

# Corporate policy on positive business, ethics and conduct

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# 1 Introduction: Why we have a corporate policy on positive business, ethics and conduct

CGA's objective, or intended impact, is the alleviation of poverty and promotion of human development, both broadly defined, and focusing on the greatest needs.

To that end, we are committed that our work should help not harm, deliver for the poor, and for those (donors and others) who wish to support them, that it should provide both groups the best possible value for money, and that we should discharge our fiduciary duty to both groups.

We are committed to run an ethical business, with integrity and transparency. It is logical that we do so since we work to help governments and others organise themselves this way. This commitment ensures that we serve best the interests of our own business, staff, clients, as well as the society and government where we serve.

To that end, CGA is committed to an exemplary standard of Positive Business, Ethics and Conduct, set out in this Corporate Policy, which is reviewed annually by the CGA Board. All CGA staff and consultants commit to this when they sign a contract, and, from April 2018 onwards, will be asked to record their recommitment annually.

## 1.1 Positive business: Guiding Principles and Core Standards

This policy is deliberately entitled Positive Business, Ethics and Conduct, because it is intended to set out our standards of behaviour and engagement, rather than merely a list of prohibitions.

### **Focus on the poor**

CGA's objective, or intended impact, is the alleviation of poverty and promotion of human development, both broadly defined, and focusing on the greatest needs.

To that end, we are committed that our work should help not harm and should deliver for the poor and most vulnerable. We only take assignments that we believe will contribute to poverty reduction. And what we do, how we do it, and how our team behave and are perceived when they are in a given location are all of concern.

### **Safeguarding and Protection**

- Our priority is the wellbeing of those communities we work within and our colleagues conducting that work.
- We treat safeguarding very seriously; as with all positive business, ethics and conduct issues, we take a zero tolerance approach: see section below on how we use that approach to drive good conduct, and comprehensive reporting

### **Client service**

- We strive to improve value for money for the poor, and for our clients
- We serve our clients properly, and keep reasonable confidences when requested to do so (except when it is a legal requirement to disclose)
- We would not take a government as a client that HM Government does not regard as friendly
- We disclose, and manage, any perceived or actual conflict of interest as soon as it arises

### **Clean business**

- We don't pay bribes to win business
- We don't do unusual hospitality or expenses to win business
- We don't pay facilitation fees
- We do occasionally offer proportionate hospitality – e.g. take our share of buying dinner, pay travel and subsistence expenses to government staff when it is necessary and permissible to do so as part of delivering a programme
- We understand the cases in which the Common Law justification of acts to “preserve life and liberty” applies
- We have zero tolerance for behaviour that is fraudulent, corrupt, unethical or otherwise contravenes this policy
- We immediately report any incidents of potential or actual fraud or corruption, and any near-misses, internally, and to the client and/or donor
- We follow up fully on all incidents of fraud or corruption

### **Integrity and transparency**

- We keep honest accounting
- We pay legitimate taxes in the UK and the countries we work in, as applicable
- We are open and transparent
- We have a ‘no blame’ culture where reports are promptly, fully, and honestly made, for both incidents and near-misses

### **How we treat colleagues**

- We work on the basis of performance, and potential, not on the basis of irrelevant matters. This means that, consistent with UK law, we do not discriminate against anyone because of age, disability, gender, marriage/civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation
- We support good labour practice, and responsible supply chain management (including to prevent human trafficking and slavery)

## 2 Structure and application

### 2.2 Structure

The Positive Business, Ethics and Conduct policy document contains our policies for the following areas:

- Corporate integrity:
  - Conflict of Interest
  - Anti-fraud and anti-corruption
  - Value for Money
  - Recruitment and Equalities
- Safeguarding and protection, including policies for the prevention of:
  - preventing sexual abuse, exploitation, and harassment (PSEAH) Compliance with how we comply with the Modern Slavery Act 2015
  - Protecting children and vulnerable people
  - bullying and harassment;

Other conduct:

(Local) Environment

- Intoxicating substances policy
- Health, Safety and Security (Operational Security is dealt with in separate Country Operational Security Strategies)
- Crosscutting: Zero tolerance and Reporting

#### 2.2.1 Policies PBEC in compliance with

We are required to abide by the latest edition of DFID's Supply Partner Code of Conduct, and DFID's Statement of Priorities and Expectations (SOPE)<sup>i</sup> for all DFID work, and we have chosen to make this the baseline for all our work, irrespective of client, and including pro bono. Standing links to the latest edition of these policies are here, and are an integral part of this policy:

<https://www.gov.uk/government/publications/dfid-statement-of-priorities-and-expectations-for-suppliers>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/649112/DFID-Supply-Partner-Code-Conduct.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/649112/DFID-Supply-Partner-Code-Conduct.pdf)

This Statement “sets out a single set of expectations that DFID has of external organisations with which it works, alongside standard elements of good practice”, against five key areas. The Statement sets out the ways in which partners are expected to:

1. Act responsibly and with integrity

<sup>i</sup> With the release of the Supply Partner Code of Conduct, DFID has not communicated that it has replaced the SOPE; the Code of Conduct will be referenced as the document that supersedes

2. Demonstrate commitment to poverty reduction and DFID priorities, including work in fragile and conflict affected states, recognition of human rights, focus on girls and women, youth engagement, climate change and wealth creation
3. Be transparent and accountable
4. Demonstrate commitment to wider HMG priorities; and
5. Seek to improve value for money.

The last is important to note: it is not sufficient to be compliant, we are committed to maximising value for money and development outcomes.

