

GC Safeguarding and Integrity System: Structures and Processes

Approved by the GC Council on 23 September 2024

What is a Safeguarding and Integrity System?

A Safeguarding and Integrity System is a set of procedures, measures and practices to ensure that an organisation upholds its value commitments, protects individuals from harm, and responds to allegations of wrongdoing.

The purpose of the Global Campus of Human Rights (hereinafter Global Campus or GC) Safeguarding and Integrity System is to ensure that the values affirmed by the GC Code of Ethics and the GC Code of Conduct are well disseminated, understood and observed; that the Global Campus and its stakeholders uphold their mutual responsibilities (as outlined in the abovementioned Codes); and to ensure allegations of misconduct and violations are managed in a clear and transparent manner.

What are the components of the Safeguarding and Integrity System?

- GC Code of Conduct
- GC Code of Ethics
- GC Whistleblowing Procedure
- GC Integrity Team
- GC Case Management System

What is the GC Code of Ethics?

The GC Code of Ethics is an integral part of the Organisation, Management and Control Model pursuant to Legislative Decree No. 231/2001 (hereinafter the Model). The GC adopted this Model in 2018 to be compliant with the abovementioned Italian legislation. This law meant that not only are individuals criminally liable for certain actions, but organisations themselves can also be liable for certain crimes. These crimes include corruption, fraud against the state, IT crimes, crimes related to the safety of the workplace and violations of labour law and immigration law, money laundering and environmental crimes. Allegations of misconduct or violations under the GC Code of Ethics have a separate reporting mechanism to that of the GC Code of Conduct.

What is the GC Code of Conduct?

The GC Code of Conduct is a publicly available document that outlines core values of the GC, responsibilities towards its stakeholders, and the interpersonal responsibilities that members of our community bear towards one another and to the institution. Its purpose is to ensure that the GC Headquarters (GCHQ) is a work and study environment in which human rights and democratic values are promoted and observed.

What is the difference between the GC Code of Ethics and the GC Code of Conduct?

As explained above, the **GC Code of Ethics** is a document required by Italian law which outlines the legal obligations of the GC under Italian national law with respect to administrative liability for legal entities and the legal obligations of individuals employed by the GC. Allegations of violations of the GC Code of Ethics can be made using the GC Whistleblowing Procedure.

The **GC Code of Conduct** affirms the values and commitments of the GC community of professionals and students, and outlines duties and obligations we have to one another in order to nurture a culture of human rights and democratic values. Allegations of misconduct and violations of the GC Code of Conduct can be made using the GCHQ Case Management System outlined below.

How can you report a violation?

If you feel that a violation of either Code has occurred, you should try to identify which Code is most relevant and make an assessment about which mechanism to use. The person who receives the complaint will make a similar assessment with a view to ensuring that your complaint is addressed through the most appropriate mechanism.

What is the GCHQ Integrity Team and what is its role?

While every member of the GC community is responsible for ensuring a culture in which human rights and democratic values are nurtured at the GCHQ, the Integrity Team is a small group of employees based in GCHQ who play a particular role in the Safeguarding and Integrity System. Their role is:

- To act as anchor persons within the GCHQ to collaborate with stakeholders to promote best practice, prevention and awareness in relation to safeguarding and integrity issues;
- To monitor and periodically review the GC Safeguarding and Integrity System;
- To act as recipients of allegations of misconduct and violations of the GC Code of Conduct and to provide or facilitate first-line support to complainants;
- To conduct periodic awareness-raising workshops with staff and students, and to ensure up to date policies are available to all suppliers (where appropriate and in conjunction with others);
- To disseminate safeguarding and integrity materials in all offices;
- Where appropriate to provide support to the Incident Management Panel during investigations of allegations of misconduct and violations of the GC Code of Conduct.

What is the composition of the GCHQ Integrity Team?

The Integrity Team is composed of four staff members of GCHQ:

- Integrity Coordinators: the GC Administrative and Human Resources Director, and the EMA Programme Director (ex officio positions);
- Focal Points: two GCHQ Officers. Focal points are appointed by the GC Secretary General for a period of 2 years (renewable).

What are the role and duties of the Integrity Coordinators?

- To advise and support GC Senior Management to protect those we work with from any form of misconduct perpetrated by parties involved in activities that take place or are principally organised by the GCHQ;
- To maintain the activities of the Integrity Team, to manage and support individuals within the Team, to raise awareness of the GC Code of Conduct and act to prevent violation of the Code;
- To support periodic revisions of the GC Safeguarding and Integrity System and related reporting procedures;
- To receive reports of allegations of violations and misconduct of the GC Code of Conduct;
- To lead the response to an allegation of a violation of the GC Code of Conduct, and to convene and support an Incident Management Panel where appropriate.

What is the role of the Focal Points?

