

# Whistleblowing Policy<sup>1</sup>

## Policy Statement

Whistleblowing is where any employee raises concerns about malpractice or underhand or illegal practices within his or her organisation or an associated organisation. All Survivors Project's (ASP) policy is to operate within the laws and regulations of the countries in which it works, and all employees are expected to adhere to all laws, regulations, policies and procedures.

ASP is committed to maintaining an open and transparent culture with the highest standards of honesty and accountability, where employees can report any legitimate concerns in confidence. ASP takes all malpractice very seriously, and this document sets out the procedure by which employees can report any concerns.

Employees are often the first to realise that there may be something wrong but may want to keep it to themselves because they consider that it is none of their business or that it is only a suspicion. They may also feel that raising the matter would be disloyal to colleagues or managers or that it may be detrimental to their own careers. It is important, however, that concerns about any malpractice or wrongdoing are raised; this policy enables this to happen at an early stage and in the right way.

ASP offers protection to any employee who holds an honest and reasonable belief that underhand or illegal practices are taking place and that their disclosure is in the public interest. ASP undertakes to comply with all applicable laws relating to the prohibition of retaliation against good-faith whistleblowers (see the UK Public Interest Disclosure Act 1998, which gives protection against retribution or dismissal to workers who whistle blow).

## Scope

This policy applies to ASP staff, associates and those who work with ASP, hereinafter referred to as 'Personnel'. This includes ASP trustees, employees, volunteers and consultants providing services. This policy does not form part of an employee's terms and conditions of employment. ASP reserves the right to amend this policy from time to time.

## General Principles

- Any concerns over malpractice or wrongdoing should be promptly disclosed. Anyone who believes they have something to disclose should not wait for proof or investigate the matter themselves.
- Any report made in good faith will be dealt with confidentially and anyone who makes such a report will be protected from victimisation, harassment or bullying, and will not suffer any detriment, including any career progression, because of raising their concerns.
- Any reprisal or similar action taken against a discloser because he or she has made a protected disclosure under this policy may be regarded as gross misconduct and may result in disciplinary action.

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<sup>1</sup> Based on DeafKidz International Whistle Blowing Policy

- ASP will view very seriously any deliberate false or malicious allegations which are made under this policy and will regard the making of such allegations as a serious disciplinary offence.
- Where a person acts in a malicious way (e.g., by leaking information to the media), the protection outlined above will not apply and they will be subject to disciplinary action which could result in summary dismissal for gross misconduct.

### **Categories of Malpractice**

Protection under this policy is extended to any personnel who has a reasonable belief that their disclosure shows past, present or likely future wrongdoing of any of the following types:

- A criminal offence
- A failure to comply with a legal obligation
- A miscarriage of justice
- The endangering of an individual's health and safety
- Damage to the environment
- Deliberate concealment of information relating to any of the above

Where the nature of the disclosure does not fall into any of the above categories, it should be made under the ASP grievance procedure and not under this whistleblowing policy.

### **Anonymous Allegations**

This policy encourages a person making a disclosure to put their name to their allegation whenever possible. Where requested, ASP will keep the identity of the discloser confidential as far as possible. However, in certain circumstances, for example if a criminal investigation follows, the employee may be needed as a witness. If this happens, the Trustee handling the investigation will inform the employee at the earliest opportunity.

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

### **Raising a Concern - Internally**

In the event an employee has reason to believe that underhand or illegal practices are taking place, the employee is encouraged to make their disclosure immediately to Joachim Theis, Trustee. He will then investigate the alleged offence in conjunction with the Executive Director of ASP and any other employees as appropriate. When disclosing any concerns, the employee will not be expected to have absolute proof of malpractice but will need to be able to show the reasons for his or her concern.

In matters concerning the health, safety and welfare of those on ASP premises (whether employees, contractors or visitors), anyone who becomes aware of a hazard (actual or potential) or dangerous occurrence should also immediately notify Charu Hogg, Executive Director before making any other report - e.g., to an outside body – not least so that immediate action can be taken as necessary to deal with the hazard.

Only if an employee has reasonable grounds for believing that Joachim Theis may be involved in the matter of concern, would it be appropriate for contact to be made to an outside body in the first instance.

### **How your Disclosure will be Handled**

Once concerns have been raised, an investigation will be carried out to assess what action should be taken. The discloser will be told who is handling the matter and how they can be contacted.

It may be necessary to arrange a meeting with the discloser. If they wish they can be accompanied by an appropriate representative.

Where it is considered appropriate, the matters raised may be referred to external agencies to investigate, e.g., the police. The discloser will be informed if this is going to happen.

### **Procedure after Allegation Submitted**

Within 10 working days of a concern being raised, the person handling the matter will write to the discloser,

- acknowledging that the concern has been received;
- giving an estimate of how long it will take to provide a final response (it may not be possible to give the precise action to be taken if this would infringe on a duty of confidence owed by ASP to someone else); and
- indicating whether any initial enquiries are being made.

If the alleged offence is substantiated, appropriate action will be taken. The discloser will be informed of the outcome where reasonably practicable.

If the discloser disagrees with the outcome of an investigation, he or she should make a further report to the Chair of the Board of Trustees, and if there is good reason to do so, the concern will be re-investigated.

Named Trustee: *Joachim Theis*  
Contact details: +817044185096  
Email: [joachimtheis@gmail.com](mailto:joachimtheis@gmail.com)

If any employee has a concern and is unsure whether this is the appropriate procedure for raising it or is unhappy about the final outcome of an investigation, he or she can contact the independent charity, Public Concern and Work on +44 207404 6609 for independent advice.

The Executive Director will monitor the use and effectiveness of the whistleblowing policy.