

# Whistleblowing Policy

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The Duke of Edinburgh's Award Foundation Bangladesh

## Contents

|   |    |
|---|----|
| # Whistleblowing Policy: Background.....          | 3  |
| 1. Introduction .....                             | 4  |
| 2. Definitions .....                              | 4  |
| 3. The Purpose of This Policy.....                | 5  |
| 4. Actions to Support and Implementation .....    | 5  |
| 5. Confidentiality.....                           | 5  |
| 6. Responsibility.....                            | 6  |
| 7. Principles of Whistleblowing Policy .....      | 6  |
| 8. Process of Reporting .....                     | 7  |
| 9. Outcomes of Investigation .....                | 8  |
| 10. Appeals Process .....                         | 9  |
| 11. Documentation and Recording .....             | 10 |
| 12. Monitoring and Learning From Complaints ..... | 10 |
| 13. Effectiveness and Applicability .....         | 10 |

## **Whistleblowing Policy - Background:**

We expect everyone connected with the Duke of Edinburgh's Award Foundation Bangladesh to always act with integrity and to the highest ethical standards. However, we recognise that things might go wrong, and we need a simple way for people to let us know if a serious issue has occurred that needs investigation. Our Whistleblowing policy is designed to be a simple and safe way for anyone to report serious issues and allow us to address them as quickly as possible.

Whistleblowing is the term used when a person passes on information concerning wrongdoing. The wrongdoing will typically (although not necessarily) be something they have witnessed. Whistleblowing policies tend to focus on employees but in this policy, we have broadened the definition to include any person who reasonably believes they have information on serious wrongdoing in the context of the Duke of Edinburgh's International Award.

### **When to use this process**

A person who makes a whistleblowing disclosure must reasonably believe two things. The first is that they are acting in the public interest. This means, in particular, that personal grievances and complaints are not covered by this policy. If you have a complaint, please see our Complaints Policy.

The second thing that a person must reasonably believe is that the disclosure tends to show past, present or likely future wrongdoing, falling into one or more of the following categories:

- criminal offences (this may include, for example, types of financial impropriety such as fraud)
- failure to comply with an obligation set out in law
- miscarriages of justice
- endangering of someone's health and safety
- damage to the environment
- covering up wrongdoing in the above categories
- institutional discrimination is or has taken place
- an action has been taken which may have brought the Foundation or Association into disrepute

This list is illustrative and not exhaustive.

### **How to raise an issue with us**

If you have information that fits the description above, please contact us at [info.dofebd@gmail.com](mailto:info.dofebd@gmail.com).

You can contact us anonymously but if you do, we cannot let you know the outcome of our investigation and it makes investigating the issues harder for us if we cannot clarify information with you.

### **How long will it take?**

We will deal with your disclosure as quickly as possible. You can expect an acknowledgment of your communication immediately. We will keep you informed of progress and regularly update you on timescales. We cannot be precise about how long it will take to investigate your disclosure as it depends on the complexity of the issues and how long it takes it to gather information from other people. However, we will complete our investigation as soon as we can and keep you informed along the way. We will aim to resolve the matter within 30 days and if that is not possible, we will send you a progress report in this timescale.

## More information

We hope this page has been helpful in providing an overview of our whistleblowing procedure. Before you make a disclosure, please read the full policy document below, which provides full details of how we deal with disclosures.

If you need any help or guidance, please do contact us at [info.dofebd@gmail.com](mailto:info.dofebd@gmail.com) and we will do all we can to assist you.

## 1. INTRODUCTION

This Whistleblowing Policy and process is available to Award Centres, Award Coordinators, Award Leaders, Award Participants, Adult Volunteers, or/and employees of The Duke of Edinburgh's Award Foundation Bangladesh (DEA-Bangladesh) or any other person who reasonably believe that it is in the public interest to raise a matter of serious concern.

### **This Policy specifically does not cover:**

- 1.1 Complaints and disputes between individuals or between an individual and an Award Centre or the DEA-Bangladesh that does not meet the criteria below.
- 1.2 Activities or actions of individual staff, volunteers or participants related to an Award Centre that are specific to the work of that Award Centre. Such specific complaints should be directed to the Award Centre concerned.
- 1.3 Matters of Safeguarding which are dealt with using the relevant policy. Although many of the procedures are similar, these matters are addressed under different rules and processes. If a person wishes to raise a Safeguarding matter, they should refer to the relevant policy and procedures.

