

# CIUK Whistleblowing Policy

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## 1. Introduction

We encourage everyone at CARE to report any incidences of behaviour which are unlawful or breach CARE’s code of conduct. Indeed, it is everyone’s responsibility to do so, especially witnesses. We also acknowledge that in some circumstances, considerable courage is needed to speak out about wrongdoing.

Our intention is to ensure that it is always safe for you to report malpractice, without fear of repercussion, and that you can have confidence that your concerns will be properly investigated and resolved in a timely manner.

CIUK hopes that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concerns confidentially, CIUK will try to keep your identity secret.

As soon as you become aware of, or have good reasons to believe that, malpractice either has occurred, is occurring or likely to occur, you would normally raise this first with your manager or the manager of the person concerned. If you have tried that and feel it has not been taken seriously, or feel unable to use one of these options, then you will need to whistle blow.

You should raise your whistleblowing concern with the Chief Operating Officer. If the matter concerns the Chief Operating Officer, then contact the CEO and finally if the matter concerns the CEO you can raise the issue with the Chair of the Board.

Details of further sources of external advice are provided in Appendix 1 of this policy.

**1.1** This policy exists to encourage you to help CIUK in tackling corruption, fraud, harassment and other malpractice in the organisation. CIUK takes all malpractice very seriously and does not believe that it is in anyone's interests for employees who know of wrongdoing to remain silent. CIUK also acknowledges that in some circumstances considerable courage is needed to speak out about wrongdoing, and full credit will be given for this.

- 1.2 This policy applies to all employees, contractors, consultants, casual workers, agency workers, trustees, interns, volunteers or those on work-placement working on behalf of CIUK. Throughout the document, the term “staff” applies collectively to define these groups.
- 1.3 This document sets out the procedure by which staff can report their concerns to CIUK. This policy does not form part of your contract of employment and CIUK may amend it at any time.
- 1.4 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers in relation to CIUK's activities. Throughout this policy, the term "malpractice" is used to describe these sorts of issues. The categories of wrongdoing which may constitute malpractice include the following:
- a criminal offence, including theft, fraud or corruption;
  - sexual harassment, abuse or exploitation, bullying;
  - a breach of a legal obligation;
  - a miscarriage of justice;
  - the endangering of an individual's health and safety and well-being;
  - damage to the environment; and
  - deliberate concealment of information relating to any of the above.
- 1.5 It will not always be clear that a particular situation falls within one of these categories and you will need to use your own judgment to decide whether an issue of concern amounts to suspected malpractice. You are also encouraged to report other types of wrongdoing such as accepting gifts which are intended to influence decision making and deliberate disregard or serious breach of CIUK's code of conduct.
- 1.6 CIUK will value and appreciate any report which is made in compliance with this policy, even if the subsequent investigation finds no wrongdoing.
- 1.7 Note, however, that any false report which is made maliciously or for personal gain may lead to disciplinary action.

## **2. Principles**

- 2.1 CIUK aims to provide a supportive process that enables you to raise concerns about malpractice within CIUK without fear of repercussion and gives you confidence that your concerns will be properly investigated and resolved in a timely manner.
- 2.2 CIUK will protect staff who raise a genuine concern and who have a reasonable belief the information they have disclosed tends to show that the alleged malpractice of one of the types described in section 1.4 above has occurred, is occurring, or is likely to occur, and that it is in the public interest to disclose the information. Staff who raise concerns in such circumstances must not suffer a detrimental treatment as a result of raising their genuine concerns. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment (e.g. in relation to their career at CARE or elsewhere; including future references) connected with raising a concern. If you believe that you have suffered any such treatment, you should inform your line manager immediately.
- 2.3 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.
- 2.4 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.

2.5 If you raise a concern and it is later found that you knew it to be false and raised in malice, then disciplinary action will be taken. If CIUK's disciplinary process does not apply to you (for example, if you are a consultant), steps may instead be taken to terminate the relationship between you and CIUK.

### **3. Procedure**

#### **3.1 Confidentiality**

3.1.1 CIUK hopes that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concerns confidentially, CIUK will try to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, CIUK will discuss this with you.

3.1.2 CIUK will investigate all concerns that are raised, even if they are raised anonymously. However, proper investigation may be more difficult or even impossible without having direct access to the individual who initially raised the concern. It is best to declare your identity if possible and the more information that you can give us, the easier it is for us to progress our investigations.

3.1.3 If you want to raise a concern in confidence please make this clear when you make your initial report so that the appropriate arrangements can be made.

#### **3.2 Raising the issue**

3.2.1 As soon as you become aware of, or have good reasons to believe that, malpractice either has occurred, is occurring or likely to occur, you would normally raise this first with your manager or the manager of the person concerned. If you have tried that and feel it has not been taken seriously, or feel unable to use one of these options, then you will need to whistle blow.

3.2.2 You should raise your whistleblowing concern with the Chief Operating Officer. If the matter concerns the Chief Operating Officer, then contact the CEO and finally if the matter concerns the CEO you can raise the issue with the Chair of the Board. Appendix 2 contains a list of internal reporting mechanisms that are available to CIUK staff.