Our PBEC further builds on, and is compliant with:

- Bribery Act 2010
- US Foreign Corrupt Practices Act
- OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions
- UK Equality Act 2010
- UN Global Compact
- ILO Ethical Trading Initiative Base Code
- UK Modern Slavery Act 2015
- Core Humanitarian Standards (SPHERE)
- Operations Manual
- Security Documentation for countries they work in

## 2.3 Application

### 2.3.1 Who this policy applies to, and when

This policy and its successors apply to all CGA staff, associates, sub-contractors or other company representatives [described hereafter as ‘colleagues’] working for or representing CGA in any country of work and on any project; a summary clause is included in all our contracts for this purpose. It applies to circumstances in which colleagues could be reasonably perceived as representing the company: this can include both on- and off-duty time in countries in which we work.

Where we subcontract other organisations, their colleagues working for and with us must abide by this policy. As and when we have new contractor or supplier partners begin work with us we will pre-qualify any new firm through a series of due diligence steps, relating to company performance, compliance, and references.

Where others work or travel with us – as for example when host government or client staff are co-located or travel with CGA colleagues, or are funded by us to travel for a project, we expect them to abide by this policy.

CGA colleagues should report any behaviour, by any of these groups, which doesn’t match this policy to their line manager, country manager or safeguarding focal point, as per section 4.1.

### 2.3.1.1 **CGA Personal Disclosure**

All CGA Colleagues will be asked to sign a personal disclosure form to confirm they have not committed any offence, been convicted of any offence, are not subject to any disciplinary sanction, relating to children or vulnerable adults, and have not committed any act that would count as a breach of this policy. They are also asked to confirm that they will comply with this policy. All subcontractor organisations will be made aware of our policy and asked to provide a copy of their own. If they do not have their own, or it does not meet our standards, they will be asked to conform to ours.

For colleagues who are nationals of residents from countries that offer a disclosure and barring service (formerly known in the UK as Criminal Records Bureau check) CGA asks them to obtain the relevant paperwork every three years, at the company's expense. A full initial pass was conducted in 2016 for historical colleagues and, since then, this is done individually for all new colleagues as they join, and serving colleagues are asked to renew their clearances every three years.

### 2.3.1.2 **CGA Contractual Obligation**

Colleagues will abide by the Company's standard on ethics which includes - where and when applicable, recognising children and vulnerable people's protection, whereby colleagues are obligated to at least report, and as far as possible to limit or eliminate situations where physical or emotional abuse, or other forms of maltreatment of children and vulnerable people can occur. Any concerns - actual or potential - should be reported to senior staff - either the country manager or safeguarding focal point.

### 2.3.2 **Definitions**

Please see Annex 1 for full definitions.

### 2.3.3 **Policy Awareness, oversight and maintaining compliance**

Colleagues will be made aware of standards of behaviour expected of them on any contract. In addition to requiring signature to confirm commitment to the current Positive Business, Ethics and Conduct Policy, CGA will provide access to the policies outlined in s2.2.1 in our All Staff Google drive.

As set out above, colleagues must confirm acceptance and understanding of this policy on joining, and on a yearly cycle thereafter. A yearly round of trainings will be offered.

### 2.3.4 **The safeguarding focal point is specifically trained to enable them to discharge this role. Review and updating**

The CGA Board sets this policy and reviews this annually, or more regularly as needed.

Senior Management may approve further language on policies related to ethics, anti-corruption, anti-discrimination, bribery, conflict of interest, and/or child and vulnerable adults' protection (including human slavery and trafficking), bullying, harassment, abuse and exploitation, drugs and alcohol, health, environment, safety and security, as related to specific project and/or clients.



## 3 Detailed Policies

### 3.1 Corporate Integrity Policy

#### 3.1.1 Guiding principles

Clean business

- We don't pay bribes to win business
- We don't offer unusual hospitality or expenses to win business
- We don't pay facilitation fees
- We do occasionally offer proportionate hospitality – e.g. take our share of buying dinner, pay travel and subsistence expenses to government staff when it is necessary and permissible to do so as part of delivering a programme
- We understand the cases in which the Common Law justification of acts to “preserve life and liberty” applies
- We have zero tolerance for behaviour that is fraudulent, corrupt, unethical or otherwise contravenes this policy
- We immediately report any incidents of potential or actual fraud or corruption, and any near-misses, internally, and to the client and/or donor
- We follow up fully on all incidents of fraud or corruption

Integrity and transparency

- We keep honest accounting
- We pay legitimate taxes in the UK and the countries we work in, as applicable
- We are open and transparent
- We have a ‘no blame’ culture where reports are promptly, fully, and honestly made, for both incidents and near-misses

#### 3.1.2 Conflict of Interest

Colleagues must disclose, and manage, any known, potential, perceived, reasonably perceivable, or actual conflict of interest in any present or future task as soon as it arises, specifically including:

- Related-party
  - Family
  - Self-review
- Situations where the company could be considered to have an unfair advantage, or improperly be on ‘both sides of a transaction’

A Conflict of Interest (COI) ‘register’ will be kept by CGA’s Back Office Manager for colleagues across the company who should disclose in writing to the Country Coordinator and Back Office Manager if and when potential COI arises. For relevant senior staff with familial relationships that could be perceived as a potential COI, CGA may publish standing disclosures on its website. A standing register of interests for Directors and senior colleagues is being established.

In cases where there is a COI (perceived or actual) in our recruitment, we will address this by ensuring it is:

- Disclosed to all relevant parties;
- Discussed in terms of its nature and potential scope, and;
- Mitigated by taking all action agreed necessary

In any case of doubt, recourse should be to Country Coordinators, Project Directors, or the Managing Director.

