



WHISTLE BLOWER

PROTOCOL

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SOLIDARIDAD STRIVES TO BE AN ORGANIZATION WHERE PEOPLE CAN WORK SAFELY, ARE PROTECTED, AND FEEL SAFE TO SPEAK UP.

INTRODUCTION

Solidaridad Network is committed to integrity and respect; internally and externally. The guiding document is Solidaridad's Code of Conduct that sets out values to live by and describes specific rules to adhere to.

In this Whistleblower protocol we set out the ways to "speak up." If you are in some way part of a situation of misconduct, we urge you to speak up. You may be a victim, a witness, even a perpetrator. As a member of the Solidaridad Network organization, you bear the responsibility to act.

We will also describe the process that takes place after you have spoken out.

SCOPE

This protocol is directly and fully linked to the Code of Conduct and its scope so it is applicable to all people working with a contract of employment, board members and representatives¹. In case of doubt about whether someone is within or out of scope, please contact the HR representative of your organization. In any case we refer to:

- Employees, volunteers, and interns working for Solidaridad
- Board Members, like the Continental Supervisory Board and International Supervisory Board

➤ Self-employed/individual consultants working within Solidaridad

All categories together are referred to as staff members in this document.

Excluded are other consultants (e.g. corporate, firm etcetera) and partners working for Solidaridad but not representing Solidaridad.

¹ Once the protocol for staff members is established, the configuration of channels for external people will be designed.

WHAT IS MISCONDUCT?

For a large overview, we refer to Solidaridad Network's Code of Conduct. Any breach of a stipulated rule in the Code of Conduct is a breach of integrity and as such is breach of conduct. If you are in doubt as to whether an act or situation is a breach of integrity or misconduct, please report.

- Financial misconduct
- Sexual misconduct
- Misuse of power
- Discrimination, intimidation, (physical or verbal) violence, bullying

Solidaridad Network will uphold high standards of integrity and will act upon your report and investigate. The measures to be taken are described below. Solidaridad Network will aim to learn from all instances and create a safe environment for all.

In [the Code of Conduct](#) you can read a more elaborate description of misconduct.

OTHER GRIEVANCES

This protocol is not meant for employment grievances or complaints related to the acts, services, or performance of the organization, e.g. on the physical working environment. For these purposes a separate grievance or complaint procedure is in place.

Some examples (not conclusive!) of misconduct/breaches of integrity, are:



WHISTLEBLOWER PROTOCOL FLOWCHART



ROLES IN THE ORGANIZATION FOR RECEIVING REPORTS

There are several roles active within the organization to receive reports in the integrity system.

AT REC LEVEL:

PERSON OF TRUST:

- An official role to talk to in confidence and not a reporting channel. It is a safe haven before one decides to report.

MANAGING DIRECTOR (MD)

- Director of the REC
- Highest manager in rank within the REC, whereas line managers and upper management are the first channel for staff members to go to for whistleblowing

INTEGRITY ADVISOR (IA)

- Responsible for setting up and maintaining the framework
- A channel for staff to whistle blow
- A case manager of reports and investigations

AT THE NETWORK SECRETARIAT:

GLOBAL INTEGRITY COORDINATOR (GIC)

- Receives anonymized reports from IA's for registration, analysis and general reporting at a consolidated network level
- Receives cases that are escalated from the REC by MD and/or IA, and deals with them in alignment with the ED
- Receives (anonymous) report that the External Whistleblowing Organisation (Seehearspeakup) has received and is passing on
- The GIC disperses these anonymous reports to the right person/level in the integrity system.

EXECUTIVE DIRECTOR (ED)

- Managing the MD's and one reporting level above the MD's
- For staff members if they feel unable able to whistle blow within the REC

CHAIR OF THE INTERNATIONAL SUPERVISORY BOARD

- Managing the ED
- Highest authority level

² Formerly known as "Confidentiality Person"

WHISTLEBLOWER CHANNELS: TO WHOM DO I REPORT?

TALKING TO PERSONS OF TRUST

Before you choose a way to officially report, you can speak to a Person of Trust. A Person of Trust is the first line of support. You might be a victim, a witness, or even a perpetrator. You are not sure what to do and/or you don't know what the right way is and/or just want to talk to somebody in confidence, without any direct consequence.

