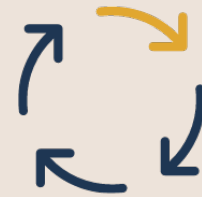


# Misconduct Disclosure Scheme

February 2023



MISCONDUCT DISCLOSURE  
SCHEME

# Misconduct Disclosure Scheme

## Introduction

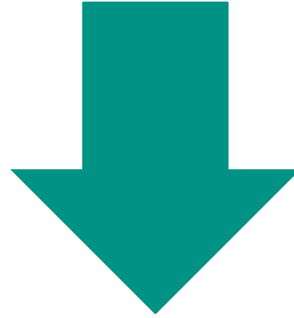
- The Scheme has been established in 2018 and launched in 2019. It is currently implemented by over 170 organisations.
- The Scheme is facilitated by the Steering Committee for Humanitarian Response, hosted by the CHS Alliance with funding from the UK FCDO.
- Between 2019-2021 over **29,400 checks** have been conducted, resulting in **142 applications being rejected** at the final stage of recruitment.

More info  
[website misconduct-disclosure-scheme.org](https://www.misconduct-disclosure-scheme.org)  
[email mds@chsalliance.org](mailto:mds@chsalliance.org)

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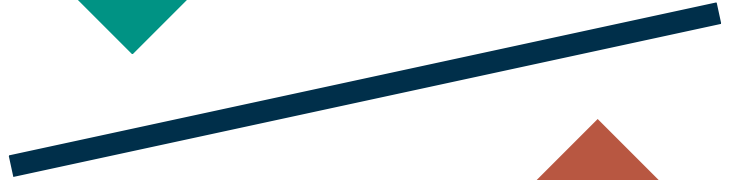
## A note on risk perception

Which **weights** more?  
Which is more **visible**?



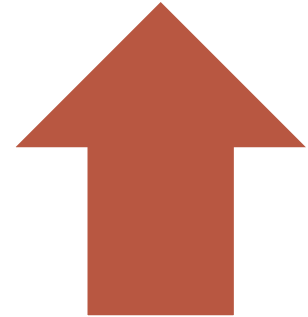
### Making checks

- Legal exposure
- Resource (financial/time) loss if taken to law
- Risk of negative legal outcome

