

DOCUMENT ADMINISTRATION

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1.0	Prepared by: Ethics, Risk and Compliance	December 2023
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	Next review:	As and when requested

1. Purpose

- 1.1. Sexual Exploitation and Abuse are grave breach of trust, and a betrayal of Gavi's mandate for saving lives in often vulnerable contexts. Sexual Harassment and other forms of Harassment are a manifestation of a culture of discrimination and privilege based on unequal gender relations. Both undermine the fundamental rights of all those whom Gavi serves and everyone who works for Gavi to be treated with dignity and respect.
- 1.2. This Policy introduces the Gavi Alliance (Gavi's) approach to the protection of children and adults against Sexual Exploitation, Abuse, and Harassment.
- 1.3. This Policy also serves to ensure effective implementation of the Ethics, Risk and Compliance Charter as well as Gavi's PSEAH Strategy (2023) and annual work plan which outlines the priorities and activities to be undertaken each year to advance Gavi's prevention of sexual exploitation, abuse, and harassment ("PSEAH") commitments and principles.

2. Principles and commitments

- 2.1. **Zero tolerance:** Gavi does not tolerate any form of sexual exploitation, abuse, or harassment by governance and advisory officials, Gavi Staff or those of its partners working on Gavi programmes. All Gavi Staff are explicitly prohibited from engaging in any activity that results in any kind of sexual exploitation, abuse, harassment or failure to follow good safeguarding practices towards any person, and in particular children or at-risk adults. Gavi expects its partners to adopt a comparable approach. Gavi will always respond to any known instance of sexual exploitation, abuse or harassment in its programmes. Similarly, Gavi expects its own Staff to pass on any reports of sexual exploitation, abuse or harassment to the appropriate reporting channels and will not accept any failure by its Staff to do so.
- 2.2. **Response to sexual exploitation and abuse:** Sexual exploitation and abuse by Gavi Staff constitutes gross misconduct. We expect the highest standards of behaviour from all Gavi Staff, and we seek to prevent abusers entering our organisation. Any Gavi Staff found to have engaged in sexual exploitation or abuse or failure to follow good safeguarding practices has committed gross misconduct and will face disciplinary measures under Gavi's Investigation and Disciplinary Procedures which may result in summary dismissal. Examples of sexual exploitation and abuse include transactional sex, soliciting transactional sex, sexual assault, rape, or any type of sexual activity with a child. If Gavi becomes aware of any sexual exploitation or abuse by non-Gavi staff working on Gavi programmes, we will work with the appropriate partner organisation to ensure it is properly addressed. This may ultimately involve referring the matter to the appropriate law enforcement authorities. Sexual exploitation and abuse by governance and advisory officials and third parties constitute breaches and may result in appropriate sanctions.
- 2.3. **Response to sexual harassment:** Sexual harassment by Gavi Staff may constitute gross misconduct. Any Gavi Staff found to have engaged in sexual harassment will face disciplinary measures under Gavi's Investigation and Disciplinary Procedures. If Gavi becomes aware of any sexual harassment by non-Gavi staff working on Gavi programmes, we will work with the appropriate partner organisation to ensure it is properly addressed. This may ultimately involve

referring the matter to the appropriate law enforcement authorities. Sexual harassment by governance and advisory officials, partners and other third parties subject to Gavi's codes of conduct and/or agreements and contractual relationships constitute breaches and may result in appropriate sanctions.

