



# Caribbean Regional Fisheries Mechanism (CRFM)

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## Whistleblower Policy 2024

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## 1. Background

- 1.1. Whistleblowing is an important aspect of good organizational governance, involving the act of individuals reporting wrongdoing within their organization. The concept of whistleblowing is rooted in ethical and moral principles and serves as a powerful tool for upholding the principles of professionalism, transparency, accountability, and integrity. This policy aims to provide a comprehensive framework that will not only protect whistleblowers from retaliation but also encourages a culture in the CRFM that values ethical behavior and the disclosure of information vital to the organization's short and long-term success and well-being. In an era where good governance and corporate responsibility are important in promoting and facilitating an environment that supports whistleblowing will ensure that employees feel empowered to speak up against misconduct and wrongdoing, and support a culture of trust and high ethical conduct within the organization.
- 1.2. Recognizing the important role of whistleblowers in safeguarding the interests and reputation of the CRFM as an organization of excellence, this policy establishes clear procedures for reporting, investigating, and addressing concerns raised by whistleblowers. This policy also aims to create a safe space for individuals to disclose information without fear of reprisal. Moreover, it underscores the commitment of the CRFM in upholding the highest professional and ethical standards and good governance practices, protecting whistleblowers, and addressing any wrongdoing promptly and impartially. In doing so, this policy not only complies with international best practice but also reinforces the CRFM's and its Member States' commitment and dedication to maintaining a culture of integrity and accountability.

## 2. Definitions

“Whistleblowing” Involves the act of revealing information about activity within an organization that is deemed illegal, unethical, unsafe, fraudulent or a conflict of interest.

“Whistleblower” means an Employee, Contractor, Consultant, Vendor or Student who in good faith and on reasonable grounds, reports, attempts to report, is believed to be about to report, or is believed to have reported, an activity that he/she considers to be illegal, unethical, unsafe, fraudulent or a conflict of interest.

“Employee,” means a person employed by the CRFM under a written contract of service where the CRFM dictates the terms of employment.

“Contractor” and “Consultant” shall have the same meaning and refers to a person or an entity that is employed by the CRFM by way of a contract for service, written or oral, express or implied, to perform a specific task or service for wages or other remuneration.

“Student” means a student whose study is sponsored by the CRFM or who is working with the CRFM as an intern.

“Vendor” means a person or entity that is not a Contractor or Consultant, from whom the CRFM purchases goods or services.

“Witness” means (a) a person who has given, or has agreed to give a statement or evidence or both in a whistleblowing investigation, and (b) a person who has assisted, intends to assist or is assisting with (providing) information to be used in a whistleblowing investigation.

### 3. Purpose of the Policy

3.1. The purpose of this Whistleblower Policy is:

- (i) to encourage and enable Employees, Contractors, Consultants, Vendors and Students to raise concerns and to make honest, accurate reports of suspected fraud, corruption, misconduct, or other unethical or improper activity within the CRFM to appropriate senior officers;
- (ii) to describe the process that will be followed by the CRFM in evaluating and investigating such reports; and
- (iii) to protect whistleblowers from retaliation and to ensure a fair and confidential process for reporting and investigating such concerns.

### 4. Scope of the Policy

- 4.1. The Whistleblower Policy is intended to enable those who become aware of wrongdoing or improper activity in the CRFM to report their concerns at the earliest opportunity so that they can be properly investigated, and appropriate action taken.
- 4.2. This policy applies to all Employees, Contractors, Consultants, Vendors, students and any person or entity who has any business or professional dealing with the CRFM.
- 4.3. The Whistleblower Policy is not intended to replace existing governance and operational policies and procedures such as the grievance and harassment procedures, the anti-corruption and anti-fraud policies, the non-discrimination policy, but instead should be read together and complement these operational policies and procedures of the CRFM.

