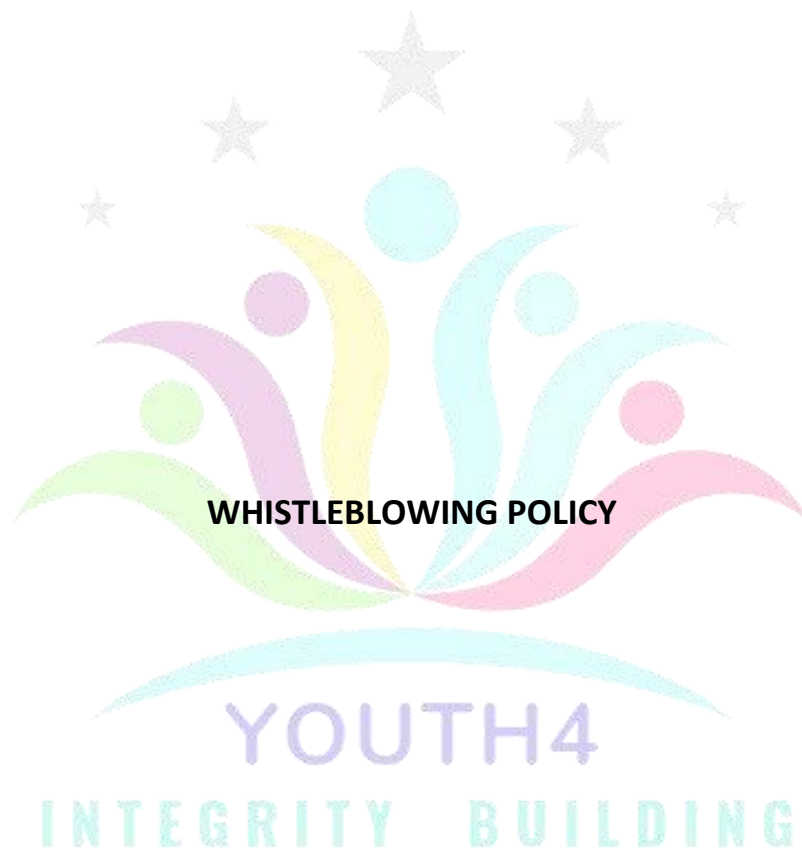




YOUTH FOR INTEGRITY BUILDING ORGANIZATION



JULY 2023.



PREAMBLE

As part of our commitment to maintaining a culture of transparency, accountability, and ethical conduct within Youth For Integrity Building (YIB), we are pleased to introduce our new Whistleblower Policy.

At YIB, we firmly believe that integrity is the foundation of our organization's success. We are committed to creating an environment where all individuals feel safe and empowered to report any concerns or wrongdoing without fear of retaliation. Our Whistleblower Policy is designed to provide clear guidelines and procedures for reporting and addressing such matters.

This policy serves as a framework for promoting a culture of trust and accountability, ensuring that any concerns or violations of our code of conduct are thoroughly investigated and appropriately addressed. It outlines the procedures for reporting, the protection measures in place for Whistleblowers, and the steps we will take to address reported concerns promptly and confidentially.

We encourage all members of our organization, including employees, volunteers, partners, and stakeholders, to familiarize themselves with the policy and utilize it as a tool to uphold our commitment to integrity. By coming forward with any concerns, we can ensure that YIB remains a safe and ethical environment for all.

We encourage each and every one of you to review the Whistleblower Policy in detail. It is our collective responsibility to uphold the principles outlined within it and to report any concerns that may arise. By doing so, we can actively contribute to the continued growth and success of YIB.

Should you have any questions or require further clarification regarding our Whistleblower Policy, please do not hesitate to reach out to us. Your input and commitment to upholding our values are invaluable and greatly appreciated.

Thank you for your dedication to YIB and for your support in fostering a culture of integrity and accountability within our organization.



Executive Director,
Youth For Integrity Building (YIB).



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1. INTRODUCTION

1.1 Youth For Integrity Building (YIB) Overview

YIB is a community based organization established under the Community groups Registration Act No. 30 of 2022.

