MALAWI SCOTLAND PARTNERSHIP

Anti-Fraud & Bribery Policy

February 2025.

Contents

ARTICLE 1: INTRODUCTION

Malawi Scotland Partnership (MaSP) is a Malawian owned and Malawian led National Network which exists to support, inspire and develop links that benefit both Scottish and Malawian people by creating a coordinating hub for Malawian organizations linked with Scotland

The Ant Fraud and Bribery policy applies to all relevant persons of MaSP. Relevant persons include Board members, staff wherever located, including but not limited to part-time staff, casual workers, consultants, contractors, volunteers and interns while they are engaged in any MaSP work (for ease of reference referred to in this policy as" employees".)

This policy is to be read in conjunction with MaSP's Code of Conduct and other MaSP policies to ensure that appropriate ethical conduct is practiced across all MaSP Offices.

ARTICLE 2: DEFINITIONS OF CORRUPTION, FRAUD, BRIBERY

2.1 Corruption

Corruption is the abuse of entrusted power for private gain.

2.2 Fraud

Fraud is the act of intentionally deceiving someone in order to gain an unfair or illegal advantage (financial, political or otherwise). There are many different types of fraud and the methods used, particularly given recent technological advancements, are constantly evolving. Generally, speaking, fraud is a form of dishonesty and all acts of fraud include some dishonest element, but mainly:

- by false representation;
- by failure to disclose information; or
- by abuse of position, in each case, to make a gain for themselves or another or to cause or expose another to a risk of loss.

2.2.3 MASP does not, either directly or indirectly, through intermediaries or third parties, solicit, receive, offer, promise or provide any financial or other advantage of material value, or otherwise exercise improper influence in its dealing with partners, service providers, Government or public officials with the intention of obtaining any improper advantage in the conduct of its business

2.2.4 It is also bribery to make unofficial payments (known as 'grease' or 'facilitation' payments) to a public official or any other person to secure or speed up a routine action to which you may be entitled

2.2.5 The following are examples of fraud and bribery relevant to MaSP context, the list is by no mean exhaustive.

- ✓ A person responsible for grant management in MaSP requires or accepts kick-backs from partners for grant awards or payment remittances
- ✓ A staff member submits fake receipts in an expense claim
- ✓ A manager requires a payment for authorizing an expense claim
- ✓ A staff or a director fails to disclose a conflict of interest with a partner, supplier or other staff member
- ✓ A staff member bribes an auditor to ignore or fail to report an audit finding
- ✓ A staff member colludes with a supplier to get a kickback on overpriced goods or services
- ✓ An accounts officer records a transaction in the accounting records they know to be false
- ✓ Accounts officer knowingly posts entries to incorrect codes in order to conceal fraudulent payments
- ✓ A staff member driving on [MASP] business makes an unreceipted cash payment to a traffic officer to avoid a traffic offence fine, whether or not the expense is charged to MASP
- ✓ An unofficial payment is made to a Government Officer to be allowed access to work in a particular District
- ✓ An unofficial payment is made to the police or judiciary to facilitate the release from detention or dropping of charges against a MASP employee or a director.

ARTICLE 3: ZERO TOLERANCE ON FRAUD OR BRIBERY

3.1 MASP's position to fraud and bribery is to take a zero-tolerance approach and we are committed to pursuing this approach throughout its operational practices for the following reasons:

- ✓ MASP recognizes the significant risk that fraud and bribery pose to the achievement of its aims and objectives. Any money that is lost to fraud or bribery is money that cannot be used to achieve our objectives.
- ✓ Corrupt behavior also seriously damages our reputation. The eradication of fraud and bribery in the way we operate is of great importance to securing the trust and confidence of all our stakeholders.
- ✓ We owe it to the communities that we operate in not to condone fraud or bribery. Corruption creates unstable societies. It destroys public and business standards, and forces ordinary people to use resources that they can ill afford in their interactions with the government and other public bodies.

3.2 All members of staff and the board, together with volunteers and contractors are required to sign the zero-tolerance declaration form (Appendix 1) during induction and annually thereafter on 1 January.

