



MARCUS LIBYA
ماركس ليبيا

MARCUS LIBYA Co.
FOR SECURITY SERVICES



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ISSUED: 17 JULY 2024

WHISTLEBLOWING POLICY

Revision: 07-2024
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MARCUS LIBYA FOR SAFETY AND SECURITY SERVICES WHISTLEBLOWING POLICY

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|------------------|-----------------------------|
| TITLE | WHISTLEBLOWING POLICY |
| DATE CREATED | JULY 2024 |
| POLICY CUSTODIAN | COMPLAINTS\GRIEVANCE OFFICE |



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1. Policy Statement

Whistleblowing is an important component of the governance system of an organization, while whistle blowers may face retaliation. MARCUS LIBYA whistleblowing policy is intended to encourage and enable staff members to raise serious concerns and to make it clear that MARCUS LIBYA will take the necessary steps to protect whistle-blowers. The policy reinforces its commitment to conducting its activities with honesty and integrity and to compliance with its policies, values, attitude, and behaviors. The policy has been designed to allow staff to disclose information that they believe shows malpractice, unethical conduct, or illegal practices in the workplace, without being penalized in any way. This includes protecting staff from any detriment or discrimination if they do report improper or illegal conduct within the organization. This policy affirms MARCUS LIBYA's position, whistle-blowers have a right to be anonymous and employees will not face any retaliation or abuse for raising concerns.

The policy will provide alternative channels through which reporting of suspected wrongdoing can be done, in the knowledge that the concerns will be taken seriously and investigated appropriately, in a way which will ensure that those who raise genuine concern can do so without fear of retaliation.

2. Definitions

Whistleblowing: Whistleblowing can be described as giving information about potential illegal and/or unethical practices, i.e. wrongdoing.

Wrongdoing: Wrongdoing involves behavior that can result in financial harm or bring discredit to MARCUS LIBYA. It includes but is not limited to:

- An unlawful act, whether civil or criminal in the country where the act occurred.
- Acceptance or offering of bribes for favors related to their association with MARCUS LIBYA.
- Undue favoritism or discrimination with respect to national, religious, tribal, or other ethnic groups in hiring, procurement, provision of service or any other form.
- Conflict of interest
- Breach of or failure to implement or comply with any published MARCUS LIBYA policy.
- Knowingly breaching MARCUS LIBYA's regulations.
- Serious unprofessional conduct.
- Questionable or fraudulent accounting or other practices, and Misuse of assets.
- Knowingly making a misstatement.
- Detention and restriction of apprehending persons.
- Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Sexual Exploitation and Abuse or Gender-Based Violence, and Sexual harassment.
- Slavery and Forced labor, or Forms of Child Labor.
- the recruitment of children for the provision of security services.
- Dangerous practice likely to cause physical harm/damage to any person or property
- Failure to rectify or take reasonable steps to report a matter likely to give rise to a significant and avoidable cost or loss to MARCUS LIBYA or a project.
- Abuse of power or authority for any unauthorized or ulterior purpose.
- Providing false information on official documents or reports
- Risking the organization's resources.
- Others (any wrongdoing not on the list)

Investigation team: is a team or a manager established by CEO to be responsible for

- Receiving whistleblowing wrongdoings
- Investigating the wrongdoings
- Making a decision based on the outcome of the investigation
- Reporting the outcome to the relevant top leadership of MARCUS LIBYA
- Ensuring protection of whistle-blowers



3. Basic Policy

Any MARCUS LIBYA or project staff/supplier/conference attendee/consultant/recipient/affiliated person or organization that makes a disclosure or raises a concern under this Policy will be protected if he/she:

- Discloses the information in good faith
- Believes it to be substantially true
- Does not act maliciously or make false allegations; and
- Does not seek any personal or financial gain

Warning: making any deliberately false or malicious allegations is a serious disciplinary offence, and also a civil or criminal offense, which may result in disciplinary or legal action against you.

4. Procedure for Whistleblowing

The aim of this procedure is to determine how the principles laid out in the Whistleblowing policy are implemented and used, by facilitating whistle-blower reporting. This is ensured by creating reporting channels for effective and timely response and informing employees about the steps to take. The reporting channels will also protect the whistle-blower against retaliation, while protecting the organization and employees against false or malicious allegations. Below, the information to be shared with any person who wishes to report wrongdoing.

Anyone with a complaint or concern about MARCUS LIBYA can choose to make a report either anonymously, non- anonymously or semi-anonymously. MARCUS LIBYA will facilitate this by providing an email address through which staff can make whistleblowing reports and create an online portal on the MARCUS LIBYA website through which whistleblowing reports can be made. The form should also be printable with a checklist to facilitate physical filling and subsequent sharing with the Executive Secretariat to enhance anonymity.

In the case of a wrongdoing, various channels for reporting are available.