1.2. **YIB organization Mission:** to empower young people with the knowledge, skills, and resources to become lead agents of change in promoting integrity, ethical leadership and social justice.

1.3 **YIB organization vision:** To build a world in which all individuals and communities have the tools and resources they need to sustainably thrive, and where integrity, democracy, and social justice are valued and promoted.

1.4 To accomplish its Mission and Vision, YIB requires all employees to practice its core values: integrity, inclusivity, collaboration, empowerment, advocacy, sustainability, good governance, teamwork and innovation.

2. PURPOSE

To establish a framework that encourages and protects the reporting of concerns or wrongdoing within the organization. The policy aims to create an environment where individuals feel safe and empowered to report any violations of the organization's code of conduct, ethical standards, or legal obligations.

3. SCOPE

3.1 The scope of the policy explicitly state that it applies to all employees, volunteers, partners, contractors, and stakeholders of the organization. It ensures that anyone associated with the organization has access to the Whistleblower mechanism and can report concerns without fear of retaliation.

3.2 The scope of this policy outlines the following range of issues that can be reported through the Whistleblower mechanism.

- a. Any form of unethical behavior, such as fraud, corruption, embezzlement, or bribery, committed by employees, volunteers, or stakeholders of YIB.
- b. Breaches of organizational policies, procedures, or guidelines that impact the integrity, reputation, or effective functioning of YIB.
- c. Instances of discrimination, harassment, or other forms of abusive behavior within YIB that go against established policies and standards.
- d. Issues related to workplace safety, health hazards, or violations of health and safety regulations.
- e. Suspected financial irregularities, including misappropriation of funds, unauthorized transactions, or accounting fraud.
- f. Instances where individuals have a personal or financial interest that conflicts with their responsibilities within YIB.
- g. Violations of environmental regulations or practices that harm the environment and go against YIB's commitment to sustainability.



3.3 The policy shall apply to situations where normal and/or regular channels of reporting are not appropriate, for instance

- a) Where evidence may be concealed or destroyed;
- b) Where there has been previous disclosure of the same information, but there has been no evidence of action or the observed violation continues unabated.

4. ACRONYMS AND DEFINITIONS

4.1 Acronyms

4.1.1 YIB Youth For Integrity Building

4.1.2 EACC Ethics and Anti-Corruption Commission

4.2 Definitions

4.2.1 Whistleblower: An individual, such as an employee, volunteer, contractor, or stakeholder, who reports concerns or wrongdoing within an organization. Whistleblowers act in good faith to disclose information that is in the public interest or necessary to protect the organization's integrity.

4.2.2 Concern or Wrongdoing: Any act or behavior that violates laws, regulations, organizational policies, ethical standards, or any other actions that go against the organization's values. It can include fraud, corruption, embezzlement, bribery, policy violations, discrimination, harassment, financial irregularities, conflict of interest, or environmental violations.

4.2.3 Good Faith: Good faith is evident when a report is made without malice or consideration of personal benefit and the employee and/or interested party has an honest belief that the report is true. However, a report does not have to be proved to be true in order for it to be made in good faith.

4.2.4 Retaliation: Any negative action or treatment taken against a Whistleblower in response to their report. Retaliation can include adverse employment actions, such as termination, demotion, harassment, or any other form of discrimination, as a result of the whistleblower's disclosure.

4.2.5 Confidentiality: The protection and maintenance of the privacy and anonymity of the Whistleblower and their report. Confidentiality ensures that the identity of the Whistleblower is kept confidential, and the information provided is disclosed only to individuals involved in the investigation process.

4.2.6 Anonymity: The option for a Whistleblower to report concerns without disclosing their identity. Anonymity allows Whistleblowers to provide information without revealing their name or personal details, protecting them from potential retaliation or negative consequences.

4.2.7 Reporting Channels: The designated methods or channels through which Whistleblowers can report their concerns. Reporting channels can include reporting hotlines, email addresses, confidential meetings, or other secure and accessible means of communication.

