



JEDI Consultancy

CHARTERED INSTITUTE OF FUNDRAISING

**Independent Review of past processes and procedures in
relation to allegations of sexual harassment/assault**

Summary Findings

September 2024

JEDI Consultancy

Background

1. In November 2021, the Chartered¹ Institute of Fundraising ('CIOF'), which is UK's national membership body for the fundraising sector, put out a proposal for an external consultant to conduct a review into their past processes and procedures in relation to allegations of sexual harassment/assault. These issues had impacted both the CIOF and the fundraising community. Following a tendering process, CIOF instructed JEDI Consultancy to conduct an independent investigation.
2. CIOF had previously conducted an internal investigation and later appointed a third-party HR consultancy (the 'HR Consultancy'), to conduct a Learning Review and, subsequently, a fact-finding investigation. These processes considered complaints made by a number of individuals, who were current or former staff and/or members of CIOF (referred to in this report as complainants). An Action Plan was produced in response to the recommendations in the Learning Review by the HR Consultancy.
3. This Independent Review, carried out by JEDI Consultancy, was intended to review the progress made in terms of the implementation of these recommendations and, further, to consider how the CIOF could learn from its past failures in handling such complaints. This would ensure that all those involved with the CIOF were properly safeguarded through appropriate, transparent and accessible complaints handling processes.

Terms of reference

4. The Terms of Reference set by the CIOF were as follows:

(1) Learn from the CIOF's past failures in handling sexual harassment complaints and ensure that all those involved with the CIOF were safeguarded through appropriate, transparent and accessible complaint handling processes:

¹ During the period covered by this Review, the Institute of Fundraising (Registered Charity No. 1079573) became the Chartered Institute of Fundraising (Registered Charity No. 1188764) following the award of its Royal Charter from the Privy Council in 2020. Chartered Institute of Fundraising / CIOF has been used throughout the report for clarity and consistency.

- Review the evidence provided in the two investigations conducted by the HR Consultancy in 2021, involving sexual harassment by one member of the CIOF dating back to pre-2012. This evidence includes concerns, reports and complaints raised about this individual's behaviour to staff, trustees and volunteers. Any new evidence or concerns which have since emerged should also be examined;
- Review the evidence of reports and complaints of sexual harassment involving another member of the CIOF, considered in an investigation conducted by an Investigation Committee, with the investigation later reviewed by the HR Consultancy in 2019/20;
- Historic review of any other concerns, reports and complaints not acted upon appropriately at the time, which may warrant current investigation;
- Identify gaps in the complaints handling processes which resulted in the CIOF's failure to act appropriately in responding to the complaints at the relevant time.

(2) Examine the extent to which the recommendations made in the Learning Review and the actions detailed in the Action Plan have been implemented:

- Review the extent to which the recommendations made in the Learning Review and actions detailed in the Action Plan to address harassment, discrimination and bullying in the fundraising community, have been implemented;
- Identify what has been effectively carried out, what has not been completed and any barriers to implementation.

(3) Make further recommendations on how the CIOF can implement harassment, discrimination and bullying prevention strategies; trauma-informed responses and promote culture change and safeguarding at the CIOF:

- Based on 1) and 2) above, provide learning points and recommendations that will have a strategic and operational impact across the CIOF in relation to:
- Promoting strategic culture change and safeguarding at the CIOF;

- Improving prevention strategies for all forms of harassment (including sexual harassment), discrimination and bullying;
- Creating and promoting appropriate, transparent and accessible reporting and complaint handling processes;
- Developing a trauma-informed model to guide the response to people affected by harassment, bullying and discrimination, witnesses and alleged perpetrators.

Historic reports of sexual harassment/assault

5. Under paragraph (1) of the Terms of Reference as set out above, we were asked to review the evidence in relation to historic reports of sexual harassment/assault. On reviewing the evidence, we found that most, but not all, of this evidence had previously been considered and acted upon, including in the HR Consultancy's investigations. The exceptions to this are explained in paragraph 8 below.
6. The HR Consultancy had previously considered the issues and produced two separate Investigation Reports dated 14 May 2021 and 15 July 2021. The claims of sexual harassment/assault made by the complainants were believed. There has been no valid criticism of these findings.
7. Accordingly, we have generally not made findings in relation to specific past incidents. Rather, we have considered the evidence in the round, to make findings as to whether CIOF has failed complainants at an institutional level.
8. The exception to this was in relation to one incident – involving an alleged report to the former Chief Executive Officer² of conduct by a third party, that could amount to sexual harassment/assault. It became clear to us in the course of our review that there was new evidence, that had not been previously considered, as contemplated in the Terms of Reference. This new evidence was twofold: a new witness who had not previously been asked to give evidence but came forward in response to our public

² This former Chief Executive Officer left the CIOF in June 2021.

appeal for evidence from anyone who wished to be heard, and an email that had not been disclosed by CIOF to previous investigations by the HR Consultancy.