- 1) **Option 1 – If you are an MARCUS LIBYA employee**
 - a. Your immediate supervisor
 - b. Your director
- 2) **Option 2: If you are an MARCUS LIBYA employee and the complaint/report is against your supervisor or director,**
 - a. Human Resources Officer
 - b. Internal Audit,
- 3) **Option 3: if you are an MARCUS LIBYA employee and the complaint / report is against your supervisor or director, and you have reason to believe the internal audit or the HR office cannot handle the situation, for cause of conflict of interest for example.**
 - a. Complaints\Grievance office
 - b. CEO
- 4) **Option 4: If you are not an MARCUS LIBYA employee or if you do not wish to disclose your relationship with MARCUS LIBYA**

In case of a paper complaint/ report, the whistleblower will provide an address where they can receive the response from MARCUS LIBYA. For the online form, they will provide an email address and other contact details as they deem appropriate for receiving a response from MARCUS LIBYA.



5. MARCUS LIBYA's Response and Timescale

MARCUS LIBYA will take the following steps to investigate the complaints received.

Within **10 calendar days** of a concern being raised, MARCUS LIBYA will write to you with the following information

- Acknowledgement that the concern has been received (within 24Hrs).
- How MARCUS LIBYA proposes to deal with the matter.
- Any initial enquiries made.
- Any further information needed from you.
- Any further investigations that will take place.
- Estimated timeline to provide a final response.
- If your report has been dismissed, the reasons for its dismissal.

If urgent action is required, it will be taken before any investigation is conducted. Concerns will be investigated as quickly as possible. The seriousness and complexity of any complaint may have an impact on the time taken to investigate a matter. The amount of contact between the persons considering the issues and the whistle-blower will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, MARCUS LIBYA will seek further information from the whistle-blower. MARCUS LIBYA will take steps to minimize any difficulties which the whistle-blower may experience as a result of raising a concern. MARCUS LIBYA accepts that the whistle-blower needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, MARCUS LIBYA will inform the whistle-blower of the outcomes of any investigation.

6. Prevention of Recriminations, Victimization and Harassment

MARCUS LIBYA will not tolerate an attempt on the part of anyone to apply any sanction, detriment or punishment to any persons who have reported to MARCUS LIBYA a genuine concern that they may have concerned an apparent wrongdoing. Retaliation against staff who report concerns in good faith is against MARCUS LIBYA's policy and MARCUS LIBYA will take all reasonable measures to protect all legitimate whistle-blowers from any retaliation, ostracizing, discrimination or subsequent disadvantage. If, having made a report of suspicious conduct, the whistle-blower subsequently believes that he/she has been subjected to retaliation or mistreatment of any kind, he/she should immediately report it to his/her Director, Internal Audit, the Human Resources Officer, or the investigation team or Manager of complaints\Grievance office or MARCUS LIBYA CEO, Reports of retaliation will be investigated promptly, in a manner intended to protect confidentiality, consistent with a full and fair investigation. The party conducting the investigation will notify the whistle-blower of the results of such investigation. Any staff member who is found to have engaged in retaliation to or mistreatment of a whistle-blower will be subject to discipline.

7. Protection and Prevention of Retaliation

MARCUS LIBYA will not tolerate an attempt on the part of anyone to apply any sanction, detriment or punishment to any persons who have reported to MARCUS LIBYA a genuine concern that they may have concerning an apparent wrongdoing.

If you believe that you have been subjected to retaliation or mistreatment of any kind because of a report/ complaint, you should immediately report it to

- your Director,
- Internal Audit,
- Human Resources Officer,
- Complaints\Grievance office,



If you are not an MARCUS LIBYA employee report it to:

- Complaints\Grievance office
- CEO
- A member of the MARCUS LIBYA board of members.

Reports of retaliation will be investigated promptly, and the of the results of such investigation will be notified to the concerned.

Any staff member who is found to have engaged in retaliation to or mistreatment of a whistle-blower will be subject to disciplinary measures. The organization shall engage legal action against any party who is found to have subjected an MARCUS LIBYA employee to any kind of mistreatment because of a report or complaint.

8. Confidentiality and Anonymity

MARCUS LIBYA will respect the confidentiality of any whistle-blowing complaint received by MARCUS LIBYA when the complainant requests confidentiality. However, it must be appreciated that it will be easier to follow up and to verify complaints if the complainant is prepared to give his or her name. In addition, confidentiality cannot be maintained if such confidentiality is incompatible with a fair investigation or if disclosure of the identity of the complainant is required by law.

9. Reporting Provisions

MARCUS LIBYA has designated the following officer/individuals based on the categories to be responsible for receiving the complaints.

| Position | Name | Email/Telephone |
|-------------------------------|----------------|-----------------|
| Complaints\ Grievance officer | Ayman Omar | cgo@marcus.ly |
| Human Resources Officer | Ashraf Massoud | hr@marcus.ly |
| CEO | Mohammed Ali | ceo@marcus.ly |

The various ways that MARCUS LIBYA employees or any stakeholder can whistleblow are;

- Online – MARCUS LIBYA Website (marcus.ly/m/contact/ or marcus.ly/m/complaints/)
- Email address (cgo@marcus.ly \ info@marcus.ly)
- In person
- Complaint box (B.O. box 6313)

Approved by:

Mohammed Ali
MARCUS LIBYA CEO