

INCIDENT PREVENTION AND MANAGEMENT POLICY

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Contents

Policy Principles.....	1
What is an Incident?	2
Safeguarding of Children and Vulnerable Groups	2
Anti-fraud, Anti-bribery and Anti-corruption	4
Anti-Money Laundering and Anti-terrorism Financing.....	6
Modern Slavery and Human Trafficking	7
Reporting an Incident (Whistleblowing)	8
Donor and Regulatory Reporting.....	9
Duties of Elrha Employees and Representatives.....	10

POLICY PRINCIPLES

The safety and wellbeing of those we work with is of paramount importance to us. This includes staff, governance groups, grantees and the people our grantees work with. We have a zero-tolerance approach towards all forms of unethical behaviour.

We also have a zero tolerance towards bribes, facilitation payments, tax evasion and money laundering. We will do all we can to prevent financing or the support of terrorist organisations and will not appoint or employ anyone that could reasonably be suspected to be connected to a terrorist group. We will abide by UK law in all matters including those related to modern slavery.

We require all staff, governance groups, grantees and other people we work to refrain from any practices that could be counter to the above policy principles.

We request all those we work with to immediately raise any concerns relating to our work or the work of the projects we fund, whether concerns are suspected or confirmed, and whether specific or general in nature. Concerns are termed “incidents” and a full definition of these can be found below.

Anyone raising a concern should do so with the confidence that we will deal with all concerns as swiftly and professionally as possible, and protect them from detriment as a result, to the fullest extent that we can.

We will fulfil our legal, contractual and regulatory requirements in reporting incidents to relevant bodies, and assist the relevant external agencies with any investigations to the fullest extent that we can.

We will examine the policies and procedures of all organisations we fund to ensure the principles of this policy also apply to them. Where necessary, we will include contractual

requirements for third parties to implement these principles. We may refuse to work with, or stop working with, any party that does not abide by these principles.

WHAT IS AN INCIDENT?

We regard an Incident as any actual or attempted:

- Acts of child abuse and exploitation, this includes physical abuse, neglect, emotional abuse, sexual abuse and wider exploitation (such as child labour and early marriage)
- Sexual misconduct
- Acts of modern slavery or human trafficking
- Acts causing harm or major detriment to a vulnerable group (as defined below)
- Acts of theft, fraud, bribery, money laundering, funding of terrorism, tax evasion and other forms of corrupt practice
- Instances where someone's health and safety is, or believed to be, in danger
- Any forms of illegal activities not covered above
- Undisclosed or emergent major conflicts of interest
- Attempts to cover up wrongdoing
- Data protection breaches

These include acts in relation to our direct work, as well as work funded by us.

Any concern or issue should be reported immediately to incidentreporting@elrha.org

The above list is not intended to be exhaustive; any concerns that fall outside these categories but have caused harm, or have the potential to cause harm, should be reported.

SAFEGUARDING OF CHILDREN AND VULNERABLE GROUPS

DEFINITIONS

A vulnerable group is any identifiable group of individuals that could be at higher risk of harm or exploitation or are less likely to be able to defend themselves from harm or exploitation that results from the actions of Elrha or anyone we work with.

These groups will depend on the context. They may include (but are not limited to):

- People within different age ranges, especially children (defined as anyone of 18 years and under) and older people (anyone over the age of 50)
- People of a particular gender and/or sexual orientation
- People with disabilities or illnesses
- People with particular religious beliefs, or none
- People with a particular ethnicity, nationality, or geographical background
- People with a particular marital status
- People who are pregnant, or have recently had or adopted children
- People with particular political views, including members of political organisations
- People who are carers for people classed as vulnerable

- People who are refugees, internally displaced persons, or affected by a humanitarian crisis
- People of a particular economic class, or members of a particular trade or profession

“Harm” includes:

- physical, mental or sexual abuse
- the denial of fundamental rights
- the loss of financial, physical, sentimental or cultural assets

“Exploitation” is the unjust or unethical use of a power relationship in order to benefit from that relationship.

