



**AFR**

# Whistleblowing Policy

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# ACCESS TO FINANCE RWANDA

## Whistleblowing Policy

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<b>Policy owner</b>	Chief Operating Officer (COO)
<b>Status</b>	Public

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# Acronyms

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<b>AFR</b>	Access to Finance Rwanda
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<b>CEO</b>	Chief Executive Officer
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<b>COO</b>	Chief Operations Officer
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# 1. Whistleblowing

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## 1.1. Policy statement

AFR is committed to the highest standards of transparency, integrity, accountability and maintaining good corporate governance. AFR will not tolerate acts of victimisation, reprisal or discrimination targeted against those who wish to raise concerns of malpractice. AFR takes concerns of malpractice seriously and encourages anyone who wishes to raise such concerns to do so confidentially and through the appropriate channels without fear of being victimised, discriminated against or disadvantaged.

## 1.2. Purpose

The purpose of this policy is to:

1. Reassure and encourage those who wish to raise concerns of malpractice, to do so without fear of reprisal or victimisation, regardless of whether they are proven.
2. Communicate the avenues and process instituted by AFR to receive and handle concerns of malpractice.
3. Communicate AFR's intolerance to acts of victimisation and discrimination against whistle-blowers.

## 1.3. Scope

This policy applies to all employees of AFR and all AFR's associated parties (both during and outside regular working hours) including members of the Board, implementing partners, vendors, contractors and any other third party. The term 'AFR staff' will be used throughout this policy to refer to those within scope.

## 1.4. Definitions

Whistleblowing is the deliberate, voluntary disclosure of information which relates to suspected or anticipated wrongdoing within or associated with the organisation that is within its ability to control (generally a breach of a legal, statutory, or regulatory requirement or unethical, immoral behaviour).

A whistle-blower is someone who alerts, via the appropriate channels, an organisation on malpractice or a wrongdoing.

Malpractice is improper, illegal, or negligent behaviour by anyone.

## 1.5. Disclosures

A reportable malpractice or qualifying disclosures are disclosures related to AFR programme made when an AFR staff reasonably believes that one or more of the following matters is happening or is likely to occur in the future.

1. A criminal offence has been committed, is being committed or is likely to be committed. Criminal offences could constitute suspicions of fraud, bribery, theft, money laundering, terrorism financing and sanctions breaches.
2. Any harm against any vulnerable person to whom AFR's projects may be in contact with such as children, beneficiaries, or adults at risk.
3. Sexual exploitation, abuse, and harassment, physical or verbal abuse, exploitation, bullying or intimidation of employees, partners or contractors.
4. Failure to comply with any legal obligation to which he or she is subject.
5. A miscarriage of justice has occurred, is occurring or is likely to occur.
6. The health and safety of any individual has been or is being or is likely to be endangered.
7. The environment has been, is being or is likely to be damaged/degraded.
8. Any act that is, or will result, in wastage of AFR's resources.
9. Conduct likely to damage the financial well-being, reputation or standing of AFR.
10. Serious breaches of AFR policies, procedures, or Code of conduct.
11. A deliberate attempt to conceal any of the above.

A serious malpractice does not usually include personal employment grievances (such as unsatisfactory probation reports, performance evaluation, equal employment opportunities) or general complaints. These should be dealt with through the channels provided for in the grievance policy.

However, in cases where an employee genuinely considers the issue to be endemic within the organisation or their department and no action has been taken in response to a concern raised, then a whistle-blow may be appropriate.

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## 1.6. Reporting an allegation

A staff member who suspects that malpractice has happened or is likely to occur must report it, without fail and immediately through the relevant channels. Details of any alleged malpractice should be recorded on a whistleblowing form (Appendix 1). Reportable concerns must be reasonably held but do not require any proof.

AFR staff members who have concerns of malpractice may first report it to their line managers. Should the staff feel that the line managers are involved or will not take their concerns seriously, they may report it to a more senior manager or directly to the COO or the Chief Executive Officer (CEO).