For this purpose, Solidaridad has Persons of Trust. The Person of Trust understands the reporting system however remains independent to the reporting system. Talking to a Person of Trust is seeking guidance and advice and is not to be considered part of the formal reporting process. After talking to the Person of Trust, you can decide if you will report and if so, to whom.

Exception: if lives are at direct danger or if (sexual) abuse of children is at stake, the Person of Trust will always report to the Integrity Advisor.

Person of Trust¹:

Email:

Phone number:

¹ To be filled in at REC level

TALKING TO THE PERSON INVOLVED

If the alleged breach of integrity concerns interpersonal conduct, disrespectful behaviour (e.g. discrimination, intimidation, bullying), you can choose to talk to the person involved, possibly including a third party e.g.: your line Manager or an HR representative. It may be that the other person(s) are not aware of the disrespectful behaviour and/or are willing to change. Sometimes good conversations can be the key to an improved situation.

OFFICIAL REPORTING

There are three official reporting channels:

1. Your line manager and upper management
2. The Integrity Advisor
3. External whistleblower organization

The first two (a and b) are forms of internal reporting. You are encouraged to use these first to enable Solidaridad to respond in the best way possible. However, if you judge you cannot trust these channels, there is still the external whistleblower organization.

REPORTING TO YOUR LINE MANAGER/ MANAGEMENT

You can go to your manager and report the breach. The manager will report to the Integrity Advisor and consult about the way forward. The Integrity Advisor will report to the Managing Director, including a plan how to proceed, with a copy to the manager.

In this way of reporting your identity will be known to management and those who are responsible for an investigation. The need-to-know-rule applies: only those who have to know, based on their official role in investigations, will be informed.

If you don't feel comfortable speaking to your direct line manager, you would then approach to the individual supervising your line manager, up to:

- The Managing Director of the REC
- The Executive Director of the Solidaridad Network and
- The Chairperson of the International Supervisory Board

If the Managing Director is involved in an alleged breach, one reports to the Executive Director.

If the Executive Director is involved in an alleged breach, one reports to the Chairperson of the International Supervisory Board.

The Executive Director:

jeroen.douglas@solidaridadnetwork.org

Chair of the International Supervisory Board:

ISBchair@solidaridadnetwork.org

REPORTING TO THE INTEGRITY ADVISOR

If you don't feel comfortable speaking to your manager or management in general, you can turn to the Integrity Advisor in your REC.

If you wish to stay anonymous you can also turn to the Integrity Advisor. Anonymity might hinder possible steps in investigation, still it is better than not reporting and having no investigation.

The Integrity Advisor will take care of reporting processes and organizes measures to protect you, as much as possible. Solidaridad is committed to protect those who step forward and step up.

REPORTING EXTERNALLY: EXTERNAL WHISTLEBLOWER ORGANIZATION

To an independent external whistleblower organization, contracted by the organisation, for those cases that someone has no confidence in the formerly mentioned channels.

Solidaridad has contracted this independent, professional external whistleblowing organization to ensure that any one feels free to report misconduct. Solidaridad hopes you find your way internally but if not, you can whistleblow externally.

The external whistleblowing organization will receive your report through a channel you choose (telephone, email) and will most ask questions to make a full report.

You can reach the external whistleblowing organization, Seehearspeakup:

Telephone:

Netherlands: 0800 022 2398

Global Line: +441224 379303

Web Address:

<https://www.seehearspeakup.co.uk/en/file-a-concern>

Email Address:

report@seehearspeakup.co.uk

WHAT HAPPENS AFTER YOU REPORT?

IF YOU REPORT TO YOUR MANAGER:

Steps:

1. If you report to your manager, or someone of the upper management (up to the Chairperson of International Supervisory Board), your manager will consult with the Integrity Advisor.
2. The Integrity Advisor will conduct or organize a first investigation to determine
 - If the case is within the scope of misconduct / breach of integrity
 - If there is sufficient ground to do a full investigation
 - What kind of investigation is needed
3. The Integrity advisor reports to the Managing Director of a REC (or RECs that are involved) including a proposal for investigation. The MD decides on the follow up.
4. In case the Integrity Advisor and MD disagree substantially on the steps forward, the case will be escalated to the Executive Director who decides

IF YOU REPORT TO THE INTEGRITY ADVISOR:

Steps:

1. The Integrity Advisor will conduct or organize a first investigation to determine
 - If the case is within the scope of misconduct / breach of integrity
 - If there is sufficient ground to do a full investigation
 - Draw up a proposal with what kind of investigation is needed

2. The Integrity advisor reports to the Managing Director of a REC including a proposal for investigation. The MD decides on the follow up.