9. We investigated why the email had not been considered, and found that, despite it having been responsive to a data request by the HR Consultancy, and that other relevant emails were properly disclosed, it was not disclosed by CIOF to the HR Consultancy's investigations. No criticism is made of the HR Consultancy in this regard, since it could only reach findings on the evidence then available. Conversely, CIOF provided us with this email as part of its general response to our data request.
10. In relation to this incident, we specifically reinvestigated it, considering all the evidence now available and made a new, specific finding, that differs from the finding of the HR Consultancy.

Investigation

11. Our work commenced in March 2022. The Investigation Team have since reviewed large amounts of material including original documents; previous reports; interview records; correspondence and various policies and procedures. This amounted to approximately five lever arch files / 1500 pages of documents. We also interviewed more than forty additional individuals, which have included former and current CIOF staff, trustees, fellows and individual members (some of whom are also volunteers), and held numerous meetings with personnel within the organisation .
12. It has taken a significant amount of time to conduct the fact-finding part of the investigation. This is predominantly due to the sheer volume of information and documents that we have reviewed, covering a large time period and the large number of people that we spoke to.
13. We have also met with relevant members of the current leadership of the CIOF on a number of occasions.
14. We decided to extend the scope of our investigation to interview a wider group of potential witnesses than those that had participated in previous processes. We spoke

to a wide range of past and present staff; members; trustees and fellows, who were present during the period of the alleged incidents from 2012 – 2018. The CIOF emailed approximately eighty individuals informing them that they had commissioned an Independent Review into the concerns, reports and complaints of sexual harassment/assault, not being acted upon appropriately at relevant times.

- 15.** These potential witnesses were informed that as part of the investigation, we would like to speak to a broader range of people involved with the CIOF between 2012-2018. This was to learn more about the culture at CIOF and in the fundraising sector during these times. Participants were invited to share any other further relevant information.
- 16.** Approximately 40 individuals, including the former Chief Executive Officer contacted us directly and we conducted one-to-one interviews with them. We met some of the interviewees more than once. We told everyone who we spoke to that our terms of reference were on the CIOF website and that we were conducting a 'lessons learned' exercise.
- 17.** We made it clear that we were not reinvestigating the complaints that had been raised in the past. We did this because we did not know what, if any, of the historic complaints we could reinvestigate given the amount of time that had lapsed since the internal CIOF and the HR Consultancy's investigations. We were careful as we did not want to raise expectations that we could not fulfil. Also, some key pieces of evidence that formed part of our Review only came to light after we had concluded our interviews.
- 18.** We were not able to interview the attendee of the 2014 Convention whose alleged report of sexual harassment/assault is considered in paragraph 22 (a) below as part of the Investigation. We were able to consider a written statement of her evidence, that she had previously provided for the HR Consultancy's investigation, along with other background evidence.
- 19.** We are not disclosing the names of those we interviewed in order to protect the confidentiality of the interviewees, some of whom were extremely anxious about speaking out and/or traumatised by their experiences.

20. We have determined the facts applying the civil standard of proof: *'the balance of probabilities'*. This means that when deciding a finding of fact, taking all the relevant evidence into account, we consider if it is *'more likely than not'* to have occurred. We have been cautious to ensure that the findings are supported by the entirety evidence in the round, to ensure that we have been as fair as we can be to all parties.
21. We set out in this abridged report for publication, our Summary Findings in relation to each of the questions we were asked in the fact-finding element of our Independent Review. To the extent that our findings concern the former Chief Executive Officer, we note that he continues to deny the allegations, notwithstanding our findings to the contrary.
22. Our findings are as follows:
- a. **Whether the attendee of the 2014 Convention who was subject to incidents that amounted to sexual harassment/assault at that event told the former Chief Executive Officer of these incidents at the relevant time:**
- The former Chief Executive Officer maintained before this Review that he was not informed in 2014 of allegations by an anonymous attendee at that year's Convention, of sexual harassment/assault by a third party (for simplicity, we shall refer to that third party here as P1);
 - The anonymous attendee of the Convention did not speak to our Investigation Team, but she did provide a written statement of her allegations against P1 to the HR Consultancy in their investigations. The HR Consultancy considered this and other evidence and accepted that these incidents of sexual harassment/assault by P1 had occurred;
 - A new witness, who had not previously given evidence, came forward to tell our Investigation Team, that they had witnessed and overheard the anonymous attendee informing the former Chief Executive Officer of allegations against P1 at the 2014 Convention. This therefore potentially corroborated the account of the anonymous attendee;

- We put this evidence to the former Chief Executive Officer, and he continued to deny this account of events had taken place;
- We also considered an email, that had not been available previously. This showed that the former Chief Executive Officer had referred to P1 in this email, as having been ‘inappropriate’ at the 2014 Convention. We put this evidence to the former Chief Executive Officer. He told this Investigation Team that he had not been referring to sexually inappropriate behaviour but rather other unconnected behaviour, that he deemed to be inappropriate. We were not convinced by this explanation, given that the wider context of this email thread was about issues of sexual harassment, so it was unclear to us why he would be raising entirely unconnected issues of behaviour at this time.

