

# WHISTLEBLOWING POLICY

(Making a Disclosure in the Public Interest)

Version	Approved by	Approval Date	Policy Holder	Next Review
1	SMT	27th Feb 2018	Director of Resources	2 years
2	SLT	16th Dec 2020	Director of Resources	2 years
3	SLT	7th Dec 2023	Head of HR	2 years

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## 1. Introduction

War Child UK (WCUK) is committed to the highest standards of openness, integrity and accountability, as outlined in our Code of Conduct, Safeguarding & Protection from Sexual Exploitation, Abuse and Harassment (PSEAH) Policies and through signing up to the Core Humanitarian Standards. The Code of Conduct requires all WCUK representatives, including employees, interns, volunteers, trustees, consultants, service providers and ambassadors to observe, and demonstrate the highest standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of WCUK, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws, regulations and our Code of Conduct.

An important aspect of accountability and transparency is a mechanism to enable all WCUK representatives to voice concerns in a responsible, safe and effective manner. Where an individual discovers information which they believe shows serious malpractice or wrongdoing within the organisation, then this information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be done independently of line management (although in relatively minor instances the line manager would usually be the appropriate person to be told). If an employee is uncertain on whether to report or not, they are always encouraged to report.

WCUK is a member of **Protect**, the UK's whistleblowing charity, whose aim is to stop harm by encouraging safe whistleblowing. Protect defines Whistleblowing as "*A worker raising a concern about wrongdoing, risk or malpractice that affects others with someone in authority either internally and/or externally (e.g. regulators, media, Members of Parliament)*". Some organisations will use other terms in their whistleblowing policies such as 'speak up' or 'raising concerns' More information about Protect is available under [Independent Advice](#).

This policy is designed to protect any person who discloses serious malpractice or wrongdoing and is applicable to all WCUK representatives including **War Child Alliance colleagues** who are hosted in the UK. More information about hosted Alliance employees and whistleblowing is available under [Scope](#). The UK Public Interest Disclosure Act, which came into effect in 1999, and which WCUK is accountable to, gives legal protection to all employees against being dismissed or workers being penalised by their employers as a result of disclosing certain concerns. As a UK registered charity, WCUK has endorsed the provisions set out below to ensure that no WCUK representative, should feel at a disadvantage in raising legitimate concerns regardless of their position or location.

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed therefore to question standard every day financial or business decisions taken by the WCUK unless there is a belief of malpractice. Once the "whistleblowing" procedures have been enacted, WCUK requests that representatives let the process run its course. While we hope this policy gives you the reassurance you need to raise your concern internally with us, we recognise that there may be circumstances where you can properly report a concern to an outside body. We would rather you raised the matter with an [appropriate regulator](#) than not at all.

## 2. Scope of Policy

This policy is designed to enable WCUK representatives to raise concerns internally and at a high level and to disclose information which the individual believes demonstrates malpractice or impropriety. This policy is intended to cover concerns which are in the public interest. These concerns could include:

- Financial malpractice or impropriety or fraud;
- Failure to comply with a legal obligation or Statutes applicable to the areas where WCUK is registered;

- Safeguarding concerns, including children and adults. See [Using the Whistleblowing Route for Safeguarding concerns](#);
- Exchange of money, employment, goods, or services for sexual, financial, personal or political gain;
- Dangers to Health & Safety or the environment;
- Criminal activity;
- Attempts to conceal any of these.

Employees should share their questions, concerns, suggestions or complaints with someone they feel can address them properly. In most cases, an employee's line manager is in the best position to address an area of concern. However, if an employee is not comfortable speaking with their line manager or their concerns include actions taken by their line manager or are not satisfied with their line manager's response, they are encouraged to speak with someone in the HR team or anyone in management whom they are comfortable in approaching.

If, however they are not happy following this course of action they should seek to follow the processes outlined in this Whistleblowing policy.

War Child Alliance staff hosted by WCUK should follow the WCA Speak Up! procedure should they wish to make a disclosure in the public interest about WCA. Should a concern about WCUK arise, they should follow the processes outlined in this WCUK Whistleblowing policy.

### Difference between grievance and whistleblowing

A grievance is making a complaint about something that affects you or your **individual** employment contract. For example, if your employer does not pay you on time, or if you are concerned by the behaviour or conduct of your line manager, a senior manager or a colleague, or if you are concerned about workload. More information about the grievance policy and process can be found in the WCUK Staff Handbook on SharePoint.

