

ANTI- CORRUPTION POLICY 2020



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Foreword



Foreword

Corruption, in all its forms, is a major obstacle to development.

It deprives the poorest populations of resources, breaks the social pact and undermines the foundations of the rule of law.

For TABIO, corruption can damage the credibility, legitimacy and effectiveness of our actions. It can damage the good reputation the organization has with the development partners, the government and the general public.

TABIO is resolutely determined to fight against corruption in all its forms, in the projects it finances and further afield.

This commitment requires the involvement of everyone. Each employee needs to take it on board, to promote exemplary conduct among all our employees and the TABIO's partners. This is the sense of this policy.

I would therefore be grateful if you could pay the greatest attention to reading and understanding it, so that it can guide you in your daily professional activities.

I know that I can count on your involvement to act in full compliance with the values of probity, equity and honesty, which are the drivers for our action and the honor of our Organization.

Adans

Abdallah Ramadhani Mkindi Coordinator

Introduction

1. Introduction

1.1 Status

Tanzania Alliance for Biodiversity (TABIO) is a Non-Governmental Organization registered under the non-Governmental Organization Act, 2002 made under section (12) (2) of the Act No 24 of 2002 with registration certificate number 00NGO0008925. The organization's activities throughout mainland Tanzania are managed through TABIO.

1.2 Mission

TABIO endeavors to conserve and protect agricultural biodiversity (agro-biodiversity) through promotion of environmentally friendly farming systems to improve food sovereignty for all people.

1.3 Vision

TABIO envisions suitable agricultural systems that guarantee food sovereignty and agro-biodiversity conservation in Tanzania.

1.4 Objective of the policy

TABIO condemns corruption in all its forms and ensures that its employees are involved in ensuring this principle is respected.

Our common objective is to firmly establish a corporate culture with zero tolerance in terms of corruption in all its forms.

The policy specifies the rules to be observed for the proper conducting of activities carried out by officers in TABIO.

It sets out the conduct expected from TABIO employees (hereinafter "the employees") in order to prevent corruption, influence peddling and fraud.

TABIO officers are expected to comply with international, national and local regulations applicable where TABIO conducts its activity, but also to act in compliance with the principles and obligations of this policy with integrity, loyalty and honesty.

The policy applies to all the TABIO entities, without prejudice to the application of local anti-corruption regulations.

This policy cannot be exhaustive and cannot address all the situations which may occur, or provide information on all applicable laws. It does, however, provide a reference allowing each employee to take action at any time in compliance with the demanding standards for conduct called for by Senior Management in this field.

Procedures have been or will be established and updated by the Organization in compliance with applicable regulations or in order to clarify or give details of certain aspects of the policy, the applicable rules and the conduct to be respected. TABIO employees concerned by these documents must in the same way strictly apply them.

1.5. Scope of application of the policy

This policy covers all activities of TABIO.

All TABIO employees, whatever the activity, level of the position held or applicable staff status, are required to comply with this policy.

As provided for by the law, this policy is intended to be shared with the third parties with which TABIO has undertakings (clients, suppliers, service providers, consultants) in order to participate in a joint and consistent approach in terms of ethics and integrity.

TABIO expects all its employees to be familiar with, understand, and strictly comply with the principles and rules set out in this policy.

What is corruption?

2.0 What is corruption?

Corruption is defined as *'the abuse of entrusted power for gain'*. It includes practices such as bribery, fraud, extortion, collusion and money laundering. It also includes an offer or receipt of any gift, loan, fee, reward, or other advantage to or from any person as an inducement to do something that is dishonest, illegal, or a breach of trust in the conduct of the organization's activities. This may include cash or in-kind benefits, such as free goods, gifts, and holidays, or special personal services provided for the purpose of an improper advantage or that may result in moral pressure to receive such an advantage. Occasional minor gifts and entertainment should be handled in accordance with the applicable Conflicts of Interest Policy or other related policies.

TABIO is firmly committed to:

- Strictly complying with national and international legislation on the fight against corruption in Tanzania with reference to international standards on the prevention of corruption;
- Refusing all forms of corruption and promoting integrated and transparent practices;
- Implementing an approach to continuously improve the prevention of risks of corruption, in particular via awarenessraising and training actions;
- Detecting, investigating and sanctioning reprehensible or non-compliant practices.

Policy issues, objectives and policy statements

3.0 Policy issues, objectives and policy statements

3.1 TABIO Persons

TABIO Persons are the employee, Board Members and or Volunteers. Corruption can damage the credibility, legitimacy and effectiveness of TABIO actions. It can damage the good reputation the organization has with the development partners, the government and the general public.

