

Anti-Corruption Policy and Action Plan

Approved by: The Board of the Swallows India Bangladesh

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Policy on Anti-Corruption

Purpose and Scope

The purpose of The Swallows India Bangladesh's (hereafter The Swallows) Anti-Corruption Policy and Action Plan is to establish organisational procedures to prevent, detect, and effectively handle cases of corruption and malpractices towards our Code of Conduct. The aim is further to promote integrity and accountability, and to define clear roles, responsibilities, and steps of action in cases of suspected corruption.

The policy is applied within all The Swallows' operations and regards all employees, Board members, interns, volunteers, as well as others who are representing The Swallows in Sweden and in our programme countries. As long as The Swallows has agreements on funding from ForumCiv and our back donor Sida, we, as well as all our partners, are further to comply to ForumsCiv's and Sida's anti-corruption policies.

Definition

The Swallows' definition of corruption is in line with Sida's definition that corruption is "an abuse of trust, power or position for improper gain. Corruption includes, among other things, taking and giving bribes – including bribing a foreign public official – embezzlement, conflict of interest and nepotism."

Other common forms of corruption include, but are not limited to:

- Fraud, theft, and other forms of diversion of resources for private gains.
- Petty corruption, which is the type of corruption that often occurs in small scale at local level, for example, to take out fees that does not exist for providing services.
- Unapplied procurement rules.
- Kickbacks, which is when a person gets paid, for example, from a supplier in order to make or keep a contract.
- Extortion, which is to obtain money, property, or services, from an individual or institution, through coercion.
- Nepotism or favouritism of an organisation or person because of personal relationships rather than their advantages or abilities.
- Misuse of position and power, for example, in the form of sexual exploitation or harassment, manipulation, or other forms of taking advantage of people.
- Negligence, concealing incidents that have occurred, or protecting corrupt individuals.

The Swallows follows the Swedish law on bribery, meaning that gifts should generally be avoided. However, at certain occasions, it could be regarded as impolite to turn down a gift. A gift could also at times be viewed as an acceptable symbol of appreciation. In such cases, the value of the gift must be considered, and can only be accepted if the gift is of very low value and never given with the intention, or giving the impression, that the gift will in any way influence the receiver's decision or work. Gifts that are deemed improper must not be accepted, and any obvious attempt of bribery must be turned down actively. Further directions can be found in The Swallows *Finance and Administration Manual*.

Position on Corruption

Corruption can be both structural and situational and poses negative influence on political, economic, social, and environmental development. It is one of the largest obstacles to development and peoples' possibilities to access their rights. Furthermore, corruption manifests in multiple ways and affects all people, but because of unequal power dynamics in society, people are affected differently.

The Swallows has a vision to work towards a world without poverty for all people, contribute to the achievement of social and economic justice, and to work for a sustainable environment. Therefore, we have a zero tolerance against corruption. The Swallows is committed to *always prevent, never accept, always inform and always act* upon cases of suspected corruption and other irregularities. The Swallows also acknowledges that corruption is highly contextual and must be understood and dealt with thereafter. Reporting on suspicions is always encouraged and all investigations will be conducted with the opinion that no dishonest and/or intentional corruption has taken place until the investigation proves the opposite.

Prevention and Learning

An essential part of our work against corruption is to work preventively against it, and this is the responsibility of all employees, volunteers, interns, Board members, and others, representing The Swallows. The policy will be shared with all the above mentioned so that they are informed about the risk of corruption and their responsibilities in relation to *always prevent, never accept, always inform and always act* upon cases of suspected corruption and other irregularities. The Swallows is working actively with both strengthening organisational capacity and promoting a culture of transparency and integrity in order to prevent corruption. We focus on this both internally, within The Swallows, but also with all our partners.

