



Whistle-blowing Policy

November 2020

Introduction

The Council of Management has agreed this Policy as we are committed to creating and maintaining a culture of openness within Dhaka Ahsania Mission UK (DAM UK)

This policy's intention is to ensure that individuals feel encouraged and confident to raise any concerns relating to suspected misconduct at an early stage. It recognises that individuals may feel vulnerable and anxious about raising certain concerns and it puts in place explicit commitments to protect whistle-blowers from any victimisation or bullying that might subsequently occur because of their genuine concerns. The policy recognises the negative effect which malpractice can have on an organisation and makes it clear to all that DAM UK will respond positively and effectively to people raising concerns.

The procedures adopted in this Policy provide means of raising concerns about standards, conduct, financial irregularity or possible unlawful action in a way that ensures confidentiality and protection to those making such allegations and to prevent them from being victimised, discriminated against or disadvantaged.

This Policy applies to all trustees, staff, consultants and volunteers.

The report form for raising issues using DAM UK's Whistle-blowing Policy is set out in Appendix 1 at the end of this report. Individuals are advised to read the policy first before deciding whether to use this process to raise concerns about misconduct and/or malpractice.

What is whistle-blowing?

Whistle-blowing is the disclosure of information which relates to suspected wrongdoing. It generally involves a breach of legal, statutory or regulatory requirements or unethical, immoral behaviour. This may apply to, but is not limited to, allegations about any of the following:

- Conduct which is an offence or breach of the law;
- Miscarriage of justice;
- Practices endangering health and safety;

- Practices damaging the environment;
- The unauthorised use of public funds;
- Financial malpractice, impropriety or fraud;
- Sexual, physical or verbal abuse, or bullying or intimidation of employees, trustees, volunteers or clients;
- Abuse of authority;
- Covering up wrongdoing in any of the categories above;
- Other unethical conduct.

Whistle-blowers are protected by law and should not be treated unfairly or lose their jobs or position because of 'blowing the whistle'. The UK Government has published guidance and a code of practice on whistle-blowing¹.

Scope of Policy

This procedure does not replace other policies or procedures. It sits alongside the other policies that make up DAM UK's Code of Conduct including the Safeguarding Policy.

The process set out in this policy enables anyone to report a suspected malpractice whether it be from the past, in the present or possibly about to happen. It may have occurred inside or outside the United Kingdom.

Safeguards to the whistle-blower

Protection

This policy is designed to offer protection to members of the DAM UK community who disclose such concerns provided the disclosure is made:

- in good faith
- in the reasonable belief of the individual making the disclosure that it shows some kind of malpractice or impropriety
- the disclosure is made to an appropriate person (see below).

DAM UK recognises that the decision to make an allegation can be difficult. However, whistle-blowers who make serious allegations in the reasonable belief that it is in the public interest to do should have nothing to fear.

DAM UK will treat all disclosures consistently and fairly.

Confidentiality

DAM UK will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process itself may reveal the source of the information and the individual making the disclosure may need to provide a

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/415175/bis-15200-whistle-blowing-guidance-for-employers-and-code-of-practice.pdf

statement as part of the evidence required. In such cases any proposed actions will be fully discussed with the whistle-blower.

Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of DAM UK. In exercising this discretion, 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.

Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information.

If, however, an individual makes malicious or frivolous allegations, and particularly if he or she persists in making them, follow up action may be taken against that individual.

Making an allegation

On receipt of a complaint of malpractice, the person who receives and takes note of the complaint must pass this information, immediately (i.e. as soon as is reasonably possible), to the appropriate 'investigating officer' as follows:

- Complaints of malpractice will be investigated by the Chair of the Council of Management (Dave Sternberg: dave_sternberg@yahoo.co.uk) unless the complaint is against him or is in any way related to the actions of the Chair. In such cases, the complaint should be passed to the Vice-Chair (Martin Shirley: martin@crich.eclipse.co.uk);
- Complaints against both Chair and Vice-Chair should be passed to any trustee who will consult with other trustees to nominate an appropriate internal/external investigating officer;
- There are other options if the whistle-blower doesn't want to report their concern to any of these people, for example they can get legal advice from a lawyer, or tell a prescribed person or body²;
- A specific template is appended to this policy for use by anyone wishing to raise an issue using DAM UK's whistle-blowing procedure. It is for guidance and it is not essential that it is used.

Investigation procedure

Whether a written or oral report is made it is important that relevant information is provided including:

² <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies>

- The name of the person making the allegation and a contact point;
- The background and history of the allegation (giving relevant dates and names and positions of those who may be in a position to have contributed to the allegation);
- The specific reason for the allegation;

The investigating officer will listen to the concern, write it down and check with the whistle-blower that it is correct and complete.