3.2.3 You can make a report either orally or in writing. If you choose to report orally, you may bring a colleague with you if you wish. Your colleague must respect the confidentiality of your disclosure and any subsequent investigation.

#### **3.3 Investigation**

3.3.1 The Chief Operating Officer, CEO or Chair may first conduct preliminary enquiries to decide whether a full investigation is necessary. If necessary, the Chief Operating Officer, CEO or Chair will appoint an investigating manager who will be a senior manager in the organisation. The investigating manager will:

- ensure that all concerns raised by staff are taken seriously;
- inform line managers, if this is appropriate;

- ensure that concerns are investigated properly, objectively and in a timely manner;
- report to the Chief Operating Officer, CEO and/or Chair on the findings and any actions proposed.

**3.3.2** CIUK does not encourage staff to make disclosures anonymously, as it makes proper investigation more difficult. If you do wish to make a disclosure anonymously CIUK will take reasonable steps to keep your identity secret but does not guarantee your anonymity, including because 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, CIUK will seek to discuss the matter with you at the earliest opportunity.

**3.3.3** All staff called upon to assist with the investigation will have a duty to cooperate and may request that their concerns are treated in confidence. Such wishes will be respected where possible.

**3.3.4** The Chief Operating Officer, CEO or Chair will ensure that any actions proposed are followed through. They will also review and act on organisational learning from the issues raised. If applicable, they will also inform relevant internal stakeholders and external bodies.

**3.3.5** The Chief Operating Officer, CEO or Chair will report to the Board of Trustees.

**3.3.6** CIUK will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us from giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

**3.3.7** While CIUK cannot guarantee that it will respond to your report in the way that you might wish, CIUK will try to handle the matter fairly and properly. By using this procedure, you will help to achieve this. If you are unhappy with the outcome of the investigation, or with the way the investigation is handled, CIUK would prefer that you submit another report explaining why this is the case. Your concerns will be investigated again if there is good reason to do so.

**3.3.8** It may be that you do not think that this is appropriate and you may wish to raise your concerns with an external organisation instead, such as a regulator. It is of course open for you to do so, provided that you have sufficient evidence to support your concerns. CIUK strongly advises that you seek advice from Protect before reporting your concerns externally.

**3.3.9** Protect is an independent charity which can provide independent advice at any stage. Protect can be contacted online at [www.protect-advice.org.uk](http://www.protect-advice.org.uk) or by telephone on 020 3117 2520. Details of further sources of external advice are provided in Appendix 1 of this policy.

### 3.4 Reporting your own actions

**3.4.1** If you think that anything you have done, or anything you are about to do, may be judged to be malpractice or misconduct it is important that you consult the Chief Operating Officer at the earliest opportunity. Again, you should do this even if you only have suspicions that this may be the case. Any concerns you have about this will be treated appropriately and with respect. Note however, that those who have been actively involved in wrongdoing will not have automatic immunity from disciplinary or criminal proceedings.

### 3.5 External disclosures

**3.5.1** The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally. In some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. CIUK strongly encourages you to seek advice before reporting a concern to anyone external.

**3.5.2** Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party. In some circumstances the law will protect you if you raise the matter with the third party directly. However, we encourage you to report such concerns internally first in accordance with this policy.

## Appendix 1

### External Sources of Information and Advice

You can seek independent advice from **Protect**. Its website: [www.protect-advice.org.uk](http://www.protect-advice.org.uk)

**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  
2<sup>nd</sup> 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](mailto: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](mailto: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](mailto: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](mailto:mail@ico.gsi.gov.uk)

Staff involved in **FCDO funded business**, can immediately report all suspicions or allegations of aid diversion, fraud, money laundering or counter terrorism finance to: Head of Internal Audit, 22 Whitehall, London, SW1A 2EG, United Kingdom at [reportingconcerns@fcdo.gov.uk](mailto:reportingconcerns@fcdo.gov.uk) or on +44 (0)1355 843747

## Appendix 2

### List of internal reporting mechanisms that are available to CIUK staff

1. CIUK staff and volunteers can report any safeguarding concerns via **CIUK dedicated email** address ONLY accessible by Head of HR.

**SafeguardingCIUK@careinternational.org**

2. **Global Care Line:** Available for receiving reports of fraud, misappropriation, discrimination, sexual harassment, exploitation and abuse, links to terrorism, and other wrongful conduct. Any CARE employee or volunteer, partner, vendor, programme participant, or other outside party, may use this service to report wrongful conduct.

<https://secure.ethicspoint.eu/domain/media/en/gui/100612/index.html>

3. **Trustee contact:** Should a staff member have a concern about senior management or if any issues of behaviour have not been resolved by existing policies, one Trustee will be the main point of contact for staff. You can contact him on Edward Sparrow at [edward.sparrow@ashurst.com](mailto:edward.sparrow@ashurst.com)