

Anti-Corruption Policy

November 2020

Originally developed	Last update	Approved (and by whom)
November 2015 (within Staff Rules & Regulations)	August 2017	August 2017 (Executive Committee)
September 2020 (as stand-alone policy)	N/A	6 November 2020 (Executive Committee)

1. Introduction

The purpose of this policy is to reiterate Child Rights Connect’s firm commitment to operate based on high standards of accountability, transparency and legal compliance. It provides the organisational framework for addressing the risks of bribery, fraud and corruption. This policy sets out the specific roles and responsibilities of staff, consultants, interns and volunteers, Executive Committee members, Network members and partners, service providers as well as those who collaborate with CRCnct for specific activities with regard to the risks of fraud, bribery and corruption. It supplements CRCnct’s *Whistleblower Policy*,¹ *Risk Management Policy and Procedure*, *Financial and Legal Policy and Procedures* and applicable laws.

2. Scope

This policy applies to:

1. CRCnct staff, consultants, interns and volunteers;²
2. Members of the CRCnct Executive Committee;
3. Network members³ and partners⁴ of CRCnct;
4. CRCnct Service providers;⁵
5. CRCnct representatives⁶, or those who collaborate with CRCnct in specific activities.

This policy has been approved by the CRCnct Executive Committee (ExCo) and operationalized by the Executive Director. It is meant to be reviewed every year by the ExCo with a view to ensure that it continues to meet evolving needs and circumstances.

This policy has been communicated to staff, consultants, interns, volunteers and Network members, as appropriate, to ensure that anti-corruption principles, practices and roles and responsibilities are known and implemented in accordance with the policy. **In line with principles of accountability and transparency**, this policy has been published on CRCnct’s website.⁷

¹ <https://www.childrightsconnect.org/wp-content/uploads/2020/11/crcnct-whistleblower-policy-2020-11-06.pdf>

² These are individuals who are engaged by CRCnct on any type of contract.

³ Organisations that are recognised as members of CRCnct under its Statutes.

⁴ Organisations who have a form of partnership with CRCnct to deliver specific activities e.g. donors, coalitions, other organisations that work with CRCnct but are not members or service providers.

⁵ Organisations or companies that have been contracted by CRCnct to deliver specific services e.g. IT maintenance.

⁶ Any individual who participates in activities and/or who comes into contact with children or has access to children’s information through CRCnct e.g. journalists, celebrities, visitors.

⁷ <https://www.childrightsconnect.org/wp-content/uploads/2020/11/crcnct-anti-corruption-policy-2020-11-06.pdf>

3. Definitions

Terms	Definitions
Bribery	<p>The promise, offering or giving to a third party, directly or indirectly, of an undue advantage in order to obtain an undue benefit.⁸</p> <p>Examples of an advantage or benefit include, but are not limited to:</p> <ul style="list-style-type: none"> • Cash payments; • Contracts or consulting relationships; • Gifts, travel, hospitality or reimbursement of expenses.
Conflict of interest	<p>A situation where a person to whom this policy applies has a personal interest that may cause the person to have to choose between that personal interest and the responsibilities of the person's position.⁹</p>
Corruption	<p>The active or passive misuse of privilege or power for private financial or other benefit(s).¹⁰</p>
Fraud	<p>The act of intentionally deceiving a person or entity in order to obtain an undue benefit. Deceit includes the misuse, falsification or concealment of information, or concealment of a conflict of interest (as defined in this policy), where this might materially affect whether the benefit is obtained.¹¹</p> <p>Examples include but are not limited to:</p> <ul style="list-style-type: none"> • Falsification or manipulation of receipts or reimbursement claims; • Falsification, suppression, concealment or alteration of accounting records; • Misappropriation of assets; • Intentional misapplication of accounting policies or wilful misrepresentation of transactions; • Manipulation of information system applications and data for personal advantage.

4. Policy statement and principles

Policy statement

Child Rights Connect has a **policy of zero tolerance** of bribery, corruption and fraud, as these are contrary to the fundamental values of integrity, transparency and accountability and undermine organisational effectiveness.

Bribery, corruption and fraud constitute threats to the organisation's assets and reputation and must therefore be a concern for all staff, consultants, interns and volunteers, ExCo members, Network members, partners as well as all those who collaborate with CRCnct in specific activities.

Under this Anti-Corruption Policy and complementary policies and procedures, CRCnct is committed to:

1. Developing, maintaining, and consistently applying effective controls to prevent bribery, corruption and fraud at all levels, as well as reviewing systems and procedures if confirmed cases of bribery, corruption and fraud occur to prevent them from happening again;

⁸ Drawn from the UN Convention Against Corruption, Article 15.

