

REFORM ASSOCIATION

WHISTLE-BLOWING POLICY

1. Introduction

- 1.1 REFORM is committed to promoting transparency and integrity throughout its programs as outlined in its guiding principles. This means being honest and transparent in what we do and say, and accepting responsibility for our individual and collective actions. It is expected that those working for, and representing REFORM Association shall act with integrity. REFORM shall be an organisation that acts with integrity and honesty.
- 1.2 In order for stakeholders of REFORM to have confidence in our honesty and integrity, this policy aims to provide a supportive process that encourages and enables employees and service providers to raise concerns about misconduct within REFORM without repercussion and will give them confidence that their concerns will be properly investigated and resolved in a timely manner.

2. Legal and Policy Impact

- 2.1 This policy considers the following local and international legislation:
- Palestine Anti-Corruption Law
 - Cabinet Resolution No. (7) of 2019 regarding the protection system for whistle-blowers, witnesses, informants, experts in corruption cases, their relatives, and persons close to them
 - United Nations Convention against Corruption, Article 33
 - Inter-American Convention against Corruption, Art. 3(8)
 - CoE Civil Law Convention on Corruption, Art. 9
 - CoE Criminal Law Convention on Corruption, Art. 22(a)
 - OECD Guidelines and Country Experiences on Managing Conflict of Interest in the Public Service
 - 2009 OECD Anti-Bribery Recommendations, specifically on reporting breaches of the law or professional standards or ethics occurring within the company in good faith and on reasonable grounds.
- 2.2 Where an employee has a concern about their terms and conditions of work, their working relationship with REFORM, or how a concern they raised was addressed, they are encouraged to use REFORM's grievance procedure as mentioned in its HR/administrative manual.
- 2.3 In the event that an employee feels they are being bullied or harassed in the workplace for either blowing the whistle, or for any other reason they are encouraged to refer to the Harassment Policy.

- 2.4 REFORM's website and manuals outline its vision, mission, principles and values. All employees are expected to operate within these and where there is reasonable evidence that these are not being followed it will be addressed by the line manager.
- 2.5 Similarly if an employee is found to have raised a complaint or a false allegation for malicious reasons, the employee will be disciplined, which may result in their dismissal. Where the disciplinary process does not apply (for example to contractors/consultants) steps may be taken to terminate their relationship with REFORM.

3. Scope of the policy

- 3.1 This policy applies to all employees, contractors/consultants, board members, interns and volunteers. Throughout the document, the term "worker" will apply to collectively define these groups.

4. REFORM's policy on whistle-blowing

- 4.1 This policy aims to:

- Provide direction to all REFORM workers on what is unacceptable practice within REFORM, and to provide a safe and secure environment to blow the whistle on unacceptable practice.
- Encourage you to feel confident and protected in raising serious concerns in good faith and to question and act upon concerns about practice, whether it has occurred, occurring, or is likely to occur.
- Provide avenues for you to raise those concerns and receive feedback on any action taken.
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.
- Reassure you that you will be protected from possible reprisals or victimization if you have a reasonable belief that you have made any disclosure in good faith.

- 4.2 There are existing procedures in place to enable you to lodge a grievance relating to your own employment. The whistle-blowing policy is intended to cover major concerns that fall outside the scope of other procedures. Whilst this is not an exhaustive list, malpractice would include the following:

- Conduct which is an offence or a breach of law
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public as well as other employees
- Damage to the environment
- The unauthorized use of funds
- Possible theft, fraud and corruption
- Sexual or physical abuse, or
- Other unethical conduct, especially acts that fall below established standards of practice.

Thus, any serious concerns that you have about any aspect of service provision or the conduct of workers of REFORM or others acting on behalf of the management can be reported under the whistle-blowing policy.

