



RULES AND PROCEDURES FOR THE OFFICE OF THE OMBUDSPERSON

1. PURPOSE AND SCOPE

Caritas Germany is committed to fighting fraud and corruption, preventing the abuse of power and any kind of sexual exploitation from taking place within the range of its work. A *Code of Conduct* has been issued to make clear what is considered acceptable professional and ethical behavior to all those working for Caritas Germany. A *Whistleblowing Guideline* has also been issued to allow for the disclosure of breaches of the *Code of Conduct* by Caritas Germany staff (hired staff and staff with a special assignment) as well as other persons involved and to prevent misconduct.

Caritas Germany has appointed an Ombudsperson to provide an independent body to which any person who wishes to make a disclosure under the *Whistle Blowing Guideline* regarding non-compliance with Caritas Germany *Code of Conduct* can address their concern. This is especially important in cases of actual or suspected fraud and corruption, the non-disclosure of conflicts of interest, abuse of power of any kind, or sexual exploitation.

Every staff member of Caritas Germany as well as partners, beneficiaries, local authorities, and the general public may make a disclosure to the Ombudsperson. In accordance to Caritas Germany's *Whistleblowing Guidelines*, persons wishing to make a disclosure should first consider making this to the relevant Caritas Germany manager or coordinator, or to his or her direct superior. If this is not advisable for any reason, or makes the person wishing to make the disclosure uncomfortable, he/she may address his/her concern to the Ombudsperson.

2. CONFIDENTIALITY

The Ombudsperson will treat all disclosures made to him or her as confidential. The information provided in disclosures will only be used to fulfil the purpose of duty of the Ombudsperson to clarify the issues raised, and to initiate the necessary action in response. The identity of the person making the disclosures will be kept confidential, unless the person making the disclosure agrees that their identity may be revealed.

3. INDEPENDENCE AND NEUTRALITY

The Ombudsperson acts independent of any body of Caritas Germany. The Ombudsperson is not to receive instructions on how to deal with any specific issue from Caritas Germany. The position of Ombudsperson is intended to complement, and not to replace existing Caritas Germany administrative structures – including established grievance procedures, line-management, or the human resources office.

The Ombudsperson acts under conditions of strict neutrality, and avoiding all potential conflicts of interest. He or she does not bear any other office in Caritas Germany, and has no relationships to persons working for Caritas Germany that could endanger his or her neutrality. The Ombudsperson does not receive any payment or salary from Caritas Germany; however, costs incurred in the course of his or her duties as Ombudsperson will be reimbursed.

The Ombudsperson will not act as a legal representative for Caritas Germany, or for any person making a disclosure, with regard to any matter that has been brought to his or her attention in the function of Ombudsperson.

4. APPOINTMENT OF OMBUDSPERSON

The Ombudsperson is appointed by the Board of Caritas Germany following a recommendation by the international director. The appointment is for three years, re-appointment for further terms is permitted. The candidate to be appointed has to be morally and professionally qualified to perform his or her duties as Ombudsperson. The Board of Caritas Germany may withdraw the Ombudsperson's mandate if he or she is no longer willing or able to fulfill their duty as such, with a notice period of three months. The Ombudsperson may resign their office by giving three months written notice of their intention to do so, or in urgent cases with immediate effect, indicating their reasons for withdrawal.

5. PROCEDURE FOR HANDLING OF DISCLOSURES

The Ombudsperson takes all disclosures seriously, and treats every disclosure objectively, confidentially, and independently. As indicated in the *Whistleblowing Guidelines*, the Ombudsperson determines the procedures for following-up on any disclosure. Every person making a disclosure to the Ombudsperson and providing appropriate contact details will receive a brief confirmation that their disclosure has been received.

A first assessment, clarification, or investigation of any issue raised should, wherever this is possible, be started within two weeks. In most cases, the Ombudsperson will need to refer back to the person making the disclosure for further clarification.

All Caritas Germany staff and board members are obliged to respond to inquiries from the Ombudsperson, and to provide him or her with necessary information related to the matter

being investigated. If necessary, the Ombudsperson may also rely on the services of Caritas Germany staff for assistance or clarification in any matter.

The Ombudsperson will then issue a recommendation to the Caritas Germany Board as to how they should proceed with the issue. When an investigation is launched through the Ombudsperson, the Ombudsperson will also review the investigation report.

6. REPORTING

The Ombudsperson will give written notification of the outcome of an assessment or investigation to the person that made the disclosure.

At the beginning of each year, the Ombudsperson provides a written report to the President or Board of Directors of Caritas Germany. This report should also be made if no issue has been raised to the Ombudsperson during the reporting year. On request, the ombudsperson will also report directly to the President. Also in this case the confidentiality ensured to the complainant will be upheld.