“Child” means anyone under the higher of:

- the age of 18
- the age of consent in the relevant country

“Older Person” means anyone over the age of 50

RISK CONTEXT FOR ELRHA

Our work is dedicated to meeting the needs of people affected by humanitarian crises. Through our grant-making programmes, we fund grantees that will directly interact with vulnerable groups. By their nature, such projects take place in countries other than the UK, where we are headquartered.

Our employees may themselves encounter vulnerable groups when visiting projects. There may also be some interaction during conferences or events that we organise or attend.

POLICY STATEMENT

Elrha and those who work with us must not cause harm or allow harm to come to anyone who is a member of a vulnerable group through negligence.

PREVENTION WITH GRANTEES

When a grant is first awarded to a grantee, we will undertake a comprehensive due diligence assessment of the grantee. This will include a review of their safeguarding policies to ensure they meet the standard of this policy. If they do not, we may either refuse funding to the grantee, or make it a contractual condition that the grantee makes changes to their policy. Where a grantee is part of a consortium, we will also vet the policies of other partners in the consortium to the same standard.

We expect that a review of ethical considerations will form part of the assessment for each application by our Funding Committees. Grantees will be expected to include considerations and mitigations in the design of their projects. In particular, grantees must include time and resources to consult IRBs or other relevant ethical review committees – where permission for the project is refused on ethical grounds, we may withdraw support for the project.

We will make it a contractual obligation for grantees to inform us of any change in the leadership of a project, in consortium membership, or for any major change in the design in the project. We will repeat our checks when these types of changes occur, and may

recommend changes or withdraw support for the project if the results of these checks do not meet our standards.

We will make it a contractual obligation for all grantees to report incidents. We will protect whistleblowers from within grantee organisations or from the wider community under the Whistleblowing section (see below).

PREVENTION WITH EMPLOYEES

We will use the Disclosure and Barring Service (DBS) standard disclosure to vet all new employees in the UK for potential safeguarding risks (or similar services in the relevant countries if we employ people abroad). We will refuse employment to those deemed a risk to vulnerable groups.

We discourage those who may pose a safeguarding risk from applying for a role with us by including the following statement on all recruitment adverts:

We are committed to the safeguarding and protection of children and vulnerable people in our work. We will do everything possible to ensure that only those who are suitable to work with children and vulnerable people are recruited to work for us. This post is subject to a range of vetting checks including a criminal records disclosure.

When employees visit projects, we will ensure wherever possible that the visit is not conducted alone. The itinerary for any trip must be agreed beforehand, and must not include a point where an Elrha employee is alone with a member of a vulnerable group

Elrha employees will undergo regular safeguarding training, currently provided by SCUUK.

ANTI-FRAUD, ANTI-BRIBERY AND ANTI-CORRUPTION

DEFINITIONS

“Fraud” is any act of deception intended for personal gain or to cause loss to another party (even if there is no actual gain or loss).

“Theft” is dishonestly taking or appropriating any item of property that belongs to another.

“Bribery and Corruption” is the offering, giving, receiving or soliciting a financial or other advantage in connection with the performance of a position of trust or a function that is expected to be performed impartially or in good faith. It includes:

- ‘facilitation payments’ (e.g. small unofficial payments demanded by low-level officials to secure or expedite the performance of a routine or necessary action)
- the giving or receiving of gifts and hospitality if used as a reward, inducement or encouragement for preferential treatment, or inappropriate or dishonest conduct.

“Facilitating Tax Evasion” is deliberately and dishonestly assisting another person or organisation to evade any tax that they are legally required to pay anywhere in the world. As well as being a criminal offence in the UK for those evading the tax and those assisting them, organisations whose staff or representatives facilitate tax evasion may also be guilty of a criminal offence.

