



Anti-corruption and Whistle-blowing policy

for

ADRA Denmark

April 2018

Anti-Corruption Policy

Definition Corruption is defined as the misuse of entrusted power for private gain. It affects everyone whose life, livelihood or happiness depends on the integrity of people in a position of authority. Corruption can take various forms such as deception/fraud, bribery, forgery, extortion, theft, conspiracy, embezzlement, misappropriation, false representation, concealment of material facts, and collusion. Whichever form it takes, corruption is not acceptable.

Zero tolerance ADRA Denmark is determined to maintain the highest standards of integrity and work ethics. We therefore maintain a policy of zero tolerance towards corruption in all its forms.

ADRA Denmark requires staff and consultants at all times to act honestly and with integrity and to safeguard the resources for which they are responsible. Corruption is an ever-present threat to these resources and hence must be a concern of all. The prevention and detection of corruption is the contractual responsibility of all employees and consultants of ADRA Denmark, and the failure to report suspicions and concerns may result in disciplinary action being taken.

ADRA's values Maximum openness and transparency is essential when fighting corruption. Transparency is also one of ADRA Denmark's basic values in line with the 'T' in the PANT principles, to which ADRA Denmark adheres, and a basic pillar in our Open Information Policy. In the case of suspicion of corruption among our staff or our partners' staff, ADRA Denmark is obliged to and will immediately inform the relevant donors and the public sector, from where ADRA Denmark gets most of its funds. This will happen on our website in accordance with the Danish Public Administration Act and the Danish Act on Access to Public Administration Files.

ADRA Denmark values its reputation for financial probity and reliability. ADRA Denmark recognises that over and above any financial damage suffered, corruption may reflect adversely on its image and reputation. Its aim therefore is to limit its exposure to corruption by:

- Instituting and maintaining cost effective measures and procedures to deter corruption.
- Taking firm and vigorous action against any individual or group perpetrating corruption against the organization, partners, and stakeholders.
- Encouraging its employees and consultants to be vigilant and to report any suspicion of corruption, providing them with suitable channels of communication and ensuring sensitive information is treated appropriately. (See also the whistle-blowing policy)

- Rigorously investigating instances of alleged corruption and pursuing perpetrators to seek restitution of any assets fraudulently obtained and the recovery of costs.
 - Assisting the auditors, the police, and other appropriate authorities in the investigation and prosecution of those suspected of corruption.
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Responsibility of ADRA ADRA Denmark's management is responsible for the prevention and detection of corruption by ensuring that an adequate system of internal control exists, and these controls operate effectively. Further the management shall be available to offer advice and assistance to staff on discovered risk and control issues.

ADRA Partners ADRA Denmark expects our partners to adopt the same high ethical standards including a zero tolerance towards corruption. The following clause will in harmony with Danida requirements be present in all Partnerships Agreements:

“No offer, payment, consideration or benefit of any kind, which could be regarded as an illegal or corrupt practice, shall be made, promised, sought or accepted – neither directly nor indirectly – as an inducement or reward in relation to activities funded under this agreement, incl. tendering, award or execution of contracts. Any such practice will be grounds for the immediate cancellation of this agreement/contract and for such additional action civil and/or criminal, as may be appropriate. At the discretion of the Danish Ministry of Foreign Affairs, and other public or private donors a further consequence of any such practice can be the definite exclusion from any tendering for projects funded by the Danish Ministry of Foreign Affairs and other public or private donors.”

Response In case of suspected or detected corruption ADRA Denmark shall take the following steps as deemed necessary.

- Immediately start an investigation.
 - Attempt to solve the problem internally and without any losses to third party.
 - Secure evidence and ensure that proper actions are taken to prevent further loss.
 - Employ auditors to conduct a corruption audit in order to gauge the actual extent of the problem.
 - Notify the relevant stakeholders and authorities.
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Anti-Corruption Code of Conduct

All staff of ADRA Denmark will respect and promote the principles of the Code of Conduct presented below.

Conflict of Interest

We will avoid any conflict – real or potential – between our personal interests and the interests of ADRA Denmark.

Conflicts of interest arise from situations in which a member of staff has a private interest that could potentially influence, or appear to influence, the impartial and objective performance of his or her official duties. Private interests include any advantage to oneself or one's family close relative, friends and persons or organisations with which one has or has had business. When faced with a potential or actual conflict of interest, staff is required to promptly inform the leadership of ADRA Denmark. Please also refer to the global ADRA International Conflict of Interest Policy (January 2016), which all ADRA employees must sign on an annual basis.

Bribery

We will not give or accept bribery in any form.

Bribery is the act of offering, giving, receiving, soliciting or accepting something of value with the purpose of influencing the action of an official in the performance of his/her public or legal duties. Bribery is a criminal offense in Denmark.

Fraud

We will not use deception, trickery or breach of confidence to gain an unfair or dishonest advantage.

Fraud is the use of deception with the intention of obtaining an advantage (financial or otherwise), avoiding an obligation or causing loss to others. This involves being deliberately dishonest, misleading, engaging in deceitful behaviour, practicing trickery or acting under false pretences. Fraud is a criminal offense in Denmark.

Embezzlement

We will not misappropriate or otherwise divert property or funds entrusted to us.