Weak organisational capacity increases the risk of corruption. Clear rules and regulations, including segregation of duties and well-understood internal control routines, are the basis of preventing corruption. For example, the at-least-two principle (i.e. that there are always at least two people involved in authorising and approving payments) is an important and simple action to reduce the risk of corruption and fraud. Different types of activities have different challenges. We assess the risk of corruption and make plans to mitigate the risk in all our projects, programmes and activities within The Swallows according to our policies and guidelines.

Promoting an organisational culture focusing on transparency, integrity, trust and good governance is a key factor when preventing corruption but also for learning from our mistakes. By addressing the problem and building awareness and knowledge within The Swallows and our partners, the risk of corruption will decrease. To raise concerns about risks and weaknesses, and to suggest measures of mitigation, shall always be encouraged. We are also actively promoting our Action Plan on how to manage suspected corruption as well as the associated systems for documentation and logging.

Detection and Obligation to Report

Corruption is often difficult to detect. Except for a culture of openness and transparency efficient monitoring of all our activities is an important element. The Swallows is both monitoring our

partners and being monitored by our back donors. The Swallows shall be sensitive to hints and information and always consider the risk of corruption. It is important to consider both our own and partners' governance structures, for example the selection of the Board. Selection of participants in the programmes, hiring of temporary/short term staff and consultants, procurements, are examples of other areas to monitor and follow up actively. We strive to have an open and regular dialogue regarding these issues within The Swallows as well as with our partners. It is further important to review our own and partners' reports, update risk assessments annually and to make sure that auditors are independent and changed regularly.

Everyone who are acting on behalf of The Swallows are obliged to immediately report any suspected case of corruption, malpractices towards our Code of Conduct, and other irregularities. This includes any suspicion against staff, Board members, interns, volunteers, someone acting on behalf of The Swallows, or any of our partner organisations. We also welcome reports on suspicion from outside The Swallows. Reports should primarily be made to the manager closest to you but can also be made to other persons within The Swallows. Information can also be reported anonymously through our Whistle Blowing Mechanism. Further details on how to report can be found in the Action Plan below.

Taking Action and Responsibilities

All reports on suspected corruption, irregularities, or misconducts that are not in line with Swallows values and Code of Conduct must be investigated. The responsibility to investigate suspected cases of corruption, report to the Board, and the donors, lies on the Chairperson of the Board. The Chairperson can delegate that responsibility according to the Action Plan. The person who receive the information must hand it to the Chairperson who will then inform the rest of the Board, the Controller and other staff (if relevant). The Controller informs ForumCiv. All final decisions lie with the Board.

The investigation shall determine whether it is a case of corruption or other types of irregularities or misconducts. Based on this, The Swallows will take action according to the Action Plan. Security issues must be considered when a potential corruption case is discovered, and The Swallows will not endanger the security of any person in the processes.

Policy Review

This policy will be reviewed every three years, or when major changes has been made in either The Swallows' or our back donor's regulatory documents and requirements.

Action Plan - How to Manage Suspected Corruption

This Action Plan has been developed to provide a clear and safe procedure for reporting and raising concerns regarding The Swallows, our partners, and stakeholders, as well as to ensure an appropriate investigation process.

This Action Plan is based on our Anti-Corruption Policy which can be found above. The Swallows Anti-Corruption Policy and Action Plan is always included in our agreements with partners. Depending on current agreements with donors, for example Sida and ForumCiv, we are also obliged to adhere to their policies on anti-corruption.

When to act

Everyone employed by or acting on behalf of Swallows or our partner organisations are obligated to react on any reports, suspicions or warning signals of corruption or other irregularities that are not in line with our organisation's values and Code of Conduct. We also welcome reports on suspicion from outside The Swallows. The Swallows will provide support throughout the whole process.

The suspicion does not have to identify a specific person or provide firm evidence; a suspicious course of events is enough. However, reports should always be submitted with honest intentions. To deliberately report false or malicious information is a serious misconduct. All reports will be treated seriously but with caution since incorrect information deriving from rumours or false accusations could damage individuals, The Swallows and/or our partner organisations. Therefore, all possible reasons for submitting information will be taken into consideration.