RISK CONTEXT FOR ELRHA

Our grantees may be, or work with, governmental organisations, which may require particular processes to be followed. There may be temptations to use our funds to facilitate those processes. Alternatively, such organisations may be under the control of politically exposed persons who may be influenced to divert public money inappropriately. Further to this, there could be a range of other circumstances in which our grantees may accept bribes or commit fraud.

We may partner with, or use as a supplier, organisations or individuals that wish to avoid tax on the profit of goods and services we pay for.

Internally, our employees and representatives may use funds for purposes other than those agreed with our donors. They may also be offered inappropriate gifts and hospitality in an attempt to sway procurement or funding decisions in favour of the gifter.

POLICY STATEMENT

Elrha and those who work with us must not give, accept, offer or solicit bribes or facilitation payments.

Elrha and those who work with us must not accept any gifts or hospitality unless they are freely given with no expectation of gain on behalf of the giver, and there is no potential to damage Elrha's reputation if it were accepted.

Elrha will not make payments on behalf of grantees if it thinks that such a payment could be construed as a gift, bribe or facilitation payment.

Elrha will not assist any person or organisation to evade tax legally payable anywhere in the world.

PREVENTION WITH GRANTEES

As part of our due diligence process, we will vet the key personnel within grantee organisations (and their partners where they form part of a consortium) to assess the risk of funds coming under the control of politically exposed persons. We will review the anti-fraud and anti-corruption policies of our grantees to ensure they meet the standard of this policy. If they do not, we may either refuse funding to the grantee, or make it a contractual condition that the grantee makes changes to their policy.

We will make it a contractual condition for all grantees not to use funds other than as agreed, and specifically not to use funds for gifts. If grantees need to change any aspect of how they use our funds during the course of a project, they must formally request this. We may refuse permission if it feels there is a reasonable chance that our funds may be diverted or used inappropriately.

PREVENTION INTERNALLY

All Board members, members of advisory groups and funding committees, and all employees, must disclose any potential conflicts of interest at their appointment, and register new ones as they emerge. During the course of their work, all Elrha representatives are expected to state when a topic they are discussing relates to a conflict of interest, and

excuse themselves from any decision that may involve the expenditure of Elrha's resources. We maintain a Conflicts of Interest register.

If any Elrha representative is offered a gift or hospitality, they must ensure these are freely given with no expectation of gain on behalf of the giver, and there is no potential to damage Elrha's reputation if it were accepted. Only if both conditions are met can it be accepted. If so, all gifts and hospitality must be reported to incidentreporting@elrha.org where they will be logged in case of future queries.

We will maintain a delegation of financial authority that ensures any expenditure is properly authorised. It will maintain a financial manual that will detail processes that ensure appropriate separations of duties when payments are processed. We will ensure that those with significant financial control hold relevant and valid financial qualifications.

Elrha employees will undergo regular Anti-fraud, Anti-bribery and Anti-corruption training.

Elrha's Board of Trustees will review safeguarding policy and practice annually and make recommendations for any improvements.

ANTI-MONEY LAUNDERING AND ANTI-TERRORISM FINANCING

DEFINITIONS

"Money Laundering" is an action aimed at concealing the identity, source or destination of the proceeds of crime or other illicitly-obtained money.

"Terrorist financing" can occur where:

- Funds or assets are transferred for the benefit of a terrorist group
- A terrorist group seizes funds or assets by force

RISK CONTEXT FOR ELRHA

In projects we fund, assets may be diverted or seized by terrorist groups operating near the project location.

POLICY STATEMENT

Elrha will not allow another organisation to use Elrha's bank accounts to channel funds on their behalf, except where this is us implementing grant funding calls using funds from vetted donors.