The whistle-blower should say straight away if they do not want anyone else to know who raised the concern.

The investigating officer will ask the whistle-blower for their preferred means of communication and contact details and use these for all communications with the whistle-blower in order to preserve confidentiality.

The whistle-blower will be supplied with a copy of DAM UK's whistle-blowing policy and processes, and will be offered the opportunity to go through it with the investigating officer to ensure it is understood and clear on the process being adopted.

The investigating office will write to the whistle-blower within 24 hours, confirming receipt of the allegation and the date it was made.

The investigating officer will decide if any action is needed.

The investigating officer will keep the whistle-blower informed about the action being taken, but may not be able to give all the detail if the confidentiality of other people may be compromised.

If at any point the investigation leads to an action that will reveal the identity of the whistle-blower, this will be discussed with the whistle-blower.

Record-keeping of the investigation of an allegation

The investigating officer will record details of the allegation gathering as much information as possible, including:

- The record of the allegation;
- The acknowledgement of the allegation;
- Any documents supplied by the whistle-blower;
- A specific template to be completed in the case of receipt of a Safeguarding allegation is included as Appendix 2 to this Policy.
- All papers, reports and records of actions related to the whistle-blowing will be kept in a confidential file.

If the allegation discloses clear evidence of a criminal offence, it will immediately be reported to the Board of Trustees and a decision will be made to inform the police.

If a substantiated allegation concerns harm to children or vulnerable adults, the appropriate local authorities will be informed immediately, followed by the Charity Commission.

DAM UK will also ensure compliance with regards to advising individual donors of whistleblowing incidents in line with their requirements.

Dissatisfaction with the outcome of the process

If the whistle-blower is dissatisfied with the outcome of the investigation, they can raise it with the Chair or the Vice-Chair of the Council of Management, giving the reasons for their dissatisfaction. They will notify the whistle-blower of their acceptance or rejection of the need for further investigation and the reasons for this.

Training

Re-fresher training on this policy will be provided to all Trustees, staff and consultants at least annually.

Policy to be reviewed by: November 2021

Appendix 1

Reporting a concern or incident using DAM UK's Whistle-blowing Policy

To be completed as soon as possible and to be sent as soon as possible to the Chair of DAM UK, Dave Sternberg, by email to dave_sternberg@yahoo.co.uk
If the concern involves the Chair of DAM UK, please send as soon as possible to the Vice Chair of DAM UK, Martin Shirley, by email to martin@crich.eclipse.co.uk

PART 1:

Date of this report:	
Name of person who is reporting a concern: 	
Print name	Signature
Job Title or role:	
NOTE: Your name will not be disclosed to anyone else besides the investigating officer unless you specifically agree to it. In some cases, due to the nature of the concern it may be possible for other people to deduce the identity of the whistle-blower. This will be discussed with you before any action is taken	
Contact details / preferred way of being contacted by the investigating officer	
The issue or concern you want investigated using DAM UK's Whistle-blowing policy. Record the following factually if possible: Who or what you are concerned about? What evidence do you have? (If recording a verbal disclosure by someone, use their words)? When did you become aware of the concern? (dates & times of incidents)? Any witnesses to the malpractice? (Continue on other pages if you need to)	

What action would you like DAM UK to consider taking?

Does anyone else know that you are raising this issue with DAM UK in this way? Is there anyone else you know of who would like to join you in blowing the whistle?

Any other relevant information (Factual)

Check to make sure your report is clear now – and will also be clear to someone else reading it next year

Appendix 2

PART 2: (for use by Chair of DAM UK)

Action and response to a reported concern or incident raised using DAM UK's Whistle-blowing Policy

Time & date information received and from whom	
Create an Incident report with a reference number to link the incident report form and this response	Incident reference number you have created:
Ensure there is a written report of the incident and the actions you have taken that is stored securely, maintaining confidentiality	
Detail any advice or further information sought by Chair (date, time, name, role, organisation & advice given)	
Summarise action taken, and If decision not to refer, justify reason. Note time, date, names, who information shared with and when etc.	
Summarise clearly the action taken to ensure the identity of the whistle blower is kept confidential if that is their wish. Note date, time and who involved in taking the actions.	

<p>Outcomes</p> <p>Record names of individuals/agencies who have given you information regarding outcome of any referral (if made)</p>	
<p>Note where can additional information concerning the issue be found?</p>	
<p>Signed</p>	
<p>Printed Name</p>	
<p>Date</p>	