### 3.1.3 **Anti-fraud and anti-corruption**

Colleagues must comply with all applicable laws, rules, and regulations including but not limited to the DFID Statement of Priorities and Expectation, UK Bribery Act 2010, the US Foreign Corrupt Practices Act, relevant local legislation, and where appropriate, the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.

Detailed arrangements to provide positive assurance are set out in the company's Operational Manual and Country Operational Notes, including but not limited to:

- Timesheets
- Expenses
- Procurement
- Project value amounts (transfers, grants etc)

Details on reporting arrangements are provided at section 4 below.

### 3.1.4 **Value for Money**

We are committed to seeking to maximise development impact and value for money.

Colleagues must take care to ensure that their actions are consistent with this policy, with the DFID Statement of Priorities and Expectations (irrespective of donor/funder) and with the donor/funder's requirements on Value for Money. Where there is a difference of requirement, the higher bar will be deemed to prevail.

Only colleagues who have assigned commercial responsibilities may engage on external commercial matters: see detailed arrangements set out in the company's Operations Manual.

In relation to reasonable reward, rent-seeking behaviour, and the seeking of 'ransom strips' is specifically forbidden. Our 'technology approach' published on our website sets out ways in which we ensure that we seek only reasonable reward for the development and support of technology materials and systems.

We are honest about what work we can and can't handle (e.g. we don't staff people that can't do the job to the required standard), and charge prices that are transparently set, and regularly benchmarked.

### 3.1.5 **Recruitment and Equalities**

We work only on the basis of performance, and potential. We recruit against objective criteria. We comply with applicable UK and host country Equalities legislation, including the UK Equality Act of 2010. This means we do not discriminate against anyone because of age, disability, gender, marriage/civil

partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation or socio-economic status. Where there is a conflict of laws in this or any other respect, UK law will be deemed to prevail.

We also endeavour to foster an inclusive workplace culture and actively seek to achieve diversity through our recruitment and management practices, specifically in terms of:

- A team in which the communities in which we work are well represented
- Specific opportunities for young people to progress in international development work, and for people from the Global South to work in international development in and beyond their own countries

In cases where there may be a COI (perceived or actual) in our recruitment, we will address this by ensuring it is:

- Disclosed to all relevant parties;
- Discussed in terms of its nature and potential scope, and;  
Mitigated by taking all action agreed necessary

#### 3.1.5.1 **Safeguarding and recruitment**

*Please see section 4.5.2.*

## 3.2 Safeguarding and Protection Policy

CGA recognises the general distinction between Safeguarding and Protection, reflected in both the source of the risk and how we might respond to any concerns we become aware of (please see section 4).

However, the responsibilities of our colleagues to comply with expected standards and uphold key principles remains. As previously stated, this applies whether during working hours, or not.

Principles and standards

- All people should be treated with care, respect and dignity. This responsibility is particularly heightened when applied to children and vulnerable adults.
- Those working for CGA in a given country should expect to be perceived as representing the company, whether in work hours or not.
- Employees should act responsibly with regard to any physical contact with children and vulnerable adults.

### 3.2.1 Safeguarding

We are committed to ensuring that our work should deliver for the communities we work with, and for those (donors and others) who wish to support them. As such, it is crucial that *our work* and *our colleagues* **do no harm** to anyone, either colleagues, direct beneficiaries or the communities we work within more broadly.

In the course of our work (paid and pro bono), in situations where the SPHERE standards apply, they prevail. In particular, this means the Humanitarian Charter, Minimum Standards in Humanitarian Response<sup>ii</sup>, and Protection Principles.

Overview of Sphere standards applicable to CGA’s work in humanitarian contexts		
Core Standards	Humanitarian Charter	Protection Principles
<ul style="list-style-type: none"> <li>• People-centred humanitarian response</li> <li>• Coordination and collaboration</li> <li>• Assessment</li> <li>• Design and response</li> </ul>	<ul style="list-style-type: none"> <li>• The ethical and legal backdrop to the Protection Principles and the Core and minimum standards that follow in the Handbook. It is in part a statement of established legal rights and obligations; in</li> </ul>	<ul style="list-style-type: none"> <li>• Avoiding exposing people to further harm as a result of your actions</li> <li>• Ensure people’s access to impartial assistance – in proportion to need and without discrimination</li> <li>• Protect people from physical and psychological harm arising from violence and coercion</li> </ul>

<sup>ii</sup> <http://www.spherehandbook.org/>

<ul style="list-style-type: none"> <li>• Performance, transparency and learning</li> <li>• Aid worker performance</li> </ul>	<p>part a statement of shared belief.</p>	<ul style="list-style-type: none"> <li>• Assist people to claim their rights, access available remedies and recover from the effects of abuse</li> </ul>
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Although CGA is not, strictly defined, a humanitarian agency, much of our work is conducted in conflict-affected and/or fragile states. Even in development contexts, poverty and vulnerability are closely linked. As such, these standards underpin our work in all contexts.

In all our work, CGA colleagues are expected to work in a safe and ethical manner that embodies the humanitarian imperative Do No Harm. This includes respecting the ethical principles of confidentiality and informed consent, especially when interacting with communities and beneficiaries at the household level. Colleagues must avoid raising expectations unduly when interacting with beneficiaries and stakeholders, and prevent any harm that might be due to participation in our projects.

### 3.2.1.1 **Staff responsibilities:**

Colleagues are obliged to:

- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy
- Prioritise the safety and wellbeing of a child or vulnerable adult (C&VA).
- Obtain and record appropriate consent for work with children or vulnerable adults - from parents, guardians, teachers, carers etc, and from the children or vulnerable adults themselves, and with specific consent for the particular engagement, and use of any information, proposed. Specifically do so with regard to materials for external use in which children or vulnerable adults could reasonably be individually identified. Comply with GDPR.
- Listen and show respect to children and vulnerable people.
- Report any concerns as per section 4.

