

## **Green Town Orphan Foundation Centre (GTOFC)**

### **Code of conduct**

The GTOFC code of conduct is underpinned by the following set of values,

#### **INTEGRITY:**

We act with honesty and are guided by ethical and moral principles in all that we do

#### **ACCOUNTABILITY:**

We take responsibility for our actions and are accountable to all our stakeholders, and in particular primary stakeholders, for our performance and integrity.

#### **TRANSPARENCY:**

We openly share information about our organisations and our work to all our stakeholders and to the public.

#### **RESPECT:**

We recognise the value and diversity of every person and are committed to treating others with due regard for their rights, dignity and integrity.

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#### **EFFECTIVENESS:**

We strive to deliver outcomes that bring about positive change in the lives of people living in poverty.

#### **EQUITY:**

We are committed to overcoming prejudices and disadvantage and promoting fair and just access to resources and opportunities.

## **COOPERATION:**

We work with and alongside others in a spirit of mutuality, respecting diversity and difference in the pursuit of common goals.

### **Detailed information on the services the Applicant offers through its healthcare centre and all other health programs the Applicant runs.**

- ✓ Aim to establish counselling centre for the war-traumatise victims orphan
- ✓ Provide physical. Spiritual and emotional counselling
- ✓ Source out volunteer medical and counsellors around the country and overseas
- ✓ Immunisation centre
- ✓ Provide medical facility allied health services.
- ✓ Child health services.
- ✓ chronic disease management (including support for self-management)
- ✓ Dental health services.
- ✓ Disability services.
- ✓ health promotion
- ✓ Speech-language and audiology services.
- ✓ Psychological services.
- ✓ Occupational and physical therapy.
- ✓ Recreation, including therapeutic recreation.
- ✓ Early identification and evaluation of disabilities in children

**Further details of the educational centre the Applicant intends to set up, including attaching the curriculum the Applicant intends to teach for both children and adults.**

GTOFC has not had access to the curriculum.

### **Further information about the Applicant's social public centre, including:**

- ✓ build a centre for orphans
  - ✓ Assist with shelter
  - ✓ Encourage and support sporting activities
  - ✓ Provide a feeding centre
  - ✓ Assist with to provide non-food items
  - ✓ Building recreational centre for orphanage children rg. Play grounds, football field, baseball and volleyball
5. Detailed information about all the activities the Applicant undertakes to promote or protect the human rights specified in the Convention on the Rights of the Child.

### **Participation, Empowerment & Local Ownership**

The following Good Practice Indicators describe a higher standard of practice than that set out in the Compliance Indicators. While Members do not need to meet the Good Practice Indicators to be considered compliant with the Code, they will self-assess against these indicators once every three years. This provides a clear pathway for Members to strengthen and improve practice over time.

- ✓ A staff person with specialised expertise in child-centred development is in place.
- ✓ Activities that seek to build the capacities of children to participate and influence issues that affect them are supported.
- ✓ Child-centred development and/or child rights training is provided for key personnel and partners

To foster public trust and ensure good conduct in aid and development work, GTOFC members have the responsibility to promote legal and ethical behaviour, and to monitor the actions of staff and partners to ensure no wrongdoing or impropriety. In some contexts there is a heightened risk of corruption, fraud or bribery and members should act, and be

seen to act, in a way that is honest and transparent. Voluntary governing bodies of member organisations are expected to be 'responsible persons' of integrity and able to make independent and objective decisions focused on achieving aid and development outcomes. Member organisations have a duty to carefully manage any real or perceived conflicts of interest because reputational damage can affect the whole sector.

This step recognises the importance of building trust with all stakeholders through compliance with standards and through ethical and sound decision-making. It covers all aspects of good governance, extending beyond the establishment of a formal governing body and associated mechanisms, and including core organisational commitments to governing responsibly, accountably and transparently. This step incorporates obligations covering governing instruments, governing body policies, transparency, annual general meetings, legal requirements, complaints handling, as well as the need for separation of development from non-development activities.

This step strengthened to improve members' practice and response in the prevention of sexual exploitation and abuse. Specifically, a new compliance indicator requires a member's governing body to be informed of, and respond to, serious incidents in accordance with their mandate and responsibilities. Furthermore, members' complaints handling policies need 'boosting' to ensure they take a survivor-centred approach, and in the interest of transparency, members also need to ensure they have key policies as well as their Code of Conduct available on GTOFC website.

## **Resource management**

GTOFC shall make sure that a qualified staff with responsibility for financial management and oversight is in place.

Regular analysis of internal systems is undertaken to identify areas that need to be monitored and updated. Regular training is/shall be provided to partners and staff on financial policies, in particular financial wrongdoing prevention. GTOFC shall formally

reviews income and expenditure on at least a quarterly basis. GTOFC shall appoint a dedicated human resources are assigned to key areas of organisational responsibility as follows,

- ✓ Periodic reviews are undertaken of the human resource needs of the organisation.
- ✓ Guidelines are documented for the recruitment of local staff in country offices.
- ✓ A focal point for Occupational Health and Safety is in place.
- ✓ Counselling support services are available to staff.
- ✓ Organisation, staff and volunteers are aware of and have access to a range of professional development opportunities across and outside the sector.
- ✓ An incident register is maintained and periodically reviewed by organisation management and governing body,
- ✓ A dedicated governing body member or staff person for human resource management is appointed,
- ✓ Organisation complies with the National Standards for Volunteer Involvement,
- ✓ Merit-based and transparent processes for filling vacancies are in place.

