

**Amref Nordic är en egen juridisk person, men i vidare bemärkelse en del av Amref Health Africa. Att motverka oegentligheter är en viktig del av verksamheten såväl i Sverige som internationellt, varför Amref Nordic väljer att anta Amref Health Africas Fraud Prevention Policy som sin egen. Så länge Amref Nordic är en organisation utan egen anställd ledning är styrelsen att jämställa med det som i policyn benämns "management team".**

## **FRAUD PREVENTION POLICY**

### **1. GENERAL PROVISIONS**

#### **1.1 Policy Objective**

The purpose of this policy is to aid the development of controls that help in the detection and prevention of fraud. To maintain consistent organizational behavior, Amref provides guidelines and assigns responsibility for the development of controls and conducting of investigations where necessary.

**1.2. Scope of the Policy** This policy applies to all forms of irregularity involving volunteers, employees, consultants and service providers dealing with the organization. Any investigative activity required will be conducted without regard to the suspected wrongdoers' length of service, position or title.

#### **Definition**

**Corruption** – "offering, giving, soliciting or acceptance of an inducement or reward which may influence a person to act against the interests of the Foundation"

**Fraud** – "use of deception with intention of obtaining an advantage (real or perceived), avoiding an obligation or causing loss to another party in this case, to Amref." It can be perpetrated by persons outside as well as inside an organisation.

#### **1.3 General Statement**

- a) Management is responsible for the prevention and detection of fraud, misappropriation and other irregularities.
- b) Fraud is defined as the intentional falsification or concealment of material fact for purposes of inducing another to act upon it or for personal interest. Fraud may result in material gain or loss, such as in financial fraud, or creation of a false impression, either positive or negative, such as in the case of data fraud.
- c) Each member of the management team should be familiar with improprieties that can occur within his/her area of responsibility and be alert for any indication of irregularity.
- d) Any irregularity that is detected must be reported to the Director General who approves all investigations.
- e) The HR/Country director will coordinate all investigations involving all other affected offices and where necessary Amref legal advisors.
- f) Where the HR /Country director is suspected of fraud, the Director General will appoint an appropriate person/office to conduct the investigation.
- g) The Chairman of the Audit and Risk Committee will handle cases where the Director General is suspected of fraudulent acts.

#### **1.4. Confidentiality**

- a) All information received will be treated confidentially.
- b) Employees should report any suspected fraud to the Director General/Country Director/HR Director as the case may be or their designate.
- c) Employees should not personally try to conduct investigations/interviews or interrogations.

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d) Information on those suspected for fraud will remain confidential to avoid reputational damage to those who may be innocent.

e) Once the investigation report is completed and decision made on the suspect, affected staff will be informed and thereafter all staff will be informed of the type of fraud committed and actions taken.

**Detailed Policy Clauses**

1. Amref has a zero tolerance attitude towards fraud and maintains the highest standards of prevention, detection and remediation.

2. Employees of Amref must not engage in any illegal activity and must not, in the performance of their duties, commit any act of fraud, whether or not adverse to the interests of the Foundation.

3. Any act of fraud ascertained upon internal investigation, or pursuant to government investigation, or through written acknowledgement by the employee concerned, shall result in immediate termination of employment.

4. For the purposes of this policy, fraud shall include, but not be limited to:

a. Theft or misappropriation of Foundation assets

b. Submitting false claims for payment or reimbursement

c. Accepting or offering a bribe, or accepting gifts or other favors under circumstances that might lead to the inference that the gift or favor was intended to influence an employee's decision-making while serving the Foundation. Any gift of \$250 and above should be reported to HR Manager and the internal Audit who will maintain a register.

d. Accepting a commission from, or paying same to a third party (kickbacks)

e. Blackmail or extortion

f. "Off book" accounting, or making false or fictitious entries

g. Knowingly creating and/or distributing false or misleading financial reports

h. Knowingly creating and/or distributing false or misleading data, whether programmatic, technical, management or other data, in reports, presentations or other communications.

i. Plagiarism or any other knowing misappropriation or theft of intellectual property, whether from Amref or external sources

j. Payment of excessive prices or fees where justification thereof is not documented.

k. Violation of Foundation procedures with the aim of personal gain or to the financial detriment of the Foundation

l. A dishonorable, or irresponsible, or deliberate act against the interest of the Foundation.

m. Computer fraud including manipulation of programs/systems, altering, substituting and destroying records.

n. Any other type of fraud that has not been listed above.

