Date of this Revision: 08 January 2022	**Date of next Revision:** 08 January 2024

RCMRD Whistle-Blowing Policy and Procedures

Applicable to: All Employees

Policy Owner: The Director General

Date of this Revision: 08 January 2022	**Date of next Revision:** 08 January 2024

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Date of this Revision: 08 January 2022	**Date of next Revision:** 08 January 2024

Revision History

Revision Number	Revision Date	Summary of Changes	List of Changes
1.0	08 January 2022	Policy Created	

Approvals

This document is reviewed and approved by the following designated office holders:

Name of office holder	Title	Date
	Director General	

Distribution

This document has been distributed to the following in addition to the approvers listed above:

Name of office holder	Title	Date

Abbreviations

RCMRD	Regional Centre for Mapping of Resources for Development
HR	Human Resources
IA	Internal Audit

Purpose

The Regional Centre for Mapping of Resources for Development (RCMRD) (hereinafter referred to as "the Centre"), is committed to maintaining an open culture with the highest standards of honesty and accountability, where staff can report any legitimate concerns, in confidence, in every area of its operation as soon as possible. The Centre would therefore like to nurture an environment where its members of staff can seek advice, raise concerns and disclose information that they believe shows malpractice, unethical conduct or illegal practices in the workplace, without being penalized or victimized for bringing this forward. The Centre desires that whistleblowing be viewed by the members of staff as a positive act that can make a valuable contribution to its efficiency and long-term success.

This policy aims to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. The policy also aims to encourage employees and other categories of stakeholders who may have serious concerns regarding any aspect at the Centre, to come forward and voice those concerns without fear of victimization, subsequent discrimination, disadvantage or dismissal, so that the concerns can be properly investigated. The policy will ensure that there is a system in place to raise those concerns and receive feedback on action(s) taken.

Scope

This policy applies to all employees, contractors and stakeholders.

Policy Statement

The Centre acknowledges that staff would often be the first to realise when something is amiss within the organisation. It also recognises that the decision to report a concern can be a difficult one to make. The Centre will provide a safe environment within which staff can voice a concern without fear of reprisal or unfair treatment.

The Centre is committed to ensuring all employees are able to raise legitimate concerns and protecting them before, during the process and after they do so:

- Without any risk of losing their employment or suffering any form of retribution at the workplace;
- With the knowledge and confidence that the Centre will not tolerate any harassment or victimization and will take appropriate action to protect whistle-blowers when they raise a concern in good faith;
- With the knowledge and confidence that the Centre will deal with any harassment that arises, as a disciplinary matter under the Centre's disciplinary procedure; and
- With the knowledge and confidence that complaints will be addressed in a confidential manner.

Nevertheless, it is important to be cognizant of the fact that, identity may have to be disclosed in order to facilitate conduct of a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defence.

Any whistle blower who believes he/she is being retaliated against must contact the Director General immediately. The right of a whistle blower to protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

Definitions

In this policy 'Whistleblowing' refers to the reporting by employees of suspected misconduct, illegal activity or any wrong-doing within the Centre.

Procedures

1. What should be reported

Any serious concerns that you have about service provision or the conduct of officers or others acting on behalf of the Centre that make you feel uncomfortable in terms of known standards, not in keeping with the Centre's policies fall below established standards of practice, or improper behaviour.

These might relate to:

- Conduct which is an offence or a breach of the law (a criminal offence has been committed or failing to comply with any other legal obligation)
- Disclosures related to miscarriages of justice
- Racial, sexual, disability or other discrimination
- Health and safety of other employees and/or the public, development partners
- Damage to the environment
- Unauthorised use of the Centre's funds or other assets
- Possible fraud and corruption
- Neglect or abuse of clients, or
- Other unethical conduct

2. Anonymous allegations

This policy encourages you to put your name to your allegation whenever possible. If you do not state who you are, it will be difficult to protect you or to give you feedback. This policy is not suited ideally to concerns raised anonymously. Nonetheless, concerns expressed anonymously may be considered at the discretion of the Director General. In exercising his/her discretion, the factors to be considered will include;

i. the gravity/seriousness of the matter raised;
ii. the credibility of the concern; and
iii. how possible it is to corroborate the assertions of the matter raised using other sources.