- 2.4. **Safeguarding culture:** It is our collective responsibility to create an organisational culture where concerns for the safety and wellbeing of every individual can be raised and managed in a timely, fair and just manner, prioritising the best interests of children and those at risk.
- 2.5. **Duty to protect vulnerable persons:** We are responsible for protecting children and at-risk persons from harm of any kind. The impact of abuse on any person's physical, mental, and emotional health can be severe and long lasting. Violence and abuse often remain hidden because of the reluctance of victims to disclose their abuse, seek help to cope with the experience, or take action to protect themselves from further victimisation. In most circumstances, children and vulnerable adults are less powerful and this makes them inherently more at risk of abusive conduct.
- 2.6. **Protection of children from harm:** We are particularly committed to upholding the rights of children and safeguarding them against actions—intended or unintended—that place them at risk of any type of harm. Children can be extremely vulnerable; intersections of various factors such as class, gender, race, religion, caste, sexual orientation, or disability can further increase their exposure to abuse and exploitation.
- 2.7. **Prohibition against sexual activity with children:** Gavi Staff, governance and advisory officials and third parties shall not engage in any sexual activity or enter into marriage with or attend a marriage ceremony involving persons under the age of 18 years, regardless of the age of majority, consent, or marriage locally. A mistaken belief as to the age of a person is not a defence. Gavi's agreements and contractual arrangements with third parties shall include this prohibition.
- 2.8. **Prohibition against transactional sex:** Gavi Staff and governance and advisory officials are strictly prohibited from exchanging money, employment, goods, or services for sexual favours or sexual acts with children or adults. They shall not abuse their position to award or withhold services and assistance, nor give preferential treatment to solicit sexual acts, favours, gifts, payments of any kind, or advantage.
- 2.9. **Prohibition against child pornography:** Gavi Staff are prohibited from engaging in the production, distribution, importation, receipt, or possession of any image of child pornography (e.g. any visual depiction of sexually explicit conduct involving persons under – or appearing to be under – 18 years old).
- 2.10. **Victim/survivor centred approach:** We are guided by a victim/survivor-centred approach in each aspect of our PSEAH Framework, and in our efforts to protect vulnerable persons. We will prioritise a victim/survivor's needs, safety, dignity, rights, and well-being. We will also take into account their expressed preferences and shall place these considerations at the centre of our approach when dealing with such matters. At a strategic level, a victim/survivor-centred approach will inform procedures, risk assessment, programme design, education, reporting channels, support services, investigations, and international engagement. By

focusing on the victim/survivor, we try to give these individuals back as much control as possible. Our interactions with victims/survivors are empathetic, respectful, individualised, and non-judgmental.

- 2.11. **Alliance partners and other stakeholders:** Gavi works closely with UNICEF, WHO, the World Bank Group, and the Bill and Melinda Gates Foundation. We work with hundreds of implementing partners, grantees, sub-grantees, donors, and countries in vaccinating against communicable diseases. In implementing this Policy, we call upon all our stakeholders to join us in preventing and protecting vulnerable persons from sexual exploitation and abuse.
- 2.12. **Third parties:** are required to have policies and measures in place to prevent and respond to SEAH, including the facilitation or provision of assistance to victims/survivors related to their safety and protection, medical care, psychosocial support, legal services, and access to a remedy. Gavi will require assurance – including through the due diligence or contract negotiation process – that such policies are implemented and operational prior to the commencement of any agreement or contractual relationship.

3. Definitions

- An **adult** is a person who is 18 years of age or older.
- An **at-risk** or **vulnerable person**, regardless of age, is someone who has a limited capacity to protect their own interests. Examples may include illiterate workers, unemployed or impoverished individuals, migrants, refugees, the elderly, people marginalised because of their views or lifestyles, ethnic minorities, and women in a traditional patriarchal society. Vulnerable people may be unable to protect themselves against significant sexual exploitation or abuse.
- A **child** is a person under the age of 18.
- **Gavi Staff** includes all individuals who are employed or retained by Gavi, regardless of tenure, contract type, title, or classification level. Gavi Staff includes staff whether holding an indefinite or fixed-term employment contract, interns, volunteers, consultants and independent contractors including from temporary staffing agencies.
- **Governance and advisory officials** include any member of the Board (including alternate Board members and Committee delegates) and Advisory Bodies (as defined in Section 19 of the Board and Board Committee Operating Procedures).
- **Implementing partners** are governments, institutions and individuals who directly or indirectly receive Gavi financing through grants and who are responsible for delivering specific health care interventions that advance Gavi's mission.
- **Sexual activity** includes all forms of activity and abuse of a sexual nature, with or without physical contact.