⁹ Drawn from the definition of a conflict of interest used by Transparency International.

¹⁰ Drawn from the definition of corruption used by Transparency International.

¹¹ Drawn from definitions and commentaries used by the UN Office on Drugs and Crime and Transparency International.

2. Ensuring that risks of bribery, corruption and fraud – as well as corresponding responses – are considered in organisational risk assessments, in line with the *Risk Management Policy and Procedure* and programme planning;
3. Developing and maintaining an anti-bribery, anti-corruption and anti-fraud culture within the organisation, including through regular training of staff, interns and volunteers;
4. Developing, maintaining, and implementing an adequate, publicized *Whistleblower Policy* to encourage and enable staff, consultants, interns and volunteers, ExCo members, Network members, all those who collaborate with the organisation, and others to raise concerns of bribery, corruption and fraud so as to allow CRCnct to address such concerns;
5. Ensuring that, if bribery, corruption or fraud occur, a prompt and effective investigation is undertaken, and the outcomes of such investigation are reported to relevant stakeholders, as appropriate (including but not limited to CRCnct's ExCo and relevant partners and donors);
6. Taking appropriate disciplinary and legal action in all confirmed cases of bribery, corruption and fraud as appropriate; and
7. Taking all appropriate and reasonable steps to recover any financial losses resulting from acts of bribery, corruption or fraud by persons to whom this policy applies.

5. Roles and responsibilities

This section outlines the roles and responsibilities of individuals to whom this policy applies.

5.1 Staff, consultants, interns and volunteers

All members of staff, consultants, interns and volunteers are responsible for:

1. Safeguarding the assets and resources of CRCnct for which they are responsible;
2. Conducting themselves in accordance with the principles set out in this policy, including:
 - a) Always acting honestly and with integrity and strictly refraining from engaging in bribery, corruption or fraud;
 - b) Declaring at the earliest opportunity any actual or apparent conflict of interest;
 - c) Alerting their line manager where they believe the opportunity for bribery, fraud or corruption exists;
 - d) Immediately reporting any suspected act of bribery, corruption or fraud and/or any suspicious act(s) or event(s) that may give rise to bribery, corruption or fraud; and
3. Assisting in any investigations by making available all relevant information and cooperating in interviews.

Reporting lines

Reporting of any suspected act of bribery, corruption or fraud – and/or any suspicious act(s) or event(s) that may give rise to bribery, corruption or fraud – should follow the internal reporting procedure set out in CRCnct's *Whistleblower Policy*.

5.2 Executive Director

In addition to the responsibilities under 5.1 above, the **Executive Director** is responsible for:

1. Ensuring the overall implementation of this policy in line with complementary policies, as well as reviewing this policy as necessary in consultation with the ExCo;
2. Ensuring that all those to whom this policy applies are made aware of the policy and their responsibilities hereunder;
3. Ensuring the day-to-day prevention and detection of bribery, corruption and fraud including by identifying and managing related risks (in line with the *Risk Management Policy and Procedure*), developing and maintaining effective controls; and ensuring that controls are implemented and reviewed as necessary;

4. On receipt of any allegation of bribery, corruption or fraud, except those involving her/him or an ExCo member, initiating a swift, effective and impartial investigation, including:
 - a) Immediately informing the Vice-President of the ExCo of the allegation (or the President if the allegation involves the Vice-President);
 - b) Determining, in consultation with the Vice-President or President, as appropriate, the nature and composition of any consequent investigation;
 - c) Ensuring compliance with the CRCnct *Whistleblower Policy* so as to protect the privacy and safety of the reporting party;
 - d) As appropriate, in consultation with the ExCo, seeking external, independent support to assist with the investigation;
 - e) In consultation with the Vice-President or President, as appropriate, deciding, or seeking necessary legal advice to determine, whether the alleged act(s) requires reporting to the police or other investigative authorities;
 - f) In consultation with the ExCo, taking immediate action in the case of a proven allegation(s) including, as appropriate: dismissal or termination of the contractual relationship with CRCnct; or informing the police or other investigative authorities;
 - g) Reporting the outcomes of the investigation to the ExCo;
 - h) Where a proven allegation(s) affects grant funds, reporting this to the relevant donor, including the response plan;
 - i) Responding to any relevant recommendations made by the ExCo, General Assembly, external auditors and donors for improving systems for the prevention and detection of bribery, corruption and fraud;
 - j) Keeping appropriate, confidential records for knowledge management purposes.
5. Not tolerating frivolous accusations motivated by concerns other than those related to bribery, corruption or fraud; and
6. Reporting at least annually to the ExCo on the implementation of this policy.

