



## WAGGGS

# Whistleblowing Policy

WAGGGS policies fall into three main categories.

**Constitutional governance policies**

Decided by the World Conference: handle fundamental issues of mission, vision, values, strategy and priorities of the Movement.

**World Board governance policies**

Decided by the World Board: handle the specific governance responsibilities of WAGGGS Global Team and provide guidance for the implementation of the strategy of the organisation. Putting into practice the overall policy and strategy of WAGGGS; connecting and integrating activities and services to achieve the mission, vision and strategy.

**Functional policies**

Decided by the World Board and/or Chief Executive, as appropriate: handle major functional operations, provide the next level of detail to guide the work and are developed by the relevant groups working in functional areas.

*This is a: functional policy and it applies to: all volunteers, employees or any others working with or on behalf of the World Association of Girl Guides and Girl Scouts*

Previous version approved by the World Board, Oct 2010  
This version approved by the World Board, Feb 2019 (W.Board 4828a)

Next update – no later than Dec 2020

For clarity, the version of this policy found in the following location should be considered the correct version:

[WAGGGS Website](#)

## 1. INTRODUCTION

- 1.1 WAGGGS is committed to the highest standards of transparency, openness and accountability.
- 1.2 If someone is concerned that WAGGGS or any of our representatives is not meeting these standards or may have gone further and may be breaking the law, then that person should say something. This policy is intended to support them to do that, and to ensure that WAGGGS upholds the law as well as our fundamental principles and values.
- 1.3 Anyone who has a concern should not be worried about sharing it. This policy makes sure that any concerns are treated seriously and with respect. WAGGGS will take all reasonable steps to ensure that any disclosures are treated confidentially, dealt with fairly and where necessary change how we do things to minimise the chances of the same thing happening again.
- 1.4 This policy will protect all relevant individuals as long as suspicions are raised honestly and in good faith, irrespective of whether the allegation is later confirmed to be true. Not reporting a suspicion when there are clear grounds for doing so could result in disciplinary action or other sanctions. The reporting of suspicions will not be allowed to affect the relevant individual's current status within WAGGGS, or the future career prospects of WAGGGS representatives.

## 2. WHAT IS WHISTLEBLOWING?

- 2.1 Whistle-blowing can be defined as the disclosure of information by an individual which relates to some danger, fraudulent or other illegal or unethical conduct in an organisation.
- 2.2 If an individual brings information about a serious concern to the attention of the organisation or a relevant authority, they are protected under certain circumstances under the Public Interest Disclosure Act (1998). This is what is commonly called, 'blowing the whistle', and the Act protects employees from facing any reprisals or unfair dismissal as a result of speaking out about a concern in good faith.

## 3. POLICY STATEMENT

- 3.1 The aim of this policy is to ensure that WAGGGS volunteers, employees and other representatives, its suppliers and its Member Organisations are confident that they can raise any matter of genuine concern without fear of reprisals, in the knowledge that they will be taken seriously and that the matters will be investigated appropriately and regarded as confidential.

## 4. WHAT IS COVERED BY THIS POLICY

- 4.1 To use this policy and be legally protected under the UK [Public Interest Disclosure Act 1998](#), an individual must make a disclosure about a serious concern.
- 4.2 This is known under the Act as a 'qualifying disclosure' and means you have information and reasonably believe that one or more of the following matters is happening, has taken place, or is likely to happen in the future:
  - 4.2.1 A criminal offence (including financial crimes such as fraud, bribery, money laundering)
  - 4.2.2 The breach of a legal obligation
  - 4.2.3 A miscarriage of justice
  - 4.2.4 A danger to the health and safety of any individual
  - 4.2.5 Damage to the environment
  - 4.2.6 A deliberate attempt to conceal any of the above
- 4.3 In addition, the whistleblower must:
  - 4.3.1 reasonably believe that the relevant failure relates to 'the proper administration of charities and funds given, or held, for charitable purposes'.
  - 4.3.2 reasonably believe that the information disclosed and any allegation contained in it are substantially true.

