

# Welcome to the RSH webinar

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Robust or Risky Recruitment

WE WILL BE  
STARTING  
SHORTLY



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#SafeguardingResourceandSupportHub



@SafeguardingRSH



@Info Rshub

# Making recruitment safe

Sarah Maguire



# What's the problem?

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- Sexual exploitation, abuse and harassment in our sector are perpetrated by real people who are recruited and retained by organisations which want to do good, not harm
- Perpetrators can be determined to find and use loopholes
- Perpetrators don't wear labels



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# So we need to

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1. Kick perpetrators out and make sure they don't get back in
2. Prevent perpetrators moving between organisations
3. Actively tackle impunity



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# Some concrete problems we all face

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1. People who lie
2. Self-selected references
3. Slow reference returns from previous employers
4. Project-based recruitment
5. Volunteers, community activists, tiny CSOs
6. Different jurisdictions – employment / labour laws
7. Confusion / misunderstanding of legal obstacles
8. Pressure to deliver at speed (especially in emergencies)
9. Tension between disclosure and protecting victims



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# How to start?

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- Break out of 'this is how we do things' / bureaucratic approaches – Take risks
- Be honest internally about how our processes allow perpetrators to stay / get rehired / move around
- Be prepared to collaborate



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# Some concrete thing we can all do

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- A. Improve reference checking – not just the prospective employees' three friends
- B. Include safeguarding questions in recruitment processes
- C. Push responsibility for safe recruitment to country level (with oversight from HQ)
- D. 'Speak out' culture so perpetrators get identified quickly and got rid of
- E. Signal zero-tolerance approach at earliest stages of recruitment
- F. Enlist the support of our clients/ donors for safe recruitment and retention
- G. Join or implement the [Misconduct Disclosure Scheme](#)
- H. Ask women and girls in communities



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# Your experience?

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Ideas

Things that went well

Things that went... not so well

Share your experiences and ideas in the chat!



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# Thank you

Sarah Maguire

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# The Inter-Agency Misconduct Disclosure Scheme

Using the Scheme to strengthen recruitment

Gareth Price-Jones



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# A reminder of the scheme:

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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

No centralised database - It facilitates the sharing of misconduct data held by former employers to future employers

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

# Scale as at end of 2019

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The Scheme had already impacted on over **3,732** recruitments last year

2,965 requests for misconduct data had been made

**2,134** sets of misconduct data had been provided by both signatories and non-signatories



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# Scale at November 2020

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- Number of Implementing Organisations has increased from 14 at the start of 2020 to **60** now
- Of those implementing, many have reported that they have **improved the Systematisation** of both requesting checks and responding to checks requested by others – we'll know the extent of this in January 2021
- We're also in the final stages of welcoming **new types of IOs** – Donors, UN and Private Sector
- However, no progress yet on **local** Implementing Organisations



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# Why do we need the scheme?

- Strong anecdotal and case evidence that we are hiring people with known previous misconduct
- Previous misconduct is not picked up by police checks as behaviour is generally non-criminal or not investigated/proved to a criminal standard
- Previous employers are reluctant to share data on previous misconduct



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“In this community no-one can access Corn-Soya Blend without having sex first.”

Search for ‘DFID Safeguarding’ on YouTube



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# Why is data not shared?

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## Legal

- Fear of being sued under data protection, employment and libel laws
- Fear of 'blacklisting' or discriminating against individual employees without sufficient justification

## Practical

- Concern about the quality of evidence against abusers
- Concern about the quality of processes
- Concern about the quality of documentation
- Concern that checks may delay or block up recruitment processes/over-burden staff



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# A note on risk Perception

Which weighs most?  
Which is most visible?



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# How does the Scheme address the issues?

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## Legal

Fear of being

Fear of 'black  
without suffi

Provides legal reassurance (as far as possible)

Focuses on providing information for a better  
hiring decision – not a yes/no answer

## Practical

Concern abo

Concern abo

Concern abo

Concern tha

Provides safety in numbers

Provides a framework that avoids unnecessary

Provides peer support

Provides evidence of impact



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# What does it look like in practice?

Inter-Agency Misconduct Disclosure Scheme

Template Statement of Conduct Dec 2018 (Reformatted Jan 2020)

English Version

ORGANISATION XXX

Organisation XXX participates in the Inter-Agency Misconduct Disclosure Scheme. This Statement of Conduct adopts the definitions used in the Scheme.

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<sup>i</sup> 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?<sup>ii</sup>