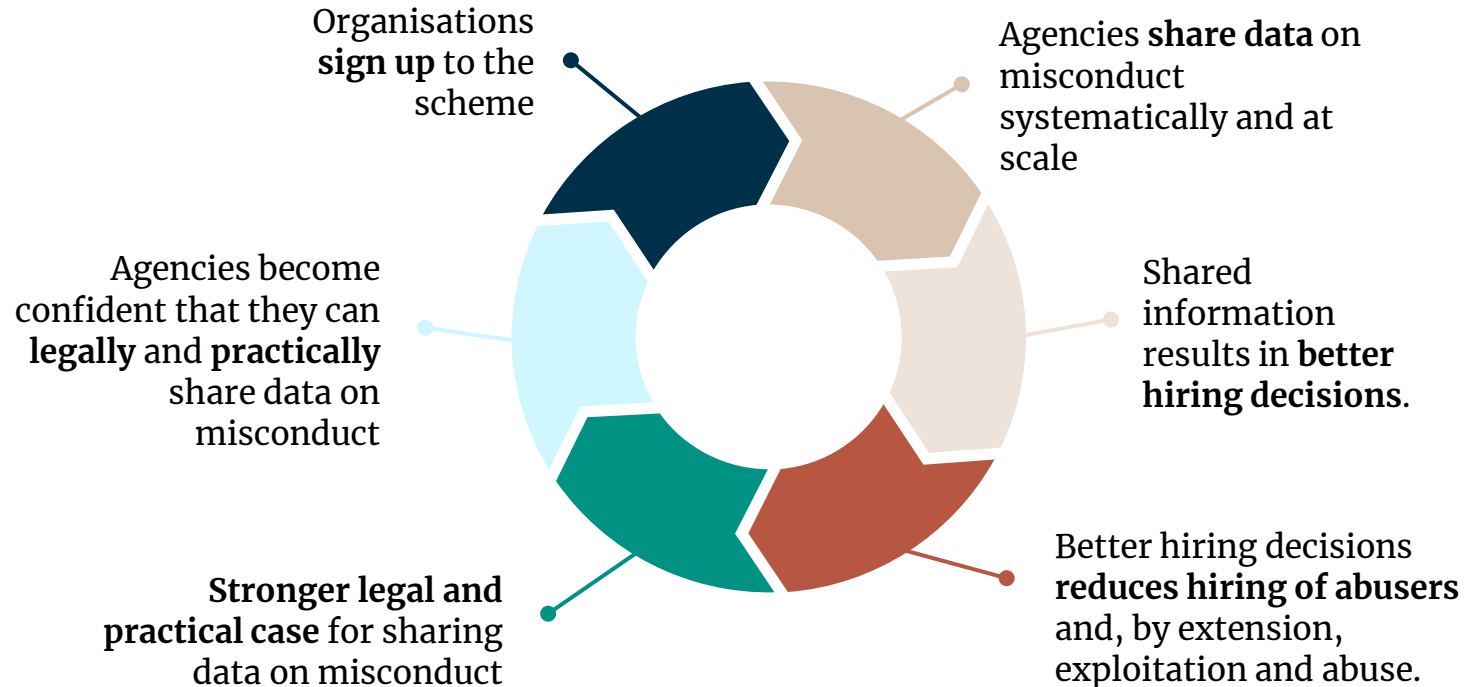


### Not making checks

- People we work with suffer abuse
- Huge reputational risk
- Huge financial risk
- Legal exposure



# Misconduct Disclosure Scheme Theory of Change



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# What does the Misconduct Disclosure Scheme do?

- The Scheme facilitates sharing of misconduct data between employers.
- It consists of **two main commitments**:
  - A commitment to systematically check with previous employers about any SEA issues relating to potential new hires (to cover a period of at least the five years preceding the request),
  - A commitment to respond systematically to such checks from others.
- It **enables hiring organisation** to make well-informed hiring decision.
- It respects data protection and employment law.
- It **aims to protect** the people we work with.

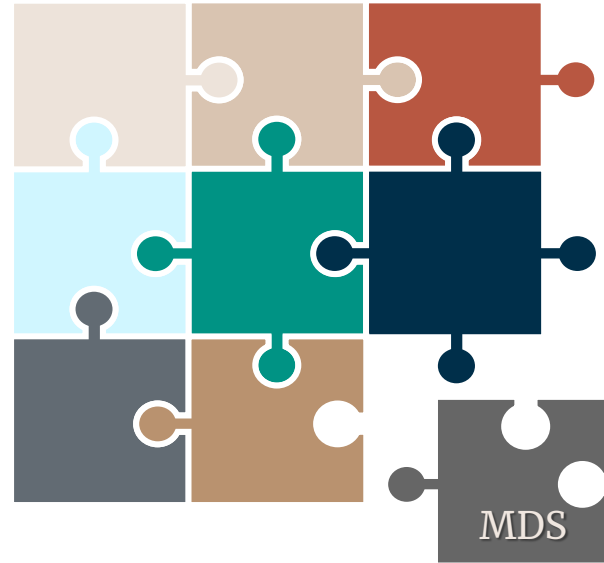
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## What does it NOT do?

- It doesn't 'blacklist' or 'whitelist' people.
- It doesn't make the hiring decision on behalf of the organisation.
- It's **not a central database** – it's about enabling data sharing between employers, which allows secure data protection, correction and deletion.
- It's not a substitute for a comprehensive Prevention of Sexual Exploitation, Abuse and Harassment approach.

