

European Forest Institute

Whistleblowing policy

Adopted by the Board 13 September 2021, to come into force 1 January 2022

1. Whistleblower

A *Whistleblower* is anyone who in good faith, and as stated in this policy:

- a) reports on *Misconduct*
- b) cooperates with an investigation conducted by EFI in regards to *Misconduct*, other than in respect to the person's own *Misconduct*

The following constitutes *Misconduct*:

- I. Non-compliance with the rules and regulations of the Institute by Board members, Director, or Staff members.
- II. Any of the following prohibited practices by contractors, grantees, in-house consultants, or special advisers:
 - *corrupt practice*: offering, giving, receiving, or soliciting, directly or indirectly, anything of value to influence improperly the actions of another party
 - *fraudulent practice*: any act or omission, including a misrepresentation, that knowingly misleads, or attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation
 - *coercive practice*: impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party
 - *collusive practice*: an arrangement between two or more parties designed to achieve an improper purpose, including influencing improperly the actions of another party
 - *obstructive practice*: impeding any investigation into allegations of one or more of the above mentioned prohibited practices either by deliberately destroying, falsifying, altering; or by concealing of evidence material to the investigation or by making false statements to investigators and/or by threatening, harassing or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation, or by impeding EFI's rights of audit or access to information

2. Reporting

Reporting of *Misconduct* can be done through the external reporting system set up by the Institute for this purpose. Misconduct can also be reported directly to the EFI Legal Counsel.

When reporting *Misconduct*, it is important to be as elaborate as possible. The more information is provided when reporting, the easier it will be to establish whether the matter is to be investigated, and also to conduct the investigation.

Matters can be reported anonymously through the external reporting system, but if sufficient information relating to the suspected non-compliance or misconduct is lacking it may not be possible to proceed with the matter. Matters cannot be reported anonymously when reported directly to the EFI Legal Counsel.

Anyone reporting anonymously must be aware that protection in accordance with section 5 below cannot be invoked.

To the extent that EFI rules and regulations contain a separate procedure for reporting, such procedure is to be used instead of the whistleblowing mechanism.

3. Investigation

EFI will at its own discretion decide if an investigation is to be conducted and how it is to be conducted.

EFI may engage external parties to conduct the investigation.

For reported *Misconduct* by a Board member or Director, decisions in relation to the investigation will be taken by the Board. Decisions in relation to the investigation of all other reported *Misconduct* will be taken by the Director.

4. Confidentiality

Reporting and investigation is handled confidentially but the outcome of the investigation might have to be disclosed by EFI.

Without prejudice to the preceding, in order to conduct an investigation, it may become necessary to reveal the identity of the Whistleblower to persons conducting the investigation.

The identity of the Whistleblower can further be disclosed where so decided by the Board, if required for the protection of EFI's legitimate interests.

Reporting in bad faith is not covered by confidentiality.

5. Protection from retaliation

It is prohibited to take action, recommend action, or threaten with action, to punish a Whistleblower for reporting or cooperating in good faith in relation to suspected or

determined/established *Misconduct*. This applies even if the reported matter turns out to be unfounded.

The protection also covers anyone engaged by the Institute to conduct an investigation into alleged *Misconduct*.

Protection from retaliation does not cover protection from sanctions due to *Misconduct* or following anonymous reporting. This means that you cannot report your own actions (anonymously or not) and avoid sanction/remedy for them. However, sincere cooperation can be taken into consideration as a mitigating factor in determining any disciplinary sanction or exercising contractual remedies.

A Whistleblower who considers him/herself having been retaliated against must immediately report this to the Director (or to the Board if it concerns retaliation by the Director), through the Legal Counsel. Such claim must be substantiated with factual information and/or documentation.