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5. If any trustees, officer, or employee of Amref knows or has a reasonable belief that persons associated with Amref have engaged or plan to engage in an act of fraud described above, that person is expected to file a complaint immediately.

**Management's Responsibility for Preventing Fraud**

**1.** Managers at all levels are responsible for exercising due diligence and control to prevent, detect, and report acts of fraud by staff under their supervision. Managers who fail to carry out their responsibilities, as hereinabove stated, will be subject to disciplinary action, up to and including termination of employment.

**Procedures for Reporting Fraud and Whistle Blowing**

1. Complaints may be reported orally or in writing to internal audit (whether in house or outsourced), the Country Director, Chief Operations Officer or the Director General, or if any of these persons are the subject of the complaint, the complaint may be made to one of the other two named officers or the Chair of the Audit and Risk committee or the Chair of the International Board.

2. Fraud Complaints must be filed in, as per the standard form attached hereto, by the persons making the complaints, their supervisors, or, if it is a verbal complaint, by the person receiving the complaint, with a copy sent to internal audit. If the complaint involves the internal audit, the copy of the complaint shall be sent to the Chair of the Audit and Risk committee.

3. The internal audit shall report all complaints and the results of any subsequent investigation to the Chair of the Audit and Risk committee. If the complaint involves internal audit, the Chair of the Audit and Risk committee shall initiate the investigation and shall report all complaints to the full Audit and Risk committee and the Chair of the Board.

4. Complaints may also be submitted anonymously through the Internal Audit web site: under development.

However, persons reporting an actual or suspected fraud are encouraged to establish a means of communication with the Internal Audit Office in case additional information is required, and so as to remain informed of the status of any inquiry.

**Procedures for the Investigation of Alleged Fraud**

1. The complaint will be reviewed by internal audit (or, if the complaint involves the Internal Audit by the Audit and Risk Committee (ARC) chair), with the assistance of legal counsel, an investigative action will be undertaken as promptly as possible.

2. All complaints of fraud must be treated in confidence to the extent possible.

3. To the extent possible, the complainant or the supervisor shall meet and discuss the matter with internal audit. If the complaint involves internal audit, the complainant or supervisor may meet with the Chair of the ARC to discuss the complaint. Such discussion will include consideration of the following issues:

- a. Does the alleged act constitute breach of this policy?
- b. Is the issue potentially a criminal matter? (If so, the advice of the legal counsel would be sought)
- c. What steps need to be taken immediately to protect evidence, and how will those steps be taken?
- d. Should the police, judiciary, or public prosecutor be notified? (level of seriousness of the crime, the determination whether or not the „public“ has been a victim)
- e. What units of the Foundation are involved? Should their department heads be brought into the investigation, and if so, when?

4. A basic principle is that no unit of the Foundation will be allowed to investigate itself independently.

5. If deemed necessary, internal audit (or the ARC chair) may inform human resources and or other relevant department heads of the complaint and the status of the investigation.

6. If internal audit (or the ARC Chair) resolves that further investigation need to be carried out, internal audit will inform the DG, and the DG will appoint an investigating committee and a chair to oversee investigation of the case. If the DG is the subject of the complaint, the ARC Chair will appoint an investigating committee.

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7. In cases where there is threat to life, fear of losing evidence, or the possibility of redressing the situation, the DG (or ARC Chair) may take or order immediate action, pending the meeting referred to in item 3 above, or a meeting of the investigating committee.

