

## **Whistle Blowing Policy – Guidelines For Raising Serious Concerns**

This policy applies to all staff, trustees, volunteers and charitable partners (hereafter referred to as “team members”) of Sand Dams Worldwide.

Whistleblowing is when a team member reports suspected wrongdoing at work. Officially this is called 'making a disclosure in the public interest'. A team member can report things that aren't right, are illegal or if anyone at work is neglecting their legal responsibilities. This applies to our work abroad as well as in the UK.

### **Introduction**

Team members are often the first to realise that there may be something seriously wrong within Sand Dams Worldwide or its partners. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

Sand Dams Worldwide is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, we expect team members, volunteers and charitable partners, who have serious concerns about any aspect of the charity's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

The policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This whistle-blowing policy is intended to encourage and enable team members to raise serious concerns within the charity rather than overlooking a problem or airing their complaints outside the charity.

This policy is in addition to Sand Dams Worldwide's complaints policy. Team members are responsible for making volunteers and charitable partners aware of the existence of this policy.

### **Aims and Scope**

This policy is designed to enable team members of Sand Dams Worldwide to raise concerns internally and at a high level and to disclose information which the individual believes shows malpractice or impropriety. This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately, but then might lead to the invocation of other procedures e.g. disciplinary. These concerns include:

- a) Financial malpractice, impropriety or fraud.
- b) Failure to comply with a legal obligation or statutes.
- c) Dangers to Health & Safety or the environment.
- d) Conduct which is a breach of the law
- e) Improper behaviour or unethical behaviour.
- f) A suspected breach of the Anti-bribery and Corruption Policy, the Respect and Dignity at Work Policy and the Safeguarding Policy
- g) Attempts to conceal any of these.

There are existing procedures in place to enable Sand Dams Worldwide staff to lodge a

grievance relating to employment matters.

**This policy aims to:**

- Encourage you to feel confident in raising serious concerns and to question and act upon concerns
- Provide avenues for you to raise those concerns and receive feedback on any action taken
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
- Reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in faith.

**Safeguards**

This policy has been written to take account of the Public Interest Disclosure Act 1998, which protects workers making disclosures about certain matters of concern, when those disclosures are made in accordance with the Act's provisions and in the public interest. The Act makes it unlawful for Sand Dams Worldwide to dismiss anyone or allow them to be victimised on the basis that they have made an appropriate lawful disclosure in accordance with the Act.

This policy is designed to offer protection to those team members and volunteers of Sand Dams Worldwide who disclose such concerns provided the disclosure is made:

- in good faith
- in the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person (see below).

It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the procedure.

Sand Dams Worldwide is committed to good practice and high standards and wants to be supportive of team members.

Sand Dams Worldwide will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect staff when they raise a concern in good faith.

Rarely, a case might arise where it is the employee that has participated in the action causing concern. In such a case, it is in the team member's interest to come into the open as soon as possible. Sand Dams Worldwide cannot promise not to act against such an employee, but the fact that they came forward may be taken into account.

**Confidentiality**

Sand Dams Worldwide will treat all such disclosures in a confidential and sensitive manner, The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

## **Anonymous Allegations**

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of Sand Dams Worldwide.

In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

## **Untrue Allegations**

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes a frivolous, malicious or vexatious allegation, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

## **How to raise a concern / timescales**

Concerns should be raised with a member of the Senior Management Team in the first instance. Where it would be inappropriate to approach a senior manager then concerns should be reported to any Trustee or the Chairman of the Board.

Staff should report the concern at the earliest opportunity so that action can be taken quickly.

Concerns may be raised verbally or in writing. Staff wishing to make a written report should mention the following:

- the background and history of the concern (giving relevant dates);
- the reason for the concern

Although staff are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for concern.

Sand Dams Worldwide always conducts exit interviews with any leavers and will give employees the opportunity to raise any concerns about current policies, including whistle blowing, and the perceived ability to speak freely and raise concerns.

