

CARE International UK

WHISTLE-BLOWING POLICY

I. Introduction

- 1.1 CARE International is one of the world's largest aid agencies committed to fighting poverty through its programme principles. These principles and aims are delivered through integrity, this means being honest and transparent in what we do and say, and accepting responsibility for our individual and collective actions. It is expected that those working for, and representing CARE International shall act with integrity. CARE International UK (CIUK) shall be an organisation that acts with integrity and honesty.
- 1.2 In order for stakeholders of CIUK to have confidence in our honesty and integrity, this policy aims to provide a supportive process that encourages and enables employees or workers to raise concerns about misconduct within CIUK without repercussion and will give them confidence that their concerns will be properly investigated and resolved in a timely manner.

2. Legal and Policy Impact

- 2.1 This policy considers the following legislation:
- Human Rights Act (1998)
 - Public Interest Disclosure Act (1998)
 - Employment Rights Act (1996) sections 44 and 100
- 2.2 Where an employee has a concern about their terms and conditions of work, their working relationship with CIUK, or how a concern they raised was addressed, they are encouraged to use CIUK's grievance procedure.
- 2.3 In the event that an employee feels they are being bullied or harassed in the workplace for either blowing the whistle, or for any other reason they are encouraged to refer to the Bullying and Harassment Policy.
- 2.4 The CIUK website and global drive outlines its vision, mission, programme principles and values. All workers are expected to operate within these and where there is reasonable evidence that these are not being followed it will be addressed by the line manager.
- 2.5 Similarly if an employee is found to have raised a complaint or a false allegation for malicious reasons, the employee will be disciplined, which may result in their dismissal. Where the disciplinary process does not apply (for example to contractors/consultants) steps may be taken to terminate their relationship with CIUK.

3. Scope of the policy

- 3.1 This policy applies to all employees, contractors/consultants and agency workers, trustees, interns, volunteers or those on work-placement working on behalf of CARE International. Throughout the document, the term “worker” will apply to collectively define these groups.

4. CIUK's policy on Whistle-blowing

- 4.1 CIUK's policy on whistle-blowing has the following objectives:

- To provide direction to all CIUK workers on what is unacceptable practice within CIUK, and to provide a safe and secure environment to blow the whistle on unacceptable practice.
- To protect workers who raise a concern in good faith and who have a reasonable suspicion that the alleged malpractice has occurred, is occurring, or is likely to occur.
- To provide reassurance to those workers who raise concerns in good faith and with reasonable suspicion that they will not experience any repercussions for doing so.

- 4.2 This policy aims to make workers aware of their rights and responsibilities with regard to up-holding the values and standards of practice at CIUK and how to raise concerns when these standards of practice are not up-held.

- 4.3 Whilst this is not an exhaustive list, malpractice would include the following:

- A criminal offence, including theft, fraud or corruption.
- A failure to comply with a legal obligation, (including but not limited to those under the Charity Commission or financial regulations).
- A miscarriage of justice.
- Accepting gifts which are intended to influence decision making.
- The endangering of an individual's health and safety, and well-being: this would include towards staff member, worker or visitor to CIUK.
- Damage to the environment or conduct which conflicts with CARE International's interests.
- Deliberate disregard or serious breach of CIUK principles and values, including bullying and harassment, and discrimination.
- Deliberate concealment of information to any of the above.

The behaviour that gives rise to the concern does not have to take place in the UK.

5. Responsibilities

- 5.1 The Chief Executive is accountable for ensuring the effective implementation of this policy throughout CIUK and representing CIUK's interests/concerns in the event of publicity or litigation resulting from a whistle-blowing allegation.
- 5.2 Line managers (anyone with a direct report) are responsible for ensuring that the principles of this policy are communicated and understood throughout their teams. They are also responsible for putting the policy into practice. These responsibilities include:

- Ensuring that all concerns raised by workers are taken seriously where appropriate.
- Ensuring that concerns are investigated properly, objectively and in a timely manner.
- Ensuring that the worker is kept informed of progress.
- Ensuring that action is taken to resolve the concern.

5.3 The HR Department is responsible for providing coaching, advice and guidance to line managers on the implementation and use of the policy.

6. How to raise a concern

6.1 In the event that they suspect malpractice workers at CIUK have a responsibility to inform someone who is able to do something about the problem. They must provide details about the malpractice immediately they become aware. All attempts should be made to raise the concern internally in the first instance. Please see the attached worker guidance on raising a concern.

APPENDIX A

Worker Guidance on whistle-blowing

1. Determining whether to use the Whistle-blowing Policy

1.1 This quick question section may help you to determine whether you should use the whistle blowing procedure.

1.2 Does the malpractice fall under one of the following?

- A criminal offence, including theft, fraud or corruption.
- A failure to comply with a legal obligation, namely those under the Charity Commission or financial regulations.
- A miscarriage of justice.
- The endangering of an individual's health and safety, and well-being: this would include towards staff member, worker or visitor to CIUK.
- Damage to the environment or conduct, which conflicts with CARE International's interests.
- Deliberate disregard or serious breach of CIUK principles and values, including bullying and harassment, and discrimination.
- Deliberate concealment of information to any of the above.

1.3 Do you have genuine reason to believe that malpractice occurred either in the past, recently, or is likely to occur in the near future?

1.4 What details do you have? Check that the details are not judgements or assumptions, but based on fact.

1.5 Do you feel vulnerable or at risk?

2. Letting someone know

2.1 As soon as you become aware of, or have good reason to believe that, malpractice either has occurred, is occurring or likely to occur by an employee, volunteer or contractor within CIUK raise your concern with an appropriate member of staff within CIUK. In the first instance, this would normally be your immediate line manager. You can make a report either orally or in writing.

