



EEB

European
Environmental
Bureau

Whistleblowing Policy

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The EEB is the largest network of environmental citizens' organisations in Europe. It currently consists of over 180 member organisations in 40 countries, including a growing number of networks, and representing some 30 million individual members and supporters.

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Introduction

- (i) The European Environmental Bureau (EEB) Whistleblowing Policy (the “Policy”) sets out the internal rules on whistleblowing concerning misconduct affecting the EEB, regarding activities of the EEB Secretariat, its Board, Council and General Assembly.
- (ii) Integrity represents a core value of the EEB. In implementing this core value, the EEB encourages staff and members of the public to report any issue that risks compromising the EEB’s integrity. The [EEB’s Anti-Corruption and Mismanagement Policy](#), the [EEB Diversity, Equality and Inclusion Policy](#) and the [EEB Policy on the protection from sexual exploitation, abuse and harassment \(SEAH\) and on safeguarding](#) explicitly urge staff and members of the public to blow the whistle in case of a suspicion of corruption, mismanagement, tax fraud or social fraud in EEB operations, discrimination, abuse or harassment, on matters such as sustainability and environmental protection, public health, the protection of privacy and personal data or any other matter that may compromise the EEB’s integrity.
- (iii) This Policy provides the framework and guidelines for Whistleblowers (as defined below) to report any misconduct within the EEB of which they become aware and to be protected against retaliation. Protecting Whistleblowers from retaliation also protects the EEB and the public interest by fostering integrity, transparency, accountability and legitimacy of the EEB.
- (iv) Good Faith is an essential safeguard to ensure that protection is not lost when the Whistleblower has made an inaccurate report in honest error. However, if the Whistleblower subsequently learns that the information disclosed is not true, they may continue to benefit from the protection afforded to Whistleblowers only if they have reported this new information in due time. At the same time, a lack of good faith implies that those who do not act with the intention to serve the interests of the EEB and/or deliberately and knowingly report abusive, false or malicious allegations, particularly if they are based knowingly on false or misleading information shall not be considered as Whistleblowers.
- (v) Acts of retaliation can include, but are not limited to, unlawful termination of the employment contract, harassment, improper assignment of work outside of the corresponding position’s job description, non-substantiated adverse evaluation of performance or determination of merit pay, the withholding of any entitlement, unfounded adverse personal action against others because of their association with a Whistleblower and adverse non-substantiated decisions regarding the continuity of employment, including the non-renewal of a fixed-term or other temporary contract. Retaliation may also include, but is not limited to, retribution in recruitment and procurement, in the award of contracts, in the administration of contracts, in evaluations of performance, and in the execution or negotiation of dealings with the EEB.
- (vi) Reports may be made anonymously but whistleblowers who choose to report anonymously should consider that since their identities are not known, it would not be possible for the EEB to provide them with the protection afforded by this Policy. Should

their identity become known at a later stage, they are entitled to the protection as afforded by this Policy.

Article 1. Definitions

For the purpose of this Policy, the following definitions shall apply:

- 1.1 **Anonymity** means a situation in which the identity of the Whistleblower is not known to the person(s) receiving information and handling a case.
- 1.2 **Confidentiality of Identity** means that the identity of the Whistleblower is known to the recipient of the information, but is kept strictly confidential – in particular, from the person(s) concerned – and is used on a strict need-to-know basis.
- 1.3 **Good Faith** means that the Whistleblower honestly and reasonably believes that the information disclosed, and any allegations contained, is substantially true. Good faith is presumed unless and until proven otherwise.
- 1.4 **An Investigation** means any process designed to gather and analyse information to determine whether misconduct has occurred and, if so, who is the person (or persons) concerned.
- 1.5 **Misconduct** means: a) Failure to comply with the EEB own rules (as expressed, for instance, in its statutes, policies, guidelines, Staff Terms and Conditions), and b) Committing any unlawful act that is or could be harmful to the mission or reputation of the EEB, insofar as the acts are committed by persons within the scope of this Policy (as defined in Article 4 of this Policy) or by a) any project-related party (e.g. contractors, suppliers, project partners, beneficiaries, or other relevant persons or entities) acting under the supervision of the EEB, for instance, a project lead by the EEB, or b) any consultant, supplier, service provider or other persons and entities procured by the EEB, or c) any other persons or entities that participate or seek to participate in activities financed or organised by the EEB.
- 1.6 **Whistleblower** means any natural person referred to in the scope of this Policy who submits a report in an individual capacity and in good faith regarding a) misconduct which has occurred or might be occurring, or b) attempted misconduct. Reports that are submitted in bad faith, particularly if they are based knowingly on false or misleading information shall not be deemed to be admissible; such reports constitute misconduct that entails disciplinary proceedings. In any case, all reports shall be deemed admissible until assessed otherwise. Information which is already fully available in the public domain or unsubstantiated rumours and hearsay are not admissible in the context of this Policy.
- 1.7 **Persons who have supported a Whistleblower** means the persons who have helped the Whistleblower in their reporting, for example, by way of encouraging, providing evidence, feedback and/or testifying in the subsequent assessment and/or investigation of the whistleblowing report.
- 1.8 **Persons associated with the Whistleblowers:** relatives, partners or spouses who are also staff members of the EEB, work for the EEB as service providers or serve on the EEB Board or Council. For the purposes of this Policy, people who are associated with a