Embezzlement is the misappropriation or other diversion of property or funds legally entrusted to someone by virtue of his or her position. Embezzlement is a criminal offense in Denmark.

Gifts

We will not give, solicit or receive directly or indirectly any gift or other favour that may be seen to influence the exercise of our function, performance of

duty or judgment. This does not include conventional hospitality or minor gifts.

In the context of corruption, a gift is a financial or other benefit, offered, given, solicited or received in the expectation of receiving a benefit in return. Gifts and hospitality may in themselves be a manifestation of corruption or may give the appearance of corruption. Gifts may include cash or assets given as presents, and political or charitable donations. Hospitality may include meals, hotels, flights, entertainment or sporting events. Generally, staff should not receive gifts or other advantages. However, in observing and respecting local hospitality conventions, small gifts may be accepted.

The following guidelines apply

- Gifts must never be given or received in secret.
- It is not allowed to give or receive money gifts.
- No gifts shall be given that are so large that the recipient will not be able to give a corresponding gift.
- No extravagant gifts must be given or received.
- Gifts must never be given in connection with bids, bid evaluation or contract negotiations.
- It is not allowed to receive gifts that are obviously intended to influence a decision.
- This includes, for example, trials or purchases of goods below the market price.

Nepotism

We will not favour friends, family or other close personal relations in recruitment, procurement, aid delivery or other situations.

Nepotism is favouritism shown to relatives or friends without regard to merit. Relatives or friends are treated favourably based on the close personal relationship alone rather than on a professional and objective assessment of their skills and qualifications.

Reporting

We will report any evidence or suspicion of breach of this Code of Conduct.

All staff are obliged to familiarize themselves with this Code of Conduct and respect its principles. They are obliged to report any evidence or suspicion of breach of the Code of Conduct to their superiors.

Other Codes

ADRA Denmark has signed up to the Code of Conduct for the International Red Cross and Non-Governmental Organizations in disaster Relief, and expects its staff to live up to these standards also.

Likewise, ADRA Denmark strives to adhere to the nine Commitments in the Core Humanitarian Standard and is in the process of becoming CHS certified.

Please also refer to ADRA International's Code of Ethics for Employees and Related Personnel (Annex 3 in ADRA Protection Policy, 2012)

Whistle-blowing Policy

Policy for staff

This policy and procedure is intended to cover the airing of genuine concerns which any employee or stakeholder may have about suspected malpractice within the organisation. It is intended to conform to the guidance outlined in the document 'Whistleblowing: guidance and code of practice for employers (2015)¹, which encourages staff to raise concerns internally in the first instance.

This policy is incorporated by reference into Contracts and Letters of Employment for ADRA Denmark staff. It applies to all permanent and short-term employees of ADRA Denmark. It also applies to seconders, external consultants, contractors and agency personnel whilst at ADRA.

Definition

Malpractice includes (but is not confined to): Conduct likely to prejudice the standing of ADRA Denmark, breaches of internal rules and regulations, criminal offenses or breaches of civil law, endangerment of the health and safety of any person, environmental damage, and the deliberate concealment of any malpractice.

A qualifying disclosure is one which, in the reasonable belief of the worker making the disclosure, suggests that one or more of the above has been committed or is likely to be committed. If you raise a malpractice concern and it has been made in good faith, then you will be taken seriously and will be treated fairly and justly by ADRA Denmark. We will take all reasonable steps to ensure that the information remains confidential as well as to ensure that no person under our control engages in victimization in any form.

Responsibility

Disciplinary action will be taken against anyone deliberately raising false and malicious allegations.

¹ Whistleblowing: guidance and code of practice for employers (2015). Department for Business, Energy & Industrial Strategy (GOV.UK). <https://www.gov.uk/government/publications/whistleblowing-guidance-and-code-of-practice-for-employers>

Procedure for whistle-blowing

Raising concern

You should inform your immediate superior if you have a malpractice concern. Your immediate supervisor will then raise the matter with the Secretary General/ Country Director. If the concern involves your immediate supervisor, or for any reason you would prefer them not to be told, you may raise the matter directly with the Secretary General/ Country Director.

If you feel that you have disclosed your worry internally and you are concerned either by the response or lack of response, or if you feel unable to talk to anyone internally for whatever reason, you can contact: ADRA Denmark's chair of the board or the Auditor of ADRA Denmark.

Fact finding

As the person raising the malpractice concern, you may be accompanied at any fact-finding meeting by a fellow employee of your choice, who may be a friend or colleague or a staff representative. You may confer with your companion during the course of the meeting and he/she may address the meeting, but may not answer on your behalf.

Individual(s) under investigation may also be accompanied on the same basis. The Secretary General/ Country Director may be accompanied by any member of the ADRA staff or an appointed investigator.

Investigation

The Secretary General/ Country Director will conduct a full investigation (or appoint an investigator) with the objectives of establishing whether malpractice has occurred. The format of the investigation may vary depending upon the circumstances.

Findings

The Secretary General/ Country Director will communicate the findings of the investigation to: a) you as the person raising the malpractice concern; b) the individual(s) under investigation; and if appropriate c) those members of the ADRA Denmark management and/or board or external authorities, who need to consider whether action should be taken on the basis of the findings.