Whistleblowing matters are those raised by those concerned about workplace wrongdoing more generally - the whistleblower is usually the **witness providing information** to the employer about a concern which it is in the public interest to raise. **Public interest** would generally mean that a concern is at a level that puts the work of the charity or the safety of other workers at risk, having an impact on more than one member of staff.

### Using the Whistleblowing Route for Safeguarding concerns

For most safeguarding concerns, due to their nature, it is recommended to follow the reporting procedure as outlined in the Safeguarding and PSEAH Policies. The Safeguarding & Integrity Team are part of the War Child Alliance. Employees can report safeguarding concerns via:

- the Safeguarding e-mail address ([SpeakUp@warchild.net](mailto:SpeakUp@warchild.net))
- the Speak Up Portal: [warchild.org.uk/speakup](http://warchild.org.uk/speakup)
- a safeguarding focal point
- their line manager or HR

## 3. Safeguards for Whistleblowers

- Protection** This policy is designed to offer protection to those WCUK representatives who disclose such concerns provided the disclosure is made 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. We will investigate all genuine concerns, but malicious allegations known to be untrue, made by one employee about another, may lead to disciplinary action.

- ii. **Confidentiality** WCUK will treat all such disclosures in a confidential and sensitive manner. WCUK follows the 'Need to Know' principle of confidentiality in order to protect all persons involved in a disclosure. WCUK will ensure that it undertakes all reasonable measures to keep the identity of the whistleblower confidential. The identity will not be disclosed unless the whistleblower gives explicit consent, or if WCUK is legally obligated to do so, or if not doing so would put someone at significant risk of harm. If during the investigation process, there is a risk that the whistleblower's identity may be revealed, we will discuss this with the whistleblower and seek their explicit consent. WCUK will remain sensitive to the position this may put any WCUK representative in and will try to ensure that all necessary and appropriate provisions are put in place to manage this.
- iii. **Anonymous Allegations** WCUK recognises that some whistleblowers may wish to remain anonymous. All issues raised will be looked into, but it is recognised that concerns expressed anonymously can be harder to follow up or substantiate depending on the information provided.
- iv. **Untrue Allegations** If an individual raises a genuine concern, which is not proven by a subsequent investigation, no action will be taken against that individual. In making a disclosure the individual does not need to gather evidence or have all the facts and should not undertake their own investigation into their concerns. The obligation is to report concerns. If, however, an individual makes malicious or vexatious allegations, and particularly if they persist in making them, disciplinary action may be taken against that individual.

## 4. Procedures for Making a Disclosure

### How to make a report under this policy

Disclosures about WCUK under this policy can be:

1. Emailed to: [SpeakUp@warchild.net](mailto:SpeakUp@warchild.net) this email address is monitored by the WCA Safeguarding & Integrity Team;
2. Reported on the Speak Up portal: [warchild.org.uk/speakup](http://warchild.org.uk/speakup). This portal is monitored by the the WCA Safeguarding & Integrity Team;
3. A letter can be sent to Whistleblowing, War Child UK, Part Fourth Floor East, Dunn's Hat Factory, 106-110 Kentish Town Road, London NW1 9PX. Letters sent to this address will be opened by the Head of from the WCUK HR Team;
4. Chair of WCUK Board of Trustees, John Fallon, can be contacted through e-mail at [JohnF@warchild.org.uk](mailto:JohnF@warchild.org.uk);

On receipt of a disclosure of malpractice, the person who receives and takes note of the disclosure, must pass on this information as soon as is reasonably possible, in order that it can be investigated. See section, [Investigating Procedure](#) for further details.

### Victimisation

Whistleblowers must not suffer any detrimental treatment as a result of raising a concern. If at any stage you experience reprisal, harassment or victimisation for raising a genuine concern you should inform the person you have raised your concern with immediately. If the matter is not remedied, you may want to raise it using our grievance policy. You can seek advice from Protect or from your trade union if you experience any victimisation. We will not tolerate the harassment or victimisation of anyone raising a genuine concern and we consider it a disciplinary matter to victimise anyone who has raised a genuine concern.

## Timescales

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

Receipt of the whistleblowing disclosure should be acknowledged within 5 working days in writing to the whistleblower by the person receiving the disclosure. WCUK will tell the whistleblower who will be handling the matter, how they can contact them, and what further assistance WCUK may need from them. Follow up communication will then pass to the investigation lead (see [Investigation Procedure](#)). WCUK will seek to keep the whistleblower informed about the progress of the investigation and provide feedback wherever possible. However, we may not be able to tell you about the precise actions we take where this would infringe a duty of confidence we owe to another person.

