

ORGANISATION FOR COMMUNITY SOCIAL SUPPORT AND RESAERCH IN DEVELOPMENT (OCSSRD)



OCSSRD

Saving Communities

ANTI CORRUPTION POLICY

MAY 2024

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BOARD CHAIRPERSON

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TUMWINE MOSES
BOARD SECRETARY/ EXECUTIVE DIRECTOR

04/04/2023

ANTI CORRUPTION POLICY

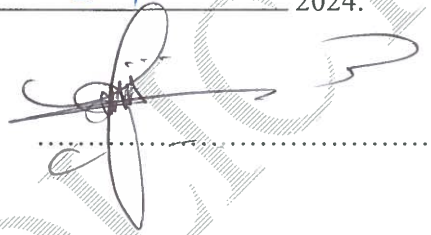
On behalf of the Board of Directors' of Organisation for Community Social Support and Research in Development (OCSSRD), we hereby certify that this Anti Corruption Policy has been duly passed and adopted as part of the policy framework for the Organisation for Community Social Support and Research in Development (OCSSRD)

Signed and sealed this.....⁰⁴ Day of ⁰⁴ 2024.


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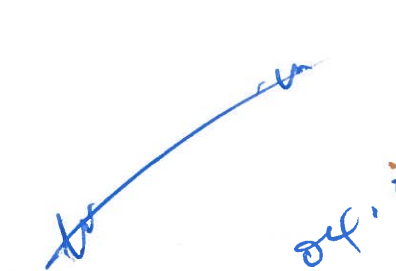
Kiddu Edward

Board Chairperson


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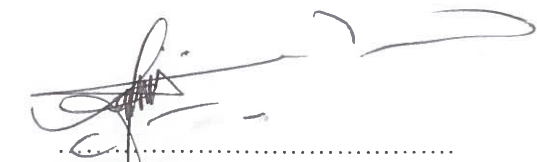
Tumwine Moses

Secretary/ Executive Director


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BOARD CHAIRPERSON

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PREAMBLE

WHEREAS it is widely acknowledged that corruption is an enormous problem in many societies and it reinforces political instability, underdevelopment and it stifles entrepreneurship, promotes misuse of national resources, and weakens administrative capacity and democracy.

AND WHEREAS it is recognized that corruption has negative, harmful and devastating effects on investment and economic growth, administrative performance and efficiency and political development.

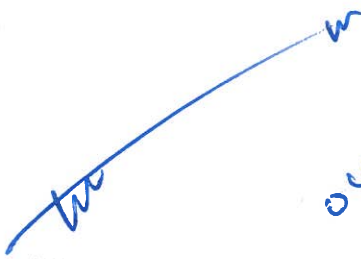
AWARE OF the fact that corruption deprives citizens' of their dignity and their rights and inhibits access to key public services such as education, health and water

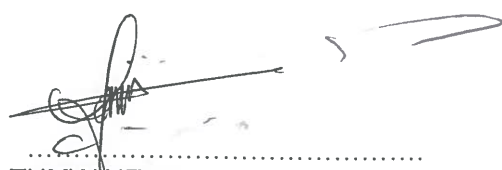
ACKNOWLEDGING the importance of promoting transparency and good governance both within and outside of OCSSRD and of maintaining a reputation of professionalism and trustworthiness

REITERATING our resolve to actively react and denounce corruption at all levels where we work.

GUIDED BY our values of transparency and accountability, integrity and excellence

NOW WE THEREFORE ADOPT THIS POLICY as a guiding framework for OCSSRD staff, members, Board members and affiliates for the identification of corrupt tendencies, ensuring avoidance of corruption, and to enable reporting on corruption. This policy has been developed to explain how OCSSRD deals with corruption and to give guidance to the OCSSRD family in their work and in their engagement with the organisation.


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Statement of Policy

It is the policy of OCSSRD to conduct all of its activities in an honest and ethical manner. In carrying out activities anywhere, neither OCSSRD nor any person or entity associated¹ with it, shall offer, pay, promise, authorise or receive any bribe, kickback or other illicit payment or benefit in violation of the anti-corruption laws of the country or of any other nation in which OCSSRD shall implement activities.

This Policy supplements Finance Policy and Accounts Procedure Manual, Boards Code of Conduct which remains fully effective.

