

Anti-Corruption / Anti-Fraud Policy

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1. PUROPOSE

The Canadian Association of Midwives (hereinafter CAM) is committed to conduct its work ethically, honestly, and in full compliance with all laws and regulations applicable to the respective contexts in which it operates. Fraud, bribery, and corruption impact disproportionately on the poor and the most vulnerable people in the world, and disproportionately impact women. Such criminal activities divert resources from the intended beneficiaries, increase the costs of basic public services, undermine economic growth, and are barriers to poverty alleviation.

The policy of anti-corruption and anti-fraud (hereinafter the Policy) defines CAM’s commitment to acting professionally and fairly in all its dealings and relationships, employing the highest standards of openness, transparency and accountability and takes a zero-tolerance approach to fraud, bribery, and corruption. Zero tolerance means that CAM does not tolerate fraud, bribery, or corruption in relation to any of its work, and that all actions thought to be in breach of this Policy are reported to CAM. CAM will take all suspicions of corruption seriously and assess, act upon, investigate and rectify all such cases as appropriate and in a professional, transparent, and fair manner.

CAM works with entrusted means in the form of funds and other resources entrusted to the organization by members, public and private donors for proper, efficient, and effective use in its operations. CAM has an obligation towards members and donors to ensure that these means, and CAM activities are not subject to fraud, bribery and corruption. All Board members and staff, as well as all others working with CAM assets, have a responsibility to ensure that fraud, bribery and corruption are prevented in CAM activities.

The Policy is subject to review and revision every three (3) years, or more as required. In all cases, all amendments must be authorized by the Executive Director.

2. SCOPE OF APPLICATIONS

- **Covered activities:** The Policy applies to all CAM’s activities, which are defined as all activities and operations that CAM engages on or finances, either directly or indirectly through covered parties, in whole or in part.
- **Covered parties:** The Policy applies to the CAM’s:
 - Board members,
 - Staff, during and outside the office hours and during the periods of leave with no exceptions,
 - Consultants, who act on behalf of CAM based on service contracts,
 - Volunteers,
 - Interns,
 - Subcontractors,
 - Non-CAM entities and their employees and individuals who have entered partnership, subgrant, or sub-recipients’ agreement with CAM, committees, associations of any sort,
 - All other individuals not included in the above-mentioned categories, and who have signed contractual agreement with CAM.

3. DEFINITIONS

Fraud: Fraud is used to describe a range of illegal activities. These include, but are not limited to, deception, forgery, theft, the false reporting or concealment of material facts, collusion, and corruption (including bribery) and undeclared conflicts of interest (refer to CAM's Conflict of Interest Procedures stated in the Employee Handbook).

Examples of fraud other than bribery include, but are not limited to:

- *Theft of money, property, or assets.*
- *Inappropriate use of company assets and credit cards*
- *Submitting false expense claims.*
- *Forging, tampering with or falsely creating documents or records.*
- *Destroying or removing documents or records.*
- *Knowingly creating or distributing false financial information or reports.*
- *Engaging in bribery or corruption.*
- *Deliberately ignoring or acquiescing in fraudulent activity.*

Bribery: Bribery is the offering, promising, giving, accepting, or soliciting of money, gifts, or other advantages in exchange for doing something illegal or breaching an employer's trust.

Examples of attempted bribery, but are not limited to:

- *A potential supplier offers money or a gift to influence a procurement/tender process.*
- *A job applicant offers payment or a gift to increase their chances of being hired.*
- *A gift (e.g., excessive hospitality) offered to an official in return for approving a proposal.*
- *A potential or actual beneficiary offers a payment in return for allowing them or their family to be given aid to which they are not entitled.*
- *A government official asks for a payment to secure an NGO registration.*
- *A customs official asks for an unofficial payment or gift to release goods.*

Corruption: Corruption is the abuse of entrusted power or influence for private gain. CAM uses "corruption" as a broad term to include various acts and forms of illegal financial activities.

The terms fraud, bribery and corruption do not necessarily bring immediate financial or other direct or indirect benefit for the individual(s) committing them, but may cause financial, operational or reputational damage to CAM.

4. INTERNAL ANTI-CORRUPTION CULTURE AND PRACTICES

- CAM has a zero tolerance for corruption in all its forms. Staff members are prohibited from engaging in corrupt activities, both in their work and in their private life. Failure to comply will result in disciplinary action up to and including the possibility of termination of employment.
- CAM and staff are committed to staying accountable and transparent, to upholding CAM’s values and integrity, to following formal procedures, and to safeguarding CAM’s entrusted means.
- It is the obligation of everyone subject to the Policy to bring forward any related issues, questions, doubts, or concerns to CAM’s management team.
- CAM is committed to ensuring that everyone subject to the Policy understands: (i) the consequences of violating the Policy as it applies to them, (ii) their duty to report all suspicions of corruption thought to be in breach of this Policy to CAM, and (iii) how to do so via *Raising a Complaint or Concern Section* (section 6 of the Policy).
- CAM is committed to using transparent, straightforward, and clear procedures, monitoring, checks and balances and documentation to avoid corruption in its work.
- CAM is committed to avoiding conflicts of interest.
- CAM is committed to ensuring that any representation or hospitality promised, given, or received is in line with CAM’s Procurement Policy, occurs within a standard business framework and aligns with donor regulations. Representation and hospitality must never compromise CAM’s integrity, neutrality, policies, and guidelines, or otherwise exert or attempt to exert an undue influence on any party.
- Staff members are prohibited from promising, offering, giving, seeking, or accepting personal gifts or other advantages representing more than token value to or from persons of concern, donors, implementing partners, suppliers, authorities, or other CAM stakeholders. Any gift(s) constituting an attempt to exert an undue influence on any CAM staff or stakeholder are strictly prohibited. Staff involved in partner and beneficiary selection will exert enhanced caution in this regard. All cash gifts are strictly prohibited.
- If it is not possible for a staff member to reject a gift in a manner that does not compromise CAM’s work or their health or safety, then the gift may be received but must be immediately reported and handed over to management to become the property of CAM. Any such gifts must be used appropriately for the benefit of CAM as an organization, its projects and/or its partners.

