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**Management response to the report of the Independent
Task Force on Workplace Gender-Discrimination,
Sexual Harassment, Harassment and Abuse of Authority**

I. Introduction

1. Upon assuming office in 2018, the UNICEF Executive Director committed to ensuring a workplace free from discrimination, harassment and abuse of authority for all UNICEF personnel. One of the Executive Director's immediate actions was to commission the Independent Task Force on Workplace Gender-discrimination, Sexual Harassment, Harassment and Abuse of Authority (ITF) to assess patterns of workplace gender-related discrimination, harassment and abuse of authority in UNICEF; consider best practices from within the United Nations and other institutions in addressing similar issues; and provide actionable recommendations to UNICEF. The Executive Director called on all UNICEF staff to engage in this process, and to commit to improving the UNICEF work environment at all levels.

2. The ITF concluded its work and submitted its final report to the Executive Director in June 2019. The report found that there was a "visible strength of community among UNICEF staff and a remarkable pride in working for the organization." The report confirmed that staff were the organization's greatest assets in fulfilling its mandate for children, and that staff tried to live by the organization's core values of care, respect, integrity, trust and accountability. This means there is much good to build upon in UNICEF and that we have a strong foundation of committed and dedicated staff who believe in our mission and who are proud to be working with UNICEF.

3. Despite this, the report concluded that UNICEF, in its mission to deliver the best results for children, tolerated abuses that left some colleagues feeling disempowered and undermined, and that the functions that are supposed to support a healthy

* E/ICEF/2019/21.



organizational culture and provide checks and balances were not fulfilling this critical role for all staff.

4. UNICEF management is pleased to present its response to the ITF report. UNICEF management notes with grave concern the picture that emerges from the ITF report and accepts, without reservation, that fundamental changes are required. UNICEF accepts that while actions addressing the UNICEF organizational culture have been initiated in response to the ITF preliminary findings and recommendations and the recommendations of previous reviews (i.e., Morgan Lewis review on the investigation function and independent panel review of the UNICEF response to protection from sexual exploitation and abuse), UNICEF needs to redouble and accelerate its efforts to eradicate discrimination, harassment and abuse of authority in the workplace and ensure that our core values — care, respect, integrity, trust and accountability — are lived by all each and every day. Preventing and responding to workplace abuse is an organizational priority.

5. UNICEF recognizes that addressing workplace discrimination in all forms, sexual harassment, harassment and abuse of authority (hereafter referred to as interpersonal misconduct) requires not only changing policies and systems, but also changing mindsets, attitudes and behaviours. UNICEF is committed to investing in culture-change initiatives and management-change processes. This is necessary to address the root causes behind interpersonal misconduct.

6. The ITF report's findings and recommendations are grouped into four main areas: changing the organizational culture of UNICEF; strengthening the investigations function; rebuilding trust in human resources and people management; and improving internal communications. The following sections address each of these areas in turn.

II. Transforming the organizational culture of UNICEF

7. The ITF report identified that the overall unhealthy organizational culture of UNICEF was caused by an unrelenting focus on programmatic results without regard to how results are achieved; an authoritative rather than empowering management style coupled with a lack of managerial accountability; deeply rooted divides that are fragmenting the organization; and low trust in management and a palpable fear on the part of staff to speak up. The drive for results has resulted in unreasonable demands that impact the welfare of our colleagues and have created a breeding ground for interpersonal misconduct in the workplace to go undetected and to remain largely unaddressed.

8. UNICEF management agrees that the prevailing organizational culture undermines its core values and its most-valuable resource: its dedicated and hardworking personnel. UNICEF staff's commitment to the cause of children should be able to flourish in a workplace environment that fosters respect and inclusion.

9. Changing the culture will take time, sustained commitment and courage. It will require the entire organization to rally around change. During 2018 and 2019, UNICEF took several actions to improve its internal processes and systems to address interpersonal misconduct.

10. In early 2018, the Executive Director launched an organization-wide campaign for all staff to complete the mandatory online course on the prevention of sexual harassment and abuse of authority. As of June 2019, 92 per cent of staff have completed the course. Staff members in 50 country offices leveraged Ethics Leadership Month to coordinate such events as brown-bag lunches, film screenings,

role playing and all-staff discussions to talk through issues of ethics, conflict of interest and abuse of authority, among others. Many staff members retook the oath of office as a recommitment to the United Nations code of ethics and to the UNICEF core values.