3.1.1 Objective

Prohibition of all forms of corruption among TABIO persons for the betterment and the wellbeing of the organization.

3.1.2 Policy statement

3.1.2.1 Corruption on the part of any TABIO employee, Board Member or volunteer (collectively "TABIO Persons") is prohibited.

3.2 Third Parties

The term "Third Parties" refers, without limitation, to intermediaries (i.e. persons holding an organization mandate to act on its behalf or represent its interests), legal or accounting advisors, consultants, lobbyists and service providers. TABIO like other organizations rely on interconnected networks of external partners in service provision, therefore, conducting thorough due diligence of all third parties prior to doing business remains a critical component of managing corruption risk.

3.2.1 Objective

To identify and prevent possible source of corruption upon engaging third parties.

3.2.2 Policy Statements

- 3.2.2.1 Corruption on the part of any third party (consultant, vendor, partners, etc.) in their engagement with TABIO entities, is prohibited.
- 3.2.2.2 It is not permitted to call on a third party whose probity and integrity has not been verified and documented beforehand, or for the performance of operations that do not comply with the Organization's ethics rules. In this respect, it is essential to ensure the probity and integrity of any third party in order to make sure that TABIO does not participate in or is not involved in unlawful practices.
- 3.2.2.3 Employees must be particularly vigilant towards lobbying activities which may be a source of corruption.
- 3.2.2.4 Specifically concerning service providers, it is necessary to ensure that they provide a service based on professional expertise, in the context of a written contract, and conduct a regular monitoring of the work actually performed.
- 3.2.2.5 Payments to a third party must only be made if they are lawful, in conformity with the contract and performed against the submission of a valid invoice. They may not be made without evidence of the work conducted on the basis of documentation, or paid in cash.
- 3.2.2.6 Third parties must act in compliance with the policy and respect its commitments to the fight against corruption.

3.3 Disciplinary action against corruption

Disciplinary actions against corrupt employees and third parties is necessary for building good image and reputation of the organization.

3.3.1 Objective

To encourage the organization to take firm and vigorous action against any individual(s) involved in corruption.

3.3.2 Policy statement

- 3.3.2.1 Employees of TABIO who commit a corrupt act, fail to report knowledge of corruption or fail to manage the risk of corruption will be subject to **disciplinary action** up to and including termination of employment.
- 3.3.2.2 Members of Boards and Advisory Councils who fail to comply with this policy are subject to removal.
- 3.3.2.3 Third parties who fail to comply with this policy will have their agreements and/or contracts with TABIO terminated.
- 3.3.2.4 TABIO may also seek restitution or prosecution or other legal remedies.

3.4 Bribery

This is the offering, promising, giving, accepting, or soliciting of an advantage as an inducement for an action, which is illegal, unethical, or a breach of trust or to refrain from acting. Bribery can be a financial or in-kind undue advantage that can be paid directly or through intermediaries.

3.4.1 Objective

To assist employees, officers throughout the organization in identifying anti-bribery related issues and in understanding and complying with applicable anti-bribery standards.

3.4.2 Policy statement

3.4.2.1 No TABIO Person, or any third party acting on behalf of TABIO or dealing with TABIO, shall offer to pay a bribe, or pay a bribe, nor shall they solicit the payment of a bribe, or accept a bribe in conjunction with any aspect of TABIO's activities.

3.4.2.2 Payments otherwise prohibited should be considered only if there is immediate threat to personal safety in which case the payment must be immediately reported to management and clearly identified in the accounting records as such.

3.5 Corruption risk assessment

Anti-corruption risk assessment, broadly defined, encompasses the variety of mechanisms that enterprises use to estimate the likelihood of particular forms of corruption within the enterprise and in external interactions, and the effect such corruption might have.

3.5.1 Objective

The purpose of a corruption risk assessment is usually to supplement evidence of actual or perceived corruption in a given context in order to inform anti-corruption strategies and policies or for advocacy purposes. It can also serve as a baseline for anti-corruption work to track changes in risks over time. Corruption risk assessment can be applied at all levels from government institutions, to donor support programmes, down to sectoral programmes, as well as in individual organizations or units. It is often undertaken as part of a larger corruption assessment exercise.

3.5.2 Policy statement

3.5.2.1 All TABIO entities will perform a **corruption risk assessment** to inform the development of a corruption aware workforce and foster an organizational culture in which corruption is never acceptable.