- **Sexual exploitation** means any “actual or attempted abuse of a position of vulnerability, power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.”¹ We describe sexual exploitation and abuse as occurring between Gavi Staff or Staff of an implementing partner or government and an external person, who is typically from a local community or is receiving a vaccine or other types of health care.
- **Sexual abuse** means the “actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.”²
- **Sexual harassment** means “any unwelcome 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, creates an intimidating, hostile or offensive work environment, or is made a condition of employment or career opportunities. Sexual harassment may be verbal (e.g. suggestive innuendoes, jokes of a sexual nature), physical (e.g. unwanted physical contact), or visual (e.g. displaying sexually suggestive objects or pictures).”³ Sexual harassment may occur between persons of the same or different genders.
- **Sexual misconduct** means sexual exploitation, abuse or harassment as defined under this framework.
- **Survivor** means any person that has been subjected to sexual exploitation abuse or harassment as defined under this framework.
- **Third parties** include core Alliance Partners, donors and funders, the Gavi CSO Steering Committee, vendors, and implementing governments and other implementing partners with which Gavi has agreements or contractual relationships.
- **Victim** – see survivor.

4. Oversight and accountability

- 4.1. Oversight for the implementation and effectiveness of this Policy lies with the Gavi Governance Committee.
- 4.2. The Chief Ethics, Risk and Compliance Officer, and the senior leadership team (SLT) are accountable for the implementation and integration of this Policy.
- 4.3. Operational responsibilities are defined and shared as stated below.

5. Roles and responsibilities

- 5.1. **All Gavi staff** are responsible for:

¹ Respectful Behaviour Policy

² Ibid.

³ Ibid.

- a) conducting themselves in compliance with this Policy and complying with all applicable laws and policies that protect every child and other person from SEAH;
- b) creating and fostering a safe work environment that protects everyone from all forms of SEAH;
- c) never engaging in prohibited activities as described in Gavi's commitments and principles above;
- d) disclosing any and all existing or historic employment, civil and criminal convictions and open charges or proceedings relating to SEAH which occurred before employment with Gavi, and immediately disclosing any such processes instigated against them during their term of employment with Gavi;
- e) reporting any suspicion, allegation, or evidence of a possible violation of Gavi's PSEAH policies to Gavi's formal reporting channel (ethics hotline);
- f) cooperating in any investigation related to a SEAH concern; and
- g) participating in PSEAH trainings and supporting the Ethics, Risk, and Compliance team in awareness-raising campaigns for third parties, project staff, and local communities.

5.2. The Gavi Senior Leadership Team is responsible for:

- a) building and promoting an ethical organisational culture and leading by example;
- b) ensuring that all Gavi Staff have access to, are familiar with, and know their responsibilities to safeguard children and adults from SEAH;
- c) ensuring that Managers are fully trained and briefed on this Policy and receive support and guidance on its implementation in their operations;
- d) ensuring that all Gavi Staff receive regular updates and training about PSEAH, the application of Gavi's codes of ethics and conduct and related policies, and their duty to report suspected violations of the PSEAH Policy to Gavi's formal reporting channel;
- e) taking decisive action concerning any proven breach of Gavi's PSEAH policies; and
- f) protecting individuals who report suspicions of SEAH in good faith from retaliation.

5.3. The Chief People and Experience Officer is responsible for:

- a) implementing effective recruitment, background and reference checking, and due diligence to ensure that Gavi does not hire or retain any person (including consultants) found to have previously perpetrated sexual misconduct, including exploitation, abuse or harassment; and

- b) integrating appropriate PSEAH commitments in recruitment, onboarding, training and development, promotions and disciplinary proceedings.
- 5.4. **The Chief Ethics, Risk, and Compliance Officer** serves as the PSEAH Champion, responsible for:
- a) promoting Gavi's PSEAH Framework internally and externally, disseminating it throughout the Secretariat, and coordinating vulnerable person and child protection and safeguarding responses across Gavi's operations; serving as Gavi's focal point for its PSEAH commitments, both in connection with Gavi Staff and third parties;
 - b) preparing and distributing an annual work plan that outlines the priorities and activities to be undertaken each year to advance Gavi's PSEAH commitments;
 - c) incorporating PSEAH risks into Gavi's enterprise risk management system, identifying emerging PSEAH and related misconduct risks, and incorporating a risk-centred outlook into Gavi's PSEAH activities;
 - d) in co-ordination with the CPEO, ensuring all Gavi Staff receive regular updates and annual training about the PSEAH policy and application;
 - e) in co-ordination with the Director, Governance, ensuring that all governance and advisory officials receive training and regular updates about this Policy, its application, and their oversight and compliance responsibilities.
 - f) in co-ordination with the Managing Director, Audit and Investigations and the Head of Investigations, ensuring all allegations and concerns related to violations of Gavi's PSEAH policies are properly investigated, in accordance with applicable guidelines;
 - g) in co-ordination with the Managing Director, Country Programmes Delivery, identifying and mitigating SEAH related risks in Gavi-funded programmes;
 - h) co-ordinating best practices in conducting integrity due diligence inquiries for Gavi Staff, governance and advisory officials, implementing partners, donors, vendors, and any other individual or group whose conduct could impact Gavi's reputation for PSEAH.
- 5.5. **Gavi Senior Country Managers (SCMs)** are responsible for ensuring this policy is reflected in collaboration and agreements with Third Parties, e.g., CSO's and core Alliance Partners. Further, SCM's should promote reporting about SEAH by publicising Gavi's Ethics Hotline and other locally based reporting services. See further section 7.
- 5.6. **Audit and Investigations** is responsible for investigating violations of SEAH policies and for providing assurance over the organisation's PSEAH Policy and any related procedures. See further section 8.
- 5.7. **The Governance team (Director), with support from the Ethics, Risk and Compliance team,** is responsible for screening prospective governance and advisory officials for SEAH violations and related instances of abuse of power.