2.2 If the malpractice concerns your line manager, then raise your concern with their line manager.

2.3 If you believe the malpractice is within your line management structure then raise your concern with the HR Director, who will consider in discussion with the Chief Executive how it will be investigated.

2.4 If the malpractice is regarding health and safety, raise your concern with the Facilities Manager, who has delegated responsibility for health and safety matters within CIUK. It is also advisable to inform your line manager at this point.

- 2.5 If you genuinely believe that you will be subjected to detrimental treatment if you report the concern to an appropriate person within CIUK, or that making a disclosure to someone within CIUK will result in destruction or concealment of evidence relating to the concern, or you believe that your concern was not dealt with satisfactorily by CIUK, you may raise your concern with an external body. (Details can be found in the bibliography).

3. Providing details about your concern

- 3.1 As soon as you become aware of or suspect malpractice, you have a duty to inform an appropriate person of your concern. If it is later found that you were aware of malpractice and had withheld information, this may have serious consequences for you.
- 3.2 When reporting your concern, you will be required to give your name, your position, and details about the concern, including any evidence that you have to support the concern. This will enable the best possible investigation.

4. Your position

- 4.1 If you want to raise the matter in confidence please make this clear when you make the report so that the appropriate arrangements can be made. Alternatively, you may make a report anonymously but please note that it is much harder (and sometimes impossible) to investigate suspicions without having direct access to the individual who raised the concern. It is best to declare your identity if possible.
- 4.2 If you genuinely believe that malpractice has occurred, is occurring or likely to occur CIUK will ensure that you do not suffer any disadvantage in the workplace as a consequence of raising your concern.
- 4.3 If you raise a concern which is later found that you knew to be false and / or raise a concern out of malice, then disciplinary action will be taken and may result in your dismissal. For those who the disciplinary process does not apply (for example contractors/consultants), steps will be taken to terminate the relationship with CARE International.

5. Next steps

- 5.1 The concern will be investigated by the person to whom it is raised. All workers called upon to assist the investigation will have a duty to co-operate and may request that their concerns are treated in confidence: again such wishes will be respected.
- 5.2 The investigating manager will provide regular information to the worker who raised the concern on the progress of the investigation up until an outcome has been reached. Please note that this does not necessarily mean that the outcome of the investigation will be divulged to the worker, especially when relating the privacy of another individual.
- 5.3 The investigating manager will forward all original investigation material to the HR Department for further action as appropriate and/or storage.
- 5.4 The investigating manager will monitor and ensure that appropriate steps are taken to address the cause for concern.

- 5.5 CIUK will respect and heed any legitimate concerns about your own safety or career, and will seek not to disclose your identity without your express consent. Any attempt to victimise an employee for having raised a concern about malpractice, or to deter anyone from raising such a concern, is a serious disciplinary offence.
- 5.6 We will do everything possible to keep your identity secret (if you so wish) but there may be circumstances when you may be needed as a witness (for example, if your report becomes the subject of a criminal investigation). Should this be the case, we will seek to discuss the matter with you at the earliest opportunity.

APPENDIX B

External Sources of Information and Advice

Whilst this is not an exhaustive contact list, it aims to provide the key contacts in relation to CIUK's business.

The Charity Commission for England & Wales

Matters in respect of the proper administration of charities and funds given or held for charitable purposes.

Charity Commission
Liverpool Head of Operations
2nd Floor
20 Kings Parade
Queens Dock
Liverpool, L3 4DQ

Tel: 0870 333 0123

Fax: 0151 703 1556

Chief Executive of the Criminal Cases Review Commission

Actual or potential miscarriages of justice:

Criminal Cases Review Commission
Alpha Tower
Suffolk Street
Queensway
Birmingham, B1 1TT

Tel: 0121 633 1800

Fax: 0121 633 1804

Email: info@ccrc.gov.uk

The Commissioners for Her Majesty's Revenue & Customs

Value added tax, insurance premium tax, excise duties and landfill tax. The import of prohibited or restricted goods.

Income tax, corporation tax, capital gains tax, petroleum revenue tax, inheritance tax, stamp duties, national insurance contributions, statutory maternity pay, statutory sick pay, tax credits, child benefits, collection of student loans and the enforcement of national minimum wage.

Her Majesty's Revenue & Customs
Cross Cutting Policy
Room 1E/04
1 Parliament Street
London, SW1A 2BQ

Tel: free phone 0900 595 000

Fax: free fax 0800 523 0506

Email: customs.confidential@hmrc.gov.uk

Health & Safety Executive

Matters which may affect the health and safety of any individual at work; matters which may affect the health and safety of any member of the public arising out of, or in connection with, the activities of persons at work

Health & Safety Executive
Information Services
Caerphilly Business Park
Caerphilly
South Wales, CF38 3GG

Tel: 0845 345 0055
Fax: 0845 408 9566
Email: hse.infoline@natbrit.com

Information Commissioner

The compliance with the requirements of legislation relating to data protection and to freedom of information.

*Data protection legislation regulates the processing of information relating to individuals, including the obtaining, holding, use of or disclosure of such information.

*Freedom of information applies to public authorities about disclosure of information that they hold.

The Office of the Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire, SK9 5AF

Tel: 01625 545700
Fax: 01625 524510
Email: mail@ico.gsi.gov.uk

Recognising that employees have a lot at stake when considering whether to and how to blow the whistle can seek independent advice from Public Concern at Work. Its website: www.pcaw.co.uk

APPENDIX C

Whistle-blowing process flow chart