AFR's vendors, contractors, consultants, grantees and other third parties may report concerns first to the managers in charge of their contract and the COO

Should any AFR staff or third parties be unable to report concerns overtly to any senior manager, then they are encouraged to use the following whistleblowing hotlines that provide for anonymous reporting and are available 24/7. This is by:

- ✓ Sending an email: **integrity@bdo-ea.com**
- ✓ Call the free hotline number: **6150**
- ✓ Anonymously through the use of the following web portal: **<https://u.bdo.no/afr>**

AFR's whistleblowing hotlines are managed by a third party which guarantees confidentiality and ensures anonymity of the whistle-blower. Settlement agreements entered by AFR staff do not prohibit them from raising concerns in the interest of the public.

AFR staff and third parties are encouraged to give as much information as possible concerning allegations raised. These will include:

1. **What** – the malpractice the whistle-blower wishes to report and any background information
2. **When** – when it took place (dates and times)
3. **Where** - where it took place
4. **Who** – who is involved (names and position)
5. **How** it happened
6. **Any other concerns** they may have

AFR staff and third parties must still report the concerns even though they may not have all the required information. Failure to report serious concerns may be treated as a disciplinary matter for AFR Staff or termination of contract for third parties.

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## 1.7. Responding to concerns raised

Once an allegation is received, the whistle-blower will receive an acknowledgement within 48 hours from the person who received the allegation. The Independent firm managing AFR's hotlines will also communicate to the whistle-blower the available support mechanism should that be needed.

The COO (or delegate) will make a record of the allegation onto a register for monitoring. An assessment of the allegation will be done, and where necessary the whistle-blower might be consulted to provide more information. The objective of the assessment is to determine the credibility of the allegation.

Once the credibility of the allegation has been determined, AFR will make necessary reports to appropriate authorities and regulators as required, these may include donors, where their funds could be impacted and in line with the donor agreements. External reports will be made within 72 hours of such a determination. AFR may also appoint an independent investigator to investigate the allegations.

AFR will update the whistle-blower once an investigation is completed should the whistle-blower wish to receive such an update. AFR recognises the right of the whistle-blower to receive confirmation that the matter has been adequately addressed. Therefore, the whistle-blower will be given as much feedback as is appropriate under the circumstances, and subject to legal constraints.

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## 1.8. Investigations

All allegations irrespective of how they are received will go through the same response process. When an allegation has reached the threshold for investigating, AFR Management will allocate the task of investigating based on the nature/severity of concern raised and the skillset needed to review such concern. If appropriate, AFR may engage an external party to facilitate the investigation process. AFR conducts its investigations whilst embracing the principles of confidentiality, proportionality, timeliness, evidence-led, independence, objectivity, fairness and transparency.

AFR staff may be called upon to give evidence during an investigation. AFR staff will typically not be accompanied during an investigation interview. It is mandatory for all AFR staff to support an investigation process when required to do so. All records supporting an investigation will be maintained in line with AFR data protection policy.

AFR may decide to suspend staff during investigations. Suspension to pave the way for a fair and transparent investigation is not a disciplinary action, and staff will be on full pay during this period.

All records supporting an investigation will be maintained in line with AFR data protection policy.

The COO, unless implicated, will have oversight over the investigations taken within AFR.

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## 1.9. Malicious allegations

No disciplinary action will be taken against a whistle-blower who makes a reasonably held allegation in good faith even if an investigation does not substantiate the allegation.

However, disciplinary action may be taken where there is evidence that allegations were not made in good faith but have been made maliciously or frivolously to the detriment of another or for personal gain.

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## 1.10. Anonymous allegations

Anonymous allegations are allegations raised by whistle-blowers who do not identify themselves to anyone at any stage. Anonymous allegations will also be taken seriously and responded to the fullest extent possible; however, it may be difficult to investigate them thoroughly. It is therefore essential that the whistle-blower gives enough information to facilitate a thorough investigation.

Whistle-blowers are encouraged to raise concerns confidentially through the channels provided.

