Annex 1
Supplemental Guidance on Safeguarding

1. Purpose of this Supplemental Guidance

Unitaid is committed to working with all its partners, including grantees and other recipients of Unitaid funding, to improve safeguarding standards across the global public health response. This commitment involves ensuring that all recipients of Unitaid funding are aware of their responsibility to take all reasonable steps to prevent harm, particularly sexual exploitation, abuse and harassment from occurring; to protect people from that harm, especially children and other vulnerable people; and to respond appropriately when harm or allegations of harm occur[1].

Unitaid's Guidelines on the Prevention, Reporting and Management of Wrongdoing[2] provide guidance with respect to a range of potential misconduct and dishonest behaviour falling within the definition of wrongdoing, including sexual exploitation and abuse. This Annex provides additional, more specific clarifications concerning Unitaid's expectations and requirements on safeguarding and should be read together with the Guidelines. Unitaid will monitor compliance with this Guidance through its grantee reporting requirements.

For the purposes of this Guidance, a child is defined as someone under the age of 18, regardless of the age of majority or consent in the country concerned.

2. Principles of safeguarding

In the context of the global public health response, safeguarding refers to preventing and responding to harm caused by sexual exploitation, abuse, harassment or bullying and other abuses of power. Unitaid aims to minimise the likelihood and impact of such actions on people working in the sector and those intended to benefit from Unitaid's work. Children and other vulnerable people within the communities where interventions and projects funded by Unitaid are implemented may be particularly at risk of abuse and harm.

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[1] **Sexual exploitation:** any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.
Sexual abuse: Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
Sexual harassment: Sexual harassment refers to prohibited conduct in the work context and involves any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment.
[2] https://unitaid.org/assets/Guidelines-prevention-reporting-and-management-of-wrongdoing.pdf

Unitaid is committed to the key safeguarding principles below, which we expect the recipients of our funds to also apply, both with respect to their own organizations and cascaded down the delivery chain to any third parties who receive Unitaid funding indirectly.

The principles are as follows:

o **Do no harm:** All organizations and individuals involved in the implementation of Unitaid funded projects and initiatives must consider the potential unintended consequences of their decisions and activities.

o **Act with integrity, be transparent and accountable.**

o **Responsibility lies with both organizations and individuals:** Everyone has responsibility for safeguarding. Unitaid, its grantees and other third-party organizations receiving Unitaid funds indirectly, all have a safeguarding duty of care to their staff, consultants and volunteers, as well as the beneficiaries of their projects. However, this does not obviate the responsibility of individuals to also speak out and act swiftly to report any safeguarding concerns of which they become aware.

o **All activity must be carried out in a way that protects the best interests of children and other vulnerable people that might be directly or indirectly impacted by Unitaid's funding projects or activities:** Children and other vulnerable people in the community may be at greater risk of abuse or exploitation, even when they are not direct beneficiaries of the Unitaid-funded projects and initiatives.

o **Non-discrimination:** All people, including children, must be treated equally, irrespective of race, colour, sex, gender identity, sexual orientation, health status, disability, language, religion/or none, political or other opinion, national or social origin, property, economic or other status.

o **Protection and empowerment:** Steps should be taken to protect people identified as being at risk, together with victims and whistle-blowers. Whenever possible, preventive measures should be taken to reduce the risks of abuse before it occurs. Both victims and whistle-blowers must have the right to remain anonymous. Clear information must be available informing them of their right to confidentiality and of any measures to protect them against retaliation. Disclosure and use of the identities of victims or whistle-blowers, or of the information they provide, must be subject to their confirmation that they are aware of their rights and consent to disclosure.

3. What is expected of Unitaid-funded partners?

a.   Standards, policies and processes

Unitaid funds a wide range of projects and interventions which vary significantly and involve implementation by a diverse range of Unitaid-funded partner organizations, from NGOs, to academia and private sector companies. Given this diversity, Unitaid recognises that exposure to safeguarding risks is not consistent across its project portfolio and will depend on the nature of the projects, together with the institutional roles and mandates of the organizations involved.

Particular attention is necessary when the implementation of Unitaid-funded interventions creates power imbalances and provides opportunities for some individuals to exercise power over more vulnerable people.   For example, there is a power imbalance when individuals involved in the implementation of a Unitaid-funded project are required to determine whether other more vulnerable people have access to scarce health products through, for instance, their enrolment in an observational trial taking place in a low-resource setting. Such scenarios could potentially be leveraged to provide an opportunity for abusive behaviour and the safeguarding risks should therefore be carefully managed, reported and mitigated through a transparent and accountable process.

On the other hand, not all projects funded by Unitaid involve providing health products to children or other vulnerable people, so the safeguarding risks will be lower in some cases. Unitaid therefore accepts that its grantees and other recipients of its funding will take a proportionate approach to safeguarding, reflecting the level of risk associated with their activities.

