


Policy Name	Investigation Policy	Version #	2.0
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Division & Department	Internal Audit & Compliance	Date of previous version	9-Mar-2022
Training Required	No	Date of last review	10 August 2024
Signature	 JOSEPH PERERA (Nov 14, 2024 07:52 EST)	Date for next review	10 August 2026

I. Purpose

Pathfinder International, its subsidiaries and affiliates (“Pathfinder”) are committed to the highest standards of ethical and legal business conduct. To meet this standard, an investigation should be conducted if there is a potentially credible report of actual or suspected misconduct as defined in the *Reporting and Whistleblower Protection Policy* (“*Reporting Policy*”). This *Investigation Policy* establishes the framework and principles for investigating misconduct reports.

II. Applicability

This policy applies to investigations involving the Board of Directors, officers, employees, interns, volunteers, independent contractors, suppliers, advisers, consultants, sub-awardees, and anyone acting on behalf of Pathfinder (“Pathfinder Representatives”). The requirements for investigations conducted under this policy apply to reports of suspected misconduct as defined in the *Reporting and Whistleblower Protection Policy*, which includes violations of laws and regulations, Pathfinder policies, donor requirements, and ethical standards.

III. Responsibilities

The Senior Director of Internal Audit & Compliance is responsible for developing investigation guidelines consistent with the principles set forth in this policy. The Senior Director of Internal Audit & Compliance and the Global Compliance Manager are responsible for oversight of investigations to ensure compliance with this policy and any related procedures, including by reviewing the assignment of investigators; the conduct of investigations; as well as the documentation of investigation results.

Any person who receives a report of actual or suspected misconduct is responsible for reporting the incident to the management, the Compliance Hotline/Naves, Global Internal Audit & Compliance, Global Human Resources, or the Global Safeguarding director.

Global Internal Audit & Compliance must be immediately notified of the following misconduct reports:

- any matter described in the *Board Reporting Policy*.
- a suspected violation of a US law that applies to conduct outside the United States.

- any suspected misconduct involving USG- or foreign government-funded projects; and
- any other matter as required by the Senior Director of Internal Audit & Compliance.

The designated investigator is responsible to conduct an investigation in compliance with this policy, Pathfinder's *Investigation Standard Operating Procedures*, and local law. After establishing the relevant facts, the investigator is responsible to document the findings, to consult with the Senior Director of Internal Audit & Compliance, subject matter experts from other departments (e.g. Global Human Resources or Global Director of Safeguarding), Chief Legal Officer/Senior In-House Legal Counsel to determine if the facts constitute misconduct, and to submit the investigative findings to the Senior Director of Internal Audit & Compliance. Global Compliance is required to consult with legal counsel if the investigation uncovers any previously undisclosed non-routine legal matter. Non-routine legal matters include lawsuits, arbitrations, notices of violation, adverse findings, or similar claims brought or threatened against Pathfinder.

All Pathfinder employees and representatives are responsible for respecting the principles set forth in this policy and for cooperating with investigations conducted under this policy, including providing unrestricted access to Pathfinder International premises, facilities, records, and documentary materials, such as photographs, audio and video records, or electronically stored information (ESI). The investigator or their delegate may access materials owned by Pathfinder without the prior knowledge or consent of the Pathfinder representative who has use, custody, or control of the materials. If a litigation hold is issued, "custodians" of relevant data will be notified and will be responsible to ensure ESI and paper documents that may be relevant to the pending litigation are retained and not deleted or altered.

Refusing to cooperate, or providing false, misleading, or incomplete information as part of an investigation, are grounds for disciplinary action, up to and including termination.

IV. Policy Statement

All reports of suspected misconduct must be reviewed in a timely manner considering the nature of the allegation. If the review indicates that the complaint is credible and that there is reasonable basis to conduct further inquiry, a thorough investigation should be promptly initiated. However, no investigation should be conducted if a review establishes that the complaint: is frivolous, cannot be credibly investigated,¹ has already been resolved, or fails to allege misconduct as described in the *Reporting and Whistleblower Protection Policy*.

¹ For instance, it may not be possible to conduct a credible investigation if a report of misconduct was made anonymously, the reporter is the only person with relevant evidence, and the anonymous person cannot be contacted to further the investigation.

III.1. Purpose of Investigation

The purpose of an investigation is to establish the relevant facts to determine whether those facts constitute misconduct and who perpetrated it, investigations might be designed to achieve a number of different goals such as:

- Prevent further loss or exposure to risk.
- Determine whether there is any ongoing conduct of concern.
- Establish and secure evidence necessary for criminal or disciplinary actions.
- Minimize and recover losses.
- Review the reasons for the incident, assess the measures taken to prevent recurrence.
- Help promote an anti-fraud culture.
- Protect Pathfinder legal privileges.

III-2. Triage Process

Refer to Handling an Investigation SOP.

III-3. Assigning an Investigator

Reports will be investigated by or under the supervision of the Senior Director of Internal Audit & Compliance or Global Compliance Manager; Global Human Resources; or the Global Director of Safeguarding; the Legal Counselor another qualified person with relevant expertise. Investigations may also involve the use of outside legal counsel or appropriate external resources. Investigator assignments should be in accordance with the following principles:

- No person may conduct or supervise an investigation of an allegation relating to their own actions.
- No person may conduct an investigation relating to the actions of a person in their line of management (*for example*, someone they report to or who reports to them), except as determined necessary and appropriate by the Senior Director of Internal Audit & Compliance.
- The person who made the report must not conduct their own investigation unless officially designated to do so by the Senior Director of Internal Audit & Compliance or Global Compliance Manager; and
- An individual may not investigate the report if they have a personal interest in the misconduct (*for example*, a personal relationship with any persons alleged to be involved or a financial interest in the results of the investigation).