4.2.8 Investigation Process: The systematic and thorough examination of reported concerns to gather evidence and reach a resolution. The investigation process involves assigning responsibility to investigate, conducting interviews, collecting documents, analyzing evidence, and ensuring fairness and impartiality throughout the investigation.



4.2.9 Resolution and Follow-up: The communication of investigation outcomes and subsequent actions taken to address the reported concerns. Resolution may involve disciplinary actions, policy changes, process improvements, or other measures to address the wrongdoing and prevent its recurrence. Follow-up refers to the ongoing monitoring and evaluation of the implemented measures to ensure their effectiveness and to provide updates to the Whistleblower regarding the progress made.

4.2.10 False Reporting: The act of knowingly providing false or malicious information with the intention to harm others or the organization. False reporting is a serious offense and may result in disciplinary actions against the individual responsible for making the false report.

4.2.11 Stakeholders: These are organizations, groups and individuals who have legitimate interest in YIB in relation to its work.

4.2.12 Malpractice - This includes, but not limited to, misconduct, fraud, violation of laws and regulations, violation of YIB policies, unethical behavior or practices, endangerment to public health or safety and negligence of duty

4.2.13 Suspect - Any person who is alleged to have committed a malpractice and is subject to Investigation.

5. LEGAL FRAMEWORK

This policy is premised on the following legal framework and administrative requirement, but not limited

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| a) Constitution of Kenya, 2010 | j) Labor Laws |
| b) The Procurement and Asset Disposal Act, 2015 | k) State Corporations Act |
| c) The Ethics and Anti-Corruption (EACC) Act, 2011 | l) Statutory Instruments Act |
| d) The Protected Disclosures Act, 2016 | m) Anti-Bribery Act, 2017 |
| e) The Employment Act, 2007 | n) Leadership and integrity Act 2012 |
| f) The companies Act, 2015 | o) Anti-Corruption and Economic Crimes Act 2003 |
| g) The Access to Information Act, 2016 | p) Penal Code, Cap 63 |
| h) Witness Protection Act. Cop 79 of 2012 | q) Evidence Act. Cap B0 |
| i) Standards Act Cap 496 | r) YIB Code of Conduct |
| | s) YIB information Management guidelines |
| | t) YIB HR Policy |
| | u) YIB ICT Policy |

6. OBJECTIVES OF THIS POLICY.

6.1. To promote a culture of transparency and accountability within YIB by creating an environment that encourages individuals associated with YIB to report concerns or wrongdoing they witness or suspect.



- 6.2. To protect Whistleblowers from retaliation or adverse actions as a result of their reporting by ensuring confidentiality and anonymity of Whistleblowers.
- 6.3. To appropriately address reported concerns or wrongdoing promptly and effectively.
- 6.4. To hold individuals accountable for their actions and behaviors within YIB.
- 6.5. To enhance the overall integrity of YIB by providing a mechanism for early detection and prevention of misconduct.
- 6.6. To create a safe and supportive environment for Whistleblowers to come forward with their concerns.
- 6.7. To ensure YIB compliance with relevant legal and regulatory frameworks and demonstrate its commitment to good governance and ethical conduct.
- 6.8. To provide avenues for employees and interested parties to raise concerns and define a way to handle these concerns malpractices
- 6.9. To eradicate unethical behavior in the workplace.
- 6.10. To establish a fair and impartial investigative process.