Having carefully considered all the documentary evidence, tested the credibility of witness evidence and weighed all the relevant factors in the balance, we find that the events as described by the anonymous attendee of the 2014 Convention, namely that she had told the former Chief Executive Officer about allegations of sexual harassment/assault at the relevant time, are more likely than not to have occurred. We accept the evidence of the anonymous attendee.

- b. Whether the former Chief Executive Officer and/or CIOF knew or should have known about allegations of sexual harassment/assault at material times and failed to act:**

Having carefully considered all documentary evidence and tested the credibility of witness evidence and weighed the relevant factors in the balance, we find that it is more likely than not that:

- **The former Chief Executive Officer and/or CIOF did know, or should have known, in 2014 about the allegation of conduct amounting to sexual harassment/assault at that year’s Convention.**

- The former Chief Executive Officer and/or CIOF did know, or should have known, about other issues relating to sexual harassment/assault within the CIOF from late 2017 onwards;
 - While CIOF did take certain actions from 2018 onwards, CIOF did not act reasonably promptly on the allegations that they had knowledge of at material times, particularly in the period up to 2018.
- c. Whether the CIOF failed in its responses to historical allegations of sexual harassment / assault:

Having carefully considered all documentary evidence and tested the credibility of witness evidence and weighed the relevant factors in the balance, we find that it is more likely than not that CIOF did know that sexual harassment/assault was an issue at CIOF (as well as in the wider sector) at material times. Accordingly, we find that CIOF failed in its responses to historical allegations of sexual harassment/assault.

The HR Consultancy's Recommendations

23. Under the Terms of Reference, we were also asked to review the extent to which the recommendations made in the HR Consultancy's Learning Review and the subsequent Action Plan, have been implemented.
24. We were also asked to advise how CIOF could implement harassment, discrimination and bullying prevention strategies; implement trauma-informed responses and promote appropriate culture change and safeguarding.
25. We have found that CIOF was making good progress with the implementation of the Action Plan. Policies and processes have substantially improved since the HR Consultancy's investigations. We have provided further advice to the CIOF to further improve these policies and processes.

26. The HR Consultancy highlighted 18 recommendations. These related to: (i) Culture Change; (ii) Safeguarding and (iii) Governance of Professional Standards. These recommendations were later set out in the Action Plan to provide a pathway to implement these changes. The Action Plan is available on the CIOF website.
27. Having reviewed the Action Plan, we found that points 1-16 and 19-23 had been fully implemented, with some revisions to reflect current good practice and organisational changes that have taken place since 2021.
28. These action points were subject to further review following recommendations made by us. In the time that it has taken for us to complete our Report, we have received further updates. We are pleased to note that all Action points have now been implemented fully.
29. We set out our detailed assessment of the implementation steps taken in relation to each recommendation of the HR Consultancy.

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<p>Complaints and disciplinary regulations.</p> <p>(1) The person or person(s) conducting an investigation has no involvement or decision-making ability in any subsequent disciplinary process</p>	<p>We will have a simplified process with an investigation led by one person, who then reports to a disciplinary panel. Every complaint will be recorded and there will be criteria to identify formal and informal complaints.</p>	<p>Fully implemented, but needs reviewing.</p> <p>All complaints against members are set out in the Complaints and Disciplinary Rules 2021³ (CDR 2021). This can be easily found on the website.</p> <p>The process appears to be:</p> <p>All complaints received/sent to Head of Professional Conduct.</p> <ul style="list-style-type: none"> • They decide if a complaint has merit or not. 	<p>CDR 2021 is long and sometimes unclear.</p> <p>By way of illustration:</p> <p>S1.3 should clarify if member who wants to make a complaint against staff, should first make a complaint under CDR 2021.</p> <p>Complaint against staff made to Head of Professional Conduct who refers it to Head of Human Resources. It is dealt with under CIOF Staff Disciplinary Policy.</p> <p>We understand the Staff Disciplinary Policy is under review and is subject to approval by the Board.</p>

