

# IFEX Member Whistleblower and Anti Harassment Policy

10 April 2019

## A. PURPOSE OF THE POLICY

IFEX is committed to the highest standards of professional and ethical conduct in all its activities. The reputation of the Network for honesty and integrity among its stakeholders and employees is key to the success of the organisation. In addition, IFEX desires to have events and forums where members and staff can have healthy and professional debates and exchanges on the challenges confronting them and their sector and forge strategies for overcoming them.

This Confidential Reporting policy is intended to complement the IFEX Whistleblower Policy for IFEX staff and similarly provide guidance to IFEX member organizations or anyone working for or representing an IFEX member organization on how to raise concerns regarding questionable business practices or unprofessional personal conduct without fear of discrimination, retaliation or harassment.

## B. SCOPE AND APPLICATION

This Policy applies to all IFEX member organizations as well as staff or representatives of IFEX member organizations, including their members, employees, volunteers, consultants or contract staff.

## C. WHAT TO REPORT

Member organizations of IFEX or individuals, including their members, employees, volunteers, consultants or contract staff, are expected to promptly report, either orally or in writing, all evidence of activity that may constitute any of the following:

- a) suspected violations of the law, whether civil or criminal, where such violations go against the principles of IFEX and may have potential implications for or impact on IFEX;
- b) suspected violations of organisational policies where those policies affect or touch on their relationships, dealings or transactions with IFEX;
- c) fraudulent accounting, interference in internal accounting controls or auditing practices or irregularities where these affect or touch on their dealings or transactions with IFEX;
- d) risk to IFEX's resources or reputation;
- e) any serious concerns regarding IFEX's business practices;
- f) harassment (as defined in the IFEX Anti-Harassment Policy for the organisation) of any IFEX employee, volunteer, consultant or contract staff or harassment of any employee, volunteer, consultant or contract staff of an IFEX member organization where such harassment takes place in the course of any IFEX activity.

IFEX member organizations or individuals reporting such cases should provide as much specific

information as possible including names, dates, places and events that took place, their perception of why the incident(s) may be a violation, and what action they recommend be taken.

If IFEX member organizations or individuals are unsure about the best course of action to take in a particular situation, such member organizations or individuals are encouraged to seek guidance in the same manner as described in Section D. Who to Contact.

#### **D. WHO TO CONTACT**

IFEX member organizations or individuals are encouraged to report concerns to the IFEX Executive Director or the Deputy Executive Director. Where a satisfactory response is not received, or if the organization or individual is uncomfortable addressing their concerns to the IFEX Executive Director or Deputy Executive Director, the organization or individual is invited to contact the IFEX Convenor or Deputy Convenor or any member of the IFEX Council. Where a report is made to the IFEX Executive Director or Deputy Executive Director regarding the conduct of an IFEX member organization or an employee, volunteer, consultant or contract staff of such an organization, immediate steps should be taken to bring the matter to the attention of the IFEX Council, which shall constitute an independent committee to conduct an investigation into the matter and make a report with recommended action to the Council within a period specified by the Council.

#### **E. CONFIDENTIALITY AND ANONYMITY**

IFEX Council and senior management staff will respect the confidentiality of any complaint received, except as necessary to conduct an investigation and resolve the problem in accordance with applicable legislation and IFEX's policies. However, IFEX encourages member organizations or individuals to only make anonymous reports as a last resort because of the inherent difficulty of following up on anonymously reported violations. If organizations or individuals choose to remain anonymous and do not provide sufficient detail, IFEX Council may not be able to commence a comprehensive investigation of their claim.

#### **F. INVESTIGATION AND RESOLUTION OF COMPLAINTS**

IFEX assumes that all reports made under this Policy are made in good faith, are real, legitimate and significant enough to warrant an investigation.

All complaints under this Policy will be promptly and thoroughly reviewed in accordance with IFEX's policies and procedures (normally within 60 days after a formal complaint is received). If significant enough to warrant it, an investigation will be conducted. In the event a member of the IFEX Council is under investigation they will be temporarily removed from the Council until the matter is resolved. All information disclosed during the course of the investigation will remain confidential except as necessary to conduct the investigation and take any remedial action or where disclosure is required by applicable law.

Depending upon the nature of the complaint, the investigation may be conducted utilizing a Committee of IFEX Council members, who may be assisted by senior management staff of IFEX, provided that the Committee shall be constituted in a manner as to secure its independence and impartiality. In exceptional cases, the IFEX Council may choose to obtain external assistance in the conduct of the investigation. At the conclusion of the investigation, if it is determined that the complaint has been substantiated, appropriate corrective or disciplinary measures will be taken to address the issue with the offending party commensurate with the severity of the offence. Steps will also be taken to prevent further violations. The matter may also be reported to the appropriate outside agency to ensure compliance with all laws and regulations. The status and resolution of the investigation will be

communicated to the organization or individual that made the report, if adequate contact information is provided.

## **G. DUTY TO COOPERATE**

IFEX member organizations or individuals affiliated with member organizations have a duty to cooperate in an investigation. If member organizations or individuals fail to cooperate or if they provide false information in an investigation, IFEX will take action commensurate with the severity of the offence.

## **H. PREVENTION OF RETALIATION**

If a member organization or individual makes a report under this Policy, they will be protected from retaliation, harassment, or other forms of reprisals or discrimination, or threats thereof, arising from the reports if:

- a) the disclosure of the information was made in good faith;
- b) they believe it to be substantially true;
- c) they do not act maliciously or make false allegations; and
- d) they do not seek any personal or financial gain.

IFEX member organizations and individuals will also be protected in connection with any lawful act that they:

- i. take to provide information, or cause information to be provided, or otherwise assist, in any investigation regarding any conduct that the organization or individual reasonably believes constitutes a violation of law or regulation, when the investigation is conducted by a federal or provincial regulatory or law enforcement agency, or a person with supervisory authority over the individual (or another person working for IFEX who has the authority to investigate, discover, or terminate misconduct), or
- ii. take to file, cause to be filed, testify, participate in, or otherwise assist in a proceeding filed or about to be filed (with knowledge of the Organisation) relating to an alleged violation of law or regulation.

If an IFEX member organization or individual believes that they have been unfairly or unlawfully retaliated against in respect of a report made under this Policy, the organization or individual may file a complaint with the IFEX Convenor, the Deputy Convenor or any member of the IFEX Council.

## **I. FALSE AND MALICIOUS ALLEGATIONS**

IFEX is proud of its reputation as an organisation with the highest standards of honesty. IFEX will therefore ensure that adequate resources are put into investigating any complaint it receives. IFEX regards the making of deliberately false or malicious allegations under this policy as a serious offence. Such actions may result in appropriate disciplinary measures up to and including, if warranted, legal action.