### **NO WELFARE AND PARTISAN POLITICS**

The Foundation's principles of independence and self-sufficiency mean that we do not engage in or support welfare programs, evangelism, or partisan politics either in our own work or the activities and strategies we support and fund. It also aligns with our commitment to the GTOFC Code of Conduct which requires that funds and other resources designated for the purposes of aid and development to orphan will be used only for those purposes and will not be used to promote a particular religious adherence or to support a political party, or to promote a candidate or organisation affiliated to a political party.

### **WELFARE**

As Welfare programs are typically:

- ✓ run independently of other sustainable community development programs;
- ✓ externally designed and directed by the donor rather than controlled by local agencies and service providers; and
- ✓ Long-term programs with no clear strategy for exiting.

- ✓ The GTO Foundation does not engage in or fund welfare programs of this type. While The Foundation may sometimes provide emergency relief in a disaster situation, this is a short-term response and is thus fundamentally different to long-term welfare interventions.

## POLITICAL ACTIVITIES

- ✓ AS Political activities as activities that could be construed as being political are those that involve 'party' politics or partisanship. The Foundation upholds the right of any individual to participate in non-violent political activities and promote any political party. This includes our own staff or others who form part of our organisation, with the proviso that such activities must not be undertaken during Foundation time, while representing The GTOFC, or using the Foundation's funds or other resources. The employee or associate must maintain a clear distinction between their private political participation and their work with The Foundation. Foundation adheres to the principle of advocating from an evidence based position and is transparent about the basis for the public positions we take.
- ✓ Both in Australia and overseas, The Foundation is not aligned with any political party, does not engage in party-political activities, and does not promote any candidate or organisation affiliated to a political party.
- ✓ In the event that we engage with a legitimate political party or group, it is to increase the support for well justified positions. A non-negotiable pre-condition is that the political activities undertaken by that partner are kept clearly separate from the activities supported by The Foundation, and that The Foundation's name and logo are not used in association with any partisan political activity. This pre-condition will be set out in all agreements with our partners, and will require financial and program management processes that clearly demonstrate the separation. Any intentional and uncorrected breach of the agreement will result in the cessation of funds and involvement.
- ✓ The Foundation also recognises that political processes are often part of the development process, and that policies developed and implemented by political parties can have a major impact on the aid and development environment. As an

international development organisation we are therefore involved in community education campaigns and alliances around issues relevant to development, and use many forums and opportunities to advocate for the health-related rights of disadvantaged people and communities.

## **STRIVE FOR GOVERNANCE EXCELLENCE AND CONTINUAL IMPROVEMENT**

- ✓ We will challenge ourselves to achieve excellence in governance and will take active steps to enhance our performance as a Board.
- ✓ Ultimately we are collectively accountable to ourselves as a Board and individually to each other as Directors, and we take this accountability seriously. We are committed to understanding the factors that most affect quality in governance and to continually improving our performance.
- ✓ The Board employs the following mechanisms and processes to help with ensuring effective performance:
  - ✓ Wherever possible, interaction with The Foundation's in-country managers, medical advisers and other field staff to deepen our understanding and keep us focused on their needs, operating environment and local challenges.
  - ✓ Meeting agendas that are carefully structured and timed to ensure we focus on policy and strategic matters and avoid crossing over into operational matters.
  - ✓ Regular skill and competency audits of the current Directors to identify gaps and weaknesses and how they can be addressed.
  - ✓ Specific line item in the annual budget for the Board and its work, and specific staff allocated to act as secretariats for the Board and each of its Committees.
  - ✓ Development of multi-year Strategic Plans.
  - ✓ Chair approval of all Board development initiatives.
  - ✓ Individual Board development initiatives will be signalled as an outcome of an annual performance discussion between the Chair and the Board member.
  - ✓ A full induction program for new Board members including the provision of a comprehensive

- ✓ At the time of the preparation of the annual budget, the Chair will indicate the nature of the proposed Board development activities required to be included for Board development in the coming year.
- ✓ All Board members will be encouraged to undertake an Australian Institute of Company Directors Course, or equivalent, within 2 years of their appointment. At the discretion of the Chair, financial support will be provided by The Foundation where necessary.
- ✓ The Foundation will attempt to hold one Board meeting every year in a country of operation South Sudan. The Foundation will meet the full costs of the Board members' participation in this meeting.
- ✓ All Board members will be encouraged to undertake a visit to a country program at least once every three years. At the discretion of the Chair financial support will be provided by the leadership.

## **BUILD RESOURCES AND A CULTURE OF FINANCIAL TRANSPARENCY**

- ✓ We are committed to ensuring The Foundation has the resources to achieve agreed strategic objectives, and to making full and accurate information available about The Foundation's financial position.
- ✓ The Board is responsible for the financial health of the organisation. While the day-to-day work of raising funds is delegated to the CEO, medium and long-term financial and asset management strategies are developed in consultation with the Board and it is the Board's responsibility to ensure they support the broader strategic objectives of the organisation. Directors commit to contribute to raising resources wherever their individual skills or contacts can be helpful.
- ✓ The Board is responsible for ensuring that Management has implemented processes and systems for the effective monitoring of the organisation's financial position and to ensure members and other stakeholders are able to obtain accurate, timely information in relation to The Foundation's affairs.