Colleagues must not:

- Engage in sexual activity with anyone under the age of 18
- Sexually abuse or exploit children
- Subject a child to physical, emotional or psychological abuse, or neglect
- Engage in any commercially exploitative activities with children including child labour or trafficking
- Sexually abuse or exploit vulnerable adults
- Subject a vulnerable adult to physical, emotional or psychological abuse, or neglect
- Exchange money, employment, goods or services for sexual activity. This includes any exchange of assistance that is due to beneficiaries of assistance
- Engage in any sexual relationships with beneficiaries of assistance, since they are based on inherently unequal power dynamics

- assume sole responsibility for a child or vulnerable adult when on company work.
- take on practical caring responsibilities, for example, taking a C&VA to the toilet, unless there is an emergency.
- give out personal contact details to a child or vulnerable person unless it is for the purpose of their contribution to a project, and after gaining permission from them and their parent/ guardian.
- have a telephone conversation with a child without their parent/ guardian/ teacher being present with the child.
- lose sight of the fact that they are with children or vulnerable people – they will behave appropriately and use appropriate language at all times.
- convey favouritism, and treat children, young and vulnerable people fairly and without prejudice or discrimination.
- develop inappropriate relationships with children, young people or vulnerable adults.

### 3.2.2 Protection of children and vulnerable people

In the normal day-to-day duties of colleagues there is limited contact with these groups. However, recognising that working in the education, health and social protection sectors can entail visits to schools and health facilities, that our pro-bono work may take us into schools and other places where young or vulnerable people are, and that a wide range of situations can arise working in post-conflict and emerging countries, this policy for the protection of children and vulnerable adults has been put in place.

Colleagues must take all reasonable steps to support the protection of children and vulnerable people, to recognise child and vulnerable people's protection, and seek to limit or eliminate situations where physical or emotional abuse, or other forms of maltreatment of children and vulnerable people can occur. This applies where the concern is one of protection, as differentiated from safeguarding, where the risk posed to a child or vulnerable person stems from a third party.

Where the safety of children and vulnerable adults is concerned, CGA will ensure that associates and sub-contractors are alert to signs of abuse and aware of their responsibility and the procedure to internally report suspected or known instances.

Any protection concerns (actual or perceived) should be raised through the stipulated reporting chain, considering any relevant in-country referral pathways or requirement to notify national authorities (*see Section 3*).

### 3.2.3 Prevention of sexual exploitation, abuse & harassment (PSEAH)

- Section 3.2.1 on Safeguarding encompasses the prevention of sexual exploitation, abuse and harassment.
- However, for the avoidance of doubt, we do not allow colleagues to sexual exploit, abuse or harass anyone. (*Please see Annex 1 for detailed definitions of these terms.*)
- For the avoidance of doubt, we do not tolerate colleagues seeking or engaging in transactional sex, i.e. sex in return for money, goods or other economic

benefit, particularly in contexts and situations where there is an imbalance of power.

- We do not allow sexual relationships between our staff and people assisted or to be assisted since they are based on inherently unequal power.
- Further, any sexual/ intimate partner relationships between colleagues should be reported both to the relevant country coordinator and the safeguarding point of contact. This is because:
  - i) a relationship between two colleagues in line of management, or of significantly different grade, may be based on imbalance of power, and/or create a conflict of interest. In these situations, the responsibility lies with the senior colleague to report, although management will discuss this with the junior colleague separately to ensure that nothing that could constitute harassment, bullying, exploitation or abuse has taken place, and to address any possible conflict of interest.

#### 3.2.4 **Anti-bullying and harassment**

Colleagues are expected to behave and communicate demonstrating mutual respect, in terms of content and expression (whether written or spoken), both internally and externally.

Bullying and harassment is “behaviour that makes someone feel intimidated or offended”, according to the UK Government’s definition.<sup>iii</sup> If this behaviour is linked to a person’s identity, then this can constitute harassment which is illegal under the Equality Act 2010. We abide by the 2010 Equality Act.

We do not tolerate bullying, harassment, exploitation or abuse of anyone by any of our colleagues, within or outside of working hours.

#### 3.2.5 **Responsible conduct**

- Colleagues are expected to work without being under the influence of intoxicating substances not prescribed or which otherwise impede their ability to carry out their duties to an acceptable professional standard.

#### 3.2.6 **(Local) Environment**

- CGA appreciates the importance of protecting the local environment where we work.
- Wherever possible, CGA will adopt a ‘Do No Harm’ approach while aiming to have a positive impact on the surrounding environment. This will include taking practical steps to minimise waste and limit pollution, e.g. through reusing and recycling and using the least damaging methods of waste disposal, and obtaining power and water available and practical
- Colleagues are expected as much as possible to follow suit.

<sup>iii</sup> <https://www.gov.uk/workplace-bullying-and-harassment>

## 3.3 Crosscutting: Zero tolerance and reporting

### 3.3.1 Zero tolerance

Zero tolerance means that we report and follow up every incident that is not, appears not to be, or is reasonably believed not to be, compatible with our ethics and conduct policy.

