

Anti-Fraud Protocol

1. Introduction

The Liliane Foundation and MIVA do not tolerate fraud (which includes corruption, fiscal or financial fraud, illegal gifts or bribery). Employees, ambassadors and others who work for or on behalf of the Liliane Foundation and/or MIVA must be aware that fraudulent conduct, whether or not in relation to their job, is against the law and generally accepted standards of good conduct.

The Liliane Foundation and/or MIVA will take appropriate measures if fraudulent conduct takes place under its name. This protocol describes how the Liliane Foundation and MIVA deal with (alleged) fraud.

Examples:

- You suspect that a hired consultant is submitting false claims.
- You hear from a donor that a street fundraiser is misusing the name of the Liliane Foundation or MIVA to obtain donations for himself.
- You notice that acquaintances or relatives of the client are regularly enlisted to work on projects.

This procedure is intended for:

- Employees and ambassadors working for or on behalf of the Liliane Foundation and/or MIVA. By employees, we mean both employed and volunteer staff.
- Others working for or on behalf of the Liliane Foundation and/or MIVA include self-employed staff and consultants. They must comply with Dutch law and - if applicable - local legislation.
- The principles of this regulation also apply to external parties with which the Liliane Foundation and/or MIVA cooperates.
- Employees of SPOs/POs can also use this Anti-Fraud Protocol if the report concerns fraudulent conduct by employees or others working for or on behalf of the Liliane Foundation and/or MIVA.

If the report concerns fraudulent conduct by employees of SPOs/POs, the SPO/PO handles the report. In that case, the Liliane Foundation and/or MIVA can advise the SPO upon the latter's request. SPOs have a contractual obligation to inform the Liliane Foundation immediately *'in case of suspicion or if it witnesses serious financial irregularities, improper use of funds or fraud'*.

In countries where there is no SPO coordinating a PO network, the Liliane Foundation and/or MIVA will handle reports directly if necessary.

2. Definitions

In this regulation, we use the following definitions:

- a. Fraud: (an attempt to) obtain direct or indirect personal financial or material gain or other advantage, at the expense of or for the benefit of the Liliane Foundation and/or MIVA, through deception, lies, or other dishonest practices.
- b. Corruption: abuse of entrusted power for (personal) gain. This may involve both financial and non-financial gain. Examples of non-financial gain include enhanced reputation, political gain, access to services. Corruption can take various forms, such as bribery, extortion, exploitation, abuse of a conflict of interest or granting or receiving unauthorised remuneration.
- c. Submitting a report: reporting (alleged) fraud to the Integrity Officer.
- d. Point of contact for submitting a report: the Integrity Officer.
- e. Confidential Counsellor: the internal and external confidential counsellors appointed by the Liliane Foundation and MIVA to act in this capacity.

3. Prevention

Under the Code of Conduct, all employees, ambassadors and others working for or on behalf of the Liliane Foundation and/or MIVA are expected to be alert to fraudulent activities within the Liliane Foundation and/or MIVA or in activities in which the Liliane Foundation and/or MIVA is involved.

- Employees are informed about their responsibility and the Anti-Fraud Protocol by the Integrity Officer when joining the organisation as a paid employee or voluntary staff during the integrity awareness session.
- The business operations manager is responsible for establishing a sound control mechanism for financial transactions, the basic principle being that more than one person must be involved in their approval (see also the authorisation register for this purpose).
- Managers have a special responsibility to prevent fraud. Managers must be familiar with the nature of irregularities that may occur within their area of responsibility, and be alert to potential irregularities. Managers who fail to take appropriate measures or who tolerate or condone inappropriate activities may be held accountable, resulting in disciplinary action if necessary.
- The Liliane Foundation conducts thorough research before signing a 'partnership agreement' with an SPO/PO. This research also reviews multi-year audit reports and schedules an organisational assessment.
- The Liliane Foundation (and where applicable MIVA) enter into contracts with all SPOs, consultants and other external parties with whom it works, which clearly define the role and responsibility of parties involved in financial aspects.
- Internal and external audits conducted on a regular basis also have a preventive effect.

4. Submitting a report

Anyone working for or with the Liliane Foundation and/or MIVA who has information about (suspected) fraud at the Liliane Foundation and/or MIVA or any of their activities must report it. This also applies if there is a suspicion that the name of the Liliane Foundation and/or MIVA is being misused for fraud. In there is any doubt or suspicion, advice can be sought from the operations manager, the finance coordinator or (for employees) the confidential counsellors. They will ensure all information remains confidential.

