



## WHISTLE-BLOWER MECHANISM IN OXFAM IBIS

Approved 17. December 2012

As an integral part of Oxfam IBIS efforts to combat corruption, an internal whistle-blower mechanism has been established. The mechanism takes its point of departure in the Oxfam IBIS Anti Corruption Policy - the Code of Conduct - where the main principles are stated in article 8:

*“In accordance with the principle of “zero tolerance”, we are obliged to report instances of well-founded suspicion or evidence of corruption observed or experienced in any part of Oxfam IBIS activities. The responsible superiors will ensure the legal rights and due protection of the informant and the accused before, during and after any investigation.”*

A whistle-blower in Oxfam IBIS is defined as a person who reveals and informs Oxfam IBIS about well-founded suspicion of dishonest or illegal activities (misconduct) occurring within Oxfam IBIS or in any part of Oxfam IBIS activities. The misconduct may be for example: a violation of a law, of an internal Oxfam IBIS rule or regulation or any other corruptive behaviour as defined in the Anti Corruption Policy of Oxfam IBIS.

It is important to underline that reporting is to be seen as the last resort after attempting to resolve any issues through the normal channels of communication and coordination in Oxfam IBIS. This last resort should be used only in case of serious offences.

In general, Oxfam IBIS strives for an open and dialogue seeking work environment where issues of critical importance for the organisations present and future performance can be discussed in an atmosphere of openness and trust.

### **Protection of the whistle-blower and of the accused**

In order to observe the Anti Corruption Code of Conduct, all Oxfam IBIS managers are obliged to treat any report on corruption or misuse of Oxfam IBIS assets seriously and in confidence.

For a whistle-blower system to work, it is important that the whistle-blower is perceived as a witness, not as a complainant/informer (i.e. “traitor” against the system or against a given person). The responsibility of the Oxfam IBIS manager, who receives the report, is to ensure that no prejudice is caused to the person who puts forward any allegations of breaches to the Code.

Furthermore, full regard shall be given to the legal rights and protection of any person under suspicion or accusation before, during and after any investigation.

Allegations are to be reported in confidentiality, but not anonymously, as anonymous reports are much harder to investigate and it will be more difficult to ascertain the truth.

### **Procedures for reporting suspicion or evidence of breaches**

It should be noted that any Oxfam IBIS employee who notices or suspects corruption or misuse of Oxfam IBIS assets has an obligation to report to his/her superior in accordance with article 8 above.

Oxfam IBIS employees will first of all have to go to their immediate manager, if they have evidence of a well-founded suspicion of corruption or violation of the Oxfam IBIS Anti-Corruption code of Conduct.



If the employee suspects his/her immediate manager, the person must go to next level above the immediate manager or further up the hierarchy. Any investigation and decision performed by these managers in Oxfam IBIS may be appealed to the next level, ending with the Secretary General and the Chairman of the Board of Oxfam IBIS.

In the extraordinary case that the employee feels safer by using other channels of communication, the whistle-blower may direct his/her suspicion to the Oxfam IBIS Parliamentarian Auditor at [parl.audit@oxfamibis.dk](mailto:parl.audit@oxfamibis.dk). The parliamentarian Auditor is responsible only to the General Assembly and may investigate any case of alleged misconduct.

When in doubt on how to interpret the Code of Conduct or other aspects of professional or private conduct, Oxfam IBIS employees may also use his/her manager to seek advice and discuss what is considered proper conduct.

To report allegations, the whistle-blower must provide as much information, documentation and detail as possible including who, what, when and where:

- **Who** do you suspect committed the misconduct? Who else was implicated? Who else might have been involved?
- **What** happened? Describe the events fully and using as much relevant detail as possible.
- **When** did it happen? Provide dates, time, and how many times.
- **Where** did it happen? Include not only the city and country, but, if possible, an actual address, the name of the building, the office number.

The manager is responsible for:

- Interviewing the person submitting the allegation.
- Conducting a preliminary document review to the extent possible.
- Deciding whether a full investigation is to be conducted based on the interviews and preliminary document review.

If the witness has reported in good faith and subsequently allows Oxfam IBIS to use his/her name, Oxfam IBIS will clearly signal that retaliation measures (formal and informal) are not accepted.

If the whistle-blower needs support in the process from colleagues, he/she may involve the staff representative ("tillidsmand"), who will assist under obligation of confidentiality in the matter.

### Investigation of allegations

Should the manager decide to conduct a full investigation, the following issues are to be dealt with:

- Whether any criminal prosecution is likely or desired and how the investigation should proceed such that this end is not compromised. Local circumstances may dictate that the police are to be involved.
- The recovery of losses incurred by Oxfam IBIS taking action through the courts.
- If and how to dismiss employees in order to minimise the knock on effect of that action.
- What action is to be taken to prevent reoccurrence of the corruptive behaviour.

Every investigation should result in a written report. In this report, management must disclose full details of their findings. Cases of fraud or corruptive behaviour must always be reported to Oxfam IBIS Director of Finance and Administration in Denmark immediately.



### **Protection against false allegations**

Whistleblowing can be a double-edged sword and it is necessary to protect persons and organizations against allegations not made in good faith.

Oxfam IBIS will therefore apply appropriate sanctions against such allegations. Whistleblowers should not, however, be punished unless it is found that they deliberately made malicious allegations.

### **Partners and sub contractors**

In case staff of Oxfam IBIS partners or sub contractors reveal and inform Oxfam IBIS about well-founded suspicion of misconduct within Oxfam IBIS managed or financed activities, they are to be regarded as whistleblowers with the same protection as Oxfam IBIS staff.

External whistleblowers may address their suspicions to the Oxfam IBIS Programme Director or, if need be, to the Country Director of the given country.

### **Anonymous whistleblowing**

Anonymous tips and information must be brought to the attention of the immediate manager unless blatantly unreliable and untrustworthy. Serious allegations must be brought to the attention of the Country Director or the HO Director of Department and ultimately to the Secretary general / Chairman. The manager will assess whether the accusation shall be disregarded or if an investigation must be started.

The accused person will enjoy the same protection as if the accusation had come from a named source. The "rapporteur", however, is by definition anonymous and therefore not in need of protection.