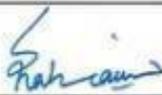


# Medical Emergency Resilience Foundation

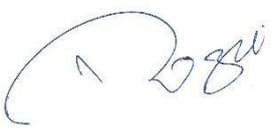
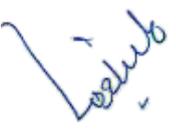


## **WHISTLEBLOWER POLICY**



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01 January 2024	



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## Section 1 – Introduction

An important aspect of accountability and transparency is a mechanism to enable individuals and groups to voice concerns in a responsible and effective manner, when they discover information which they believe shows serious malpractice or which are unethical.

Decisions and actions by mutual consultation are at the heart of the culture of MERF. Care is taken in this context to not place on individual staff members the burden of resolving difficult unethical situations. If staff members come across unethical practices or instances of malpractice they should, in the first instance, consult their line managers (Chiefs, Directors, Managers, Specialists, Officers) or with Human Resources (HR). If a staff member or group of staff members feels uncomfortable raising the matter through MERF's established reporting channels or with the HR department, they may report the concern as a whistleblower in accordance with this policy.

This whistleblower policy is, therefore, fundamental to MERF's professional integrity. In addition it reinforces the value that MERF places on staff to be honest and respected members of society. It provides a method of properly addressing bona fide concerns that individuals or groups within or outside of MERF might have related to MERF's operations. It also offers whistleblowers protection from victimization, harassment or disciplinary proceedings, if the whistleblower acted in good faith and had no malicious intent.

It should be emphasized that this policy is meant to assist individuals and groups who believe they have discovered malpractice or impropriety in operations of the organization. It is not designed to question program, financial or business decisions taken by MERF.

## Section 2 - What Does this Policy Cover?

This policy applies to situations where an individual or a group (whistleblowers) raise concerns about risks, malpractice, fraud, SEA, harassment or wrongdoing that involve and impact MERF and its stakeholders, including staff, beneficiaries, and partners (such as donors, partner NGOs, grantees, sub-grantees, business partners, vendors, and suppliers).

## Section 3 - What is Whistleblowing?

Whistleblowing is confidential disclosure by an individual, or a group of people, of any concern encountered in the workplace relating to a perceived wrongdoing or malpractice. The whistleblower must identify himself or herself, as explained later in this document. This will be kept confidential by the Committee and/or department handling whistleblowing.

*MERF upholds zero tolerance policy towards SEA and committed to respecting the dignity and rights of all its employees and beneficiaries, safeguarding them against bullying, harassment, sexual exploitation & abuse and offering a safe and trusted work environment where employees and beneficiaries have the confidence to approach the organization if they encounter such issues.*



Examples of wrongdoing and malpractice that must be reported by whistleblowers include, but are not limited to:

**Bullying:** Bullying is an ongoing and deliberate misuse of power in relationships through repeated verbal (e.g. racist/caste-based, physical appearance, color, etc; remarks, threats, name calling), physical (e.g. hitting, kicking, snatching) and/or social behavior (e.g. isolating an individual from the activities and social acceptance of their peer group) that intends to cause physical, social and/or psychological harm. It can involve an individual or a group misusing their power, or perceived power, over one or more persons who feel unable to stop it from happening.

**Child Abuse:** All forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial or other exploitation of a child, including any actions that result in actual or potential harm to a child, or threaten to damage a child's prospect of safe and healthy development into adulthood. Such actions may include but are not limited to activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse.

**Exploitation:** The actual or attempted abuse of a position of vulnerability, power differential or trust of a person for sexual gratification or monetary, social or political benefit of another.

**Safeguarding:** Safeguarding means making sure that an organization's staff, volunteers, partners, and activities do not harm children, young people, or vulnerable adults. It also means protecting them from risks like abuse, neglect, or discrimination. Safeguarding also includes protecting staff and volunteers when they are in vulnerable situations.

**Fraud:** Such as theft or misuse of MERF's funds or other resources by an employee or a third party; falsification of costs or expenses; forgery or alteration of documents; destruction or removal of documents; paying of excessive prices or fees to third parties with the aim of personal gain.

**General Malpractice:** Such as illegal or unethical conduct (including where someone's health & safety has been put in danger)

**Gross Misconduct:** Such as sexual harassment, blackmail, extortion or physical abuse  
Infractions of MERF's policies, including the Conflict of Interest Policy  
Infractions of applicable laws.

**SEA:** Such as involved in sexual exploitation or abuse with beneficiary/community.(for further

#### **Other Definitions:**

**Beneficiary:** Any person who directly receives a tangible product or service free of charge or at a subsidized cost from MERF; is selected to participate in a MERF sponsored program or event; or interacts directly with MERF staff in connection with a MERF activity.

**Child:** Any person less than eighteen years of age.

#### **Child Safeguarding:**

Child safeguarding refers to the proactive measures a company takes to protect children from harm, including abuse, neglect, and exploitation, during any direct or indirect contact. It applies to all staff, contractors, partners, visitors, and volunteers associated with the organization.