### 5. Roles and Responsibilities

- 5.1. This section outlines the roles and responsibilities of key stakeholders involved in the whistleblowing process, ensuring clarity and accountability throughout the organization.
- 5.2. **Whistleblower**
  - 5.2.1. It is the responsibility of all Employees, Contractors, Consultants, Vendors, and Students to report any illegal, suspected or observed wrongdoing, misconduct, or unethical behavior promptly and through the appropriate channels outlined in this policy.
  - 5.2.2. Whistleblowers are expected to provide accurate and truthful information to the best of their knowledge and belief.
  - 5.2.3. Whistleblowers should respect the confidentiality of the investigation process and refrain from discussing or disclosing details of their report with unauthorized individuals, except as required by law.

### **5.3. CRFM Executive Director**

- 5.3.1. The Executive Director is responsible for implementing the Whistleblower Policy, including building awareness about it, coordinating the investigation of Whistleblowers' reports and implementing any necessary corrective action.
- 5.3.2. Although the Executive Director is ultimately responsible for implementing the policy he/she may designate an appropriate senior management level staff with the responsibility of the managing the policy.
- 5.3.3. The CRFM directors and management staff must foster an environment that encourages open communication and whistleblowing. They should be approachable and responsive to concerns raised by Whistleblowers, and ensure that all Whistleblowers are protected from retaliation.
- 5.3.4. Upon receiving a Whistleblower report, the CRFM directors and management staff are responsible for promptly initiating an investigation, ensuring confidentiality, and taking appropriate action to address the reported misconduct or wrongdoing.
- 5.3.5. The Executive Director may seek the assistance of external investigators to investigate a Whistleblower's report of wrongdoing.
- 5.3.6. The CRFM directors and management must take proactive measures to ensure the protection of the Whistleblower and to prevent any acts of retaliation that may occur as a result of the whistleblower's report.
- 5.3.7. The Executive Director, supported by the Deputy Executive Director, is responsible for monitoring the effectiveness of this policy and will review the implementation of it on a regular basis, and submit regular monitoring reports and recommendations for improvement to the Caribbean Fisheries Forum and Ministerial Council for consideration and decision-making.

### **5.4. Forum and Ministerial Council**

- 5.4.1. The Governance Bodies of the CRFM (the Forum and Ministerial Council) are responsible for providing oversight of the whistleblower policy and programme, and ensuring its implementation and effectiveness.
- 5.4.2. The Forum and Ministerial Council will ensure that the policy is periodically reviewed and kept up to date. Any amendment to the policy must be approved by the Ministerial Council.
- 5.4.3. The Chairperson of the Forum is responsible for coordinating the investigation of reported wrongdoing by the Executive Director and should seek the assistance of an external investigator.

## **6. Reporting Mechanisms**

- 6.1. If a potential Whistleblower has knowledge of or a concern of illegal or dishonest or fraudulent or corrupt activity, he or she should contact:

- (i) His or her direct supervisor or Programme Manager, or
  - (ii) Manager Finance and Administration, or
  - (iii) CRFM Executive Director or Deputy Executive Director, or
  - (iv) The Chairperson of the Forum in the event that the alleged improper activity involves the Executive Director
- 6.2. All reports or concerns of illegal, dishonest, fraudulent, corrupt or other wrongful activities will be promptly submitted by the receiving supervisor or manager to the Executive Director and Deputy Executive Director. Reports or concerns may be submitted to any of the persons mentioned at Paragraph 6.1 above in writing or orally via phone calls or speaking directly to the person, or by email or other electronic media such as a video or audio recording.
- 6.3. Any concerns involving a Programme Manager, Manager of Finance and Administration, or Deputy Executive Director should be reported directly to the Executive Director.
- 6.4. Any concerns involving the Executive Director should be reported to the Chairperson of the Caribbean Fisheries Forum.
- 6.5. The whistleblower is not responsible for investigating the alleged illegal, dishonest, fraudulent, corrupt, or wrongful activity, or for determining fault or corrective measures.
- 6.6. Whistleblowers may choose to remain anonymous when reporting concerns, and the CRFM will make reasonable efforts to protect their identity. The CRFM will also make every effort to keep the authors of anonymous reports unnamed.
- 6.7. Notwithstanding the provision of Paragraph 6.6 Whistleblowers are encouraged against making anonymous reports due to credibility and fairness concerns.
- 6.8. Whistleblower may raise a concern by telephone, email, in person or in writing. The earlier the Whistleblower express his/her concern, the easier it is to take action and limit damage.
- 6.9. The Executive Director is responsible for coordinating the investigation of the Whistleblower's report and implementing any necessary corrective action. The Executive Director is ultimately responsible for investigating such activities, however, he/she may designate an appropriate senior management level staff or external expert with the responsibility of investigating the report.
- 6.10. If the concern involves the Executive Director, then the Chairperson of the Forum will coordinate the investigation of the report. In this case, the Chairperson of the Forum should seek the assistance of an external investigator to conduct the investigation.

