

**Caritas Sri Lanka-SEDEC**



# **Anti-Corruption Policy**



**Implementation Date: 7<sup>th</sup> April 2016**

## **Table of Contents**

1. Anti-Corruption Policy
  - a. Definition
  - b. Different Types of Corruptions
  
2. Details of Such Corruptions
  - a. Offering Bribes
  - b. Accepting Bribes ( Direct and Indirect)
  - c. Unlawful Offering of Benefits
  - d. Unlawful Acceptance of Benefits
  - e. Embezzlement
  - f. Theft
  - g. Fraud
  - h. Breach of Trust
  - i. Coercion
  - j. Sexual Coercion
  
3. Employees should refrain from such practices
  
4. Conclusion

## **1. Anti-corruption Policy**

### **1.1. Definition**

Corruption is a form of dishonest or unethical conduct by a person entrusted with a position of authority, often to acquire personal benefit. Corruption may include many activities including bribery and embezzlement.

### **1.2. Different Types of Corruptions:**

- Bribery
- Kickback – illegal form of commission
- Nepotism – favoritism granted to relative/friend
- Extortion – threatening someone in order to obtain benefits
- Facilitation payments – demanding money for free services
- Fraud
- Collusion – secret agreements by at least two parties for illegal gains
- Embezzlement – misuse of someone else’s money
- Abuse of power
- Money laundering – making illegal transactions one appear legal
- Misappropriation – can be both a criminal and a civil violation committed by any person with a responsibility to care for and protect the asset of another party.

## **2. Details of such corruptions**

### **2.1. Offering Bribes:**

Whoever offers, promises or grants representatives of authorities, companies, and partner organizations etc. an improper advantages in return for a specific action to be taken whichever way that is either in violation of duty or lies within the area of discretion of the representative making the decision makes themselves guilty of active bribery. Classified as improper are all inducements - both material and immaterial- that exceed the socially acceptable norm, and are more than trivial. Example: The organization offers money to the representative of the Donor organization privately, requesting to approve proposal.

### **2.2. Accepting Bribes (direct and indirect)**

Whoever, as a representative of Caritas or its Partner, demands, expects or accepts cash and/or an improper advantage from others in return for an official action to be taken in a certain way makes him/her-self guilty of bribery. Classified as improper are all inducements, both material and immaterial that exceed the socially acceptable norm and are more than trivial.

### 2.3. Unlawful Offering of Benefits

Whoever offers, promises or grants to representatives of authorities, companies, partner organizations etc. an improper advantage with a view to the future behavior of such representatives, makes him/herself guilty of unlawful offering of a benefit. Classified as improper are all benefits, both material and immaterial, that exceed the socially acceptable norm, and are more than trivial.

### 2.4. Unlawful Acceptance of Benefits

Whoever, as a representative of Caritas or its Partner, demands, expects or accepts an improper advantage from others with a view to his/her future behavior as a representative, makes him/herself guilty of unlawful acceptance of a benefit. Classified as improper are all benefits, both material and immaterial, that exceed the socially acceptable norm, and are more than trivial.

### 2.5. Embezzlement

Whoever makes illicit use of, or misappropriates, the means or authority entrusted to them, in order to enrich him / her or a third party illegitimately, makes him/her guilty of embezzlement.

### 2.6. Theft

Whoever takes things away from the organization or someone, in order to enrich him/herself or a third party illegitimately, makes him/herself guilty of theft.

### 2.7. Fraud

Whoever, with the intention of enriching him/herself - maliciously deceives someone or causes them damages or causes the improper transfer of funds to bank accounts, or using his/her official position to have personal transactions with a third party without the approval of the Director makes him/herself guilty of fraud. It can either be an act of commission or omission or both committed intentionally

### 2.8. Breach of Trust

Whoever, as a representative of Caritas or its Partner - in violation of his/her duties and obligations- causes or permits Caritas or its Partner's property to suffer damage, or behaves or conducts him/herself contrary to the professionalism or good name & reputation of the Caritas Organization commits a breach of trust.

### 2.9. Coercion

Whoever applies force or threats of severe disadvantages to compel someone to do something improper, omit doing something that has to be done, or tolerate something improper, makes him/herself guilty of coercion.

## 2.10. Sexual Coercion

Whoever applies force or threats of severe disadvantages to compel someone to commit acts of sex, makes him/herself guilty of sexual coercion.

### 3. Employees should refrain from such practices

Corruption is an issue to be taken very seriously. Therefore we undertake to report all cases that warrant investigation and take appropriate action against the wrong doers.

The employees should understand how to prevent corruption, to whom to disclose such corruptions, and how to handle such cases depending on the gravity of the corruption.

The employees should have a clear understanding of corruption and the consequences of corruption, and that they will be dealt with severely. Minor offences may lead from reprimand to dismissal and serious offences will result in dismissal and legal remedies as per the Sri Lankan legal frame work.

- Every form of corruption is prohibited e.g.
  - 1) All forms of use of resources and authority for the personal benefit
  - 2) Violating the laid down procedure.
  - 3) Inducing persons to act "*MALA FIDE*"

In other words, corruption is misuse of entrusted authority for private gain.

Corruption can occur in diverse forms, within the organization or with outsiders (such as stakeholders, suppliers, beneficiaries, etc.) and can involve our own employees and/or external persons.

- The risk of corruption exists in all work processes and in every phase of our projects and programmes.
- Corruption will damage Trust, Image and Resources

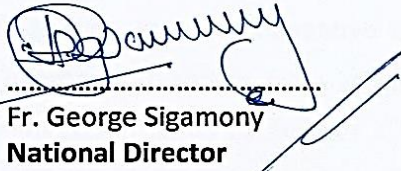
### 4. Conclusion

The ultimate goal is to ensure that Board Members and all staff members of the organization adhere to the anti-Corruption Code of Conduct.

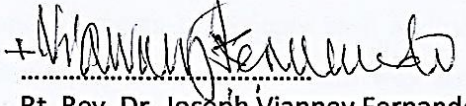
This will set an example to all communities when it comes to integrity, honesty and professionalism.

All allegations of misuse will be treated seriously and investigated by an Independent Committee appointed by the National Centre or the Finance Advisory Committee.

Based on the findings, the National Centre/Diocesan Centre will take immediate action to remedy the misuse. Legal action will be initiated if necessary as per the Sri Lankan Legal Framework.



Fr. George Sigamony  
National Director  
Caritas Sri Lanka - SEDEC  
Date: 7/4/2016



Rt. Rev. Dr. Joseph Vianney Fernando  
Chariman  
Caritas Sri Lanka - SEDEC  
Date: 7/4/2016