The Board meets these obligations through:

Sensuring integrity in all financial reporting by monitoring the systems of financial management and control put in place by Management;

- ✓ scrutinising and approving annual budgets to ensure they reflect agreed objectives and priorities and are based on realistic assumptions;
- ✓ approving and regularly reviewing a Capital & Investment Policy to ensure future financial sustainability and an ability to meet all debts and obligations in the event the company is wound up;
- ✓ receiving and reviewing quarterly management accounts to monitor progress against budget;
- ✓ identifying major financial risks and ensuring they are managed effectively;
- ✓ engaging external auditors to examine the annual financial accounts in accordance with Australian and International Accounting Standards, the GTOFC Code of Conduct and applicable fundraising laws, and ensuring that any recommendations of the auditors are acted upon;
- ✓ publicly disclosing any loans to or transactions with members of the Board, and requiring the CEO to disclose to the Board any loans to staff; giving our members the full audited accounts as well as a verbal report from the Chair of the Finance and Audit Committee at the AGM where questions can be asked and answered;
- ✓ publishing the audited accounts and an accessible summary on our website;
- ✓ lodging the accounts and related reports with the required regulatory authorities within the required timeframes;
- ✓ declaring any significant changes in the company's state of affairs in the annual Directors' Report which is mailed to members and published on our website; and
- ✓ Reviewing the GTOFC Code of Conduct annually to ensure continuing compliance with its financial management and disclosure requirements.
- ✓ The Finance and Audit Committee assists the Board to fulfil its obligations in these matters. It meets at least on a quarterly basis and reports to each Board meeting.

### **GTOFC Foundation where necessary.**

All expenditures on Board activities will be disclosed in The Foundation's accounts and reported at Board meetings.

- ✓ This will continue to remain an area of focus and continuing quality improvement.

## **IDENTIFY AND MANAGE RISK WITHOUT BEING RISK-AVERSE**

- ✓ GTOFC is willing to take risks to achieve results, but do so only with open eyes and when confident they can be satisfactorily managed.

As a result, the Foundation aims to always have a higher-than-average appetite for risk in the delivery of our programs. As a Board, we need to be true to this legacy at the same time as recognising that we have organisational obligations that require exercising due care and reasonable caution. Our goal is an organisational culture that is unafraid of grasping programmatic and technological opportunities and innovations but also has good systems of risk identification, mitigation and management.

- ✓ The Board sets and monitors the overarching risk appetite, policies and framework for the organisation and appoints and supports the managing Director who implements them and reports at least quarterly to the Board.

### **The Board's specific risk management responsibilities include:**

- ✓ satisfying ourselves that Management has effective risk identification, disclosure, mitigation, and management systems and practices;
- ✓ monitoring compliance with all legal, regulatory and code requirements;
- ✓ establishing key policies in areas such as: safeguarding people including child protection; financial crime including fraud, counter-terrorism and anti-money laundering; limits and delegations of authority; sustainability; and protocols for managing crises;
- ✓ Ensuring that regular strategic planning processes identify any risks and uncertainties in the economic, societal, technological, regulatory, political and industry environments in which we work, and factoring these in to our decision-making;
- ✓ Protecting the brand through a satisfactory trademark regime, and our human and physical assets through adequate risk management systems and insurance coverage;

- ✓ Considering the reasonable expectations of all stakeholders when determining what risks should be taken or avoided;
- ✓ Undertaking the financial risk management practices and
- ✓ Ensuring the future viability of the organisation through effective Board, Chair and CEO succession planning.

## **GTOFC Code of Conduct**

### **Activities and control of resources**

GTOFC activities:

GTOFC shall take reasonable steps to ensure its activities outside Australia are consistent with its not-for-profit purpose and character maintain reasonable internal control procedures to ensure that funds, equipment, supplies and other resources are used outside Australia in a way that is consistent with the charity's not-for-profit purpose and character, and take reasonable steps to ensure that funds, equipment, supplies and other resources provided to third parties outside Australia (or within Australia for use outside Australia) are applied in accordance with the charity's not-for-profit purpose and character, and with reasonable controls and risk management processes in place.

GTOFC shall comply with Australian laws as specified in the Regulation. GTOFC is to maintain reasonable internal control procedures to ensure compliance with these laws. The laws which requires us to;

- ✓ Advance the safeguarding of children.
- ✓ Articulate clear strategic goals for our work.
- ✓ Analyse and understand the contexts in which we work.
- ✓ Invest in quality assessment of our work.
- ✓ Respect and understand those with whom we collaborate.
- ✓ Have a shared understanding of respective contributions, expectations, responsibilities and accountabilities of all parties.
- ✓ Is not-for-profit and formed for a defined public benefit.
- ✓ Meet our legal and compliance obligations.
- ✓ We have responsible and independent relevant mechanisms.

- ✓ We ensure that funds and resources entrusted to us are properly controlled and managed.

Annual review of overseas activities and record-keeping

### **Requirements of a charity to obtain and keep records for its operations outside Australia.**

The records must include information necessary for a charity to be able to prepare a summary of its activities and related expenditure outside Australia

The records must be kept for each financial year in which a charity: operates outside of Australia, or gives funds or other resources to third parties for use outside Australia.

- ✓ We articulate clear strategic goals for our work.
- ✓ We invest in quality assessment of our work.
- ✓ We report on the acquisition and use of our resources.
- ✓ We make sure that funds are to the same organisation registered bank account which should match with the bank account here in Australia. This is to help with transparency and record keeping

### **GTOFC takes reasonable steps to:**

Minimise any risk of corruption, fraud, bribery or other financial impropriety by its Responsible Persons, employees, volunteers and third parties outside Australia, and identify and document any perceived or actual material conflicts of interest for its employees, volunteers, third parties and Responsible Persons outside Australia.

- ✓ We invest in quality assessment of our work.
- ✓ We respect and understand those with whom we collaborate.
- ✓ We have a shared understanding of respective contributions, expectations, responsibilities and accountabilities of all parties.
- ✓ We meet our legal and compliance obligations.
- ✓ We have responsible and independent governance mechanisms.
- ✓ We source our resources ethically.
- ✓ We will ensure that funds and resources entrusted to us are properly controlled and managed.

- ✓ GTOFC enables our people to conduct themselves professionally and according to our stated values.