3. Untrue allegations

If one makes an allegation in good faith and reasonably believing it to be true, but it is not confirmed by the investigation, the management will recognise the concern and one shall have nothing to fear. If, however, the allegation is made frivolously, maliciously or for personal gain, appropriate action that could include disciplinary action, may be taken.

4. Raising a concern

A concern may be raised by telephone, in person or in writing. One will need to provide the nature of their concern and why they believe it to be true and the background and history of the concern (giving relevant dates)

Although one is not expected to prove beyond doubt the truth of your suspicion, there will be need to demonstrate to the person contacted that the action is in good faith and there are reasonable grounds for the concern.

5. Reporting Procedure

Concern About	Report to
Another employee	Line Manager
Line manager	Director General
Director General	Chair of the Governing Council
Council Member	Chair of the Governing Council
Client or Supplier against a Centre employee, of a Centre employee against a Client or Supplier	Director General

A concern can also be raised on email by sending details of the concern to xxx@rcmrd.org

6. Procedure of handling concerns raised

The Centre will respond to the concerns raised as quickly as possible. In order to be fair to all employees, including those who may be wrongly or mistakenly accused, initial enquiries will be made to decide whether an investigation is appropriate, and if so, what form it should take. The investigation may need to be carried out under terms of strict confidentiality, i.e. by not informing the subject of the complaint

until (or unless) it becomes necessary to do so. In certain instances, however, such as allegations of ill-treatment of others, suspension from work may have to be considered immediately.

Within ten (10) working days of a concern being raised, the person investigating the concern will write to the complainant if identity is known and keeping a copy of this communication in the file (regardless of whether the identity of the complainant is known or not. Where it is not known, Jane/John Doe may be used to designate the anonymous complainant for the record in the file):

- Acknowledging that the concern has been received.
- Indicating how the Centre proposes to deal with the matter.
- Supplying the complainant with information on staff support mechanisms where necessary.
- Providing information on whether further investigations will take place, and where not, giving reasons.

Any meeting can be arranged away from the workplace, at the request of the complainant, and a colleague may accompany them in support.

Compliance: Recording and Monitoring

The Internal Auditor (IA) will maintain a record of all concerns reported. All officers assigned to look into a concern must ensure Internal Audit is provided with sufficient details for record. The Internal Audit will make reports which will include a summary of the concerns raised, to which department they related, the post to which the concerns related (if not confidential) and any lessons learned. The report will not include any employee names. The aim of this is to ensure that:

- The Centre and/or the relevant department(s) learn(s) from mistakes and does not repeat them in future, and
- A consistency in approach across the board.

This policy shall not be read in isolation but rather in conjunction with all other related and relevant policies of the Centre.

Consequences of Policy Violation or Non-Compliance

Where non-compliance with this policy or a violation of it is raised, and determined to have occurred, the applicable Human Resources policies will be followed to address the non-compliance and determine the consequences for the concerned party and the way forward. This policy shall be implemented along side other existing policies and laws.

Date of this Revision: 08 January 2022	**Date of next Revision:** 08 January 2024

Effective Date and Review of this Policy

This policy will be effective immediately on review by management and approval by the Governing Council. The Human Resources Manager has the responsibility for the review of this Policy every four years for approval by the Director General. It may however be reviewed more frequently or earlier should the need arise.

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References

i. OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, Recommendation for Further Combating Bribery of Foreign Public Officials in International Business Transactions, Recommendation IX.

ii. United Nations Convention against Corruption (UNCAC) (2005), Article 33.

iii. Council of Europe Civil Law Convention on Corruption (1999), Article 9.

iv. OECD Guidelines for Managing Conflict of Interest in the Public Service (2003)107, 28 May 2003. v. OECD, Commentary on the OECD Guidelines for Multinational Enterprises http://www.oecd.org/dataoecd/56/36/1922428.pdf.

v. Kenya Gazette Supplement No. 197 (Acts No. 47), Nov 30, 2016 https://vpsc.vic.gov.au/resources/implementing-evaluating-conflict-interest-policy-processes/

Appendices

Sample activities

1. Document and report all whittle blowing activities, their challenges, the outcome of investigations and the action taken
2. Create and regularly check avenues for reporting of any whistle blowing activities such as emails, boxes etc