

WHISTLEBLOWER POLICY

This document should be read in conjunction with all Civil Rights Defenders' relevant documents and policies including the Anti-Corruption Policy and the Complaints Policy.

1. INTRODUCTION

Civil Rights Defenders is committed to the highest standards of openness, probity and accountability. Employees and representatives of the organisation must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

An important aspect of accountability and transparency is a mechanism to enable staff and others with a professional relationship with Civil Rights Defenders to voice concerns in a responsible and effective manner.

This Whistleblower Policy applies to all of Civil Rights Defender' staff, whether full-time, part-time, or temporary employees, to all volunteers, to all who provide contract services, to all partner organisations and to the general public.

It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the organisation then this information should be disclosed internally without fear of reprisal.

This policy is intended to assist individuals who believe they have discovered malpractice or impropriety.

2. SCOPE OF POLICY

This policy is designed to enable employees of Civil Rights Defenders to raise concerns internally and at a high level and to disclose information which the individual believes shows malpractice or impropriety. This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately but might then lead to the invocation of other procedures e.g. disciplinary. These concerns could include:

- Financial malpractice or impropriety or fraud
- Failure to comply with a legal obligation or statutes
- Dangers to health, safety or the environment
- Criminal activity
- Improper conduct or unethical behaviour
- Attempts to conceal any of the above

3. SAFEGUARDS

3.1 Protection

This policy is designed to offer protection to those mentioned above who disclose such concerns, provided the disclosure is made in good faith.

3.2 Confidentiality

Civil Rights Defenders will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential as long as it does not hinder any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

3.3 Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns may be expressed anonymously but may be more difficult to investigate or assess.

Anonymous concerns can be sent by email to: awg@crd.org, or by mail to: Anti-Corruption Working Group, Civil Rights Defenders, Östgötagatan 90, SE-116 64, Stockholm, Sweden. Concerns sent in accordance to the above will be received by Civil Rights Defender's Anti-Corruption Working Group (AWG) whom will take decision on further actions based on the following factors:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

The AWG has an overall responsibility of anti-corruption efforts, including refining tools and receiving complaints. The AWG consists of one Board member, at least one Department Director and the Chief Financial Officer. The Board and the Executive Director elect the representatives to the AWG for a one-year period. The AWG decides who is chairing the AWG.

The AWG reassess this policy and any required regulations linked hereto at least every two years, in order to ensure it remains useful, relevant and effective.

3.4 Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and particularly if the person persists with making them, disciplinary action may be taken against that individual.

3.5 Procedures for Making a Disclosure

The AWG has the primary responsibility to analyse complaints and advice the Executive Director or the Chair of the Board on the course of action.



Complaints in line with this policy can be sent by email, mail or told directly to a supervisor, the AWG, the Executive Director or when needed to the Chair of the Board, see below for guidelines. On receipt of a complaint of malpractice, the person who receives and takes note of the complaint must pass this information as soon as is reasonably possible to the AWG who will decide on appropriate actions, such as to designate an appropriate investigating officer:

- Complaints against a member in the AWG should be passed to the Executive Director.
- Complaints against the Executive Director should be passed to the Chair of the Board who will nominate an appropriate investigating officer.
- The Executive Director or, when the Executive Director may be implicated, the Chairperson should be informed of complaints and of actions taken by the investigating officer. The Executive Director or the Chairperson is ultimately responsible for actions and decisions taken in cases of suspected malpractice.

If there is evidence of criminal activity Civil Rights Defenders will inform the police. The investigating officer will ensure that any internal investigation does not hinder a formal police investigation.

4. TIMEFRAME

Due to the varied nature of these sorts of complaints, which may involve internal investigators and/or the police or other authorities, it is not possible to lay down precise timeframe for such investigations. The AWG and the investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

The investigating officer, should as soon as practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation and on the action that is proposed. If the investigation is prolonged, the investigating officer should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

All responses to the complainant should be in writing and sent to their private email.

5. INVESTIGATING PROCEDURE

The AWG and the investigating officer should follow these steps:

- Full details and clarifications of the complaint should be obtained.
- Should a Civil Rights Defenders staff member be implicated, an initial investigation may be initiated without informing the staff member allegedly involved. The investigating officer should consider the involvement of external auditors.
- The AWG or the investigating officer should keep the Executive Director/Chairperson informed and advice on the course of action.
- If the allegations against the staff member are strong, the case will be referred to the relevant authorities. Pending investigation by the authorities, the staff member will be separated from tasks and duties that relate to the case.



- The allegations should be fully investigated by the investigating officer with the assistance where appropriate, of other individuals/bodies.
- A judgement concerning the complaint and validity of the complaint will be made by the AWG. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to the Executive Director/Chairperson as appropriate.
- The Executive Director/Chairperson will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate procedures.
- The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.
- If appropriate, a copy of the outcomes will be passed to the auditors to enable a review of the procedures.

Civil Rights Defenders' always recognises the lawful rights of employees and ex-employees to make disclosures to relevant authorities and encourages staff to do so in particular if dissatisfied with the internal procedures and the outcome of an investigation.