Whistleblower only include those who are also persons within the scope of this Policy, as defined under Article 4.

- 1.9 **Retaliation** means any detrimental act or omission, direct or indirect, recommended, threatened, attempted or taken by another individual or other individuals against a Whistleblower, persons who have supported a Whistleblower or persons associated to the Whistleblower and is prompted by internal or external reporting or by public disclosure. Retaliation may include, but is not limited to, unlawful termination of the employment contract, harassment, improper assignment of work outside of the corresponding position description, non-substantiated adverse evaluation of performance or determination of merit pay, the withholding of any entitlement, unfounded adverse personal action against others because of their association with a Whistleblower and adverse non-substantiated decisions regarding the continuity of employment, including the non-renewal of a fixed-term or other temporary contract. Retaliation may also include, but is not limited to, retribution in recruitment and procurement, in the award of contracts, in the administration of contracts, in evaluations of performance, and in the execution or negotiation of dealings with the EEB. Retaliation does not include any EEB actions that are based on the appropriate application of EEB Staff Terms and Conditions, policies, procedures and contract terms.

Article 2. Basic principles

- 2.1 No approvals or authorisations shall be needed to report alleged misconduct. It is not necessary for Whistleblowers to present evidence of an alleged misconduct.
- 2.2 Actions of retaliation are forbidden and considered to amount to misconduct.
- 2.3 The EEB ensures that reports from Whistleblowers will be investigated. If the allegations are confirmed, the EEB shall take all necessary and proportional remedies and actions within its power. Whistleblowers are encouraged to disclose their identity when reporting information about misconduct to enable the EEB to protect the Whistleblower and facilitate the investigation. Nonetheless, the EEB shall also assess all reports that are submitted anonymously.
- 2.4 The identities of Whistleblowers and persons who have supported a Whistleblower shall be kept strictly confidential and may be disclosed only on a strict need-to-know basis in accordance with the terms of Article 7.2. below. This shall also apply to any other information from which the identity of the Whistleblower or the person who has supported a Whistleblower may be directly or indirectly deduced. Reporting channels shall be operated confidentially.
- 2.5 The fundamental rights of any person implicated by the reported information shall be respected in line with Belgian law.
- 2.6 Without prejudice to the use of internal reporting channels to report misconduct (see Article 5.1. below), where the person(s) designated to receive a report do not have the competence to address the alleged misconduct reported, it should pass it on to a

competent person within a reasonable time, in a secure manner, and inform (where the reporting is not anonymous) the Whistleblower, without delay, of such transmission. The appropriate reporting channels are identified in Article 5.

Article 3. Scope of the Policy

This Policy shall apply to all EEB staff members, members of the EEB Board and Council and any other person providing the EEB with services, irrespective of their administrative position or status, including but not limited to, secondees, trainees and interns and any other persons not directly employed by the EEB but providing services, such as temporary workers (interim staff), volunteers, external consultants or employees of other service providers while they work for or provide services to the EEB.

Article 4. Reporting channels and investigation

4.1. Reporting channels in the EEB

Any information relating to prohibited or unethical conduct shall be reported in writing or orally to the EEB's Secretary General. Reporting in written can be sent either by email directly to the Secretary General or to whistleblowing@eeb.org (marking the email as 'confidential'), or by post by addressing it to "EEB Secretary General" at the EEB Secretariat's current legal address and marking the letter as 'confidential'. If the sender prefers to remain anonymous, they may use a non-personal email address (eventually using a provider that can guarantee non-traceable email communication) or send an anonymous letter.