Who and how to inform

In case of any suspicions of corruption or other irregularities within The Swallows or any of our partner organisations, there are different ways to report a suspicion, openly or anonymously:

- Oral or written report to the manager closest to you or any other manager at The Swallows
- Oral or written report to the Controller.
- Oral or written report to the Chairperson of the Board.
- Report anonymously through the [Whistle Blowing Mechanism](#).

Who to contact depends on the circumstances. One option is to inform the representative of The Swallows who is closest to you, who will then inform the Chairperson of the Board, which in turn will inform the rest of the Board, Controller and other staff (if relevant). The Controller will inform ForumCiv. It is also always possible to contact the Chairperson directly, especially if the concern regards the representative closest to you. Reports can also be sent to any Swallows employee or member of the Board, if this feels more appropriate or safe. This person will then pass the information forward to the relevant person in the management.

Contact information can be found on [The Swallows webpage](#).

If anyone wish to make an anonymous report information can be transferred through an external whistleblowing mechanism, that can be found [here](#).

The whistleblowing mechanism consists of a form which is connected to one email address – the the Chairperson of the Board. The purpose of the whistle blowing mechanism is to make it possible to report issues without any risk of victimisation, discrimination, or disadvantage. The whistleblowing mechanism can be used for reporting on Swallows staff as well as partner organisations. However, reporting anonymously mean that the informer loses the possibility to get a follow-up on the investigation. Moreover, with regard to today's technology and ability to, for example, trace IP addresses, we also recommend anyone who wishes to be anonymous to use a public computer and Wi-Fi, not to use their personal email, or to use an encrypted page or app for sending the message.

In serious cases where the informer distrusts Swallows' capacity to handle and investigate the case properly, ForumCiv should be contacted directly. Contact information can be found at [ForumCiv's webpage](#) and their reporting channel for whistle blowers can be found [here](#).

How to receive information

The Swallows has a zero tolerance against corruption. All cases of suspected corruption, malpractices towards our Code of Conduct, or other irregularities, which have been discovered or reported must be investigated.

The main responsibility to investigate suspicions of corruption lies on the Chairperson of the Board. However, other persons could also receive information and should then report to the Chairperson (or in some cases another relevant person, see *Who and how to inform*).

There is no difference between when information comes from a known or anonymous source. It is the assessment of the alleged circumstances that determines whether The Swallows proceed in the matter. Whether the information comes from a known or anonymous source, the person who receive the information should always strive to clarify the facts. The best way is to:

1. Establish a way to contact the informer (e.g. a telephone number or email address).
2. Get some verifiable facts that can be checked through other sources.
3. Get an idea of the motives behind the contact.

All reported cases should be documented and logged. See [Report Form](#) and [Log Form](#) below.

How to act

Regardless of the means of reporting, caution shall be taken during an on-going investigation to avoid any harm to people involved in the process. All information will be treated according to the Personal Data Act – read more at [Svalorna.org](#). If an informer wants to remain anonymous, The Swallows must take extra care during the process not to reveal the source.

When receiving a suspicion or a report the information should be passed on according to the chapter above on [Who and How to Inform](#). Individual staff, inters, volunteers, or other people acting on behalf of The Swallows shall not take any further action without authorisation. Final decisions are always made by the Board.

Investigation

- The Chairperson of the Board is responsible for the investigation and elects an investigation group. The Chairperson can also delegate the responsibility of the work to someone within the organisation, for example the Controller.
- The Chairperson informs the rest of the Board, Controller, and other staff (if relevant).
- The Controller informs ForumCiv.
- The Investigation group will make an assessment based on the Anti-Corruption Policy and other relevant documents.
- The Board will take the final decision on what actions to take, in line with the Action Plan, the investigation, and agreements with ForumCiv.

Investigations should be conducted objectively, professionally, and according to authorised responsibilities. The investigation should not include more people than necessary to protect integrity. During the investigation, the investigation group decides on what and when to inform different stakeholders. It is important to protect and keep any materials that could be used as evidence. However, no documents regarding the investigation should be uploaded on SharePoint during the time of the investigation, instead these should be kept by the responsible investigation team or person. Only logs should be uploaded on SharePoint.