## 7. Mechanisms for Anonymous Reporting

- 7.1. The CRFM will establish an anonymous online reporting mechanism on its website that guarantees complete protection of Whistleblowers who desire to remain anonymous. The online portal should be prominently displayed on the homepage of the CRFM's website.

- 7.2. Anonymous reports of wrongdoing may also be made by telephone to any of the persons mentioned at Paragraph 6.1, or sent in writing or audio recording via post<sup>1</sup> to the Executive Director, CRFM Secretariat, P.O. Box 642, Belize City, Belize.

## 8. What should be reported?

- 8.1. A CRFM employee, Contractor, Consultant, Vendor or Student should report any serious concerns they may have about service provision or the conduct of an Employee, Director, Contractor, Consultant, Student, person or entity acting on behalf of the CRFM that:
- (i) are not in compliance with known national, regional or international laws, treaties, conventions, regulations or norms;
  - (ii) are not in keeping with established CRFM's policies and procedures including but not limited to the CRFM Anti-corruption and Anti-fraud Policies, CRFM Personal Data Protection Policy, or CRFM's policies against discrimination, harassment;
  - (iii) fall below established normal standards of practice; or
  - (iv) are improper activities or behaviour.

These might relate to:

- (i) conduct which is an offence or a breach of the law (a criminal offence has been committed or failing to comply with any other legal obligation);
- (ii) possible fraud and corruption such as billing for services not performed or for goods not delivered, or other fraudulent financial reporting
- (iii) support for terrorist organization or activity;
- (iv) discrimination due to race, sexual orientation, gender or disability
- (v) health and safety concerns affecting employees and/or the public.
- (vi) unauthorized use of funds or other assets
- (vii) physical or emotional abuse of clients, or
- (viii) other unethical conduct.

This list is not exhaustive.

- 8.2. Although a whistleblower is under no obligation nor expected to prove the truth of his or her suspicion, he/she will need to demonstrate to the person to whom the report is made that he/she has a genuine concern relating to suspected wrongdoing or malpractice within the CRFM and there are reasonable grounds for such concern.
- 8.3. A Whistleblower should therefore seek to provide the following information to the extent possible:
- (i) the nature of the concern or wrongdoing and why you believe it to be true
  - (ii) the background of the concern (giving relevant dates);

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<sup>1</sup> Audio recording may be sent by post on devices such as a USB drive, CD, or other types of media.



- (iii) any supporting evidence related to the situation that may be available including witnesses, written text or documentary evidence, photographs.