4.2 Handling of reports in the EEB

Based on the reported misconduct, the Secretary General shall investigate the matter without undue delay. The Secretary General may also involve other staff members or members of the Board in the investigation, depending on the nature of the allegation. The Secretary General can also delegate the task to another staff member or Board member. The person in charge of the investigation will maintain communication with the Whistleblower and if necessary, ask for further information and provide feedback. The person responsible must follow up on the report within three months and provide feedback to the Whistleblower.

4.3 Alternative EEB reporting channels

If the use of the established reporting mechanism provided for in Article 4.1 is not appropriate, in view of the circumstances or nature of the information, it is possible to report the matter to the EEB's Deputy Secretary General, to the EEB's President (president@eeb.org), or where the Secretary General, their Deputy and the President are linked to the allegations, any of the members of the [EEB Board](#). In that case, the person addressed shall assess the matter without undue delay and may launch an investigation. As outlined under 4.2 for the Secretary General, an alternative person receiving the report may also involve another staff member or member of

the Board in the investigation and shall appoint a Reporting Manager. Where an alternative reporting channel is used, all relevant rules under this policy are applied mutatis mutandis.

4.4 External reporting channels

Allegations concerning prohibited conduct can also be reported directly to the police, the Federal Ombudsman or any other competent national authority.

Article 5. Information rights of the Whistleblower

A whistleblower in the EEB has the following information rights:

- 5.1 to be provided with an acknowledgement of receipt of their report as rapidly as possible and, in any event, within five working days;
- 5.2 to be informed, no later than three months following receipt of the report, if it is proposed to investigate the matters raised in the report and, if so, what arrangements are being made for that investigation as well as the expected timescale of the investigation;
- 5.3 to be kept informed, to the greatest extent possible, of progress in any investigation being undertaken, provided this is consistent with the rights of any affected third party and with the protection of the investigation process itself;
- 5.4 to be informed, as rapidly as possible, and within a maximum of 1 month of its conclusion, of the outcome of the investigation; depending on the circumstances and having regard to the requirement to protect the position of any person who may because of the investigation be facing other proceedings.

Article 6. Protection, support and guidance

6.1 Guidance Potential

Whistleblowers may approach the Secretary General or their Deputy or a member of the Board to seek guidance and support on: a) whether the potential submission would be covered by this Policy; b) which reporting channel may be best for communicating the relevant information; c) which alternative procedures are available if the information does not qualify for whistleblowing; d) advice and guidance on protective measures that may be applicable following the reporting, or on any other question related to this Policy. Whistleblowers may also be advised to call on the Federal Institute for the Protection and Promotion of Human Rights, which is the central information point for the protection of Whistleblowers.

6.2. Confidentiality of identity

- 6.2.1 The EEB shall, to the greatest extent possible, seek to protect the identity of a whistleblower and the confidentiality of the report received, as well as the identity of persons implicated
- 6.2.2 Only staff members responsible for processing the whistleblowing files and records shall have access to them. The staff members responsible shall determine whether such files and records may be shared (entirely or in part) with other parties on a strict need-to-know basis.
- 6.2.3 Authorised staff who are in a conflict of interest or who have recused themselves from an investigation shall not receive any information on the case.
- 6.2.4 Whistleblowers' identities and the identity of the persons who supported a Whistleblower shall not be disclosed. except where the whistleblower has given express permission for their name to be disclosed, or where this is necessary to ensure procedural fairness in disciplinary or other proceedings. This assurance does not apply where a member of staff knowingly reports false information.

6.3. Anonymity

Whistleblowers may choose to remain anonymous. Anonymous reports should include a description of the alleged misconduct with all the details available to the Whistleblower to allow an efficient assessment of the case and to enable remedial measures to be taken. Anonymous Whistleblowers are encouraged to provide the above information to the EEB Secretary General, or the alternative reporting channels outlined above, by post or anonymous email accounts created for this purpose, for the competent persons to be able to contact them.

6.4. Retaliation

6.4.1 Prohibition of retaliation

Any form of retaliation against a Whistleblower is prohibited.

If an investigation finds that a staff member of the EEB has committed an act of retaliation, they shall be subject to disciplinary measures. The EEB shall also consider adopting any other measures necessary to remedy the retaliation.