III-4 Conducting Investigations

All investigations will be conducted in accordance with applicable US and local laws. If there is a conflict between US and local law, the Senior Director of Internal Audit & Compliance, Global Compliance Manager and/or investigator should closely consult with the Legal Counsel on how to resolve any conflict.

Investigations must be conducted in a confidential, impartial, and objective manner. Persons not directly involved will be informed of an investigation only on a need-to-know basis. Pathfinder

representatives who are interviewed or otherwise contacted as part of an investigation are required to maintain its confidential status and may not discuss it with others inside or outside Pathfinder (this is not intended to prohibit any person from reporting misconduct that they are aware of to the US Government or other authorities as permitted by law). The person conducting an investigation will document each step, including evidence reviewed and witnesses interviewed, in addition to stating the finding(s) in writing.

As set forth in the “Whistleblower Protections” section of the *Reporting Policy*, persons who report actual or suspected misconduct or who provide information as part of an investigation are protected against retaliation.

When an investigation establishes that the relevant facts support a finding of misconduct, a report will be submitted to the person(s) responsible for determining corrective action, including disciplinary action where appropriate. Results of investigations will also be reported to the US Government and other authorities as required by law, and to donors and others as appropriate.

The person making a report will be informed when an investigation is initiated or the reason why an investigation was determined not to be required. Following an investigation, the reporter will be informed whether misconduct was determined to have taken place and whether corrective action was taken as a result. Details of the investigation and any corrective action will not be disclosed to the reporter.

III.5. Investigation Nature & Timeline

All investigations will be conducted within a reasonable timeline with a completion goal of 90-days depending on the nature of the allegation, the investigative timeline may need to be extended. Any extraordinary event that influence the conclusion of the investigation, should be documented. The timeline and complexity of the investigation will be determined by the following factors:

- **Seriousness and Urgency of the Allegation:**

Serious Allegations are those involving potential harm such as Safeguarding incidents, fraud, safety & security issues, or legal violations that may require immediate initial review, often within 24-48 hours. Less urgent matters or not time-sensitive may allow for a longer period of initial review.

- **Jurisdiction Legal Requirements:**

Regulatory Requirements may have legal mandates requiring action within a certain time frame. Donor regulations or country laws may dictate specific timelines, often requiring action within 30-90 days, depending on nature of the allegation. .

- **Complexity of the Allegation:**

Allegations are reviewed on an ongoing basis and all potential issues are immediately addressed. The length of investigation varies in timeline due to level of complexity and other constraints outside of Pathfinder control.

- a. **Resource Availability:**

Availability of resources such as investigators, legal counsel, or witnesses, evidences, can influence the course of the investigation (If there are limitations in staffing or resources, it may extend the reasonable time frame).

- **Stakeholder Involvement:**

If the investigation requires input or coordination with multiple stakeholders, this may add some time.

- **Anonymous Allegation or Unclear information:**

Anonymous Allegations or limited/unclear information provided by the sources, can result in more time needed to assess its credibility, though this should be done as soon as possible. Usually, reports received with unclear or vague information can be subject to Administrative Case Closure within a timeline of 30 days if no additional information is available.

III.6. Determining the Complexity of an Investigation

The complexity on an investigation can be determined by multiple factors described below that can delay or difficult the investigation process:

- Severe issues like SEA, harassment, financial fraud, cybercrime, terrorism financing, money laundry, or organized crime can be more challenging to investigate, requiring a deeper level of scrutiny, expertise, and more extensive investigation.
- Large volume of data, documents, or other forms of evidence can complicate the investigation. If evidence is difficult to obtain, such as data stored overseas, in conflicting areas or in secure environments, the investigation becomes more complex.
- Investigations involving multiple jurisdictions or countries.
- Investigations involving digital forensics, cybercrime, or other technical aspects may require specialized knowledge and tools.
- Lack of cooperation and resistance to provide evidence.
- The involvement of various stakeholders.
- Examination of events that occurred in the past can be more difficult due to the degradation of evidence and memories.
- Investigations in cultural dynamics or sensitive contexts.
- Budget Limitations can restrict the scope and depth of an investigation.
- Limited availability of skilled investigators, technical tools, and other necessary resources can impact the investigation's.

V. References

- Fraud & Corruption Policy
- Reporting and Whistleblower Protection Policy
- Board Reporting Policy
- Investigation SOP
- Investigation Process Form
- Policy for Retaining and Using Legal Counsel and Consulting with the Chief Legal Officer

Safeguarding Policy

VI. Change Log

Date	Version	Description of Change	Purpose
Aug 10, 2024	2.0	III.2 Purpose of investigation	New Chapter to provide clarity about the investigation process
Aug 10, 2024	2.0	III.5 Investigation Nature and timeline	New Chapter to provide clarity about the investigation process
Aug 10, 2024	2.0	III.6 Determining the complexity of an investigation	New Chapter to provide clarity about the investigation process
Aug 10, 2024	2.0	Heading, III & IV Responsibilities and communication	Replace the Chief Legal Officer by Global Sr. Director Internal Audit & Compliance or, Chief Financial Officer
Aug 10, 2024	2.0	VI References	added Fraud & Corruption Policy, Safeguarding Policy, Investigation SOP