



NATIONAL ORGANISATION OF NURSES AND MIDWIVES OF MALAWI

CORRUPTION, FRAUD AND WHISTLE-BLOWING POLICY

VERSION NUMBER: 01/2023
APPROVED BY NEC IN ITS 48TH SITTING: 11TH MAY 2023

Table of Contents

Policy statement	1
Abbreviations	1
Definition of terms	1
Purpose of the Policy.....	2
Policy Scope	3
Procedures for reporting suspected fraud, malpractice and corruption	3
Corruption Involving donor funds	4
Protection of whistle-blowers.....	4
Harassment or Victimization	4
Confidentiality	4
Anonymous Reporting	4
Untrue/false allegations	4
Procedure for handling whistle blower complaints.....	5
Responsibility and Authority.....	5
Implementation and Evaluation	5

Policy statement

The National Organisation of Nurses and Midwives of Malawi (NONM) is committed to providing a working environment free from fraud and corruption in all of its operations. NONM is further devoted to the highest possible standards of openness, probity, and accountability. With regard to this commitment, NONM encourages its staff, NEC members, and stakeholders who have serious concerns about NONM's suspected fraud, corruption, and malpractice to come forward and voice out such concerns. This policy is in place to reassure the concerned parties that it is safe and acceptable to speak out their concerns at an early stage and in the right way.

Abbreviations

ACB	Anti-Corruption Bureau
NEC	National Executive Council
NONM	National Organisation of Nurses and Midwives of Malawi

Definition of terms

Whistle blowing

Whistle blowing is the act of drawing public attention or the attention of an authority figure to perceive wrongdoing, misconduct, or unethical activity within public, private, or third-sector organizations.

Fraud

Fraud is any act or omission that intentionally misleads, or attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation. In this Policy, fraud is defined in a broader sense and includes, but is not limited to, theft, embezzlement, forgery and corrupt practices.

Corruption

Any improper acts and practices including omissions that involve the misuse or influencing of an official position or entrusted responsibility for private gains.

Corrupt practice

The offering, giving, receiving, or soliciting of an advantage to influence the action of any NONM member, staff, and Board members in the discharge of the duties of that person; influence peddling; or the extortion of any advantage.

Malpractice

Improper, illegal or negligent professional behaviour

Examples of Corrupt, bribery, Fraudulent and Malpractice Actions

Corruption and Fraud includes but is not limited to the following:

- Stealing or misappropriating funds and/or NONM assets
- Forgery, falsification, alteration, destruction and/or unauthorised removal of documents, records and entries
- Embezzlement
- Asking, offering and/or receiving cash, gifts or other benefits to improperly influence a procurement, recruitment or grant award process
- Blackmail or extortion
- Collusion with grant applicants, grantees, service providers and any other third party in exchange for preferential treatment or other benefits
- Abuse of official discretion or position i.e. favouritism, nepotism e.g. recruitment of staff based on factors rather than merit, obtaining an unjustifiable advantage, wealth, business interest or profit for oneself or another using the authority and discretion conferred on one's position .

Purpose of the Policy

The purpose of this policy is to;

- Provide for a culture of zero tolerance towards fraud, corruption, bribery and any malpractice or wrongdoing
- Provide a basis for the implementation of a range of measures to detect and prevent fraud and corruption in all the activities of NONM
- Explain what qualifies as a whistle-blow and guidelines on how to report a concern
- Encourage stakeholders to bring out information helpful in enforcing good corporate governance practices
- Provide a platform to disclose concerns of malpractices within the organization
- Explain the process followed in reviewing complaints received through the channels provided
- Mitigate against any fraud, operational or regulatory risks that could lead to potential financial loss or damage to the company's reputation.
- Reassure those who raise concerns in utmost good faith that they can do so without fear of reprisals or victimization or disciplinary action, regardless of whether these are subsequently proven
- Provide guidelines and procedures for preventing, detecting, reporting and investigating fraud and corruption

Policy Scope

The Policy covers all fraudulent and corrupt practices involving NEC members, NONM management, employees, interns, consultants, experts and any other stakeholder(s) that transact directly or indirectly with or on behalf of NONM.