## **Protection of vulnerable individuals**

This step requires a charity to take reasonable steps to ensure the safety of vulnerable individuals overseas. It applies where individuals are:

Being provided with services or accessing benefits under programs provided by the charity (whether directly or through collaboration with a third party)

Engaged by the charity or a third party in collaboration with the charity, to provide services or benefits on behalf of the charity or third party.

- ✓ We respect and protect human rights.
- ✓ We respect and respond to the needs, rights and inclusion of those who are vulnerable and those who are affected by marginalisation and exclusion.
- ✓ We advance the safeguarding of children.
- ✓ We advance the safeguarding of those who are vulnerable to sexual exploitation and abuse.
- ✓ We promote gender equality and equity.
- ✓ We promote the empowerment of people with disabilities.
- ✓ We respect and understand those with whom we collaborate.

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## **UN Children Human Rights Convention**

In an ideal world, every child should have the means to have food, shelter and to go to a classroom and have access to books and learning materials that can enrich their intelligence and skills.

Providing remedies for breaches of children's rights

GTOFC must have the power to consider individual complaints and petitions and carry out investigations, including those submitted on behalf of or directly by children. In order to be able to effectively carry out such investigations, they must have the powers to compel and question witnesses, access relevant documentary evidence and access places of detention. They also have a duty to seek to ensure that children have effective remedies - independent advice, advocacy and complaints procedures - for any breaches of their rights. Where appropriate, should und GTOFC ertake mediation and conciliation of complaints.

GTOFC should have the power to support children taking cases to court, including the power (a) to take cases concerning children's issues in the name of the NHRI and (b) to intervene in court cases to inform the court about the human rights issues involved in the case.

#### Accessibility and participation

GTOFC should be geographically and physically accessible to all children. In the spirit of article 2 of the Convention, they should proactively reach out to all groups of children, in particular the most vulnerable and disadvantaged, such as (but not limited to) children in care or detention, children from minority and indigenous groups, children with disabilities, children living in poverty, refugee and migrant children, street children and children with special needs in areas such as culture, language, health and education. GTOFC legislation should include the right of the institution to have access in conditions of privacy to children in all forms of alternative care and to all institutions that include children.

GTOFC have a key role to play in promoting respect for the views of children in all matters affecting them, as articulated in article 12 of the Convention, by Government and throughout society. This general principle should be applied to the establishment, organization and activities of national human rights institutions. Institutions must ensure that they have direct contact with children and that children are appropriately involved and consulted. The orphan Children's councils, for example, shall be created as advisory bodies for GTOFC to facilitate the participation of children in matters of concern to them.

GTOFC should devise specially tailored consultation programmes and imaginative communication strategies GTOFC to ensure full compliance with article 12 of the Convention. A range of suitable ways in which children can communicate with the institution should be established.

GTOFC must have the right to report directly, independently and separately on the state of children's rights to the public and to parliamentary bodies. In this respect, States parties must ensure that an annual debate is held in Parliament to provide parliamentarians with an opportunity to discuss the work of the NHRI in respect of children's rights and the State's compliance with the Convention.

### **Recommended activities**

The following is an indicative, but not exhaustive, list of the types of activities which should be observed and follow by relevant authorities in regard to vulnerable children. The 12 rights of children under the convention are:

- ✓ Every child has the right to be born well.

It is the responsibility of the parents to make sure they can provide a safe environment for their unborn child. This includes proper medical attention and care from conception, birth, and throughout childhood years in a newborn services unit or pediatric center.

- ✓ Every child has the right to a wholesome family life.

The child's first learning environment and teachers are their home and family. They are entitled to be a part of a loving family that will instill ethical values and morals in them.

- ✓ Every child has the right to be raised well and become contributing members of society.

By raising them in a safe and loving environment, parents and guardians can shape the personalities of their young to be useful and contributing members of their respective communities when they grow older.

- ✓ Every child has the right to basic needs.

The four basic needs of people outlined in the law are as follows: a balanced diet, adequate clothing, sufficient shelter, and proper healthcare. This also includes any other requirements to lead a healthy and active life.

- ✓ Every child has the right to access what they need to have a good life.

This right goes beyond the basic needs and focuses more on the atmosphere of the place they will be raised in. A child's needs must always be attended to so they feel the support of people around them, which in turn will build and strengthen their character in adulthood.

- ✓ Every child has the right to education.

In an ideal world, every child should have the means to go to a classroom and have access to books and learning materials that can enrich their intelligence and skills.

- ✓ Every child has the right to play and enjoy their youth.

Children have the right to engage in wholesome recreational activities whenever they wish and not be exploited for events that are deemed only for adults to do, i.e., intensive manual labor.

- ✓ Every child has the right to be protected from danger.

This includes all hazards that could affect their physical, mental, and emotional states, such as removing them from dangerous living situations, preventing them from getting into accidents, or protecting them from the abuse of adults, to name a few.

- ✓ Every child has the right to live in a productive environment.

Children should be surrounded by safe communities that inspire them to give back when they are older. This means staying away from bad influences and situations that can cause harm to their health.

- ✓ Every child has the right to be cared for in the absence of their parent or guardian.

If the parent or guardian fails to fulfill their role, the State shall assume custody and care for the child, providing them with their fundamental needs for growth and development.

- ✓ Every child has the right to good governance.

Children also have a right to be born under the presence of good governance that can inspire them to become a helpful and active citizen. This doesn't necessarily mean they have to get involved with politics but rather have an interest in being involved in political discussions for the betterment of their country and

- ✓ Every child has the right to freedom and peace.

