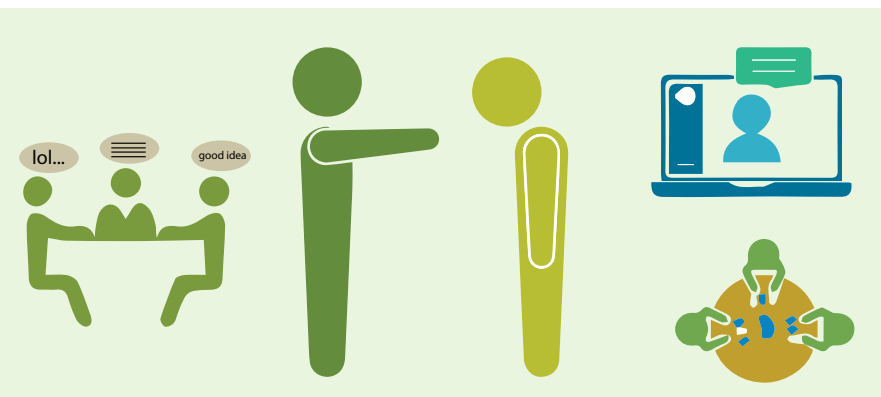


Misconduct Reporting Policy



**Policy number:
LEG-POL-05-2020**

September 2020

General Objective:

CIMMYT subscribes to overarching values of excellence, integrity, teamwork, and respect. CIMMYT's mission of improving livelihoods through maize and wheat science requires that CIMMYT Community Members perform with the highest personal and professional ethical integrity. The culture that CIMMYT strives to create requires recognition that every voice of its Community Members matters. The purpose of this Policy is to ensure that CIMMYT functions openly and transparently, and affords protection from retaliation for individuals who report misconduct or cooperate with duly authorized audits or investigations, guiding Team Members with specific concerns that common commitments to ethical conduct may be at risk. This Policy must be read in conjunction with the Reporting Procedure.

Scope:

This Policy applies to both CIMMYT Int., and CIMMYT A.C., and their respective branches and affiliate organizations, at both headquarters and all global locations (collectively "CIMMYT"); Members of the CIMMYT Board of Trustees and advisory bodies, officers, management, staff, individual consultants, seconded employees, interns, and volunteers (collectively "Team Members"); and Sub-Grantees, partner organizations, contractors, outside experts (including attorneys), consulting firms, agents, representatives, and any other organization or individual that acts on CIMMYT's behalf or at CIMMYT's direction (collectively "Partners"). Team Members and Partners are collectively referenced as "Community Members."

Policies:

1. CIMMYT Community Members are all accountable for upholding honest and ethical conduct. CIMMYT Management shall maintain a culture that supports and strengthens commitment to this conduct.
2. Team Members shall comply with CIMMYT'S ethical principles as contained in all its policies and have a responsibility to immediately report any violations or suspected violations of these through the mechanisms provided in this Policy.
3. Team Members and Partners shall protect CIMMYT, its mission, its beneficiaries and funders from Violations, at all times, and ensure that concerns and Violations are reported. Team Members and Partners must file a report if they suspect a Violation. **To file a report, please see the Misconduct Reporting Procedure [LINK](#).**
4. This Policy enables Team Members and Partners to raise allegations of violations against CIMMYT's policies related to ethical conduct, including but not limited to CIMMYT's Code of Conduct, the Anti-Fraud, Anti-Corruption & Anti Bribery Policy, Anti-Money Laundering Policy, Child Safeguarding and Anti-Trafficking Policies, waste and/or mismanagement of funds, abuse of authority, (sexual) harassment, substantial and specific danger to public health and safety caused by CIMMYT or its Partners, or violations of any law, rule, or regulation related to funder requirements, or other illegal conduct (collectively referred to herein as "Violations") in good faith (a "Good Faith Report"), without the fear of retaliation, internally so that CIMMYT can address and avoid, or where necessary correct, inappropriate conduct and actions. A Good Faith Report requires the reporter to fully cooperate with duly authorized audits and investigations, providing facts and information required for CIMMYT's proper response to the allegation.
5. No Team Member or Partner who makes a Good Faith Report shall suffer harassment, retaliation or adverse employment, project or commercial consequences, such as termination, demotion, or other discrimination as reprisal solely for making such a Report. This Reporter protection is not subject to waiver by any agreement, Policy, form, or condition of employment.
 - 5.1. Where reported Violations may affect an individual's physical or emotional safety or well-being, CIMMYT will take measures:
 - 5.1.1. to provide timely referrals for appropriate support, and
 - 5.1.2. to ensure the safety and security of any at-risk Community Members
 - 5.2. While CIMMYT encourages disclosure of the identity of the Reporter to address the issue raised adequately, it also provides a channel for disclosure under anonymity through the CIMMYT Third Party Helpline. The Helpline guarantees anonymity; no one from CIMMYT can identify a Reporter who uses the Helpline.
6. CIMMYT does not tolerate retaliation; Team Members who retaliate against a Reporter solely for making a Good Faith Report will be subject to corrective and/or disciplinary action under the Corrective and Disciplinary Policy,
7. Reports of retaliation should be made to the CIMMYT Third Party Helpline at [link](#) or the CIMMYT Compliance Officer at CIMMYT_Compliance@cgjar.org. Allegations of retaliation will receive a prompt, full, and fair investigation, protecting confidentiality as much as practicable. An employee who harasses or retaliates against a Team Member or Partner who has reported a violation in good faith is subject to disciplinary measures.
8. CIMMYT'S Helpline is not intended to address general complaints about the workplace, interpersonal issues, or other issues not related to Violations as described above. Instead, general complaints are raised with Supervisors, Trusted Persons, Human Resources or the CIMMYT Compliance Officer at CIMMYT_Compliance@cgjar.org. General complaints about misconduct may lead to corrective and/or disciplinary action under the Corrective and Disciplinary Procedure.

9. Knowingly making an unsubstantiated report, a false allegation or making false or misleading statements in an allegation or to CIMMYT or Funder investigators, external law enforcement, or failure to cooperate in an investigation under this Policy leads to possible disciplinary action including termination of employment or Partner relationship.
10. CIMMYT will not require its Team Members or Partners to sign or comply with agreements or statements that prohibit or otherwise restrict them from lawfully reporting matters including but not limited to waste, fraud, or abuse to a designated investigative or law enforcement representative of a department or agency authorized to receive such information.
11. CIMMYT and its Funders expect that Violations are reported internally as described in this Policy and the related procedure [\[link\]](#). Reporting ensures that CIMMYT investigates, takes appropriate corrective and/or disciplinary action, and reports to its Board and Stakeholders as and when required.
12. All CIMMYT agreements with Partners will include a clause that requires the Partner to adhere to this Policy and to communicate this Policy to their staff.

Definitions:

- **Misconduct:** violation of applicable laws, rules or regulations, donor requirements or CIMMYT's Code of Conduct and Rules; waste and/or mismanagement of funds; abuse of authority; or endangerment of health and safety of CIMMYT Staff, partners, or other Community Members.
- **Rules:** the standards expressed by CIMMYT or CGIAR Policies and Procedures, or agreed Frameworks; the applicable laws and regulations governing CIMMYT operations around the globe; and the behavior and activities regulated by bilateral or multilateral agreements or treaties with or among government organizations or between government organization(s) and CIMMYT, with which CIMMYT has an obligation, mandatory or voluntary, to comply.
- **Good faith:** the spirit with which a report is made; allegations raised with the genuine belief of the truthfulness of the information.
- **Reporter:** A CIMMYT Team Member or Partner who makes a report of concern or violation of Rules.
- **Retaliation:** any direct or indirect detrimental action recommended, threatened, or taken following the lodgment of a Report. When established, retaliation is, by itself, misconduct.

Policy Interpretation:

Disputes arising under this Policy will be resolved between the CIMMYT Compliance Officer and Human Resources and documented with CIMMYT's Compliance Team General Counsel shall advise regarding the privileges and immunities granted to CIMMYT by the *Secretaria de Relaciones Exteriores de los Estados Unidos Mexicanos* (Ministry of Foreign Affairs of the United Mexican States).