- In case the Integrity Advisor and MD disagree substantially on the steps forward, the case will be escalated to the Executive Director who decides

Important difference with the report to your manager/management: you can choose to remain anonymous. However, this may limit the options for investigation.

Note also the previously stated:

- If the Managing Director is involved in an alleged breach, one reports to the Executive Director.
- If the Executive Director is involved in an alleged breach, one reports to the Chairperson of the ISB.

IF YOUR REPORT TO THE EXTERNAL WHISTLEBLOWING ORGANIZATION

The external whistleblowing organization, *Seehearspeakup*, sends a received report to the Global Integrity Coordinator (GIC). The GIC will send on the report to the right person / level in the organisation, according to the nature and content of the report.

It is possible to report anonymously to Seehearspeakup. Seehearspeakup will be your contact throughout the investigation for updates and questions.

COMMUNICATION TO YOU AND TIMELINE

- You will receive an acknowledgement of **receipt within 3 working days** and where possible you will be kept up to date about the progress of your report.
- The case manager, who will be assigned to a case, is responsible for communicating about the case (e.g. when, what, and to whom) and will do so at least once **every 2 weeks**. This person is selected ensuring that there is no conflict of interest.

For legal and privacy concerns, or to **safeguard the integrity of an ongoing investigation**, Solidaridad will not always be able to provide you the (full) details of the progress of a case or investigation, or a case outcome or actions taken.

- Due to the varying nature of concerns, **it is not possible to predict how long it will take** to resolve your concern and/or handle the investigation. However, normally an investigation would not take more than **6 weeks**. The Managing Director or Executive Director, if not involved themselves, can decide that more time is needed.

WHAT YOU NEED TO KNOW

SOLIDARIDAD VALUES PEOPLE THAT REPORT

We acknowledge that sometimes reporting may be difficult; you might fear the consequences. Nevertheless, we believe we all have the moral duty to report injustice and we have a zero-tolerance policy on non-acting. **Zero-tolerance on non-acting** means Solidaridad will always act or react to reports and if investigations confirm the accused to have breached the Code of Conduct, there will be consequences.

MEDIATION: POSSIBLE IN CASE OF INTERPERSONAL BREACHES

Depending on the facts and circumstances, in some cases, the best solution might be a **mediation between individuals**, while in other cases, an investigation might be necessary to verify the facts of the allegation. In any case, we will make sure that the alleged perpetrator is not involved directly in any way when handling your concern.

SAFEGUARDING OF PEOPLE

If the alleged breach involves **danger of lives and/or abuse of children**, the Person of Trust, manager and/or Integrity Advisor will directly involve the Managing Director at REC level and the Executive Director at the Network Secretariat. If the ED is part of the alleged breach, the Chairperson of the International Supervisory Board will be informed, and local authorities as required by law.

DO REPORTS REMAIN CONFIDENTIAL AND CAN YOUR PRIVACY BE GUARANTEED?

Those who report misconduct entrust us with their observations and experiences and in return we respect this by **treating them with confidentiality** and care in recognition that mishandling confidential information can have a serious impact on the safety of affected individuals.

Therefore, your concern will only be shared with a limited number of people on a strict need-to-know basis. For example the investigators will need to know the names of involved persons to be able to investigate.

Personal information that could identify (directly or indirectly) the complainant and/or – if applicable – the survivor as well as the alleged perpetrator will be redacted wherever possible to protect the identity of all parties. You can further ensure confidentiality yourself by maintaining personal **discretion**, including not discussing the report with colleagues or anyone else. Note that in some cases, Solidaridad may be legally obliged to disclose information to law enforcement. In cases of reports that involve children and young persons under 18 years, we will in principle inform the guardian(s) and, if the complaint is suspected to be a crime, national authorities, provided this is in the best interests of the child or young person and does not place them at risk of further harm. In case the report involves criminal acts, the local authorities will be informed. Solidaridad will refrain from involving authorities, when consequences go against the human rights stipulated by [the UN in the declaration of human rights](#).

