



Refugee Education UK

Whistleblowing policy

October 2020

Introduction

At Refugee Education UK (REUK), we uphold integrity and transparency in all relationships, prioritising honesty and understanding, believing this to be the best way to serve young people and to build partnerships with other organisations and institutions.

Each of us should be confident to raise all concerns, no matter how minor, about fraud, misconduct or wrongdoing by staff or others working on behalf of REUK. This includes concerns about fundraising practice. Respect your gut feelings about others' conduct or the way the organisation is run. When you raise a concern, you are helping ensure that REUK works with integrity and transparency.

This policy sets out the way in which anyone may raise concerns that they have and how those concerns will be dealt with.

1. Legal background

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters in the public interest. These are called 'qualifying disclosures'. A qualifying disclosure is one made by an employee who has a reasonable belief that any of the following is being, has been or is likely to be, committed:

- A criminal offence, for example theft, fraud or financial mismanagement;
- A miscarriage of justice;

- An act creating risk to health and safety, for example if a REUK does not use its safeguarding policy;
- An act causing damage to the environment;
- A breach of any other legal obligation, for example if someone uses REUK for significant personal advantage;
- Concealment of any of the above;

It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed – a reasonable belief is sufficient. You have no responsibility for investigating the matter – it is REUK's responsibility to ensure that an investigation takes place.

If you make a protected disclosure you have the right not to be dismissed, subjected to any other detriment or victimised because you have made a disclosure. We encourage you to raise your concerns under this procedure in the first instance.

2. Principles

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.

No employee or other person working on behalf of REUK will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.

Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.

If misconduct is discovered as a result of any investigation under this procedure, our disciplinary procedure will be used, in addition to any appropriate external measures. Maliciously making a false allegation is a disciplinary offence.

An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter to the Chief Executive or the Chair of the Board of Trustees.

3. Procedure

This procedure is for disclosures about matters other than a breach of your own contract of employment, which should be raised via [REUK's grievance procedure](#).

a. Stage 1

In the first instance, any concerns should be raised with the Chief Executive, who will arrange an investigation of the matter. The investigation may involve you and other

individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. Your statement will be taken into account and you will be asked to comment on any additional evidence obtained. The Chief Executive will take any necessary action, including reporting the matter to the Chair of the Board of Trustees and any appropriate government department or regulatory agency. The Chief Executive will also invoke any disciplinary action required. On conclusion of any investigation, you will be told the outcome and what REUK has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

b. Stage 2

If you are concerned that the Chief Executive is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person, you should escalate the matter to the Chair of the Board of Trustees. The Chair will arrange for a review of the investigation to be carried out, make any necessary enquiries and make their own report to the board.

c. Stage 3

If on conclusion of stages 1 and 2 you reasonably believe that the appropriate action has not been taken, you should report the matter to the relevant body. This includes:

- HM Revenue & Customs
- the Health and Safety Executive
- the Environment Agency
- the Serious Fraud Office
- the [Charity Commission](#)¹ (advice line 08000 557214)
- the Pensions Regulator
- the Information Commissioner
- the Financial Conduct Authority
- the Fundraising Regulator

You can find the full list at the link below.

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

¹

<https://www.gov.uk/guidance/report-serious-wrongdoing-at-a-charity-as-a-worker-or-volunteer>