

# THE ROYAL LIFE SAVING SOCIETY

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<b>POLICY NO:</b>	<b>RLSS013</b>
<b>POLICY:</b>	<b>WHISTLEBLOWERS POLICY –</b>
<b>ORIGINAL POLICY:</b>	<b>21 February 2017</b>
<b>LAST REVIEW DATE:</b>	<b>11 March 2020</b>
<b>REVIEW DATE:</b>	<b>February 2023</b>

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## 1. INTRODUCTION AND PURPOSE

The Royal Life Saving Society (RLSS) is committed to the highest standards of openness, integrity and accountability.

An important aspect of accountability and transparency is a mechanism to enable RLSS volunteers and employees to voice concerns in a responsible and effective manner. It is expected that all volunteers and employees will faithfully serve the RLSS and not disclose confidential information. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the RLSS then this information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be done.

The Public Interest Disclosure Act (UK), gives legal protection against being dismissed or penalised as a result of publicly disclosing certain serious concerns.

This policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question sound financial or business decisions taken by the RLSS nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other policies.

Once the "whistleblowing" procedures are in place, it is reasonable to expect volunteers and employees to use them rather than air their concerns outside the RLSS.

The purpose of this policy is to provide guidance to individuals that have discovered information which they believe shows serious malpractice or wrongdoing within the RLSS and how this information should be disclosed internally.

## 2. DEFINITIONS

**Allegation** means a claim or assertion that someone has done something illegal or wrong.

**Whistleblower** in this policy means a person who informs on a person or organization who they believe to be engaging in an unlawful or unethical activity.

**Whistleblowing** means disclosure by and for a witness of actual or suspected wrongdoing.

## 3. SCOPE AND CONTEXT

This policy is designed to enable volunteers and employees of the RLSS 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 e.g. disciplinary. These concerns could include:

- Financial malpractice or impropriety or fraud
- Failure to comply with a legal obligation, Statutes and Regulations.
- Dangers to Health and Safety or the environment
- Criminal activity
- Improper conduct or unethical behaviour
- Attempts to conceal any of these

This Policy includes RLSS Directors, Trustees, employees and volunteer members of RLSS Committees and Working Groups.

This Policy should be read in conjunction with other RLSS policies including:

- RLSS007 Grievance Policy
- RLSS008 Child and Vulnerable Adult Protection Policy
- RLSS009 Anti-Harassment Policy
- RLSS022 Privacy and Data Protection Policy.

## 4. POLICY STATEMENTS

### 4.1 Safeguards

#### a. Protection

This policy is designed to offer protection to those volunteers and employees of the RLSS who disclose allegations, provided they are made:

- i. in good faith; and
- ii. in the reasonable belief of the individual making the allegation that it tends to show malpractice or impropriety and if they make the allegation 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 this procedure. In an extreme case malicious or wild allegations could give rise to legal action on the part of the persons complained about.

#### b. Confidentiality

The RLSS will treat all allegations in a confidential and sensitive manner. 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.

#### c. Anonymous Allegations

This policy encourages individuals to put their name to any allegations they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of the RLSS. In exercising this discretion, the factors to be taken into account will include:

- i. The seriousness of the issues raised
- ii. The credibility of the concern
- iii. The likelihood of confirming the allegation from attributable sources

#### d. 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.

#### 4.2 Procedures for making a disclosure

On receipt of an allegation of malpractice, the volunteer or employee who receives and takes note of the allegation, must pass this information as soon as is reasonably possible, to the appropriate designated investigating officer as follows:

- Allegations of malpractice will be investigated by the Deputy Commonwealth President or the Treasurer unless the allegation is against either Officer or is in any way related to the actions of either Officer. In such cases, the allegation should be passed to the Executive Director for referral.
- In the case of an allegation, which is any way connected with but not against the Director, the Operations Manager will nominate a Senior Portfolio Director to act as the alternative investigating officer.
- Allegations against any employee should be passed to the Deputy Commonwealth President or the Treasurer who will nominate an appropriate investigating officer.
- The whistleblower has the right to bypass the line management structure and take their allegation direct to the Deputy Commonwealth President. The Deputy Commonwealth President has the right to refer the allegation back to management if he/she feels that the management without any conflict of interest can more appropriately investigate the allegation.

Should none of the above routes be suitable or acceptable to the whistleblower, then the whistleblower may approach the Executive Director who has been designated and trained as an independent point of contact under this procedure. He or she can advise the whistleblower on the implications of the legislation and the possible internal and external avenues open to them.

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

#### 4.3 Timescales

The investigating officer should ensure that the investigations are undertaken as quickly as possible, preferably within 28 days, 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 whistleblower and 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 whistleblower informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

All responses to the whistleblower should be in writing and sent to their home address.

#### 4.4 Investigating procedure

The investigating officer should follow these steps:

1. Full details and clarifications of the matter should be obtained.
2. Take steps to ensure that the identity of the whistleblower, the person who is subject to disclosure and the witnesses are kept confidential, where their identity is known.
3. The investigating officer should inform the volunteer or employee against whom the allegation is made as soon as is practically possible about the nature of the complaint and what is being investigated.
4. The volunteer or employee will be informed of their right to be accompanied by a representative at any future interview or hearing held under the provision of these procedures.
5. The investigating officer should consider the involvement of the Police at this stage and should consult with the Deputy Commonwealth President or the Treasurer, as appropriate.



6. The allegations should be fully investigated by the investigating officer with the assistance where appropriate, of other individuals / bodies.
7. A judgement concerning the allegation and validity of the allegation will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to the Deputy Commonwealth President or the Treasurer, as appropriate.
8. The Deputy Commonwealth President or the Treasurer will decide what action to take. If the allegation is shown to be justified, then they will invoke the disciplinary or other appropriate RLSS policies.
9. The whistleblower should be kept informed of the progress of the investigations in writing and, if appropriate, of the final outcome.
10. If appropriate, a copy of the outcomes will be passed to the Deputy Commonwealth President to enable a review of the procedures.
11. If the whistleblower is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with the Deputy Commonwealth President or the Treasurer.
12. If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the whistleblower is not satisfied with the outcome of the investigation, the RLSS recognises the lawful rights of volunteers, employees and ex-employees to make disclosures to prescribed persons [such as the Health and Safety Executive (UK), the Charity Commission (UK), or the utility regulators], or, where justified, elsewhere.

## 5. ACCESS TO POLICY

This policy will be available for viewing by any person on RLSS's website or a copy will be sent upon request.

## 6. FURTHER INFORMATION

For further information on this policy please contact:

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**Attention: Deputy Commonwealth President**