³ <https://CioF.org.uk/complaints/complaints-and-disciplinary-rules>

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		<ul style="list-style-type: none"> ● If they decide it has merit, they can appoint an investigator (independent person in the case of certain allegations, such as discrimination and sexual harassment) to investigate the complaint. ● Investigation report is provided to the Nominated Professional Conduct Committee Member. ● Nominated Professional Conduct Committee Member decides whether to refer to a Disciplinary Panel. ● Disciplinary Panel appointed by Nominated Professional Conduct Committee Member and Head of Professional Conduct. ● Disciplinary Panel will decide on sanction. ● Nominated Professional Conduct Committee Member decides <u>not</u> to refer to a Disciplinary Panel, the Board can ask other members of 	<p>Complaint by staff against a member dealt with under CDR 2021.</p> <p>Unclear if S.8 “complaints about individual members” would also apply to complaints against Supporter Members.</p> <p>S.28 refers to complaints against “supporter members”, however this section refers to “regulatory breaches”. Unclear how non-regulatory breaches would be dealt with.</p> <p>S3.3 refers to anonymous complaints but does not clarify how these will be dealt with.</p> <p>S3.8 Head of Professional Conduct may, with the approval of the Nominated Professional Conduct Committee Member, decline to consider a complaint if they consider that the complaint is vexatious or otherwise obviously unmeritorious, but the role of the Nominated Professional Conduct Committee Member is not reflected in s8.3, which states the decision is solely made by the Head of Professional Conduct.</p> <p>S.5 clarify whether mediation is with an external mediator, not connected with the CIOF.</p> <p>S8.9.2 sanction should be with agreement of the complainant. Whilst the views of the complainant are important, it is unclear why their “agreement” is needed when recommending possible sanctions to the disciplinary panel.</p>

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		<p>the Professional Conduct Committee to review the decision of the Nominated Professional Conduct Committee Member and Head of Professional Conduct.</p> <ul style="list-style-type: none"> Decision of Disciplinary Panel can be appealed and will be considered by an Appeal Panel. <p>All complaints (informal and formal) are recorded by Head of Professional Conduct. These documents are stored on in a secure access library on SharePoint. It can only be accessed by the Head of Professional Conduct and the Trustee for Safe-Guarding and Whistle-Blowing.</p> <p>The Professional Conduct Committee are fully recruited and have met on three occasions in 2023. It has a Chair and Deputy Chair plus 6 other independent members, all with a wealth of experience. In attendance also is the Head of Professional Conduct, Safeguarding Trustee and a member of the CIOF Executive Team.</p> <p>Head of Professional Conduct and the</p>	<p>S8.15 decision of the Nominated Professional Conduct Committee Member's cannot be appealed, but s8.16 states the decision can be reviewed by the Trustees.</p> <p>S.8.16 if complaint has been investigated by an investigator and their report has been considered by the Nominated Professional Conduct Committee Member and Head of Professional Conduct, consider why it is necessary to have their decision reviewed by the Board and Professional Conduct Committee.</p> <p>S8.17 disciplinary panel will consider the "matters to be decided". This should be decided by Head of Professional Conduct and the Nominated Professional Conduct Committee Member. The accused should know the specifics of the complaints against them before they appear/answer to the disciplinary panel.</p> <p>S9.1 unclear why a separate section is required to deal with complaints arising from CIOF events.</p> <p>S9.5 Nominated Professional Conduct Committee Member upholds a complaint. It is unclear when they would "uphold" a complaint, if these are referred to a disciplinary panel.</p> <p>S9.9 and 9.10 – see comments for s8.15 and s8.16.</p>

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		<p>Professional Conduct Committee have been reviewing best practice of other professional membership organisations and are prepared and ready to review the CIOF current complaints procedures.</p>	<p>S9.12 no appeal from the decision of the disciplinary panel, but s10 sets out how such decisions can be appealed.</p> <p>Unclear how informal complaints dealt with. Each complainant will have different needs and want different outcomes. If reporting anonymously, should be made clear they have the option of making a formal complaint later and what action or outcomes will follow from an informal, formal, anonymous or named reporting.</p> <p>CDR 2021 was implemented two years ago. It should be reviewed on a regular basis, ideally annually.</p> <p>As it is a long procedure, it could be accompanied with a short, easy to follow guide.</p>
<p>(2) The CEO does not act as the investigating officer nor make initial enquiries and delegates this to either a trained person or person(s) within the organisation or to an external HR consultancy. CEO may still retain the ability to suspend a member pending an investigation. This also has the benefit of ensuring that the person or person(s) conducting the investigation has no</p>	<p>All investigations will be carried out independently.</p> <p>The CEO will only be able to suspend a member after agreement from the Chair of the Professional Conduct Committee.</p>	<p>Fully implemented, but needs reviewing.</p> <p>S11. Suspension without prejudice – if a serious allegation is about a member, the CEO in consultation with the Chair Professional Conduct Committee, can suspend the member.</p>	<p>We note that page 3 of the HR Consultancy Learning Review Report states <i>“the Chief Executive does not act as the investigating officer nor make initial enquiries and delegates this to either a trained person or person(s) within the organisation or to an external HR consultancy. <u>The Chief Executive may still retain the ability to suspend a member pending an investigation. This also has the benefit of ensuring that the person or person(s) conducting the investigation has no involvement in any suspension (emphasis added)</u>”</i>.</p> <p>As the policy has a detailed process which involves the Head</p>