11. A Senior Coordinator, Sexual Exploitation and Abuse and Workplace Abuse, has been appointed in the Office of the Executive Director to support various parts of the organization with an enhanced and accelerated response, including direct support to country and regional offices and to staff.

12. A Principal Adviser, Organizational Culture, has been appointed in the Office of the Executive Director. Building on the assessments conducted by the various reviews and supported by an external culture change consultancy firm, the Principal Adviser will lead the process for the implementation of a strategy for sustainable culture change based on the five core UNICEF values of care, respect, integrity, trust and accountability.

13. The Global Staff Association will play a critical role in transforming the workplace culture. To achieve the Association's participation, all managers will be sensitized on its role as a partner in enabling a respectful workplace and promoting UNICEF values, including by including staff representatives in the Management Masterclass Programme and other leadership trainings and supporting the implementation of the Global Staff Association-led VOICE initiative and other staff-led speak-up initiatives in all duty stations.

14. UNICEF has amended its executive directive on the prohibition of discrimination, harassment, sexual harassment and abuse of authority (CF/EXD/2012-007, Amend.1, 6 April 2018) to allow for the anonymous reporting of workplace misconduct and to remove the six-month deadline for reporting and the non-staff personnel restrictions on reporting. Moreover, UNICEF is currently further reviewing the executive directive in light of the United Nations System Model Policy on Sexual Harassment of the United Nations System Chief Executives Board for Coordination (CEB), thus adopting new, improved and up-to-date standards and processes.

15. UNICEF issued its amended policy on the disciplinary process and measures for misconduct in January 2019. All staff members are now obliged to report any allegations of misconduct about which they are informed. The new policy also requires the Office of Internal Audit and Investigations (OIAI) to ensure that the identity of the person submitting a complaint is not disclosed, except when such disclosure is necessary for the conduct of proceedings and only with the consent of those who reported the case.

16. Under the revised UNICEF policy on whistle-blower protection against retaliation (DHR/POLICY/2018-001), the possibility for the Ethics Office to recommend protection against retaliation was extended beyond UNICEF staff members to also cover other UNICEF personnel, consultants in particular. The revised UNICEF policy on whistle-blower protection against retaliation provides for the first time the possibility to obtain, under certain conditions, preventive measures against retaliation. In addition, the changes in the UNICEF policy on whistle-blower protection against retaliation also included the abolishment of the previous statutory limitation, which means that there is no longer a time limit for requesting protection against retaliation. The Ethics Office is actively promoting the policy through customized training sessions, both face-to-face and remote, as well as webinars and the development of related information products (e.g., "Pocket guide on the whistle-

blower policy”; “Frequently asked questions on whistle-blower protection”; and “Road map on where to go when: addressing workplace issues in UNICEF”).

17. In June 2018, UNICEF became the first United Nations agency to receive the Economic Dividends for Gender Equality (EDGE) Certification, the leading global assessment methodology and business certification standard for gender equality. The EDGE Certification recognized the organization’s implementation of a framework for change and the achievement of significant milestones toward building an inclusive culture of workplace gender equality. UNICEF ranked in the top 11 per cent of all EDGE-certified organizations. The action plan that UNICEF developed through the EDGE-certification process includes providing more-flexible working arrangements, conducting yearly gender pay-gap assessments, improving communication around the recruitment and promotion process and developing a formal mentoring programme. The successful implementation of these actions will be part of the EDGE recertification process. Once the initial certification expires after two years, UNICEF aims to move up to the next EDGE Certification level. In addition, UNICEF was commended as a high performer in the “Global Health 50/50 2019 Report”, which focused on policies for preventing sexual harassment, supporting parental leave and flexible working arrangements and undertaking gender pay-gap analyses.

18. UNICEF plans to increase the use of flexible working arrangements over the next two years as part of the global campaign launched under the umbrella of the EDGE Certification. A strengthened flexible working arrangement policy was issued in June 2019. In the first half of 2019, a doubling of the use of flexible working arrangements was already seen. However, overall usage remains low. Over two-thirds of staff requesting flexible working arrangements are female.

19. UNICEF is near achieving gender parity for UNICEF senior leaders, with 109 women and 111 men in the Senior Staff Rotation group as of June 2019. At the same time, UNICEF has improved geographic diversity, with programme country nationals now making up 40 per cent of staff and will continue to strive for full geographic parity.

20. The Gender Push Initiative, comprising an informal group of staff members from different parts of the organization who are passionate about gender issues, directly supports the work of the Gender and Global Staff Survey Working Group, which aims to contribute to staff-empowerment initiatives “enabling a UNICEF fit-for-purpose to promote and uphold the principles of gender equality and women’s empowerment and to ensure that UNICEF organizational work culture upholds gender equality in policy and practice, as perceived by both female and male staff.”

