



WHISTLEBLOWING AND INVESTIGATION POLICY

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1) Scope and Purpose

Reaffirming the organizational and behavioral principles, commitments, and obligations set out in the overarching INTERSOS Safeguarding Framework, this policy specifically sets out INTERSOS' approach to reporting wrongdoing within the organization and ensuring protection against victimization **and discrimination** for anyone who raises a concern. This policy applies to all INTERSOS employees (international, national personnel at country, regional, and HQ level), job applicants, potential applicants, former employees, interns, volunteers, consultants, contractors, board members, plus accompanying partners and family members of international staff. Whenever employees or staff are mentioned in this document, it is intended to include all these groups of people. This policy does not only apply to our organisation, but it extends to cover those we work with. INTERSOS' staff and partners having agreements with INTERSOS are expected to comply with the principles and reporting requirements outlined in this Policy. Through partnership agreements, INTERSOS shall ensure that the Whistleblowing policy is part of the due diligence processes for these organizations and seek assurances of their application. For the purposes of this policy, unless otherwise stated, INTERSOS adopts the following definition of whistleblowing:

Whistleblowing: Whistleblowing is the name given to the **act of disclosure of information related to corrupt, illegal, fraudulent, or hazardous activities being committed in or by public or private sector organizations** – which are of concern to or threaten the **public interest** – to individuals or entities believed to be able to effect action. (Def: “*International principles for whistle-blower legislation*”, Transparency International 2013).

Whistleblower: A Whistleblower is any person who **raises a bona fide or genuine concern** about danger or illegality that affects others, including reportable conduct which may or may not be explicitly covered in this policy, but which may nevertheless be considered a violation of INTERSOS Code of Conduct.

2) Policy Statement

INTERSOS is committed to conducting its business with honesty, integrity, and accountability. Any form of malpractice or improper conduct will be taken extremely seriously. **All employees are obliged to follow the standards of behaviour** contained in INTERSOS Code of Conduct and Safeguarding Framework and associated policies, and are encouraged to raise concerns when these standards are not being met. This Policy aims to: • give all employees the **confidence to raise serious** concerns at the earliest opportunity; • provide **avenues for concerns** to be raised and receive feedback on an action taken; • reassure all staff of the **response** they can expect when raising an issue or concern; • reassure all employees that they will be **protected from possible reprisals or victimization** if they make a disclosure regarding a genuinely held concern.

3) Application

- INTERSOS encourages everyone within the Organisation **to report any concerns** in line with this policy and INTERSOS Safeguarding Framework;
- All concerns will be **treated extremely seriously** and INTERSOS will respond timely and effectively to all issues raised
- INTERSOS expects **its staff to act honestly and ethically** and to make any **report in good faith and on reasonable grounds**.

- A **whistleblower or any person who participates in an investigation will not be subject to reprisal.**
- INTERSOS will maintain the **confidentiality** of all reports and protect the identity of whistleblowers to the fullest extent possible.
- While INTERSOS encourages whistleblowers to identify themselves, a whistleblower may opt to report concerns **anonymously**.
- Disciplinary action may apply to anyone working for INTERSOS who is found to have **withheld, destroyed, or concealed information** or deterred anyone else from making a report or raising a concern they have.
- INTERSOS will provide **training on whistleblowing and what constitutes retaliation**, why employers are obligated to address it, raising awareness on workers' rights, including protection from any form of victimization or harassment

All INTERSOS staff and associates are obliged to adhere to these standards of behaviour. Failure to comply with these standards is grounds for disciplinary action pursuant to the INTERSOS Charter of Values, Code of Conduct, Safeguarding Framework and Associated Policies. This action may include **termination of contract** and may result in the case being forwarded to the local authorities in accordance with applicable national laws.