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## MDS and wider PSEAH



- The MDS does not work in a vacuum and complements rather than replacing other safe recruitment strategies
- Links and collaboration with all other PSEAH initiatives –Project Soteria, Clear Check, etc-

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>d</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):  
xxxxxxxxxxxx

3.2. Is the Candidate currently being investigated for an allegation of sexual exploitation, sexual abuse or sexual harassment?<sup>iii</sup>

(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

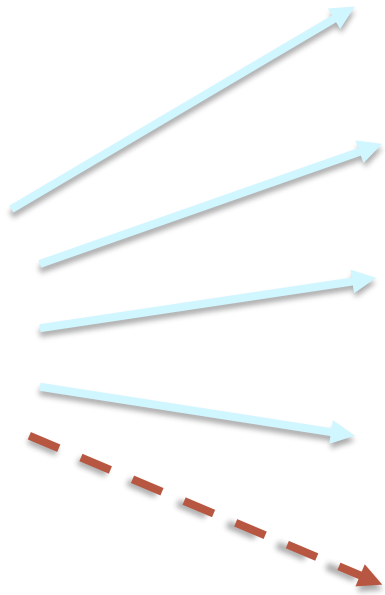
OR

## What does MDS look like in practice?

The Statement of Conduct can be easily adapted as part of your existing reference check form.



# Using MDS in practice



## Employment history

2021-now	Save the Children (MDS member 2)
2020-2021	Microsoft Corporation (non-MDS member 3)
2018-2020	Oxfam Mexico (MDS Member 1)
2005-2018	Google (non-MDS member 2)
2003-2005	Tesco (non-MDS member 1)

# Misconduct Disclosure Scheme

## How to prepare to implement?

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Ensure that your organization can fulfill the [Scheme's requirements](#).

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Adapt your policies (if needed).

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Prepare communication materials for recruitment purposes (e.g. update [job advertisements and consent request forms](#)).

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Train your HR/Referencing Team.

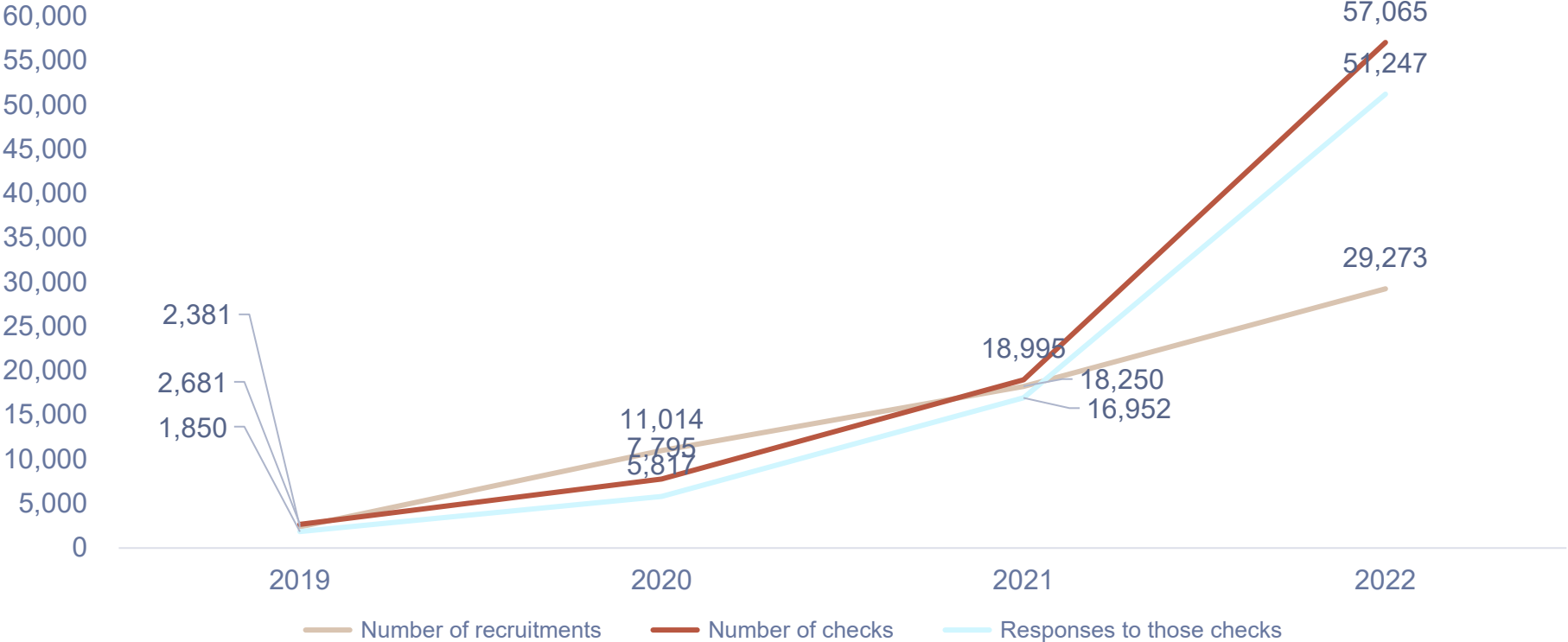
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Let your current employees know that your organisation is implementing the MDS.