21. In order to transform the identified traditional, “command and control” authoritative management culture into a modern management culture founded on inclusion, personal empowerment and accountability, UNICEF will accelerate the roll-out of matrix management across the organization. Purposeful matrix-management arrangements will be introduced along with a set of clear deliverables.

22. UNICEF will further strengthen the training of managers and introduce mechanisms to monitor the utilization of skills gained. A state-of-the-art global learning centre will be established within the UNICEF Global Shared Services Centre (GSSC). The Global Learning Centre will prioritize the development and application of cutting-edge training and learning methods and approaches, with an initial focus on people management, for continuous learning for all managers at all levels of the organization. The aim is for every UNICEF manager to participate in some form of leadership or management training by the end of 2020. UNICEF will focus on the actual application by leaders and managers of the new skills and knowledge acquired

to help ensure that the training actually leads to behaviour change. Immediate priorities will be to develop a mechanism to assess whether leaders and managers are applying the skills they have acquired in people and office management and to design and roll out a comprehensive onboarding programme for all incoming staff to ensure greater consistency and higher standards in onboarding across offices and to help to promote a values-based organizational culture from day one for new hires. The Global Learning Centre will work closely with the new Division of Analysis, Planning and Monitoring and the Division of Human Resources, which are joint custodians of the Global Learning Strategy, in addition to the Programme Division.

23. UNICEF will accelerate the roll-out of a modern competency framework focused on people management, interpersonal skills and accountability. It will build on the new leadership competencies that focus strongly on the “how” and have guided senior-level appointments and assessments over the past two years.

24. We will also reinforce accountability for results and recognize the critical role of managers in managing performance. We need measures that allow us to hold colleagues accountable, including reviewing the performance-appraisal tools and procedures to make it easier to determine when a staff member is not delivering and to review the mechanisms that support managers in the pursuit of their functions. The performance-management system will be reviewed and strengthened. Mandatory feedback sessions using key performance indicators will be instituted. The human-resources case-management function will be strengthened to support managers in addressing disagreements over performance in a timely manner, and mentorship programmes will be expanded.

25. The ITF report further identified that the UNICEF organizational structure is marked by deeply rooted divides (“us” versus “them”) that are fragmenting the organization: gender imbalance at critical junctions, insensitivities related to gender expression and sexual orientation, racial and ethnic discrimination and the distinction between national and international staff as well as between staff and other (non-staff) personnel and between staff and managers. UNICEF management views any such divides in the workplace as unacceptable and will accelerate its efforts to eradicate such divides and perceptions thereof. UNICEF is committed to ensuring an inclusive workplace, free from discrimination of any kind, where all personnel feel themselves to be an integral part of its mandate, are treated with respect and fairness and protected from inappropriate conduct and are free to speak up.

26. One important aspect of this is to protect whistle-blowers on the basis of the revised policy and to create different platforms and avenues for staff to share concerns and ideas, both publicly (e.g., through such initiatives as VOICE) and privately (e.g., through the new organizational culture-change email account (orgculture@unicef.org) and, confidentially, through such institutional channels as the Office of the Ombudsman for United Nations Funds and Programmes, OIAI, etc.). Showing that swift and clear action is taken when misconduct occurs is a critical way to rebuild trust in the system and make staff feel safe to come forward.

27. The role of the Ethics Office is critical in the various above-mentioned initiatives. Accordingly, UNICEF will assess the level of resources provided to the Ethics Office, with a view to capacitating the Office to fulfil its mandate even more effectively.

III. Strengthening the UNICEF investigative function

28. In 2018, UNICEF commissioned the law firm Morgan Lewis to undertake a review of internal sexual harassment investigations that were conducted and concluded during the period 2013–2017, with a view to strengthening internal investigation processes and systems and ensuring they fully complied with best practices for investigation. One of the key overall observations of the Morgan Lewis review was that more needed to be done to ensure that investigations also served broader organizational and cultural goals, such as fostering a safe culture in which sexual harassment of any type was simply not tolerated. For example, the way in which the investigation office responds to complainant allegations plays an important role in whether individuals feel safe to come forward. The review provided recommendations for changes to policies and processes that could help to ensure that future investigations meet best practices standards. While the review examined all relevant cases, the report does not provide specifics on cases. UNICEF accepted all its recommendations and is in the process of implementing them, as described below.

