

RAILWAY CHILDREN WHISTLEBLOWING POLICY & PROCEDURE - SEPTEMBER 2018





INTRODUCTION

Railway Children (RC) is committed to ensuring that all of our staff and any person representing RC upholds our values, adheres to all RC policies and does nothing inside or outside of work that could damage the reputation of RC. It is important that any act of fraud, abuse towards a child, misconduct or any other form of wrongdoing by staff or others working on behalf of RC is reported and properly dealt with. Our whistleblowing policy should be viewed as an opportunity to encourage staff to play their part in improving the overall effectiveness and success of our work. By creating an atmosphere of openness and trust, we can ensure that Railway Children is committed to eradicating unethical and illegal practices which previously may have been going on unnoticed. We therefore expect all individuals to raise any concerns they have about the conduct of others in the organisation and/or how the organisation is run.

This policy sets out how RC intends to promote a culture whereby anyone can raise concerns about any irregularity or suspected irregularity, involving any person or people involved with RC. The policy also outlines how a person can raise a concern and how these concerns will be dealt with.

WHAT CONSTITUTES IRREGULARITY?

UK law defines qualifying disclosures that would be protected by law as:

1. a criminal offence (minor or serious);
2. a failure by a person to comply with any legal obligation to which he or she is subject;
3. a miscarriage of justice;
4. danger to the health or safety of any individual;
5. damage to the environment;
6. the deliberate concealment of information about any of the above.

At RC we want to go further than that so irregularity also consists of any behaviour that could be seen to constitute a breach of the RC Code of Conduct, in or outside of work, including any act that is illegal. This includes any act that could be considered a breach of the RC Safeguarding Policy, a breach of our Anti-Bribery Policy or any act of wrongdoing which includes the un-authorized use of organisational and/or public funds, possible fraud or corruption, bullying and harassment, sexual or physical abuse or any other unethical conduct.

All managers and supervisors have a duty to familiarise themselves with these policies and the types of irregularities that might be expected to occur within their areas of responsibility and to be alert for any indications of irregularity.

PRINCIPLES OF POLICY

- This policy applies to all RC employees,volunteers, consultants and Trustees.
- RC has introduced these procedures to enable employees to raise or disclose concerns about malpractice in the workplace at an early stage and in the right way, and they apply in all cases where there are genuine concerns, regardless of where this may be and whether the information involved is confidential or not.
- All staff and RC representatives should be watchful of any illegal or unethical conduct and have a duty to disclose any concerns they have.
- Any matter raised will be investigated thoroughly, promptly and sensitively and the outcome reported back to the person who raised the issue.
- No employee or representative will be victimised for raising a valid concern even if that concern turns out to be unfounded. The continued employment and opportunities for promotion will not be affected.
- Victimizing a person who raised a valid concern will constitute grounds for a disciplinary offence.
- Maliciously making a false allegation is also a disciplinary offence.
- Once concerns have been received, line managers should refer to the RC disciplinary processes and procedures to determine whether a formal investigation is required and how to manage that process.
- All concerns must be documented even when dealt with informally.
- An instruction to cover up wrongdoing is in itself a disciplinary offence. If told not to raise or pursue any concern, even by your line manager, you should report the matter to the HR Director or the Chief Executive.
- The person raising the concern will be asked to make a written statement.
- RC will not consider concerns raised anonymously but will endeavour to protect the identity of the employee making the disclosure where the person does not want their identity to be revealed so far as is consistent with effectively progressing the investigation.
- An investigation will be conducted without regard to any person's relationship with Railway Children, position or length of service.

PROCEDURES FOR REPORTING CONCERNS

The procedures for how staff or representatives of RC can report concerns are laid out below under Annexe 1. These must be shared with and explained to all staff during their induction, and must be displayed prominently in all RC offices and/or buildings.

Procedures for how beneficiaries can report any concerns are laid out in Annexe 2. These procedures must be displayed prominently in all RC sites where we have contact with beneficiaries. Copies must also be handed to every child, young person or family member on entering in to our caseloads. Contact details will vary from site to site and will need to be reviewed annually and or whenever key staff move on. The procedures will be translated into whatever languages are used in the locality of each project and presented in a format that is easy to read, understand and store.

The extent to which staff comply with this requirement to share reporting procedures with beneficiaries should be monitored by line managers and investigated during all field visits and all RC review processes.

PROCEDURES FOR RESPONDING TO AND INVESTIGATING CONCERNS

The procedures for responding to any concerns are laid out below in Annexe 3. All line managers should be made aware of these procedures during their induction process and the procedures should be displayed prominently in all RC offices.

Managers asked to conduct an investigation as a result of a concern raised should also refer to the RC Disciplinary Procedure.

REVIEW

The Railway Children Board will receive a report outlining how many times these procedures have been activated and review the effectiveness of the Whistleblowing Policy annually.