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involvement in any suspension.			of Professional Conduct and Nominated Professional Conduct Committee Member, consider whether it is appropriate to depart from the process and if the CEO needs to be involved at all.
(3) Where suspension is necessary, the reasons should be kept confidential. The CIOF should control the communication about a member's suspension. It is also suggested that there is a point of contact given to the suspended member who can also answer any enquiries from other members and/or parties.	All aspects of a disciplinary process are confidential. Criteria for suspension will be developed with the Safeguarding Task Group and the Professional Conduct Committee. Decisions to communicate a suspension will be taken by the Professional Conduct Committee as appropriate.	Fully Implemented s8.6, but needs reviewing. <p>“The Head of Professional Conduct will notify the subject of the complaint that the complaint has been made and that the investigator has been appointed and will provide the subject of complaint with enough information, without compromising the investigation or any requirements as to confidentiality, to enable the subject of the complaint to prepare themselves for the investigation”.</p> <p>The Professional Conduct Committee are fully recruited and have met on three occasions in 2023.</p> <p>The Professional Conduct Committee drives forward the CIOF's ambition to have the highest possible standards of professional conduct within the fundraising profession across the UK. The Committee will have responsibility for continuing to develop the CIOF Member's Code of Conduct; the Code of Behaviour for its events;</p>	Depending on the nature of the complaint, it may not be possible to keep matters confidential. For example, the identity of the complainant might be obvious to the accused because of the specifics of the complaint.

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		will have oversight of all complaints and disciplinary policies and processes relating to professional conduct and will set up disciplinary and appeals panels as needed.	
(4) A disciplinary panel conducts disciplinary hearings and makes disciplinary decisions. No disciplinary sanctions or warnings should be issued prior to a disciplinary hearing being held.	A new Professional Conduct Committee will be set up to have an overview of all professional standards issues. It will be responsible for setting up disciplinary panels, oversight of the complaints process and all issues related to our Code of Conduct and the Code of Behaviour at events.	Fully implemented.	No further recommendations needed.

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<p>(5) Consider including criteria for publicising complaints resulting in disciplinary sanctions and how they are publicised.</p>	<p>CIOF will also consider this for suspension as well.</p>	<p>Fully implemented s12. "Publicity".</p> <p>CIOF has also joined the Misconduct Disclosure Scheme a scheme developed by a group of humanitarian, development and other civil society organisations committed to sharing relevant information about individuals who have been found to have committed sexual harassment, sexual exploitation, or sexual assault in the course of their employment or under the terms of their position. The scheme is in addition to and distinct from any other forms of due diligence used in the recruitment process – this includes board and governance positions⁴.</p>	<p>Professional Conduct Committee consists of Chair, members which include the trustee for Safe-Guarding and Whistle-Blowing and the Head of Professional Conduct.</p> <p>Ensure members on this committee are not subject to any conflicts of interest within CIOF or externally and have the necessary skills and expertise to be on this committee.</p> <p>We have been told the individuals on the Professional Conduct Committee have experience and expertise in dealing/conducting investigations, disciplinary and appeal hearings.</p> <p>The Committee itself and the individual members of the Committee should be given ongoing training on their areas of responsibility.</p> <p>CIOF should seek advice from specialist data protection lawyers prior to processing, let alone sharing, any such information with the Misconduct Disclosure Scheme.</p>
<p>The Complaints Policy</p>			

⁴ <https://CioF.org.uk/events-and-training/resources/plan-to-create-safe-spaces-in-fundraising>

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<p>(6) Suggested that the wording is revised so that members understand that they can report complaints of sexual harassment anonymously and confidentially via the HR Consultancy hotline in the first instance.</p>	<p>CIOF will implement a consistent approach about other complex complaints, including all forms of harassment, race discrimination and assault.</p> <p>A new Head of Professional Conduct role will manage the process and ensure all complaints are appropriately addressed.</p>	<p>Fully implemented, but subject to review.</p> <p>Talk to Spot allows named or anonymous telephone and online reporting.</p> <p>Talk to Spot is a third-party anonymous reporting system. It is available 24 hours a day, 365 days a year. Provides a system that is designed to help achieve best evidence in terms of the documentation of reporting⁵. Commissioned July 2022.</p> <p>Head of Professional Conduct appointed in May 2022. Role includes supporting systemic change within the CIOF and the wider fundraising sector. They work with the Board, senior leadership team, volunteer members, members and staff to ensure safeguarding is central tenant of professional conduct, upholds its duty of care to all and learns from the previous/historic complaints.</p>	<p>We made an online test complaint. We received an immediate automated acknowledgment which was followed up by an email from Head of Professional Conduct.</p> <p>Complaints can be made anonymously, but need to clarify how these will be dealt with.</p>