2019-2022:

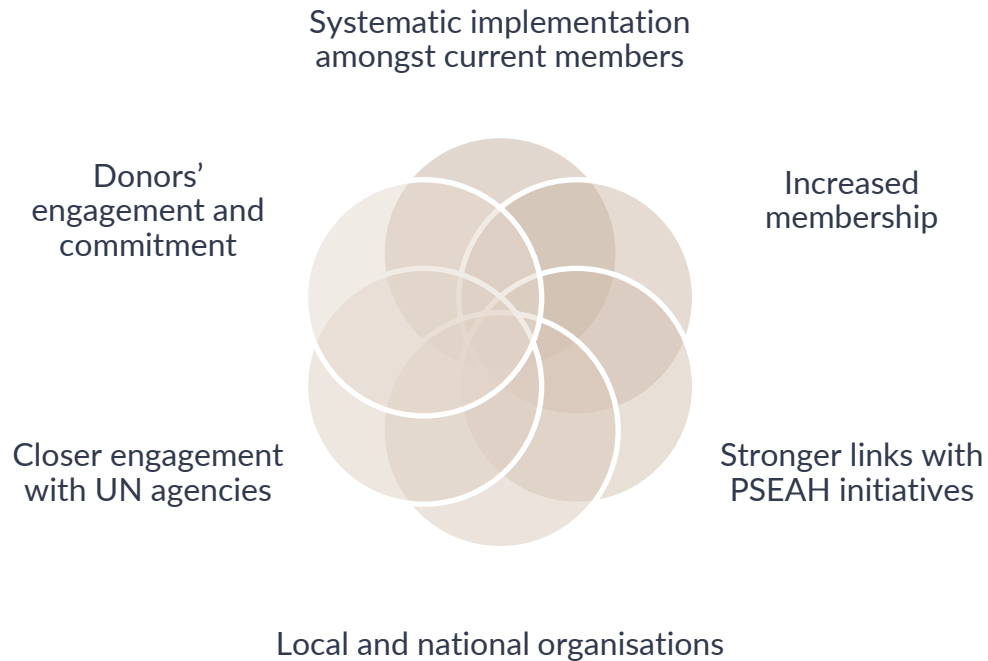
Over 60,900 recruitments checked  
230 applications rejected

# Progress: 2019-2022 Implementation Data



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# The future of the Scheme



# Support available



Legal orientation available on MDS website



Tools and resources



Sample communication materials



Support with promoting and onboarding organisations



Scheme's Registry



Support with annual reporting

[misconduct-disclosure-scheme.org](https://misconduct-disclosure-scheme.org)

[mds@chsalliance.org](mailto:mds@chsalliance.org)