Last but not the least, every child is entitled to do whatever they want in their lives, so long as it contributes to the peace and betterment of the communities they are a part of should carry out in relation to the implementation of children's rights

### **Protection of children Rights in light of the general principles of the UN Convention.**

GTOFC practical application should:

- ✓ Undertake investigations into any situation of violation of children's rights, on complaint or on their own initiative, within the scope of their mandate;
- ✓ Conduct inquiries on matters relating to children's rights;
- ✓ Prepare and publicize opinions, recommendations and reports, either at the request of national authorities or on their own initiative, on any matter relating to the promotion and protection of children's rights;

- ✓ Keep under Review the adequacy and effectiveness of law and practice relating to the protection of children's rights;
- ✓ Promote harmonization of national legislation, regulations and practices with the Convention on the Rights of the child, its Optional Protocols and other international human rights instruments relevant to children's rights and promote their effective implementation, including through the provision of advice to public and private bodies in construing and applying the Convention;
- ✓ Ensure that national economic policy makers take children's rights into account in setting and evaluating national economic and development plans;
- ✓ Review and report on the Government's implementation and monitoring of the state of children's rights, seeking to ensure that statistics are appropriately disaggregated and other information collected on a regular basis in order to determine what must be done to realize children's rights;
- ✓ Encourage ratification of or accession to any relevant international human rights instruments;
- ✓ In accordance with article 3 of the Convention requiring that the best interests of children should be a primary consideration in all actions concerning them, ensure that the impact of laws and policies on children is carefully considered from development to implementation and beyond;
- ✓ In light of article 12, ensure that the views of children are expressed and heard on matters concerning their human rights and in defining issues relating to their rights;
- ✓ Advocate for and facilitate meaningful participation by children's rights NGOs, including organizations comprised of children themselves, in the development of domestic legislation and international instruments on issues affecting children;
- ✓ Promote public understanding and awareness of the importance of children's rights and, for this purpose, work closely with the media and undertake or sponsor research and educational activities in the field;
- ✓ In accordance with article 42 of the Convention which obligates State parties to "make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike", sensitize the Government, public agencies and the general public to the provisions of the

Convention and monitor ways in which the State is meeting its obligations in this regard;

- ✓ Assist in the formulation of programmes for the teaching of, research into and integration of children's rights in the curricula of schools and universities and in professional circles;
- ✓ Undertake human rights education which specifically focuses on children (in addition to promoting general public understanding about the importance of children's rights);
- ✓ Take legal proceedings to vindicate children's rights in the State or provide legal assistance to children;
- ✓ Engage in mediation or conciliation processes before taking cases to court, where appropriate;
- ✓ Provide expertise in children's rights to the courts, in suitable cases as amicus curiae or intervenor;
- ✓ In accordance with article 3 of the Convention which obliges States parties to "ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision", undertake visits to juvenile homes (and all places where children are detained for reform or punishment) and care institutions to report on the situation and to make recommendations for improvement;

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## **LEGISLATIVE AND REGULATORY FRAMEWORK**

The Foundation is required to adhere to the human rights based regulations of the countries in which The Foundation has offices and programs. The Foundation also acknowledges the relevant international treaties and conventions:

- ✓ Universal Declaration of Human Rights (1948)
- ✓ International Covenant on Civil and Political Rights (1966)
- ✓ International Covenant on Economic, Social and Cultural Rights (1966)

- ✓ International Convention on the Elimination of All Forms of Racial Discrimination (1965)
- ✓ Convention on the Elimination of All Forms of Discrimination against Women (1979)
- ✓ Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) Convention on the Rights of the Child (1989)
- ✓ Declaration on Fundamental Principles and Rights at Work (1998)
- ✓ Convention on the Rights of Persons with Disabilities (2006)\
- ✓ Guiding Principles on Business and Human Rights (2011)

## GUIDING PRINCIPLES

### The Foundation upholds:

- ✓ Respect for and protection of internationally recognised Human Rights including civil and political, economic, social and cultural rights, the right to development and the rights of Indigenous peoples;
- ✓ Universality of the right to health—all individuals are equally entitled to enjoy the highest attainable standard of health, including eye health, irrespective of their income or socioeconomic status;
- ✓ The importance of strong national health and development systems as the foundation for an individual’s ability to enjoy their right to affordable, accessible and acceptable eye health; and
- ✓ Indivisibility and interdependence of Human Rights—the right to health and to enjoy the highest attainable standard of eye health is inextricably linked to other civil, political, economic, social and cultural rights as the realisation or deprivation of the right to health and eye health will impact on an individual’s ability to realise and enjoy their full Human Rights.

### The Foundation recognises the importance of:

- ✓ Respect for difference and acceptance especially of persons with Disability as part of human diversity and the inherent dignity, individual autonomy and independence of the person; and
- ✓ Full and effective participation and inclusion in society and equality of opportunity for all

- ✓ people, regardless of a person's Gender, intrinsic capacity or functional ability, or any other factor; and
- ✓ Respect for the evolving capacities of children with no parents and respect for the rights of children with Disability to preserve their identities; and
- ✓ Achieving Gender Equity and the Inclusion of people with no parents across all aspects of society is an essential part of achieving sustainable development and ensuring no one is left behind.

## **COMMITMENTS UNDER THIS POLICY**

The Foundation applies these guiding principles across all aspects of its work to achieve a world where no person is needlessly blind or vision impaired through the following commitments.

### **Governance**

The Foundation will:

- ✓ Comply with all national and international regulations that translate international Human Rights principles and conventions to protect Human Rights in the countries in which The Foundation operates.
- ✓ Respect the relevant codes of conduct and voluntary standards internationally and in the countries in which The Foundation operates, that promote Human Rights and the rights of women, children, people with Disability, Indigenous peoples and the vulnerable and marginalised.
- ✓ Ensure that The Foundation's internal global and divisional policies are consistent with the principles of Human Rights, Gender Equity and the right of children Inclusion.

