

## **WHISTLEBLOWING POLICY AND PROCEDURE**

BAT 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 BAT to voice concerns that relate to inappropriate behavior or action at the organisation in a responsible and effective manner. Where an individual discovers information which they believe shows malpractice or wrongdoing within BAT then this information should be disclosed without fear of reprisal. In most instances this information should be disclosed internally and to the line manager initially, but where necessary the staff member has the right to pick this up with a member of the senior management team, the board or with relevant external authorities without reprisal.

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

Once the "whistleblowing" procedures are in place, it is reasonable to expect staff to use them rather than air their complaints outside of BAT.

Where the employee feels unable to raise the concern with anyone within BAT, they should contact the relevant governing body or authority at any point for example, Health & Safety Executive for H&S-related issues or the Fundraising Regulator for concerns around how BAT is fundraising) who will contact the relevant person at BAT 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 BAT 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 or Statutes.
- Dangers to Health & Safety or the environment
- Concerns regarding the organisation's fundraising practice
- Criminal activity
- Improper conduct or unethical behaviour on the part of the organisation or individuals
- Attempts to conceal any of these.

**Confidentiality**

Under this policy, BAT will strive to guarantee full confidentiality. The anonymity of any individual who has raised a concern will be protected as far as possible. 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.

**Investigation**

BAT 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**

BAT will take appropriate disciplinary action (including dismissal) in accordance with the Trust's disciplinary procedure against any BAT staff member:

- 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
- Making a disclosure maliciously that is known to be untrue, or without reasonable grounds for believing that the information supplied was accurate.
- We encourage staff to seek support and advice from [Protect](#), an independent charity supporting Whistleblowers with expert, practical advice by telephone (020 3117 2520) or via [email](#).