Help – Hilfe zur Selbsthilfe

Policy

Whistleblowing/ Complaints Policy

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Document owner	Tina Glaeser, Audit, Risk & Complaint Management	
Binding for	Governing body members, staff (regardless of the type of contract), volunteers, affiliates, representatives, contractors, suppliers, partners, beneficiaries and the general public	
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Content

1. Introduction & purpose 2

2. Scope & definition 2

3. Whistleblower protection & confidentiality 2

4. Reporting obligation, channels and format 3

5. Issue handling 4

6. Consequence of violations 5

7. Organization-wide reporting 5

8. Acknowledgment and Compliance 5

9. Feedback & revision 5

10. ANNEX – Violation Reporting Form 6

1. Introduction & purpose

Help – Hilfe zur Selbsthilfe ("Help") is committed to high standards of ethical, moral, and legal business conduct. They form the base of our credibility towards donors, beneficiaries and stakeholders and underline the importance of our reputation as an international aid organization.

Establishing sustainable strategies, processes and patterns in project implementation is part of our overall strategy. Help is further dedicated to acting in good faith with those employees who raise concerns regarding incorrect financial reporting, unlawful activity, non-compliance with rules and regulations such as the code of conduct, or otherwise improper conduct.

This Whistleblower Protection Policy aims to provide employees, stakeholders and partners with an avenue for raising such concerns, and to reassure such employees that they will be protected from reprisal or victimization because of reporting the alleged wrongdoing of any Help staffer or its partner organizations.

2. Scope & definition

This whistleblowing/complaints policy applies to Help operations worldwide. It includes governing body members, staff (regardless of the type of contract), volunteers, affiliates, representatives, contractors, suppliers, partners, beneficiaries and the general public.

Complaints under this policy refer to violations of laws, rules and regulations. A 'violation' for the purpose of this policy may include but is not limited to fraud, corruption, criminal offenses, non-disclosure of a conflict of interest, sexual harassment, non-compliance with general rules and regulations such as humanitarian principles or our code of conduct or any unlawful activity or improper conduct.

General complaints regarding day-to-day operations and employee discontent are not part of this policy and should be raised within the line organization.

Help is committed to supporting its employees, partners and beneficiaries to conduct themselves in accordance with its policies e.g. by offering training.

Special note for Germany:
The Whistleblower Protection Act ('Hinweisgeberschutzgesetz' (HinSchG)) implements the EU Whistleblower Directive into German law and protects people who report violations of the law.

This law governs the protection of natural persons who, in connection with their professional activities or in anticipation of such activities, have obtained information on violations and report or disclose such information to the relevant authorities. In addition, protection is afforded to persons who are the subject of a report or disclosure, as well as to persons affected by a report or disclosure.

3. Whistleblower protection & confidentiality

No staffer, partner organization or other representative who in good faith reports a violation of a law, rules, or regulation requirement, including fraud and corruption, shall suffer harassment, retaliation, or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

Violations or suspected violations may be submitted on a confidential basis or may be submitted anonymously. Reports of violations or suspected violations and the identity of the sender will be kept confidential to the extent possible, with the understanding that certain details may need to be shared with others to conduct an

adequate investigation and to comply with applicable law. Generally, investigations and its outcome will be handled with strict confidentiality to protect all parties involved.

Anonymous violation reports are possible but the lack of additional information gathering may impact the quality of investigations. The detailed investigation process is described in the "Whistleblowing & Complaint Handling Guideline".

4. Reporting obligation, channels and format

Reporting obligation: All persons and entities under the scope of this policy are obliged to report any violations of laws as well as any non-compliance with rules and regulations.

Reporting channels: Reports should be primarily directed to the 'complaint focal points' in each country office. However, if complainants do not feel comfortable reporting violations to the local complaint focal point for any legitimate reason or because they fear negative personal consequences for themself such as reprisal, victimization, or dismissal, they may contact the HQ complaint focal point or the Help ombudsperson. The same applies if there is reason to believe that the focal point is subject of the reported concern/ violation.

It is the responsibility of the complaint focal points in each country to make stakeholders aware of this policy and the available reporting channels for whistleblowing, complaints and violations.

The complaint focal points in the Help country offices can be reached under the following E-Mails. A detailed list of names can be found in a separate annex to this policy. In addition, they can be contacted personally or in writing using the physical office address.

Country Office	**Complaint E-Mail**
Afghanistan	complaints-afg@help-ev.de
Albania	complaints-alb@help-ev.de
Bosnia	complaints-bih@help-ev.de
Burkina Faso	complaints-bfa@help-ev.de
Kosovo	complaints-kos@help-ev.de
Mali	complaints-mli@help-ev.de
Montenegro	complaints-mne@help-ev.de
Niger	complaints-ner@help-ev.de
Serbia	complaints-srb@help-ev.de
Zimbabwe	complaints-zwe@help-ev.de
Syria	complaints-syr@help-ev.de
South Sudan	complaints-ssd@help-ev.de
Ukraine	complaints@help-ukraine.org.ua

Stakeholders from countries not mentioned in the table above should report violations to Help HQ Audit, Complaint & Risk Management, or the Help Ombudsperson.

