

# CANADEM Disclosure of Malpractice in the Workplace Policy

March 2020

At CANADEM, it is vital that everyone who works for us maintains the highest standards of conduct, integrity and ethics, and complies with local legislation. If an employee, volunteer, partner, consultant or contractor has any genuine concerns about malpractice in the workplace, we encourage them to communicate these without fear of reprisals and in the knowledge that they will be **protected from victimisation and dismissal**.

This policy does not form part of an employees' terms and conditions of employment and may be subject to change at the discretion of management.

Malpractice includes (but is not limited to) the issues listed below:

- Financial wrongdoing including theft, bribery, fraud, money laundering and aid diversion
- Failure to comply with any legal obligations
- Sexual misconduct, including sexual abuse, harassment or exploitation (see CANADEM Safeguarding Policy)
- Abuse or exploitation of children, vulnerable adults or beneficiaries (see CANADEM Safeguarding Policy)
- Abuse of position
- Deliberate action or negligence causing danger to the health and safety of individuals or damage to the environment
- Improper conduct or unethical behaviour
- Activity which would bring the organisation into serious disrepute
- Deliberate concealment of information relating to any of the matters listed above

If you have a genuine concern and have a reasonable belief it is in the public interest to disclose it, even if it is later discovered that you were mistaken, this policy protects you from risk of losing your job or from suffering any form of retribution as a result. This assurance will not be extended to an individual who maliciously raises a matter they know to be untrue or who is involved in any way in the malpractice. Those found to be making false allegations maliciously will have disciplinary action taken against them.

Malpractice is not a complaint about the performance and behaviour of a manager or work colleague towards you, or a channel to raise personal issues relating to employment. Such complaints will be directed for action to supervisors or senior management.

If you genuinely believe that the actions of someone who works for CANADEM could lead to or have resulted in malpractice, please follow the procedure below:

1. Raise the matter with your line manager, who will consult with the appropriate contact point. If you feel that you are unable to raise the matter with your line manager, and you are able to, raise it with a more senior manager.

At the point of raising a concern, it would be useful for you to share information describing:

- Whether anyone is at immediate risk of harm.
- What happened? If possible, make notes of dates, times, places, people.
- Who is involved?
- How do you know about it?
- When were you first concerned about it?
- Have you told anybody about it?
- Was any action taken?

All managers must:

- Report incidents of theft, fraud, or corruption immediately to CANADEM's Executive Director or Deputy Executive Director.
- Report Safeguarding concerns relating to sexual abuse or exploitation of children, vulnerable adults, beneficiaries or any CANADEM representative, to CANADEM's Executive Director or Deputy Executive Director following CANADEM's Procedure for Dealing with Reports of Breaches.
- Report any other incidents of malpractice in the workplace to your supervisor, or to the Executive Director or Deputy Executive Director.

2. A decision will be made on whether it is appropriate to handle such complaints under this policy. Where not appropriate, you will be informed and your permission sought to use a more appropriate CANADEM procedure.

3. You will be notified once the matter has been resolved, but if outcomes are subject to confidentiality they may not be communicated.

CANADEM will take appropriate action, which may end in dismissal, in accordance with the relevant procedure against any employee or associated personnel who:

- Has been found to be victimising another individual for using this procedure, or deterring them from reporting genuine concerns under it.
- Made a disclosure maliciously that is known to be untrue or without reasonable grounds for believing that the information supplied was accurate.

## Frequently Asked Questions

### **What if the immediate supervisor is involved in the alleged malpractice in some way?**

If the immediate supervisor is involved in the alleged malpractice in some way, the matter should be raised with a more senior manager in the management line. Concerns regarding financial wrongdoing or the sexual abuse or exploitation of children, vulnerable adults, or other

beneficiaries may be raised directly with the Executive Director. If the Executive Director is involved in some way, it may be raised directly with CANADEM's Board.

**Can the disclosure be made anonymously?**

You are strongly encouraged not to make anonymous disclosures, as details and further concerns cannot then be checked with you and this may seriously limit the ability of investigators to pursue your concerns. All disclosures, made anonymously or otherwise, will be reviewed but lack of information may limit the nature, extent and outcome of the investigation.

**Who will conduct the investigation?**

Normally, an independent person from within CANADEM will be appointed. On rare occasions, or for complex cases such as safeguarding, external investigation support may be sought.

**What if the matter involves a criminal offence?**

The issue may also be reported to the police if a criminal offence, such as fraud or theft, assault or sexual assault, is suspected of having been committed.

**What if the matter is a complaint about the performance or behaviour of a manager or colleague against me?**

Such complaints will be directed for action to a more senior manager or the Executive Director.