### **Strategic approach**

The Foundation will:

- ✓ Include and address the needs of vulnerable, marginalised and disadvantaged communities in its programs, projects and partnerships to promote universal health coverage for general health and strengthen national health on orphanage centres and development systems.

- ✓ Review its programs, projects and internal operations for consistency with the guiding principles outlined in this Policy and Related Policies (see document control for related policies).
- ✓ Ensure that relationships with and portrayals of the individuals, families and communities with which The Foundation works are respectful of their dignity, culture, diversity, identity and privacy.

## **Programming**

The Foundation will:

- ✓ Commit to applying the principles of this Policy across the program management cycle including to program planning, implementation and monitoring and evaluation.
- ✓ Consider supporting programs that address the underlying causes of avoidable blindness including those influenced by discrimination on the basis of sex, Gender identity or sexual orientation, age, Disability, ethnic minority or by being a member of a marginalised or vulnerable group.
- ✓ Adopt a participatory approach to programming to ensure that all stakeholders are involved in the planning, implementation and monitoring and evaluation of projects to ensure their perspectives are understood and considered.

## **Partnerships**

The Foundation recognises that there may be instances of Human Rights not being upheld in many of the countries in which it works, including in Australia. The Foundation's approach is to positively influence through our work and in partnership with agencies that support The Foundation's vision and employs a process of due diligence to ensure that appropriate partnerships are entered into. The Foundation recognises and encourages communication, transparency and accountability between partners as vital to ensuring that Human Rights are respected and protected within the programs supported by The Foundation and more broadly within the countries where we work. All potential partners should have written policies, or a willingness to progress towards developing policies, on aspects of practice including Human Rights and Inclusive Practices (e.g. Gender and Disability).

## Advocacy

The Foundation will promote health as integral to the enjoyment of Human Rights including the right to food, health and education. The Foundation will advocate for child Equity as a particular strategic focus and on a case-by-case basis, advocate for broader Human Rights reforms at the national level in south Sudan as well as at the global stage if opportunity exists

## Recruitment

The Foundation will:

- ✓ Support employment opportunities for local people within the country where we work.
- ✓ Support equal employment opportunities by ensuring recruitment methods attract the widest pool of suitably qualified applicants and have selection processes which are merit based, non-discriminatory and enable us to appoint the most appropriate person to the role.
- ✓ Ensure recruitment policies are transparent and well documented to enable monitoring, evaluation and continual improvement.
- ✓ Maintain recruitment practices which reflect positively on The Foundation's brand, protect our reputation, prevent conflicts of interest and continually reinforce the value we place on integrity.

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## GTOFC APPROACH ON FINANCIAL CRIME POLICY

### PURPOSE

GTOFC is committed to promoting and adhering to the highest standards of probity and accountability in its governance and operations. The Foundation takes a Zero Tolerance approach towards cases of Financial Crime in its activities and operations within the organisation and under its projects and programs. Financial Crime includes activities related to Fraud, Corruption, and Terrorism Financing, Money Laundering or violation of Sanctions. This Policy sets out the principles and commitments to guide that approach.

## SCOPE AND DEFINITIONS

This Policy applies to The Foundation's workplaces and projects globally. In this Policy capitalised terms have the meaning.

## BACKGROUND

The Foundation has governance and management systems and processes directed towards reinforcing its commitment to Zero Tolerance in the context of Financial Crime. The measures put in place by The Foundation in this area are complemented by the initiatives it is undertaking to continually improve its operational effectiveness and further strengthen its governance, internal control and risk management framework.

### The objectives of this Policy are to:

- ✓ prevent Financial Crime in all of The Foundation's activities and operations across our entities and country offices;
- ✓ affirm and communicate this resolve to all Personnel, partners, suppliers and donors; and
- ✓ Outline principles and commitments by way of actions and controls The Foundation will take in effectively managing risk associated with Financial Crime.

## GUIDING PRINCIPLES

- ✓ The guiding principles of this Policy that underpin all of The Foundation's functions, actions and decisions regarding Financial Crime are as follows:
- ✓ We promote a Zero Tolerance culture towards Financial Crime.
- ✓ We implement systems to prevent and detect Financial Crime.
- ✓ We educate and train Personnel and partners on how to identify and report Financial Crime.
- ✓ We encourage Personnel, partners, suppliers and others to speak-up when they suspect Financial Crime.
- ✓ We provide support to all who report cases of Financial Crime, including Whistle blowers.
- ✓ We provide leadership and clear roles and responsibilities with regards to promoting and enforcing a culture of Zero Tolerance towards Financial Crime, including

investigation as appropriate and the application of consequences if allegations are proven.

## COMMITMENTS UNDER THIS POLICY

### Awareness and training

- ✓ The Foundation is committed to ensuring that Personnel, partners and suppliers:
- ✓ are aware of the types of Financial Crime that might occur in their areas of responsibility;
- ✓ are alert for any indication of Financial Crime or improper activity; and
- ✓ Maintain controls to avoid such occurrences, including screening to support countering of Terrorism Financing and other financial procedures.
- ✓ Managers are required to ensure that all staff under their supervision are given a copy of this Policy in a language they can understand and acknowledge its receipt. If a written translation is not possible for those who do not speak English, then the Manager must give the person a detailed verbal briefing and take and retain a signed verification from the person that this was done.
- ✓ Managers should also ensure that all staff under their supervision is encouraged to report suspected Financial Crime or vulnerability to Financial Crime. The Foundation will provide training to Personnel and partners on potential areas of Financial Crime and on mitigation and control measures.
- ✓ Controls, monitoring of transactions and audit
- ✓ The Foundation commits to a robust framework which prevents, deters and detects Financial Crime and will put in place appropriate controls and procedures, such as a Finance Manual, to achieve this commitment.
- ✓ It is the responsibility of all Personnel to adhere to these controls and procedures, carrying out their work in such a way as to prevent Financial Crime in all forms occurring in the workplace.
- ✓ These controls will include regular monitoring of transactions and the engagement of internal and external audit professionals.