	Complaint E-Mail Address	**Post**
Help HQ Audit, Risk & Complaint Management	Internal_revision@help-ev.de	Help – Hilfe zur Selbsthilfe c/o Audit, Risk & Complaint Management - Confidential – Adenauerallee 131a 53113 Bonn Germany

Help Ombudsperson	ombudsperson@help-ev.de	Help – Hilfe zur Selbsthilfe c/o Ombudsperson - Confidential – Adenauerallee 131a 53113 Bonn Germany

Certain offences can also be reported to external authorities in Germany. For example, to:

- Federal Office of Justice ('Bundesamt für Justiz') for areas such as:
  - criminal law
  - misdemeanour law, insofar as the violated regulation serves to protect life, limb or health or to protect the rights of employees or their representative bodies,
  - environmental protection etc.
- Federal Financial Supervisory Authority (BaFin Whistleblower Office) for violations of supervisory law. The BaFin supervises banks, financial service providers, payment institutions, e-money institutions etc.

Reporting format: When reporting violations or concerns, complainants should provide as much information and detail as possible. The report should include among others:

- Complainants contact details for further information gathering.
- Statement on preferred level of anonymity.
- Description of the incident (What happened, when, where, who was involved, are there witnesses?).
- Supporting evidence (documents, Emails, videos, messages etc).
- Consequences and risks of the incident.
- Expectation of the examination.

The template in the annex can be used to report violations.

5. Issue handling

All reported violations will be taken seriously and investigated. The complainant can expect a confirmation of receipt by the focal point within a maximum of 7 working days. The complainant might be contacted again for further details of the reported incident to support the investigation and will receive formal feedback of the investigation outcome within 3 months.

Delegation of complaints for resolution or investigation
If the reported incident is of rather operational nature, it might be delegated by the focal point to the responsible department (e.g. outstanding payment to suppliers).

If the reported incident cannot be investigated by the focal point for valid reasons (e.g. due to conflict of interest, bias, skills or involvement of line or senior management), it will be delegated to Help HQ Audit, Risk & Complaint Management and if necessary to an external expert.

The decision on delegation of a complaint is ultimately made by the complaint focal point. Guidance by HQ Audit, Risk & Complaint Management can be obtained. Advice by line or senior management can be considered but is not mandatory.

6. Consequence of violations

Reported violations will be thoroughly investigated. Depending on the severity of the matter, Help reserves the right to suspend staff contracts and pause vendor/partner contracts for the time of the investigation.

Violations as well as deliberately false accusations may result in disciplinary measures, up to and including immediate termination and/or the annulment of contracts and cooperation agreements.

Help reserves the right to report criminal offences in compliance with applicable laws. Efforts will be made to recover any funds or assets lost due to fraud.

7. Organization-wide reporting

Complaint focal points are responsible for accurate and safely stored records of reported violations and investigation outcome. They are required to report the number, type and severity of reported violations to HQ Audit, Risk & Complaint Management on quarterly basis. The aggregated report is shared with HQ senior management. A consolidated annual report is shared with Help's member meeting that includes the supervisory board and audit committee.

8. Acknowledgment and Compliance

This whistleblowing/ complaints policy must be acknowledged and signed by all governing body members, staff (regardless of the type of contract), volunteers, affiliates, representatives, contractors, and partners.

For governing body members, staff (regardless of the type of contract), volunteers, affiliates, representatives, the 'declaration of commitment and compliance' is mandatory to sign before starting to work with Help. The declaration summarizes all policies mandatory to sign before employment.

For partner organizations, the whistleblowing/ complaints policy forms an annex to the partner agreement, which is acknowledged upon signature.

For contractors, these rules and principles are referenced in the 'Code of Conduct for contractors', thus, acknowledgement of and compliance with this whistleblowing/ complaints policy is automatically covered by the signature of GEN_2-2_CoC for Contractors in the procurement procedures.

9. Feedback & revision

Feedback on the policy can be addressed to the Document Owner. Revisions will be conducted based on needs or within the defined review period.

Bianca Kaltschmitt, Managing Director

10. ANNEX – Violation Reporting Form

Contact Details of the violation reporter	
Your full Name	
Your workplace (Country, Department)	
Your phone & eMail	
Date of reporting	
Level of anonymity	
Violation Details	
Affected Country	
Affected Department	
Affected Person (full name & contact details	
What happened? When, where, who was involved, are there witnesses? Please describe the violation/ complaint in detail.	
Which consequences/ damage does this violation have on people and/or the organization?	
Please add any supporting documents/ evidence	
Have any actions been taken already? If yes, which ones?	
Have you informed anybody else of this violation? If yes, who & when?	
What is your expectation of the examination?	