

Anti-Corruption Policy

Introduction

1. BØRNEfonden has a proactive anti-corruption policy.
2. BØRNEfonden has zero tolerance towards corruption in all its forms.
3. We believe that corruption and nepotism is best tackled through transparency, by sticking to our principles and by working in line with operational procedures and guidelines that minimise significantly the chances of any corrupt activity and also provide clear and accountable systems for identifying and reporting any potential issues of this kind.
4. The latest version of the Anti-Corruption Policy will be available on the BORNEfonden website www.bornefonden.dk

What is the objective of the Anti-Corruption Policy?

5. The overall purpose of the Anti-Corruption Policy is to ensure that BØRNEfonden operates with organisational integrity. Resources available to BØRNEfonden must be used to give maximum benefit to our beneficiaries; the children, young people and families supported by our programmes and projects. To achieve this, it is important that BØRNEfonden staff behave with high ethical standards and personal integrity.
6. The Anti-Corruption Policy aims to ensure that staff and, where appropriate, partners or suppliers:
 - a. Are aware of our policy of zero tolerance towards corruption.
 - b. Understand what is meant by 'corruption' and the different forms of corruption that may take place.
 - c. Are clear about their own responsibility for tackling corruption and specifically know the procedures for reporting any issues of corruption that may arise.

What is 'Corruption'?

7. Corruption has been defined as the 'misuse of entrusted power for private gain'.
8. It can take various forms such as conflict of interest, bribery, extortion, fraud, embezzlement, gifts/inducements or nepotism/favouritism.

9. For a more detailed definition of different forms of corruption, staff should refer to the definitions attached in the annex to this policy; these are based on the definitions provided by the Danish Ministry of Foreign Affairs as part of its Anti-Corruption Policy.

What are the requirements of the Anti-Corruption policy?

10. There are two main elements. Staff (and partners/suppliers where relevant) must at all times:
 - a. Behave in accordance within BØRNEfonden's Ethical Framework (BØRNEfonden Ethical Guidelines, BØRNEfonden Code of Conduct and this Anti-Corruption policy). It is a requirement for all BØRNEfonden staff, and for any contractors or consultants acting on behalf of BØRNEfonden, to confirm their awareness and compliance with this Ethical Framework.
 - b. Perform operations in accordance with the principles and procedures set out in the BØRNEfonden Operational Framework (BØRNEfonden Operational Manual and BØRNEfonden Guidance & Instruction Materials). This includes requirements related to transparency, proper processes for dealing with procurement and relations with external partners, avoiding conflicts of interest, and for managing resources professionally and in an accountable way,

11. In following the Ethical Framework and the Operational Framework staff must ensure that they:
 - a. Do not have any potential or real conflicts of interest between their own personal interests and the interests of BØRNEfonden.
 - b. Do not give or accept bribery in any form;
 - c. Do not seek to influence any person or organisation, for private purposes, by using our position at BØRNEfonden or by using any force or threats;
 - d. Do not use deception to gain an unfair or dishonest advantage,
 - e. Do not misuse resources (financial and/or non-financial), for private purposes, that are entrusted to BØRNEfonden.
 - f. Do not give, solicit or receive (directly or indirectly) any gift or other favour that may influence the performance of any duties or judgment;
 - g. Do not favour friends, family or other close personal relations in the performance of any duties for BØRNEfonden.

12. It should be noted that issues of compliance with BØRNEfonden's Ethical Framework and with this Anti-Corruption Policy is an important part of BØRNEfondens internal control system as BØRNEfonden's financial controls, internal audit and external audit. This monitoring and controlling of activities is a key part of the implementation of our zero-tolerance approach to corruption.

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Who must follow the Anti-Corruption Policy?

13. BØRNEfonden staff:

- a. All BØRNEfonden staff must follow the policy in all aspects of their work. This includes both staff who are employees of BØRNEfonden and any individuals who are contracted on a consultancy or ad-hoc basis to provide services to BØRNEfonden and/or to act on behalf of BØRNEfonden. In this context it should be noted that:
 - i. It is a condition of employment, and of any 'consultancy/advisory' contracts, that staff sign to confirm their awareness of, and compliance with, the BØRNEfonden Code of Conduct (which includes a specific anti-corruption commitment).
 - ii. The BØRNEfonden operational framework (Operational Manual together with the associated BØRNEfonden Guidance & Instruction Materials) sets out mandatory principles and procedures that require staff to comply with all relevant BØRNEfonden policies, including specifically the Ethical Framework and the Anti-Corruption Policy.

14. External partners and suppliers:

- a. As part of BØRNEfonden's Guidance & Instruction Materials there is a requirement for all contracts or agreements to include a reference to BØRNEfonden's Ethical Framework and to the Anti-Corruption Policy and also to include reference to the fact that actions by a partner or supplier that breach this policy, or that induce a BØRNEfonden staff member to breach this policy, will be regarded as a material issue that may lead to termination of any agreement.
- b. The Anti-Corruption policy must be considered as part of BØRNEfonden's Due Diligence procedures for external partners/suppliers. BØRNEfonden has in place a Due Diligence procedure that includes explicit reference to the compliance of partners/suppliers with all relevant BØRNEfonden policies and procedures. This procedure is part of the approval by BØRNEfonden of any partnerships or contractual agreements. The Due Diligence procedure is based on a proportionate and risk-based approach, overseen by BØRNEfonden Directors and/or Managers, and thus the specific approach to this issue will be decided on a case-by-case basis (in accordance with the Due Diligence procedure). For further details on this, please refer to the relevant guidance on due diligence in the BØRNEfonden Guidance & Instruction Materials.