The logic of a 'zero tolerance' approach is that:

- What gets measured, gets managed
- Prompt follow-up of any smaller incidents stops problematic behaviours or approaches before they become bigger
- The open and comprehensive approach creates better understanding of what problematic behaviours and approaches are

An unintended consequence of zero tolerance approaches can be a reluctance to report. We therefore apply 'no blame' culture where reports are promptly, fully, and honestly made, for both incidents and near-misses. The company seeks to provide a structured and comprehensive process to receive and follow up on reports to allow them to be handled fairly; this is intended to provide a positive incentive to report (please see section 4.3)

### 3.3.2 Reporting

Our approach to reporting is based on: Driving senior visibility of, and action on, issues at an early stage

Ensuring no-one can obstruct or delay visibility and action. This includes enabling those within and beyond the organisation to have direct access above the executive management of the organisation, to the non-executive Chair of the Audit Committee, who is able to draw on the advice of the specialist resources of the owning group, Corus International, and their full-time Director of Integrity and Ethics, who can advise or lead investigations and source specialist independent resource as required

All reports, at whatever level they have been made, are tracked so as to be visible to the Chair of the Audit Committee and his advisers. The Chair of the Audit Committee must be made aware of all reports within the working day they are received.



## 4 Addressing incidences: Reporting, Response, and mitigation of risk

Every incident that is not, appears not to be, or is suspected not to be, compatible with our ethics and conduct policy, is to be reported internally and, where appropriate, externally to national authorities in, as relevant, host, sending and funding countries. If there is any conflict between UK and host-country laws, UK law will be deemed to prevail and determine reporting. As set out above, the non-executive chair of our Audit Committee has full visibility of all reports made, and follow-up action, and is directly accessible for reporters from outside the organisation.

By default, we inform funders of any incident relating to their funds. By default, as a supplier organisation de facto 'regulated' by DFID, we report unresolved incidents to the DFID "reporting concerns" email address.

### 4.1 Roles and responsibilities

#### 4.1.1 Corporate Integrity

#### 4.1.2 Fraud and Corruption

Consistent with DFID practice, we consider a broad range of matters reportable in terms of fraud and corruption. Specifically, these include actual, attempted, or suspected:

- Bribery
- Facilitation payments
- Kickbacks
- Results fraud
- Exchange rate fraud
- Procurement fraud
- Failure by international development actors to take reasonable steps to maximise VfM, as required by DFID Supplier Code (NB that while some international donors do not make this a requirement, DFID does, and we will consider any observed breach reportable to the funder in question and to DFID)
- Inappropriate behaviour with regard to Intellectual and Physical Property funded by international development sources
- Obstruction of legitimate public sector reform

In the case of a potential compliance problem, CGA staff and associates should raise the issue immediately with the relevant Country Coordinator or the Managing Director. A Country Coordinator should immediately refer this to the Managing Director. This may include any problems within CGA's own operations, in those of subcontractors or organisations that work for us, and within consortia or with clients with which CGA works. 'Near-misses', as well as actual occurrences, should be reported.

All colleagues are required to report any incidences of suspected fraud or corruption as soon as they become aware of them. CGA has a number of channels through which you can report the issue, if you feel comfortable doing so. The immediate Country Coordinator may be the first point of reporting, who will then inform the CGA Managing Director. Alternatively, you can submit your report (including anonymously) via one of the following methods:

1. Managing Director, Charlie Goldsmith, ([charlie@charliegoldsmithassociates.co.uk](mailto:charlie@charliegoldsmithassociates.co.uk));
2. Chair of the CGA Audit Committee, W. Joe Carlin, [audit@charliegoldsmithassociates.co.uk](mailto:audit@charliegoldsmithassociates.co.uk)
3. Corus International Integrity & Ethics Reporting Hotline, <http://www.corusinternational.org/hotline>
4. Corus International hotline email, ([hotline@corusinternational.org](mailto:hotline@corusinternational.org))

The Chair of the Audit Committee is a non-executive director. He will be advised by the Director of Integrity & Ethics at Corus International, the owning group.

Every incident involving a donor's funds or support is reported to that donor promptly, whether or not it involves us directly. Every incident involving host government funds will be reported to the host government manager above the level of those involved, unless it is unsafe to do so.

Where there is either in clarity about where to report to, and as a general fall-back, we will report to DFID's Reporting Concerns hotline.

Every incident needs to be followed up in accordance with our response procedure (see Section 4.3).

#### 4.1.3 Safeguarding

All colleagues are required to report any actual incidences or perceived concerns as soon as they become aware of them. Each country office has a designated Country Safeguarding Focal Point. The first point of contact may be the Country Safeguarding Focal Point, the immediate Country Coordinator or the company-wide Safeguarding Focal Point. Any one of these must ensure that both the Safeguarding Focal Point and the CGA Managing Director are immediately informed, alternatively this can be reported to Corus International directly.

5. Country Safeguarding Focal Point

6. Country Coordinator
7. Safeguarding Focal Point, (safeguarding@charliegoldsmithassociates.co.uk)
8. Managing Director and Safeguarding Board Member, Charlie Goldsmith ([charlie@charliegoldsmithassociates.co.uk](mailto:charlie@charliegoldsmithassociates.co.uk));
9. Chair of the CGA Audit Committee, W. Joe Carlin, audit@charliegoldsmithassociates.co.uk
10. Corus International Integrity & Ethics Reporting Hotline, <http://www.corusinternational.org/hotline>
11. Corus International hotline email, ([hotline@corusinternational.org](mailto:hotline@corusinternational.org))

#### 4.1.4 Protection

#### 4.1.5 Children and vulnerable adults' protection

The Country Coordinator, Country Safeguarding Focal Point and company-wide Safeguarding Point should be the first points of contact for reporting. They will ensure that the Safeguarding Focal Point is informed and, if necessary, the CGA Managing Director/Safeguarding Board Member.

In such cases, where a CGA colleague or related representative is not the cause of concern, the usual first lines of reporting should be followed by reporters.

