

# Whistleblowing Guideline

## 1. Purpose and scope

Malteser International has a high reputation among beneficiaries, partners, authorities, and donors for its professional work and integrity. In common with all organizations, however Malteser International faces the risk of activities going wrong, or of unknowingly harboring malpractice. Malteser International is committed to preventing such malpractice, especially in the forms of fraud, corruption and the abuse of power.

Malteser International encourages its staff, partners, beneficiaries, and other stakeholders to report non-compliance with Malteser International's *Code of Conduct*, and especially any perceived instances of malpractice. This *Whistleblowing Guideline* has been issued to provide guidance on how to do so.

This policy covers all part or full time staff working for Malteser International, as well as all volunteers, advisors, or consultants: who for the purpose of this document are all referred to as "staff". It also covers partners, business partners such as suppliers, service providers etc., other stakeholders like donors, local authorities or beneficiaries, as well as the general public.

## 2. Definition

"*Malpractice*" for the purposes of this policy may include but is not limited to: fraud, corruption, criminal offenses, non-disclosure of a conflict of interest, or the abuse of power – including sexual exploitation.

## 3. Procedure for raising a concern

**For Malteser International staff:** If you believe that the actions of any staff member, or person(s) having to do with Malteser International could constitute malpractice, you should raise your concerns with your line manager. If you do not feel comfortable speaking to your line manager for any legitimate reason or because you fear negative personal consequences for yourself such as reprisal, victimization, or dismissal, you may contact the line manager's direct superior.

**For partners, business partners, beneficiaries and all other stakeholders:** You should raise your concerns with Malteser International's local country or program coordinator.

**In exceptional circumstances** where it would be inappropriate to approach either the Malteser International manager or their supervisor, **you may raise the matter directly with the appointed Ombudsperson.** Complaints to the Ombudsperson may be raised via email in English, German, French or Spanish.

Please always include full details of the issue raised along with your concern, and any available supporting evidence. Please also state whether you wish your identity to be kept confidential. When

addressing a complaint to the Ombudsperson, please give a brief reason why Malteser International managers cannot deal with the issue.

Malteser International does not encourage anonymous reporting and is only able to process complaints that include the contact details of the complainant.

For other complaints referring to issues that do not constitute malpractice in the above sense, the Malteser International grievance procedures should be followed.

You can find the name of the current Malteser International Ombudsperson and their contact details on Malteser International's website<sup>1</sup> and at the end of this document.

## 4. Handling of disclosures

All disclosures will be taken seriously, and processed using the following procedure:

1. In case a disclosure is made to a manager (in most cases the program or country coordinator), and the issue raised falls into his or her area of responsibility, the manager has the duty to acknowledge receipt of the complaint<sup>2</sup>, assess or investigate the matter, provide necessary protection to the person raising the concern, and take appropriate action to end the alleged malpractice. If the manager considers the issue to be outside their area of responsibility, they are required to pass the issue to the country manager or team leader in headquarters or, where appropriate, to the Ombudsperson to deal with.
2. If you have any personal interest in the matter you have raised, you must disclose this at the outset.
3. Any disclosure made under this policy will be acknowledged in writing to confirm that Malteser International will investigate the matter, and will reply to your concerns in due course.
4. The Ombudsperson will deal with and investigate any reported concerns independently, objectively, and confidentially.
5. Assessment, clarification or investigation of the issue raised should begin within two weeks of the disclosure being made. The duration and scope of the assessment or investigation will depend on its subject matter. In most instances, there will be an initial assessment to determine whether there are grounds for a more detailed investigation, or whether the disclosure is, for example, based on erroneous information.
6. Any investigative activity will be carried out without regard to a person's relationship with Malteser International, their position, or length of service.
7. You may be asked to provide further information during the course of the initial assessment of your disclosure, or during the investigation.
8. When an investigation is launched through the Ombudsperson, they will also be responsible for reviewing the investigation report.

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<sup>1</sup><https://www.malteser-international.org/en/about-us/how-we-work/transparency.html>

<sup>2</sup> Acknowledgement has to be given by the person to whom the concern is raised. For concerns raised towards Malteser International managers or coordinators this should take the form of a written confirmation to the person raising the concern with a copy to the corresponding country officer in headquarters.

9. Following investigation, appropriate action will be taken – this could involve initiating a disciplinary process, or informing external authorities if a crime has been committed.
10. If it is found that there is insufficient evidence of malpractice, or the actions of the individual(s) are not serious enough to warrant disciplinary action, it may be more appropriate for Malteser International to take an alternative approach to dealing with the matter.
11. You will receive written notification<sup>3</sup> of the outcome of the assessment or investigation.

## 5. Protection for whistleblowers

Whistleblowers will be provided protection against retaliation for their disclosure regardless at which level (managers, coordinators, or Ombudsperson) it is made. No member of staff who raises genuinely held concerns in good faith using this procedure will be dismissed or subject to any detriment (e.g. unwarranted disciplinary action or victimization) as a result of their action, even if their concerns turn out to be unfounded.

If whistleblowers believe that they are being placed at a disadvantage within the workplace as a result their use of this procedure, they should inform their line manager or, if this is not appropriate, the line manager's superior or the HR department immediately. Staff who victimize or retaliate against those who have raised concerns under this policy will be subject to disciplinary action.

This assurance is not extended to any individual who maliciously raises a matter they know to be untrue or who is involved in any way in the malpractice.

All efforts will be made to keep the identity of the whistleblower confidential. Due to the nature of the information given or because of a need for formal investigation, e.g. in criminal cases which must be passed to the authorities, the identity of the whistle blower may become known. In these circumstances, the implications for confidentiality will be discussed with the whistleblower ahead of any action being taken. In order not to jeopardize a potential investigation, the whistleblower is asked to keep confidential the fact that he or she has raised a concern, along with the identity of those concerned.

## 6. False disclosure

Malteser International will treat all disclosures of malpractice seriously, and protect staff who raise concerns in good faith. However, appropriate action will be taken in accordance with disciplinary procedures against staff who are found to have made a disclosure that they know to be untrue.

This *Whistleblowing Guideline* has been issued by the Secretary General of Malteser International.

Cologne, April 11<sup>th</sup>, 2016

Ingo Radtke  
Secretary General

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<sup>3</sup> The written notification to the person raising the concern must be given by the Malteser International managers or coordinators who received and handled the case.

## Annex

### Contact details of the current Malteser International Ombudsperson

Information on the person acting as Malteser International Ombudsperson can be found on our website: <https://www.malteser-international.org/en/about-us/how-we-work/transparency.html>

The following person has been appointed as Malteser International Ombudsperson:

**Mr. Sebastian Freiherr von Bechtolsheim, Attorney at Law**

For any correspondence, please use the email address below:

[sbe@sbepartner.de](mailto:sbe@sbepartner.de)