3.3 We support the application of the zero-tolerance policy by providing:

- ✓ Direction and rules to clearly establish appropriate and expected béhavior
- ✓ Effective deterrents to inappropriate béhavior in the form of meaningful consequences
- ✓ Prevention measures to reduce the risk of fraud or bribery occurring

- ✓ Detection measures to identify fraud or bribery if it happens, including speaking up lines
- ✓ Response measures to ensure we react well to suspicions, allegations and proven incidents of fraud & bribery, including protection and fair treatment for accusers and accused.
- ✓ Measurement processes to evaluate the impact and success of our antifraud & bribery policy and management of risk.
- ✓ Deliberate proactive steps to embed anti-fraud & bribery thinking into our culture, including staff training and awareness.

3.4 Anyone found guilty of fraud or bribery will be subject to disciplinary measures which will ordinarily include dismissal, prosecution and recovery of losses.

ARTICLE 4: ANTI-BRIBERY POLICY

4.1 MASP employs all legal and safe tactics to avoid and resist paying bribes to Public Officials, even if it results in denials, delays, inconvenience, and increased cost to our operations.

4.2 No relevant person is authorised to pay a bribe on behalf of MaSP or using MASP funds.

4.3 Individuals are not expected to resist bribery to the point of putting themselves or others at real risk of personal harm or injury. A payment under such circumstances is considered extortion rather than bribery.

ARTICLE 5: CONFLICTS OF INTEREST

5.1 A conflict of interest exists where an employee or a Board Member has an interest, relationship, or friendship which could, or could be seen to, interfere with their ability to decide an issue in the best interests of MASP

5.2 Employees should conduct themselves in a manner that avoids even the appearance of conflict between their personal interests and those of MASP.

5.3 The purpose of this policy is to ensure that all conflicts of interest are declared, declared conflicts are managed to mitigate the associated risks, and that decisions and actions are documented to ensure transparency and accountability.

5.4 Examples of conflicts of interest include (but are not limited to):

- ✓ Relationships between members of the Senior Leadership Team, accounts staff, procurement staff, HR staff or board members and any other staff member.
- ✓ Relationships between any person and their line manager
- ✓ Relationships between MASP staff or board members and suppliers, donors, grantees, beneficiaries or job applicants.

NOTE: 'relationship' in this context could include family, romantic relationships, being a bank signatory, advisor or board member.

5.5 The existence or discovery of a conflict of interest does not constitute a breach of policy as long as it is disclosed as soon as possible.

5.6 The Board of Directors, Senior Leadership Team members and staff in finance (accounting), procurement and HR are required to make annual conflict of interest declarations using the form.

5.7 All staff are required to disclose conflicts of interest as soon as they arise or the staff member becomes aware of the conflict of interest. Examples of such disclosures would include:

- ✓ A close friend of a staff member applies for a job with MASP.
- ✓ A potential supplier presented to the procurement committee is a company where a committee member is a board member or is directly connected to.

5.8 The recruitment conflict of interest declaration form (Appendix 2) should be signed by all relevant persons involved in the development or design of selection tools, those with access to the selection tools, and those involved in the selection process. It should be signed as soon as all the applications are received and before any short listing.

5.9 The Procurement Committee meeting agenda should always include a clear listing of all suppliers on the approved suppliers list, as well as all those who have provided quotes for the purchases under consideration. All members present should be required to declare that they have no interests in any of the suppliers under consideration at that meeting, and this should be recorded in the minutes.

5.10 If a conflict arises or is discovered, it should be immediately declared using the form in **Appendix 3**.

5.11 Appropriate actions should be taken to resolve the conflict of interest, which may be temporary or permanent, for example:

- ✓ A procurement committee member being removed from a particular supplier selection decision in which they are conflicted.
- ✓ A staff member ceasing to act as board member, signatory or advisor which is causing the conflict
- ✓ A conflicted staff member is removed from all aspects of the recruitment and selection process

5.12 The steps taken to manage the conflict of interest and mitigate the risk of conflicted decision taking should be documented on the declaration form.

ARTICLE 6: GIFTS AND ENTERTAINMENT

6.1 Gifts and entertainment should never be used or allowed to influence business decision making.

6.2 When offers of gifts and entertainment are made or accepted in situations where they are not appropriate, they can look like, or may in fact be, bribes. They can expose us to accusations of unfairness or even break the law, and can put at risk our reputation for ethical behaviour.

