THE INTER-AGENCY MISCONDUCT DISCLOSURE SCHEME

SCHR

Steering Committee for Humanitarian Response

digna

PSEA/PEAS

SCHR

The SCHR (Steering Committee for Humanitarian Response) is a voluntary alliance of nine of the world's leading humanitarian organisations.
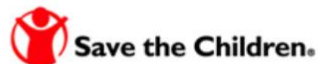
SCALE OF SCHR COVERAGE

Around 140,000 full time staff and 13.5m volunteers

An estimated 20-30,000 staff recruitments per year

Annual budget of over $5bn

Present in 192 countries

Membership is mostly complex confederations

Sufficient scale to demonstrate both practicality and legality of the initiative – but even from the start the scheme included a wider membership than just the SCHR

WHY THE SCHEME?

Sexual exploitation and abuse has had a huge and ongoing impact on NGOs and their ability to respond to humanitarian needs

We identified movement of serial abusers as an area where we could have concrete impact for the wider community

BACKGROUND

The Scheme facilitates the sharing of misconduct data between employers.

The Scheme consists of **two main commitments**:

- A commitment to systematically check with previous employers about any SEA issues relating to potential new hires
- A commitment to respond systematically to such checks from others.

It **enables hiring organisation to get better references** to make a well-informed hiring decision

The Scheme is intended to **ultimately cover all staff** in positions of power over affected people, including both national and international/expatriate staff, of a majority of humanitarian and development organisations.

WHAT DOES THE SCHEME DO?

It **facilitates sharing of misconduct data** to future employers

Respects **data protection** and **employment law**

It enables any hiring organisation to **get better information** to make a better hiring decision

It **protects staff and beneficiaries**

WHAT IT DOESN'T DO?
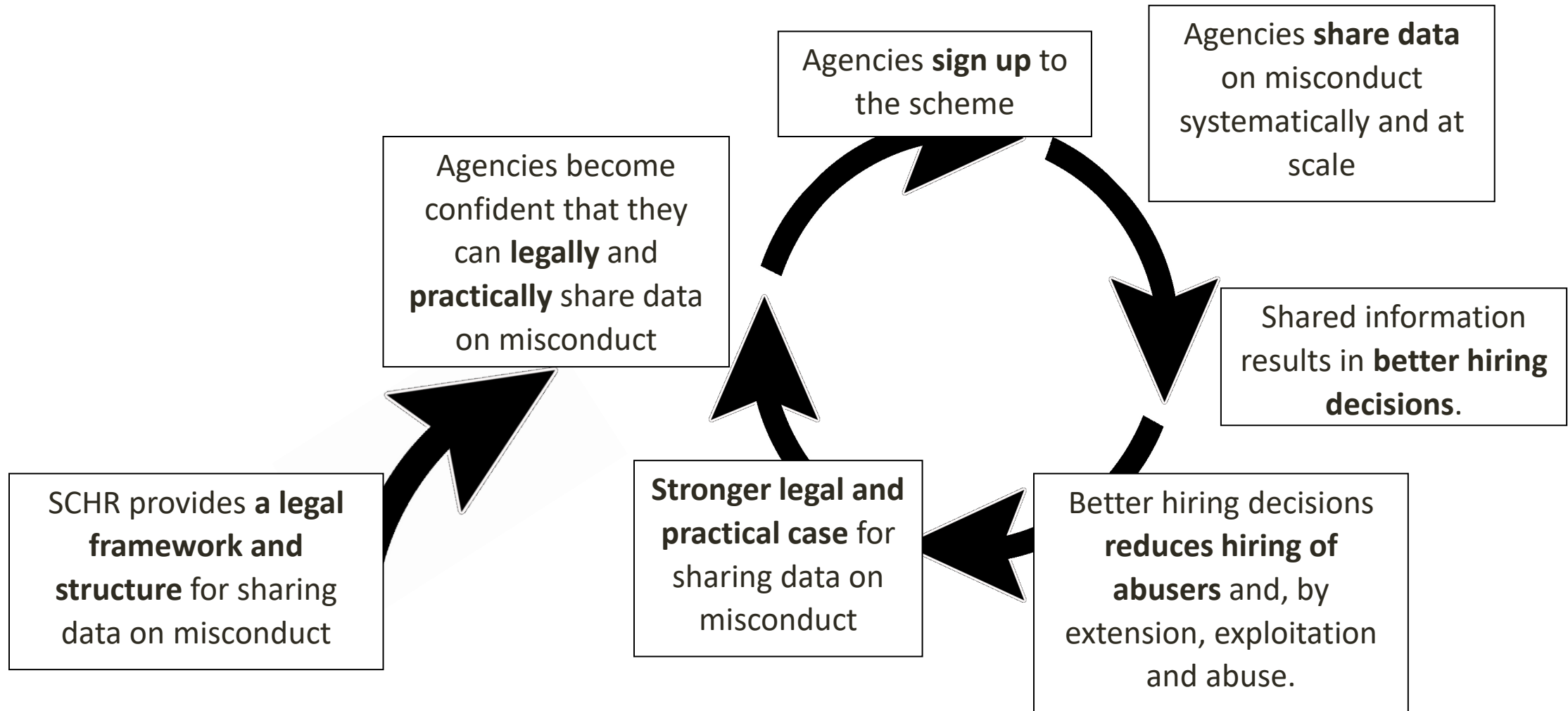
It doesn't 'blacklist' or 'whitelist' people