## 2. DEFINITIONS

In this policy Whistleblowing is the term used when a person passes on information concerning wrongdoing. The wrongdoing will typically (although not necessarily) be something they have witnessed. Whistleblowing policies tend to focus on employees, but in this policy we have broadened the definition to include any person who reasonably believes they have information on serious wrongdoing in the context of the Duke of Edinburgh's International Award.

To be covered by this policy, a person who makes a disclosure must reasonably believe two things. The first is that they are acting in the public interest. This means, in particular, that personal grievances and complaints are not covered by this policy.

The second thing is that a person must reasonably believe that the disclosure tends to show past, present or likely future wrongdoing, falling into one or more of the following categories:

- 2.1 criminal offences (this may include, for example, types of financial impropriety such as fraud).
- 2.2 failure to comply with an obligation set out in law.
- 2.3 miscarriages of justice.
- 2.4 endangering of someone's health and safety.
- 2.5 damage to the environment.
- 2.6 covering up wrongdoing in the above categories.
- 2.7 institutional discrimination is or has taken place.
- 2.8 an action has been taken which may have brought the DEA-Bangladesh into disrepute.

This list is illustrative and not exhaustive.

**Reporter:** a person making a report under the Whistleblowing Policy

**Complaint and Dispute:** means a grievance against or dispute with or between individuals or Award Centre and the DEA-Bangladesh, raised by any individual, an Award Centre, or a DEA-Bangladesh volunteer.

**Award Centre:** means any educational institute or social organization that is an affiliated Award operating partner licensed by the DEA-Bangladesh.

### 3. THE PURPOSE OF THIS POLICY

**The purpose of this Policy is:**

- 3.1 To provide a whistleblowing procedure, to be implemented by the DEA-Bangladesh, which is fair, clear, and easy to use for anyone wishing to raise a matter of serious concern.
- 3.2 To ensure all matters raised using this procedure are investigated fairly and in a timely manner.
- 3.3 To ensure that suitable action is taken to address any issues that are raised.

### 4. ACTIONS TO SUPPORT IMPLEMENTATION

**For a full implementation of this Policy, the DEA-Bangladesh will:**

- 4.1 Publicise the existence of this Policy and associated procedures by making it easily available on the DEA-Bangladesh website
- 4.2 Make sure all Award Operating Partners, Award Leaders and Adult Volunteers are aware of the policy
- 4.3 Make sure all the DEA-Bangladesh employees and in-house volunteers engaged in activities for, and on behalf of, the DEA-Bangladesh are aware of the process to submit a complaint

**If an issue is raised:**

- 4.4 Assign one dedicated individual to receive and handle communications between the complainant, and the respondent
- 4.5 Notify the National Director, of any complaints received and of the conclusion of such complaints.

### 5. CONFIDENTIALITY

5.1 All issues raised will be handled sensitively and confidentially, providing information to the relevant parties only and in accordance with any relevant data protection requirements and legal requirements.

5.2 Anonymous reports will be accepted but the person reporting an issue in this way will need to recognise that doing so makes clarifying issues and facts more difficult and that they will not receive any feedback on the outcome. Because of this, concerns expressed anonymously are much less powerful, but they may be considered at the discretion of the Foundation. In exercising this discretion, the factors to be taken into account would include:

- 5.2.1 the seriousness of the issue raised.
- 5.2.2 the credibility of the concern, and
- 5.2.3 the likelihood of confirming the allegation from other sources.

5.3 In discussion with the person reporting the issue, the identity of that person may be withheld. It is understood that if the case is referred to public authorities, then the matter of withholding the identity of the complainant may not be an option.

## 6. RESPONSIBILITY

6.1 Overall responsibility for this Policy and its implementation lies with the National Director.

6.2 One DEA-Bangladesh employee is assigned by the National Director to receive whistleblowing issues. They are responsible for notifying the National Director of all issues received and for handling the communication with the Reporter.

6.3 Where an issue is raised that concerns the National Director, the Chair of the Safeguarding, Safety and Serious Incident Reporting Committee (SSSIR Committee) will be informed. Where an issue concerns either of the DEA-Bangladesh' assigned employee that person will be immediately removed from the process by the National Director and another employee substituted.

6.4 The National Director is responsible for the actions, in accordance with this Policy, after an issue is received.

## 7. PRINCIPLES OF THE WHISTLEBLOWING POLICY

7.1 Every effort should be made to resolve matters of concern as close to the issue as possible. However, we recognise that very serious matters involving (perhaps) senior people are very difficult to raise. Resorting to the DEA-Bangladesh' whistleblowing policy is a route that ensures all stakeholders are accountable and that serious matters can be raised and investigated.

7.2 All reports will be taken seriously, managed expeditiously, and dealt with in a timely manner.

7.3 The process of report handling should be robust and safeguard against the ability of any individual to manipulate the outcome of an issue raised.

7.4 For an issue to be considered, it must:

7.4.1 be within the scope of this policy.

7.4.2 preferably identify the person making the report and provide contact information.

7.4.3 provide as much information as possible in a clear and concise statement, including whatever evidence is available, including dates and times.

7.4.4 provide details of any actions that have been taken so far to try to raise the issue.

7.5 This policy should not be used where individuals disagree with a a DEA-Bangladesh or International Award Foundation policy, or guidance provided within the International Handbook.

7.6 To prevent a single point of failure, the receipt of whistleblowing reports will be monitored by the assigned DEA-Bangladesh employee who will report all issues received to the National Director.

7.7 The assigned DEA-Bangladesh employee responsible for processing the report:

7.7.1 must provide all parties involved with the opportunity to present their views clearly to ensure all facts are clear and understood.

7.7.2 must consider all facts and points of view.

7.7.3 may, within the constraints of confidentiality, seek the advice of other experts or consultants.

7.7.4 must record the factors on which they have based their recommendation.

7.7.5 should investigate and conclude the process as expeditiously as reasonably possible.

7.7.6 should ensure that, wherever possible, the process is handled in a language acceptable to the person making the report.

7.8 If the issue is considered by the DEA-Bangladesh to involve a crime, the reporter must be advised and encouraged to report the matter to the relevant authorities in the jurisdiction of the crime at any time. The DEA-Bangladesh will only report the crime directly if, in the considered opinion of the National Director, in consultation with the SSSIR Committee, there is sufficient evidence to substantiate the allegation.

7.9 If the report involves a DEA-Bangladesh employee, the process is governed by the DEA-Bangladesh's HR Policy. Once the decision is ratified by the National Director, the decision will be implemented by the National Director via the appropriate internal processes, in accordance with the relevant legislation.

## **8. PROCESS OF REPORTING**

8.1 If an internal resolution has not been possible or is considered inappropriate serious matters can be reported to the DEA-Bangladesh, either: by email to [info.dofebd@gmail.com](mailto:info.dofebd@gmail.com) or by post or by hand to: House# 422 (2nd Floor), Lane# 7 (East), Baridhara DOHS, Dhaka Cantonment, Dhaka-1206, Bangladesh.

### **On receipt of a report:**

8.2 The DEA-Bangladesh assigned employee acknowledges the report within seven days.

8.3 The assigned employee logs the report, and email the National Director, to advise them of an issue having been received. If the report concerns one of these individuals, that person will be excluded from the distribution list for that issue and only be notified as the respondent in accordance with the process below.

8.4 If a report relates to the National Director or a member of Executive Committee or a member of Board of Trustees, the matter will immediately be referred to the Chair of the SSSIR Committee. If a complaint is against a DEA-Bangladesh employee, the procedure in the DEA-Bangladesh's HR Policy applies.

8.5 The assigned employee receiving report will ensure that it complies with the requirements above.

### **If the report meets those criteria, then:**

8.6 The reporter is notified by the DEA-Bangladesh that the matter is being processed. A concise list of the areas to be investigated is provided and a request for the reporter to confirm they are happy to proceed with an investigation into the issue on this basis. Once confirmation has been received, the process then continues as below.