6.3 The following gifts may never be offered or accepted, and will always be deemed inappropriate.

- ✓ Cash of any amount
- ✓ Any gift with a value exceeding $100
- ✓ Any entertainment worth more than $150
- ✓ Any gifts or loans from existing suppliers or prospective suppliers while a tender process is underway
- ✓ Any gifts or loans to staff involved in supplier selection decisions (e.g. Procurement Officer or member of Procurement Committee)

6.4 It is never allowed to request for a gift or entertainment.

6.5 Gifts or entertainment below the limits above [6.3] are not necessarily appropriate.

6.6 In some circumstances an element of judgement is required to decide whether a gift is appropriate or not. If any staff or board member is in any doubt, they should consult senior management team (or the board chair in the case of the Chief Executive Officer) and obtain written permission before accepting or offering a gift.

6.7 The following circumstances imply the giving or receiving of a gift or entertainment offer may be appropriate:

- ✓ The giving and receiving of the gift or entertainment strengthens a genuine business relationship
- ✓ The gift or entertainment does not constitute an attempt to apply undue influence, and does not create an undue obligation
- ✓ The gift or entertainment is given or accepted in the open rather than in secret
- ✓ The gift or entertainment is given to celebrate a recognized cultural event such as Christmas or New Year.
- ✓ The gift or entertainment is given to the organization or a group of people (department) rather than an individual
- ✓ The gift or entertainment is branded marketing materials (pens / notebooks etc.)
- ✓ The value of the gift or entertainment is not excessive or abnormal in social context
- ✓ The timing of the gift or entertainment is not suspicious

6.8 The following circumstances imply the giving or receiving of the gift or entertainment may be inappropriate:

- ✓ The timing, nature or circumstances of the gift means it could be perceived as an attempt to influence a business decision
- ✓ The value of the gift is excessive in the circumstances (despite being below the limit on 6.3)
- ✓ The receiver feels obligated, or the giver feels entitled
- ✓ The gift is given or received in secret

6.9 If any staff or board member is offered an inappropriate gift, they should politely decline it and inform their line manager or board chair.

6.10 In the event that declining an inappropriate gift in the moment that it is given might be culturally inappropriate or embarrassing, it should be returned within no less than a week, with appropriate documentary evidence to prove that the gift was returned.

6.11 In the event that an inappropriate gift is received publicly, steps should be taken to restore the reputation of the organization, in addition to returning the gift.

6.12 In the event that inappropriate gifts are received without consent (such as courier deliveries, bank or mobile money transfers), these should be declared immediately using the conflict-of-interest declaration form. Steps should be taken to return the gift, or notify authorities if money laundering is suspected.

6.13 Inappropriate gifts received by employees and subsequently declared should not be received into the organization's funds – rather they should in all cases be returned.

6.14 Appropriate gifts, given to the organization as a whole, or to a particular team, should normally be enjoyed or shared by all relevant staff members. Where an appropriate item is not easily sharable, it should be raffled by some random and transparent means.

ARTICLE 7: SPEAKING UP

7.1 MASP's policy on speaking up is designed to build confidence of relevant persons to report genuine concerns about fraud, bribery or other types of misconduct. For many cases of misconduct, someone reporting it is the only way it can be discovered and dealt with.

7.2 A genuine concern is sincerely felt and based on information the reporting person believes to be true or trustworthy. Upon further investigation, a genuine concern may or may not turn out to be true. The motivation of the person reporting a genuine concern is not relevant to its definition as a genuine or not.

7.3 A false accusation is when the reporting person knowingly fabricates information or reports information, they know to be false.

7.4 MASP's speaking up lines should be used by all relevant persons to raise any genuine concerns.

7.5 MASP has zero tolerance to anyone who is found to have wilfully and deliberately abused a speaking up line to knowingly make false accusations. Appropriate disciplinary measures will be taken.

7.6 A genuine concern should be reported when there is evidence or a strong suspicion of misconduct in fraud or bribery, sexual misconduct, harassment and any illegal act.

7.7 Concerns may be reported to the following persons;

- ✓ The Chief Executive Officer
- ✓ The Finance and Administration Officer
- ✓ The Board Chairperson

7.8 All relevant persons are encouraged to report genuine concerns using the above lines. They should report as much detail as possible, including who, when, where, and how and whether they have evidence or the basis for their suspicion.

7.9 Concerns may be reported anonymously, but people are encouraged to give their name and / or contact details as it is easier to investigate allegations when it is possible to follow up for more details from the reporting person.

7.10 MASP will address any concerns raised with the reporting person within 24 hours, assuming contact details have been provided.