7. ROLES AND RESPONSIBILITIES.

- 7.1 Whistleblower: The policy defines the role of the Whistleblower as an individual who reports concerns or wrongdoing in good faith. Whistleblowers have the responsibility to provide accurate and complete information regarding the reported issue, ensuring that their report is made in a timely manner.
- 7.2 Whistleblower Officer: The officer is responsible for receiving, documenting, and managing Whistleblower reports. The officer ensures that the reported concerns are appropriately addressed, investigates the issues, and maintains the confidentiality and anonymity of Whistleblowers.
- 7.3 Investigation Team: In cases where further investigation is required, the policy allows the Executive Director to establish an investigation team or designate specific individuals responsible for conducting the investigation. The team is responsible for gathering evidence, interviewing relevant parties, and analyzing information to reach a resolution.
- 7.4 Management and Supervisors: Senior Management Team (SMT) and respective supervisors are expected to encourage reporting, address reported concerns promptly, and ensure that there is no retaliation against Whistleblowers.
- 7.5 Human Resources (HR) Department: The HR department is responsible for providing guidance and training to employees, maintaining records related to Whistleblower reports, and ensuring compliance with legal and regulatory requirements.
- 7.6 Reporting Channels Administrators: Individuals or teams responsible for managing the designated reporting channels, such as a reporting hotline or email address, have the responsibility to receive and document reports, maintain the confidentiality of Whistleblowers, and ensure that the reports are forwarded to the appropriate parties for investigation.
- 7.8 Senior Leadership and Board of Directors: This policy highlights the role of Executive Director, Programmes Manager, Operations Manage, and the board of directors in setting the tone from the top and demonstrating their commitment to the Whistleblower policy. They are responsible for supporting the policy's implementation, overseeing the investigation process, and taking appropriate actions based on investigation outcomes.



8. REPORTING CHANNELS

8.1 Employees, volunteers, suppliers, and other stakeholders are encouraged to report incidences of malpractice through the following channels

- a. Line supervisors, Whistleblower Officer or Executive Director.
- b. Reporting hotline and email address which is designated with the Whistleblower officer.
- c. YIB postal mail.
- D. YIB suggestion boxes found within the premise.

8.2 Where the whistle blower feels uncomfortable to report their concern through any of the above channels, then he/she should report to a member of the Board of Directors.

9. PRINCIPLES OF YIB WHISTLE BLOWING POLICY.

This policy is guided by the following key principles:

9.1. Confidentiality: This policy prioritizes the protection of the Whistleblower's identity and ensure that their report is treated with the strictest confidence.

9.2. Non-Retaliation: This policy explicitly prohibit any form of retaliation against individuals who report concerns in good faith. This includes protection against adverse employment actions, harassment, or discrimination.

9.3. Anonymity: This policy provides the option for individuals to report anonymously. This allows Whistleblowers to disclose information without revealing their identity, further protecting them from potential negative consequences.

9.4. Clear Reporting Channels: This policy establishes clear and accessible reporting channels for individuals to raise concerns. These channels include designated reporting email addresses, or confidential meetings with designated personnel.

9.5. Thorough Investigation: This policy outlines the procedures for investigating reported concerns. It ensures that all reports are taken seriously and that a fair and unbiased investigation is conducted to gather evidence and address the issues raised.

9.6. Timely Response: This policy emphasizes the importance of prompt response and resolution to reported concerns. It establishes timelines for acknowledging receipt of reports, conducting investigations, and communicating the outcomes to the Whistleblower.

9.7. Compliance and Accountability: This policy reinforces YIB's commitment to compliance with laws, regulations, and ethical standards. It emphasizes the accountability of all employees and stakeholders in upholding these principles and reporting any violations.

9.8. Training and Awareness: This policy includes provisions for training employees and stakeholders on the policy's provisions, procedures, and the importance of reporting concerns. This helps to ensure that everyone is aware of their rights and responsibilities in maintaining a culture of integrity.

10. HANDLING OF RECEIVED WHISTLE BLOWER REPORTING CONCERN

10.1. Acknowledge Receipt: Upon receiving a Whistleblower report, promptly acknowledge receipt to the Whistleblower. This acknowledgment can be in the form of an email or written communication, assuring the Whistleblower that their report has been received and is being taken seriously.



10.2. Maintain Confidentiality: Ensure that the identity of the Whistleblower and the details of the report are kept confidential. Limit access to the information to only those individuals involved in the investigation process.

10.3. Assess the Report: Review the Whistleblower report to understand the nature and scope of the reported concern. Assess the credibility and relevance of the information provided, and determine the potential impact on the organization.