3.6 Awareness of Anti-corruption policy

It is the obligation of the organization to ensure the corruption prevention policies and procedures are embedded and understood throughout the organization through communication, including training, making information available and enhancing awareness and understanding. Awareness raising conveys the knowledge and skills needed to comply with the organization's procedures and deal with any corruption related problems or issues that arise to staff and any associated persons as appropriate.

3.6.1 Objective

To create awareness of TABIO employees and stakeholders on its policy against corruption.

3.6.2 Policy statement

3.6.2.1 All TABIO entities will ensure employees, board members, volunteers, and third parties that engage with TABIO are **made aware** of the Anti- corruption Policy.

3.7 Whistleblowers and their protection

Is a person, who could be an employee of an organization, disclosing information to the public or higher authority about any wrongdoing, which could be in the form of fraud, corruption, etc.

3.7.1 Objective

To encourage employees and others who have serious concerns about any aspect of the TABIO's work to come forward and voice those concerns.

3.7.2 Policy statement

3.7.2.1 All TABIO entities will implement a "whistleblower" policy and procedures to provide employees, board members, volunteers, and third parties with a mechanism to report evidence of misconduct, including corruption, and to encourage such reporting.

- 3.7.2.2 The identity of the whistleblower is not given to either the people who handle the report or the defendants of the report. The anonymity of the whistleblower vis-à-vis these persons is guaranteed by the entity which receives the alert. It is only disclosed, where appropriate, to the legal authority at its request. It may be disclosed to internal entities of TABIO responsible for handling the alert if the whistleblower has given his formal agreement to the entity in charge of collecting these alerts for his identity to be disclosed to them.
- 3.7.2.3 No retaliatory measure, particularly disciplinary or discriminatory measure, may be taken against an employee for having reported, in good faith and in a disinterested manner, irregularities or wrongdoings and/or for having communicated accurate information and acted in good faith and in a disinterested manner in the context of an internal or external enquiry, an audition, a legal procedure or a request for information of a legal, administrative or regulatory nature concerning potential irregularities or wrongdoings.
- 3.7.2.4 Unless it involves judicial authorities, the elements which allow the whistleblower to be identified may only be disclosed with his consent.
- 3.7.2.5 The identity of the whistleblower must under no circumstances be communicated to the defendants of the report, and even if these persons request to be provided with it.

3.8 Corruption response plan

This Corruption Response Plan compliments the organization's response to suspected or apparent irregularities affecting resources belonging to or administered by the Organization or offences perpetrated by contractors and suppliers against the Organization. It is important that all staff know what to do in the event of encountering frauds so they can act appropriately and without delay. The Corruption Response Plan provides guidance to ensure effective and timely action is taken. It also shows that the organization acts in an effective and lawful manner and that it does not tolerate corruption.

3.8.1 Objective

To establish responsibilities for investigating the incident and taking appropriate action; establish and secure evidence for disciplinary action, prevent loss of funds or other assets where fraud has occurred and to maximize recovery of any loss and minimize the occurrence of fraud by taking rapid action at the first signs of a problem.

3.8.2 Policy statement

1.1.1.1 All TABIO entities will develop a **corruption response plan** documenting how incidents will be investigated, reported and closed.

3.9 Reporting of corruption incidences

TABIO employees have an obligation to promptly report all known or suspected incidents of Corruption or Fraud, as well as any other illegal, improper, or unethical conduct, which will be reviewed and investigated.

3.9.1 Objective

To report corruption when it has occurred/about to occur and provides guidance and advice on how TABIO management can respond.

3.9.2 Policy statement

3.9.2.1 TABIO entities will immediately **report all instances** of suspected and actual corruption to the local governing board, where one exists (except in cases where the allegation is directed at that body), which is responsible and accountable for ensuring the incident is investigated appropriately.

3.10 Conflict of Interest

A conflict of interest is a de facto situation. It is traditionally defined as the fact, for a person conducting a professional activity, of being placed or placing themselves in a situation raising a doubt over the motives for his decisions. Any situation that may raise a reasonable doubt over the impartiality, objectivity and independence of a professional, albeit wrongly, exposes the latter to being accused of a conflict of interest.

3.10.1 Objective

To set out TABIO responsibilities and the responsibilities of those working for or on behalf of us, in relation to observing and upholding our position on conflicts of interest; and to provide information and guidance to those working for or on behalf of us on how to identify and report potential conflicts of interest.

3.10.2 Policy statement

3.10.2.1 No employee shall, while in the employment of TABIO, engage in any business or activity that would undermine his/her performance or conflict with the interests of the Organization. No employee may use his/her position at TABIO to secure personal financial benefits for themselves or any of their relatives.

