

Guidance on whistleblowing

Essential guidance

Dos and Don'ts

Additional information, independent advice and further reading

Essential guidance

The whistleblowing procedure applies to any individual who is a worker at Christian Aid. For the purposes of this procedure only, this is someone who is:

- Employed on a permanent or fixed term contract
- On secondment to Christian Aid
- On a temporary contract or employed through an agency to work for Christian Aid
- An independent consultant for Christian Aid
- A contractor or supplier of services to Christian Aid

It is the duty of every employee to speak up about genuine concerns in relation to criminal activity, breach of legal obligation (including negligence, breach of contract, breach of administrative law (miscarriage of justice, danger to health and safety or environment and the cover up of any of these in the workplace. It applies whether or not the information is confidential.

Protection under the provisions of the Public Interest Disclosure Act 1998 applies even if the qualifying disclosure concerns a relevant failure which took place overseas, or where the law applying to the relevant failure was not that of the United Kingdom.

Christian Aid is committed to ensuring that any employee's concerns of this nature will be taken seriously and investigated. A disclosure to Christian Aid will be protected if the employee has an honest and reasonable suspicion that the malpractice has occurred, or is likely to occur. Employees that raise concerns reasonably and responsibly will not be penalised or suffer a detriment in any way.

Employees should be aware that the procedure will apply where a disclosure is in good faith and where they reasonably believe that the information disclosed and any allegation contained in it are substantially true. If any disclosure is made in bad faith (for instance, in order to cause disruption within the organisation), or concerns information which they do not substantially believe is true, or indeed if the disclosure is made for personal gain, then such a disclosure will constitute a disciplinary offence for the purposes of the organisation's disciplinary procedure and may constitute gross misconduct for which summary dismissal is the sanction.

It is recognised that for some individuals, raising a concern under this procedure may be a daunting and difficult experience. An individual may choose to be accompanied or represented by their professional organisation or Union at any stage of this procedure. If an individual asks Christian Aid to protect their identity by keeping their confidence, Christian Aid will not disclose it without the individual's consent. However, the individual should remember that if they do not tell Christian Aid who they are, it will be much more difficult for the organisation to investigate their concern or to give them feedback.

All reported incidents will be thoroughly investigated.

All reports will be dealt with in confidence, with only staff that need to know, being informed.

Christian Aid cannot guarantee that they will respond to all concerns in the way that the individual might wish, but the organisation will try to handle the matter fairly and properly.

If an employee reasonably believes that the relevant failure (i.e. one of the set of circumstances listed above) relates wholly or mainly to the conduct of a person other than their employer or any other matter for which a person other than the organisation has legal responsibility, then they should make that disclosure to that other person.

Also, an employee may make such a disclosure to one of the prescribed regulatory or independent organisations listed below* if they consider that they have an interest in the matter and, despite the best efforts of the organisation, they believe that disclosure within the organisation is inappropriate or has been unsuccessful. Disclosures made to their legal adviser in the course of obtaining legal advice will be protected.

Dos and Don'ts

Do adopt an objective and balanced approach towards any allegations made under a whistleblowing policy.

Do take prompt action to investigate any allegations made under a whistleblowing policy (or make sure another appropriate person instigates an investigation).

Don't attempt to conceal evidence of poor or unacceptable practice.

Do encourage an individual who has come forward to disclose some sort of wrongdoing to explain fully the evidence that he or she has of the wrongdoing.

Do ask the whistleblower to provide specific examples of the conduct that he or she has observed or the evidence obtained to support the allegations of malpractice.

Do treat each case on its own facts.

Do distinguish between facts and opinions.

Do appreciate that it can be very stressful for the person alleging wrongdoing.

Don't allow personal views about the whistleblower to influence the assessment of the allegations that they are making.

Don't react negatively to a disclosure, or adopt a judgmental attitude.

Don't dismiss an employee's disclosure as an exaggeration, or as trivial, unless there is clear evidence that the allegations are unfounded.

Don't penalise an individual for making a disclosure that proves unfounded if, despite making a mistake, he or she acted in good faith in making the disclosure.

Do treat victimisation of whistle blowers as a serious matter, which may lead to disciplinary action that may include dismissal;

Don't get angry or defensive if an individual raises allegations of malpractice within the organisation.

Don't attempt to suppress evidence of wrongdoing.

Do take disciplinary action if an employee destroys or conceals evidence of poor or unacceptable practice or misconduct.

Additional information, independent advice and further reading

Employees who feel unsure about whether or how to raise a concern or want confidential advice can contact the independent charity Public Concern at Work on 020 7404 6609 or email helpline@pcaw.co.uk. Their lawyers can give free confidential advice on how to raise a concern about serious malpractice at work

Free information and advice can also be obtained from the Advice, Conciliation and Arbitration Service (ACAS) – Telephone: 08457 47 47 47.

Public Concern at Work and ACAS can advice on circumstances when it is more appropriate to contact an outside body.

Other organisations concerned with standards and the proper administration of charitable fund given or held for charitable purposes are:

Charity Commission

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

Tel: 0870 3330123
Fax: 0151 703 1556

Or in Scotland

The Scottish Ministers

Matters in respect of which the person is prescribed:
The proper administration of charities and of funds given or held for charitable purposes

Director of Scottish Charities

Crown Office
25 Chambers Street
Edinburgh
EH1 1LA

Tel: 0131 226 2626
Fax: 0131 226 6912

List of regulatory bodies or independent organisations:

For list of regulatory bodies see Public Interest Disclosure (Prescribed Persons) Order 1999 SI 1999 1549, e.g.: Civil Aviation Authority or Director General of Fair Trading; independent

organisations, e.g. Guidance produced by Public Concern at Work
www.whistleblowing.org.uk.