7.11 Information about the speaking up lines will be made available:

- ✓ On the website, and findable by site search
- ✓ Within the partner grant application form
- ✓ On a poster displayed in the office
- ✓ Within this policy

ARTICLE 8: WHISTLEBLOWING

8.1 Introduction

The Organization encourages employees to raise any concerns that they may have about any wrongdoing at any level within the Organisation. Wrongdoing in this context means any breach of a legal obligation, risk to health and safety or intentional damage to the environment

Any initial concern should be raised with the Chief Executive Officer (or in the case of the Chief Executive Officer with the Board Chairperson who will ensure that your concern is properly addressed.

Employees who raise a concern under this policy are entitled not to be subjected to any detriment as a result. Even if your concern proves to be unfounded you will be protected against any reprisals from your manager, colleagues or any other employee of the Organisation. Making a deliberately false allegation, however, against the Organisation, a fellow employee or any other person will be treated as an act of gross misconduct which will usually result in dismissal.

If you are the subject of an allegation of wrongdoing then you will be informed of the allegation and given every opportunity to explain the situation and put your side of the story.

Disciplinary action will only be taken following a full investigation in accordance with the disciplinary procedure.

8.2 Definition

Whistleblowing is when a worker reports suspected wrongdoing at work. Officially this is called 'making a disclosure in the public interest'.

A worker can report things that aren't right, are illegal or if anyone at work is neglecting their duties, including:

- Someone's health and safety is in danger
- Damage to the environment
- A criminal offence e.g. fraud or corruption
- the organization isn't obeying the law e.g., failing to pay taxes, pension contributions, or insurance.
- Covering up wrongdoing

Malawi Scotland partnership (MaSP) is fully committed to operating to the highest possible standards, both within its internal operations and governance.

8.3 Types of whistleblowing eligible for protection

These are called 'qualifying disclosures. They include when someone reports:

- that someone's health and safety is in danger
- damage to the environment
- a criminal offence
- that the organization isn't obeying the law (like not having the right insurance) that someone's covering up wrongdoing

ARTICLE 9: SUPPORTING REPORTING PERSONS

9.1 MASP has zero tolerance to any form of retaliation against reporting persons also known as 'whistle-blowers'.

9.2 All relevant persons who report genuine concerns will be properly protected and supported.

9.3 Details of any allegations or suspicions raised should be recorded on a fraud, bribery & misconduct report form (Appendix 4) and submitted to the Chief Executive Officer.

9.4 MASP commits to take the support of reporting persons seriously by:

- ✓ Taking care not to underestimate or disregard the risk that a reporting person may be exposed to, or the level of fear or anxiety they may be experiencing.
- ✓ Appointing someone with responsibility for supporting the reporting person (the 'support person'). Usually this will be their line manager.
- ✓ Providing the support person with relevant information to share with the reporting person, unless they are a member of the Fraud Response Team.
- ✓ Assuring the reporting person that their concern is being handled and taken seriously.
- ✓ Explaining that their identity will be protected to every extent possible but cannot be guaranteed.
- ✓ Answering questions as appropriate and provide emotional support but do not share confidential information with the reporting person.
- ✓ Informing the person of any decision to investigate or not, investigation outcome, and actions taken as appropriate.
- ✓ Taking necessary steps to ensure the safety of any reporting person, even if there is a cost implication, in cases where the person experiences or fears retaliation or harassment.

PART II

ARTICLE:10 FRAUD RESPONSE TEAM

10.1 Once a concern has been reported or otherwise identified, the responsibility to respond to that allegation will fall to the Fraud Response Team.

10.2 The Fraud Response Team will be convened by the Chief Executive Officer, or a board member in the event that the Chief Executive Officer is involved. The Fraud Response Team should comprise 3 individuals from the Senior Leadership Team or Board of Directors. Any relevant person implicated in an allegation may not be a member of the Fraud Response Team.

10.3 The roles and responsibilities of the Fraud Response Team are to:

- ✓ Update the Fraud & Bribery Register in Appendix 6.
- ✓ Document meetings, decisions and learning
- ✓ Maintain confidentiality, especially with respect to the reporting person and the person accused of alleged misconduct
- ✓ Ensure the reporting person is supported and protected from harm (see Section 8)
- ✓ Take urgent steps to protect assets or information as needed
- ✓ Communicate with donors (see Section 10) and manage other internal and external communications as appropriate
- ✓ Make preliminary investigations
- ✓ Decide either or not to conduct a full investigation (See Section 11)
- ✓ Set up the Terms of reference and/or contract for the investigation
- ✓ Act on the findings of the investigation

10.3.1 The Fraud Response Team will use the checklist in Appendix 5 as an aide memoir of the issues to consider when responding to an allegation of misconduct.

10.3.2 A case file should be opened to hold all emails, meeting minutes, reports, and other information relevant to the case. The file should be held in a safe and secure place.

10.3.3 All reported or otherwise identified allegations, suspicions or concerns should be brought to the attention of the board as soon as identified (without undue delay), maintaining confidentiality but updating them about actions taken until the issue is closed.

ARTICLE 11: REPORTING FRAUD & BRIBERY TO DONORS

11.1 MASP takes its contractual and fiduciary responsibility to report fraud and bribery to donors very seriously.

11.2 The Fraud Response Team's duty for communicating with donors should include the following actions:

- ✓ Appoint a donor contact person to channel all communication with the donor with respect to the suspected fraud or bribery.

- ✓ Consult the donor agreement with respect to terms and conditions about reporting suspected fraud or bribery, and ensure that they are met. If in doubt, communicate within 48 hours, if the fraud may have an impact on a particular donor's funds.
- ✓ Protect the identity of the suspect and reporting person. Avoid sharing any confidential details.
- ✓ Reassure the donor by explaining the process being followed to handle the allegation.
- ✓ Confirm verbal communications in writing.
- ✓ Keep the donor updated with progress, and the outcome of the investigation.

11.3 The full investigation report or disciplinary report should not be shared with the donor unless required to do so, and if so, only in an anonymized form.

11.4 Fraudulent losses that are disallowed by donors can only be financed from unrestricted funds.

ARTICLE 12: CONDUCTING INVESTIGATIONS

12.1 The purpose of conducting an investigation is to gather evidence and facts to establish whether suspicions or allegations are true, and whether any proven incidents are isolated or more widespread.

12.2 All investigations should be impartial, thorough, timely and confidential.

12.3 Any relevant persons investigated will be considered innocent until proven guilty. False or mistaken accusations are not uncommon.

12.4 All reported allegations or suspicions of misconduct should normally be investigated. This includes even cases where:

- ✓ There is belief that the genuine concern may have been reported due to malicious motives.
- ✓ The allegation relates to attempted fraud or bribery.
- ✓ The accused staff member has since left the organization.

12.5 The Fraud Response Team may decide not to investigate only in exceptional cases where a reported allegation or suspicion:

- ✓ Is frivolous, trivial or has clearly arisen from a misunderstanding.
- ✓ Is wholly unbelievable, i.e. there is no conceivable way the facts it related to could have occurred.
- ✓ Has been raised anonymously and there is insufficient information to investigate.

12.6 Investigations may be carried out by in-house staff, senior staff from another country office or sister organization, the internal auditor (which may be an outsourced function), an audit firm, donor, or a specialist investigation firm, depending on the case.

12.7 Investigators should be objective and unbiassed, thorough, able to maintain confidentiality, competent in investigative techniques, empowered with sufficient seniority and confidence, honest persons of integrity, and independent of any possible subsequent disciplinary process.

12.8 The Fraud Response Team should set out a clear term of reference for the investigator including background, allegations made, scope of investigation, and the timeline for expected work and reports.

12.9 Care should be taken not to compromise admissibility in court of all evidence collected. This might include for instance:

- ✓ Taking two full backups of hard drives / electronic files – one which is left untouched and the other which is used for the investigation.
- ✓ Keeping documents in the files they were filed in, in the order they were filed in. If documents are removed, take a note of where they were located.
- ✓ Adding hole punches to or writing comments on documents which may be admitted as evidence.
- ✓ Considering fingerprint contamination if appropriate.

The following factors should be considered in deciding whether or not to suspend staff:

- ➢ Could the staff member's presence in the office result in risk of loss or damage to evidence, influencing of witnesses, or interfering with the investigation in any way.
- ➢ Would the impact on other staff or operations be excessive?

Are there local labour laws regarding the maximum length of any formal suspension?

12.10 Any other alternatives been considered, such as sending the staff on a training or work trip, or requiring them to take leave?