## Independent Advice

In addition to these reporting lines, War Child is a member of **Protect – Speak up, stop harm** – who are leading experts on Whistleblowing. They provide a confidential advice line for individuals who are unsure how to raise their concerns. Contact with a Protect adviser is a two-way exchange – they offer expert, practical advice by telephone, e-mail or letter – everything you share with Protect is confidential and protected by legal privilege.

They can be contacted as follows:

- Telephone: +44 (0) 20 3117 2520
- Website: <https://protect-advice.org.uk/>
- Contact Form via their website <https://protect-advice.org.uk/contact-protect-advice-line>
- Letter: The Green House, 244-254 Cambridge Heath Road, London E2 9DA

The Advice Line is open on Mondays, Tuesdays, Thursdays: 9:30am – 1pm, 2pm – 5:30pm; Wednesdays and Fridays: 9:30am – 1pm. Anyone in need of advice outside of those times can reach Protect via their [contact form](#) and they can make arrangements for call backs.

## 5. Investigating Procedure

- Disclosures of malpractice received through Whistleblowing will be passed to the appropriate Director in the UK or in War Child Alliance (if appropriate) unless the disclosure is against the Director or is in any way related to the actions of the Director. In such cases, the disclosure should be passed to the Chief Executive Officer (CEO) for referral.
- Concerns related to safeguarding will be passed directly to the Safeguarding & Integrity team, unless the concern is against a member of the Safeguarding Team or is in any way related to their actions, in which case it will be passed to the appropriate Director.
- The Director will either take on the role of investigation lead or if appropriate nominate an alternative.
- In the case of a disclosure, which is any way connected with but not against the Director, the CEO will nominate an appropriate Senior Manager to act as the investigating lead.
- Concerns about the CEO should be passed to the Board Chair who will nominate an appropriate investigating lead.
- The whistleblower has the right to bypass the line management structure and take their concern direct to the Board Chair. The Board Chair has the right to refer the concern back to management if they feel that management, without any conflict of interest, can more appropriately investigate the complaint.

- If there is evidence of criminal activity, then the investigating lead should inform the relevant Director/CEO/Chair as appropriate who should inform the police, unless there are specific security or safeguarding concerns in the context in which WCUK operates. WCUK will ensure that any internal investigation does not hinder a formal police investigation.
- The investigating lead should inform the member of staff against whom the disclosure is made as soon as is practically possible. The member of staff may be accompanied by an appropriate representative at any future interview or hearing held under the provision of these procedures.
- The investigating lead will nominate an investigating officer who will be tasked with investigating the complaint and providing a written report to the investigation lead.
- The concerns should be fully investigated by the investigating officer, including ensuring full details and clarifications of the disclosure, with the assistance where appropriate, of other individuals / bodies depending on the nature of the disclosure.
- A judgement concerning the disclosure and validity of the disclosure will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to the investigation lead.
- The investigation lead will form a panel to decide what action to take following on from the report. If the disclosure is shown to be justified, then they will invoke the disciplinary or other appropriate WCUK procedures.
- The investigation lead should keep the whistleblower informed of the progress of the investigations and, if appropriate, of the final outcome.
- If the investigation is a prolonged one and extends beyond three months, the investigating lead should keep the whistleblower informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.
- All responses to the whistleblower should be in writing and sent to the address provided by them (this may be a suitable e-mail or home address).
- Sometimes it may be difficult for the employer to let the whistleblower know the full outcome, if other people's rights are involved. For example, the whistleblower is not entitled to know if the perpetrator was disciplined, as that is likely to be confidential information between the employer and the perpetrator.
- If the whistleblower is not satisfied that their concern is being properly dealt with by the investigating lead, they have the right to raise it in confidence with the CEO / Board Chair.

## Regulatory bodies

If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the whistleblower is not satisfied with the outcome of the investigation, WCUK recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons. As an organisation with their HQ registered in the UK, the UK Public Interest Disclosure Act legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- The UK Charity Commission
- HM Revenue & Customs;
- the Financial Services Authority;
- the Office of Fair Trading;
- the Health and Safety Executive;
- the Environment Agency;
- the Director of Public Prosecutions; and
- the Serious Fraud Office.

A comprehensive list of prescribed people and bodies can be found at:

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies>