

Whistleblowing Policy and Procedures

Policy Statement

Amala is committed to the highest standards of transparency, probity, integrity and accountability and will not tolerate malpractice. This Whistleblowing Policy and Procedure sets out the framework for dealing with allegations of illegal and improper conduct.

This procedure is intended to provide an accessible way of making serious allegations about malpractice, standards, conduct, financial irregularity/misconduct or possible unlawful action and ensure confidentiality and protect those making such allegations in the reasonable belief that it is in the public interest to do so from being victimised, discriminated against or disadvantaged.

The aim of this Policy is to encourage Amala staff, community members and others who have serious concerns about any aspect of the organisation's work to come forward and voice those concerns.

Scope

This procedure applies to all Amala members of staff, consultants, volunteers and representatives.

This procedure applies to, but is not limited to, allegations about any of the following:

- Failure to safeguard children/young people or act appropriately in relation to students or colleagues
- Creating or ignoring serious risks to health and safety
- Fraud or financial irregularities
- Corruption
- Bribery
- Conduct which is an offence or breach of the law
- Alleged miscarriage of justice
- The unauthorised use of Amala and/or public funds
- Sexual, physical or verbal abuse, or bullying or intimidation of employees, customers or service users
- Abuse of authority
- Acting contrary to the Amala Team Code of Conduct or Safeguarding Declaration
- Other unethical conduct

Confidentiality

All allegations will be treated in confidence and every effort will be made not to reveal a whistleblower's identity unless the whistleblower otherwise requests. If the allegation results in court proceedings then the whistleblower may have to give evidence in open court if the case is

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to be successful. Amala will not, without the whistleblower's consent, disclose the identity of a whistleblower to anyone other than a person involved in the investigation/allegation. If there is evidence of criminal activity then law enforcement will in all cases be informed.

Procedures

Reporting

If you want to make an allegation or express your concern, you are at liberty to do so to Amala's Co Executive Director Mia Eskelund Pedersen verbally by phone on +44 (0) 7490255775 or in writing by contacting mia@amalaeducation.org.

Should the matter relate to malpractice by Mia Eskelund Pedersen or be something that the whistleblower does not feel comfortable reporting to her due to the specific circumstances, then it should be reported to the Chair of the Board (Keith Clark - keith@amalaeducation.org).

Anonymous Allegations

This procedure encourages whistleblowers to put their name to an allegation wherever possible as anonymous allegations may often be difficult to substantiate/prove. Allegations made anonymously are much less powerful but anonymous allegations will be considered at the discretion of the Co-Executive Director/Chair of the Board of Trustees. You will need to give a contact telephone number or email address so Amala can contact you.

In exercising discretion to accept an anonymous allegation the factors to be taken into account:

- The seriousness of the issue raised
- The credibility of the allegation; and
- Whether the allegation can realistically be investigated from factors or sources other than the complainant

Support

Amala recognises that the decision to make an allegation can be a difficult one to make. However, whistleblowers who make serious allegations in the reasonable belief that it is in the public interest to do so have nothing to fear because they are doing their duty either to Amala and/or to those for whom Amala is providing a service.

Amala will take appropriate action to protect a whistleblower who makes a serious allegation in the reasonable belief that it is in the public interest to do so from any reprisals, harassment or victimisation.

Action on receipt of an Allegation

When an allegation is reported, Amala will make contact with the whistleblower within three working days to record details of the allegation gathering as much information as possible, including:

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- The record of the allegation;
- The acknowledgement of the allegation;
- Any documents supplied by the whistleblower

The investigator will ask the whistleblower for his/her preferred means of communication and contact details and use these for all communications with the whistleblower in order to preserve confidentiality.

Recording

A Register will record the following details:

- The name and status (e.g. employee) of the whistleblower
- The date on which the allegation was received
- The nature of the allegation
- Details of the person who received the allegation
- Whether the allegation is to be investigated and, if yes, by whom
- The outcome of the investigation
- Any other relevant details

The Register will be confidential and only available for inspection by the Board of Trustees.

Investigation and follow up action

Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. The whistleblower raising the concern will be kept informed of progress and, whenever possible and subject to third party rights, will be informed of the resolution. Where the allegation has been made internally and anonymously, Amala will be unable to communicate what action has been taken.

If the allegation relates to fraud, potential fraud or other financial irregularity, the Chair of the Board of Trustees will be informed within 5 working days of receipt of the allegation. If the allegation discloses evidence of a criminal offence it will immediately be reported to the Board of Trustees and a decision will be made as to whether to inform the Police. If the allegation concerns suspected harm to children, the *Reporting Procedures for Safeguarding Concerns Against Amala Staff* will be applied.

A whistleblower who is not satisfied that their concern is being properly dealt with will have a right to raise it in confidence with the Chair of the Board.

External Procedures

Where all internal procedures have been exhausted, and where the whistleblower feels that the concern needs further escalation, it should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where they may be entitled to raise a concern directly with an external body if they reasonably believe:

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- That exceptionally serious circumstances justify it;
- That Amala would conceal or destroy the relevant evidence;
- Where they believe they would be victimised by Amala;

External parties might include the police, local safeguarding authorities, the Charity Commission for England and Wales or any other external regulatory body as appropriate to the nature of the concern.

Untrue Allegations

No disciplinary or other action will be taken against a whistleblower who makes an allegation in the reasonable belief that it is in the public interest to do so even if the allegation is not substantiated by an investigation. However, disciplinary action may be taken against a whistleblower who makes an allegation without reasonable belief that it is in the public interest to do so or with malicious intent (e.g. making an allegation frivolously, maliciously or for personal gain where there is no element of public interest).

Monitoring

The Co Executive Directors will report annually to the Board of Trustees on the operation of this Policy and Procedures and on the whistleblowing allegations made during the period covered by the report. The report will be in a form which does not identify whistleblowers.

Communication

The Policy is communicated to the Amala community on Slab (Amala's Knowledge Management System) and on the Amala website.

Related Policy and Procedures

Team Code of Conduct

Safeguarding and Welfare Policy

Data Protection Policy

Disciplinary Policy and Procedures

Anti Bribery and Corruption Policy

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