Scope of Policy.

This Policy applies to OCSSRD; to all field offices or branches that might be created and to all joint ventures and other activities controlled by OCSSRD; and to all officers, Board Members and Employees of OCSSRD or of any OCSSRD controlled affiliate, wherever located. The policy prohibits corrupt payments directly, as well as any indirect payments through consultants, members, representatives, advisors and any other third party acting on behalf of OCSSRD or any affiliate ("Third Parties").

Administration and Implementation of the Policy.

The Executive Director or any other person designated by the Board of Directors shall be responsible for administering and interpreting this policy under the oversight of the Board of Directors. The Executive Director and her designees shall give directions and maintain procedures to implement this policy as necessary.

Basic Anti-Corruption Policy Requirements.

(a) General Anti-Corruption Requirements. It is the policy of the organisation that all personnel and third parties are to comply with the Anti Corruption (Amendment) Act of Uganda and all applicable anti-corruption laws including those of funding partners.

- i. OCSSRD and third parties shall not corruptly offer, pay, promise or authorise any bribe, kickback, or illicit payment or benefit in money or in any kind, to any government, donor, member, partner, service provider, employee, client, broker, agent, contractor, dealer or any other person or entity.

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- ii. No organisation personnel shall receive any bribe, kickback, or illicit payment or benefit of any kind, from any member, partner, supplier or any other person or entity that has any business relationship with OCSSRD.

(b) Bribery of Ugandan officials strictly Prohibited Bribery of officials of the Government of Uganda or of any local government in Uganda is a violation of Ugandan law, OCSSRD's Code of Ethics, and this policy, and is strictly prohibited.

(c) Bribery of Non Ugandans. Officials of the organisation, its affiliates, personnel and third parties are prohibited from corruptly paying, authorising, offering to pay or giving anything of value to any government official outside of Uganda or to any non-Ugandan political party or party official or any candidate for political office to obtain or retain any favour, direct business to any person or gain any other improper business advantage. This prohibition applies to any interaction with Government officials or other covered parties. Thus, it prohibits corrupt payments to obtain or retain contracts and any other illegal payment to a government official or other covered party.

Examples of improper actions under this Policy include:

- Payment or offer of payment to influence any official or for a favour
- Payment or offer of payment to influence any official for a decision on any government authorisation or documentation, such as any approval, permit or license.
- Payment or offer of payment to influence a Government Official's or other covered party's decision to relieve OCSSRD of otherwise required government obligations, such as paying taxes, inspections or obtaining required permits;
- Payment or offer of payment to a Government Official or other covered party to influence legislation or any judicial proceeding;

Any of the above made indirectly through a third parties.

For the purpose of this document "government official" means:

- any officer or employee of any district, municipal or subcounty government or government department or agency;
- any officer or employee of any commercial enterprise that is

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owned or controlled by a government; • any officer or employee of any public international organization, such as the International Monetary Fund, the European Union and the World Bank; or • any person acting in an official capacity for any government, agency, enterprise, or organisation, identified above.

Dealing with third parties, joint ventures/ activities.

a) Indirect Payments Prohibited. Under applicable legal principles, OCSSRD and its personnel are liable for indirect offers, promises or payments to government officials or other covered parties made in circumstances where they have knowledge that a government official or other covered party will be the ultimate recipient and that the offer, promise or payment is made for a corrupt purpose. Knowledge includes conscious disregard and deliberate ignorance of facts which indicate a high probability that the relevant payment will occur. Moreover, any corrupt payments made by partners or third parties, even without the organisation's knowledge, can subject the organisation to investigation, litigation, expense, bad publicity, loss of funding, opportunities and goodwill. It is the policy of the organisation to prohibit corrupt activities through partners, joint activities and third parties in connection with any activities in which the organisation has an interest.

To implement this policy, the organisation shall take reasonable precautions to ensure that partners, joint ventures and third parties comply with this policy, including through the exercise of due care in selecting partners and third parties to ensure they are reputable, honest, and qualified for their roles.

b) "Wilful Blindness" Prohibited.

In dealing with any partners or third parties, OCSSRD personnel must be aware of any indication that such partner or third party may be making corrupt payments. Any such indication must be reported in accordance with this policy. Under no circumstances may personnel ignore signs that any partner or third party may be making corrupt payments in connection with any venture or activity in which OCSSRD is involved or has any interest.

c). Due Diligence.

