Save the Children

WHISTLEBLOWING POLICY

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Registered charity England and Wales (213890) Scotland (SC039570) and Isle of Man (No. 199)

SECTION 1

1.1 Scope of this policy

1.1.1 This policy applies to:

Employees on UK contracts	☒		Trustees	☒
Employees on international contracts	☒		Contractors	☒
Agency Workers	☒		Partners	☒
Consultants	☒		Suppliers	☒
Volunteers	☒		Visitors to SCUK premises	☒
Donors	☒		Service Users	☒

1.1.2 Unless stated otherwise, this policy is non-contractual and does not form part of the contract of employment and it may be adapted or amended at any time. Save the Children Fund ("SCUK") may also (acting reasonably and depending on the circumstances of each case) adapt, vary or depart from the application or implementation of this policy and procedure, including any time limits, to reflect the circumstances of each case and to reflect general principles of reasonableness and fairness.

1.1.3 Breaching this policy may result in disciplinary action.

1.2 Policy Statement

1.2.1 SCUK is committed to the highest possible standards of integrity and accountability as set out in our Code of Conduct. We promote and encourage an open and honest environment in which concerns about wrongdoing can be freely raised by everyone. The Whistleblowing Policy is intended to enable genuine concerns about actual or perceived wrongdoing by SCUK or its partners to be raised by Staff and Representatives, suppliers or people who come into contact with us through our work.

1.2.2 Everyone at Save the Children has the right to raise genuine concerns without being fearful of the consequences. We have a zero-tolerance policy towards the bullying, harassment or victimisation of people who raise concerns; this includes attempts to identify you as the person who raised the concern. If anyone behaves in this way, they will face disciplinary action.

1.3 Policy Rules

1.3.1 SCUK encourages its Staff and Representatives to report all incidents or concerns that they become aware of that suggest misconduct or wrongdoing that might compromise our values. We will support anyone who raises genuine concerns and investigate appropriately.

1.3.2 A person reporting a genuine concern does not need to be certain that misconduct or wrongdoing has taken place. It is sufficient that you have information that reasonably suggests that misconduct or wrongdoing was, is, or may be about to be committed.

1.3.3 SCUK has policies in place to ensure that its work is conducted safely and lawfully. This policy is not a substitute for our other policies, and any concerns raised may be investigated under the most relevant policy. Many of our polices include a requirement that Staff and Representatives **must** report certain matters. For example, but not limited to:

- Anti-Fraud, Bribery and Corruption Policy
- Anti-Money Laundering Policy
- Anti-Terrorism Policy

- Safeguarding Policy
- Code of Conduct
- Data Protection Policy
- Health and Safety Policy
- Information Security Policy
- Managing Conduct Policy
- Managing Grievance Policy
- Respect at Save the Children Policy
- Safety and Security Policy
- Volunteer Problem Solving Policy

(the "**Reporting Policies**")

1.3.4 The legal framework for whistleblowing is set out in the Public Interest Disclosure Act 1998. The Public Interest Disclosure Act 1998 provides protection for workers (i.e. our employees and agency workers) who raise genuine concerns, known as 'qualifying disclosures', about specified matters. A qualifying disclosure is one made in the **public interest** by a worker who **reasonably believes** that:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above is being, has been, or is likely to be, committed.

1.3.5 SCUK recognises that the Public Interest Disclosure Act 1998 does not extend the same legal protections to individuals who cannot be classified as 'workers' under the Act (e.g. contractors or volunteers). SCUK, however, wants to promote and encourage an open and honest environment in which concerns can be freely raised by all. SCUK will therefore, in so far as is possible, aim to treat all individuals reporting a genuine concern in the spirt of the Public Interest Disclosure Act 1998.

1.3.6 If Staff or Representatives have a genuine concern, they are encouraged to report the matter at an early stage. They should not investigate the concern themselves. It is SCUK's responsibility to investigate. Staff and Representatives should make a report under the relevant Reporting Policy or through the reporting channels described in the Whistleblowing Procedures below. You can also refer to our Report a Concern intranet page.