### **If the report does not meet those criteria, then:**

8.7 The DEA-Bangladesh notifies the reporter that the matter does not meet the requirements of the Policy and requests the reporter to either: restate why it should be considered under the criteria or provide supporting information to allow the DEA-Bangladesh to act on the matter. If, on receipt of the restatement or additional information, the DEA-Bangladesh employees agree that the report meets the criteria then the process follows from the start of Section 8.

8.8 If, after being referred back to the reporter, and in consultation with the National Director, it is agreed that insufficient information is provided to justify the issue meeting the criteria, the DEA-Bangladesh will notify the reporter that the issue does not meet the requirements of the Policy and the process ends.

8.9 If the matter relates to a DEA-Bangladesh Team member who is also an active volunteer, staff member or participant related to an Award Centre, once the issue is accepted as valid under this Policy, the DEA-Bangladesh, depending on the nature of the matter and balancing between confidentiality and transparency, may at its discretion inform the relevant Award Centre that an issue has been raised in respect of that person.

### **Processing of a report:**

#### **On receipt of a report, the assigned DEA-Bangladesh staff will:**

8.10 Confirm that there is no conflict of interest in respect of the issue raised.

8.11 Where necessary, request additional support from the DEA-Bangladesh either directly or involve experts or consultants with specialised skills.

**If the matter is deemed to be such that the continued involvement of certain individuals constitutes a safety or reputational risk to the DEA-Bangladesh, the assigned DEA-Bangladesh staff may:**

8.12 Make a recommendation to the National Director for suspension of those people in respect of any DEA-Bangladesh activity while the matter is investigated.

8.13 If the person(s) is an active volunteer related to an Award Centre or a member of staff, and with the consent of the National Director, issue a recommendation of suspension and provide details of the issue to an appropriate contact in the relevant Award Centre.

8.14 If the person(s) is a DEA-Bangladesh employee, pass the recommendation for suspension on full salary to the National Director for action under the relevant internal processes.

**Within five working days the assigned staff will, via the DEA-Bangladesh:**

8.15 Complete an interim report that details the alleged circumstances of the issue including dates, places, time and people involved.

8.16 Share the report (where appropriate) with the person reporting the issue and provide between 5 and 14 days (or a reasonable time for the reporter to review and accept the pertinent information) before the matter is taken forward: and then

8.17 Notify the reporter of a proposed timeline for actions on the issue.

8.18 Should the staff members, during the investigation of the matter, identify further issues beyond those detailed in the interim report they will (in consultation with the National Director) be granted full authority to progress matters as they see fit. Where this requires an adjustment to the timelines previously communicated, such change and the reason therefore shall be notified in writing to all relevant parties.

8.19 Once the matter has been investigated and considered, the staff members will recommend if any sanction or further action is required and issue an overall recommendation on the matter to the National Director.

## **9. OUTCOMES OF INVESTIGATION**

**The following are possible outcomes of the investigation:**

9.1 The matter is upheld and the recommendation of sanctions or actions.

9.2 The matter is partially upheld and suitable sanctions or actions are recommended.

9.3 The matter is considered a “complaint or dispute” within the meaning of that policy and is progressed on that basis.

9.4 The matter is considered vexatious which means raising any issue that meets one or more of the following criteria:

9.4.1 Persists in pursuing an issue where the procedure has been fully and properly implemented and exhausted.

9.4.2 Repeated unwillingness to accept documented evidence given as being factual, denying receipt of an adequate response, despite correspondence answering their issue, or not accepting facts that have been verified to a reasonably possible extent.

9.4.3 Regular and continuous focus on a trivial matter to an extent which is out of proportion to its significance.

9.4.4 Persistently raises new issues or seeks to prolong contact by raising further concerns or questions whilst the issue is being addressed. This specifically excludes new issues which are significantly different to the original matter and must be addressed.

9.4.5 Unreasonable complaints or demands which impose a burden on the DEA-Bangladesh in terms of required resources which is out of proportion to the seriousness of the allegation or complaint, and where the complaint clearly is designed to disrupt or annoy, or has the effect of harassing another person, or can otherwise be characterised as obsessive or manifestly unreasonable.

9.4.6 Are repetitive complaints and allegations which ignore the actions and responses previously supplied.

9.4.7 The matter is not upheld.

9.5 If the recommendation is one of no action, the DEA-Bangladesh will notify the reporter of this recommendation. Should the complainant object to this, they may at this stage initiate the appeal process detailed below in Section 10.

