

# Guidelines for FIAN Norway's Anti-Corruption Work



*These guidelines were approved by  
FIAN Norway's board in September 2013*

Corruption is a significant impediment to development in many countries and results in violations of human rights and many other forms of criminal activities, and it has severe impacts on the poor. In spite of substantial attention to the problem during the past decade, and the approval of the *United Nations Convention Against Corruption* (UNCAC), there is no visible reduction of corruption in most countries. In reality, the challenges seem to be increasing in many places. A number of recent incidences in Norway illustrate that the situation is no different here.

## **Corruption and FIAN Norway**

FIAN Norway believes that corruption and various forms of nepotism, exchange of favours and similar matters can significantly impede actions to improve living conditions for the poor.

FIAN Norway acknowledges also that corruption, theft, financial mismanagement and improper use of resources may occur in our own organisation, as well as in the organisations we collaborate with. Such actions will weaken our credibility, our efforts and our integrity.

We are aware that culture, business method and communication vary amongst countries and continents, and what is considered corruption and inside dealing in one area may be considered reasonable business practice in other areas. Bribes, extortion and demands for sexual favours are clearly beyond the scope of what is acceptable, whereas returning favours and certain kinds of nepotism can be considered more or less acceptable in some areas.

Obvious cases of malpractice are:

- Theft and pilfering
- Extortion and abuse of entrusted power and influence for personal gain
- Kickbacks, such as favours or payment of commissions for contracts or deliveries
- Bribes and undocumented payments to receive services or advantages. This applies even if that which is gained is not for personal benefit, but is nonetheless in order to carry out planned activities.

Unreasonable inadequacies in the administration of money or other resources will not be accepted, even though fraudulent intentions cannot be proved. Discrimination based on ethnicity, religion, gender or caste is also covered by this policy.

In order to avoid falling prey to such actions, FIAN Norway and our partners must have rigorous control mechanisms in place to uncover illegal practices, with clear and transparent procedures for responses and counter measures to be employed if irregularities are suspected or uncovered. Good routines and clear policies will also help to ensure confidence in our organisation and maintain our reputation.

### **Anti-corruption work within FIAN partnerships**

We are particularly conscious that staff and elected representatives in collaborating partner organisations can be subjected to pressure and influence tempting abuse of trust and resources for personal gain.

All foreign partners and collaborating organisations are required to develop their own Code of Conduct which should be signed by all staff.

When entering into collaboration with new partners, an assessment of existing systems and routines for fighting corruption and malpractice will be carried out. Necessary training and capacity building will be organised if needed in order to establish routines and transparency to counter corruption and malpractice.

Staff and elected representatives must be provided training and information so that they are fully aware of existing regulations and the consequences of breaches. Such training must be considered an integrated and natural part of the general capacity building process in partner organisations.

Such training must at a minimum include: rules and procedures for purchasing and signing of contracts; accounting and documentation of income and expenses, rules for compensation and remuneration of employees and others; use of the organisation's resources such as vehicles, building etc. Partners should have guidelines to be followed for internal control and financial management. Audit must be carried out annually and according to International Standards of Auditing (ISA).

*Reference is also made to FIAN Norway's Code of Personal Conduct from 2009.*

### **In cases of corruption and malpractice**

If suspicion of malpractice arises, all staff and elected representatives are expected to disclose this to the appropriate person. Proofs and documentation must not be removed or destroyed.

Malpractice cannot be ignored and must be examined and documented in order to uncover what has happened. Malpractice must have consequences for the employment or position of the person charged, and serious incidences involving the breaking of national law/criminal offenses must always be reported to the police.

FIAN Norway will ensure that all suspicions or disclosed incidences will be followed up and the person responsible will be held accountable. Whistle-blowers shall be ensured anonymity and be safeguarded against repercussions.

## **Procedure of disclosure**

The procedure covers the disclosure of all categories of malpractice covered by Norwegian law and includes disclosures relating to malpractice by staff at all levels in the organisation as well as agency workers, consultants, contractors providing services, and placements on vocational and work experience schemes.

The procedure is for the use of all FIAN Norway staff regardless of whether working in FIAN Norway's office or from home including consultants, contractors providing services, agency workers, volunteers and placements on vocational and work experience schemes who make disclosures about things that have happened, are happening or are likely to happen as long as suspicions are raised honestly and in good faith, irrespective of whether the allegation is later confirmed to be true. The procedure is meant to enable and encourage FIAN staff to make disclosures internally.

### ***1. How to make a disclosure***

Concerns about malpractice that has happened, is happening or may happen should be raised as early as possible.

Any member of staff who wishes to make a disclosure must raise it in writing with the appropriate person.

All written disclosures must clearly outline the issue and be accompanied by any supporting evidence and relevant dates. Disclosures dealing with fraud and/or money laundering should have documentary evidence and describe the persons involved and the process through which the fraud or money laundering happened.

### ***2. Who to address the disclosure to***

Where a member of staff wishes to disclose information relating to illegal practices they may raise the matter with their Line Manager. In FIAN Norway this will be the CEO, as all report directly to him or her.

It is anticipated that the majority of disclosures can be raised in this way. However, if for some legitimate reason the staff cannot make the disclosure to the CEO, the disclosure should be made to the Chairman of FIAN Norway's board. This may for example happen if there is fear that evidence could easily be destroyed.

Where the whistle-blower does not have confidence in the CEO or the Chairman of the Board the person may choose to make the disclosure him-/herself to the relevant external institutions.

Disclosures about fraud and money laundering should always be copied to the Chairman of the board. The person (CEO or Chairman) to whom the disclosure is reported should always consult the Board member in charge of the finances before making any ruling about how the issue will be dealt with.

In situations where the whistle-blower is convinced that the line manager or the concerned person in the organisation has not made the proper disclosure to the

external regulatory or overseeing bodies, he will be protected under this policy if he makes the disclosure himself.

In specific situations disclosures about health and safety are to be made to external authorities as well. Criminal offences and even the planning of those offences should also in all cases be reported to the police.

### ***3. What happens next?***

Arrangements will be made to investigate the suspicion thoroughly and fairly, in line with FIAN's guidelines. Members of staff and volunteers may be asked to act as witnesses to the investigation.

After investigating all the facts, the investigating officer will inform the staff as to action to be taken.

### ***4. Malicious reports***

Any member of staff or volunteer who uses this policy to make intentionally malicious accusations, in order to harm the reputation or position of another will not be protected by this policy and may be subject to disciplinary action.

Any member of staff who discusses their suspicions with colleagues other than the person to whom they have made or should make the disclosure will not be protected by this policy and may be subject to disciplinary action.

### ***5. Review of the process***

In order to ensure continuous learning and improvement, the CEO together with the board of FIAN will review the process following each occasion where a disclosure has been made, and will make recommendations for changes to procedures as necessary.

The terms of the policy will be revised if the needs of the organisation change or other circumstances deem it necessary.