

# Health Intervention and Technology Assessment Program Foundation (HITAP Foundation) Policy and Procedure on Whistleblowing and Protection against Retaliation

Date: 13 June 2024

## Purpose

The Health Intervention and Technology Assessment Program Foundation (HITAP Foundation) is committed to the highest standards of integrity, openness, and honesty in conducting research. This commitment is reflected in a policy that actively encourages the reporting of suspected wrongdoing, particularly when such acts pose a substantial organisational risk. The policy ensures a safe environment for whistleblowers by prohibiting retaliation and enabling the HITAP Foundation to take decisive action in response to reported concerns.

This policy aims to:

- Define “whistleblowing” by distinguishing between wrongdoing that poses significant organisational risk and individual grievances that are addressed through other established mechanisms;
- Strengthen protections for whistleblowers as outlined in this policy; and
- Clarify the responsibilities of the administration.

## Definitions and principles

### Definitions

#### 1. Reporting of suspected wrongdoing that poses a significant risk to the HITAP Foundation

This policy defines whistleblowers as individuals who report suspected wrongdoing that poses a significant risk to the HITAP Foundation’s interests, reputation, operations, or governance. Therefore, this policy applies to, but is not limited to, reports of the following:

- Fraud, i.e., deliberate and deceptive acts intended to obtain an unauthorised benefit—such as money, property, or services—through deception or other unethical means;
- Sabotage;
- Danger to public health or safety;
- Sexual exploitation and abuse.

Accordingly, not every type of wrongdoing report falls under this policy. For example, this policy is not intended to cover:

- Unsubstantiated rumours and hearsay;
- Disagreements over policy or management decisions;
- Personnel issues where staff have a personal interest in the outcome;
- Harassment complaints and personal disagreements or conflicts with colleagues.

Individual grievances, such as complaints regarding discrimination, harassment, or other interpersonal conflicts in the workplace, are managed separately by the Human Resources (HR) team.

#### 2. Retaliation

Retaliation is any direct or indirect adverse actions threatened, recommended, or taken against an individual who makes a good-faith report of suspected wrongdoing. It involves three key elements:

- A report of suspected wrongdoing that poses a significant risk to the HITAP Foundation's interests, reputation, operations, or governance;
- A direct or indirect adverse action threatened, recommended, or taken following the report of such suspected wrongdoing; and
- A causal relationship between the report of suspected wrongdoing and the adverse action or threat thereof.

Adverse actions that may constitute retaliation against a whistleblower include, but are not limited to:

- Harassment;
- Discrimination;
- Unsubstantiated negative performance evaluations;
- Unjustified contractual changes, such as termination, demotion, reassignment, or transfer;
- Unjustified modification of duties;
- Unjustified denial of holidays or other types of leave;
- Threats to the whistleblower, their family, and/or property, including threats originating from outside the HITAP Foundation.

### 3. Malicious reporting

The deliberate reporting of misconduct without evidence or reasonable suspicion, with the intent to damage another person's integrity or reputation, constitutes misconduct and will result in disciplinary measures. This is distinct from reports of suspected wrongdoing made in good faith, based on the judgment and information available to the whistleblower at the time of their report, which may not be confirmed by an investigation. In such cases, whistleblowers are protected under this policy.

## **Principles**

### 1. Obligation to report suspected wrongdoing

HITAP Foundation members are obligated to report any suspicions of wrongdoing. Individuals who report such cases in good faith are guaranteed protection from any form of retaliation under this policy. The HITAP Foundation is responsible for investigating suspected wrongdoing and ensuring that:

- Effective measures are taken to protect whistleblowers from retaliation;
- Appropriate corrective actions are implemented to address any retaliation against whistleblowers; and
- Suitable disciplinary actions are taken in cases of misconduct, including against those who make wrongful accusations.

### 2. Confidentiality

The identity of a whistleblower who seeks advice regarding the reporting of suspected wrongdoing is protected. Disclosure of their identity will occur only with their explicit consent, except in situations where there is an evident and immediate danger to themselves or others. Their identity will remain undisclosed to individuals potentially involved in the alleged wrongdoing or any other party unless the whistleblower specifically permits its release. During

subsequent investigations, strict confidentiality will be maintained only if the confidential information provided can be independently corroborated.

### **3. Protection measures**

The unit head, the Assistant Secretary-General, and the Secretary-General of the HITAP Foundation are advised to implement appropriate measures to safeguard the whistleblower and mitigate the risk of retaliation as soon as the whistleblower discloses their concerns. These protective measures should be developed in collaboration with the whistleblower and may include, but are not limited to:

- Temporary reassignment;
- Transfer to another office or unit for which the whistleblower is qualified;
- Placement on special leave with full pay; or
- Any other appropriate action on a case-by-case basis, which may include security measures.

### **Reporting wrongdoing**

Members of the HITAP Foundation who suspect any wrongdoing that poses a significant risk to the HITAP Foundation's interests, reputation, operations, or governance can take the following steps:

- If the suspected wrongdoing does not involve their unit head, the member may initially report the matter to their unit head.
- If the suspected wrongdoing involves their unit head, the member should report directly to the Assistant Secretary-General or the Secretary-General of the HITAP Foundation.
- If the suspected wrongdoing involves the Assistant Secretary-General or the Secretary-General of the HITAP Foundation, the report should be made directly to the Chairperson of the HITAP Foundation.

### **Reporting retaliation**

In order to foster a culture of whistleblowing and proactively prevent retaliation, the HITAP Foundation has implemented specific protocols to address cases where there is a significant risk of retaliation against whistleblowers.

If a whistleblower believes or suspects they are experiencing retaliation, they should inform their unit head directly and as soon as possible. The report should be factual and include as much specific and verifiable information as possible to enable a proper assessment of the nature, extent, and urgency of the matter.

To assist HITAP Foundation members who are unsure whether certain facts should be reported, the unit head offers confidential and impartial advice and support to (potential) whistleblowers. Additionally, the unit head conducts the initial intake of individual inquiries about retaliation, provides advice, makes referrals, reviews complaints, and may recommend protective measures to safeguard the whistleblower against retaliation.

### **Investigation procedure for reports of wrongdoing and retaliation**

When reports of wrongdoing and claims of retaliation are received, an investigation may be deemed necessary depending on the nature of the allegation. In such cases, a member of the HR team who has not been previously involved in the matter and who possesses the necessary

investigative skills will be appointed as the Investigating Manager. The Investigating Manager will contact the whistleblower to clarify the scope and expected duration of the investigation. The duration of the investigation may vary depending on the complexity and scope of the alleged wrongdoing and/or retaliation. However, the Investigating Manager will make every effort to complete the investigation promptly to minimise undue stress while ensuring a thorough and fair process. The whistleblower will receive regular updates on the progress and anticipated timelines of the investigation. Upon conclusion, the Investigating Manager will compile a report detailing the findings and conclusions for review.