

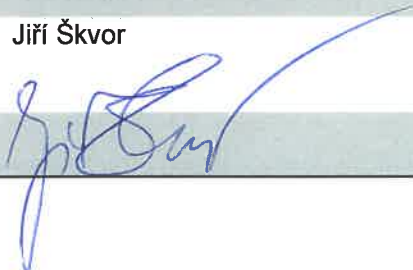
Whistleblowing Mechanism in Georgia



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1. Statement

Caritas Czech Republic (CCR) is committed to being open and accountable. Stewardship and open accountability are core values in the way we work.

Very occasionally, as in all large organisations, a person or persons working with or for Caritas Czech Republic may appear to be acting improperly, negligently or criminally. Caritas Czech Republic encourages individuals, and organisations with whom it works in partnership, (who act in good faith) to report malpractice in accordance with the procedures set out below.

Caritas Czech Republic will ensure that those who raise concerns of suspected serious malpractice are protected from dismissal, victimisation or any other detrimental treatment by Caritas Czech Republic, provided that they follow the procedures set out below.

People to whom a disclosure of malpractice is made should ensure that this Mechanism and procedure is the correct one to follow in the circumstances (see Chapter 3).

2. Scope

This procedure covers everybody working with or for Caritas Czech Republic to deliver on its mission including all staff working in Czech Republic and overseas, and others with whom Caritas Czech Republic is working, such as external experts, contractors, sub-contractors and staff from CCR Missions and exclusive partners.¹

It applies whether or not the information could be deemed to be confidential and whether the alleged malpractice is occurring in Czech Republic or overseas.

All staff and all partners working jointly with Caritas Czech Republic are protected by this Mechanism and procedure to ensure consistency and transparency for all those working towards the Vision, Mission and values of Caritas Czech Republic.

¹ The mechanism of raising complaints or feedback by CCR beneficiaries (individuals and communities related to CCR programmes) is specified in CCR Feedback and Complaint Mechanism.

3. Objectives

The purpose of this Mechanism is to provide an effective procedure for people to raise their concerns when they believe that abuse, malpractice or professional misconduct has taken place, is taking place or is likely to take place. The protection outlined in chapter 1 will only be given to those individuals acting in good faith.

“Good faith” is where a disclosure is made with honest intentions and without malicious reasons or spite.

It is essential that anyone connected with Caritas Czech Republic who suspects or knows that malpractice has taken place, is taking place, or is likely to take place raises their concerns in line with the procedure described in this document.

The term “malpractice” covers instances where someone working with or for Caritas Czech Republic appears to be acting improperly, negligently or criminally. It includes:

- Acting against Caritas Czech Republic’s Ethic code and Code of conduct;
- Criminal activity (e.g. fraud, theft, corruption, etc.);
- Illegality (inc. negligence, breach of contract, breach of administrative law);
- Miscarriage of justice;
- Danger to health and safety or the environment;
- Victimisation;
- Discrimination;
- Exploitation;
- Conflict of Interest;
- Disclosing confidential information;
- The cover up of any of the above.

This list is not exhaustive.

Correspondingly, a ‘whistleblower’ is any person dealing with Caritas Czech Republic who has observed and desires to report malpractice.

It is important for the person to whom malpractice is reported to ascertain at the outset whether this policy is the best one to use in the circumstances, or whether another policy, e.g. the Safeguarding Policy, Corruption policy, might be more appropriate.

4. The procedure

The procedure for people with concerns about serious malpractice depends upon the nature of their relationship with Caritas Czech Republic – that is, whether they are CCR staff and Mission’s staff, volunteers or otherwise associated with Caritas Czech Republic. In any case, all concerned should be properly informed about CCR’s stance on reporting malpractices, and about whistleblowing mechanism in place. Specifically, they should be provided all necessary information to report malpractice.

4.1. CCR Employees and Contractors

In most cases staff should raise any concerns with their line manager. This may be done **orally or in writing (which includes email)** and should include full details and, if possible, supporting evidence.

If for some reason, (e.g. the manager may be implicated) this is not possible, they should speak to a more senior manager. For overseas based staff this may be a manager based in the CCR Mission or in Czech Republic.

4.2. Partners and others working with Caritas Czech Republic

Partners and others working with Caritas Czech Republic who want to raise concerns of alleged malpractice should in the first instance raise their concerns with the relevant Head of Mission - when there is one involved in the project - or, in his/her absence, with the Caritas Czech Republic’s desk officer responsible for the project, who should then raise the issue with their line manager. If the partner does not wish to raise the issues with their Head of Mission or desk officer, they may contact the regional manager directly. This may be done orally or in writing and should include full details and, if possible, supporting evidence.

4.3. Volunteers and interns

Volunteers collaborating with Caritas Czech Republic in a given Mission or exclusive partner who want to raise concerns of alleged malpractice should in the first instance raise their concerns with the relevant Head of Mission.

4.4. Taking an issue forward

There may be circumstances when the person raising the concern feels unable to do so with the relevant line manager, the Head of Mission - for example when he/she feels that his/her

line manager is involved - or that he/she has previously raised this concern and feels that no action has been taken about his/her concern.

In these circumstances, he/she should contact a more senior manager, the regional manager (if applicable), the Head of Department, the General Secretary or the Director (in hierarchical order). If he/she believes that the matter cannot be dealt with within the management structure of Caritas Czech Republic, the representative of the founder (Czech Bishops Conference) will be the point of contact.

Anyone who raises concerns of malpractice will be protected from victimisation or any other detrimental treatment if they come forward with serious concerns, provided that they have followed the procedure and provided that concerns are raised in good faith.