4) Reportable conduct

Reportable Conduct is any past, present, or likely future activity, behaviour, or state of affairs considered to be fraudulent, illegal, corrupt, **or unethical**. This includes, but it is not limited to:

- A **safeguarding issue which contravenes** any of the standards set out in the policies within **INTERSOS Safeguarding Framework** – this includes but is not limited to prostitution; any cases of sexual exploitation, abuse and harassment; violence, exploitation, abuse, neglect and harassment of children; modern slavery or trafficking;
- **Financial irregularity** including fraud, attempted fraud, bribery or attempted bribery, theft, financial mismanagement, unauthorised use of funds, cybercrime, terrorist financing
- **Forging and falsifying documents**
- **Serious mismanagement** arising from the deliberate commission of improper conduct and/or unethical behaviour (i.e., consumption of alcohol during working hour),
- Failure to comply with security rules
- Improper conduct likely to damage INTERSOS' reputation
- Dangerous acts or omissions that create a risk to health, safety, **or the environment**.
- **Illegal or criminal activities** as defined by the law of the country where INTERSOS operates.
- **Corruption, blackmail or extortion**
- **Inappropriate personal use** of INTERSOS' **assets** (i.e., pornography, misuse of vehicles and premises, negligence)
- **Damage of INTERSOS's assets**
- **Unauthorised disclosure** of confidential information;
- **Undeclared conflict of interest**;
- The **deliberate concealment** of any of the above wrongful acts

Reportable Conduct usually relates to the conduct of INTERSOS personnel, but it can also relate to the actions of a third party, such as a donor, partner, supplier or service provider. Complaints relating to personal circumstances in the workplace or to terms of employment

(excluding the aforementioned wrongful acts listed above) shall not be reported under the INTERSOS Whistleblowing policy.

5) Reporting procedures

To raise a concern, one must know of or have **reasonable grounds** to suspect the Reportable Conduct. It is important that the report contains as much **information** as possible. This includes any known details about the events underlying the report such as:

- Whether anyone is at immediate risk of harm
- What happened, including dates, times, places
- Who is involved
- Who witnessed this
- Who else knows about it
- If any action was taken.

To provide effective protection over disclosures, including allowing continuous discussion with anonymous reporters, INTERSOS has chosen to engage an external, secure, online service from Knack. This is the preferred mechanism for making a protected disclosure and can be used by anyone with internet access and a browser by going to: <https://intersos.knack.com/intersos-complaints#reporting/>

The Knack platform establishes secure, anonymous if required, two-way communication between the Whistleblower and INTERSOS Internal Auditor and Director of Human Resources/Global Safeguarding Coordinator, who have been delegated to ensure the obligations within the Whistleblower Policy are adhered to.

A Protected Disclosure (verbally or in writing) can also be raised to the Internal Auditor or a Board member or through INTERSOS Mission-specific complaint reporting mechanism as follows:

- Raising a concern at HQ

Concerns shall be raised with the Internal Auditor. If the concern relates to the Internal Auditor, the report can be made to the nominated member of the Board of Directors. If, for any reason, an individual doesn't feel able to report in person, concerns can be raised by sending a message to the email address complaint@intersos.org or to the whatsapp number +39 3808970033. Emails sent to this address/number are received by the Internal Auditor based at HQ who will record all referrals on a register for review and action as relevant.

- Raising a concern in INTERSOS Missions

Concerns shall be raised through the mission-specific Complaint and Feedback Response Mechanism (CFRM) , which includes: 1) a dedicated email address 2) phone number, 3) complaint boxes, 4) in person complaint to staff member. Whistleblowers are encouraged to raise their concerns within their respective mission as a first option. However, if for any reason, an individual doesn't feel able to follow the procedure outlined in the mission-specific Complaint Response Mechanism, concerns can be raised by sending a message to the email address complaint@intersos.org or to the WhatsApp number +39 3808970033 or by post to Internal Auditor, Intersos, Via Aniense 26, 00184 Rome, Italy. The Internal Auditor receives reports sent to this address/number based at HQ, who will record all disclosures on a register for review and action as relevant.

If you are not comfortable or able to report Reportable Conduct internally or using the Knack platform, you may also report it externally to ANAC (Italian National Authority against Corruption). However, the platform is only in the Italian language.

