

WHISTLEBLOWING POLICY AND PROCEDURE

The British Asian Trust is committed to the highest standards of openness, probity, and accountability.

An important aspect of accountability and transparency is a mechanism to enable staff and other members of the British Asian Trust to voice concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the British Asian Trust then this information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be done independently of line management (although in relatively minor instances the line manager would be the appropriate person to be told).

The Public Interest Disclosure Act, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. The British Asian Trust has endorsed the provisions set out below so as to ensure that no members of staff should feel at a disadvantage in raising legitimate concerns.

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 the British Asian Trust nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures. Once the "whistleblowing" procedures are in place, it is reasonable to expect staff to use them rather than air their complaints outside of the British Asian Trust.

Where the employee feels unable to raise the concern with anyone within the British Asian Trust they should contact the relevant governing body or authority (for example, Health & Safety Executive for H&S-related issues or the Fundraising Regulator for concerns around how the British Asian Trust is fundraising) who will contact the relevant person at the British Asian Trust to progress an investigation. This investigation may be internal or external, depending on the nature of the concern.

Scope of Policy

This policy is designed to enable employees of the British Asian Trust 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:

1. Financial malpractice or impropriety or fraud
2. Failure to comply with a legal obligation or Statutes
3. Dangers to Health & Safety or the environment
4. Concerns regarding the organisation's fundraising practice

5. Criminal activity
6. Improper conduct or unethical behaviour
7. Attempts to conceal any of these

Confidentiality

Under this policy, the British Asian Trust will strive to guarantee full confidentiality. If it is not possible to resolve the concern without revealing the complainant's identity, the manager will discuss the implications with the complainant and a decision to proceed (or not) with the investigation will be made.

In order to avoid hindering an investigation into malpractice and to prevent frivolous or malicious complaints anonymous disclosures will be discouraged.

Investigation

The British Asian Trust will endeavor to deal with disclosures as sensitively and quickly as possible. An appropriate person nominated by the CEO or where necessary the Chairman of the Board of Trustees, will investigate the allegation within two weeks of the disclosure having been made. The complainant may be asked for further information during the course of the investigation.

Outcome

On completion, appropriate action will be taken to resolve the issue, which may result in disciplinary action (including dismissal or referral to the relevant authorities). The complainant(s) raising the issue will be informed of the outcome of the investigation as soon as is practicable. If they are not satisfied with the response, the matter will be referred to the CEO or if that person is involved, to the Chairman of the Board of Trustees.

Protection

The British Asian Trust will take appropriate disciplinary action (including dismissal) in accordance with the Trust's disciplinary procedure against any

The British Asian Trust staff member:

1. Found to be victimising another staff member, volunteer, work experience/work placement individual, consultant for using the procedure, or deterring them from reporting genuine concerns under it; or
2. Making a disclosure maliciously that is known to be untrue, or without reasonable grounds for believing that the information supplied was accurate.