

Whistleblowing Policy

Purpose

FRIDA is committed to a collective approach of being open, honest and accountable, and holding our conduct to the highest standards of integrity. We expect our staff, Board of Directors, Members, Grantee Partners, Advisors and External Partners to maintain the same standards in everything they do. This policy provides guidance on how to raise concerns about malpractice in conduct of individuals within FRIDA, our partner organisations or any other organisations we are associated with. It aims to ensure that anyone can raise serious concerns with confidence and without having to worry about facing reprisal, being discriminated against or disadvantaged in any way as a result.

Background

This policy supplements the Code of Conduct and Conflict of Interest Policy. According to the Conflict of Interest Policy, any dishonest, unprofessional, disrespectful and/or unethical conduct and/or one that is not in line with Canada's Not-for-Profits Corporations Act, should be brought to the attention of the Board Co-Chairs, the Co-EDs and/or the HR Manager. However, if those individuals are involved in the incident or if there is fear of partiality/reprisal/silencing, the Whistleblower Policy can be used in order to trigger an inquiry.

Concerns covered by the policy

This policy is intended to deal with serious or sensitive concerns about wrongdoing throughout FRIDA (Staff, Board, Advisors, Grantee Partners, Members and External Partners), including the following:

- conduct not in line with Canadian Law (i.e. Human Rights Code, Employment Standards Act, Canada Not-for-profit Corporations Act, etc)

- bribery
- fraud, theft, blackmail, manipulation or corruption
- abuse of position for any unauthorised reason or for personal gain
- professional misconduct, such as deliberate disregard for FRIDA's policies and Code of Conduct
- discrimination against someone on the basis of race, ancestry, colour, religion, ethnic or national origin, disability, creed, caste, migration status, age, gender identity and expression, marital status, pregnancy, sex, sexuality, record of offenses, class or any other forms of identities
- health and safety infringements
- unauthorised use of FRIDA's resources
- sexual, physical and/or psychological harassment and/or violence
- Any attempts at cover-ups related to the above

Concerns not covered by the policy

This policy cannot be invoked to:

- deal with serious or sensitive matters that are covered by other procedures and policies, such as when a staff member is able to use the mechanisms outlined in the Violence & Harassment policy without fear of reprisal
- raise issues that have already been settled through other procedures

Roles and Responsibilities

Any whistleblowing complaint will go to the Whistleblowing Committee: the committee is made up of 1 HR, 2 members of staff from any team, 1 CoEd & 1 Board member who serve for one year. The election takes place through a collective voting process, open to self-nominations and nominations from any staff member at FRIDA. Anyone serving on the committee will be bound by strict confidentiality as outlined in the Whistleblowing Committee member ToR, which they must sign once they are elected. Once the committee receives a complaint, the three of them deliberate on the course of action and who needs to be involved in the process, in line with this Policy. If a complainant has concern around partiality or reprisal from one of the committee

members, they may approach only one of the members of the Whistleblowing Committee, who must follow the process outlined in this Policy.

In the case of complaints of inaction or potential cover-up by the committee, the complainant may contact one or both Co-EDs with their complaint. The Co-EDs are bound by timely and appropriate response.

- If there is concern about referring to the Co-EDs, or in the case of inaction when a complaint is brought to them, then the complainant may submit the complaint to one or both Co-Chairs of the Board of Directors.
- In the case of concern or inaction against the Co-Chairs of the Board of Directors, the complainant may instead choose to reach out to a member of the Board of Directors who is not a Chair.

Deciding whether to raise a concern

There are common feelings or experiences that can be barriers to raising a concern. For example, sometimes concerns are not raised because: it doesn't feel like one's business to do so; it is only a suspicion without hard evidence; it might feel disloyal to colleagues or the organisation; it didn't go according to plan when it was raised previously, or other people had a poor experience of whistleblowing.