12. Country Safeguarding Focal Point
13. Country Coordinator
14. Safeguarding Focal Point, (safeguarding@charliegoldsmithassociates.co.uk)
15. Managing Director and Safeguarding Board Member, Charlie Goldsmith ([charlie@charliegoldsmithassociates.co.uk](mailto:charlie@charliegoldsmithassociates.co.uk));
16. Audit Committee
17. Corus International Integrity & Ethics Reporting Hotline, <http://www.corusinternational.org/hotline>
18. Corus International hotline email, ([hotline@corusinternational.org](mailto:hotline@corusinternational.org))

#### 4.1.6 Responsible working

Concerns about staff conduct or wellbeing in this area should be raised with the Country Coordinator, Safeguarding Point of Contact and Managing Director (unless one of them is implicated in the report and the staff member does not feel comfortable including them), who will assess the associated risks and form a follow-up plan, briefing the wider Senior Management Team.

## 4.2 CGA Response Procedure

### 4.2.1 Principles:

- Whistleblowers and reporters acting in good faith will not suffer adverse consequences of their reporting, in order to ensure that we maintain a culture of transparency and that necessary reports are made and acted on to uphold this policy.

### 4.2.2 Follow-up procedures, decision-making and reporting (including investigations or disciplinary action) will be conducted according to a standard and transparent process, with findings related to all key stakeholders. Internal response process

All reports received are received must be reviewed by the individuals identified in section 4.1 and will be subject to the internal response procedure detailed in Annex 2.

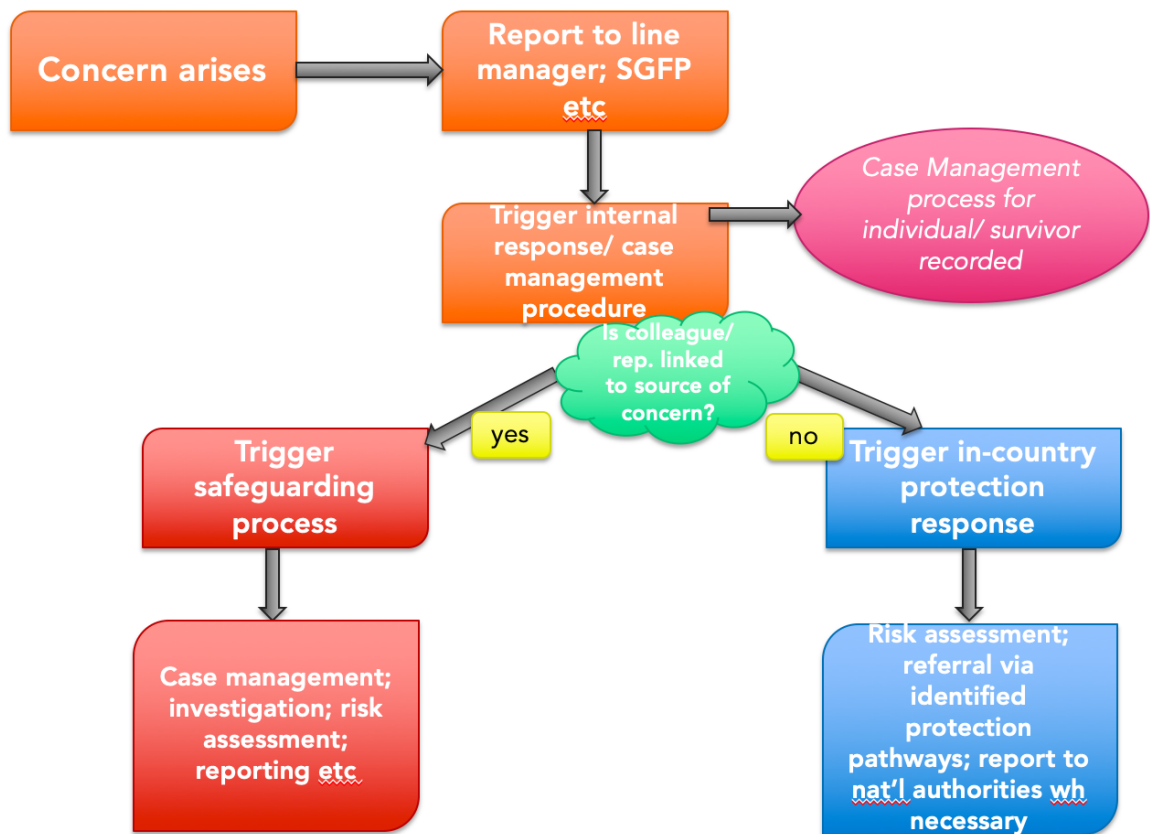


FIGURE 1: HOW TO IDENTIFY TYPE OF RESPONSE REQUIRED

## 4.3 External Reporting

### 4.3.1 To national authorities

Once a complaint has travelled through the internal channels, the MD, in consultation with either the Country Coordinator, or the Safeguarding Point of

Contact (dependent upon the nature of the report), will report incidences to relevant national authorities (in cases where relevant laws do not conflict with UK law) and development partners.

In cases where relevant laws do conflict (for example in relation to the safety of LGBTIQ persons), a risk matrix will be used in order to assess what reports are to be made.

#### **4.3.2 To donors/other partners**

Every incident needs to be followed up, in accordance with our zero tolerance policy in a transparent and accountable manner.

Once a complaint has travelled through the internal channels, the MD, in consultation with either the Country Coordinator, or the Safeguarding Point of Contact (dependent upon the nature of the report), will

Where we are subcontracted, we will report to the prime contractor in accordance with our contract; however, obligations and commitments in regard to reporting to donors and/or national authorities re safeguarding, counter-fraud and corruption, and maximizing development value, will be deemed to prevail over any contractual restrictions.