1.3.7 This policy is intended to provide you with an avenue to raise genuine concerns, and you are encouraged to make full and thorough use of our Reporting Policies. If, having exhausted these procedures, you remain concerned that the appropriate action has not been taken, if you are a worker, you may have rights to raise concerns in accordance with the Public Interest Disclosure Act 1998, by contacting the external bodies, set out in Annex 1.

1.3.8 SCUK recognises the decision to report a concern can be difficult. We will support staff and representatives who raise genuine concerns throughout the process of raising a concern. The **Wellbeing Team** are available to provide support. We take a zero-tolerance approach towards the harassment, bullying or victimisation of Staff and Representatives for doing so, regardless of whether or not the concern is upheld. Your continued employment and opportunities for future promotion or training will not be affected, and any examples of victimisation taking place against an individual who raises a genuine concern will be considered a disciplinary offence.

1.3.9 In addition to the standard reporting procedures set out in our Whistleblowing Procedures below, SCUK also provides Staff and Representatives with access to its **Integrity Line** on 0800 085 2563 (see 3.1.2 below). This provides the opportunity for Staff and Representatives to make reports anonymously.

SCUK respects the choice of anyone who wishes to remain anonymous. However, allegations are often more difficult to investigate when a complainant remains anonymous, and the outcome of an investigation may be affected. Therefore, while SCUK accepts anonymous complaints and respects the wishes of those who choose to remain anonymous, SCUK nonetheless encourages people making disclosures to share their contact details when making the report to enable a more effective response.

1.3.10 Knowingly providing false information or instructing someone to cover up wrongdoing will be considered as potential acts of misconduct under the Managing Conduct Policy. If you are told not to report any genuine concern in accordance with the Reporting Policies or with this Policy, even by a person in authority such as a manager, you should not agree to remain silent and should report under this Policy.

1.4 Feedback

1.4.1 If you have any questions about this policy or wish to give feedback, please contact the Regulatory Counsel, the General Counsel or Whistleblowing Trustee.

SECTION 2

2.1 Supporting Documents

Hyperlinks below are maintained and updated by **Regulatory Counsel**.

Type of document	Supporting Documentation Links
Policies	• Anti-Fraud, Bribery and Corruption Policy • Anti-Money Laundering Policy • Anti-Terrorism Policy • Safeguarding Policy • Code of Conduct • Data Protection Policy • Health and Safety Policy • Information Security Policy • Managing Conduct Policy • Managing Grievance Policy • Respect at Save the Children Policy • Safety and Security Policy • Volunteer Problem Solving Policy
Procedures/Processes	• Anti-Fraud, Bribery and Corruption Procedures • Anti-Terrorism Procedures • Fraud Response Plan (see Anti-Fraud, Bribery and Corruption Procedures) • Whistleblowing Policy – Named Persons Procedure
Guidelines/FAQs	• Survivor Centred Protocol
Relevant Forms	• Integrity Line Online Portal
Others	• Government advice on Whistleblowing: • Protect: Public Concern at Work • Fundraising Regulator: Code of Fundraising Practice • Reporting serious wrongdoing at a charity

2.2 Definitions

Word/Term	Definition
CLUE	The SCUK case management system for incident reporting.
Fundraising practice concern	Any genuine concern that our fundraising practices breach the Code of Fundraising Practice or any relevant legislation, including concerns that any suppliers who fundraise on SCUK's behalf may be doing so.
Grievance	Grievances are concerns, problems or complaints raised by a member of staff relating to their employment and may include, for example, matters relating to their work, working conditions or relationships with other colleagues.