⁵ www.talktospot.com

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<p>(7) Make it clear in the policy to whom within the Institute of Fundraising members can raise complaints and/or concerns about sexual harassment.</p>	<p>The Safeguarding Task Group will develop a strong and coherent system, including training staff and volunteers.</p> <p>The new Head of Professional Conduct role will manage this.</p>	<p>Fully implemented.</p> <p>Events (in person or online) – all attendees have to agree to comply with the Code of Behaviour for Training and Events. Names of all attendees checked by CIOF events team before the start of the event. If subject to an existing disciplinary sanction as set out in CDR 2021, they will not be allowed to attend the event.</p> <p>All CIOF members have to confirm they will adhere to the CIOF Code of Conduct.</p> <p>Training for 2023 includes re-designing safeguarding training which will include new Diversity, Equity, and Inclusion training; Sexual Harassment Prevention and Bystander Intervention training.</p> <p>Attendees at in-person events have name badges with a QR code, there are posters with details of Talk to Spot and who to speak to at events. Volunteer members receive safe-guarding training.</p>	<p>No further recommendations needed.</p>

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(8) Allow complaints to be initially submitted verbally and informally, a record of which can then be made during any subsequent investigation process, or acknowledged in writing, should the member wish to withdraw the complaint at a later date.	Every single concern or complaint will be recorded, however submitted. The Safeguarding Task Group will lead on developing the recording systems and procedures.	Fully implemented but needs reviewing. Complaints can be submitted informally or formally and all complaints are recorded. Complainants can report anonymously via Talk to Spot – action (6) above.	Unclear how informal complaints dealt with.
(9) Change any wording to make it explicit that any allegations of sexual harassment will be fully investigated before any disciplinary action is taken.	Wording to be developed with the Safeguarding Task Group and checked by our lawyers for England and Wales, Scotland, and Northern Ireland.	Fully implemented. S8.5 investigation will be dealt with by an independent investigator and not staff, officer or member of CIOF. With appropriate experience.	No further recommendations needed.
(10) Consider detailing a separate process for complaints about sexual harassment.	Professional Conduct Committee will lead on developing the right policies and processes for different types of complaint, noting the CIPD complaints process and checklist.	Fully implemented. S8.5 investigation will be dealt with by an independent investigator and not staff, officer or member of CIOF. With appropriate experience.	No further recommendations needed.

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<p>(11) Offer anonymity only if requested and if there is a good reason. Members are still able to raise anonymous complaints via the HR Consultancy hotline.</p>	<p>Complainants will be able to make anonymous complaints. These will be recorded as anonymous. Complainants may subsequently need to be identified to investigation officers during the investigation of a complaint. Confidentiality will be maintained throughout the process. CIOF will follow the wishes of the complainant about when and how their identity is known.</p>	<p>Fully implemented. See Action Plan point (6) above.</p>	<p>No further recommendations needed</p>
<p>Code of Conduct</p>			

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(12) Consider adding to the Code of Conduct a requirement by all members <i>to promote an inclusive environment that is free from harassment, bullying and discrimination.</i>	Responsibility for continuing to develop the Code of Conduct will rest with the new Professional Conduct Committee. CIOF will add the same wording to the organisational member commitment it is planning to roll out later in 2021.	Fully implemented. See Code of Conduct ⁶ .	No further recommendations needed.
Managing disclosures			
(13) Similar to a Safeguarding Officer role, it is suggested that the organisation appoints a designated person or person(s) to whom disclosures are made/reported.	This will be the new Safeguarding and Complaints Manager role.	Fully implemented. Current Head of Professional Conduct, recruited in May 2022.	Feedback during interviews ⁷ very positive about the role Head of Professional Conduct and in particular the Current Head of Professional Conduct.

⁶ <https://CioF.org.uk/membership/code-of-conduct>

⁷ Paragraph 14.

HR CONSULTANCY'S RECOMMENDATIONS 21.03.21	ACTION PLAN AGREED BY CIOF BOARD 25.03.21	JEDI REVIEW 2024 WHAT HAS BEEN IMPLEMENTED.	JEDI REVIEW 2024 FEEDBACK AND RECOMMENDATIONS
(14) As a disclosure may be made to another member, it is important that all members know who to go to if a disclosure has been made to them and they are not in a position to deal with the complaint.	The Safeguarding Task Group will consider how best to implement and communicate this. This will be supported by the new Safeguarding and Complaints Manager and training for all staff and volunteers.	Fully implemented. All staff and members who volunteer at events are required to complete mandatory safeguarding training.	No further recommendations needed.
Education and training			

<p>(15) Provide education and training on initial steps to take upon a disclosure of sexual harassment.</p>	<p>CIOF will work with the HR Consultancy, or another specialist agency to scope and deliver this.</p>	<p>Fully implemented.</p> <p>Head of Professional Conduct will be implementing training on harassment and discrimination training. Talk to Spot has a suite of anti-harassment training for users, including specific training for those with supervisory responsibilities.</p> <p>Whole team safeguarding training was delivered in Spring 2023 with new staff receiving a one-to-one induction in accordance with onboarding processes. In 2024 safeguarding training is planned for June. Online safeguarding training for events and training continues to delivered via Eventbrite.</p> <p>Analysis of 2023 data demonstrates ongoing work in terms of compliance with its volunteers. Staff and trustees are almost entirely compliant with 99% staff and 100% trustees.</p> <p>During 2023 CIOF ran a series of roundtables to reaffirm the relationship between the organisation and the volunteers that support its work. These activities ran throughout the year which meant that the anticipated safeguarding deliverables were delayed with some changes made to the plan as a consequence of the consultation between CIOF and the volunteers.</p>	<p>No further recommendations needed.</p>
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		<p>Recognising inclusivity as a key component to a safe space. Much focus was placed in late 2023 on supporting diversity, equity and inclusion. A mentorship model between the EDI Committee (mentors) and the EDI Champions (mentees) has been created and is now ready to launch.</p> <p>In 2024 there will be a greater focus on safeguarding training with volunteers.</p>	
Historic complaints			
(16) Review any historic complaints that were not investigated as complainants did not wish to make a formal complaint or to put a complaint in writing, to assess whether there is any further action required.	We will complete this within the next 3 months.	Fully implemented. All historic complaints were investigated by CIOF.	See paragraph E.

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<p>(17) Provide training to any person or person(s) conducting investigations or appoint the HR Consultancy to conduct investigations. The HR Consultancy can also provide HR consultancy to help manage initial complaints at any part of the process.</p>	<p>CIOF will appoint the HR Consultancy or another specialist HR agency to conduct all investigations of sexual harassment.</p>	<p>Fully implemented and ongoing.</p> <p>Head of Professional Conduct is a registered social worker and is skilled and experienced in undertaking adult safeguarding and sexual harassment/abuse investigations. There may still be occasions where independent investigation is required due to the level of complexity, specialism, or is required because of any conflict of interests. On these occasions the Head of Professional Conduct would consult with the Safeguarding and Whistleblowing Trustee and the Professional Conduct Committee (currently one member) to identify the most appropriate external specialist to carry out the investigation.</p>	<p>Head of HR must have relevant experience, skills and a proven track record of understanding and dealing with complaints on all levels, including harassment, bullying and discrimination.</p>

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<p>(18) Consider introducing a member assistance programme to support members mental health during the investigation process.</p>	<p>The Professional Conduct Committee will lead on scoping this.</p>	<p>Fully implemented.</p> <p>Paid Headspace app available to all staff.</p> <p>It is within the scope of the role for the Head of Professional Conduct to support and/or facilitate access to emotional and wellbeing services. We have offered this to individuals involved in the investigation in 2021. The Head of Professional Conduct would facilitate access to specialist services should the need arise.</p>	<p>Headspace is a mindfulness app.</p> <p>Consider personal mental health support, such as a companion, buddy, employee representative to support a complainant and/or the accused during an investigation process.</p>
<p>Further actions</p>			

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<p>(19) Clarification in relation to the difference between the informal and formal process.</p>	<p>The Professional Conduct Committee will develop a flow chart and an explanation to explain how a revised system works, from the perspective of the complainant; alleged perpetrator; the HR Consultancy and the CIOF.</p> <p>Including dealing with issues such as when a witness decides not to proceed with a complaint, what is communicated to whom etc. This process will be developed for other independent complaint reporting, such as racial assault.</p>	<p>Fully implemented.</p> <p>Flowchart which sets out the complaints and reporting process, produced by Protect, the whistle-blowing charity.</p> <p>The development is currently pending, awaiting this Independent Review.</p> <p>The Professional Conduct Committee have been actively reviewing the complaints processes and systems of other professional membership organisations and are awaiting this Independent Review to fully review and develop the complaints process.</p>	<p>Flowchart could be simplified.</p>

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(20) Develop and adopt a broader and more powerful single safeguarding policy.	The Safeguarding Task Group will develop a much broader safeguarding policy which specifically covers the safeguarding of adults, staff and volunteers. Including issues related to sexual harassment; bullying; discrimination; power and privilege. To include which current Codes of Behaviour etc this sits and specifically references all the relevant Charity Commission Guidance.	Fully implemented Safeguarding Policy. Safeguarding reports presented to the Board annually (November 2022) and mid-year (February 2023). The CIOF Board have approved the Safeguarding Policy. This was published in December 2023 to all staff and volunteers via the internal HR system and the Volunteer Hub.	No further recommendations needed.
(21) Recognition that there are different legal systems across the UK.	Ensure that as we move forward, we take advice to ensure we are taking into account different legislative regimes around the UK.	Fully implemented.	No further recommendations needed.