Reporting issues of actual or potential Corruption

15. If staff or any other partner/supplier (where relevant) have any suspicion of potential corruption or become aware of any cases of corruption in BØRNEfonden's project or programme operations, or are pressured in any way in relation to potential or actual corruption, they must report this at the earliest opportunity.
16. Reporting can be to a superior, or if the employee suspects that his/her superior is involved in any way in the suspected violation the person must notify a person higher in the chain of authority, or by e-mail to mail@bornefonden.dk. All reports will be treated as confidential.
17. For staff (employees):
 - a. In the first instance staff should inform their direct supervisor/line-manager.
 - b. If it is not appropriate or possible to inform the supervisor/line-manager, staff should inform a person higher in the chain of authority.
 - c. If it is not appropriate for any reason to inform another Manager or Director in their own office, staff should inform a Manager or Director in the Copenhagen office by writing an e-mail, see above.
18. For consultants, contractors/partners/suppliers:
 - d. In the first instance the consultant/contractor should inform a Manager or Director in the relevant office.
 - e. If it is not appropriate or possible to inform a Manager or Director in the relevant office, the consultant/contractor should inform a Manager or Director in the Copenhagen by writing an e-mail, see above. e.
19. Where, on the basis of reports received or other information, there is evidence of corruption the Directors in the Copenhagen Office, in consultation with the relevant National Director(s) if appropriate, will take a decision on whether the matters should be reported further. This may involve reporting to authorities in Denmark, in the countries of operation, and/or to any other relevant stakeholders (donors, partners, etc). In addition, in line with BØRNEfonden's commitment to transparency, all cases of fraud and embezzlement for amounts over 15.000 DKK will be made publicly available via BØRNEfondens website www.bornefonden.dk

Annex A

What is Corruption?

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(The following text is taken from the Anti-Corruption Policy of the Danish Ministry of Foreign Affairs and is intended to provide guidance for BØRNEfonden staff on different forms of activity that are included in the term 'Corruption').

What is Corruption

Corruption is defined as the misuse of entrusted power for private gain. It affects everyone whose life, livelihood or happiness depends on the integrity of people in a position of authority, it threatens the stability and security of societies, and it undermines democratic institutions and values.

This definition corresponds to the concept of corruption in the Danish Penal Code and in international anti-corruption conventions, and it covers situations involving the taking and giving of bribes as well as other types of active or passive corruption.

Corruption is best known in the form of bribery, fraud, embezzlement or extortion. However, corruption does not exclusively involve money changing hands; it may also include providing services to gain advantages, such as favourable treatment, special protection, extra services or quicker case processing.

Conflicts of Interest

Conflicts of interest arise from situations in which a member of staff has a private interest that could potentially influence, or appear to influence, the impartial and objective performance of his or her official duties. Private interests include any advantage to oneself or one's family, close relatives, friends and persons or organisations with which one has or has had business or political relations. When faced with a potential or actual conflict of interest, staff are required to promptly inform their superiors.

Bribery

Bribery is the act of offering, giving (active bribery), receiving, soliciting or accepting (passive bribery) something of value with the purpose of influencing the action of an official in the performance of his or her public or legal duties. Bribery is a criminal offence in Denmark.

Extortion

Extortion occurs when a public official unlawfully demands or receives money or property through intimidation. Extortion may include threats of harm to a person or his/her property, threats to accuse him/her of a crime/illegal act, or threats to reveal embarrassing information. Some forms of threat are occasionally singled out for separate statutory treatment under the designation "blackmail." Extortion is a criminal offence in Denmark.

Fraud

Fraud is the use of deception with the intention of obtaining an advantage (financial or otherwise), avoiding an obligation or causing loss to others. This involves being deliberately dishonest, misleading, engaging in deceitful behaviour, practising trickery or acting under false pretences. Fraud is a criminal offence in Denmark.

Embezzlement

Embezzlement is the misappropriation or other diversion of property or funds legally entrusted to someone by virtue of his or her position. Embezzlement is a criminal offence in Denmark.

Gifts

In the context of corruption, a gift is a financial or other benefit, offered, given, solicited or received in the expectation of receiving a benefit in return. Gifts and hospitality may be in themselves a manifestation of corrupt behaviour. They may be used to facilitate corruption, or may give the appearance of corruption. Gifts may include cash or assets given as presents, and political or charitable donations. Hospitality may include meals, hotels, flights, entertainment or sporting events.

As a general rule, staff should not receive gifts or other advantages. However, in observing and respecting local hospitality conventions, small gifts may be accepted.

Nepotism and Favouritism

Nepotism is favouritism shown to relatives or friends without regard to merit. Relatives or friends are treated favourably based on the close personal relationship alone rather than on a professional and objective assessment of their skills and qualifications.