Elrha will not support any terrorist group. Elrha will not:

- Arrange meetings that encourage support for any terrorist group
- Make any direct or indirect payment or asset transfers to anyone we should reasonably suspect is connected to terrorism, even if they are locally in a position of authority
- Appoint or employ anyone that could reasonably be suspected to be connected to a terrorist group

PREVENTION WITH GRANTEES

We will vet employees, those holding oversight positions, and major contractual partners (including our grantees) to ensure those we are working with are not:

- A money-laundering risk (e.g., a politically exposed person with the ability to divert public funds)
- Sanctioned individuals or organisations
- Listed on terrorist watch-lists

We will insist that its grantees also vet their partners, major suppliers, etc, to the same standard when our funds are being passed on.

We will undertake a comprehensive risk assessment before starting work in, or partnering with organisations or individuals in, a high terrorism risk country.

PREVENTION INTERNALLY

Elrha employees should report any instances of individuals or organisations who wish to make donations or other payments to us in unusual circumstances or with unusual conditions attached. These could include:

- Unsolicited loans
- Grants or donations that are expected to be returned, at least in part, at a later date
- Grants or donations for a specific project where the donor insists on a particular implementing partner or supplier
- Monies given on condition that the donor gains some benefit from the donation or the project being funded
- Organisations treating Elrha's bank account as a conduit (e.g., money to be held by Elrha on behalf of another organisation and then either returned to the organisation or passed to another)
- Where we can reasonably believe that funds represent the proceeds of crime

Elrha employees should not proceed with any transaction that appears suspicious unless given permission to do so from the incident management team.

MODERN SLAVERY AND HUMAN TRAFFICKING

DEFINITIONS

Modern slavery is defined by UK law to cover four activities:

- Slavery – Exercising powers of ownership over a person
- Servitude – Imposing an obligation to provide services through coercion
- Forced or Compulsory Labour – Exacting work or services under menace of a penalty, for which the person has not offered themselves voluntarily
- Human Trafficking – Arranging or facilitating the travel of another person with a view to their exploitation

The following activities are defined by (and prohibited by) UK law:

- 'Chattel slavery', in which one person owns another person.

- 'Bonded labour' or 'debt bondage', which is when a person's work is the security for a debt – effectively the person is on 'a long lease' which they cannot bring to an end, and so cannot leave their 'employer'. Often the conditions of employment can be such that the labourer can't pay off their debt and is stuck for life, because of low wages, deductions for food and lodging, and high interest rates.
- 'Serfdom', which is when a person has to live and work for another on the other's land.
- Other forms of forced labour, such as when passports are confiscated (sometimes by unscrupulous recruitment agencies) from migrant workers to keep them in bondage, or when a worker is 'kept in captivity' as a domestic servant. If a supplier or contractor appears to impose excessively harsh working conditions, or excessively poor wages, then you should always be alive to the possibility that a form of forced labour is occurring, and take care with your due diligence.
- 'Child slavery', which is the transfer of a young person (under 18) to another person so that the young person can be exploited. Child labour may, in fact, be a form of child slavery, and should not be tolerated. See the Save the Children Child Safeguarding Policy for further details.
- 'Marital and sexual slavery', including forced marriage, the purchase of women for marriage, forced prostitution, or other sexual exploitation of individuals through the use or threat of force or other penalty.

RISK CONTEXT FOR ELRHA

Our grantees may encounter modern slavery or human trafficking in the locations their projects are operating in.

PREVENTION WITH GRANTEES

We will ensure that grantees have a contractual obligation to report suspected incidents of modern slavery or human trafficking that they encounter during the course of their projects.

REPORTING AN INCIDENT (WHISTLEBLOWING)

Any concern or issue should be reported immediately to incidentreporting@elrha.org

DEFINITION OF A WHISTLEBLOWER

A whistleblower is anyone who reports a suspicion of an incident to Elrha. This is therefore not limited to Elrha employees.

PROTECTION OF WHISTLEBLOWERS' CONFIDENTIALITY

We will protect the confidentiality of whistleblowers and prevent them from harm or detriment as a result of their report as much as it is in our powers to do so.