## **Actions that Sand Dams Worldwide will take / investigating procedure**

The member of the Senior Management Team or Trustee will discuss any complaints with the Chairman to determine the most appropriate course of action. The Chairman has the right to refer the complaint back to management if he/she feels that the management, without any conflict of interest, can more appropriately investigate the complaint. Where appropriate, the matters raised may be:

- investigated by management, internal audit, or through the disciplinary/grievance process
- referred to the police
- referred to the external auditor
- referred and put through established child protection/abuse procedures

### **An Investigating Officer should follow these steps:**

- Full details and clarifications of the complaint should be obtained.
- In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.
- Within 10 days, acknowledge to the complainant that the complaint has been received; indicate how it is proposed to deal with the matter and inform them whether further investigations will take place and if not, why not.
- Inform the member of staff against whom the complaint is made as soon as is practically possible. The member of staff will be informed of their right to be accompanied by a colleague at any future interview or hearing held under the provision of these procedures.
- If there is evidence of criminal activity, then the investigating officer should inform the police. Sand Dams Worldwide will ensure that any internal investigation does not hinder a formal police investigation.
- The allegations should be fully investigated by the investigating officer with the assistance, where appropriate, of other individuals /bodies.
- The Chair of the Board of Trustees will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate Sand Dams Worldwide procedures.
- The complainant should be kept informed of the progress of the investigation and, if appropriate, of the final outcome.
- If appropriate, a copy of the outcomes will be passed to Sand Dams Worldwide's auditors to enable a review of procedures.

### **Timescales**

Due to the varied nature of these sorts of complaints, which may involve internal investigators and/or the police, it is not possible to lay down precise timescales for such investigations. The investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

The investigating officer should, as soon as is practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation and on the action that is proposed. If the investigation is a prolonged one, the investigating office should keep the complainant informed, in writing, as to the progress of the investigation and when it is likely to be concluded. All responses to the complainant should be in writing and sent to their home address.

### **Raising a Concern Externally**

Staff are strongly encouraged to exhaust the internal processes in the first instance however If a team member is unsure who to contact, the independent charity Public Concern at Work can advise. They offer a free and confidential helpline on 020 3117 2520.

In exceptional circumstances, or where having made a disclosure and the staff member is still unhappy with the outcome they have a legal right to make a disclosure to prescribed bodies including but not limited to:

- The Charity Commission
- HM Revenue and Customs
- The Health and Safety Executive

- The Environment Agency
- Fund Raising Regulator

Similar to the rights and obligations of any employee, Sand Dams Worldwide reserves the right to make a referral to any of the above bodies without the consent of the complainant.

### **Disclosure to the Press**

Disclosures to the press will not be considered as reasonable and may constitute misconduct. As such, the matter may be treated as a disciplinary matter in accordance with Sand Dams Worldwide's Disciplinary and Grievance policy and procedure.

### **Corporate Recording and Monitoring**

The Chief Operating Officer will maintain a corporate register containing all concerns that are brought to the attention of Sand Dams Worldwide. Any investigating officer allocated to look into a concern must ensure the Chief Operating Officer is provided with sufficient details for the corporate register.

The Chief Operating Officer will review the corporate register and produce an annual report to the Governance and Risk Committee. The report will include a summary of the concerns raised, outcomes and any lessons learned. The report will not include any employee names. The aim of this is to ensure that:

- Sand Dams Worldwide can learn from any mistakes and does not repeat them.
- Policies and training are updated accordingly.

The corporate register together with the annual reports will be available for inspection by external audit if appropriate, after removing any confidential details.

### **Who to Contact**

Inevitably, decisions as to what is acceptable may not always be easy. If anyone is in doubt, they may seek clarification from:

- Chairman of Sand Dams Worldwide email [david@sanddamsworldwide.org.uk](mailto:david@sanddamsworldwide.org.uk)
- Trustee Lead for Whistleblowing email [alex@sanddamsworldwide.org.uk](mailto:alex@sanddamsworldwide.org.uk)