8. The investigating committee may decide to meet with the employees under investigation and, will request that the Human Resource Department to temporarily suspend the employees being investigated from their current duties, until such time as the investigation either confirms their involvement in the fraud, or clears them of suspicion. A copy of the suspension request shall be sent to the Head of the Department of the employee under investigation.

The committee may also schedule meetings with such other persons as are suspected to have been involved in, or to have any knowledge of the alleged fraud.

All such meetings shall be handled as confidentially as possible and shall be documented by the committee.

9. Employees who are under investigation shall be entitled to consult with a representative and to have a representative or any other employee of the Foundation present during the course of any interview that is conducted in connection with the alleged fraud.

10. Upon completion of its investigation, the investigating committee will submit a written report to the DG (or ARC Chair), who will issue a decision on the matter, including any disciplinary action to be taken. Such decision will be communicated to the person accused of the fraud, by the head of the department in which the person is employed, in coordination with the Human Resources Department. The decision of the DG (or ARC chair) will be final.

### **Consequences for Fraudulent Acts**

1. The Foundation will take appropriate action in response to any complaints, including disciplinary action, up to and including termination of employment, against any person who, in the Foundation's assessment, has acted in violation of this policy.

2. Persons who deliberately or maliciously lie to cover up or conceal an act sanctioned by the policy, obstruct the reporting of, or fail to report or monitor a fraud that they become aware of, will be considered to be accessories after the fact and will be subject to disciplinary action and termination.

3. The Foundation reserves the right to press charges against employees and to report any criminal action to the appropriate authorities. Approval of the Director General must be obtained for all charges and Audit and Risk Committee must be informed when action charges are not preferred.

4. If the fraud requires investigation by the government, the matter will be referred to the police for investigation and appropriate action. The Director General will determine which cases warrant police or investigation by other arms of government. However, the foundation reserves the right to sue employees under the civil law in order to force restitution of any loss that the Foundation may have suffered.

5. The staff files of employees disciplined under this policy will record the reasons for the disciplinary action. Under extraordinary circumstances, employees discharged under this policy shall not be eligible for re-employment by the Foundation.

### **Protection under the Policy for Whistle Blowers**

1. In conducting its investigations and in dealing with complaints under this policy, the Foundation will strive to keep as confidential as possible the identity of any complainant or any individual who provides information during the course of an investigation.

2. The Foundation will not knowingly, with intent to retaliate, take any action harmful to any complainant or individual who provides information during the course of the investigation, including interfering with their lawful employment or livelihood, for:

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- a. Reporting a complaint in good faith pursuant to this policy to law enforcement officers, governmental agencies or bodies, or persons with supervisory authority over the complainant.
  - b. Providing, in good faith, information regarding a complaint to law enforcement officer, governmental agencies or bodies, or persons with supervisory authority over the complainant; or
  - c. Otherwise participating or assisting in a proceeding filed or about to be filed.
3. Persons who threaten retaliation against a person reporting a suspected fraud shall be subject to disciplinary action, up to and including termination of employment.
4. An individual who deliberately or maliciously provides false information, may, however, be subject to disciplinary action, up to and including termination of employment.

**Retention of Complaints and Documents**

All complaints regarding alleged violations of this policy will remain confidential to the extent practicable. In addition, a registry of complaints, frauds and all written statements, along with the results of any investigations relating thereto, shall be retained by the Internal Audit Manager in accordance with the Records Retention Policy.

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**FRAUD COMPLAINT**

**Prepared by:** \_\_\_\_\_ **date:** \_\_\_\_\_

**Office/program:** \_\_\_\_\_ **signature:** \_\_\_\_\_

**Description of alleged incident and related parties**

**WERE PARTIES OUTSIDE THE Amref INVOLVED? (COMPLETE ONLY IF KNOWN)**

**HOW WAS THE ALLEGED INCIDENT DISCOVERED?**

**RULES, REGULATIONS, AND PROCEDURES ALLEGEDLY VIOLATED  
(COMPLETE ONLY IF KNOWN)**

**OTHER COMMENTS**