- To support the work of the Integrity Team in promoting the values of the GC Code of Conduct and in responding to allegations of misconduct and violations;
- To receive allegations of misconduct and violations of the GC Code of Conduct and to forward them to the Integrity Coordinators;
- To raise awareness within GCHQ about the Safeguarding and Integrity System;
- To support periodic revisions of the GC Safeguarding and Integrity System and related reporting procedures.

Who are the current members of the GCHQ Integrity Team?

- Integrity Coordinators: Elisabetta Noli (GC Administrative and Human Resources Director) and Orla Ní Cheallacháin (EMA Programme Director);
- Focal Points: Gaia Balbo (Web Marketing Officer) and Elisabetta Zennaro (EMA Executive Officer).

How can you submit an allegation of a violation of the GC Code of Conduct?

Allegations can be made to any member of the GCHQ Integrity Team by:

- Writing to safeguarding@gchumanrights.org which is a dedicated email address monitored by the GCHQ Integrity Team;
- Writing directly to a member of the GCHQ Integrity Team;
- Arranging an in-person meeting with a member of the GCHQ Integrity Team. If any further action is to be taken on an allegation reported in person, an agreed written account of the allegation needs to be produced.

What happens after a complaint is submitted?

First, a determination is made by the Integrity Coordinators or the Whistleblowing Officer/GC Surveillance Body (as provided in the Code of Ethics) as to whether the complaint falls within the scope of the GC Code of Conduct or the GC Code of Ethics. If the complaint falls within the scope of the GC Code of Conduct, a second determination is made as to whether the GC Administrative and Human Resources Director or the EMA Programme Director will lead the response. This will be determined by the nature of the complaint and against whom it is made.

Complaints submitted about EMA students and/or visiting professors are managed within the governance structures of the EMA programme, and the EMA Programme Director will manage the case. Complaints submitted against GC staff and external collaborators are managed by the GC Administrative and Human Resources Director.

In all cases, complaints are managed according to the '**need to know**' principle. This means that only those whose duties require knowledge of the complaint will be given access to information concerning it. This is to protect the privacy of the person who alleges misconduct or a violation and the subject of a complaint.

After these determinations, a preliminary assessment is made of the complaint. The Integrity Coordinator may reach out to the author of the complaint and/or the subject of the complaint for further information. Depending on the nature and seriousness of the complaint, the Integrity Coordinator may determine that the case should be managed by an Incident Management Panel (IMP) (explained below).

If the Integrity Coordinator determines that the complaint does not warrant the convening of an IMP, the issue shall be dealt with within the Integrity Team. In such an event, the response may not be disciplinary in nature, but rather, if the complaint is upheld, the subject of the complaint may be asked to engage in further training around safeguarding and integrity issues.

What happens if the Integrity Coordinator assesses the complaint to warrant the convening of an Incident Management Panel (IMP)?

In the event that an allegation of misconduct or a violation requires further investigation, the Integrity Coordinator will convene an IMP. The IMP is responsible for the entire response, including overseeing case management and supporting investigations as required.

Who are the members of the IMP?

There are three categories of membership: 1) the decision-maker, 2) the case manager and 3) other relevant representatives.

1) The Decision-Maker: There is usually only one Decision-Maker who is responsible for the decisions taken within the IMP and who makes a final determination on the case on the basis of the investigation undertaken. The Decision-Maker is supported by the advice of others sitting on the IMP. The GC Secretary General is the Decision-Maker when the subject of complaint is a member of staff or an external collaborator (except in the event of a conflict of interest, see Figure 1 below). The EMA Chair and/or nominated representatives from the EMA governance bodies are the Decision-Makers if the subject of complaint is an EMA student or visiting professor (see Figure 1 below).

- **Responsibilities of the Decision-Maker**

- Ensures that the overall response is managed in accordance with legal obligations;
- Bears overall responsibility for risk management and mitigation during the response to the incident, including during the investigation, with the guidance and advice of the Case Manager and other relevant actors;
- Ensures provision of security support and advice to the Case Manager and other relevant actors, including acting on recommendations regarding risk mitigation;
- Signs off on Investigation Terms of Reference (TOR);

- Provides access to relevant information and documentary/physical evidence which may be necessary for the investigation;
- Receives the Final Investigation Report;
- Decides on appropriate action in the event that an allegation is substantiated. This may include a disciplinary process with relevant stakeholders.

2) Case Manager: The Case Manager is the relevant Integrity Coordinator determined by the institutional identity of the subject of complaint as outlined above.

- **Responsibilities of the Case Manager**

- Conducts a preliminary assessment of the complaint and ensures risk assessments are periodically updated;
- Calls an initial case conference with other relevant actors;
- Makes key decisions regarding investigations;
- Produces the Investigation TOR and plan;
- Ensures Confidentiality Agreements are signed and appropriately stored;
- Ensures any conflicts of interest are duly declared and evaluated;
- Produces a Final Investigation Report and corresponding recommendations;
- Provides advisory support to the Decision-Maker.