Integrity Line	Our anonymous reporting mechanism operated by the external charity, Crimestoppers, on behalf of SCUK. Reports to the Integrity Line can cover **any** issue and need not relate to criminal offences. If individuals reporting to the Integrity Line wish to share their contact details, they can do so by making a confidential (rather than anonymous report).
Named Persons	The Senior Leaders and Trustee with whom concerns can be raised under this policy. These are the – General Counsel, Chief Executive Officer (CEO) and the Whistleblowing Trustee.
Qualifying Disclosure	A qualifying disclosure is one made in the **public interest** (i.e. it may have an impact on other people) by a worker who **reasonably believes** that: • a criminal offence; • a miscarriage of justice; • an act creating risk to health and safety; • an act causing damage to the environment; • a breach of any other legal obligation; or • concealment of any of the above is being, has been, or is likely to be, committed.
Reporting Teams	SCUK teams that receive, investigate and manage incident reports received through the Reporting Policies and CLUE.
Reporting Policies	SCUK policies that require incident reporting to Reporting Teams. These are available here.
Staff	SCUK employees, agency workers.
Representatives	SCUK trustees, volunteers, contractors, consultants, partners.
Whistleblower	A **Whistleblower** is a person who raises a genuine concern that is a qualifying disclosure.
Whistleblowing concern	Qualifying disclosures that are received through the Integrity Line or the Named Persons as described in the procedures below.
Whistleblowing Report	A Whistleblowing Concern within SCUK or SCUK's partners that is raised through a report made to the Integrity Line or the Named Persons as described in the procedures below.
Whistleblowing Trustee	The member of SCUK's Board of Trustees with special responsibility for whistleblowing. The current Whistleblowing Trustee is named in the procedures, below.

SECTION 3 – WHISTLEBLOWING PROCEDURE

3.1 Making a Whistleblowing Report

The Whistleblowing Procedure sets out the procedure for reporting and investigating a Whistleblowing Concern within SCUK or SCUK's partners that is raised through a report made to a Named Person or the Integrity Line (a Whistleblowing Report) and not under the Reporting Policies. The Whistleblowing Procedure must be read in conjunction with the Whistleblowing Policy.

Information provided by a Whistleblower will be kept confidential where possible. This means that information will be shared on a "need to know" basis and we will remove reference to identifying details of the Whistleblower/ Survivor/Subject of Concern/ Other Individuals where appropriate. Complete confidentiality will not always be possible, but if the Whistleblower's name is to be disclosed to an external party, they will be told first unless there is a legal requirement not to do so, or we are advised not do so by the police or other authority.

Reporting to a Named Person

If a member of Staff or Representative feels unable to raise a concern through the Reporting Policies (for instance, because they feel their concerns have previously been raised and not been acted upon), they should make a Whistleblowing Report to one of the following Named Persons:

- the General Counsel or (if not appropriate);
- the Chief Executive Officer (CEO) or (if not appropriate);
- the Whistleblowing Trustee.

The "Named Persons" can be contacted as follows:

General Counsel and Company Secretary	Bonike Bracewell	b.bracewell@savethechildren.org.uk
Chief Executive	Moazzam Malik	m.malik@savethechildren.org.uk
Whistleblowing Trustee	Kajal Odedra	k.odedra@savethechildren.org.uk

In general, you should contact the General Counsel in the first instance, but, if this would not be appropriate, you should make the Whistleblowing Report to another Named Person.

Once the Whistleblowing Report has been received by the Named Person, it will be acknowledged and considered carefully. The Named Person will notify the Regulatory Counsel of the Whistleblowing Report, so that the Regulatory Counsel can assist the Named Person in considering how the Whistleblowing Report should be investigated, as outlined in section 3.2 below (this may include referring the matter to the specialist reporting teams). If Regulatory Counsel is conflicted, the General Counsel or other person nominated by the General Counsel will assist the Named Person.

An individual making a Whistleblowing Report may ask the Whistleblowing Trustee to consider a report that has already been raised with the Chief Executive or General Counsel and investigated.

If this happens, the Whistleblowing Trustee will proceed as follows:

- The Whistleblowing Trustee may only review the procedural elements of the investigation to ascertain whether a fair process has been followed;
- The Whistleblowing Trustee may ask the individual making the Whistleblowing Report to set out in writing which procedural elements they are not happy with;
- The Whistleblowing Trustee will make an assessment as to whether a fair process has been followed and if not, may recommend that the matter is reviewed by an external investigator/reviewer;

- The Whistleblowing Trustee will have no obligation to review the facts of a concern that has already been investigated unless it is appropriate to do so.

