



# Whistleblower Policy

September 2023

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## Introduction

NRT's mission is to build resilient community conservancies, that transform lives, secure peace and conserve natural resources.

Our value proposition is to support member community conservancies to be strong, independent, sustainable, well-governed and well-managed local institutions, with genuine community-led decision-making, widely understood and approved by the community at large, leading to strong community ownership.

NRT is committed to conducting its business in an ethical manner and is cognizant of the fact that corruption and malpractice erode the organization's resources and diminish the future of communities. NRT therefore has zero-tolerance for corruption and malpractice and is committed to acting professionally, fairly, and with integrity in all business dealings and relationships. All NRT stakeholders are equally expected to conduct their affairs with integrity and uphold the values of good governance.

NRT has thus developed this policy to create a platform for strengthening and deepening its values. This is a tool for detecting and preempting malpractice and violations. It provides a mechanism for stakeholders to voice their concerns in a responsible and effective manner. Accordingly, this policy outlines procedures for making genuine disclosures, protecting whistle blowers and investigating disclosures. NRT commits to extending the reach of this policy to its member conservancies.

## Definition of terms

"Communities" refer to Indigenous people within NRT Member conservancies.

"Corruption" - Any conduct or behaviour where a person accepts, agrees or offers any gratification for self or for another person where the purpose is to act dishonestly or illegally. Such behaviour also includes the misuse of material or information, abusing a position of authority or a breach of trust or violation of duty.

"Disclosure" refers to the action of making new or secret information known.

"malpractice" means improper, illegal, or negligent professional activity or treatment.

"Staff": Refers to any person employed by NRT. The interns and volunteers of NRT are considered to fall within this category, for the purposes of this policy.

"NRT Member Conservancy staff" Refers to any person employed by NRT Member Conservancy, which are local institutions run for and by indigenous people, striving to transform lives, build peace and conserve natural resources.

"NRT Partners" Refers to individuals or organizations that collaborate with NRT in implementation of its programs/projects.

"NRT Subsidiaries" Refer to separate entities that exist under NRT and/or are affiliated with the NRT umbrella

“NRT Stakeholders”: Refer to any NRT Employee, Partner, Director, Supplier, Consultant as well as communities in its members conservancies.

“Violations” Refer to human rights violations such as harassment, intimidation, inhumane treatment and discrimination based on race, colour, national origin, religion, gender, age, sexual orientation, marital status, disability, or any other characteristic protected by applicable laws.

“Whistleblower” means a person who reports in good faith and on reasonable grounds to the organization any facts concerning corruption or malpractice in accordance with this policy.

“Whistleblowing” means the disclosure in good faith by a person to the competent authorities, which the person reasonably believes, is evidence of corruption or malpractice and in accordance with this Policy.

### Scope

This Whistle blowing policy applies to any NRT staff, Directors, Partners, its subsidiaries and affiliates as well as member conservancies.

The general public and other stakeholders, including suppliers, consultants and service providers, working for or dealing with NRT may also use the provisions of this Policy to disclose any concerns they have with the Company.

### Purpose

- Ensure whistleblowers can raise concerns without fear of retribution.
- Provide a transparent and confidential platform for dealing with concerns raised by whistleblowers and providing a report on any action taken.
- Protect whistleblowers who raise any concerns in good faith from reprisals or victimization.

### Types of concerns that can be raised

- Any conflict of interest in any activity that is against the best interest of the organisation.
- Sexual exploitation and abuse
- Staff harassment and intimidation
- Racism, nepotism, tribalism, clannism, and discrimination
- Torture and inhumane treatment
- Receiving kickbacks and bribes
- Irregular resource allocation:
- Irregular procurement of goods and services:
- falsification of data or documents.
- Pilferage of company assets
- Abuse of authority for personal gain
- Displacement of communities from communal land
- Denying access to grazing lands
- Irregularities in the hiring or promotion of staff.
- Misuse of community funds and/or revenue
- Any other concerns

### Reporting concerns

A concern can be raised through the following to allow whistle-blowers to anonymously report concerns.

