



Whistle-blowing Policy

Temwa is committed to a high standard of professional ethics and accountability, and strongly supports the rights of staff and volunteers where they have concerns about serious issues within the organisation.

If an employee has reasonable grounds for concern about the actions or behaviour of an individual involved with the organisation, or about the organisation as a whole, they will not face any sanctions or negative consequences for bringing these concerns to light.

Scope of policy

This policy applies to all employees, contractors, consultants, trustees, volunteers and others working for or on behalf of Temwa, both in the UK and in Malawi. Throughout this policy the term 'worker' is used to refer to people in any of these categories.

Whistle-blowing is the reporting of malpractice. While this is not an exhaustive list, malpractice could include the following:

- A criminal offence, including theft, fraud or corruption.
- A failure to comply with a legal or regulatory obligation, such as those set by the Charity Commission or financial regulators.
- A miscarriage of justice.
- Accepting gifts that are intended to influence decision-making.
- The endangering of an individual's health, safety or well-being, through action or inaction.
- Damage to the environment.
- Disregard of Temwa's principles and values, including breach of the Staff Code of Conduct.
- Bullying, harassment or discrimination.
- Deliberate concealment of information relating to any of the above.

Policy statement

Temwa will provide a safe and secure environment for workers who report unacceptable practice.

Where workers raise concerns or report malpractice in good faith, they will not experience any repercussions for doing so.

All reports of malpractice or concerns raised will be fully investigated and appropriate action will be taken in all cases.

Responsibilities

The Managing Director is responsible for ensuring the effective implementation of this policy throughout Temwa's operations.

The Managing Director is also responsible for representing Temwa's interests and concerns in the event of publicity or legal action resulting from a whistle-blowing allegation.

The Managing Director is also responsible for carrying out investigations into concerns raised or reports of malpractice (see 'Investigation' below).

All line managers are responsible for ensuring that this policy is communicated and understood. They are also responsible for ensuring that concerns raised by workers are taken seriously and passed on to the Managing Director or Chair of Trustees as appropriate (see 'Investigation' below).

All workers are responsible for reporting any malpractice or concerns immediately, and for cooperating fully with any investigations carried out.

Investigation

When a report of malpractice or a concern is raised to a line manager, they must immediately report this to the Managing Director.

When the Managing Director receives a report of malpractice or a concern, either via a line manager or directly, they must report this immediately to the Chair of Trustees.

When the Chair of Trustees directly receives a report of malpractice or a concern, they must report it immediately to a relevant second trustee (ie finance, HR, etc).

The Managing Director must then lead an investigation. In the case of reports made directly to the Chair of Trustees, the Chair of Trustees must lead an investigation.

The investigation must:

- Determine whether malpractice has occurred. If there is evidence to suggest malpractice, then appropriate action must be taken as set out in the Disciplinary Policy.
- Determine whether a criminal offence may have taken place. If there are reasonable grounds to believe that a criminal offence may have taken place, this must be reported immediately to the police.
- Determine whether a serious incident may have taken place as defined by the Charity Commission (<https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>). If there are reasonable grounds to believe that a serious incident may have taken place, this must be reported immediately to the Charity Commission.
- Protect the interests of the person who raised the concern, including ensuring that their identity is not disclosed without their explicit consent.

Throughout, the person leading the investigation must ensure that regular reports on the progress of the investigation are made to the person who made the initial report; and to the Chair of Trustees, if they are not personally leading the investigation.

If a criminal offence is reported to the police, the Chair of Trustees and the Managing Director must ensure that the charity provides full cooperation and support for any subsequent criminal investigation.

How to raise a concern

As soon as you become aware of malpractice you must report your concerns. Contact details are given at the end of this policy.

- If you have a concern about malpractice, it should be raised with a line manager.
- It might not be appropriate to report concerns to a line manager – for example, if your concerns are about the manager themselves, or someone close to them. In this situation, you should report your concerns to the Managing Director.
- If your concerns are about the Managing Director or about the organisation as a whole, you should report them to the Chair of Trustees.
- In cases of serious malpractice, or where the concern relates to the charity as a whole or to the most senior figures within the charity, you should report your concerns directly to the Charity Commission via their dedicated Whistleblowing email address, whistleblowing@charitycommission.gsi.gov.uk.

Please be aware that if you report a concern that is subsequently discovered to be deliberately false or malicious, disciplinary action will be taken, which could result in your dismissal.

Providing details about your concern

When you report a concern, you will be asked to provide any evidence that you have to support the concern. You should not delay reporting a concern while you gather evidence.

Your position

If you raise a concern in good faith, Temwa will ensure that you do not suffer any disadvantage in the workplace as a result of your actions.

The Public Interest Disclosure Act will give you legal protection from detrimental treatment by an employer if you make a disclosure in good faith that relates to one of the following matters:

- A criminal offence.
- The breach of a legal obligation.
- A miscarriage of justice.
- A danger to the health and safety of any individual.
- Damage to the environment.
- Deliberate concealment of information tending to show any of the above five matters.

Next steps

- The concern will be reported to the Managing Director, who will lead an investigation. In the case of concerns made directly to the Chair of Trustees, the Chair themselves will lead the investigation.
- The Managing Director or Chair of Trustees will ensure that you are kept informed about the progress of the investigation. Please note that in some cases it may not be possible or appropriate for the outcome of the investigation to be reported to the person raising the concern.
- Written records will be kept of the investigation and its outcomes.
- Your identity as the person making the initial report will not be disclosed without your express consent.
- Any attempt to victimise, intimidate or discriminate against a worker who has raised a concern will constitute a serious disciplinary offence and will be treated as gross misconduct as defined in the Employment Policy.

Contact details

Managing Director: Jo Hook – jo@temwa.org, 0117 287 2892

Chair of Trustees: Richard Potter – chair@temwa.org

Additional guidance

<https://www.gov.uk/guidance/whistleblowing-guidance-for-charity-employees>