Procedures for reporting suspected fraud, malpractice and corruption

Whistleblowers should endeavor to ensure that reports are factual, rather than speculative, and should contain as much specific information as possible to allow for proper review and investigation.

The following shall be the channels of reporting any suspected fraud, malpractice and corruption

- a) Suggestion box
 - A report can be dropped in the suggestion box which shall be placed at NONM secretariat reception.
 - The suggestion box shall have two keys which shall be kept in the custody of the ED and NONM National Treasurer
 - The suggestion box shall be opened quarterly during National Treasurer's spot checks.
- b) NONM Website or Whistle blowing email
 - Whistle blowers can also report their concerns through NONM website or email on www.nonm.mw.com or whistleblowing.nonm@yahoo.com
- c) Letter to the Executive Director through
National Organisation of Nurses and Midwives of Malawi, Post Office Box 30393,
Lilongwe 3, Malawi

If the whistleblower is not comfortable with reporting his or her case through the above-stipulated/provided channels{(a),(b) and (c)} or if there is a suspected fraud, corruption or any other malpractice or breaches of this policy involving the custodians of this policy i.e. the Executive Director or any member of NEC, he or she can report the issue to the Director of the **Malawi Anti-Corruption Bureau** through;

The Director
Anti-Corruption Bureau
P.O. Box 2437
Lilongwe
Telephone 01 770 166
Fax 01 770 108
Or 113 (Toll free Line)

Email: reportcentre-ll@acbmw.org

Corruption Involving donor funds

If the corruption, fraud and or malpractice involves donor, grant funds and or agreements/contracts refer to the relevant project's contract terms and agreement for actions.

Based on the situation, the same shall also be reported to any external legal framework provided in Malawi or within this policy.

Protection of whistle-blowers

Harassment or Victimization

NONM will not tolerate any form of harassment and victimization including formal pressures that will occur as a result of whistleblowing. NONM will take appropriate action to protect the whistleblower.

Confidentiality

All concerns will be treated in confidence and every effort will be made to return a whistleblower's anonymity if they so wish. At the appropriate time, however, they may need to come forward as the witness.

This policy encourages individuals to put their name to the allegations whenever possible.

Anonymous Reporting

Concerns reported anonymously are much less powerful nonetheless, NONM encourages all the people to report anonymously crafting the report with all details that are specific and verifiable.

The report will be considered at the discretion of NONM on the following grounds;

- The seriousness of the issue reported
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources
- Comprehensiveness of the report

Untrue/false allegations

If an individual makes an allegation in good faith but it is not confirmed by the investigation, no action will be taken against them.

If, however, a whistleblower makes an allegation frivolously, maliciously or for personal gain, disciplinary action will be taken against him or her.

Procedure for handling whistle blower complaints

Investigations will be conducted in a professional manner following a systematic and analytical process designed to gather information in order to determine whether alleged wrongdoing actually occurred.

- There will be preliminary test of the presented issues to determine whether it is worth pursuing (investigating) or not.
- Where appropriate the matters raised may be;
 - ✓ Investigated by the board/NEC, management or by the disciplinary committee as indicated in the NONM constitution (*Chapter iv, Section 15 part 11*)
 - ✓ May be referred to the Anti-Corruption Bureau
 - ✓ Or the Malawi Police Service
- Upon receipt of suspected fraud, malpractice and corruption report, the responsible person shall write to the whistleblower within ten days;
 - ✓ Acknowledging that the concern has been received
 - ✓ Indicating how NONM proposes to handle the matter
 - ✓ Giving estimated timeframe within which, the matter is expected to be resolved
 - ✓ Supplying them with whistleblower's support mechanism

Responsibility and Authority

The Executive Director is responsible for all hired staff, interns and volunteers. The president of the organisation is responsible for all the elected representatives of NONM.

Implementation and Evaluation

All staff, interns, volunteers and elected representatives that work for or act on behalf of NONM. Overall, the Executive Director has responsibility for the maintenance and operation of this policy including monitoring and evaluation of its implementation. He or she will maintain record of all reports received and their outcomes in a form that does not endanger the whistle blower's confidentiality and he or she will report as per necessary to the board.

This policy shall be published on NONM's website and shared to all our members through membership official communication channels. Orientation on this policy will be done for New members, new employees and NEC members.