Reports which relate to a donor's project will be made to the donor (in the case of DFID, reports can be made to: [reportingconcerns@dfid.gov.uk](mailto:reportingconcerns@dfid.gov.uk)). Where it appears that a reported action under the policies above involved a breach of the law of the sending, donor or host country, the MD will escalate such reports to national authorities. Rare exceptions to this rule may be made upon guidance from donors, or in cases where such action might violate an individual's rights.

With regard to fraud or financial crime relating to DFID projects, we follow procedures laid out in DFID's Suppliers' Code of Conduct, including: 'procedures setting out how, staff involved in DFID funded business, can immediately report all suspicions or allegations of aid diversion, fraud, money laundering or counter terrorism finance to the Counter Fraud and Whistleblowing Unit (CFWU) at [reportingconcerns@dfid.gov.uk](mailto:reportingconcerns@dfid.gov.uk) or on +44(0)1355 843551. 'To the maximum extent possible, we will adopt the 'humanitarian passporting' schemes recently established, having regard to the principles of natural justice and our legal obligations.

### **4.4 Risk mitigation**

#### **4.4.1 Risk assessment & register**

CGA does Risk Assessments as part of its management of projects, particularly to identify Safeguarding risks. Further, we keep a Risk Register documenting these assessments at country level.

#### **4.4.2 Recruitment**

CGA works to mitigate risk through its process to recruit staff which, as well as being indiscriminate, must uphold necessary safeguarding standards through taking key measures. These include:

- Reference checks using templates which question referees specifically on any concerns related to issues of safeguarding
- Contract stipulations requiring staff to adhere to company policy
- Staff are required to complete and sign a personal disclosure form (see section 2.3)

Colleagues who are nationals of residents of countries that offer a disclosure and barring service (formerly known in the UK as Criminal Records Bureau check) are required to obtain the relevant renewed paperwork every three years, at the company's expense (see section 2.3).

## 5 Annexes

### 5.1 Annex 1: Definitions

'Children' are defined as anyone under eighteen years old.

1. '**Vulnerable adults**', defined as someone 18 or over who is unable to care independently for themselves or unable to protect themselves against significant harm or exploitation. This could be due (but is not limited) to a physical or learning disability; illiteracy; illness or injury or mental health issues; old age; substance addiction; domestic violence or abuse; extreme or relative poverty; ethnicity or political or religious beliefs (e.g. in the case of civil conflict); or other reasons. It can be a temporary or a permanent condition.
2. Where we refer to '**beneficiaries**', 'people assisted or to be assisted', or 'communities we work within' in this policy, the term encompasses:
  - people directly assisted or to be assisted (e.g. cash transfers recipients)
  - immediate family of people directly assisted or to be assisted
  - any member of aid-dependent/aid-recipient communities.
3. '**Vulnerable community**' is any community in which CGA is operating.
4. '**Bullying and harassment**' can be "behaviour that makes someone feel intimidated or offended", according to a UK Government's definition.<sup>iv</sup> If this behaviour is linked to a person's identity, then this can constitute harassment which is illegal under the Equality Act 2010.
5. '**Child abuse**' consists of anything which individuals, institutions or processes do, or fail to do, which directly or indirectly harms children or damages their prospect of safe and healthy development into adulthood. The main categories of abuse are defined by WHO as Physical Abuse, Emotional Abuse, Neglect and Negligent treatment, sexual abuse and exploitation. An annex detailing how to recognize signs of child abuse is attached.
6. '**Child labour**' is work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. It is work that:
  - is mentally, physically, socially or morally dangerous and harmful to children; and
  - interferes with their schooling by:
    - depriving them of the opportunity to attend school;
    - obliging them to leave school prematurely; or

<sup>iv</sup> <https://www.gov.uk/workplace-bullying-and-harassment>

- requiring them to attempt to combine school attendance with excessively long and heavy work.
7. **'Child safeguarding'** is the responsibility of organisations to make sure their staff, operations and programmes do no harm to children or expose them to abuse or exploitation.
  8. **'Child sexual exploitation'** is a type of sexual abuse. Young people in exploitative situations and relationships receive things such as gifts, money, drugs, alcohol, status or affection in exchange for taking part in sexual activities. Young people may be tricked into believing they're in a loving, consensual relationship. They often trust their abuser and don't understand that they're being abused. They may depend on their abuser or be too scared to tell anyone what's happening. They might be invited to parties and given drugs and alcohol before being sexually exploited. They can also be groomed and exploited online. Some children and young people are trafficked for the purpose of sexual exploitation. Child sexual exploitation can involve violent, humiliating and degrading sexual assaults and involve multiple perpetrators.
  9. **'Child trafficking'** is child abuse. It involves recruiting and moving children who are then exploited. Many children are trafficked into the UK from overseas, but children can also be trafficked from one part of the UK to another. Children may be trafficked for:
    - child sexual exploitation
    - benefit fraud
    - forced marriage
    - domestic servitude such as cleaning, childcare, cooking
    - forced labour in factories or agriculture
    - criminal exploitation such as cannabis cultivation, pickpocketing, begging, transporting, drugs, selling pirated DVDs and bag theft.
  10. **'Emotional abuse'** is persistent and, over time, it severely damages a person's (and particularly a child's) emotional health and development. It involves:
    - humiliating, putting down or constantly criticising a child
    - shouting at or threatening a child or calling them names
    - mocking a child or making them perform degrading acts
    - constantly blaming or scapegoating a child for things which are not their fault
    - trying to control a child's life and not recognising their individuality
    - not allowing them to have friends or develop socially
    - pushing a child too hard or not recognising their limitations
    - manipulating a child
    - exposing a child to distressing events or interactions such as drug taking, heavy drinking or domestic abuse



