

**MAA INTERNATIONAL**

**WHISTLEBLOWING POLICY**



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Version 2.4, Effective Immediately

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# 1 INTRODUCTION

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MAA International (MAA) seeks to conduct its activities professionally, honestly and with integrity at all times. However, all organisations face the risk of unprofessional conduct, criminal behaviour or mismanagement. MAA believes it has a responsibility to take appropriate measures to identify such situations and attempt to remedy them.

MAA is committed to fostering a culture where its Representatives are encouraged to raise concerns about unethical and unacceptable conduct and can do so in a safe environment.

## 1.1 PURPOSE

This policy is intended to provide reporting mechanisms and the means through which all MAA International (MAA) Representatives, regardless of their office location or designation, can report alleged or suspected wrongful acts and to help all related MAA personnel who have concerns over any wrongdoing within MAA to report their concerns without fear of unwarranted disciplinary action.

The purpose of this policy is to strengthen MAA's core values by empowering all Representatives to report any wrongful acts in good faith. It also seeks to:

- encourage the reporting of matters that may cause harm to individuals or financial or non-financial loss to MAA or damage to its reputation.
- enable MAA to deal with reports from whistleblowers in a way that will protect the identity of the whistleblower and provide for the secure storage of the information provided.
- establish the policies for protecting whistleblowers against reprisal by any person internal or external to the entity.
- provide for the appropriate infrastructure.
- help to ensure MAA maintains the highest standards of ethical behavior and integrity.

## 1.2 POLICY SCOPE

This policy applies to all individuals and institutions who act on behalf of MAA regardless of whether there is a formal legal agreement between them and MAA. This includes, but is not limited to, all trustees, members, directors, employees, contractors, consultants, advisors, volunteers and implementing partners irrespective of which country their role is situated.

This policy covers complaints made by members of the community and all relevant stakeholders affected by our programs including members of the public, partners and supporters.

### 1.3 ROLES AND RESPONSIBILITIES

The MAA Board is responsible for adopting this policy, and for nominating the organisation's Whistleblower Protection Officer.

The organisation's CEO is responsible for the implementation of this policy.

All staff and all volunteers are responsible for reporting breaches of general law, organisational policy, or generally recognised principles of ethics to a person authorised to take action on such breaches.

### 1.4 DEFINITIONS

The following terms are used in this policy document and are defined as follows:

- **Policy:** A statement or instruction that sets out how we should fulfil our vision, mission and goals.
- **Procedure:** A statement or instruction that sets out how our policies will be implemented and by whom.
- **MAA representative** are all individuals and institutions who act on behalf of MAA regardless of whether there is a formal legal agreement between them and MAA or not. This includes, but is not limited to, all trustees, members, directors, employees, contractors, consultants, advisors, volunteers and implementing partners irrespective of which country their role is situated.
- **Stakeholder or interested party:** A person or group having an interest in the performance or success of the organisation.
- **Whistle-blower:** A whistleblower is a person (being a director, manager, employee or contractor of MAA who, whether anonymously or not, makes, attempts to make or wishes to make a report in connection with reportable conduct and wishes to avail themselves of protection against reprisal for having made the report.
- **Whistleblowing** is defined as deliberate, voluntary disclosure of individual or organizational wrongdoing by a person who has access to data, events or information about an actual, suspected or anticipated wrongdoing within the organisation.
- **Wrongful Act** includes, but is not limited to:
  - A criminal offence (e.g. fraud, corruption or theft) has been/is likely to be committed;
  - A miscarriage of justice has been/is likely to occur;
  - The health or safety of any individual has been/is likely to be endangered;
  - The environment has been/is likely to be damaged;

