

# Rules of Procedure for the Office of the Ombudsperson

## 1. Purpose and scope

Malteser International is committed to fighting fraud and corruption, preventing the abuse of power, and any kind of sexual exploitation from taking place within the range of its work. A *Code of Conduct* has been issued to make clear what is considered acceptable professional and ethical behavior to all those working with Malteser International. A *Whistleblowing Guideline* has also been issued to allow for the disclosure of breaches of the *Code of Conduct* by Malteser International staff, and to prevent misconduct.

Malteser International has appointed an *Ombudsperson* to provide an independent body to which any person who wishes to make a disclosure under the *Whistleblowing Guideline* regarding non-compliance with Malteser International's *Code of Conduct* can address their concerns. This is especially important in cases of actual or suspected fraud and corruption, the non-disclosure of conflicts of interest, abuse of power of any kind, or sexual exploitation.

Every Malteser International staff member, as well as partners, beneficiaries, local authorities and the general public may make a disclosure to the Ombudsperson. In accordance with Malteser International's *Whistleblowing Guideline*, persons wishing to make a disclosure should first consider making this to the relevant Malteser International manager or coordinator, or to his or her direct superior. If this is not advisable for any reason, or makes the person wishing to make the disclosure uncomfortable, they may address themselves to the Ombudsperson.

## 2. Confidentiality

The Ombudsperson will treat all disclosures made to him or her as confidential. The information provided in disclosures will only be used to fulfil the purpose of the duty of Ombudsperson to clarify the issues raised, and to initiate the necessary action in response. The identity of the person making the disclosure will be kept confidential, unless the person making the disclosure agrees that their identity may be revealed.

### 3. Independence and neutrality

The Ombudsperson acts independent of any other body of Malteser International. The Ombudsperson does not receive instructions on how to deal with any specific issue from Malteser International. The position of Ombudsperson is intended to complement, and not replace existing Malteser International administrative structures – including established grievance procedures, line-management or the Human Resources office.

The Ombudsperson acts under conditions of strict neutrality, and avoiding all potential conflicts of interest. He does not bear any other office in Malteser International, and has no relationship to persons working for Malteser International that could endanger his or her neutrality. The Ombudsperson does not receive any payment or salary from Malteser International; however, costs incurred in the course of his or her duties as Ombudsperson will be reimbursed.

The Ombudsperson will not act as a legal representative for Malteser International, or for any person making a disclosure, with regard to any matter that has been brought to his or her attention in his function as Ombudsperson

### 4. Appointment of the Ombudsperson

The Ombudsperson is appointed by Malteser International's General Assembly following a recommendation by the Board of Directors. The appointment is for 5 years, re-appointment for further terms is permitted. The candidate to be appointed has to be morally and professionally qualified to perform his or her duties as Ombudsperson. The General Assembly may withdraw the Ombudsperson's mandate when he or she is no longer willing or able to fulfill their duty as such. The Ombudsperson may resign their office by giving three months written notice of their intention to do so, or in urgent cases with immediate effect, indicating their reasons for withdrawal.

### 5. Procedure for handling of disclosures

The Ombudsperson takes all disclosures seriously, and treats every disclosure objectively, confidentially, and independently. As indicated in Malteser International's *Whistleblowing Guideline* the Ombudsperson determines the procedure for following-up on any disclosure. Every person making a disclosure to the ombudsperson and providing appropriate contact details will receive a brief confirmation that their disclosure has been received.

The assessment, clarification or investigation of any issue raised should, where possible, be started within two weeks. In most cases, the Ombudsperson will need to refer back to the person making the disclosure for further clarification.

All Malteser International staff and board members are obliged to respond to inquiries from the Ombudsperson, and to provide them with necessary information related to the matter being

investigated. When necessary, the Ombudsperson may also rely on the services of Malteser International staff for assistance or clarification in any matter.

The Ombudsperson will then issue a recommendation to the Malteser International Board of Directors as to how they should proceed with the issue. When an investigation is launched through the Ombudsperson, the Ombudsman will also review the investigation report.

## 6. Reporting

The Ombudsperson will give written notification of the outcome of an assessment or investigation to the person that made the disclosure.

On February 28<sup>th</sup> each year, the Ombudsperson provides a written report to the General Assembly of Malteser International. This report should also be made if no issue has been raised to the Ombudsperson during reporting year. In addition, members of the General Assembly have the right to require the Ombudsperson to report to them directly during the General Assembly. Confidentiality assured to the person having raised the issue will be maintained.