**Survivor/Victim:** means a person who is, or has been, sexually exploited or abused.

**Vulnerable Adult:** Any person aged 18 years or above who is susceptible to abuse or exploitation due to mental or physical disability, age, health, sex, religion, ethnicity or economic status.



details see MERF PSEA Policy)

**Sexual Exploitation:** any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

**Sexual Abuse:** The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

**Sexual Harassment:** Sexual harassment is any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. Sexual harassment may occur in the workplace or in connection with work. While typically involving a pattern of conduct, sexual harassment may take the form of a single incident. In assessing the reasonableness of expectations or perceptions, the perspective of the person who is the target of the conduct shall be considered.

#### **Section 4 - Who Does this Policy Apply to?**

This policy applies to all individuals and entities engaged in any form of work or collaboration with MERF. This includes, but is not limited to:

- All members of the Board of Governors of MERF
- All MERF employees, across all programs and operational areas
- All personnel working with or on behalf of MERF, regardless of contract type

All associated third parties, including:

- Partners, Donor NGOs, grantees, and sub-grantees
- Contractors, consultants, and interns
- vendors, and suppliers

Everyone covered under this policy is expected to adhere to its principles and uphold the values and standards of conduct set forth by MERF.

#### **Section 5 - What are the Fundamental Elements of this Policy?**

- MERF requires whistleblowers to identify themselves by providing their name, date of birth, CNIC number and phone number. Anonymous calls will **neither** be entertained **nor** investigated, in order to guard against potential abuse of this policy.
- The Whistleblower is protected from victimization, harassment or disciplinary action as a result of any disclosure, where the disclosure is made in good faith and is not made maliciously or for personal gain.
- Disclosures will be investigated fully including interviews with all the witnesses and other parties involved.
- The identity of the whistleblower will be held confidential at all stages by the Ethics committee.
- While MERF can provide internal anonymity, it cannot guarantee this will be retained if external legal action flows from the disclosure.



## Section 6 - What is a Protected Disclosure?

A protected disclosure is any good faith communication that discloses or demonstrates an intention to disclose information that may evidence (a) an improper MERF activity, or (b) any condition that may significantly threaten the health or safety of employees or the public. A protected disclosure may lead to a whistleblowing disclosure.

## Section 7 Reporting and Inquiry Mechanism

MERF is committed to providing a safe, confidential, and accessible mechanism for reporting concerns or complaints. Complaints may be submitted through the following channels:

- **Email:**  
Send your complaint to the designated personnel at:  
*complaints@merfpakistan.org*
- **Postal Mail:**  
Written complaints can be sent to:  
*Plot No. 59, 1st Floor, I&T Centre, Sector G-8/1, Islamabad*
- **Phone/WhatsApp:**  
Complaints may also be submitted via phone call, text messages or WhatsApp voice notes at:  
*0301-5397379*
- All complaints received by the Designated Officer will be forwarded to the Investigation Committee within one (1) working day of receipt to ensure timely action. Whistleblowers may access relevant government reporting channels listed in MERF's referral directory, such as:

### **Wafaqi Mohtasib (Ombudsman):**

Call **1055** for general issues

Call **1056** for child-related concerns

## Section 8 – Committee and its Role

The Committee will comprise:

- a) One member SMT of the organization;
- b) Sr. Manager HR and;
- c) Member.

The HR department will be responsible for maintaining the record and documentation of all such proceedings. If any one of the members of the Committee is the subject of whistleblower's allegations then he or she will be replaced on the Committee for that case by the Committee.

After conducting investigations, if the Committee feels that the issue raised by the whistleblower is critical to the operations of MERF and threatens to have pervasive negative implications, the Committee will escalate the matter to the SMT for further deliberation.



### **8.1 Raising the Concern**

The Committee can be contacted through email and postal mail by any individual or group of people to raise a concern, show intention to disclose or make an actual disclosure. The Committee is then bound to consider the submission.

### **8.2 Investigations**

Once the whistleblower makes it clear that she or he is making the disclosure within the terms of MERF's Whistleblower Policy, the Committee will consider the matter and take the necessary action to investigate the disclosure.

### **8.3 Dealing with Malicious Whistleblowing**

All whistleblowing disclosures made to the Committee will be treated as confidential, unless the Committee concludes that the allegations were malicious, mala fide or not in good faith.

Examples of malicious whistleblowing include, but are not limited to, allegations that are based on:

- Misogyny (e.g. not wanting to report to, or work with, a member of the opposite sex)
- Religious or cultural beliefs
- Hearsay
- Personal dislike or dispute
- Documents that are either subject to forgery (e.g email threads, photocopies etc.) or lie outside the legal ambit (e.g telephone transcripts obtained from phone companies without a warrant)

In case the whistleblower is deemed by the Committee to have acted maliciously or in bad faith, the whistleblower's identity will be disclosed and no extra care will be taken to hide the corrective measures taken against him/her, which may include, but are not limited to

- A financial penalty and/or termination if the malicious whistleblower is an MERF employee.
- Scaling down or termination of the existing grantee, sub-grant or program partner or blacklisting of the party from being eligible for future grants, if the malicious whistleblower is a sub-grantee
- Legal action including libel and/or slandering charges.