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## 1.11. Confidentiality

AFR will respect, protect, and keep confidential the identity of individuals who report concerns. All matters reported will be responded to in confidence, and every effort made not to reveal a whistle-blower's identity unless the whistle-blower consents to it.



Where a matter cannot be resolved without revealing the whistle-blower's identity, AFR will inform the whistle-blower and seek consent as necessary.

Breaches of confidentiality will be treated as serious violations and will be subject to disciplinary provisions.

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### **1.12. Protection of whistle-blowers**

AFR recognises that the decision to report a matter can be a difficult one. AFR will take appropriate action to protect any whistle-blower who raises a concern in good faith.

To protect whistle-blowers from retaliation, AFR and the independent firm managing its hotlines will preserve the confidentiality of the whistle-blower and the response to the concerns and take further action on a case-by-case basis.

AFR will take action against any staff who is found to have victimised, discriminated, and harassed any person because they raised a concern. Such action may include up to dismissal.

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### **1.13. External reporting**

AFR is subject to laws and regulations and is committed to complying with them fully. External reports to law enforcement, regulators or legal authorities will be made in line with these laws and regulations and any agreements signed by AFR.

Where evidence of a criminal offence is found, an assessment will be done by the COO and a police report made accordingly. The Board Chair will be involved should the COO or the CEO be implicated.

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### **1.14. Communication and awareness**

AFR will make this policy available to all AFR staff and associates. Communication will be shared regularly to remind staff of the contents of this policy.

Information about the whistleblowing lines will be made available:

- On the website, and findable by site search
- Within the partner grant agreement
- On a poster displayed in the office
- Within this policy, located in a searchable directory on the organisation's electronic filing system.

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### **1.15. Roles and responsibilities**

AFR staff have a mandatory responsibility to report concerns of malpractice that they have to the appropriate management and through the relevant channels. AFR staff must also read, understand, and comply with this policy. AFR staff will also be expected to attend any training provided by AFR in relation to this policy. All line managers in AFR have a responsibility to ensure that the staff they manage, and Intervention Managers in AFR have a responsibility to ensure that the AFR's 3rd party associates they have oversight

of, are aware of the contents of this policy, that concerns reported to them are held confidentially and reported to the appropriate team.

The COO has the responsibility to provide senior management oversight over the implementation of this policy and ensure that the concerns reported are responded to and that relevant records are adequately maintained.

The Board Members have responsibility to provide governance oversight and the responsibility to ensure that this policy is adhered to and that the independent assurance of the integrity of the whistleblowing processes is obtained.

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### **1.16. Independent assurance**

The effectiveness of AFR's whistleblowing arrangements is subject to the regular internal audit reviews and where necessary AFR Board may call an external review to assure the integrity and effectiveness of whistleblowing processes and procedures.

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### **1.17. Data retention and protection**

All records generated in managing a whistleblowing concern must be maintained by the COO and in line with the AFR Data Protection Policy.

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### **1.18. Related policies**

This policy should be read in conjunction with:

1. Code of conduct
2. Child safeguarding and prevention of sexual exploitation and abuse policy
3. Anti-fraud and Anti-corruption policy
4. Counterterrorism and Anti-money laundering policy
5. Anti-bullying and harassment policy
6. Data protection policy
7. Misconduct, disciplinary and grievance policy

# Appendix 1 - Whistleblowing Form

The information contained within this form is highly confidential. Only authorised persons should have access to the form and the information recorded here. This form must be securely stored.

This form should be completed by any staff member, or line manager, Senior Management Team member or Board member who has received a report about a suspicion of a malpractice.

Date report made	
Who reported (name and job title)	
Date/s of incident/s triggering suspicion	
Nature of suspicion	
Suspect (name and job title)	
Evidence/witnesses (if any)	
Estimate of Loss (if applicable)	
Other relevant information	
Completed by Name:	
Job Title / Org:	
Signature:	
Date:	
Received by (Name)/Signature:	
Date:	

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