- persistently ignoring them
  - being cold and emotionally unavailable during interactions with a child
  - never saying anything kind, positive or encouraging to a child and failing to praise their achievements and successes.
11. **'Female genital mutilation'** (FGM) is the partial or total removal of external female genitalia for non-medical reasons. It's also known as female circumcision or cutting. Religious, social or cultural reasons are sometimes given for FGM. However, FGM is child abuse. It's dangerous and a criminal offence. There are no medical reasons to carry out FGM. It doesn't enhance fertility and it doesn't make childbirth safer. It's used to control female sexuality and can cause severe and long-lasting damage to physical and emotional health.
12. **'Neglect'** is persistently failing to meet a child's basic physical and/or psychological needs usually resulting in serious damage to their health and development. Neglect may involve a parent's or carer's failure to:
- provide adequate food, clothing or shelter
  - supervise a child (including leaving them with unsuitable carers) or keep them safe from harm or danger
  - make sure the child receives appropriate health and/or dental care
  - make sure the child receives a suitable education
  - meet the child's basic emotional needs – parents may ignore their children when they are distressed or even when they are happy or excited. This is known as emotional neglect.
13. **'Physical abuse'** is the non-accidental use of physical force that deliberately or inadvertently causes a risk of/ or actual injury to a child. This may include hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing non-accidental physical harm to a child. Physical harm can also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness or temporary, permanent injury or disability of a child.
14. **'Sexual abuse'** is forcing or enticing a child to take part in sexual activities. It doesn't necessarily involve violence and the child may not be aware that what is happening is abuse. Child sexual abuse can involve contact abuse and/or non-contact abuse. Contact abuse happens when the abuser makes physical contact with the child.
15. **'Sexual exploitation'** means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from sexual exploitation or another.
16. **'Sexual harassment'** is unwelcome conduct of a sexual nature, which has the purpose, or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment. Such conduct may take place on a single occasion or on several occasions.

Sexual harassment may take the form of unwelcome physical, verbal or nonverbal conduct, which may include, but is not limited to, the following:

- (a) Unwanted physical contact, ranging from touching to sexual assault and rape.
- (b) Verbal forms of sexual harassment including unwelcome innuendoes, suggestions and hints, sexual advances, comments with sexual overtones, sex related jokes or insults or unwelcome graphic comments about a person's body made in their presence or directed toward them, unwelcome and inappropriate enquiries about a person's sex life, and sexual orientation, directed at a person or group of persons.
- (c) Non-verbal forms of sexual harassment including unwelcome gestures, whistling, indecent exposure, or the unwelcome display of sexually explicit pictures or objects.
- (d) Unwelcome messages of a sexual nature that are sent via email, SMS, skype, voice messages and other electronic means, whether using SCI IT/devices or personal mobiles/equipment.
- (e) Sexual harassment that is linked to recruitment/employment opportunities, promotion, training or development opportunities, and the offer of salary increments or other employee benefits in exchange for sexual favours.

## 5.2 Annex 2: Internal Response Procedure

Due process is to be followed:

- if an allegation of a breach of this policy is made, the person who is alleged to have breached the policy must know what type of breach they are alleged to have made, and have full opportunity to respond;
- in any circumstance where someone is to be removed from a duty pending follow-up of an allegation, it must be made clear that this is without prejudice.

### 5.2.1 Decision-making guide for staff upon receipt of report

1. Report is received
2. Assess how to proceed with the report
  - a. Determine whether the issue central to the report is regarding:
    - i. breach of safeguarding policy;
      1. *In which case, continue to point 3.*
    - ii. protection concern;
      1. *At which point, should follow the Protection referral paths, potentially including local authorities in line with national plans and coordination with partners.*
      2. *This should include case management support for individual/survivor where necessary in line with guidance.*
    - iii. breach of corporate integrity;
      1. *Report through Corporate Integrity reporting channels in section 4.1.2*
    - iv. something else
      1. *Follow up with Managing Director and/or Country Coordinators, as appropriate*
3. Appoint roles and responsibilities for case management
4. Provide support to survivor where needed/requested
  - a. Support could include (but its not limited to)
    - i. Psychosocial care or counseling
    - ii. Medical assistance
    - iii. Protection or security assistance (for example being moved to a safe location)
  - b. All decision making on support should be led by the survivor.
5. Assess any protection or security risks to stakeholders

- a. For reports relating to serious incidents: undertake an immediate risk assessment to determine whether there are any current or potential risks to any stakeholders involved in the case, and develop a mitigation plan if required.
6. Decide on next steps
  - a. These could be (but are not limited to)
    - i. No further action (for example if there is insufficient information to follow up, or the report refers to incidents outside the organisation's remit)
    - ii. Investigation is required to gather further information
    - iii. Immediate disciplinary action if no further information needed
    - iv. Referral to relevant authorities
7. If required, investigate reports
  - a. Use CHS Alliance Guidelines for Investigations.
8. Make decision on outcome of investigation report
  - a. If at this or any stage in the process criminal activity is suspected, the case should be referred to the relevant authorities unless this may pose a risk to anyone involved in the case.
  - b. This decision should be made bearing in mind a risk assessment of potential protection risks to all concerned, including the survivor and the Subject of Concern.
9. Conclude the case
  - a. Document all decisions made resulting from the case clearly and confidentially.
  - b. Use (anonymized) data relating to the case to feed into organisational reporting requirements (eg. to Board, to donors).