## **Section 9 – Preliminary Steps for Investigation and Documentation of Allegations**

Disclosing information related to the investigation of a whistleblowing event is a breach confidentiality and may put the whistleblower at risk. Therefore, inquiries and comments about an allegation will be made within the whistleblower database that will be maintained with Human Resources (HR) at MERF under lock and key. Notes will be taken of all discussions about the whistleblower report, but will be documented in a separate whistleblower case file with HR, including specific details sufficient to preserve a record of MERF's treatment of the allegations and the case chronology.

The Committee will determine the preliminary steps as under:

- Identifying who will take the lead on the investigation (regional office or HQ)
- Determining how to best preserve confidentiality.
- Identifying who, outside the Committee, should be included in the correspondence and process.
- Assigning who will be the lead in terms of keeping the Committee informed on progress.



It is important at this time for the Committee to assess the relevance of the alleged fraud, and whether it was allegedly perpetrated by exploiting a one-time, temporary gap in internal controls, or a systemic weakness that is present in one department or project, other departments or regional offices. If the allegation is material or indicates a potential systemic weakness, the team must determine if operations should be suspended, modified to reduce the risk of further loss or the weakness addressed and fixed.

## **Section 10– Conducting Investigation**

The matter must be acted upon by the Committee when any of the following conditions are met:

- The matter is the result of a significant internal control or policy deficiency that is likely to exist in other departments/Projects within MERF.
- The matter is likely to receive media or other public attention
- The matter involves the misuse of MERF's resources or creates exposure to a liability in potentially significant amounts
- The matter involves potential loss of donor funds
- The matter involves allegations or events that have a significant possibility of being the result of a criminal activity (such as disappearance of cash)
- The matter involves disregard of MERF's policies including Conflict of Interest Policy
- The matter is judged to be significant or sensitive for other reasons like harassment or SEA

Having considered the conditions, the Committee will follow the steps as under:

- Give the whistleblower the opportunity to present his or her case
- Look at the merit of the case as per the conditions for moving on a Whistleblower
- Disclosure
- If an investigation is warranted, set out a timetable
- Identify witnesses as needed
- Speak with the subject(s) of the disclosure, as needed
- Analyze findings
- Come to conclusions (systemic malpractice or isolated incident)
- Determine action to be taken against whistleblower or subject, if any
- Hand over recorded action to appropriate person or department

If the Committee concludes that the malpractice or control weakness relates to operations, the findings should be forwarded to the Director Operations.

If the Committee concludes that the malpractice or the control weakness is systemic in nature or is policy or strategy related, the findings should be taken to the senior management Team.



## **Section 11- Communication Strategy**

- Effective communication is essential for the successful implementation of MERF's Whistleblowing Policy. Ensuring that all stakeholders understand, agree to, and comply with the communication strategy is critical to maintaining trust, transparency, and the integrity of the process.
- To enhance awareness among beneficiaries, MERF will conduct orientation sessions in the communities it serves. These sessions will provide information about the whistleblowing policy, including how to report concerns. Information, Education, and Communication (IEC) materials and handouts containing key policy details will be distributed during these sessions to ensure beneficiaries understand their rights and the available reporting mechanisms.
- To ensure broad accessibility and transparency, MERF will publish this policy on its official website. This will allow all stakeholders including staff, partners, beneficiaries, and the general public to easily access the policy and reporting information.
- Upon receiving a whistleblower report, a prompt and reassuring acknowledgment must be sent to the whistleblower by an appropriate member of the designated Committee. This response should confirm that the complaint has been received and will be addressed in accordance with MERF's established policies and procedures.
- To ensure clarity and consistency, a single individual or a minimal number of designated persons should act as the primary point of contact with the whistleblower. This helps maintain confidentiality and provides the whistleblower with a consistent channel of communication.
- In the initial stages of the investigation, the alleged perpetrator must not be informed of the complaint to ensure the safety of the investigation team, prevent tampering with evidence, and maintain the integrity of the investigation process.

## **Section 12 Possible Outcomes**

There will be no adverse consequences for anyone who does whistleblowing in good faith.

The following actions may be taken after investigation of the concern;

- Disciplinary action (up to and including dismissal) against the wrongdoer dependent on the results of the investigation.
- Disciplinary action (up to and including dismissal) against the whistleblower if the claim is found to be malicious or otherwise in bad faith.
- No action if the allegation proves unfounded, and the committee concludes that the whistleblower did not operate with a malicious intent or in bad faith.
- The whistleblower will be kept informed of progress and the outcome of the investigation, within the constraints of maintaining confidentiality or observing legal restrictions generally.

**End document**