ANNEXE 1: WHISTLEBLOWING – RAISING CONCERNS OVER RC STAFF & REPRESENTATIVES

RC is committed to ensuring that all of our staff and any person representing RC upholds our values, adheres to all RC policies and does nothing inside or outside of work that could damage the reputation of RC.

If you witness, or suspect any act of wrongdoing undertaken by a member of RC staff or RC representative that is illegal or unethical, and/or goes against our code of conduct, our safeguarding policy, our harassment and bullying policy or anti-bribery policy you are expected to inform a senior member staff as soon as possible as outlined below.

Acts of wrongdoing also include any act that causes health and safety risks, including risks to the public as well as other employees, damage to the environment, the unauthorized use of organisational and/or public funds, possible fraud or corruption, sexual or physical abuse or any other unethical conduct.

You do not need to have proof – only valid concerns or suspicions. It is not your responsibility to investigate the matter but it is your responsibility to disclose your concerns.

You should contact the HR Director or, in the absence of the HR Director or if your concern is with the HR Director, you should contact the Chief Executive. If your concern is with the Chief Executive or any of the Trustees, you should contact the Chair of the Board. You can contact them via email or telephone, whichever is easiest for you.

HR Director: c.noble@railwaychildren.org.uk; 01270 757596

Chief Executive: t.keene@railwaychildren.org.uk; 01270 757596

Chair of the Board: j.foster@railwaychildren.org.uk (PA to the Chief Executive); 01270 757596

- Any information you provide will be treated seriously and in the strictest confidence, wherever possible.
- You will never be treated unfairly for bringing genuine concerns forward – reporting wrongdoing is actively encouraged.
- You will be kept informed as to what action the organisation is taking to respond to your concern. Initially after 48 hours, and then weekly until the matter is concluded.
- If you are not informed within these timescales or your concerns continue despite the action taken, you should inform another person outlined here.

ANNEXE 2: WHISTLEBLOWING FOR BENEFICIARIES

Railway Children (RC) is committed to supporting children and youth living and working on the streets and where necessary their families as part of our reintegration process. As a beneficiary of our programme you are the most important person in our organisation.

Our staff are trained to support you and to help make your life, or the lives of your children safer.

If you feel that in any way a member of our staff, or anyone representing RC, is ever acting dishonestly, or in any way has caused you, any of your friends or anyone in your family or community any harm, then we want you to tell us.

We can assure you that raising a concern will never result in RC withdrawing or reducing the support that you receive.

Any concern will be taken seriously and we will report back to you what action was taken as a result of your concern and why.

You can contact any of the following people about your concern, you can ask to speak to them in person at the RC office or drop in centre and or contact them via phone, SMS or email:

Contact details of staff should be added here for each location in which RC works directly with beneficiaries – and this page of the policy to be shared with all beneficiaries that enter the programme.



ANNEXE 3 – WHISTLEBLOWING MANAGEMENT RESPONSE PROCEDURE

Railway Children is committed to ensuring that all concerns raised regarding wrongdoing are fully investigated and any appropriate action taken.

When a concern of wrongdoing is raised with the HR Director, the Chief Executive or the Chair of the Board, he/she will arrange for an investigation to take place.

Should the allegation concern a safeguarding issue, then the Safeguarding Director must be contacted within 24 hours and the procedures for handling safeguarding concerns outlined in the Safeguarding Children and Adults policy will be followed.

A person will be appointed to manage the investigation who, in the first instance, will arrange to meet with the person making the allegation to discuss their concern and identify what evidence exists.

The investigator will take notes of the meeting and ask the person making the disclosure to make a written statement.

Where the allegation involves wrongdoing from a member of RC staff, the investigator should refer to the Disciplinary Procedure.

An investigation may involve interviewing witnesses and referring to written evidence.

Where wrongdoing is identified action will be taken in line with our disciplinary procedures.

Where significant wrongdoing is identified, a decision will be made as to whether the issue should be reported to any statutory authorities including the Charity Commission and/or donors. Criminal activity will always be reported to the police. The decision to do this rests with the Chief Executive/Chair of the Board.

RC will always take appropriate action to mitigate any ongoing risk identified including taking action to end any risk of harm to people and/or financial loss and correct any policy, procedural or system error or weakness.

The complainant will be kept informed of the overall progress of the investigation and will be informed of the overall outcome of the process at its conclusion. It may not be possible, however, to give you full details about the action taken as this could breach the confidentiality of the person(s) involved.

If you are not satisfied with the response you have received you should raise the matter with the Chief Executive (or the Chair of the Trustees if the Chief Executive has already been involved in handling your disclosure) outlining your reasons. A log will be kept of any disclosures made and reported to the Board on an annual basis.



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Fighting for street children