- Public funds are being used in an unauthorised manner;
- The MAA Constitution (including Standing Orders, Financial Regulations etc) are not being observed or are being breached by members and/or staff;
- Sexual, racial or physical abuse or harassment of any member of staff or service recipient is taking place (this policy is not intended to be used by the victim of such action, for whom MAA's bullying and harassment policies will be appropriate);
- Discrimination is occurring to any member of staff or service recipient on grounds of gender, race, faith, age, sexuality or disability;
- Any other form of improper action or conduct is taking place;
- Information relating to any of the above is being deliberately concealed or attempts are being made to conceal the same;

## 2 POLICY & PROCEDURES

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### 2.1 POLICY STATEMENT

The MAA Board is committed to operating legally (in accordance with applicable legislation and regulation), properly (in accordance with organisational policy and procedures), and ethically (in accordance with recognised ethical principles). Employees are expected to cooperate with the organisation in maintaining legal, proper, and ethical operations, if necessary, by reporting non-compliant actions by other people. Correspondingly, employees who do assist in maintaining legal, proper, and ethical operations should not be penalised in any way.

### 2.2 GUIDING PRINCIPLES

MAA's Whistleblowing Policy is guided by the following principles:

1. MAA Representatives have an obligation to report wrongful acts or suspected wrongful acts in accordance with this policy;
2. MAA Representatives have the right to speak freely and honestly to report wrongful acts in a safe environment without fear of retaliation or reprisal; and
3. MAA will respond in a timely, respectful and confidential manner to all disclosures of wrongful acts.
4. MAA will take steps to protect its personnel from detrimental treatment or dismissal if they report actual or suspected wrongful acts in good faith.

### 2.3 PROCEDURE

#### 2.3.1 External Reporting Entities

The MAA Board may nominate external persons to whom or agencies to which disclosures may be made under the protections offered under this policy. Where such a nomination is made, staff and volunteers should be informed by any appropriate method.

#### 2.3.2 Reporting

Where an employee of MAA believes in good faith on reasonable grounds that any other employee, volunteer, or contractor has breached general law, organisational policy, or generally recognised principles of ethics, that employee must report their concern to

1. their supervisor: or, if they feel that their supervisor may be complicit in the breach,
2. the CEO: or, if they feel that the CEO may be complicit in the breach,

3. the organisation's nominated Whistleblower Protection Officer, or
4. a person or office independent of the organisation nominated by the organisation to receive such information, that person or office being [insert organisation name here, if relevant]; or (where a breach of general law is alleged)
5. the duly constituted legal authorities responsible for the enforcement of the law in the relevant area.

These procedures do not authorise any employee to inform commercial media or social media of their concern, and do not offer protection to any employee who does so, unless

1. it is not feasible for employees to report internally, or
2. existing reporting channels have failed to deal with issues effectively.

Any person reporting such a breach should be informed that

- as far as lies in the organisation's power, the employee will not be disadvantaged for the act of making such a report; and
- if the complainant wishes to make their complaint anonymously, their wish shall be honoured except insofar as it may be overridden by due process of law; however,
- reporting such a breach does not necessarily absolve the complainant from the consequences of any involvement on their own part in the misconduct complained of.

Any such report should where possible be in writing and should contain, as appropriate, details of:

- the nature of the alleged breach;
- the person or persons responsible for the breach;
- the facts on which the complainant's belief that a breach has occurred, and has been committed by the person named, are founded;
- the nature and whereabouts of any further evidence that would substantiate the complainant's allegations, if known.

Evidence to support such concerns should be brought forward at this time if it exists. The absence of such evidence will be taken into account in subsequent consideration of whether to open an investigation into the matter. However, absence of such evidence is not an absolute bar to the activation of the organisation's investigative procedures. The existence of such a concern is sufficient to trigger reporting responsibilities.

In contemplating the use of this policy a person should consider whether the matter of concern may be more appropriately raised under either MAA's Grievance Policy or its disputes resolution policy.

### 2.3.3 Anonymity

If the complainant wishes to make their complaint anonymously, their wish shall be honoured except insofar as it may be overridden by due process of law.