Any concerns or issues can be reported anonymously if the whistleblower feels this is the best course of action. We will respect their anonymity as best we can, however, any investigations may be at a disadvantage if we are unable to contact the whistleblower to discuss their concerns.

TREATING ALL REPORTS SERIOUSLY

Our policy is to treat all reports of incidents with the utmost seriousness and will respond to reports as soon as it is practicable to do so. This is normally within two working days of receiving a concern.

WHAT WHISTLEBLOWERS CAN EXPECT

We will acknowledge the report and may also request further information, if an investigation is appropriate. We cannot state exactly how long any investigation may take, as this will be determined by the context of the incident, but we will keep the whistleblower informed of progress as much as we are able to do so.

During the course of any investigation, it may not be possible to keep details entirely confidential, as we have legal duties to inform our donors and regulatory agencies of some types of incident. When this occurs, we will inform the whistleblower in advance, where we are allowed to do so, and work with them to prevent any harm or detriment.

During any investigation, it may not be possible to share all details that the investigation uncovers, however, we will keep the whistleblower informed of progress as much as we can.

Once any investigation is complete, we will inform the whistleblower of the result of the investigation and any resulting actions. If the whistleblower is not content, we will explain how to appeal, and how to escalate the issue to any relevant regulatory body.

PROTECTION OF INTERNAL WHISTLEBLOWERS

We will protect any employee that report an incident, even if their suspicion turns out later to be false, as long as they had a genuine belief that the suspicion could be true. Employees will not be victimised in the workplace or suffer any detriment to their appraisals or career prospects. However, we do consider the malicious reporting of a suspicion that is known to be false from the start to be a disciplinary offence.

DONOR AND REGULATORY REPORTING

We will inform donors of any safeguarding incident we are aware of that uses their funds. We will also inform them of any incident of fraud, theft, bribery or corruption, or terrorist financing, that uses their funds, whether or not a financial loss is incurred.

For grantee projects funded from multiple donors, all donors to the project will be informed of relevant incidents. We will also inform our Board of Trustees.

In addition, we have a duty to inform the Charity Commission of any confirmed safeguarding incidents and any financial incidents that result in a financial loss.

We will also inform the police in the UK, and any relevant authority in the relevant operating country, where we believe an incident constitutes a crime.

We will inform SCUUK's incident reporting team of incidents where SCUUK holds the donor contract, in line with agreed ways of working.

Elrha's Head of Finance will be responsible for all reporting to donors, regulatory authorities and police for any incidents, and assisting in their investigations. Should any incident involve the Head of Finance, the CEO or Board may appoint an alternative person to be responsible.

DUTIES OF ELRHA EMPLOYEES AND REPRESENTATIVES

We expect all our employees, governance groups and those we ask to represent us, to:

GENERAL DUTIES

- Behave in an honest and ethical manner at all times whilst representing Elrha or carrying work on behalf of Elrha. This includes a duty to avoid situations which may lead to their behaviour being misinterpreted as dishonest or unethical.
- Report all incidents, or the suspicion of incidents, immediately to incidentreporting@elrha.org
- Cooperate with any investigation undertaken by us or any external party into an incident, including preserving any relevant records and maintaining confidentiality

TIPPING OFF

- Not disclose suspicions of an illegal act, or the reporting of an illegal act, to the potential perpetrator, or to someone who could reasonably be expected to pass information to the perpetrator. Doing so may prejudice an investigation, and could potentially be a criminal offence in the UK.

FINANCIAL PROBITY

- Report any gifts and hospitality to incidentreporting@elrha.org so that they can be logged to prove our probity at a later date.
- Declare any potential conflicts of interest that might leave them open to suspicion of corruption incidentreporting@elrha.org

DUTIES SPECIFICALLY FOR ELRHA EMPLOYEES

- Undertake relevant SCUUK or Elrha training when requested to do so
- Not to harass, bully or victimise any other employee who has reported an incident, even if their suspicion is later found to be false.