Solidaridad is committed to **protecting the privacy** of everyone involved. Any personal information obtained by Solidaridad will be dealt with in line with the appropriate privacy laws and will only be used for the purposes explained in this protocol or to comply with the law. That means that privacy is protected as much as possible but e.g. people in charge of investigation most of the time will know or have to know some information linked to privacy.

Investigations will always have a strong emphasis on maintaining **confidentiality**. An investigation is conducted by professionally trained staff, in an independent, neutral fashion, protecting all people. In the investigation the GDPR (law on privacy) will be respected.

In short: confidentiality is about protecting privacy as much as possible but is not the same as 100% secret to everybody.

IS IT POSSIBLE TO REPORT ANONYMOUSLY?

There are two ways in which an anonymous report are possible:

- a direct report to the Integrity Advisor or to
- the External Whistleblowing Organisation.

However, your identity will only be known to the Integrity Advisor or to the External Whistleblowing Organisation. This is to prevent anyone from easily accusing anyone of anything.

In the reporting and investigation your identity will be protected and you will remain anonymous for others.

Anonymous reports are sometimes more difficult to follow up, please be aware that should it be not possible to resolve the issue without revealing the individual's identity we may not be able to fully and completely complete the investigation. Therefore, non-anonymous reports are encouraged.

Relevant to mention is the paragraph to come on "What if the protocol is misused?"

HOW WILL YOU BE PROTECTED WHEN YOU REPORT?

If you have a genuine concern and have a reasonable belief that misconduct has occurred or is happening, even if it is later discovered that you are mistaken, Solidaridad commits to protecting you from losing your job or from suffering any form of retribution as a result.

Retaliation against anyone reporting a genuine concern of misconduct through the various ways of reporting, or for cooperating with investigations into misconduct, is prohibited and may lead to disciplinary action against the person engaging in the retaliatory acts.

If you believe you are or have been subjected to retaliation as a result of your report, you must raise this through the reporting channels as described in this protocol.

We additionally commit ourselves to protect and support individuals affected by child abuse, sexual misconduct or other unwanted behaviour by facilitating any support you might need such as psychosocial, medical, legal, or security and place of safety support.

WHAT IF THIS PROTOCOL IS MISUSED?

Raising concerns must be done in good faith. "Good faith" does not mean that an individual has to be right. However the suspicion raised must not be of a malicious intent and the complainant must have an honest belief that the information provided is truthful. It is a violation of Solidaridad's Code of Conduct to fabricate false claims and doing so results in disciplinary measures.

When it becomes clear that a complaint is unfounded and was made maliciously, this results in disciplinary measures against the person who made the malicious complaint. However, no disciplinary measures will be taken against staff reporting a genuine concern that later proves to be mistaken or misguided.

WHAT TO DO IF YOU HAVE A CONCERN ABOUT THE FOLLOW-UP ON A REPORT?

If you believe that your concern – or a concern raised against you – has not been handled appropriately, you may address the Board of Directors or – in case the report concerns a member of the Board of Directors – the Chairperson of the International Supervisory Board of Solidaridad. Their names and contact information can be found here:

Chair of the International Supervisory Board:
ISBchair@solidaridadnetwork.org

If to the opinion of the complainant, the report was not handled satisfactory or when alternative external advice needed the following reporting option in the Netherlands is also available: Investigation Department of the Huis voor Klokkenluiders (House of Whistleblowers): <https://www.huisvoorklokkenluiders.nl/english>

DEFINITIONS AND RESOURCES

ACRONYMS

ED	Executive Director
FC	Financial Controller
FE	Fraud Examiner
GIC	Global Integrity Coordinator
IA	Integrity Advisor
ISB	International Supervisory Board
MD	Managing Director
NGO	Nongovernmental organization
PSEA	Protection against sexual exploitation and abuse
REC	Regional Expertise Center
SEA	Sexual Exploitation and Abuse

RESOURCES

- [Code of Conduct](#)
- [Responding to a report on an integrity breach](#)
- [How to conduct an investigation](#)

REC-LEVEL

- [Role Description Integrity Advisor](#)
- [Role Description Person of Trust](#)

NETWORK LEVEL

- [Role Description Global Integrity Coordinator](#)
- [Role Description Fraud Examiner](#)