12.11 The legal and other rights of interviewees should be considered when conducting interviews during an investigation. This might include among other things ensuring that:

- ✓ All interviews are completely and accurately documented
- ✓ There is a complete ban on coercion or coercive techniques
- ✓ The assistance of a translator is provided if necessary
- ✓ The date, time and location of interviews are unless required within office norms
- ✓ The interviewees' wish or right to have a witness or lawyer present is respected as appropriate.

12.12 A formal documented investigation report should be submitted to the Fraud Response Team, according to the timing agreed, which outlines the findings, facts and conclusions of the case.

12.13 The investigation report should make recommendations about weaknesses. It should avoid making any recommendations associated with disciplinary consequences.

ARTICLE 13: REPORTING AND ACTING ON FINDINGS OF INVESTIGATIONS

13.1 The Fraud Response Team will agree on the appropriate actions to be taken in light of the findings of an investigation.

13.2 Where fraud is collusive and involves more than one staff member, junior employees should never be used as a scapegoat to protect more senior employees.

13.3 The Fraud Response Team may choose to offer concessions to witnesses who are prepared to give information or evidence about other staff, provided the evidence is proved correct and leads to disciplinary action against those other staff.

13.4 On receiving the investigation report, the Fraud Response Team may choose to take the following actions, as appropriate to the case:

- ✓ Take legal advice
- ✓ Pass the matter to the HR department or relevant authority to take action against guilty individuals, in accordance with the disciplinary policy, which should usually be dismissal.
- ✓ Organize appeal hearings in accordance with disciplinary policy, in case individuals appeal
- ✓ Clear the reputations of those accused but found to be innocent of wrong doing
- ✓ Recover losses from individuals
- ✓ Prosecute in courts of law
- ✓ Make improvements to internal control systems to ensure that similar frauds do not happen again
- ✓ Implement recommendations from investigation report
- ✓ Communicate with donors, staff, and public as necessary
- ✓ Discuss with donors with respect to treatment of fraudulent losses, making repayment if required.
- ✓ Initiate the recruitment to replace terminated staff (by HR department)
- ✓ Initiate the revision of budgets and cash flow forecasts (by finance department)

13.5 All decisions and actions of the Fraud Response Team shall be documented and filed on an incidence file.

13.6 A one-page summary of the case (allegation, response and outcome) should be prepared, shared with the board and filed on the front of the incidence file.

ARTICLE 14: INDUCTION, TRAINING AND AWARENESS

14.1 All relevant persons should receive training in the following elements (starred items at induction):

- ✓ Definitions of Fraud & bribery, with relevant examples
- ✓ Relevant sections of this policy (zero tolerance, conflicts, gifts, and speaking up) *
- ✓ Reporting suspicions*
    - What to report

- How to report

✓ Confidentiality and protection
✓ Signing declarations (code of code of conduct, conflict of interest, zero tolerance etc) * • Fraud triangle & Zero tolerance principle
✓ Building confidence to report by explaining key steps of how reported suspicions are handled.

14.2 In addition, the following topics should be covered for every manager (starred items should be covered as part of the manager's induction):

- ➢ What to do if someone reports a suspicion to you*
- ➢ Maintaining confidentiality*
- ➢ Supporting and protecting people who speak up*
- ➢ Communication with donors, staff, public, suspect/s, reporting person*
- ➢ Roles and responsibilities of the fraud response team
- ➢ Documentation (incidence report, fraud register)
- ➢ Investigations
- ➢ Actions to take after an investigation

14.3 Refresher training will be organized for all staff at least every 2 years

14.4 The HR department will monitor to confirm everyone has received appropriate training

14.5 Part 1 of the anti-fraud & bribery policy shall be available from our HR department office and shared/emailed to all staff at induction and before trainings.

14.6 Part 2 of the anti-fraud & bribery policy shall be shared with, and accessible to all relevant managers, but should not be shared publicly or with all staff.

14.7 Day to day awareness of anti-fraud & bribery culture will be encouraged by the following:

✓ Standing item on Senior Leadership Team meeting agenda of 'fraud risk'
✓ Anti-fraud & bribery posters in the office

ARTICLE 15: DISCIPLINARY PROCESS

15.1 Where evidence of fraud or bribery is discovered, MASP disciplinary policy should be followed.

15.2 In accordance with MASP zero tolerance policy, the usual outcome for committing, or attempting to commit fraud or bribery, or deliberate abuse of the speaking up lines, will be dismissal.

