SADC PARLIAMENTARY FORUM

ANTI-FRAUD, ANTI-CORRUPTION & WHISTLE BLOWING POLICY

(Reviewed May 2019)

1.0. Purpose

This policy and associated procedures shall assist with the demonstration of effective corporate governance within SADC Parliamentary Forum. They shall cover the need for an anti-fraud policy, the responsibilities for effective controls and the associated procedures to deal with any fraud. This policy shall apply to any fraud, or suspected fraud, involving employees as well as office bearers, consultants, vendors, contractors, outside agencies doing business with forum, and/or any other parties with a business relationship with the Forum.

The SADC Parliamentary Forum will not accept and tolerate any level of fraud or corruption within the organization and shall be committed to protecting the Forum's resources, revenue, property, information and other assets from any attempt to gain by deceit, any financial or other benefits by any member of the staff or other stakeholders.

2.0. Definitions

(i) ***Fraud:*** refers to 'the intentional distortion of financial statements or other records by persons internal or external to the Forum which is carried out to conceal the misappropriation

of assets or otherwise for gain.' In a wider sense, fraud also includes such acts as deception, bribery, forgery, extortion, corruption, theft, conspiracy, embezzlement, misappropriation, false representation, concealment of material facts, and collusion.

(ii) ***Corruption***: refers to 'the offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of any person.' Fraud and corruption will also include false representation, failure to disclose proper information and abuse of power and authority.

3.0. Types of Fraud, corruptions and other irregularities

The SADC Parliamentary Forum should take all the necessary measures to prevent all types of fraud and corruption. While fraudulent activity could have a very wide range of coverage, the following are some of the act(s) which constitute fraud.

The list given below is only illustrative and not exhaustive:-

(i) Forgery or alteration of payable order, cheques, bank drafts, contracts or any document belonging to the Forum.

(ii) Any misappropriation of funds, supplies or any other asset.

(iii) Any irregularity in the handling or reporting of money transactions.

(iv) Misappropriation or misuse of Forum property, equipment, materials or records.

(v) Seeking or accepting anything of material value from vendors, consultants or contractors doing business with the SADC Parliamentary Forum.

(vi) Any computer related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes or misappropriation of the Forum- owned software.

(vii) Any claim for reimbursement of expenses not incurred whilst on official duty.

(viii) Any claim for reimbursement of expenses incurred whilst on official duty, but have already been reimbursed by a donor or sponsor.

SADC PARLIAMENTARY FORUM SADC

(viii) Falsifying of records such as payrolls, changing documents from a file for fraudulent purpose.

(viii) Any similar or related irregularity.

4.0. Role of management in controlling fraud and corruption.

It shall be the responsibility of management of the SADC Parliamentary Forum to ensure that effective internal control systems are in place and operating to minimise any potential for fraud and corruption. The Forum should be fully committed to ensuring that opportunities for fraud and corruption are reduced to the lowest possible level of risk, by the effective operation of the control, governance and accounting systems and by its organizational procedures at all levels.

Overall responsibility for managing the risk of fraud rests with the Secretary General who shall be responsible for:

- Promoting an anti-fraud culture;
- Appropriate Risk management;
- Fraud prevention and detection measures; and
- Fraud investigation.

5.0. Reporting of Fraud and Whistle blowing Policies

Staff should report any suspicious of fraud to their line managers who will report as appropriate to the Director of Administration or directly to the Secretary General. All matters should be dealt with in confidence and prompt investigations should be carried out into all cases of actual or suspected fraud discovered or reported.

Reporting of fraud and corruption can also come from staff in line with the ***Whistle blowing Policies.***

5.1. Introduction

The SADC Parliamentary Forum shall be committed to the highest standards of openness, probity and accountability. An important

SADC PARLIAMENTARY FORUM SADC

aspect of accountability and transparency shall be the mechanism to enable staff and other members of the Forum to voice out their concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the organization then this information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be done independently of line management.

This policy should give a firm commitment to the protection of employees against being dismissed or penalized by their employers as a result of disclosing certain serious concerns. The Forum has endorsed the provisions set out below so as to ensure that no members of staff should feel at a disadvantage in raising legitimate concerns.

It should be emphasized that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by the Forum nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures. With this "whistle blowing" procedures in place, it is reasonable to expect staff to use them rather than voice out their complaints outside the Forum.

5.2. Scope of Policy

This policy is designed to enable employees of the SADC Parliamentary Forum to raise concerns internally and at a higher level and to disclose information which the individual believes shows malpractice or impropriety. This policy is intended to cover concerns which are in the general interest and may at least initially be investigated separately

SADC PARLIAMENTARY FORUM SADC SADC PARLIAMENTARY FORUM

but might then lead to the invocation of other procedures e.g. disciplinary. These concerns could include

- Financial malpractice or impropriety or fraud
- Failure to comply with a legal obligation or Statutes
- Dangers to Health & Safety or the environment
- Criminal activity
- Improper conduct or unethical behaviour
- Attempts to conceal any of these

5.3. Safeguards

5.3.1.Protection

This policy is designed to offer protection to those employees of the Forum who disclose such concerns provided the disclosure is made:

- in good faith
- in the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person.

5.3.2.Confidentiality.

The Forum will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

5.3.3 Anonymous Allegations.

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of the Forum.

In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

5.3.4 Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information.

5.4 Procedures for Making a Disclosure

On receipt of a complaint of malpractice, the member of staff who receives and takes note of the complaint, must pass this information as soon as is reasonably possible, to the appropriate designated investigating officer as follows:

- Complaints of malpractice will be investigated by the appropriate Director unless the complaint is against the Director or is in any way related to the actions of the Director. In such cases, the complaint should be passed to the Secretary General for referral.
- In the case of a complaint, which is any way connected with but not against the Director, the Secretary General will nominate a Senior Manager to act as the alternative investigating officer.
- Complaints against the Secretary General should be passed to the President of the Forum who will nominate an appropriate investigating officer.
- The complainant has the right to bypass the line management structure and take their complaint direct to the President. The President has the right to refer the complaint back to management if he/she feels that the management without any

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conflict of interest can more appropriately investigate the complaint.

5.5 Investigating Procedure

The investigating officer should follow these steps:

- Full details and clarifications of the complaint should be obtained.
- The investigating officer should inform the member of staff against whom the complaint is made as soon as is practically possible. The member of staff will be informed of their right to be accompanied by a work colleague.
- The investigating officer could consider the involvement of the Forum auditors if necessary
- The allegations should be fully investigated by the investigating officer with the assistance where appropriate, of other individuals / bodies.
- A judgement concerning the complaint and validity of the complaint will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to the Secretary General or Chairman of the Forum as appropriate.
- The Secretary General / Chairman of the Forum will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate Forum procedures.
- The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.
- If appropriate, a copy of the outcomes will be passed to the Forum Auditors to enable a review of the procedures.

5.6. Right to Escalate the Concern to Higher Offices

If the complainant is not satisfied that their concern is being

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properly dealt with by the investigating officer, they have the right to raise it in confidence with the Secretary General or the President of the Forum.

Boemo Sekgoma
SECRETARY GENERAL

DATE: 15TH MAY 2019