5. Responsibilities

- 5.1 The General Manager is accountable for ensuring the effective implementation of this policy throughout REFORM and representing REFORM interests/concerns in the event of publicity or litigation resulting from a whistle-blowing allegation.
- 5.2 Line managers are responsible for ensuring that the principles of this policy are communicated and understood throughout their teams. They are also responsible for putting the policy into practice. These responsibilities include:
- Ensuring that all concerns raised by workers are taken seriously where appropriate.
 - Ensuring that concerns are investigated properly, objectively and in a timely manner.
 - Ensuring that the worker is kept informed of progress.
 - Ensuring that action is taken to resolve the concern.
- 5.3 The HR Department, in coordination with the Head of TSU, is responsible for providing coaching, advice and guidance to line managers on the implementation and use of the policy. He or she is responsible for reporting all cases to the appropriate body to initiate the investigation.

6. How to raise a concern

- 6.1 In the event that they suspect malpractice, workers at REFORM have a responsibility to inform someone who is able to do something about the problem. They must provide details about the malpractice immediately they become aware of it. All attempts should be made to raise the concern internally in the first instance.

Please see **APPENDIX A** for guidance on raising a concern. **APPENDIX B** summarizes the whistle-blowing process.

7. Safeguards

7.1 Harassment or Victimization

- REFORM is committed to good practice and high standards and wants to be supportive of employees.
- We recognize that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing the service.

- The management will not tolerate any harassment or victimization (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.
- Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

8. Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

8.1 Anonymous Allegations

- This policy encourages you to put your name to your allegation whenever possible.
- Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Board of Directors.
- In exercising this discretion, the factors to be taken into account would include:
 - The seriousness of the issues raised
 - The credibility of the concern; and
 - The likelihood of confirming the allegation from attributable sources.

9.0 Untrue allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

APPENDIX A**Guidance on whistle-blowing / How to raise a concern****1. Determining whether to use the Whistle-blowing Policy****1.1 Does the malpractice fall under one of the following?**

- A criminal offence, including theft, fraud or corruption.
- A failure to comply with a legal obligation, namely those under the Charity Commission or financial regulations.
- A miscarriage of justice.
- The endangering of an individual's health and safety, and well-being: this would include towards staff member, worker or visitor to CIUK.
- Damage to the environment or conduct, which conflicts with CARE International's interests.
- Deliberate disregard or serious breach of CIUK principles and values, including bullying and harassment, and discrimination.
- Deliberate concealment of information to any of the above.

1.2 Do you have genuine reason to believe that malpractice occurred either in the past, recently, or is likely to occur in the near future?**1.3 What details do you have? Check that the details are not judgements or assumptions, but based on fact.****1.4 Do you feel vulnerable or at risk?****2. Letting someone know**

2.1 You should normally raise concerns with your immediate supervisor/line manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. If the malpractice concerns your line manager, then raise concerns with their line manager. If the malpractice goes beyond this, you may raise your concerns with the HR department.

2.2 Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:

- the background and history of the concern (giving relevant dates);
- The reason why you are particularly concerned about the situation.
- The earlier you express the concern the easier it is to take action.

Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

3. How would REFORM respond?

- 3.1 REFORM will respond to your concerns. All workers called upon to assist the investigation will have a duty to co-operate, and they may request that their concerns are treated in confidence.
- Where appropriate, the matters raised may:
 - Be investigated by management, internal audit, or through the disciplinary process
 - Be referred to the police
 - Be referred to the external auditor
 - Form the subject of an independent inquiry.
- 3.2 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.
- 3.3 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.
- 3.4 Within ten working days of a concern being raised, the responsible person will write to you:
- Acknowledging that the concern has been received
 - Indicating how we propose to deal with the matter
 - Giving an estimate of how long it will take to provide a final response
 - Telling you whether any initial enquiries have been made
 - Supplying you with information on staff support mechanisms, and
 - Telling you whether further investigations will take place and if not, why not.
- 3.5 If you do intend to raise the matter outside REFORM, you should ensure that you do not disclose confidential information and need to verify the same with the person responsible.
- 3.6 An action plan will be made to implement recommendations for response.
- 3.7 The action plan will be implemented and the appropriate body will report on its progress.

APPENDIX B

Whistle-blowing Process Flow Chart