It is important to remember, however, that a whistleblower is a **witness, meaning that the burden of proof does not fall upon them**. The role of the whistleblower is to let the facts speak for themselves and to allow the responsible Whistleblowing Committee to investigate and determine what action to take. We would prefer staff, Board and FRIDA community members to raise matters sooner rather than waiting for proof – after all, it is important to consider the implications of *not* blowing the whistle too.

Protection of the whistleblower when raising a concern

If the allegation is true and/or made in good faith, the whistleblower has nothing to fear. Deciding to blow the whistle is not easy and the whistleblower will be protected from any harassment, reprisal or bullying. The name or position of the whistleblower will not be revealed without prior permission, unless it is necessary by law. If this is the case, this will be explained to the whistleblower at the time the concern is raised, in order for the Whistleblower to decide whether to proceed or not. Any allegation made will not influence, or be influenced by, any unrelated disciplinary action against the whistleblower (or any redundancy procedures in the specific case of employees).

If further evidence/information about criminal or disciplinary proceedings is needed, the whistleblower will be put in contact with a FRIDA lawyer to get advice on the process. Any expenses incurred will be covered by FRIDA.

As an organisation registered in Canada, FRIDA is bound by Canadian Not-for-Profit Law as it pertains to protection of whistleblowing. As Canadian law falls short in its protection of whistleblowers, FRIDA will refer to the law as the basic standard, but develop its own parameters in line with the collective values of FRIDA's community.

Anonymous allegations

Whistleblowers are encouraged to give their names when making an allegation, as concerns raised anonymously tend to be less effective due to lack of information, and can ultimately lead to an inability to move forward with the investigation. The name of the whistleblower will be kept strictly confidential as part of the overall process, ensuring the safety of the whistleblower to the best of our ability. If you feel that you cannot give your name, the Whistleblower Committee will decide, to the best of their ability, whether they are able to consider the matter. This will depend on:

- the seriousness of the matter
- whether the concern is credible, as ascertained by the Whistleblowing Committee
- whether an investigation can be carried out based on the information provided

These points are a general guidance, as given the nature of whistleblowing complaints, decisions around action will be made on a case by case basis.

Malicious allegations

“Malicious” is defined as having or showing a desire to cause harm to someone or their reputation intentionally or out of spite.

If the allegation - believed to be true - which is made by the whistleblower is not confirmed by the investigation, it will not be considered malicious and no actions will be taken against the whistleblower. However if an investigation deems that an allegation is malicious, appropriate disciplinary or legal action will be taken against the whistleblower.

Whistleblowing Process

How to raise a concern

Any person who is aware of suspicions, allegations, misconduct and/or actual wrongdoing by a person involved with FRIDA's work has an obligation to notify the Whistleblowing Committee immediately.

The Whistleblowing Committee at FRIDA can be contacted in any of the following ways:

- Email: please write to whistleblowing@youngfeministfund.org or reach out to an individual Whistleblowing Committee member via their FRIDA email account
 - (for anonymous allegations, please create a [protonmail account](#) and send the email from there)
- Wire: a username/number will be provided for the Whistleblowing Committee Wire App, where you can leave a voicemail message 24-hours a day. Only the Whistleblowing officers from the Committee will have access to it. See [here](#) for instructions on how to install and use Wire.

It is best to put your concerns in writing and give as much information as possible – including any relevant names, dates, places, supporting documents, etc. The earlier a concern is raised, the easier it is to take effective action.

The Whistleblowing Committee will keep a confidential record of all concerns raised and the outcomes. Records will be kept for the duration of the relevant staff members/Board members employment/appointment, and for one year after they transition out of the organization. They will give FRIDA's Board of Directors a quarterly summary of all cases raised, without revealing any specific details – except where allegations of fraud or corruption are found to be substantiated.

Any breach of confidentiality will immediately face investigation by the most senior HR staff and potentially the Co-EDs, and may result in disciplinary action or immediate termination based on the severity.

If a concern involves one of the Whistleblowing Committee members, the matter should be referred to one of the other Committee members directly.