6) How INTERSOS will respond

Upon receiving a disclosure of possible reportable conduct, INTERSOS will: a) **assess the report** of Reportable Conduct; b) consider whether there are any **conflicts of interest** prior to investigating; c) determine whether **external bodies, such as donors or local authorities**, need to be notified; d) determine whether and how to investigate; and e) appoint an **Investigation team** if appropriate, f) **acknowledge** to the whistleblower that the report has been received **within seven days** from the receipt of the concern. It does not matter if the concern is subsequently determined not to be a whistleblowing matter (and dealt with via some other means) or if there is no evidence submitted alongside the report; all reported allegations will be **acknowledged and responded to**. Cases relating to SEAH or involving Child victims shall be immediately reported and managed by the Global Safeguarding Coordinator, who will convene a case conference to assess immediate risks and next steps within **72 hours upon receipt of the concern**. INTERSOS' policies on PSEAH and Child Safeguarding provide further guidance on specific protocols in case of SEAH and/or Child victims.

7) Making initial inquiries

INTERSOS will conduct initial enquiries to decide whether a full investigation is appropriate and necessary, and if so, what form it should take. This might involve a meeting with the whistleblower, if the identity was disclosed. Depending on the nature and circumstances of the case, this **initial facts-finding inquiry** could be carried out by the Head of Mission or Regional Director (RD) or a member of the Internal Audit at HQ or other staff delegated by the Director General or the Director of Human Resources. Depending on the circumstances, the **relevant authorities** including law enforcement in the country of origin of the Subject of Complaint and in the country where the reports relate to may be informed about the disclosure. This decision will only be made following a **risk assessment** of potential harm to all parties. If urgent action is required (for example to remove a health and safety hazard) such action will be taken before any other investigation is conducted. If there is insufficient information to warrant further investigation, or the initial investigation immediately identifies there is no case to answer, the individual who reported the Reportable Conduct will be notified at the earliest possible opportunity.

8) Conducting an investigation

The Director of Human Resources, or the General Director (for international staff and HQ staff), or HR Coordinators and Head of Mission (for national staff), will appoint an Investigation Team, led by the Internal Auditor if the concern has been addressed to INTERSOS HQ. Depending on the nature of the allegation, the Investigation team may involve additional technical staff as appropriate (e.g., Global Safeguarding Coordinator, Child Protection Manager, etc.). When an investigation is launched, the Investigation Team will apply the following procedural steps:

- 1- Plan the investigation and undertake a risk assessment.
- 2- Gather and study background material and documentary evidence.
- 3- Update the investigation plan and draft interview questions
- 4- Interview witnesses and subject of complaint
- 5- Write the investigation report.

- 6- Conclude the investigation, submit the report to Director of Human Resources or HR Coordinator for follow-up **within three months** from the date the concern was received

Initially, the Lead Investigator will make **contact with the whistleblower** (if possible), advising that they have been appointed to respond to the report and conduct an investigation. The investigation team will draft an **Investigation Plan**, which, without limitation, may address:

a) a **summary of the allegations**, the **issues to be proven**, the **possible findings or offences**, and **the facts in issue**;

b) the **number and identity of witnesses** to be interviewed, if any, and the nature and extent of any **documents** to be reviewed;

c) **any resources** required to conduct the investigation, including the assistance of other INTERSOS staff or external assistance or resources (e.g. translators, interpreters, lawyers).

The Investigation team will then conduct the investigation. Any individuals who are accused of misconduct in a report will have an **opportunity to respond to allegations** before any disciplinary action (if appropriate) is taken. At the conclusion of the investigation, the Investigation team will draft a **report** outlining:

a) **findings** of all relevant facts and

b) a **determination** as to whether the allegation(s) have been substantiated or otherwise.