15.3 In the event of collusion or coercion, consideration may be given to a degree of leniency if it results in information against a more senior staff member.

ARTICLE 16: GRIEVANCE PROCESS

16.1 If staff feel they have been unfairly treated during a fraud or bribery response, they may take recourse in line with the Grievance Policy.

ARTICLE 17: CONTRACTS

17.1 All standard staff contracts should include a clause which allows MASP to terminate the agreement with immediate effect if the employee commits any act of gross misconduct, including fraud, bribery or theft.

17.2 MASP supplier application form (Appendix 7) or contract should overtly discourage any form of misconduct. The following clauses will include;

- ✓ We will provide quotations at best value when requested
- ✓ We will accept payment by cheque or bank transfer
- ✓ We will not offer or pay any incentive to the NGO or its officers, either to win bids to supply goods or services, or as personal gifts or loans.
- ✓ We will not provide quotations in return for favour or payment from the NGO or its officers.

17.3 The sub-grantee application form and sub-grantee grant agreements or contracts should include the following clauses:

- ✓ MASP awards grants and contracts on a free and fair basis, without requesting or accepting any payment or favour. In the event that a partner is requested for any kind of payment or favour as a condition or implied condition for being awarded a grant or contract, the partner should contact the Chief Executive Officer immediately.
- ✓ The partner must notify MASP as soon as it becomes aware that a fraud is likely to have occurred which may have an impact on the project and / or funds of MASP.
- ✓ The partner is responsible to refund any fraudulent losses.

ARTICLE 18: REVIEW OF POLICIES AND PROCEDURES

These policies and procedures are reviewed after every two years. Memos and other circulars maybe issued to update these policies and procedures in event that a policy changes before the two years have elapsed.

ARTICLE 19. APPROVAL HISTORY

Version	1
Approval Date	28/02/2025
Approved By	LUCKY MBEWE
Designation	CHAIRPERSON AFHAR
Date of next Review	July 2027

Appendix 1 Zero tolerance declaration form

Zero tolerance declaration form

This form should be completed by new employees when the join the organisation and by all employees before 1st January each year.

I, __________________________________, understand that MaSP has a zero-tolerance policy on fraud and bribery.

I understand that fraud includes a wide range of dishonest behaviour, including theft, making false statements, falsifying data, and using, for my own purposes and without permission, property that does not belong to me.

I understand that bribery includes a wide range of dishonest behaviour, including accepting or paying kickbacks and making unofficial payments to public officials.

I understand that, at MASP

- Fraud and bribery are never acceptable.
- All activities that MASP undertakes in furthering its mission must be done with integrity.
- Resources must be protected and maximized for the benefit of our beneficiaries.
- Any employee found to have committed fraud or bribery will be subject to serious disciplinary action or termination of employment.

I understand that MASP strongly encourages me to speak up and report any genuine concerns or suspicions of fraud or bribery, sexual misconduct, harassment or illegal acts in the workplace.

I understand that I can report those suspicions verbally or in writing by contacting:

- The Chief Executive Officer
- The Board Chairperson
- Financial and Administrative Manager

I understand that I may report anonymously, but I am encouraged to give my name to make investigation possible

Name……………………………Date…………………………

Signature……………………………………

Appendix 2- Annual conflict of interest declaration form

This form should be completed before year starts by all board members, senior leadership team

members, and staff members with roles in finance (accounting), procurement and HR.

Your name: ………………………………………… Your position: ……………………………………………

I understand that a conflict of interest arises if an employee or a Board Member has an interest, relationship, or friendship which could, or could be seen to, interfere with their ability to decide an issue in the best interests of MaSP.

I understand that the existence of a conflict of interest does not constitute a breach of policy, so long as it is declared, so that it may be properly managed.

I have been shown a list of current board members, staff members, suppliers and partners, which is attached to this declaration.

I hereby declare that I have no known personal or business relationships or interests with any other staff member, board member, current supplier or contractor, except for:

Name	Nature of relationship
1.	
2.	
3.	

I further state that I will declare any conflict of interest arising during the year as soon as I become aware of it.

Name: ………………………………………… Sign: ………………………………Date………………………

Note: The signed form will be filed on a conflict's declaration file, with a copy on the personal file. The individual need to retain a copy of the lists.

Appendix –

3 Recruitment Conflict of Interest Declaration Form

Recruitment conflict of interest declaration form

This form should be completed by anyone involved with access to the relevant recruitment selection tools or involved in the selection process.