29. It further emerged from the ITF report as well as from the findings in other work streams, that UNICEF staff do not trust the organization's complaint and investigation mechanism. While strengthened communication will address a number of apparent misperceptions, UNICEF management will introduce significant changes, including establishing a dedicated team of mediators within the Office of the Ombudsman to support informal conflict resolution. It will also further accelerate efforts to build, diversify and decentralize the investigative function, including outsourcing investigations against pre-established criteria. OIAI currently outsources some investigations on a limited, case-by-case basis. Opportunities to increase the outsourcing of cases to external firms or contractors will be pursued on the basis of a set of criteria established within OIAI.

30. UNICEF has invested in strengthening its internal investigative function. Credibility assessments of witness testimonies have been introduced, in compliance with the legal parameters set by the United Nations Office of Administration of Justice. These require investigators to make objective observations and plausible assumptions when presenting the evidence to support factual findings. In addition, investigators do not need "clear and convincing" evidence of misconduct to move forward on an investigation.

31. OIAI has increased the number of its investigators and their skill set. Thirteen new positions have been created, bringing the Investigations Section staffing to 25 staff members, including the Chief of Investigations. Of these, 12 are in place and 13 are in the process of being hired. This increase in staff strengthens both the capacity to receive and analyse complaints and the investigative process itself and allows for more-regular communication with affected individuals and alleged perpetrators. Some investigators will be out-posted to "field sections", while continuing to operate under the supervision of and reporting to the Chief of Investigations at headquarters. This will allow the investigators to be closer to where the majority of the organization's staff operate and will help to improve information flow and communication with complainants, witnesses and alleged perpetrators. To maintain independence and confidentiality, the field sections will not be hosted within other UNICEF offices.

32. UNICEF will introduce lay-panel investigations to complement the capacity of OIAI investigators. Drawing from the extensive experience at the United Nations Secretariat and the provisions of the Secretary-General's bulletin on the prohibition of discrimination, harassment, including sexual harassment, and abuse of authority

(ST/SGB/2008/5), the lay panels will be composed of individuals, both internal and external to UNICEF, who have undergone professional training on prohibited conduct investigations by OIAI or the United Nations Office of Internal Oversight Services. Formal reports of possible prohibited conduct will be made in line with the procedures for reporting misconduct and will first be independently assessed by OIAI. The lay panels would not normally conduct investigations in relation to complex cases. If OIAI decides, on the basis of pre-established criteria, to refer a report of possible prohibited conduct for investigation by a lay panel, OIAI would notify the affected individual. The reports of lay-panel investigations will be submitted to the Policy Administrative Law Section for appropriate consideration and possible initiation of the disciplinary process. OIAI will be informed of the outcome of the matter and will provide guidance to the panel as appropriate and needed. Affected individuals and alleged offenders may, at the end of the process, appeal any procedure followed in the handling of formal reports of prohibited conduct that they consider to have been improper, pursuant to chapter XI of the Staff Rules and Regulations of the United Nations (ST/SGB/2017/1).

33. The provision, through a dedicated budget, of specialized training for UNICEF investigators on such issues as the forensic interviewing of children and the investigation of sexual and gender-based violence and sexual misconduct is ongoing. We have also set a target of 90 days for the completion of all sexual misconduct-related investigations. A case coordinator has been appointed for all allegations involving sexual harassment, harassment and abuse of authority. The case coordinator will provide regular status updates to affected parties and will be the first point of contact for victim-based complaints and for advising staff who wish to have confidential discussions about available options for reporting and addressing interpersonal misconduct. Once they have all the information, staff can decide if they want to pursue a formal or informal process. If they choose a formal process, OIAI will record their consent and, if there is sufficient information, will initiate an investigation. An updated investigations case-management system is being implemented to strengthen record-keeping and an update to the investigations manual is expected by the end of 2019. As a confidence measure, UNICEF has increased the frequency with which it reports to staff on investigations and disciplinary measures, without compromising the confidentiality and integrity of the processes.

34. Under the auspices of the High-level Committee on Management, UNICEF will explore, together with United Nations sister agencies, the feasibility of pooling investigative resources to accelerate and improve the investigation function.

35. UNICEF is also a member of the CEB Task Force Sub-Group on Strengthening Investigative Capacity and Improving Investigations of Sexual Harassment within the Organizations of the United Nations System. This work is aimed at, firstly, developing a model of best standards and practices for the investigation of sexual harassment; secondly, improving the resourcing of sexual-harassment investigations; and thirdly, improving accountability.