The report will then be submitted to the Director of Human Resources or Director General (for International and HQ staff) or Regional/Mission HR Coordinator and Head of Mission (for national staff), who will determine the appropriate action to take, including any possible disciplinary proceeding, administrative measures, civil or criminal actions, termination of contract and/or referral to local authorities, or any other additional measures according to applicable laws and contractual agreements. The disciplinary action shall be taken against employees on an employment relationship with INTERSOS and shall be dependent on the severity, nature and circumstances of the Reportable Conduct. The **Internal Auditor should be notified** of the outcome of an investigation which took place both at HQ and at Country level. In some instances, the Director General or an appointed staff member will manage the communication to donors throughout the investigation and on its outcome, once it is finalised. The whistleblower will also be notified of the outcome of an investigation whenever it is feasible to do so. On an annual basis, and on a case-by-case basis as needed, concerns raised will be tracked and reported to INTERSOS Board.

9) Data protection and confidentiality

With regard to the processing of personal data and information resulting from whistleblower reports, INTERSOS will adhere to the data protection obligations set by the EU regulation 2016/679 and by the Italian legislative decrees n. 196 of 30 June 2003 and n. 51 of 18 May 2018. **All reports** made to INTERSOS are **confidential** and shall be managed in a **sensitive** manner. Information is shared on a **strictly need-to-know basis**, e.g., this may occur in connection with associated disciplinary or legal investigations or proceedings. When a report is made online or received via email, it is made clear to the whistleblower that their concern and contact details might be shared with the relevant investigation team and other staff members authorized to process information; however, personal details will be treated confidentially to the fullest extent possible in connection with the investigation, and the **whistleblower's identity will not be disclosed unless consent in writing to the disclosure is obtained and in compliance with the provisions of the law on the matter**. INTERSOS will handle personal data and whistleblowing reports confidentially and with the utmost security and will take measures to **protect information** such as by using encryption technology, by redacting personal details, storing and reporting securely, referring to the whistleblower in a gender-neutral context and only allowing qualified staff to investigate

concerns upon written consent. Reports can be made **anonymously**; however, in some circumstances, it may be obvious who raised the concern, or the investigation may lead to a point where the individual is required to give evidence, subject to written consent. INTERSOS **encourages all individuals to disclose their identity** when raising a concern, as this will assist in gathering further information on the reported concern. INTERSOS may also take **disciplinary action against individuals who breach the confidentiality** of a whistleblower, including summary dismissal. Internal and external complaints lodged pursuant to this policy shall be subject to registration and retention for a period of 5 years and, regardless of this period and when applicable, while judicial or administrative proceedings relating to the complaint are pending.

10) Untrue allegations

Whistleblowers will have nothing to fear if a genuinely held concern they raise is not substantiated as a result of initial inquiries or an investigation. However, **anyone who knowingly makes a false, malicious, or frivolous report/allegation of Reportable Conduct may be subject to disciplinary action**, including dismissal. The disciplinary action will depend on the severity, nature, and circumstance of the untrue allegation, and without prejudice to the application of the Italian legislative decree 24/2023 art. 16 on defamation, slander, or libel of character.

11) Protection of whistleblowers from victimization and harassment

If an individual has reasonable grounds to suspect Reportable Conduct, even if it turns out the concerns are mistaken, **INTERSOS has a legal obligation to support and protect** the individual and anyone else assisting in the investigation¹. INTERSOS will not tolerate the harassment or victimization of anyone who raises a concern. This includes: a) retaliation, dismissal, suspension, demotion, or termination; b) bullying, harassment, threats or intimidation; c) discrimination, subject to current or future bias or derogatory treatment; d) harm or injury; e) damage or threats to property, business, financial position or reputation; or f) revealing the identity of a whistleblower without consent; g) threatening to carry out any of the above actions. Anyone found to have acted in such a manner will be subject to disciplinary action.