10.4. Designate an Investigation Team: If the reported concern requires further investigation, designate an investigation team or assign specific individuals responsible for conducting the investigation. This team should be impartial, knowledgeable, and have the necessary expertise to handle the specific issue.

10.5. Gather Evidence: The investigation team should gather relevant evidence to substantiate or refute the reported concern. This may involve conducting interviews with relevant parties, reviewing documents, analyzing financial records, or any other necessary steps to gather evidence.

10.6. Maintain Documentation: Document all steps taken during the investigation process, including interviews conducted, evidence collected, and any actions or decisions made. This documentation will be crucial for transparency, accountability, and potential legal or regulatory purposes.

10.7. Conduct Interviews: Interview individuals who are relevant to the reported concern, including the Whistleblower (if known) and any individuals who may have information related to the issue. Conduct interviews in a professional, fair, and confidential manner.

10.8. Analyze Findings: Analyze the evidence collected and the information obtained during the investigation. Assess the credibility and reliability of the evidence and determine the validity of the reported concern.

10.9. Reach a Resolution: Based on the findings of the investigation, reach a resolution regarding the reported concern. This may involve taking appropriate actions such as disciplinary measures, policy changes, process improvements, or any other necessary steps to address the issue.

10.10. Communicate Outcomes: Communicate the outcomes of the investigation to the Whistleblower, ensuring that they are informed of the actions taken as a result of their report. Maintain confidentiality and respect the privacy of all parties involved.

10.11. Follow-Up: Monitor the implemented actions to ensure their effectiveness and to provide updates to the Whistleblower, if appropriate. Continuously evaluate and review the organization's processes and policies to prevent future occurrences of similar concerns.

11. PROTECTION

11.1. This policy explicitly states that YIB prohibits any form of retaliation against Whistleblowers who report concerns in good faith. This includes protection against adverse employment actions, harassment, discrimination, or any other negative consequences as a result of their disclosure.

11.2. This policy emphasizes the importance of maintaining the confidentiality and anonymity of Whistleblowers. It ensures that the identity of the Whistleblower is protected and that their report is handled with utmost confidentiality.

11.3. This policy provides multiple reporting channels to encourage Whistleblowers to come forward. By offering various reporting options, it allows Whistleblowers to choose the method that they feel most comfortable with, further protecting their identity.



11.4 This policy specifies that protection is available to individuals who make reports in good faith. Whistleblowers who genuinely believe that the information they are reporting is accurate and in the public interest are eligible for protection.

11.5. This policy defines the importance of reporting concerns in good faith. Whistleblowers are expected to provide truthful and accurate information to the best of their knowledge. Malicious or false reporting may not be eligible for protection.

11.6. This policy ensures that the identity of the Whistleblower is kept confidential throughout the investigation process. Only those individuals directly involved in the investigation, such as the Whistleblower Officer or the investigation team, will have access to the whistleblower's identity.

11.7. This policy outlines the actions that YIB will take to prevent and address any retaliation against Whistleblowers. This include disciplinary actions against individuals found to have engaged in retaliation, as well as implementing measures to protect Whistleblowers from further harm.

11.8. This policy may reference relevant legal protections available to Whistleblowers under Kenyan law. This include provisions from the Protected Disclosures Act, which provides legal safeguards against victimization or adverse actions for Whistleblowers.

12. DISQUALIFICATION OF PROTECTION

If an employee, volunteer, supplier, and or any stakeholder raises concerns which are false, malicious, vexatious or for personal gain, or if he/she persists in making them, disciplinary or other appropriate actions may be taken.

13. CONFIDENTIALITY AND ANONYMITY

13.1. YIB will protect the confidentiality of all matters raised by the Whistle Blower. In case of any breach of confidentiality by any of the persons named in clause 7 the Whistle Blower may take action as provided for by the procedures/law.

13.2 All information received through the whistleblowing process shall be treated as confidential whether the whistle blower wishes to remain anonymous or not

13.3 The substance of an investigation including the identities of the parties to it will remain confidential and may only be disclosed with the consent of the whistle blower.

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