- If you think the Committee may be biased, the matter should be referred to the most senior HR staff member, providing justification for why you believe this is the case.
- If the concern involves the most senior HR staff member, the matter should be referred directly to the Co-EDs.
- If all the aforementioned people are involved, please refer to a member of the Board of Directors. In such an event, please provide justification for why you believe you are unable to turn to any of the aforementioned individuals.

How concerns are addressed

The way a concern is addressed will depend on what it involves. Enquiries will first be made as to whether an investigation should be carried out and, if so, how to go about it. Given the nature of whistleblowing complaints, decisions around action will be made on a case by case basis.

The concern will be received by the Whistleblowing Committee, who may choose to involve others as necessary. When the whistleblower is known and reachable, the Committee will seek to acquire consent from them before involving a third party in the resolution of the concern.

Based on the decision made and the seriousness and nature of the allegation, the Committee may decide to refer it to any or all of the following:

- **Restorative justice facilitators**
 - FRIDA is committed to restorative and healing justice approaches as primary avenues for repair and transformation in the face of harm. FRIDA's Whistleblowing Committee may engage a restorative justice facilitator with relevant expertise, to explore the possibility of initiating a restorative justice process. A restorative justice process may involve facilitated direct or indirect encounter between the relevant parties, and/or may center on healing justice support to those involved.
- **The relevant authorities**
 - If it is determined that a crime has been committed, it is important that a risk assessment of the implications of reporting the crime to national/local authorities or police is carried out (with advice from local organisations/individuals). In countries where there is doubt about the integrity and/or competence of statutory authorities, and/or where reporting may lead to reprisal or re-victimisation, all potential risks should be assessed before any actions are taken. Any decision must take into account the legal obligations, as failure to report may constitute a legal offence. Any decision not to report cases to the relevant local authorities must be documented and authorised by a Co-Executive Director and the Whistleblowing Committee.
- **An external auditor**
 - An external auditor is a public accountant who conducts audits, reviews, and other work for their clients. An external auditor is independent of all clients, and so is in a good position to make an impartial evaluation of the statements and systems of internal controls of those clients.
- **An independent investigator**
 - An Independent Investigation is a process where a neutral third-party is retained to investigate complaints or incidents, typically where some type of conflict or an allegation of conflict arises in the context of a workplace, organization, or institution.

If the whistleblower's concerns or allegations can be handled under any other procedure or policy, the issue will be relegated to the relevant person and the complainant will be informed. If

urgent action needs to be taken, especially relating to security and safety, this will be done before carrying out any investigation.

The amount of contact the whistleblower will have with the WhistleBlower Committee will depend on the nature of the concern, the potential difficulties involved, and the clarity of the information provided.

If a meeting is to take place to discuss the concern, the whistleblower can be accompanied by a trusted friend, colleague or manager who clearly understands and respects the need for utter confidentiality.

The whistleblower will be given as much feedback as is possible and appropriate during the process and in respect of the outcome, insofar as this does not infringe on any duty of confidentiality.

Upon the conclusion of the investigation, the whistleblower may be asked for their opinion on how well they feel their concern was handled.

How to take a matter further

FRIDA is committed to taking any and all complaints made through the Whistleblowing mechanism with the utmost seriousness, and processing the complaints in a timely manner. In the event that you believe the action FRIDA has taken doesn't re/address your concerns and you prefer to continue the process outside of FRIDA, these are some of the options you may consider contacting:

- An external auditor
- The Ontario Labour Board
- Relevant Authorities
- Legal Counsel in Canada and/or your location

Whistleblowing transparency

FRIDA commits to being transparent and therefore will annually provide a public document with a list of the whistleblowing complaints made when possible (depending on confidentiality) and how they were handled. This public brief will be prepared by the whistleblowing committee before the end of their rotation, and would not include identities or info leading to the revealing of identities or breach of confidentiality. The objective of this is to maintain accountability to the FRIDA community and to the process and ensure the transparency of the organization

Reviewing this Policy

FRIDA maintains a continuous review of all systems and procedures. This policy will be reviewed on a regular basis (with a maximum of three years between each review) or at any time a concern about it is raised.