1. Third parties. It is the organisation's policy to do activities only with reputable, honest and qualified third parties. The organisation shall have appropriate procedures for conducting due

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diligence on any third party who may have any contact with a government official or other party in its relationship with OCSSRD.

2. Partners. The organisation will do activities only with reputable and honest partners and to maintain appropriate procedures for conducting due diligence on any joint activity.

3. Retention of Due Diligence Records- the organisation shall have appropriate procedures for retaining records of the due diligence conducted on third parties and partners.

d) Contractual protections including consultants.

Contracts with third parties and joint activity partners should be in writing and include appropriate anti-corruption provisions to mitigate against the risk of potential illicit payments, and provide the organisation with means to terminate the relationship if violations exist or if the third party does not provide adequate assistance in any investigation of potential violations.

e) Joint Venture Anti-Corruption Compliance Programs.

Any joint activity in which OCSSRD has a controlling interest will be subject to an anticorruption compliance program. To the extent that the organisation has less controlling interest in the joint activity, OCSSRD shall proceed in good faith to use its influence, to the extent reasonable under the circumstances, to cause the activity to maintain an anti-corruption compliance program, and to maintain accurate books and records and an appropriate system of internal accounting controls, consistent with the requirements of the NGO Board, Government of Uganda and applicable anti-corruption laws.

Payments that may be permitted in limited circumstances.

1. Written Laws.

Payments that are explicitly lawful under the written laws and regulations of the relevant country may be permissible. However, payments are rarely permissible under this category, because bribery is illegal in every country in the world. Payments that otherwise violate this policy or local law are not otherwise proper merely because the payments are customary.

2. Reasonable and Bona Fide Expenses.

Payments that constitute a reasonable and bona fide expense incurred by or on behalf of a organisation that are directly related to carry out its programme activities.

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3. "Facilitation" Payments.

Small, customary payments made to low- level officials to secure a "routine action" may be permissible under limited circumstances. This may include tips to hotel attendants....

4. Gifts, Hospitality and Entertainment.

Gifts, hospitality and entertainment shall not be given, directly or indirectly, to Parties to improperly influence or reward an official act or decision or as an actual or intended quid pro quo for any benefit to the organisation.

Gifts, hospitality and entertainment promised, offered or provided on behalf of the organisation must be reasonable, in accordance with customary courtesies, related to a legitimate activity purpose and lawful under applicable laws

No payment or promise of payment for gifts, hospitality, or entertainment to any government official or other covered party may be made by or on behalf of OCSSRD on the basis that it is permitted as provided above unless such payment or promise has been approved in accordance with the laid down procedures.

5 Political Contributions.

Contributions of organisation funds to government officials or other covered parties to promote the organisation's work, whatever the interest, are prohibited unless the contribution has been approved by the Board of Directors giving clear reasons and is from non controversial and non restricted sources of funding.

6 Charitable Donations.

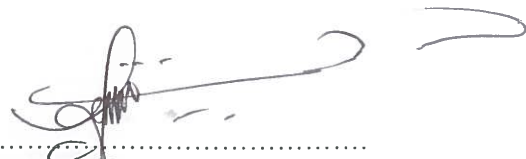
The organisation may make only charitable donations that are legal under the applicable local laws. Any charitable contribution made by or on behalf of the OCSSRD must be made in good faith-

Other General Provisions:

7 Penalties and Discipline.

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Individuals who violate the anti-corruption laws may be subject to severe criminal and civil penalties, including imprisonment and very substantial fines, which will not be reimbursed by the organisation. In addition, OCSSRD Staff who violate the anti-corruption laws will be subject to discipline, as may be provided for in the personnel policy.

8 Training and Communication.

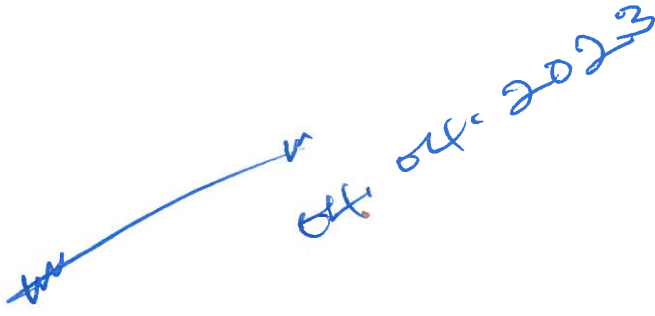
The organisation shall effectively communicate this policy to all personnel, partners and third parties and provide appropriate anticorruption awareness and training to appropriate personnel

9 Monitoring.

The Accountant will monitor all activity implementation of policies and procedures to implement this policy.