It doesn't make the hiring decision for you

No central database – its about enabling data sharing between employers

It doesn't condemn staff to being unemployable

Its **not a substitute** for a comprehensive Prevention of Sexual Exploitation and Abuse approach

VIRTUOUS CIRCLE

Agencies **sign up** to the scheme

Agencies **share data** on misconduct systematically and at scale

Shared information results in **better hiring decisions**.

Better hiring decisions **reduces hiring of abusers** and, by extension, exploitation and abuse.

Stronger legal and practical case for sharing data on misconduct

Agencies become confident that they can **legally** and **practically** share data on misconduct

SCHR provides **a legal framework and structure** for sharing data on misconduct

NEW GOVERNANCE

- In March we identified the need for a structured decision making process for any changes to how the scheme works, particularly as the number of stakeholders grows.

- We have now agreed a process, which includes consultation on any changes with a limited but diverse group of stakeholders, including legal, HR, Safeguarding, INGO, Local NGO, Private Sector and Donor representatives.

- Critically, the Advisory Panel will include victim/survivor representation, to ensure that the scheme also works from their perspective.
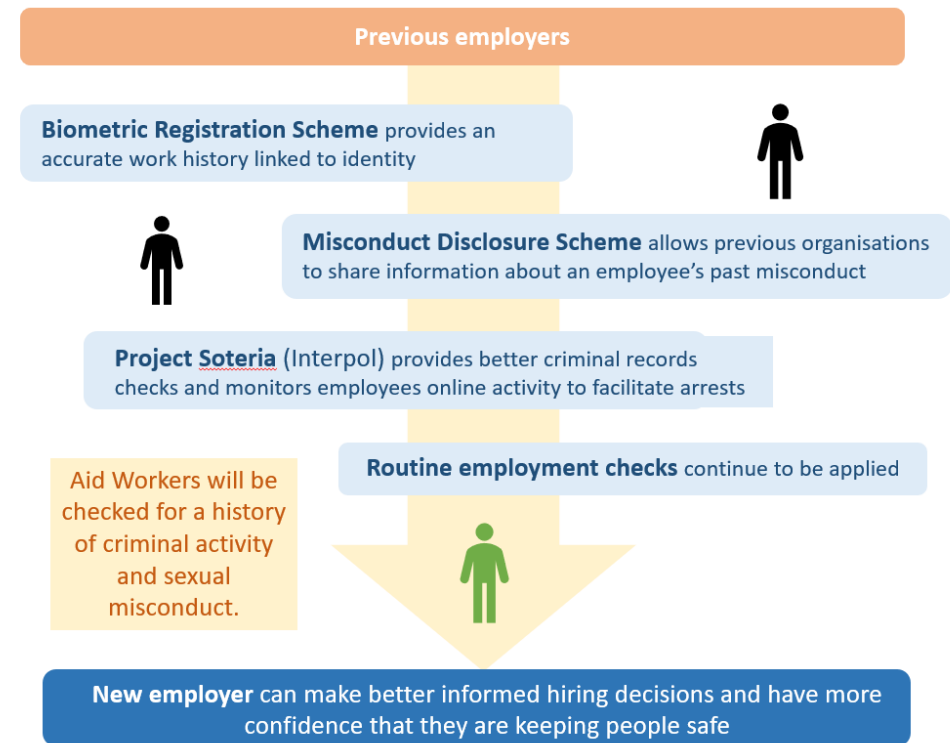
LINK TO OTHER INITIATIVES

We continue to link with **Project Soteria**, the **Aid Worker Registration Scheme** and **Clear Check**.

Clear Check
The United Nations' efforts to combat Sexual Exploitation and Abuse

SCHEME IN PRACTICE

SIGNING UP TO THE SCHEME

Before signing up:

- ensure that your organisation can implement the Scheme,
- ensure you are able to provide Implementation Data.

There are no subscription or other cost to signing up

Implementing Organisations are required to provide:

- contact details, including the authorised contact to seek disclosure data,
- additional contact points for HR, Legal and Safeguarding specialists within your organisation are also useful, as they help us facilitate peer-to-peer learning on how to implement the Scheme effectively across the globe and support a wider safeguarding culture
- Implementation Data

IMPLEMENTATION - LEGAL REQUIREMENTS

- The Scheme is designed to be applied worldwide. The Scheme expressly acknowledges that its implementation by each signatory is subject to applicable legislation and regulations.

- The European General Data Protection Regulation (GDPR) has been specifically taken into account in development of the scheme.

- National labour law may affect the implementation

IMPLEMENTATION

The Scheme can be easily adapted as part of your existing reference checks

STATEMENT OF CONDUCT – CONFIDENTIAL
This Statement is provided in answer to a request by (name), (title), (organisation)

1. Name of Candidate: xxxxxxxxxxxx

2. Duration of employment / term with Organisation XXX: from XX/XX/XX to XX/XX/XX

3. Was the Candidate found[i] to have committed Misconduct (sexual exploitation, sexual abuse or sexual harassment) during the period of employment defined above?
   (a)   □ Yes
           The nature of the Misconduct is: xxxxxxxxxxxx
   (b)   □ No
   (c)   I am unable to specify the nature of the Misconduct because of the following
           legal / regulatory requirements: xxxxxxxxxxxx

   3.1. If the answer is **yes**, was a Disciplinary Measure imposed upon the Candidate?[ii]
   (a)   □ Yes, the Disciplinary Measure was xxxxxxxxxxxx
           Date of Disciplinary Measure: XX/XX/XX
   (b)   □ No, for the following reasons: xxxxxxxxxxxx
   (c)   □ I cannot provide an answer to this question for the following reason(s):
           xxxxxxxxxxxx
   3.2. Is the Candidate currently being investigated for an allegation of sexual exploitation, sexual abuse or sexual harassment? [iii]
   (a)   □ Yes
           The nature of the Misconduct is:
   (b)   □ No
   (c)   □ I am unable to provide an answer

4. Organisation XXX adopts the following definitions of sexual exploitation, sexual abuse and sexual harassment: xxxxxxxxxxxx
OR
Organisation XXX adopts the United Nations definitions of sexual exploitation, sexual abuse

IMPLEMENTATION DATA

1) The number of recruitments conducted by the Participating Organisation
2) The number of requests for misconduct data made
3) The number of responses to those misconduct data requests received
4) The number of misconduct data responses provided to other organisations requesting such data
5) The number of applicants rejected based upon negative or absent misconduct data.