The complainant should, however, be informed that the maintenance of such anonymity may make it less likely that the alleged breach can be substantiated in any subsequent investigation.

Where anonymity has been requested the complainant is required to maintain confidentiality regarding the issue on their own account and to refrain from discussing the matter with any unauthorized persons.

### 2.3.4 Investigation

On receiving a report of a breach, the person to whom the disclosure is made shall

- (a) if they believe the behaviour complained of to be unquestionably trivial or fanciful, dismiss the allegation and notify the person making the allegation of their decision
- (b) if they believe the behaviour complained of to be neither trivial nor fanciful, put in motion the investigation process described below.

The person to whom the disclosure was made shall notify the CEO, who shall be responsible for ensuring that an investigation of the charges is established and adequately resourced.

Terms of reference for the investigation will be drawn up, in consultation with the CEO, to clarify the key issues to be investigated.

An investigation plan will be developed to ensure all relevant questions are addressed, the scale of the investigation is in proportion to the seriousness of the allegation(s) and sufficient resources are allocated.

Strict security will be maintained during the investigative process.

All information obtained will be properly secured to prevent unauthorized access.

All relevant witnesses will be interviewed, and documents examined.

Contemporaneous notes of all discussions, phone calls and interviews will be made.

Where possible, interviews will be recorded.

The principles of procedural fairness (natural justice) will be observed<sup>1</sup>. In particular, where adverse comment about a person is likely to be included in a report, the person affected will

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<sup>1</sup> Natural justice and procedural fairness do not require that the person affected be informed of the identity of the person making the initial disclosure, unless that communication constitutes part of the evidence relied upon in making the eventual finding.

be given an opportunity to comment beforehand and any comments will be considered before the report is finalised.

The person or persons conducting the investigation shall be as far as possible unbiased.

### **2.3.5 Findings**

A report will be prepared when an investigation is complete. This report will include

- the allegations
- a statement of all relevant findings of fact and the evidence relied upon in reaching any conclusions
- the conclusions reached (including the damage caused, if any, and the impact on the organisation and other affected parties) and their basis
- recommendations based on those conclusions to address any wrongdoing identified and any other matters arising during the investigation.

The report will be provided to the person making the allegation (with, if necessary, any applicable confidentiality stipulations).

### **2.3.6 Protection of Informant**

Where the investigation has found that the person making the allegation made it in good faith on reasonable grounds, the CEO shall designate an officer to be responsible for ensuring that the person suffers no employment-related disadvantage on account of their actions in this matter and to provide additional support for the person where necessary.

### 3 REVISION HISTORY

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Review date:	31 December 2026 or as required

## ANNEX 1 WHISTLEBLOWER REPORT

Note: If you wish to remain anonymous do not complete items 1 – 4 of this questionnaire

<input type="checkbox"/> I authorise the use of the information provided in this report in accordance with MAA's Whistleblower Policy	<input type="checkbox"/> I would like a summary of my concerns and proposed action to be provided to me
1. Please state your full name	
2. Please state your position title and your office location	
3. What is your work telephone number and email address?	
4. What is the name of your immediate manager?	
5. Please describe in detail the matter you would like to disclose	
6. How was the matter discovered?	
7. Over what period of time has the suspected activity occurred?	
8. Why do you consider this matter to be a wrongful act?	
9. Please name all the people involved in the suspected wrongful act	
10. Are there any witnesses? If "yes" please state their names:	
11. Do you have any supporting evidence?	
12. Where is the evidence located?	
13. Is the evidence in danger of being lost or destroyed?	
14. Please explain how this evidence can be retrieved by the person involved in investigating the matter.	
OR	

	Provide the evidence with your report.	
15.	Have you been told about this matter by someone else?	
16.	Who else knows about this matter?	
17.	Please state (in detail) if you have any concerns regarding reprisals or recriminatory action taken or that might be taken against you.	
18.	Please include any other details which you believe are relevant. This should include whether you have any personal interest in the matter.	