IV. Transforming the internal checks and balances of UNICEF

36. The ITF report identified that the internal checks and balances system of UNICEF with respect to organizational culture and workplace ethics has underperformed and requires structural changes to live up to its expectations with regard, in particular, to human resources, investigations and internal communications.

37. While UNICEF management is confident that staff in human resources, investigations and internal communications work tirelessly and in good faith, with only the interests of UNICEF and its personnel in mind, it accepts that structural changes and investments in capacity-building are required to align with best practices for these functions.

38. Vetting procedures have been strengthened throughout the UNICEF internal-recruitment processes, including through multiple internal and external reference checks. This also includes the implementation of a system-wide, confidential screening database (Clear Check), a critical tool that prevents the hiring and rehiring of individuals whose working relationship with an organization within the United Nations system ended because of a determination that they perpetrated sexual misconduct or separated while under an investigation with which they did not cooperate. GSSC checks the Clear Check database for all new recruitments. At the same time, any staff member separated from UNICEF for misconduct is added to the database.

39. UNICEF is co-chairing, together with the World Food Programme, the Sub-Group on Improved Reporting of the CEB Task Force on Addressing Sexual Harassment within the Organizations of the United Nations System. This work is aimed at ensuring that uniform data on sexual misconduct allegations is collected and shared among 31 United Nations intergovernmental bodies to inform policies and procedures, while contributing to the Clear Check database. Under this workstream, UNICEF also contributed to the development of the CEB Model Policy on Sexual Harassment, which will provide the basis for a new internal policy on misconduct.

40. In addition to the use of Clear Check, UNICEF has strengthened its vetting procedures throughout its internal recruitment processes, including through multiple internal and external reference checks.

41. In order to rebuild trust in the human-resources function, UNICEF will delink the administrative law function from the Division of Human Resources and establish an advisory panel to support the Deputy Executive Director, Management, in determining appropriate disciplinary measures in misconduct matters. The Division of Human Resources will also strengthen its analytics function to ensure that reliable and useful data are produced to inform human-resources strategic management.

42. UNICEF management has established an organizational-culture feedback mechanism through which staff can share observations, concerns and experiences. These will be consolidated and brought to UNICEF management's attention on a regular and anonymous basis.

V. Internal communications

43. An internal communications strategy is under development that will help to define the purpose of the various tools and platforms we use to communicate and share information across the organization. This strategy will be aimed at ensuring that a more-strategic approach is taken to internal communications. To this end, we will strengthen, diversify and amplify our internal communications channels so that we hear each other's voices on an ongoing basis, through both formal channels (e.g., via staff associations) and informal channels (e.g., online forums, webinars). Each office — country, regional and headquarters — will organize discussions across teams and locations using whatever modality best suits each team and location.

44. Some actions have already been taken to strengthen internal communication on this agenda. This includes regular updates to all staff on UNICEF action to address

sexual exploitation and abuse and sexual harassment and workplace issues as well as the holding of interactive town hall meetings; the setting up of dedicated webpages on the UNICEF intranet, with technical resources and tools, including the webpage “UNICEF’s culture: living our values”, for information about the sustained effort to improve workplace culture across UNICEF; and online platforms to promote a speak-up culture and conversations around how to create an inclusive and safe workplace for everyone who works at UNICEF.

45. “Speaking up” is one of the five corporate priorities, identified on the basis of findings from the 2017 Global Staff Survey. The VOICE initiative, which is led by the Global Staff Association, was launched in July 2018 as an organization-wide initiative to enhance the “speak-up” culture at UNICEF. The VOICE initiative is aimed at supporting offices in building a safe workplace and recommends a range of relevant activities and resources.

46. The roll-out of new Enterprise Content Management tools should not only allow better approaches to shared work, but also easier exchanges between colleagues across offices. UNICEF is also investing in sharing information in our various working languages.

VI. Observations and conclusions

47. UNICEF management is most grateful to the ITF members for their dedication, professionalism, frank and unvarnished conclusions and invaluable recommendations.

48. While UNICEF management, through different work streams and the Global Staff Survey results, had already been put on notice that its organizational culture was in need of improvement, the ITF report has galvanized us and reminded us of the urgent need to redouble and accelerate our ongoing efforts to do justice to our values and to the organization’s most-valuable resource: its personnel. There should never be a trade-off: a good workplace environment OR good results for children. We must strive for both — delivering the very best for children and doing so in a way that empowers and uplifts our people.

49. UNICEF will report back to the Executive Board on the progress made in implementing the action points included in its management response pursuant to the recommendations of the ITF.