The identity of anyone who raises concerns will be kept confidential as far as possible (see chapter 7 Confidentiality).

5. Management responsibility

Managers have a responsibility to treat concerns raised seriously and will investigate them thoroughly in accordance with Caritas Czech Republic's values and policies.

Managers must make themselves aware of other appropriate Caritas Czech Republic corporate and local policies and procedures, such as the Safeguarding Policy, Fraud policy, etc., and in each case decide whether one of these is a more appropriate mechanism to invoke.

The manager dealing with the allegation will endeavour to ensure that feedback is given to those who raise concerns on what action/s have been taken to address them. However, there may be circumstances where, given the confidential nature of the allegations or the material covered, it will not always be possible to give feedback on actions taken.

Where feedback is possible this will be given as soon as possible. Some situations may be resolved promptly; others may take longer because they require formal investigation or hearings.

6. Protection

All staff, national staff, volunteers and all partners working with Caritas Czech Republic are protected by this Mechanism to ensure consistency and transparency for all those working towards Caritas Czech Republic's Vision, Mission and Values.

Any concerns raised will be investigated carefully and thoroughly. Caritas Czech Republic will ensure that fair treatment will be followed at all times. Any person accused of alleged malpractice will have the right to put their account of events forward at the earliest opportunity.

All those who raise concerns will be treated fairly and have the right to be represented at any time by a representative or a colleague not acting in an official capacity.

If someone tries to prevent an individual from making a confidential report or victimises that person for raising their concerns, Caritas Czech Republic will treat this as a serious disciplinary offence which will be investigated in accordance with Caritas Czech Republic's working regulations (Pracovní řád) or Staff Regulation.

Where allegations by staff or others are not made in "good faith" and are found to be false or malicious, this will be treated as a serious disciplinary offence and will be investigated in accordance with Caritas Czech Republic's working regulations (Pracovní řád) or Staff Regulation.

7. Confidentiality

The identity of the persons who raise concerns will be kept confidential as far as possible. If the person concerned has a personal interest in the matter, they must disclose this at the outset.

However, due to the nature of some investigation processes it may not be possible to retain complete confidentiality. This includes situations where the police are involved, where statutory child protection procedures need to be adhered to, or when disciplinary investigations are held and individuals need to make a statement, which may be seen by third parties.

8. Anonymous reporting

Anonymous reporting can come in two forms. The first is where an individual sends a letter or makes a phone call to management and makes an allegation or statement without leaving their name. The second form is where an individual makes an allegation or statement to management, but wants their identity kept secret from those that they have accused of malpractice/misconduct.

The former is very difficult to act upon as there may be no or little corroborated evidence to substantiate the allegations. However, this does not mean that there is no malpractice or misconduct taking place. Based on the scope of information provided within anonymous

reporting, management will have to make a choice of either ignoring the anonymous information or “informally” investigating the information, initiating formal proceedings if corroborating evidence is found.

Caritas Czech Republic understands that some people may wish to report their concerns anonymously and accepts that this may occur from time to time. However, Caritas Czech Republic feels that it is more appropriate for individuals to come forward with their concerns rather than raising them anonymously. Anonymous reporting can make it difficult to clarify the issues, substantiate claims and investigate concerns properly.

9. Feedback and outcome of the investigation

Feedback and the progress of any concerns raised will be given as soon as possible. Some situations may be resolved promptly, whilst others may take longer because they require formal investigation or hearings. If the individual is not satisfied with the response they have received, they can raise the matter with the Head of HPRS Department.

Once the investigation is complete appropriate action will be taken to resolve the issue. This may involve taking disciplinary action if a clear case of malpractice can be proved and reporting to the police if a criminal offence such as fraud or theft has been committed. Cases of serious malpractice may result in dismissal.

10. Reporting

Heads of Mission have to report every 6 months to HQ (to their respective Regional Manager, the Head of HPRS Department and the CCR Complaint Handling Officer) all the sensitive feedback or complaints.

Sensitive complaints with medium or high damage level (where an allegation of serious malpractice has been made) will be reported immediately to Regional Manager and Head of HPRS by Head of Mission. The manager receiving the allegation will appoint an individual not implicated in the complaint (either an independent manager or an appropriate external professional) to carry out an urgent and confidential investigation and to report back to him/her. This report will also be made available to the Head of Mission and the Head of HPRS Department.

11. Nominated persons

If there are concerns that staff or other individuals feel cannot be raised through line management and they wish to contact the Head of Mission, the Head of HPRS Department, the General Secretary, the Director or the representative of the founder (Czech Bishops Conference), then they should use the following contact channels:

- Caritas Czech Republic in Georgia Head of Mission: Jan Blinka, 8 Kartozia str, IV Building, I Block, IX Floor, Apt. 24, 0162, Tbilisi, tel. +995 557 355 652, jan.blinka@charita.cz
- Head of HPRS Department: Jiří Škvor, Vladislavova 1460/12, 110 00, Prague, tel. +420 731 514 710, jiri.skvor@charita.cz
- CCR's General Secretary: Jakub Líčka, Vladislavova 1460/12, 110 00, Prague, tel. +420 603 557 990, jakub.licka@charita.cz
- CCR's Director: Lukáš Curylo, Vladislavova 1460/12, 110 00, Prague, lukas.curylo@charita.cz
- Representative of the founder (Czech Bishops Conference): Mons. Stanislav Přibyl, Secretary General of CBC, tel +420 220 181 421, pribyl@cirkev.cz

12. List of abbreviations

CCR	Caritas Czech Republic
HQ	Headquarters