Staff members who believe that retaliatory action has been threatened or taken against them because they have reported misconduct or cooperated with an investigation may submit a to the Knack online protected disclosure service or to INTERSOS HQ Internal Auditor a **request for protection against retaliation** in person, by phone or in writing, including by email at complaint@intersos.org. The Internal Auditor will conduct a **preliminary review** of the claim to determine if there is a case that the reporting of the alleged misconduct or the participation in the authorized investigation was a contributing factor in causing the alleged retaliation, victimization or harassment and may recommend a **physical security assessment** and other interim measures to protect the staff member from the risk of retaliation. Such measures can include, but are not limited to, temporary suspension of the implementation of the action reported as retaliatory; with the consent of the whistleblower, temporary reassignment and/or change of reporting lines; or placement of the whistleblower on special leave with full pay; any other appropriate action on a case-by-case basis. If the Internal Auditor finds that there is a *prima facie* case of retaliation or threat of retaliation, victimization, or harassment, he/she will refer the matter to the Director General with a recommendation that the claim be investigated.

¹ Whistleblowing protection is enshrined in the Italian law n. 179. dated 30 November 2017 and European Union Whistleblower Directive 2019/1937

The Director General will appoint an investigation team who will launch an investigation to establish whether there has been retaliation, victimization, or harassment. INTERSOS will maintain contact with and protect the employee who reported the threat of retaliation or retaliatory action, both during and after the investigation, and will offer support to whistleblowers as appropriate, which may include specialist psycho-social counseling, medical support, legal support, and/or access to another specialist as appropriate and needed. Should the investigation establish that the whistleblower has been retaliated against for reporting a breach, an appropriate remedy must be initiated, which may include:

- The termination of the retaliatory action;
- Reinstatement to a job;
- Restoration of a terminated contract;
- Compensation for loss of income, paid wages, and actual financial losses;
- Disciplinary action against the retaliator.

12) Roles and responsibilities

In addition to the roles and responsibilities outlined in the INTERSOS Safeguarding Framework, the following functions will have dedicated responsibilities to help INTERSOS prevent and respond to malpractice and irregularities taking place within the organization:

INTERSOS Board holds overall accountability for this policy and its effectiveness in practice

INTERSOS Internal Auditor: has overall responsibility for whistleblowing and investigations and ensures any reports involving a director are reported to the Board.

INTERSOS Global Safeguarding Coordinator: will investigate matters related to sexual misconduct, including sexual harassment, sexual exploitation, and abuse, proactively protecting vulnerable people, including children, from further abuse;

INTERSOS Human Resources: • Appoint the investigation team; • Determine the appropriate action to take, including any possible proceeding, administrative measures, and/or referral to local authorities; • Provide advice, guidance, and ongoing support to employees concerning this policy;

All INTERSOS Directors/Heads of Missions are responsible for promoting awareness of this policy within their departments, country programs, or teams and with suppliers and partners to create a “speak-up” organizational culture; particularly, Heads of Missions is responsible for the implementation of the Complaint Response Mechanism developed at the Mission level.

INTERSOS Accountability Officers are responsible for receiving whistleblower reports and protecting their confidentiality, and maintaining a secure and restricted record of all reports made under this Policy. The Accountability Officers will upload all the reports/allegations on the Complaint Platform.

INTERSOS Investigators are responsible for: a) investigating reports in accordance with this Framework; b) maintaining to the fullest extent possible confidentiality of the identity of and reports received by whistleblowers; c) gathering evidence and taking steps to protect or preserve evidence; d) making findings based on a fair and objective assessment of the evidence gathered during the investigation, and formalising this in a report; e) keeping comprehensive records about the investigation.

All INTERSOS Personnel are responsible for reporting misconduct or dishonest or illegal activity that has occurred or is suspected as quickly as possible, whether anonymously or otherwise.

13) REFERENCES

This policy should be read in conjunction with the following documents: Equal Opportunities Policy, Misconduct Policy, Safeguarding Framework, Code of Conduct, Charter of Values, Child Safeguarding Policy, Protection from Sexual Exploitation, Abuse and Harassment (PSEAH), Anti-Modern Slavery Policy, Dignity at Work Policy, Conflict of Interest Policy, Data Protection Policy, Environmental Policy.

APPROVAL AND DATES

This policy was approved on 6 December 2023. This version of the policy takes effect on 23 March 2024 and will be reviewed in 36 months' time.

POLICY OWNER

Internal Auditor