If an investigation finds that an external party has committed an act of retaliation, then the EEB shall review any cooperation with such party and undertake appropriate action. Actions may include, but are not limited to, terminating collaboration with such a party, refraining from future collaboration, as well as pursuing available judicial remedies where applicable.

6.4.2. Reporting retaliation

Whistleblowers, persons who have supported a Whistleblower or persons associated with a Whistleblower who believe that they have been victims of retaliation or have valid reasons to believe that they are exposed to a risk of retaliation, should immediately report the matter to the person listed above.

It shall be up to the individual who has allegedly committed the retaliation act to prove that there is no causal link between the whistleblowing report and the alleged retaliation act, i.e., that the act is not a retaliation against the Whistleblower.

6.4.3. Investigation of reported retaliation

Based on the reported retaliation, the Secretary General shall assess the matter without undue delay and may launch an inquiry.

Whistleblowers shall not lose protection if their reports cannot be substantiated.

6.4.4. Protection against retaliation

The EEB shall, to the greatest extent possible, protect a Whistleblower against any acts of retaliation or reprisal, disadvantage or discrimination at the workplace, including in performance reviews, linked to or resulting from whistleblowing. The same protection is granted to members of staff who have supported a whistleblower.

The Secretary General shall assess the circumstances of the case and may decide on temporary and/or permanent measures to protect the Whistleblower, a person who has supported a Whistleblower or a person associated with a Whistleblower and after consulting them. Such measures might include, but are not limited to: 14 a) the temporary suspension of the effect of actions alleged to be retaliatory until their verification; b) mobility: temporary and/or permanent reassignment of the Whistleblower, of the person who has supported a Whistleblower, of the person associated with a Whistleblower or of the retaliating staff member to another position, if appropriate and to the extent possible, taking into consideration the types of posts that fit their profiles and the needs of the services; c) placement on paid administrative leave of the Whistleblower, of the person who has supported a Whistleblower, of the person associated with a Whistleblower or of the retaliating staff member for an initial period. The Secretary General, with support from the EEB board, may approve an extension of such leave for the period necessary to complete the investigation; d) any other actions deemed appropriate to mitigate the possibility of retaliation and consequences of retaliation.

Article 7. Abuse of Process

Reports that are submitted in bad faith, particularly if they are based knowingly on false or misleading information shall not be deemed to be admissible; such reports constitute misconduct that entails disciplinary measures. In any case, all reports shall be deemed admissible until assessed otherwise. Information which is already fully available in the public domain or unsubstantiated rumours and hearsay are not admissible in the context of this Policy.

Article 8. Protection of the person or persons implicated

- 8.1 Notwithstanding the safeguards provided for in the applicable investigation procedures, the persons implicated shall enjoy the presumption of innocence and the right of defence.
- 8.2 The identity of the persons implicated shall be disclosed only to those persons or entities authorised to receive them or otherwise, on a strict need-to-know basis.
- 8.3 Upon dismissal of the case, the persons implicated shall have the right to seek an effective remedy, including their appropriate reinstatement in employment.
- 8.4 Following the investigation's conclusion, the people implicated shall be informed as quickly as possible whether it is proposed to take any action against them. The EEB shall support those persons who have suffered because of reports made maliciously, based on information known to be false or incorrect.

Article 9. Confidentiality and involvement of the Whistleblower

- 9.1 In the interest of a possible or ongoing investigation, a Whistleblower is duty-bound not to disclose information on the reporting, the existence or the progress of an investigation.
- 9.2 If a Whistleblower is involved in misconduct and decides to come forward and report it, they shall be afforded the protection prescribed in this Policy. However, this disclosure shall not exonerate them from any disciplinary sanction. Such reporting might constitute a mitigating factor in any ensuing disciplinary proceedings.

Article 10. Implementation and updates to the Policy

- 10.1 The Secretary General is responsible for the proper implementation of this Policy
- 10.2 The Senior Management Team shall be consulted, and the Board shall be informed in advance when adopting or amending any internal rules relating to provisions under this Policy.