Email address: [confidential@nrt-kenya.org](mailto:confidential@nrt-kenya.org) linked to the Audit, Risk and Compliance Committee of the Board.

Dropping a summary of the concern into a complaints box located strategically in the NRT HQ and Conservancy Offices.

Sending a letter to P. O Box Private Bag, Isiolo-60300 marked for the attention of the Chairman, ARC Committee.

For a start, these will be managed internally with plans for the same to be outsourced to an external independent professional firm.

### Protection of Whistle-blowers

NRT will protect whistleblowers who disclose concerns in good faith and reasonably believe that the information disclosed is substantially true.

The identity of parties shall remain confidential. NRT shall use its best endeavors to ensure that the investigation process remains confidential. The identity of whistleblowers and witnesses shall not be disclosed without their consent. All documents shall be kept in secure locations. All Officers involved shall sign non-disclosure agreements annually. Breaches of confidentiality by NRT staff will be considered a serious disciplinary issue, that may lead to dismissal or termination of contract. Consultants, contractors, or partners who engage in retaliatory acts will have their contracts or relationship with NRT terminated. Whistleblowers shall not lose their job status or relationship with NRT by virtue of the disclosure made.

### Procedures for addressing concerns.

#### Receiving and investigating complaints

Concerns can either be submitted to the complaint's boxes in the NRT offices, through the designed email address or to any of these Officer: Legal and Compliance, Head of Programs, Human Resources

The Conservancies will dedicate three focal points for receiving complaints based on their assessment on access and comfort of their members in reaching out to the individuals and channels of communication identified.

In the event a complainant channels a complaint to an officer of NRT or the Conservancy who is not designated to receive complaints, then they are obligated to transmit the complaint to one of the three designated officers named above, or through the other channels for making complaints listed under the section "making complaints," above.

## Investigations

Within a day of receipt, complaints will be channeled to the Standing Committee established to investigate the concern.

A response will be provided to the complainant upon receipt of the complaint within 24 hours. This response;

- 1) details the process to be followed
- 2) requests, where appropriate, to provide further information or clarification of the concerns.

Concerns will be dealt with promptly, and ideally should be finalized within one month of receiving them. The outcome of the investigations will be documented in a report and will include information on the action/sanctions taken. This information on the outcome of the investigation process will be shared with the parties.

All concerns shall be substantiated during the investigation process. Cases that are found to be 'serious' shall be considered to be gross misconduct to be subjected to disciplinary proceedings leading to summary dismissal or termination of contract. In addition, NRT shall institute the necessary legal action against perpetrators.

Should any person make a concern that is found to be false or vexatious, sanctions may be applied through procedures set out in the disciplinary policy part of the human resource policy and procedure manual. Failure to prove a claim of exploitation is not equivalent to a false allegation.

### Standing Committee for investigating concerns

The Standing Committee will be appointed within one month of the adoption of this policy and will have terms of 2 years. Applications to be on the Standing Committee should be made open to all NRT staff. Staff members will vote for the five committee members during a staff meeting. The final five committee members must comprise a mix of senior and junior staff, from different departments. Gender balance will also be observed when establishing the committee.

The committee members will receive training on investigating. Trainings will be comprehensive and carried out by investigation experts. No person who has not been trained on investigating may carry out an investigation; if complaints are received before the Committee has been trained, the investigation role but be carried out by a third party.

Members of the committee will also be tasked from time to time to training and raising awareness within the organization and with member conservancies.

### Related policies

- Human Resource Policy Manual
- Children and Vulnerable Adults safeguarding Policy
- Sexual Exploitation and Abuse Policy
- Gender Diversity Policy
- Anti Bribery and Corruption Policy
- Policy on Harassment
- Human Rights Policy