors. It is critical that SOS Children’s Villages has a set of criteria that are applied in all cases, to explain the differences in the calculated financial framework for support allocated to different cases.

Failure to provide consistency between cases and across geographic regions may be misconstrued as a failure to treat similarly situated victims equally.

**Snowballing of claims and resulting strain on resources.** It must also be anticipated that the calculated financial framework for support will eventually be shared in the public domain and this may lead to a marked increase in claims being brought to the attention of SOS Children’s Villages.

While new disclosures based on high profile cases is normal and to be expected, it may also place a strain on both personnel and monetary resources. It is critical that resources are in place to address this contingency, should it arise.

# Annex 2 – A summary of the response to a reported incident of abuse