## 9. Investigating Whistleblower's Report

- 9.1. Upon receiving a concern or report from a Whistleblower, the CRFM will initiate a comprehensive investigative process to assess the validity and significance of the reported information to effectively address the whistleblower concerns, promote transparency and accountability, and safeguard against potential risks and further wrongdoing. The following steps outline the key actions to be taken during the investigative process:
- 9.2. The CRFM officer receiving the Whistleblower's report should document the information promptly and comprehensively, including details such as the date, time, nature of the concern, and identity of the whistleblower (if disclosed).
- 9.3. The Executive Director and/or such other senior management staff as he/she may designate will meet and conduct a preliminary assessment of the information to determine the credibility and seriousness of the reported concern. This may involve reviewing the information provided, assessing the potential risk or impact on the organization and on other individuals and entities, and identifying any immediate actions required to mitigate harm or prevent further misconduct.
- 9.4. The Executive Director will assign responsibility to an individual or team for overseeing the investigation. This could be a senior management personnel, a team of two or more senior management staff and /or an independent external investigator or legal expert, depending on the nature and complexity of the reported issue.
- 9.5. The investigator(s) should gather relevant evidence to substantiate or refute the allegations made by the Whistleblower. This may include interviewing witnesses, reviewing documents, conducting audit and forensic analysis, as deemed necessary.
- 9.6. The investigator(s) and all persons connected to the investigation must maintain strict confidentiality throughout the investigation to protect the identity of the Whistleblower and preserve the integrity of the process. Access to information related to the investigation should be limited to those directly involved in the process on a need-to-know basis.
- 9.7. Investigators should conduct interviews with relevant individuals to gather additional information and perspectives on the reported concern. Witness interviews should be conducted impartially and with sensitivity to ensure the accuracy and reliability of the information obtained.
- 9.8. Although a witness can give their statement orally or in writing, it must eventually be put into a written document and signed by the witness if possible.
- 9.9. Once all relevant evidence has been gathered, the investigator(s) should analyze the findings to assess the validity of the reported concern and identify any underlying issues or systemic deficiencies within the organization.

- 9.10. A comprehensive report setting out the findings of the investigation should be prepared and submitted to the Executive Director or Chairperson of the Forum, as appropriate, for review and consideration. If the investigation uncovers evidence of potential wrongdoing or legal violations, appropriate action should be taken, which may include disciplinary measures, and or remedial actions. Disciplinary action will be taken in accordance with the approved CRFM's Disciplinary and Dismissal Procedures.
- 9.11. Following the conclusion of the investigation, the CRFM should implement any recommended corrective actions or preventive measures to address the identified issues and prevent recurrence. Such recommended corrective actions should be submitted by the Executive Director to the Forum, for review and refinement if deemed necessary, before submitted to the Ministerial Council for approval.

## 10. Protecting Whistleblower

- 10.1. The CRFM is committed to protecting Whistleblowers from any form of retaliation.
- 10.2. This includes, but is not limited to protection from retaliation in the form of an adverse employment action such as termination of contract; compensation decreases; difficult work assignment that is not in their contract and that may cause increased stress or lead to failure; adverse performance evaluation; removal of job duties, responsibilities, and/or travel opportunities; exclusion from a team or project; withdrawal of delegated authority; adverse changes in terms and conditions of service, location, or privileges of employment, or threats of physical harm.
- 10.3. Any Whistleblower who believes he/she is being retaliated against must contact the Executive Director immediately.
- 10.4. The right of a Whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.
- 10.5. Whistleblower protections are provided in two important areas: confidentiality and retaliation.
- 10.6. Individuals protected for Whistleblowing include:
  - (i) the Employee, Contractor, Consultant, Vendor, or Students, or a person acting on their behalf.
  - (ii) the Employee who participates in an investigation, a hearing, or an inquiry held by the CRFM or an independent third party engaged to assist with an investigation.
- 10.7. The CRFM will not disqualify a Whistleblower who reports a concern or participates in an investigation or other proceeding connected with a matter, because of the report or participation, from eligibility to bid on contracts with the CRFM;
- 10.8. The provisions of this policy do not authorize the disclosure of information that is legally required to be kept confidential.
- 10.9. The appropriate application of rules, policies, and procedures, as well as the proper exercise of managerial and supervisory authority, does not constitute retaliation. Any action taken to further

the interests of the CRFM or to encourage a satisfactory level of performance, attendance, and/or conduct is not retaliatory within the meaning of this policy.

## 11. Remedies and Sanctions for Retaliation

- 11.1. Retaliation is a prohibited practice under this policy.
- 11.2. If an investigation establishes that retaliation has occurred, appropriate action will be taken by the CRFM to remedy the situation. This will result in disciplinary proceedings and the imposition of disciplinary measures, which may include termination of contract or other appropriate action in accordance with CRFM's policies, rules, regulations and contract terms.