10 Reporting Mechanism.

Except to the extent explicitly prohibited by applicable law, OCSSRD personnel are required to report violations of this policy, the code of conduct and other applicable anti-corruption laws, by the organisation personnel or any third party. Personnel will not be subjected to retribution for good faith reports of suspected violations that may be reported to executive director or the treasurer.


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Anticorruption message

OCSSRD has adopted SIDA's anti-corruption message and in OCSSRD's context it applies to all type of funding the organisation is working with.

- Never accept
- Always act
- Always inform

1.1.1 "Never accept": Zero-tolerance on corruption

Through this policy, OCSSRD emphasizes her Zero-tolerance to corruption. Even suspicions of any devious matters shall be investigated both within OCSSRD and partners.

The organisation's Zero-tolerance to corruption shall focus on programmes, projects and internal processes, among others.

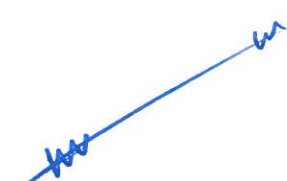
Internal control of OCSSRD's own administration and monitoring of partners shall be done regularly to safeguard compliance of established rules and routines. A person employed by OCSSRD is a representative for the organisation, and as such expected to abide by the policy and to uphold the organisation's values. Violation of the policy is serious and can lead to disciplinary actions.

A policy of zero-tolerance creates a lot of questions not least on how to act for instance when an employee is approached with gifts from suppliers or partners. It is necessary to discuss and form a common understanding to address these issues within all personnel.

Risks involved

Zero tolerance of corruption sets a high benchmark for OCSSRD. All cases of suspicions shall be investigated. However sometimes cases or situations will occur that might put staff in difficult or even dangerous positions. The Zero tolerance shall in no circumstances jeopardize people's security. It is important that each case is discussed with management and, when necessary, consultation is done with the Board of Directors.

1.1.2 "Always act and Always inform"


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The work on anti-corruption rests on a general understanding of good ethical values which are expressed OCSSRDs Constitution and policy documents. These ethical values are an important factor in all aspects of OCSSRD's work and should be communicated internally and externally to make expectations clear for all stakeholders of the organisation.

1.1.3 Reporting corruption (Incident report)

An incident reporting system shall be developed to help OCSSRD staff in the action and information when becoming aware of something suspicious that needs to be brought to a manager's attention. The Incident Report has the following uses regarding corruption; ■ suspected corruptive behaviour by someone within the organization ■ suspected corruption by partner

ANNEX 1:

What is corruption?

Corruption exists in many forms and there are many different expressions, some of them listed below;

Bribery: When a person, organization or institution improperly provides goods or services against some form of improper compensation. Bribery involves (at least) two parties — giver and receiver.

Kickback: A form of bribery, where someone involved in a purchasing process (procurement) is getting a reward or commission, material or non material from the supplier for placing an order of goods or services. **Embezzlement:** Theft of resources for own use.

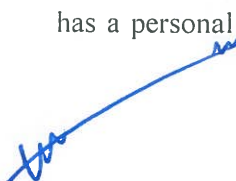
Fraud: A crime committed by anyone spreading misleading information publicly in order to influence the price of goods, securities, or other property. Misuse of project funds is also regarded as fraud.

Extortion: The act of obtaining goods, services, loyalty, allegiance, favours by force, threats or undue demands.

Favouritism: The unfair promoting of one person or a group at the expense of others.

Nepotism: Favouritism shown to relatives in conferring offices or privileges.

Conflict of interest: When someone handles or makes decisions in a matter in which he or she has a personal interest or where the outcome can result in gain for or damage the decision-


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maker or someone close to them. This also includes the impartiality of the decisionmaker when handling an assignment.

Violation of Code of Conduct: The definition of corruption of OCSSRD also includes violations against the Code of Conduct for the organization. In this perspective the use of power for one's own benefit is the important aspect and makes for example sexual harassment a corruptive action.