Any employee can submit a report to his or her supervisor or directly to the Integrity Officer (e-mail integrityofficer@lilianefonds.nl or integrityofficer@miva.nl).

The person submitting the report must act carefully and in good faith and cannot submit a report based on rumours or stories recounted by others. The report may be made anonymously, or, be handled anonymously at the request of the person submitting it. It's good to bear in mind that in the case of an anonymous report, it is not possible to speak to the person who submitted the report directly. This makes it more difficult to investigate the report.

The legal position of the person reporting the (suspected) fraud, who acts with care and in good faith is protected. The Liliane Foundation and MIVA established a Whistleblower Regulation to prevent those who report in good faith from being adversely affected for doing so.

5. The investigation

The Integrity Officer discusses reports about fraud with the Director. If the report concerns the Director, the Integrity Officer contacts the chair of the Supervisory Board.

All reports are handled with the utmost care to minimise the chances of false accusations. The Director (or, if the report concerns the Director, the chair of the Supervisory Board) determines, as soon as possible but at the latest within two (2) weeks, whether a report warrants an investigation and, depending on the nature of the report, determines who will sit on the Investigation Committee. The Director (or, if the report concerns the Director, the chair of the Supervisory Board) may also decide to have an investigation conducted by experts. This is elaborated in an Investigation Protocol.

If an investigation is launched the Director informs the person who submitted the report. If no investigation is launched and the report is found to be unsubstantiated or implausible, the Director informs the person who submitted the report accordingly.

Anyone working for or with the Liliane Foundation and/or MIVA has a duty to cooperate with investigations of fraud. They also have a duty to respond to requests from the Director (and others conducting the investigation) for documentation and information.

The person concerned, against whom the report has been filed, shall be informed as soon as possible that he or she is the subject of an investigation and its confidentiality. The person concerned is also given the opportunity to explain his/her actions according to the principle of an adversarial procedure.

During the investigation, the Director may make temporary arrangements (such as suspending the person in question) at the request of and after consulting with the HR adviser and/or supervisor, if this proves necessary for the organisation's operations. If an employee who is the subject of an investigation leaves the Liliane Foundation and/or MIVA, the investigation continues, unless the Director decides otherwise.

In the case of reasonable suspicion of fraud at an SPO, outstanding and/or scheduled and committed payments will be frozen during the investigation.

6. Reporting and advice

- a. A report is drawn up by one of the members of the Investigation Committee of a session of the Investigation Committee at which those involved are heard, and shall be brought to the attention of all those involved.
- b. The Investigation Committee issues a final written report to the Director. Those directly concerned and the confidential counsellor receive the report.
- c. The final report shall include at least a statement about the following points:
 - Whether, and if so to what extent, the report is plausible;
 - Who has been affected by the fraud;
 - How the investigation was structured;
 - The findings and conclusions;
 - A recommendation to the Director regarding the measures to be taken.
- d. Within two weeks of receiving the recommendation, the Director issues a written decision on any measures to be taken. If the Director takes a decision that does not involve sanctions, even though the report has been declared justified by the Investigation Committee, this must be explicitly stated in the decision along with the underlying reasons. Those directly affected and the chair of the FAC are informed of the decision.
- e. If the person who reported the fraud does not agree with the Director's decision, he or she may contact the confidential counsellors appointed by the Liliane Foundation and MIVA in this regard if he or she is an employee of the Liliane Foundation and/or MIVA. If the person who submitted the report is not an employee, he or she can contact the Integrity Officer.
- f. The employee of the Liliane Foundation and/or MIVA who is the subject of a report submitted but declared unsubstantiated will receive further (e.g. psychological) support where necessary in consultation with the HR Team/Occupational Health and Safety Physician.
- g. The Investigation Committee maintains a record, with restricted access, of all reports of alleged or actual malpractice reported to the relevant point of contact.
- h. Reports of proven cases of fraud are kept for seven years, in accordance with the regular tax retention period.

7. Measures

If the Investigation Committee finds that fraud has been committed, the Director will decide on any measures to be taken. These may include:

- a. Disciplinary measures such as a written reprimand;
- b. A suspension, possibly withholding salary;

- c. Legal action including instant dismissal of the employee or volunteer in clear and blatant cases;
- d. A temporary employee, self-employed staff member, consultant etc. found to have committed fraud will have his or her contract terminated. He or she will not be considered for a new assignment or position with the Liliane Foundation and/or MIVA;
- e. The case is reported to the police;
- f. Termination of the contract with an SPO/PO according to the relevant provisions in the agreement with the SPO/PO.

If the Liliane Foundation and/or MIVA are victims of fraud, they will seek to recover losses incurred from the fraudster.