- 3.10.2.2 TABIO may not enter into agreements with or procure goods or services from employees, officers, directors or their relatives or anyone residing in their household, except for exceptional circumstances where it is demonstrated to be in the best interest of TABIO and no viable alternatives are possible. All such decisions shall be approved by the Coordinator, fully documented and disclosed in writing to the Board.
- 3.10.2.3 No employee may involve him/her in any decision-making process, or seek to in any way to influence it, where he/she or his/her relatives may be in a position to gain privately from the decision. All employees shall disclose forthwith any or potential conflict of interest and seek approval before proceeding.
- 3.10.2.4 No employee may undertake any paid or remunerated activity, while employed at TABIO, save coverage or reimbursement of costs incurred in the course of undertaking approved activities. No employee may become a member, director or officer of a company or association without prior approval in writing from the Appointing Authority.
- 3.10.2.5 Each employee under contract with TABIO shall truthfully complete and sign a conflict of interest declaration form and submit it to the Finance and Administration Officer or his/her representative. The form shall include disclosure of an employee's affiliation with companies and associations, shareholding and businesses. Each employee shall be responsible for disclosure status within one week of the change of status and submit the same to the Finance and Administration Officer.

3.11. Outside employment and activities

TABIO employee is required to obtain written approval before engaging in any outside employment that involves a subject matter that relates to the responsibilities of his component. Outside employment includes any form of employment, business relationship or activity involving the provision of personal services, whether paid or unpaid.

3.11.1 Objective

To ensure that outside employment and external activities, paid or unpaid does not interfere with staff ability to serve the organization.

3.11.2 Policy statements

- 3.11.2.1 Staff members shall not engage in any outside occupation or employment, whether remunerated or not, without the approval of the Coordinator.
- 3.11.2.2 Similarly, employees may not, without the express authorization of the Coordinator, exercise any functions of Board member, manager or director in any company other than the function which is requested from him by the Organization.
- 3.11.2.3 In any case, the simultaneous exercise of another activity, directly or indirectly, in whatever form whatsoever, remunerated or not, in a company or organization which has commercial relations with the Organization is prohibited, except by previous written authorization.

3.12 Fight against fraud

Fraud means any disloyal maneuver (action or omission) intended to deliberately mislead others, intentionally conceal elements from them, deceitfully obtain their consent, circumvent legal or regulatory obligations and/or violate internal rules (his or those of a third party) in order to obtain an illegitimate benefit.

3.12.1 Objective

To prevent, deter and detect fraud and other irregularity and its intentions where it is suspected and/or committed. Also, is to clearly communicate the TABIO's stance on fraud both internally and externally and to generally strengthen the TABIO's anti – fraud culture.

3.12.2 Policy statement:

- 3.12.2.1 Any suspicion of fraud must be subject to a report on the incident or an alert, in accordance with the procedures in force.
- 3.12.2.2 In the event of a doubt over a situation of fraud, do not hesitate to refer to your officer and to the Finance and Administration Officer.

3.13 Protection of TABIO assets

It is the responsibility of everyone to ensure that the TABIO's tangible and intangible assets are protected and, in this respect, ensure that none of these assets are deteriorated, degraded, stolen, misused, used or destroyed in an inappropriate manner.

3.13.1 Objective

To ensure that TABIO assets properly recorded, coded, allocated and managed in the interest of efficiency and accountability.

3.13.2 Policy statement

3.13.2.1 Each employee must use Organization assets in the context of their functions, in compliance with their professional purpose and in accordance with the laws, regulations, charters and procedures in force in the Organization. These assets may not be used for personal purposes without explicit prior authorization given in the context of the established procedures.

3.14 Misuse of Financing

TABIO is committed to the highest standards of accountability and responsibility. By definition, misuse of funds is simply using funds for purposes outside of those dictated by the organization. An organization's management has an ethical duty to manage its funds correctly. Misappropriating organization money may lead to allegations of fraud or misuse of funds. Whether true or not, the allegations could harm the organization itself.

3.14.1 Objective

To prevent the misuse of TABIO funds by the employees and their third parties.

3.14.2 Policy statement

3.14.2.1 TABIO employees must alert without delay their line management and the Finance and Administration Officer of any suspicion of the improper use of financing which has come to their knowledge on the basis of their observations of the existence of anomalies or inconsistencies, or allegations of this nature which would come to their attention from third parties (bidders, employees of companies awarded a contract, competitors, target company, press).

