

# Whistleblowing Policy

**AIM** - To encourage individuals who have concerns about any aspect of the SOGA's safeguarding practice to come forward and voice those concerns.

'Whistleblowing' is viewed by SOGA as a positive act that can make a valuable contribution to SOGA's efficiency and long-term success. It is not disloyal to speak up. SOGA is committed to achieving the highest possible standards of service and the highest possible ethical standards in public life and in all its practices. To help achieve these standards it encourages freedom of speech.

It is a fundamental expectation that every SOGA member will faithfully and not disclose confidential information about other members' affairs. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the organisation, then this information should be disclosed internally without fear of reprisal.

SOGA encourages you to raise your concerns internally in the first instance as we provide a safe, independent route for you to raise your concerns within the association.

**SPEAKING UP** provides an avenue to report instances of wrong, dishonest or illegal activity. This might include waste or losses, error, mismanagement or dishonesty that may harm individuals or our organisation. This may relate to people issues and/or business issues.

- People issues might include, for example, individuals being treated in an unacceptable way – bullied, threatened, subject to racist or sexual harassment or victimisation.
- Business issues might involve, for example, dishonestly obtaining an advantage, avoiding an obligation or causing a loss to another party. It might mean deliberately providing wrong information. It might also mean 'fraud' (a commonly used term that includes activities such as theft, corruption, embezzlement, bribery and extortion as well as conspiracy and deception).

SOGA recognises that you may observe some behaviour and may be unsure whether it is inside acceptable boundaries or not, and whether it is appropriate for you to Speak Up. If you are unsure, you can call the Director of the Association, Pam Keracher, who will follow the procedure outlined in the Complaints Policy Document unless the complaint /concern is related to a safeguarding or child protection issue when immediate action may be required, or if the complaint involves the Director. In which case, then the complainant may approach one of the following individual who have been designated and trained as independent point of contact under this procedure.

They can advise the complainant on the implications of the legislation and the possible internal and external avenues of complaint open to them: Mrs Heather Niven, Tel 07500337219. or Aegis (The Guardianship Governing body) Tel +44 (0) 1453 821293 or email [info@aegis.net.uk](mailto:info@aegis.net.uk)

If there is evidence of criminal activity, then the investigating person should inform the police.

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**Before speaking up** you may find it helpful to note down:

- The nature of your concern or issue to be reported (e.g. theft, bullying)
- Reason for believing that what you are reporting is an issue
- Full name(s) of those involved. DO NOT APPROACH OR ACCUSE ANY INDIVIDUALS DIRECTLY.
- Times and dates when it may have happened
- Details of the location concerning the issue
- Details of any evidence
- Has any action already been taken by anyone?
- Details of any witnesses

There should be arrangements to enable this to be done independently , relatively minor instances

Mrs Pam Keracher or Peter Keracher would be the appropriate person to be told

.SOGA Have endorsed the provisions set out below to ensure that no members of staff should feel at a disadvantage in raising legitimate interests.

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by SOGA nor should it be used to reconsider any matters which have already been addressed under, complaint, or other procedures

. Once the “whistleblowing” procedures are in place, it is reasonable to expect the member to use them rather than air their complaints outside.

This policy is designed to enable all members of SOGA to raise concerns internally and at a high level and to disclose information which the individual believes shows malpractice or impropriety. This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately but might then lead to the invocation of other procedures, safeguarding.

These concerns could include • Financial malpractice or impropriety or fraud • Failure to comply with a legal obligation or Statutes • Dangers to Health & Safety or the environment • Criminal activity • Improper conduct or unethical behaviour • Attempts to conceal any of these Safeguards Protection

This policy is designed to offer protection to those SOGA members who disclose such concerns provided the disclosure is made: • in good faith • in the reasonable belief of the individual disclosing that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person (see below).

It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the process. In an extreme case, malicious or wild allegations could give rise to legal action on the part of the persons complained about

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. Confidentiality The Company will treat all such disclosures confidentially and sensitively. 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 may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

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 SOGA. 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 vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

Procedures for Making a Disclosure On receipt of a complaint of malpractice, the SOGA member who receives and takes note of the complaint, must pass this information as soon as is reasonably possible, to the appropriate designated investigating officer as follows: •

The Director, Mrs Pam Keracher, will investigate claims of malpractice unless the claim is against the her the Director or is in any way related to the actions of the Director. In which case, then the complainant may approach one of the following individuals who have been designated f contact under this procedure. They can advise the complainant on the implications of the legislation and the possible internal and external avenues of complaint open to them:

Ms Heather Niven , If there is evidence of criminal activity, then the investigating officer should inform the police. The Company will ensure that any internal investigation does not hinder a formal police investigation.

Timescales Due to the varied nature of these sorts of complaints, which may involve internal investigators and / or the police, it is not possible to lay down precise timescales for such investigations.

The investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations. The investigating officer, should as soon as practically possible, send a written acknowledgement of the concern to the complainant. Thereafter report back to them in writing the outcome of the investigation and on the action that is proposed. If the investigation is a prolonged one, the investigating officer should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded. All responses to the complainant should be in writing and sent to their home address. Investigating Procedure The investigating officer should follow these steps:

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- Full details and clarifications of the complaint should be obtained.
- The investigating officer should inform the member of SOGAf against whom the complaint is made as soon as is practically possible.

- . • The investigating officer should consider the need for the involvement of SOGA's accountants/ auditors and the police at this stage .

- . • The investigating officer should thoroughly investigate the allegations with the assistance where appropriate, of other individuals/bodies

- . • The investigating officer will make a judgement concerning the complaint and validity of the complaint. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the decision.

- . • The complainant should be kept informed of the progress of the investigations and, if appropriate, of the outcome. •

- . If the complainant is not satisfied that their concern is being adequately dealt with by the investigating officer, they have the right to raise it with an external board such as Aegis (The umbrella company for Guardianship) **AEGIS (Association for the Education and Guardianship of International Students) +44 (0) 1453 821293.**

- . If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, SOGA recognises the lawful rights of SOGA Members to make disclosures to prescribed persons (such as the Health and Safety Executive, the Audit Commission, Police, or, where justified child protection 0808 800 5000 Child Protection **or Protect for Free, confidential whistleblowing advice. Tel 02031172520 <https://protect-advice.org.uk>**