IMPLEMENTATION DATA: 2019 & 2020
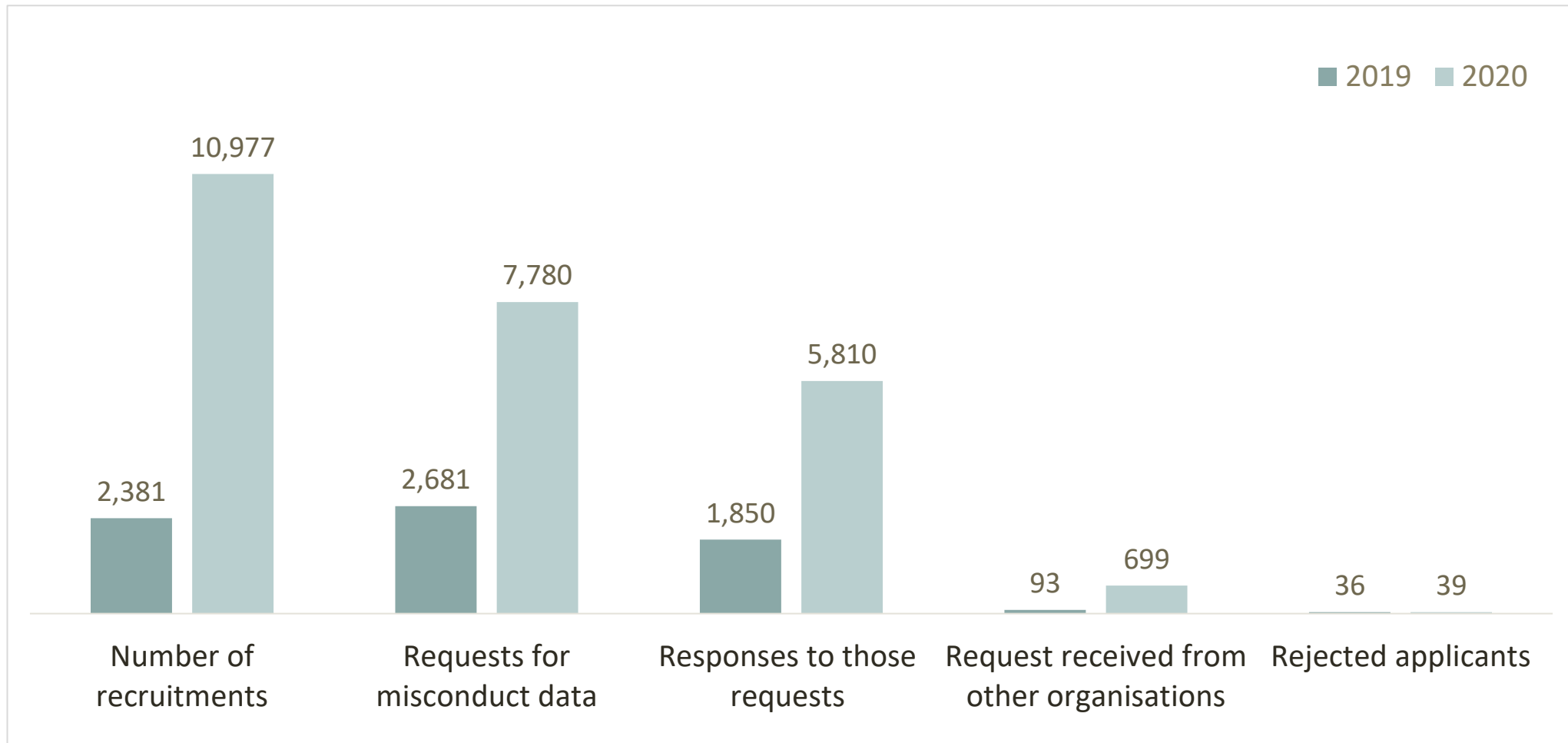
SUPPORT FOR IMPLEMENTING ORGANIZATIONS

- Legal advice available on SCHR website

- How to implement guide

- Sample communication materials

- Support with promoting and onboarding organisations

- Scheme's registry

SCHEME'S REGISTRY

Includes approved contact points

Aim is to allow signatories to update their own data

Includes details on which parts of organisations are implementing

Recommendation is to include generic contact points

NEED MORE INFO?

Our website:

https://www.schr.info/the-misconduct-disclosure-scheme

Contact us:

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inez.ksiazek@oxfam.org