INTERGOVERNMENTAL AUTHORITY ON DEVELOPMENT
(IGAD)

WHISTLE-BLOWING POLICY OF IGAD

IGAD/CM-41/11/WP.03/b.1/3
1. INTRODUCTION

Employees of organisations are often the first to realise that there may be something wrong with their organisation, or that an employee or member of management or another affiliated person or organisation has been involved with wrongdoing detrimental to IGAD’s interests. However, they may decide not to express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation. They may also fear harassment or victimisation. In these circumstances, they may feel it would be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

IGAD’s Whistle-Blowing Policy is intended to encourage and enable staff members to raise serious concerns within IGAD, rather than overlooking a problem or seeking a resolution for the problem outside IGAD, and to make it clear that IGAD will take necessary steps to protect them from victimisation, subsequent discrimination or disadvantage.

This Policy is also intended as a clear statement that if any wrongdoing within IGAD or by any of its management or staff or by any of its projects or grant recipients is identified and reported to IGAD, this wrongdoing will be dealt with expeditiously and will be thoroughly investigated and remedied. IGAD will also examine how to prevent such wrongdoing in the future.

This Policy applies to all of the Secretariat’s and project staff, including staff at Specialised Offices. It is also intended to provide a method for other stakeholders (suppliers, grant or aid recipients, project affiliates, etc.) to voice their concerns. The Internal Auditor is responsible for recommending any changes to this Policy.

2. DEFINITIONS FOR THIS POLICY

2.1. Whistle-Blowing

Whistle-blowing can be described as giving information about potential illegal and/or unethical practices, i.e. wrongdoing.

2.2. Wrongdoing

Wrongdoing involves behaviour that can result in financial harm or bring discredit to IGAD. It includes but is not limited to:

- An unlawful act, whether civil or criminal in the applicable Member State or country where the act occurred;
- Acceptance or offering of bribes or favours related to their association with IGAD;
- Undue favouritism or discrimination with respect to national, religious, tribal, or other ethnic groups in hiring, procurement, provision of service or any other form;
- Conflict of interest;
- Breach of or failure to implement or comply with any published IGAD policy;
- Knowingly breaching IGAD’s regulations;
- Serious unprofessional conduct;
- Questionable or fraudulent accounting or other practices;
- Misuse of assets;
- Knowingly making a misstatement;
- Dangerous practice likely to cause physical harm/damage to any person/property;
- Failure to rectify or take reasonable steps to report a matter likely to give rise to a significant and avoidable cost or loss to IGAD or a project;
- Abuse of power or authority for any unauthorised or ulterior purpose;
• Sexual harassment;
• Providing false information on official documents or reports;
• Risking the organisation’s resources;
• Consistently overriding controls.

3. BASIC POLICY
Any IGAD or project staff/supplier/conference attendee/consultant/recipient/affiliated person or organisation that makes a disclosure or raises a concern under this Policy will be protected if he/she:
• Discloses the information in good faith;
• Believes it to be substantially true;
• Does not act maliciously or make false allegations; and
• Does not seek any personal or financial gain.

4. PROCEDURE
Anyone with a complaint or concern about IGAD should try to contact Internal Audit, their own supervisor or director or the Human Resources Officer. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of malpractice. Therefore contact directly with the Executive Secretary, Audit Committee Member or any member of the Council or of the Committee of Ambassadors may also be warranted. Contact details for the Heads of Internal Audit, Human Resources and designated Audit Committee member are listed at the end of this Policy.

5. IGAD’S RESPONSE
IGAD will respond positively to any concerns, although whistle-blowers must remember that checking the concern is not the same as either accepting or rejecting them.
Where appropriate, the matters raised may:
• be investigated by management, the Internal Auditor, or through a disciplinary process;
• be referred to forensic accountants, the police or other authorities or investigators.
In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.
Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

6. TIME SCALE
Within 15 calendar days of a concern being raised, the person contacted or a representative thereof will write to the whistle-blower:
(i) acknowledging that the concern has been received;
(ii) indicating how IGAD proposes to deal with the matter;
(iii) explaining whether any initial enquiries have been made;
(iv) explaining whether further investigations will take place and if not, why not; and
(v) giving an estimate of how long it will take to provide a final response.
Concerns will be investigated as quickly as possible. The seriousness and complexity of any complaint may have an impact on the time taken to investigate a matter.
The amount of contact between the persons considering the issues and the whistle-blower will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, IGAD will seek further information from the whistle-blower.
IGAD will take steps to minimise any difficulties which the whistle-blower may experience as a result of raising a concern. IGAD accepts that the whistle-blower needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, IGAD will inform the whistle-blower of the outcomes of any investigation.

7. PREVENTION OF RECRIMINATIONS, VICTIMISATION OR HARASSMENT

IGAD will not tolerate an attempt on the part of anyone to apply any sanction, detriment or punishment to any persons who have reported to IGAD a genuine concern that they may have concerning an apparent wrongdoing. Retaliation against staff who report concerns in good faith is against IGAD’s policy and IGAD will take all reasonable measures to protect all legitimate whistle-blowers from any retaliation, ostracising, discrimination or subsequent disadvantage. If, having made a report of suspicious conduct, the whistle-blower subsequently believes that he/she has been subjected to retaliation or mistreatment of any kind, he/she should immediately report it to his/her Director, Internal Audit, the Human Resources Officer, or Committee of Ambassadors or Audit Committee member. Reports of retaliation will be investigated promptly, in a manner intended to protect confidentiality, consistent with a full and fair investigation. The party conducting the investigation will notify the whistle-blower of the results of such investigation. Any staff member who is found to have engaged in retaliation to or mistreatment of a whistle-blower will be subject to discipline.

8. CONFIDENTIALITY AND ANONYMITY

IGAD will respect the confidentiality of any whistle-blowing complaint received by IGAD when the complainant requests confidentiality. However, it must be appreciated that it will be easier to follow up and to verify complaints if the complainant is prepared to give his or her name. In addition, confidentiality cannot be maintained if such confidentiality is incompatible with a fair investigation or if disclosure of the identity of the complainant is required by law. If anonymity is requested, the person may request anonymity of the Internal Auditor, Executive Secretary or Council Member, or he/she may send an anonymous message to the Internal Auditor.

9. FALSE AND MALICIOUS ALLEGATIONS

IGAD will regard the making of any deliberately false or malicious allegations by any employee of IGAD as a serious disciplinary offence, which may result in disciplinary action.

10. STATUS OF THIS POLICY

This Policy should be in accordance with all other Policies and the Service Regulations. In the event of a conflict, this Whistle-Blowing Policy shall prevail. Under the direction of the Audit Committee, the Internal Auditor is responsible for preparing updates as needed of this Policy to be submitted to the Council of Ministers for approval.

11. CONTACTS

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<tr>
<th>Position</th>
<th>Name</th>
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<td>Internal Auditor</td>
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<td>Human Resources Officer</td>
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<td>Designated member of Audit Committee *</td>
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Note: Individual members of the Committee of Ambassadors* can also be contacted through their embassy in Djibouti, preferably for more serious issues.