## Confidentiality and protection

- ✓ Employees must also be alert for occurrences of Financial Crime, be aware that unusual transactions or behaviours could be indications of Financial Crime and report potential cases of Financial Crime as outlined below.
- ✓ The Foundation commits to absolute confidentiality and fairness in all matters raised under this Policy.
- ✓ Whistle blowers making a report in accordance with this Policy will be protected from detriment and may make their report confidentially in accordance with the Speak-Up Policy.
- ✓ All files and records created from an investigation under this Policy will be retained under strict security.

## REPORTING SUSPECTED FINANCIAL CRIME

### Financial Crime investigations

- ✓ To report suspected Financial Crime refer to the Financial Crime Concern Reporting Process that GTOFC developed
- ✓ To report suspected Financial Crime and identify as a whistle blower please refer to the Speak-Up Policy.
- ✓ The Foundation will assess all concerns raised and instigate a fair and impartial response as appropriate.
- ✓ Actions arising from Financial Crime investigations Disciplinary procedures
- ✓ Persons who are deemed to have committed a Financial Crime will be dealt with in accordance with The Foundation's disciplinary procedures.
- ✓ Proven allegations of Financial Crime will result in immediate dismissal, or in the case of a partner or supplier immediate contract termination.
- ✓ Where appropriate, the CEO may refer significant Financial Crime to the police or appropriate relevant authorities. In every case, the final decision regarding whether to make such a referral rests with the CEO or the Board if the matter involves the CEO. Changes to systems or controls
- ✓ The investigation may highlight where there has been a failure of supervision and / or a breakdown or absence of control. The course of action required to improve

systems should be documented in the investigation report and implemented as soon as possible. Recovery of losses

- ✓ Where The Foundation has suffered loss, full restitution will be sought of any benefit or advantage obtained and the recovery of costs may be sought from individuals or organisations responsible for the loss.
- ✓ If the individual or organisation cannot or will not make good the loss, consideration will be given to taking civil legal action to recover losses. This is in addition to any criminal proceedings which may result.

## **RESPONSIBILITIES & ACCOUNTABILITIES**

### **Board**

The Board of The Foundation is responsible for:

- ✓ creating a culture of Zero Tolerance toward Financial Crime at The Foundation;
- ✓ providing governance guidance for The Foundation in relation to Financial Crime; and
- ✓ Approving this Policy.

### **Chief Executive Officer**

- ✓ The CEO is responsible for ensuring this Policy is upheld and will inform the Board of any concerns relating to Financial Crime that may present risk to The Foundation, its Personnel, beneficiaries, partners, reputation, operations or other activities.
- ✓ The CEO will ensure progress in relation to combatting Financial Crime across
- ✓ The Foundation, including Terrorism Financing, is included in standard reporting to The Board. The CEO will hold relevant Executive Directors accountable to this Policy.

### **Executive Directors**

- ✓ The Chief Operating Officer will promote the existence of this Policy to all Personnel.
- ✓ Executive Directors will ensure Foundation and Divisional procedures, practices, plans and operations align with this Policy and that all relevant Personnel are aware of, and understand this Policy and their responsibilities under it.

- ✓ Divisions are encouraged to put in place procedures to implement the principles set out in this Policy; including for specific countries. However, this Policy will prevail to the extent of any ambiguity or inconsistency between this Policy and those procedures.
- ✓ Executive Directors are responsible for monitoring and responding to any Financial Crime risk or concerns arising within The Foundation's business activities. The Executive Director will include risks and incidents on the relevant registers and seek the advice of the Policy Owner on issues of contention.

### **Policy Owner**

- ✓ The Policy Owner is responsible to ensure the Policy complies with The Foundation's obligations and contemporary practice and will update this Policy as required.
- ✓ The Policy Owner will be responsible for addressing any issues arising in relation to this Policy and will be or arrange a point of contact for all Personnel for any issue of contention.
- ✓ The Policy Owner will assist the CEO prepare the reporting set out above
- ✓ The Policy Owner will inform the CEO of any key risk to The Foundation regarding Financial Crime and will record risks and incidents on the relevant organisational register.

### **Managers (Country and People Managers)**

- ✓ Managers will demonstrate a commitment to Zero Tolerance of Financial Crime and model best practices.
- ✓ Managers are to communicate this Policy and all related procedures to Personnel including ensuring that Financial Crime is a standard agenda item at all regular team meetings.
- ✓ Managers will engage with their teams in an open, honest and meaningful way to ensure they understand what is expected of them.
- ✓ Managers will constructively participate in the resolution of issues relating to Financial Crime.

## All Personnel

- ✓ All Personnel will adhere to the principles and commitments under this Policy and any related procedures and will take all reasonable care to ensure that their actions or omissions are not in breach of this Policy nor directly or indirectly encourage others to breach this Policy.
- ✓ All Personnel are responsible for identifying and responding to any Financial Crime-based risk or concerns arising within The Foundation's business activities. Any matters of contention must be reported to the relevant Executive Director.

## All associated stakeholders

All associated stakeholders operating with or on behalf of The Foundation are responsible to understand and abide by the principles and relevant commitments under this Policy and to advise the primary contact point within The Foundation of any issues that may arise.

## MONITORING

- ✓ A report on the implementation of this Policy will be submitted to the Board no less than annually across The Foundation's business activities, including the countries in which we work. The Policy Owner is responsible for compiling this report and submission to the CEO.
- ✓ This Policy will be reviewed every three years and the Policy Owner is responsible to undertake this review.
- ✓ The Business Operations Division has oversight for all Governance and Operational Policy and will ensure the Policy is listed on the Policy Register and provide support to the Policy Owner to ensure monitoring and reporting obligations are met.