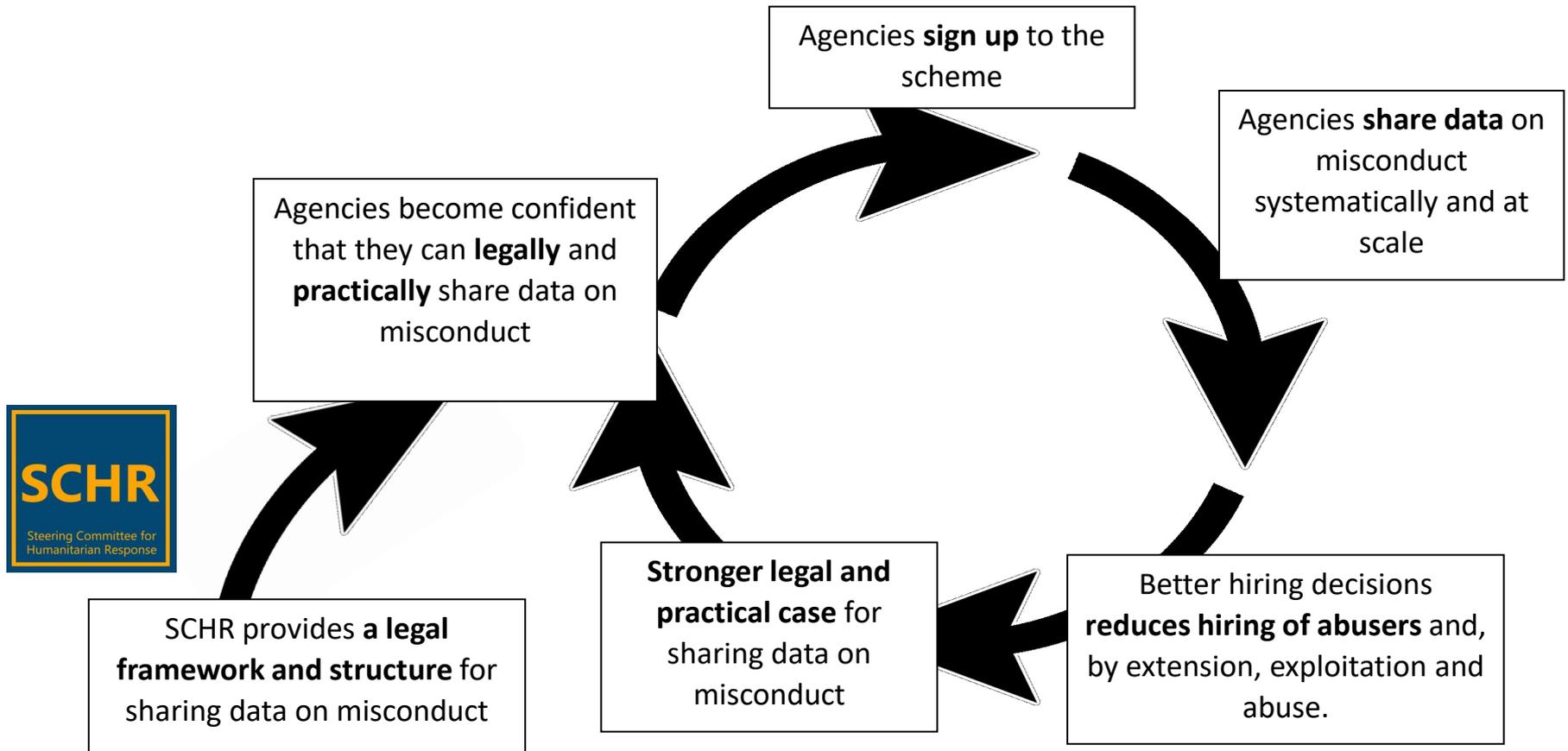
(a)  Yes, the Disciplinary Measure was xxxxxxxxxxxx

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):

# Creating a virtuous cycle at scale



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# Impact

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The scheme has already resulted in at least 45 applicants being rejected at the final stage of recruitment based upon negative or absent misconduct data.

*This demonstrates that even in the current high-profile environment, documented abusers are still applying for jobs with humanitarian organisations*



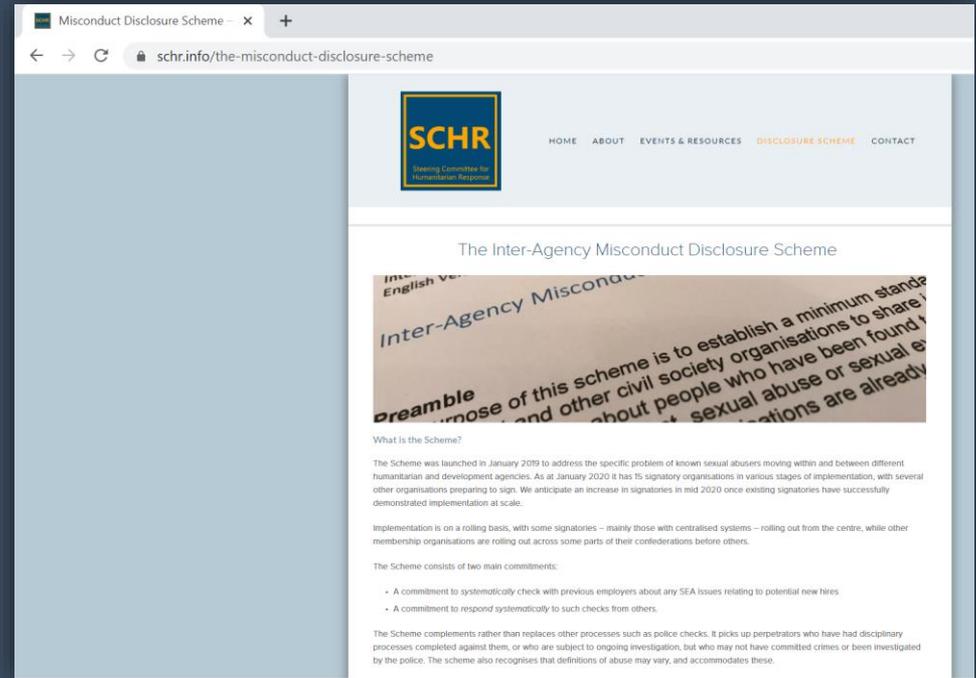
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# Thank you

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## Contact for more info



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