- 5.8. **The Legal team** is responsible for ensuring that all contractual agreements (templates) with members of Gavi's supply chain, vendors, and implementing partners include enforceable flow-down provisions in which they agree to comply with the material principles of this Policy.
- 5.9. **Third Parties & Implementing Partners**⁴ must comply with the principles and commitments outlined in this policy when working with or on behalf of Gavi preferably through adopting own PSEAH policies and ensure effective implementation of these. Implementing partners are required to promptly inform Gavi if there are any PSEAH incidents or complaints within the context of a Gavi-funded programme. All credible allegations of sexual exploitation, abuse or harassment must be reported to Gavi (see reporting section below) and implementing partners are required to support investigations in line with contractual agreements.

6. Due diligence, contracting and ongoing monitoring

- 6.1. Gavi will conduct risk based PSEAH due diligence before contracting with new potential implementing partners. A separate SOP will be developed to further describe the process, frequency and related roles and responsibilities.
- 6.2. Gavi will also include mandatory clauses in its implementing partnership agreements outlining each party's obligations in connection with preventing SEAH and protecting children and vulnerable adults.
- 6.3. Gavi may seek assurances that implementing partners have adopted minimum PSEAH standards consistent in all material respects with this Policy.
- 6.4. Gavi depends upon governmental, non-governmental, and private sector donors and funders to invest directly in Gavi and provide resources that are aligned with its life-saving mission. As a financing institution, Gavi seeks funding from national governments, philanthropies, foundations, pooled health funds, grassroots partnerships, high-net-worth individuals and other innovative sources. These donors and funders may have their own policies and integrity due diligence processes and requirements. Gavi will enter into good faith discussions with donors and funders to seek to ensure compliance with donors' and funders' PSEAH expectations consistent with this Framework and to the extent that Gavi is able to meet such obligations. Furthermore, Gavi will seek information on SEAH risks in the process of screening non-sovereign donors and funders.

7. PEASH in Country Programme Design

- 7.1. Gavi will conduct capacity and risk assessments before agreeing to fund programmes. 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 risk assessments, to facilitate tracking and regular review.

⁴ This applies to Third Parties who are performing services on behalf of Gavi in-countries.