Article 11. Disciplinary measures

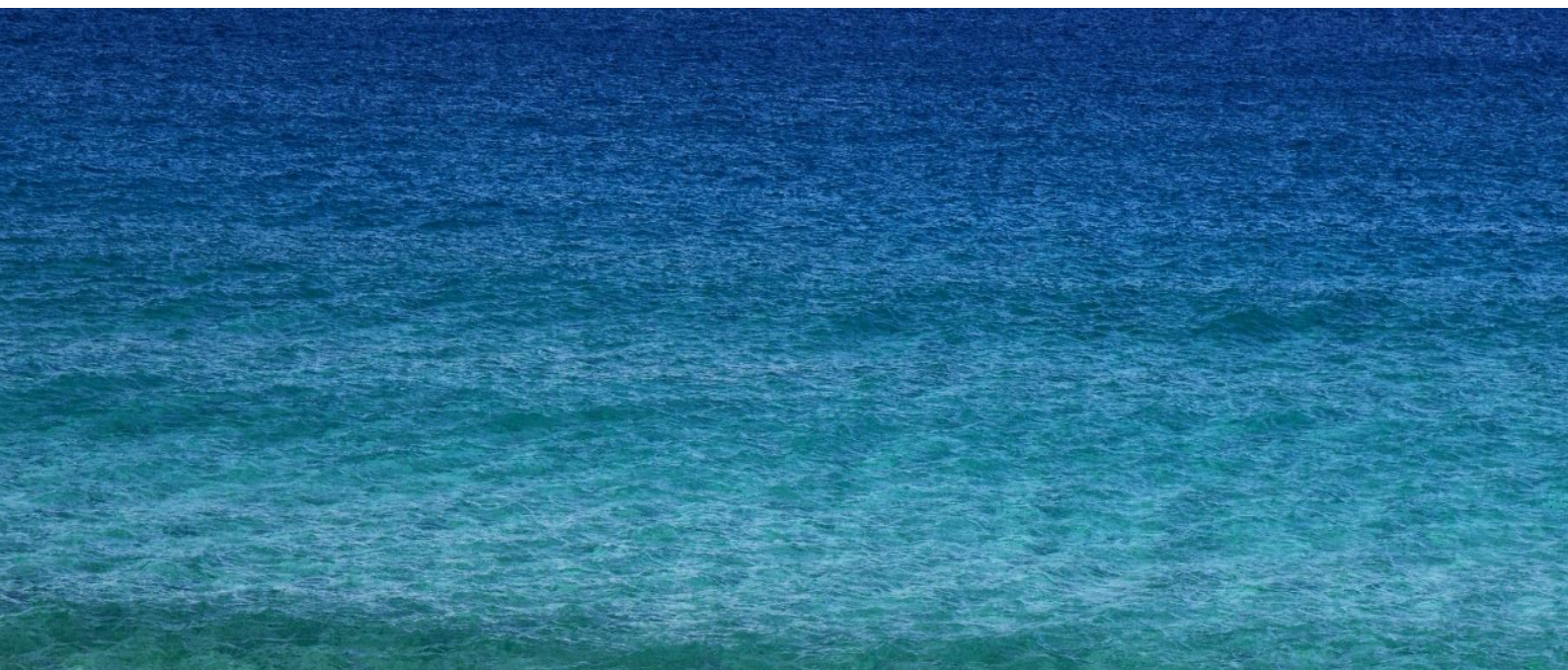
- 11.1 Any infringement of any of the provisions of this Policy may constitute misconduct and lead to disciplinary measures.
- 11.2 Abusive, false or malicious allegations, particularly if they are based knowingly on false or misleading information may also lead to disciplinary and criminal proceedings, as applicable. The burden of proof in this context is on the EEB.

Article 12. Data protection provisions

- 12.1 The processing of personal data within the framework of this Policy shall be done in accordance with the principles and rules provided for Regulation (EU) 2018/1725 as amended, supplemented or replaced from time to time, and the [EEB's Privacy Policy](#).
- 12.2 Whistleblowers shall be informed of the processing of their personal data in the context of the acknowledgement of receipt of the Whistleblower's report and in accordance with the respective applicable procedures and shall be provided with the relevant data protection statement. Whistleblowers are entitled to access, rectify and (in certain circumstances) block their data by contacting the person in charge of investigating their report.
- 12.3 Personal data which is manifestly not relevant for the handling of a specific report shall not be collected or, if accidentally collected, shall be deleted without undue delay.

Article 13. Final provisions

- 13.1 This Policy is adopted by the EEB Senior Management Team and enters into force on 1 October 2023 ("enactment date").
- 13.2 EEB staff members and members of the EEB Board and Council will be made aware of this Policy and about their and external persons' whistleblowing options.





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