Position being recruited: ....

Your name:

....

Your role in selection process...

I hereby declare that I have been shown a complete list of the applicants for the above position and that I do not personally know any of them except for:

Name	Nature of relationship
1.	
2.	
3.	

I further declare that I have not and will not provide any assistance, favor or guidance to any applicant during the selection process.

Name: ....

Sign: ....

Date: ....

The signed form should be filed on the recruitment file, with a copy on the above-named staff member's personal file.

3 Declaration of Conflict-of-Interest Form

Conflict of interest declaration form

This form should be completed by any staff or board member who becomes aware of a

conflict of interest arising during the year. It should be filed as soon as the individual

becomes aware of the conflict.

Name:	
Position:	

I understand that a conflict of interest arises if an employee or a Board Member has an interest, relationship, or friendship which could, or could be seen to, interfere with their ability to decide an issue in the best interests of MaSP. I understand that the existence of a conflict of interest does not constitute a breach of policy, so long as it is declared, so that it may be properly managed.

I hereby declare the following conflict of interest:

Name of person or organisation	
Nature of conflict	
Date conflict arose	

Sign: .... Date: ....

To be completed by Senior management team member:

Actions taken to mitigate risk of above declared conflict:

Name: ....Sign: .... Date:............................

The signed form should be filed on a conflict's declaration file, with a copy on the personal file.

Appendix –

4 Fraud, bribery & misconduct report form

Fraud, Bribery & Misconduct Report Form

The information contained within this form is highly confidential. Only authorized persons should have access to the form and the information recorded here. This form must be securely stored.

This form should be completed by a line manager, Senior Leadership Team member or Board member who has received a report about a suspicion of fraud, bribery or misconduct

Date report made	
Who reported (name and job title)	
Date/s of incident/s triggering suspicion	
Nature of suspicion	
Suspect (name and job title)	
Evidence/witnesses (if any)	
Estimate of Loss	
Other relevant information	
Completed by Name:	
Job Title / Org:	
Signature:	
Date:	
Received by ED Sign:	

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Date:	

5 Allegation or concern response checklist

Checklist – responding to an allegation or concern

The Fraud Response Team is responsible for deciding the appropriate course of action on a case by case basis, in line with the policy. This checklist is an aide memoir only.

Issues to consider	
1. Obtain relevant facts from reporting person	
2. Re-assure reporting person their concern will be handled in confidence	
3. Document details on standard fraud incidence report	
4. Inform Country Director or equivalent	
5. Record incidence in Fraud Register	
6. Convene Fraud Response Team	
7. Ensure urgent safeguarding of assets / evidence	
8. Decide whether to investigate	
9. Obtain legal advice	
10. Communicate with Head Office	
11. Communicate with donor	
12. Communicate with, and consider rights of, accused	
13. Communicate with reporting person	
14. Communicate with staff? Public?	
15. Decide whether or not to suspend staff member	
16. Provide support to reporting person	

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17. Appoint and engage investigator with clear TOR	
18. Conduct investigation	
19. Report to police (may be necessary to acquire evidence)	
20. Take corrective action to right any wrongs in this incident	
21. Tale preventative action to prevent similar incidents in future	
22. Document and act on any other learning from the case	

Appendix –

6 Fraud & Bribery Register

Fraud & Bribery Register

Appendix –

Fraud & Bribery Register

Strictly confidential

Complete after first meeting of Fraud Response Team					Complete after investigation				
Method of discovery / report form number	Nature of suspicion	Donor informed?	Members of Fraud Response Team	Will there be an investigation?	Who conducted the investigation	Outcome of investigation	Estimated loss? Was loss recovered?	Corrective action taken?	Donor informed?

Appendix

7 MaSP supplier application form

Supplier Information

Business Name: ____________________

Business Certificate number ____________________

Contact Person: __________ Phone: __________ Address: __________

Email: ____________________ Website: ____________________

Released tender, date (DD/MM/YY) ____________________

Description of Products/Service to be offered (***including price range of Items***)

NAME OF PRODUCT / SERVICE	QUANTITY	UNIT PRICE	TOTAL
1.			
2.			
3.			
4.			

Attachments (e.g. Business Certificates):

1 ____________________

2 ____________________

3 ____________________

I ____________________ hereby certify that all the information provided on this application is true, factual and correct.

Signature: ____________________ Date: ____________________