## DEFINITIONS

**GTOFC** is an abbreviation for Green Town Orphan Foundation Centre.

**Bribery** is the offering, promising, giving, accepting or soliciting of an advantage as an inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, Facilitation Payments, rewards or other advantages.

**Collusion** A secret agreement between parties, in the public and/or private sector, to conspire to commit actions aimed to deceive or commit fraud with the objective of illicit **financial gain**. The parties involved often are referred to as 'cartels'. It includes but is not limited to the following:

- (a) Agreeing to increase prices faced by consumers and/or partners.
- (b) Deals between suppliers and customers. For example, price fixing or inflation of prices.
- (c) **Monopoly pricing**, which refers to a market situation when there is a single buyer of a commodity or service?
- (d) **Price fixing** where rival companies come to an illicit agreement not to sell goods or services below a certain price.
- (e) Agreement between existing partners in an industry to exclude new organisations from deals to prevent the market becoming more competitive.
- (f) Collusive tendering, for example 'cover prices' for competitive tendering in bidding for public construction contracts. This is when rival organisations agree to set artificially high price to allow the firm of choice to win with a relatively high contract offer. Conflict of Interest Situation where an individual or the entity for which they work, whether a government, business, media outlet or civil society organisation, is confronted with choosing between the duties and demands of their position and their own private interests.

Corruption is the abuse of entrusted power for private gain. Corruption includes but is not limited to:

- (a) Bribery;
- (b) Favouritism;
- (c) Extortion; and
- (d) Collusion.

Extortion is the act of utilising, either directly or indirectly, one's access to a position of power or knowledge to demand unmerited cooperation or compensation as a result of coercive threats.

Facilitation Payments means a small bribe, also called a 'facilitating', 'speed' or 'grease' payment made to secure or expedite the performance of a routine or necessary action to which the payer has legal or other entitlement.

Favouritism is favouring of one person or group at the expense of others and includes nepotism, which is favouritism shown to relatives.

Financial Crime refers to activities related to any of the following:

- (a) Fraud;
- (b) Corruption;
- (c) Terrorism Financing;
- (d) Money Laundering; or
- (e) Violation of Sanctions.

**Financial Crime Officer** means the Audit and Assurance Manager of The Foundation or such other person appointed by the Chief Operating Officer to be accountable for the management of financial crime.

**Fraud** means dishonestly obtaining a benefit, or causing a loss, by deception or other means. In this definition, benefit refers to both tangible items, such as money or objects, and intangible benefits including power, status or information. Fraud includes but is not limited to the following:

- (a) Theft of funds or any other The Foundation's property;
- (b) Falsification of costs or expenses;
- (c) Forgery or alteration of documents including invoices;
- (d) Unauthorised destruction or removal of records;

- (e) Inappropriate personal use of The GTOFC's assets;
- (f) Seeking or accepting cash, gifts or other benefits from third parties in exchange for preferment of the third parties in their dealings with The Foundation;
- (g) Paying of excessive prices or fees to third parties with the aim of personal or organisational gain;
- (h) Using an electronic signature without the written consent of the owner; and
- (i) Failure to declare a Conflict of Interest.

**Money Laundering** means the process of concealing the origin, ownership or destination of illegally or dishonestly obtained money and hiding it within legitimate economic activities to make them appear legal.

**Personnel** means any person who carries out work in any capacity for the benefit of The Foundation or its related bodies corporate, which includes employees, contractors, sub-contractors, consultants, work experience students, volunteers, Board directors and any other person who formally acts on The Foundation's behalf.

**Safeguarding Officer** or SO means the Chief Operating Officer of The GTOFC or such other person appointed by the CEO to be accountable for the management of safeguarding at The Foundation globally.

**Terrorism Financing** means intentionally providing or collecting funds and being reckless as to whether those funds would be used to facilitate or engage in a terrorist act.

**Whistle blower** has the meaning given to that term in the Speak-Up Policy.

**Zero Tolerance:** means that consequences will apply if allegations are proven. A zero tolerance approach to Financial Crime does not mean that all Financial Crime can be avoided or prevented.

Instead a zero tolerance approach represents a set of principles and commitments that are applied by The GTOFC to prevent, detect, investigate and respond to Financial Crime in order to effectively manage associated risks.

## **The Complaints Handling Process**

This section outlines the procedure for having a complaint addressed by the Committee.

### **Definitions:**

GTOFC member: A Full GTOFC member as listed on the GTOFC website member list.

### **Appeals Officer:**

An independent decision-maker appointed by the GTOFC Board to consider appeals by a GTOFC member against an Own Motion Inquiry determination of the Code of Conduct Committee.

### **GTOFC Chief Executive Officer:**

The chief executive, a person appointed by and accountable to the GTOFC Board.

### **Chair:**

The Current Chair of the Code of Conduct Committee.

### **Complaint:**

An expression of dissatisfaction about a GTOFC member that includes an implicit or explicit expectation of a response and resolution.

### **Complainant:**

The person or organisation making the complaint.

### **Complaint Manager:**

The GTOFC staff member of the Code Secretariat assigned responsibility for handling the Secretariat's support and management of the complaint.

### **Enquiry:**

An expression of dissatisfaction with a GTOFC member without an expectation of a response and resolution.

### **Investigating Team:**

The members of the Code of Conduct Committee appointed to conduct an investigation into a complaint.

**Own Motion Inquiry:**

An investigation undertaken by the Committee either in response to a complaint or enquiry, or in response to other information obtained by the Committee (for example an issue about a GTOFC member/s).