9.6 If the recommendation is any form of sanction or further action, the recommendation will be passed to the Chair of the SSSIR Committee for ratification. If the recommendation entails multiple independent actions or sanctions, the Chair will be permitted to ratify each sanction independently.

9.7 If the Chair of the SSSIR Committee approves the recommended sanction of the National Director, the DEA-Bangladesh will notify those involved and take the recommended actions.

9.8 If the Chair of the SSSIR Committee does not approve the recommendation, the recommendation will be referred back to the National Director for reconsideration.

9.9 Having considered the comments of the Chair of the SSSIR Committee, the National Director shall issue a revised recommendation and substantiation for the Chair's approval.

9.10 In the event that a matter has multiple respondents, the National Director will make separate recommendations for independent consideration in the matter of each individual respondent.

9.11 When informing the reporter of the outcome, the National Director will clearly state if the accusations are to be upheld, partially upheld, or not upheld and the reasons that led to this decision; referencing, where possible, all the key issues raised by the reporter and based on the findings of the investigation. The communication will also identify recommendations that will be undertaken based on the outcome of the report in the spirit of continuous improvement. It will also explain how the reporter can appeal if they are unhappy with the process undertaken or the outcome of the investigation and how they can be contacted.

9.12 The person reporting the issue is entitled to one appeal under this process. Once the appeal as detailed below has been heard, the ratification of the recommendation is final.

## **10. APPEALS PROCESS**

10.1 If at the end of the whistleblowing process, the Whistleblower is not satisfied with the outcome, they may appeal the decision once only.

10.2 An individual has grounds for appeal if they believe that the correct process has not been followed or has new information that they wish to be considered. In these instances, the individual may appeal to the Chair of the SSSIR Committee. This must be done within 30 days of the date of the outcome being sent.

10.3 An outcome may be appealed by written notice by email, by post, or by hand to the DEA-Bangladesh. The appeal letter must provide sufficient basis for the appeal to be heard and present any information required to consider the appeal.

10.4 In the event of a matter involving multiple respondents, an appeal will only be considered on an individual-by-individual basis and will only impact on the specific recommendation for which that appeal is lodged and will have no effect on decisions relating to the other non-appealing parties.

10.5 The appeal letter will be considered by two Executive Committee Members assigned by the SSSIR Committee. Should this be deemed to be a valid appeal, the appeal details will be reviewed by the appointed Executive Committee Members supported by such DEA-Bangladesh staff as may be required but not including any person who considered the original matter. Additional people may be recruited to advise and support the appointed Executive Committee Members.

**Having considered the appeal, the appointed Trustees shall issue a recommendation to the SSSIR Committee:**

10.6 If the SSSIR Committee approves the recommendation and sanction (if any), the Foundation will notify the reporter and take the recommended actions. The approval of the Committee of this outcome from the appeal is final.

10.7 If the SSSIR Committee does not approve the recommendation, the recommendation will be referred back to the appointed Executive Committee Members for reconsideration. Having considered the comments of the SSSIR Committee, the assigned Executive Committee Members shall issue a revised recommendation for approval by the SSSIR Committee. Approval of this outcome of the appeal is final. Should the revised recommendation not be accepted, the SSSIR Committee will take such action as it deems fit.

## **11. DOCUMENTATION AND RECORDING**

11.1 All evidence gathered during the investigation, along with copies of communications will be filed by the DEA-Bangladesh.

11.2 For the purposes of institutional learning, the National Director will produce an anonymised summary of the issue and recommendations arising for the use of the DEA-Bangladesh in internal communications.

## **12. MONITORING AND LEARNING FROM COMPLAINTS**

12.1 The National Director will be responsible to report to the Board of Trustees annually on issue raised under this policy and corrective actions required. These reports are to be reviewed annually to identify any trends, which may indicate a need to take further action.

## **13. EFFECTIVENESS AND APPLICABILITY**

13.1 This Policy is reviewed at a minimum of once every three years and updated as required. It is effective as of the adopted date of 30 June 2022.

Last reviewed: 30 June 2022.

This Policy shall apply to issues submitted on or after the effective date above.