5.3 Management team

In addition to the responsibilities under 5.1 above, **members of the Management Team** are responsible for:

1. Ensuring that staff and third parties under their responsibility are made aware of this policy and their responsibilities hereunder;
2. Ensuring that all cases of suspected/alleged bribery, corruption and fraud that come to their attention are reported at the earliest opportunity to the Executive Director (to the extent s/he is not involved) or otherwise to the ExCo Vice-President; and
3. Upon request, and to the extent that they are not the subject of an allegation, assisting the Executive Director or ExCo Vice-President in providing an appropriate investigative response.

5.4 Executive Committee

Members of the ExCo bear the same responsibilities of staff, consultants, interns and volunteers (see 5.1 above). They are also responsible for:

1. Adopting, reviewing and approving changes to this policy; and
2. Making recommendations to the Executive Director for improving systems for the prevention and detection of bribery, corruption and fraud.

Where the Executive Director or an ExCo member is the subject of an allegation of bribery, corruption or fraud:

1. The **President (or Vice-President** if the President is the subject of the allegation) will:
 - a) Immediately summon an extraordinary meeting of the ExCo (excluding the ExCo member who is the subject of the allegation, if applicable);
 - b) Establish an **ad hoc audit task force** comprising three members of the ExCo (who are not the subject of the allegation, if applicable) to investigate the allegation. Unless otherwise agreed, and so long as the Vice-President is not the subject of the allegation, s/he should by default

be a member and lead the work of the *ad hoc* audit task force. If the Vice-President is involved, the President should by default take this responsibility.

2. The ***ad hoc* audit task force** will:
 - a) Discharge the investigation and reporting responsibilities otherwise borne by the Executive Director (see 5.2 above, paras 4 c) to e));
 - b) Report to the full ExCo (excluding the ExCo member who is the subject of the allegation, if applicable) at the close of the investigation and suggest the course of action to be taken.
3. The **ExCo** (excluding the ExCo member involved, if applicable), is responsible for:
 - a) Appointing members of an *ad hoc* audit task force;
 - b) Providing support to the task force;
 - c) Deciding on a follow-up course of action;
 - d) Informing the Executive Director or ExCo member, as appropriate, of the outcome of the investigation and follow-up course of action in a transparent manner; and
 - e) Reporting the outcome of such an investigation to the General Assembly.

5.5 Network members, partners, service providers and other stakeholders

Network members, partners, service providers and all those who collaborate with CRCnct for specific activities take responsibility for:

1. Ensuring that their staff are made aware of this policy and their responsibilities hereunder;
2. Reporting any suspected act of bribery, corruption or fraud that relates to CRCnct at the earliest opportunity in line with this policy and the CRCnct *Whistleblower Policy*; and
3. Providing CRCnct with all relevant and accurate information to allow a swift, effective and impartial investigation of the allegation.

6. Disciplinary and legal action

No retaliation

In line with the CRCnct *Whistleblower Policy*, no person who in good faith reports a suspected act of bribery, corruption or fraud will suffer adverse consequences.

Disciplinary action against a staff member, consultant, intern or volunteer may be taken if the person:

- Violates the terms of this policy;
- Has direct knowledge of actual or potential violations of this policy but fails to report this;
- Misleads or hinders an investigation under this policy.

Disciplinary action will be proportionate to the nature and gravity of the violation of the policy and may include termination of employment or contractual relationship with CRCnct, legal action, and/or a requirement to compensate CRCnct in the case of misappropriated funds or assets.

Any third party who violates the terms of this policy, who knows of but fails to report to CRCnct an actual or potential violation of this policy, or who misleads or hinders an investigation under this policy may have their contract, partnership or relationship with CRCnct terminated. Legal action may also be taken as relevant.

7. Monitoring and review

On an annual basis, the Executive Director will review this policy, suggests necessary modifications to the ExCo, and provide the ExCo with an update on implementation of the policy. The ExCo is responsible for approval of any modification(s) to the policy. Any substantial changes to the policy will be communicated to Network members during or around the yearly General Assembly, as relevant. Any updates to the policy will be published on Child Rights Connect's website.

Staff, consultants, interns and volunteers will be required to sign that they understand and will comply with this policy – including as part of an induction programme, where applicable – and will be briefed on revisions to the policy, additional to annual staff training on the policy.