CAM strictly prohibits the promising, offering, giving, seeking, or accepting of representation, hospitality and gifts for staff involved in the procurement process.
- CAM will protect staff members from pressures to violate this Policy and will ensure that unchecked discretion is never awarded to any member of staff.
- CAM holds the well-being, health, and safety of its staff members to be of paramount importance. In situations of duress when health and safety are in imminent danger, for example, staff should not endanger their lives or the lives of others due to strict adherence to the Policy. CAM will strive to prevent staff members from falling victim to such situations. Should they occur, however, then such incidents must be reported to CAM’s management team as soon as it is safe and possible to do so.

5. EXTERNAL STAKEHOLDERS

- CAM is committed to ensuring that its beneficiaries understand their rights and entitlements and how to report suspected corruption to CAM, as well as the standards and behavior demanded of CAM staff and others subject to this Policy.
- CAM is committed to preventing its beneficiaries from falling victim to corruption in relation to their activities with CAM.
- CAM is committed to excluding a given person from receiving CAM benefits when it is determined that that person has only obtained access to such benefits through corrupt means and is otherwise not entitled to them.
- CAM is committed to ensuring that its implementing partners, consultants, contractors and beneficiaries know, understand and comply with this Policy in terms of the standards and behavior the Policy demands of them, as well as the consequences of breaching it, up to and including the possibility of termination of the violating party's contract and/or business relationship with CAM.
- CAM is committed to promoting awareness and use of its complaints and reporting mechanisms and to ensuring that all CAM stakeholders, including people of concern, staff, implementing partners, contractors and related Third Parties, authorities, and public officials, have safe, easy and trusted access to report suspected corruption in confidence.
- CAM will strive to help partners to avoid corruption as an element of its aim to build and support the capacity of communities, civil society, and governments.

6. RAISING A COMPLAINT OR CONCERN

All CAM staff, volunteers, consultants, or any other person representing CAM in an official capacity are expected to report any suspicions of fraud, bribery, or corruption.

A complaint or concern raised by CAM staff, volunteers, or consultants can be directed to their immediate supervisor, or if their supervisor is implicated CAM's Executive Director verbally, or in writing to director@canadianmidwives.org. Additionally, a complaint or concern may be sent directly to CAM's President at president@canadianmidwives.org, particularly if the Executive Director is implicated.

A complaint or concern raised by a member of CAM's Board of Directors can be brought directly to CAM's President, or in the case where the President is implicated, another board member.

When the complaint or the concern is raised in writing, the complainant is encouraged to highlight the email the email as confidential.

Staff from partner and donor organizations may report a complaint or concern in the same manner.

7. PROCEDURE FOR HANDLING COMPLAINTS OR CONCERNS

Confidentiality will be maintained throughout the process by all staff and witnesses. Staff members who breach confidentiality will be subject to disciplinary action up to and including termination.

- i. When a complaint or concern is raised, an e-mail will be sent to the complainant acknowledging receipt as soon as possible.
- ii. Within three (3) working days of receiving a complaint, the Executive Director will convene a case conference with CAM's management team to determine the best course of action, including the

possibility of reporting the incident to the relevant authorities. If someone's life is in danger, then the decision to report may need to be made by CAM's Executive Director.

Note that if the Executive Director is implicated in the complaint or concern, CAM's President will be responsible for leading the case conference and decision-making process. Additionally, if one member of the management team is implicated in the complaint or concern, they will not be participating in the case conference and decision-making process.

8. COMPLIANCE AND CORRUPTION RISK MANAGEMENT

- CAM is committed to knowing and understanding the Anti-Corruption laws and regulations applicable to its projects and the areas in which it operates. CAM and its staff will comply with the laws of the jurisdictions in which we carry out work as well as the rules and regulations of its donors and applicable provincial, state, territorial and/or international Anti-Corruption legislation and conventions.

When local law sets lower standards than the Policy or CAM's administrative procedures, then these internal procedures are to be used to the extent that they do not directly conflict with local law.

- CAM is committed to preventing corruption by systematically assessing and reviewing corruption risks in its work according to its internal *Risk Management Framework*. CAM can thereby design its interventions and mitigating measures according to these risks, also as they may relate to external parties, such as implementing partners, contractors and related Third Parties.