Corruption or corrupt actions are not always criminal acts

Not all of the listed examples of corruption above are criminal acts. Even if they do not lead to legal or disciplinary actions or punishments they are considered unethical and shall as such be addressed or prevented so they don't occur. An example of this is serious negligence. It is defined as the lack of proper care in looking after the organization's or Right Holder's interests, and for instance failure to update oneself on and apply internal rules and regulations (resulting in mismanagement and non-compliance or resulting in advantages for one self or other persons) can be considered serious negligence.

Even if actions are not liable to judiciary action, OCSSRD may apply disciplinary actions which in the end could result in the termination of employment contract or termination of cooperation with a partner / organization.


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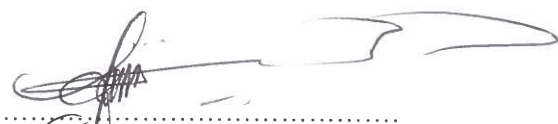

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- If the irregularity is illegal and a criminal act a Police Report shall be filed and a possible trial may follow with OCSSRD as complainant.
 - The security situation for staff members and other people involved shall be taken into consideration
 - Even if legal or disciplinary actions are not applicable it can be necessary for OCSSRD to terminate the cooperation with the partner / individual in question
 - Everything shall be done to recover the involved OCSSRD funds
 - Document all that is being done.
- If the investigation does not lead to a verification of the suspicion all documentation shall be presented to the Board of Directors. Management has the right to end case without presentation if deemed inconsequential.


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ANNEX 3

How to implement and follow up the Anti-corruption Guidelines

1. Senior Management Team needs to be involved and lead the process for a successful implementation and as a guarantee that anti-corruption work will be on the agenda in the organisation. This sends the message throughout the organisation that follow-up and controlling (administration) is an important part of OCSSRD's work. The management sets the tone at the top, and gives guidance to all employees regarding what actions are ethically correct or not in the organisation, and in our relation with partners, beneficiaries and suppliers
2. Capacity building of staff members regarding anti-corruption work is essential to succeed with quality assurance. The organization shall strive to provide capacity building to all staff adapted to their and programme needs. A detailed plan on how to implement this will be drawn up by management / administration annually
3. Advice available to employees on difficult matters. An anti-corruption policy gives guidelines to employees on many matters, but the thematic is difficult, and many questions will arise. It is the management that are the contact person to give advice and guidance on difficult situations and how to handle them. If it concerns possible corruption cases within OCSSRD the contact person shall be the Administration manager OR executive director where a matter is dimmed sensitive. If it concerns possible cases among beneficiary groups, partner organisations OR suppliers, advise may be sought from programme heads for the particular programme affected OR the senior programme director.
4. An internal reporting system: There is a strong need to develop and respect an internal reporting mechanism that prevents abuse and shields whistle blowers
5. Actions against employees that violate regulations. In OCSSRD an employee breaking rules set out in various guidelines can face disciplinary or legal actions. Any such action will be decided by OCSSRD as the employer.
6. Actions against partners, consultants or suppliers that do not follow OCSSRD guidelines and regulations.

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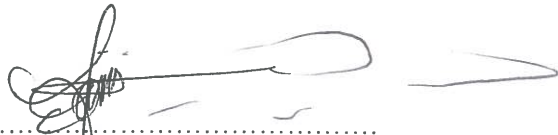
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In OCSSRD partners, consultants or suppliers that do not follow OCSSRD guidelines and regulations can face disciplinary or legal actions. Any such action will be decided by OCSSRD.

7. Control, audits and reporting. Experience has shown that administrative rules only become successful if they are accompanied by corresponding control mechanisms such as appropriate financial and administrative controls. For instance the yearly audits that are done on all OCSSRD expenditures need to incorporate issues regarding anti-corruption work and follow up to what extent rules are understood and followed.
8. The Anti-corruption guidelines have to be made public. The anti-corruption guidelines need to be made public by OCSSRD on the Web page, and on banners. The guidelines are a way to create trust in OCSSRD's brand name, and shall therefore be public. Since OCSSRD is an organisation that works for Democracy and Human Rights, the organisation shall also be transparent regarding the follow up of the guidelines.


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