Moreover, when the suspicion regards a partner organisation, the organisation is obliged to investigate the situation and provide The Swallows with all necessary information.

Including back donors and carrying out external investigation

As outlined in ForumCiv's Anti-Corruption Policy Framework, The Swallows "shall ensure that all matters are investigated and, if necessary, take legal proceedings against the person(s) who on good grounds may be suspected." The Swallows must also keep the responsible manager at ForumCiv continuously informed of the progress of the investigation.

In accordance with ForumCiv's General Conditions for Programme Support, The Swallows will immediately inform ForumCiv about suspicion of corruptions, malpractices, or other irregularities. The Swallows shall inform ForumCiv about the actions taken and report on the result of our investigations. The Controller has the responsibility to inform ForumCiv. When needed, an external investigation shall be carried out as soon as possible by an independent, authorised or approved auditor. More information can be found in the general conditions from ForumCiv.

Internal sanctions

In cases of corruption, The Swallows will apply sanctions against its employees and partner organisations in accordance with Swedish law and ForumCiv's and Sida's regulations. Partner organisations are responsible for sanctions regarding their employees and partners. Example of sanctions include:

- Warning – For minor misconduct the sanction may be clarification of rules and the issuing of a warning. If the behaviour is repeated other sanctions could be issued.

- Termination of employment – If a person(s) has been found guilty of corruption or severe mismanagement, it will have consequences for their employment. In severe cases it might result in dismissal.
- Repayment of funds – According to contract, Swallows may request repayment of funds if the grant has not been used correctly.
- Termination of Contract – When the contract has been breached, or when the partner organisation seems unwilling to cooperate, the contract may be terminated.

Police report

Certain forms of corruption are against the law. The Swallows follows the law and if a crime has been conducted a police report will be made. A contact person will be appointed to handle the communication with the police. The Swallows and our partners are obliged to cooperate with the police investigation.

Logging and reporting

All incoming reports on suspicions of corruption, other irregularities or misconduct should be documented and logged through the [Report Form](#) and [Log of Cases](#) below. The Report Form shall be filled in by the Controller when the suspicion has been received and should then be handed over to the investigation team. The Log of cases shall be filled in by the Controller after the case has been investigated. The reporting of the investigation shall be done in accordance with our obligation to report to our donors in prescribed format. If and how information will be reported internally will be decided on case basis by the Investigation Group.

Responding to the information

All reports on suspicions of corruption, misconduct or other irregularities which are not done anonymously should be acknowledged as soon as possible but ideally at least within five working days. The informer should be updated on how the information has been received and what actions have been taken within at least 30 days. The informer should also get the contacts for the person responsible in case of further questions. However, the person responsible will decide on how much information that can be shared and must always care for the integrity and safety of The Swallows and those involved.

Appendices

- Appendix 1 - Report Form
- Appendix 2 - Log of cases
- Appendix 3 - Flow Chart

Appendix 1 – Report Form

Report Form	
Date: <i>Date the information is received</i>	
Personal Details: <i>Name, contact details, if appropriate</i>	
Country and Organisation: <i>What office/organisation and country is the issue regarding</i>	
Nature of Issue: <i>Brief outline of the issue</i>	
Detail of Issue: <i>A detailed description of the issue, including how the suspicion occurred</i>	
Who dealt with it: <i>Who is or has responded to the issue</i>	
How it was dealt with: <i>Action taken to handle the issue</i>	
Outcome: <i>What has happened as a result of the issue</i>	
Follow up: <i>Any action required as a result of the issue</i>	
Other information: <i>Any other relevant information</i>	

Appendix 2 – Log of Cases – Year: _____

Date:	Explain the case:	Person responsible:	Outcome:	Follow up required:

Appendix 3 – Flow Chart of the Process