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(22) Complaints about members not related to sexual harassment, bullying or discrimination.	Based on the findings of the HR Consultancy review and a wider consideration at how other professional bodies deal with complaints, the Professional Standards Board will lead on the development of a comprehensive complaints process for all types of complaints about members and staff.	Fully implemented. CIOF is also a member of the Professional Association of Research Networks to have access to various studies and research, as needed. The Professional Conduct Committee are fully recruited. The Head of Professional Conduct and the Professional Conduct Committee have been reviewing best practice of other professional membership organisations and are prepared and ready to review the CIOF's current complaints process.	No further recommendations needed.
(23) CIOF had legal challenges in relation to pursuing former members.	We will amend our regulations to make it absolutely clear that we will continue to pursue members for alleged poor behaviour if they leave the CIOF. Professional Conduct Committee will action this as part of the changes to our policies and procedures.	Fully implemented. S1.2 – "These rules apply also in respect of complaints and disciplinary action against former Members where the conduct complained of took place while they were Members".	No further recommendations needed.

Advice on strategies, responses and culture change

- 30.** We accept that, from that 2018 onwards, certain actions were taken by CIOF. This included having informal conversations; encouraging people to make formal complaints that the CIOF could investigate; undertaking a number of investigations over this period; briefing members, amending event guidance; ensuring suppliers signed up to the Code of Behaviour; establishing a Task Group on Sexual Harassment; amending policies and procedures to allow anonymous evidence and hearsay evidence; commissioning the HR Consultancy to provide a confidential hotline and undertaking investigations and a Learning Review.
- 31.** Since the HR Consultancy's reports in 2021, CIOF has taken significant steps in implementing sexual harassment prevention strategies. Online training is also being developed on preventing harassment, discrimination and bullying on all levels.
- 32.** Among other things:

 - a. All members are obliged to confirm they will adhere to the Code of Conduct, Code of Behaviour for Training and Events and the Fundraising Regulator Rules and Codes of Practice;
 - b. Members of national, regional and special interest groups and committees have to take safeguarding training, including on how to deal with complaints (reviewed annually), GDPR and EDI (equity, diversity and inclusion), This is reviewed every 2 years. All of the training is available on SharePoint;
 - c. Staff have to take safeguarding and EDI training;
 - d. Non-members who attend an online or in person event have to confirm that they will comply with the Code of Behaviour for Training and Events.

Learning from past failures and safeguarding

- 33.** The CIOF has already made structural and procedural changes as dealt with in the HR Consultancy Learning Review and from the findings of the two investigations by the

HR Consultancy. They have also implemented the Action Plan. This includes putting in place measures to safeguard staff and members through training, vetting, policies and procedures.

- 34.** There are also lessons that can be learned from the lived experience of CIOF's members and staff and how they adapt by engaging and fostering ideas on how to build and sustain an organisation that reflects the changing culture, values and priorities of its people. This can be done, for example, by conducting routine listening exercises and by involving staff and members in strategic and internal initiatives.
- 35.** The CIOF needs to understand the impact of trauma on people affected by sexual harassment, which may make it very difficult to complain or raise a concern at the material time in a 'formal' way or allow them to trust the process.
- 36.** It is important to ensure that the complaints processes are trauma informed to provide safe and accessible spaces/ways for people to raise concerns or complaints.

Concluding remarks

- 37.** We were struck by the consistency of the oral and documentary evidence of the complainants that we spoke to or reviewed, throughout the different processes. We were able to test their evidence in the interviews we held with them and were satisfied as to their general credibility.
- 38.** Not all witnesses were corroborative of the complainants. We heard from witnesses who spoke to the complainants at material times and stated that they had not appeared to be distressed and/or did not claim any of the allegations that they later named, at the relevant time. We have taken this into account in making our findings. We find that it is credible that those that have witnessed and/or experienced sexual harassment/assault, may not disclose immediately the circumstances of this to those around them.
- 39.** We are grateful to the complainants for their courage in stepping forward to speak out about the sexual harassment/assault that they and others have experienced. This

process has taken many years and there have been a number of different investigations. We have been told about the huge impact that this has had on the complainants personally and recognise that this toll is common for those that courageously speak out against such sexual harassment/assault. We recognise that they have been instrumental in bringing numerous changes to increase the safety for all women in the fundraising sector.

40. We are deeply grateful to all of those that came forward to share their experiences, whether in person or through written evidence. We wish to acknowledge that all those involved in this process, no matter their role, gave up a considerable amount of time to engage with us, in person and in writing.
41. We recognise the challenges for many in repeatedly reflecting on these events and allowing, what was sometimes, our robust questioning.
42. As recognised above, we are particularly indebted to those that have experienced incidents of sexual harassment/assault.
43. We are also grateful to CIOF for being transparent in their approach with us. It is not easy to be the subject of a robust and lengthy investigation, such as this one.
44. We apologise to all those that have been impacted by the time it has taken for us to complete this Independent Review. We recognise that any delay in producing our Report is likely to be very challenging for all those that have been directly impacted by the issues we raise here, as well as the wider fundraising sector. We recognise that the task needed the time it has taken to be thorough and complete.
45. We hope that our findings can support the CIOF to continue to make the vital changes needed in their organisation to create a much safer system, free from the dynamics of any form of oppression, in particular, the issues of sexual harassment/assault, that this investigation has focused on.