Reporting to the Integrity Line

The Integrity Line is an external reporting service operated on behalf of SCUK by a third party[1], to protect the confidentiality/anonymity of those who report to it. It consists of a telephone line and a webform. Reports to the Integrity Line can cover any issue and need not relate to criminal offences. Access to the Integrity Line is available **here.**

Reports to the Integrity Line can be made anonymously; however, SCUK may be unable to progress a matter, if we do not have an attributable source. Individuals who make a report to the Integrity Line are given the option to provide contact details so that they can be contacted should further information about their Whistleblowing Report be required. Reports that are forwarded to SCUK from the Integrity line will not include contact details unless the individual making the report consents to these being shared. The Integrity Line webform offers the option of an anonymous '2 way / stay in contact process' – this means SCUK can ask questions to assist in the investigation via the platform, without the Whistleblower's details being provided to SCUK.

Reports made to the Integrity Line are forwarded to the SCUK Whistleblowing Inbox (whistleblowing@savethechildren.org.uk) which is monitored by Regulatory Counsel. Regulatory Counsel will review the reports received and manage them in accordance with this Procedure.

3.2 Investigating a Whistleblowing Report

SCUK will carefully review all Whistleblowing Reports received either through a Named Person or the Integrity Line and will ensure an investigation is carried out in all cases where the allegations amount to a Qualifying Disclosure.

Whistleblowing Reports will generally be investigated by the Reporting Team or the Regulatory Counsel and will be entered onto the CLUE case management system.

Anyone carrying out an investigation under this policy will be expected to do so in a survivor-centred way, following the Survivor Centred Protocol as appropriate.

If Regulatory Counsel and/or Named Person considers there is no conflict and therefore it is appropriate for the Whistleblowing Report to be investigated by the relevant Reporting Team:

- Regulatory Counsel and/or the Named Person will refer the matter back to the relevant Reporting Team in accordance with the Reporting Policies.
- The Reporting Team will investigate the matter in accordance with the Reporting Policies.
- The Reporting Team will provide the Regulatory Counsel and/or the Named Person with progress updates; significant developments arising out of the investigation; and the outcome of the investigation. Such updates should be provided using CLUE where possible.
- The Reporting Team will inform the Whistleblower of the steps taken and the outcome of the investigation where appropriate and subject to any obligations regarding confidentiality
- Regulatory Counsel will record the outcome of the investigation and update SCUK senior stakeholders (including the Whistleblowing Trustee) in accordance with the '*Reporting*' section at paragraph 3.4 below.

[1] The third party is the charity Crimestoppers. Information about Crimestoppers is available here.

If Regulatory Counsel and/or the Named Person considers it inappropriate for the Whistleblowing Report to be investigated by the relevant Reporting Team (for example, because of a conflict as the report relates to the Reporting Team or due to resourcing issues):

- The matter will be referred to the General Counsel/Named Person (where relevant) and the Whistleblowing Trustee for a decision as to whether:

  - they agree that the matter should not be investigated by the relevant Reporting Team under the Reporting Policies;

  - the matter should be investigated by another team within SCUK; or

  - an external investigation should be commissioned from a law firm or other appropriately qualified investigator.

- If the General Counsel/Named Person (where relevant) and the Whistleblowing Trustee consider the matter to be particularly sensitive or high risk (for example, it impacts SCUK's reputation and/or requires a serious incident report to be made to the Charity Commission) the matter may be referred to the Chair of the Audit & Risk Committee and the Chair of the Board for a decision as to whether an external investigation should be commissioned and/or whether other trustees (e.g. the full Board, the most appropriate Committee Chair or Safeguarding Trustee) should be notified/consulted. The decision of the Chair of the Audit & Risk Committee and the Chair of the Board will take into account advice from the General Counsel.
- The Regulatory Counsel and/or the Named Person (where relevant) will inform the Whistleblower of the steps taken and the outcome (but not necessarily the detail) of the investigation where appropriate.

3.4 Whistleblowing Reports regarding SCI

When a Whistleblowing Report is received that relates to Save the Children International (**SCI**):

a. If contact with the Whistleblower is possible, Regulatory Counsel will ask the Whistleblower if they agree that the information they have provided (and their contact details) can be forwarded to SCI.
b. If the Whistleblower is content for the information to be shared with SCI, Regulatory Counsel will forward the Whistleblowing Report to SCI's whistleblowing mailbox (SCIwhistleblowing@savethechildren.org).
c. If the individual making the Whistleblowing Report wants to remain anonymous or is otherwise unable to be contacted/identified, Regulatory Counsel may forward the information received to SCI, noting the Whistleblower is anonymous/unable to be contacted.