Nevertheless, Unitaid requires all Unitaid-funded partner organizations to have codes or policies addressing essential standards and requirements in the areas set out below. Copies of these codes or policies must be easily accessible for all concerned and Unitaid also expects these organizations to ensure the documents are read, understood and where relevant, acknowledged by all staff, consultants and volunteers involved in Unitaid-funded projects. Accountabilities for safeguarding measures should be clearly attributed within each organization, with overall responsibility for safeguarding clearly resting with the Board of the organization.

i.   **Safeguarding and ethical conduct**

All Unitaid-funded organizations are expected to promote practises and approaches reflecting a culture designed to ensure a safe environment for all people with which the organization engages. Unitaid requires all organizations it funds to have policies that address the risks of bullying, sexual exploitation, harassment and abuse, both internally and where relevant, externally. Internal rules and guidance may be part of the HR policies, although Unitaid also encourages its implementing partners to develop overarching safeguarding policies and codes of ethical conduct if these are not already in place.   In addition, any organization funded by Unitaid to work with children or other vulnerable people must have policies in place specifically addressing the protection of these groups.

ii.   **Whistle-blowing**

All Unitaid-funded partner organizations must have clear processes for raising and resolving safeguarding complaints and concerns.   The processes must be widely understood and accessible for all staff, consultants and volunteers. They must also provide an alternative channel to allow for complaints or concerns to be raised about the individual who manages the complaints and concerns process.   In addition, Unitaid-funded project implementers operating in the field must ensure that local contractors and volunteers are also clearly informed of the existence and availability of whistle-blowing channels.

As noted in Section 2 above, all whistle-blowers must have a clear option to maintain their anonymity and it must be explicit in all cases that there can be no reprisals against the whistle-blower.

iii. Human Resources

All staff, consultants and volunteers involved in the implementation of Unitaid-funded projects must be clearly informed of the policies and processes on safeguarding, ethical conduct and whistle-blowing, referred to in (i) and (ii) above. They must also complete safeguarding and whistle-blowing training when first recruited and this should be followed up with regular refresher courses. Online training on safeguarding is available, for instance, at https://agora.unicef.org/course/info.php?id=7380.

Organizations should assess the safeguarding risk for each role they recruit and should ensure that their recruitment processes are designed to identify candidates with competences that best respond to these risks. Particular care should be taken when recruiting staff or consultants to work with children or other vulnerable people. Background checks, including the verification of criminal records, should be included as part of the process.

b. Capacity assessment and risk management

Unitaid conducts capacity and risk assessments before agreeing to fund projects and a risk matrix is prepared for each project. This enables mitigation measures to be agreed and facilitates monitoring, with regular reassessment of the identified risks throughout grant implementation. Any specific safeguarding risks should be identified and included in the project risk matrix, to facilitate tracking and regular review. Additional controls may be required by Unitaid to mitigate the identified risks.

In addition, Unitaid-funded partner organizations should have their own institutional risk management framework, setting out their approach to risk, together with their risk appetite to guide risk identification and the assessment of safeguarding risks. If the organization is working with children or other vulnerable people, safeguarding should be a separate category on the organizational risk register. There should also be a designated risk owner and a clear pathway for the escalation of safeguarding risks.

4. What is expected of sub-grantees and other third-party recipients of Unitaid funding?

All directly-funded Unitaid partner organizations are responsible for ensuring that the safeguarding principles and standards outlined in this Guidance are cascaded down the delivery chain to any third parties who receive Unitaid funding indirectly – e.g. through the inclusion of requirements in contractual arrangements.

Unitaid also expects direct recipients of its funding to conduct capacity and risk assessments before providing Unitaid funding to third party implementers and any specific safeguarding risks should be identified and addressed, in line with the approach described in Section 3b above.

Whilst responsibility for addressing safeguarding matters with third-party downstream partners remains with the partner organizations funded directly by Unitaid, Unitaid may request copies of capacity and risk assessments, together with evidence that the standards have been shared, understood and agreed to by the third-party implementing partners concerned. Unitaid may also introduce reporting requirements to ensure compliance with respect to these matters.

Unitaid partners are welcome to use or adapt any part of this document for the purposes of informing third-party implementing partners about required standards, if they choose to do so.

5. Reporting of safeguarding concerns

All directly-funded Unitaid partner organizations are required to promptly inform Unitaid if there are any incidents or credible allegations of wrongdoing within the context of a Unitaid-funded project, in line with Section 6 of Unitaid's Guidelines on the Prevention, Reporting and Management of Wrongdoing. Any incidents or credible allegations of abuse, exploitation or harassment should therefore be promptly reported. The available reporting channels are described in Section 6.2 of the Guidelines.

Partner organizations funded directly by Unitaid are responsible for ensuring that equivalent reporting requirements are cascaded down to third parties funded indirectly by Unitaid.

The approach to the investigation and management of safeguarding cases is explained in Section 7 of the Guidelines. Unitaid has zero tolerance of any abuse and must be in agreement with the proposed course of action if abuse is established. In this context, it is particularly important to provide support to those affected and to take account of the local context, noting that in some cases, reporting to the authorities may raise a risk of further harm to the victims concerned.