## 12. Confidentiality

- 12.1. All concerns reported by a Whistleblower will be treated in confidence and every effort will be made not to reveal the identity of the Whistleblower if that is his/her wish.
- 12.2. Insofar as possible, the confidentiality of the Whistleblower will be maintained. However, the identity of the Whistleblower may have to be disclosed in order to conduct a thorough investigation, and /or to comply with the CRFM's policies, standards and procedures laid down in the Operations Manual and applicable laws, and to provide the accused individuals their legal rights of defense and due process.
- 12.3. Furthermore, if the concern reported is validated upon investigation, and disciplinary or other proceedings follow the investigation, it may not be possible to take appropriate action without the help of the Whistleblower, so he/she may at that point in the process be asked to come forward as a witness.
- 12.4. Any individual found to have leaked the name or identity of a whistleblower will be subject to disciplinary action and sanctions in accordance with the CRFM's policies. The leaking of the identity of a Whistleblower can compromise the confidentiality and integrity of the whistleblowing process and can lead to serious repercussions for the whistleblower, including retaliation and harm to their personal or professional reputation. Therefore, any unauthorized disclosure of the whistleblower's identity will result in disciplinary action, up to and including termination of employment or contract

## 13. False Reporting and Willful Reporting of Untrue Statements

- 13.1. A Whistleblower must not make: (i) any report or complaint under this policy that is intentionally fabricated, misrepresented, or exaggerated with the intent to deceive; or (ii) any statements that are knowingly false, misleading, or deceptive, with the intention of misleading or harming any individual or the organization.
- 13.2. False reporting or making willfully untrue statements undermines the integrity of the whistleblowing process and can result in serious repercussions for both the individual making the false report and the CRFM as a whole.

- 13.3. Any individual found to have engaged in false reporting or willful reporting of untrue statements will not be entitled to the protections under this policy and may be subject to disciplinary action, up to and including termination of employment or contract.
- 13.4. Any suspicion or evidence of false reporting or willful reporting of untrue statements should be reported promptly to the appropriate persons mentioned at Paragraph 6.1.

## 14. Limitation to protections

- 14.1. A Whistleblower is entitled to the protections under this policy only if the matter is not the result of their own wrongdoing or complicity in the wrongdoing. This, however, does this refer to a Whistleblower who was intimidated or coerced or blackmailed by a senior officer into doing something regarded as improper conduct in this policy. Such a persons or entities will be entitled to the protections set out in this policy.
- 14.2. A Whistleblower must exercise sound judgment to avoid making baseless allegations.
- 14.3. If a Whistleblower makes an allegation and files a report in good faith and reasonably believes it to be true, but it is not confirmed by the investigation, the CRFM will recognize the concern and the Whistleblower will be fully protected and has nothing to fear.
- 14.4. Conversely, a Whistleblower who intentionally files a frivolously, vexatious, maliciously or false report of wrongdoing or improper action will be subject to sanction which may include being barred from receiving contracts from the CRFM for a defined period proportionate to the wrongdoing.

## 15. Monitoring, Reviewing and Amending the Policy

- 15.1. The Executive Director, supported by the Deputy Executive Director, is responsible for monitoring the effectiveness of this policy and will review the implementation of it on a regular basis. He or she will assess its suitability, adequacy, and effectiveness and submit regular monitoring reports and recommendations for improvement to the Caribbean Fisheries Forum and Ministerial Council for consideration and decision-making.
- 15.2. Any gaps or need for improvements identified during the implementation of this Policy will be documented and submitted by the Executive Director to the Governance Bodies of the CRFM (the Caribbean Fisheries Forum and its Executive Committee, and the Ministerial Council) using the established procedures for oversight and decision-making.
- 15.3. Employees are encouraged to offer their feedback on this Policy if they have any suggestions for how it may be improved. Feedback of this nature should be addressed to the Executive Director.
- 15.4. The Forum and Ministerial Council of the CRFM will review the implementation of this Policy based on the monitoring reports submitted by the Executive Director and provide feedback and policy direction to the Executive Director to facilitate revisions when considered necessary.
- 15.5. This Policy may be amended at any time in order to improve its effectiveness and maintain

equivalency with international best practice and standard.

- 15.6. Reviews of the Policy will be conducted every four (4) years and proposed amendments will be reviewed by the Caribbean Fisheries Forum and approved by the Ministerial Council of the CRFM.