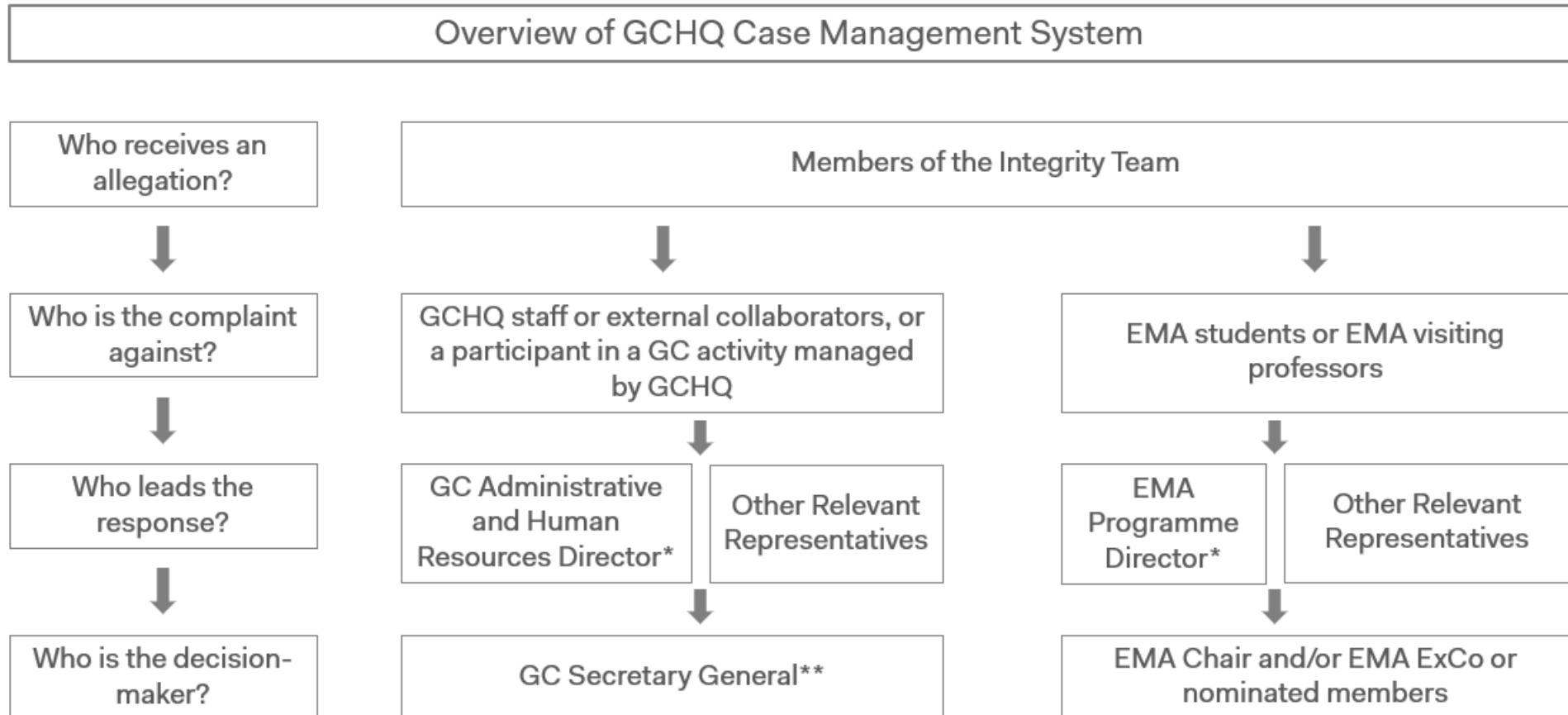
3) Other Relevant Actors

- **Focal Points:**
 - Notify the Integrity Coordinator of any allegations received directly;
 - May assist in identifying welfare and support referral pathways, as required;
 - May assist in communication with the author of the complaint, if appropriate (e.g. relationship of trust already built). Focal Points, however, should not generally assist in investigation activities in order to preserve the investigation's independence and to respect the different roles of members of the Integrity Team.

What will be the outcome of submitting a complaint?

The outcome of a complaint cannot be determined in advance. It will depend on the nature of the complaint, the evidence available to the Integrity Coordinators and/or the IMP. If the complaint is upheld, the subject of the complaint may be asked to engage in additional training on the Safeguarding and Integrity System and its underlying values and responsibilities. Depending on the seriousness of the allegation, a complaint may be referred to the relevant law enforcement authorities, and/or subject to disciplinary action according to Italian law and, where relevant, in the case of EMA students and visiting professors, in accordance with the relevant EMA rules.

Figure 1 Overview of Case Management System for GC Code of Conduct



*Except in case of conflict of interest

**Except in case of conflict of interest – in such cases the decision-maker will be the GC President and/or nominated representatives from the GC Council