3.3 Implementing protections for the Whistleblower

In reviewing Whistleblowing Reports received, Regulatory Counsel and/or the Named Person will consult with the General Counsel to assess if the SCUK People Team should be consulted on whether any additional protections (to those described in the Whistleblowing Policy and Whistleblowing Procedure) are required for the Whistleblower.

If the General Counsel considers it inappropriate to ask the SCUK People Team to be consulted (for example, because there is a conflict in them being involved), an external law firm may be instructed by the General Counsel/Named Person to advise on any additional protections needed for the Whistleblower.

The decision to instruct an external law firm to advise on protections for the Whistleblower and a recommendation as to the budget involved should be made by the Chief Financial Officer the General Counsel and the Whistleblowing Trustee if the matter is considered particularly high risk.

3.4 Record-keeping and reporting

Regulatory Counsel will maintain confidential records of all Whistleblowing Reports in SCUK's Incident Management System, CLUE. These records will include the report received and correspondence relating to the management and investigation of that report. Access to these records will be restricted to Regulatory Counsel, General Counsel and the Reporting Team investigating the incident where relevant. These records may be made available to the Named Person or Whistleblowing Trustee where the report is received by them.

Regulatory Counsel will provide:

- a quarterly update to the Whistleblowing Trustee regarding the Whistleblowing Reports received and the progress/outcome of any whistleblowing investigation(s)
- a quarterly update to the Audit & Risk Committee on the Whistleblowing Reports received and the progress/outcome of any whistleblowing investigation(s)

3.5 Making a Whistleblowing Report to prescribed persons

Staff and Representatives are encouraged to raise their concerns in the first instance under Reporting Policies or the Whistleblowing procedure described above. It is recognised, however, that this may not always be appropriate. There are other options if you do not want to report your concern to SCUK, for example you can get legal advice from a lawyer, or tell a prescribed person or body.

If you tell a prescribed person or body, it must be one that deals with the issue you're raising, for example a disclosure about wrongdoing in a charity can be made to the Charity Commission.

For employees in Ireland or the UK[2] disclosures can be made to additional prescribed persons set out below.

Statutory Bodies	Contact details
Charity Commission	whistleblowing@charitycommission.gsi.gov.uk
National Fraud & Cyber Crime Reporting Centre: ActionFraud	0300123 2040 or https://www.actionfraud.police.uk/
Office of the Scottish Charity Regulator	C&I@oscr.org.uk or 01382 220 446
Children's Commissioner for England	info.request@childrenscommissioner.gov.uk or 020 7783 830
Children's Commissioner for Wales	post@childcomwales.org.uk or 0808 801 1000

[2] There is a different whistleblowing process for Northern Ireland [link]

Children and Young People's Commissioner Scotland	inbox@cypcs.org.uk or 0131 346 5350

Non-statutory Bodies	Contact details
Fundraising Regulator	0300 999 3407
Independent Fundraising Standards and Adjudication Panel for Scotland	0808 164 2520
NSPCC Whistleblowing Advice Line	0800 028 0285 or help@nspcc.org.uk;

Annex 1

Examples of Whistleblowing

Practical examples of whistleblowing

A Whistleblowing Report may include raising concerns about:

- The abuse (physical, sexual or verbal) or bullying of SCUK beneficiaries, staff members or partners' staff members.
- The sexual harassment, discrimination or other inappropriate behaviour towards SCUK beneficiaries, staff members or partner staff members.
- Fraud, corruption, bribery or blackmail.
- Aid diversion (such as terrorism financing), money laundering, facilitating tax evasion or other financial irregularities.
- Putting the health and safety of individuals, including beneficiaries, staff members or SCUK partners' staff members, at risk.
- Committing a criminal offence, doing anything else illegal or failing to comply with the law.
- Damaging the environment.
- Gross injustice within SCUK.
- Personal data breaches.
- Deliberately concealing any of the above matters.

A **Whistleblower** is a person who raises a genuine concern relating to any of the above.