



POLICY • Whistle-Blowing.....

The Child Development Foundation (CDF) is a national non-governmental organization founded and registered since 1999 under the Humanitarian Aid Commission (HAC) Law, a child-focused organization that is one of the humanitarian aid actors responds to crises or conflicts affecting the populations and that has left a devastating impact on life and basic services. Efforts are made to help and support children and their families and vulnerable people and devoted to saving-lives and reviving suffering through child protection services, water, sanitation and hygiene and rural development programs, food security-livelihoods and peace-building, social cohesion and the defense of the rights of the child and dignity, privacy emergency shelter / non-food items response in Sudan.

1. Purpose

CDF is committed to being open, accountable and transparent in all its operations. The purpose of this policy is to give effect to CDF's duty of trust by protecting its funds, assets, staff, security procedures, policies, and communities with whom it works from fraud, misconduct or abuse of any kind. This document sets out CDF's formal whistle-blowing policy, consisting of safe and effective procedures for misconduct disclosure or reporting, in order that the appropriate remedial action can be taken.

What is whistle-blowing?

To blow the whistle on someone is to alert a third party that someone has done, or is doing something wrong. By blowing the whistle on misconduct in an organisation, one alerts the organisation to the fact that its stakeholders are being wrongfully harmed, or that they are at risk of harm.

2. Scope

Anyone can report policy breaches and misconduct, including for example beneficiaries, staff, consultants and members of the general public.

This policy applies whether or not the information could be deemed to be confidential and regardless of where the alleged malpractice occurs.

3. Objectives

The objective of this policy is to provide an effective procedure for people to raise their concerns on reportable misconduct. Misconduct becomes reportable when it happens or when it is reasonably likely to occur.

This includes, but is not limited to, conduct that:

- contradicts CDF's governing rules, procedures and policies or established standards of practice
- is improper, unethical or unlawful
- waste's CDF's resources
- makes an individual feel uncomfortable because it appears contradictory to the standards to which that individual believes CDF subscribes;
- amounts to an attempt to cover up any of these types of actions

3.1 Definitions of reportable conduct:

3.1.1 Illegal or unlawful conduct

Conduct may be illegal or unlawful in terms of the laws of countries and international law. We all have legal responsibilities, obligations or duties. Criminal offences such as theft, fraud, corruption (for example bribery), or money-laundering are in breach of legal duties and therefore constitute reportable misconduct.

3.1.2 Un-procedural conduct

Conduct may be un-procedural since it violates clearly communicated procedures (in the form of policies, regulations, or rules) governing the operations of CDF. Such procedures are important for good governance, and breaching them may expose the CDF to risk of loss or real loss.

3.1.3 Unethical conduct

Conduct may be unethical if it undermines universal, core ethical values, such as integrity, respect, honesty, responsibility, accountability or fairness, or if it contravenes appropriate professional, institutional or other guidelines. For example, if an individual exerted pressure on a person in a position of power in order to gain a personal advantage, it would be unfair to others, and unethical.

3.1.4 Wasteful Conduct

Conduct constituting a gross waste of resources is a reportable category in its own right since responsible stewardship of resources is crucial to the success of CDF's operations. All individuals in the service of CDF have an obligation to ensure that contributions to CDF are used prudently and efficiently. If resources are spent in a wasteful manner and in breach of the trust of CDF's donors this would be reportable under the whistle-blowing mechanism.

It is essential that anyone connected with CDF who suspects or knows that serious malpractice has taken place, is taking place, or is likely to take place, raises his/her concerns in line with the procedure described in this document.

It is important to ascertain at the outset whether this policy is the best one to use in the circumstances, or whether another policy, for example the Child Protection Policy, the Fraud Policy or HR Policy might be more appropriate.

4. CDF Best Practice Guidelines

Who should blow the whistle?

Any individual who has observed reportable misconduct (as defined in section 3) at CDF, has an obligation to report that conduct, and may do so as described in appendix 1.

4.1 Protection

CDF wishes to assure the safety of whistle-blowing and therefore undertakes to treat all whistle-blowing reports as either confidential or anonymous (see sections 4.1.1 and 4.1.2 below). The choice between confidential or anonymous whistle-blowing is that of the whistle-blower alone.

Any concerns raised will be investigated carefully and thoroughly, and any person accused of alleged misconduct will have the right to put forward his/her account of events at the earliest opportunity.

All those who raise concerns will be treated fairly and have the right to be represented at any time by a legal practitioner or a colleague not acting in an official capacity.

If someone tries to prevent an individual from making a confidential report or victimises that person for raising their concerns, CDF will treat this as a serious disciplinary offence which will be investigated in accordance with CDF's disciplinary policy and procedure.

Where allegations by staff are not made in "good faith" and are found to be false or malicious, this will be treated as a serious disciplinary offence and will be investigated in accordance with CDF's disciplinary policy and procedure.

4.1.1 Confidential whistle-blowing

A whistle-blower may choose to reveal his/her identity when a report or disclosure is made. Should this be the case, CDF will respect and protect the confidentiality of the whistle-blower and gives the assurance that it will not reveal the identity of the whistle-blower to any third party.

The only exception to this assurance relates to an overriding legal obligation to breach confidentiality. For example, CDF is obligated to reveal confidential information relating to a whistle-blowing report if ordered to do so by a court of law.

CDF's assurance of confidentiality can only be completely effective if the whistle-blower likewise maintains confidentiality.

4.1.2 Anonymous whistle-blowing

Alternative to confidential reporting, a whistle-blower may choose not to reveal his/her identity. With reporter anonymity thus assured, the identity of the reporter cannot be ascertained by anyone. The advantage to the reporter is counter-balanced by a disadvantage to CDF, namely, that it compromises further investigation of the facts.

The anonymous whistle-blower should be careful not to reveal his/her identity to a third party.

4.1.3 Procedure following whistle-blowing

CDF is committed to investigating and addressing all cases of reported misconduct, through an independent investigator.

Feedback, and progress of any concerns raised will be given as soon as possible by the independent investigator.

Some situations may be resolved promptly, whilst others may take longer or require formal investigation or hearings.

The whistle-blower may seek follow-up information about the investigation of a report or any consequent action taken by CDF. If the report was anonymous, the onus to follow up is whistle-blower's.

5. Whistle-Blowing procedures

Reporting should be in accordance with the Appendix 1 below and HR policy manual [See confidentiality]. If there are concerns that a staff member feels cannot be raised through line management and which he/she wishes to formalise by contacting CDF's Office in Khartoum.

Board of Trustees are not employed by CDF, but do have a responsibility to ensure that CDF's business and operations are properly run. Anyone may raise a case directly to the Board, and all allegations raised through the management line must be reported to the Board. The Board will appoint an individual not implicated in the complaint to carry out an urgent and confidential investigation.

Any written correspondence should be marked "Private and Confidential".

6. External Parties

The principles and definitions also extend to CDF's relationships with external organisations, e.g. partners, contractors and donors. However, as external organisations cannot be bound by internal CDF policies, their responsibilities in dealing with fraud affecting CDF will be determined by the content of the contract in place between the external party and CDF.

Appendix 1

Flow Chart for CDF Staff in Progressing Concerns about Malpractice within CDF