8. Reporting and Investigations

- 8.1. Gavi makes its reporting mechanisms available to anyone with concerns about SEAH (and/or other misconduct). For Gavi to address SEAH allegations, the subject of the complaint must have an identifiable connection with the work that Gavi does, whether as a governance and advisory official, Gavi staff or third party. Allegations without a clear link to Gavi will be referred to the appropriate body where appropriate.
- 8.2. Gavi staff, governance and advisory officials, and third parties are required to report any allegations of SEAH as soon as they have knowledge or a reasonable suspicion of the situation. Both victims and whistleblowers have the right to remain anonymous; any disclosure of the identities of victims or whistleblowers, or of their personal information, will normally be preceded by their voluntary informed consent to such disclosure.
- 8.3. Gavi offers numerous reporting channels, under the Investigation and Disciplinary Procedures and Whistleblower Policy. Victims/survivors and other reporters are encouraged to utilise Gavi's Hotline, which provides for anonymous or confidential reporting in multiple languages, on a 24/7/365 basis. Concerns and allegations can also be reported confidentially or anonymously by email, by the post, by phone, or in person. Governance officials may also advise the Chair of the Board of their SEAH concerns. Implementing partners and their representatives may advise the Managing Director, Country Programmes Delivery. At its sole discretion, Gavi may refer a report to a local entity, a community-based reporting mechanism, or other legal authority.
- 8.4. In case of emergencies, Gavi encourages victims/survivors and reporters to immediately contact local authorities, emergency services or advocacy groups, as appropriate.
- 8.5. In All Gavi investigations into allegations of SEAH and related abuse of power are guided by a victim/survivor-centred, trauma-informed approach, following a case-specific risk assessment by professional, trained investigators, and protecting the identities of whistleblowers and victims to the extent possible.
- 8.6. Allegations of SEAH violations must be reviewed by the Audit and Investigations Office (A&I). Where the alleged perpetrator is a Gavi personnel, A&I will follow the Investigation and Disciplinary Procedures, which set out the procedures for the initiation and conduct of fact-finding investigations into employee misconduct. Investigations that involve governance and advisory officials may be undertaken by A&I, upon referral by the Board Chair.
- 8.7. Where an allegation of an SEAH violation by personnel of a third party is reported, A&I may review and seek assurances from the third party that the matter has been properly addressed. Where A&I is not satisfied as to the response from the third party it may elect to investigate such cases on its own authority or jointly with the third party depending on the circumstances in accordance with applicable contractual rights and memoranda of understanding. On conclusion of an investigation, and where it is found that there has been a violation of Gavi's policies, Gavi may pursue sanctions, including through relevant legal and contractual remedies and/or referral to relevant legal authorities.

9. Support to survivors and victims

- 9.1 Gavi supports a victim/survivor centric approach when responding to SEAH. This is a way of engaging with victims/survivors that prioritises their needs and involves listening to them, avoids re-traumatisation, and systematically focuses on their safety, rights, and well-being, and acknowledging their expressed wishes and choices. This approach seeks to return as much control to victims and survivors as possible and to incorporate empathetic and sensitive delivery of services and support in a non-judgmental manner.
- 9.2 Assistance and support will be made available to all victims/survivors, irrespective of whether the victim initiates or cooperates with an investigation. Support is provided in a manner that is victim/survivor-centred, rights-based, age, disability- and gender sensitive, non-discriminatory, and culturally appropriate. It adheres to the principle of “do no harm”. The rights of victims to privacy, confidentiality and informed consent will be respected. Appropriate information may be shared with law enforcement so that perpetrators of SEAH may be held criminally accountable, while respecting the principle of informed consent.
- 9.3 For victims/survivors who are “inside Gavi”, post incident support is coordinated through the offices of the CPEO and CERCO. For victims/survivors who are “outside Gavi”, post incident support is coordinated through the Managing Director, Country Programmes Delivery.
- 9.4 For survivors and victims of SEAH who Gavi personnel or governance and advisory officials are, several support functions can provide aid, including Human Resources, Ombudsperson, and the Ethics, Risk and Compliance office.
- 9.5 For victims and survivors who are “outside Gavi,” such as third-party representatives, health care workers or those who have received vaccination through the auspices of a Gavi-funded programme, Gavi will explore (in conjunction with the third party, where appropriate) what local or community-based options are available for support and care. Such local services may include safety advice and protection against further violence; preservation of confidentiality; guidance on reducing the risk of retaliation; medical care; psycho-social support; education referrals; livelihood support and basic material assistance; and/or legal services.

10. Protection against retaliation

- 10.1. Gavi does not tolerate retaliation, or threats of retaliation, against anyone making a complaint or raising an allegation of SEAH in good faith, reasonably believing it to be true. Gavi’s rules against retaliation are set out in the Whistleblower Policy, Investigation and Disciplinary Procedures and Respectful Behaviour Policy.

11. Timeline for implementation and review

- 11.1. This policy comes into effect as of 1 December 2024.
- 11.2. This policy may be complemented by standard operating procedures to ensure effective implementation.
- 11.3. This policy will be reviewed and updated when required per request by the Gavi Chief Ethics, Risk and Compliance Officer. Any amendments to this policy are subject to Gavi Governance Committee approval.