- 4.4 It should be noted that although the Act does not cover volunteers, the WAGGGS' Whistleblowing Policy commits the organisation to providing volunteers and contractors with similar protection as the Act.
- 4.5 If someone is uncertain whether the matters about which they are concerned are within the scope of this policy (for example, if you are suspicious but uncertain as to whether the law has been broken, or whether a person is acting outside the scope of their authority), we encourage you to report the concerns to the whistleblowing officer (WO), who is responsible for the implementation of this policy (see below).
- 4.6 This policy does not necessarily cover complaints, for example relating to inter-personal issues. In the first instance, these complaints should be raised through the appropriate volunteer and employee grievance, complaints, bullying and or harassment policies.
- 4.7 This policy also does not cover safeguarding concerns in the first instance. For safeguarding issues, please refer to the [WAGGGS Safeguarding Policy](#) and contact a designated safeguarding officer at [safeguarding@waggs.org](mailto:safeguarding@waggs.org). The WAGGGS Whistleblowing Policy should be followed if an individual is concerned that a safeguarding issue has not been appropriately addressed.
- 4.8 For full details of WAGGGS responsibilities in relation to the UK Bribery Act 2010, please also see the [WAGGGS Anti-Bribery Policy](#).
- 4.9 Concerns about a Member Organisation are not covered by this policy as Member Organisations are legally separate. Such matters are addressed in the document, *Dealing with Whistleblowing Concerns about Member Organisations*.
- 4.10 Concerns about an organisation outside the Girl Guide and Girl Scout Movement should be raised with that organisation, in line with any whistleblowing procedures it has. Before doing so, it may be advisable for the concerned person to speak to their line manager (for employees) or staff contact (for volunteers and contractors or others).

## 5. PROTECTION FOR WHISTLEBLOWERS

- 5.1 Anyone who tries to deter, intimidate or victimise a person in a bid to prevent that person from reporting a concern, or who has reported a concern, will be subject to disciplinary action and, if appropriate, may be reported to the relevant authorities. If a person believes they are being intimidated, they should contact the whistleblowing officer.
- 5.2 As noted above, WAGGGS will respect an individual's request for confidentiality and every effort will be made to protect the identity of the disclosing individual. However, WAGGGS does not encourage anyone to make disclosures anonymously. Proper investigation may be more difficult or impossible if WAGGGS cannot obtain further information. It is also more difficult to establish whether any allegations are credible and have been made in good faith.
- 5.3 Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the contact points listed in the "Whom to Report to" section below, so appropriate measures can then be taken to preserve confidentiality.
- 5.4 Anyone who uses this policy to make malicious accusations, which they know to be untrue, will not be protected by this policy and may be subject to disciplinary action as appropriate up to and including dismissal for staff members or withdrawal of volunteer status.
- 5.5 Anyone who discusses his / her suspicions with anyone other than one chosen trusted employee or volunteer colleague (see section 'Whom to Report to' below), or the person to whom he/she has reported, will not be protected by this policy and may be subject to disciplinary action.

## 6. RESPONSIBILITIES WITHIN THIS POLICY

- 6.1 The World Board has overall responsibility for WAGGGS' policy on whistleblowing, and for establishing and supporting an environment in which everyone feels able to raise concerns.

- 6.2 The World Board has delegated day-to-day responsibility for overseeing and implementing it to the designated whistleblowing officer:
- 6.2.1 The whistleblowing officer is the director of Corporate Services.
  - 6.2.2 The deputy whistleblowing officer is the head of strategy and risk.
- 6.3 Responsibility for monitoring and reviewing the operation of the policy and any recommendations for change within the organisation resulting from investigations into concerns under the policy lies with the Audit and Risk Committee. The Chair of the Audit and Risk Committee – who is independent of the World Board – is also the volunteer whistleblowing lead.<sup>1</sup>
- 6.4 Line managers have a specific responsibility to facilitate the operation of this policy and to ensure that those they manage feel able to raise concerns safely and in line with this policy.
- 6.5 Staff contacts have the same responsibility for volunteers as line managers have for staff members.
- 6.6 All staff and volunteers are responsible for the success of this policy and should ensure that they take steps to disclose any wrongdoing or malpractice of which they become aware.
- 6.7 The whistleblowing officer (or deputy) will answer any questions about the content or application of this policy.

## 7. WHOM TO REPORT TO

- 7.1 Anyone (volunteer, staff or other person) with a concern can report it through the following channels:
- 7.1.1 Whistleblowing officer
  - 7.1.2 Deputy whistleblowing officer
  - 7.1.3 Chief Executive
  - 7.1.4 The dedicated email address [whistleblowing@waggggs.org](mailto:whistleblowing@waggggs.org) (monitored only by the whistleblowing officer and deputy)
  - 7.1.5 If the concern relates to a World Board member, the whistleblowing officer or the Chief Executive, then the whistleblower should raise the concern with the Chair of the Audit & Risk Committee.
- 7.2 Throughout the rest of this policy, “whistleblowing officer” will be used to cover all of those covered in the list above.
- 7.3 Anyone thinking of reporting a concern has the right to seek advice from a trusted member of the WAGGGS Global Team (that is a WAGGGS staff member or volunteer), or a trade union representative if you are a member of one, under the following conditions:
- 7.3.1 if a report is subsequently made, the name of the trusted colleague with whom the concern has been discussed must be disclosed;
  - 7.3.2 the trusted colleague must be informed at the time of the discussion that the matter is confidential and that his/her name may need to be disclosed if a report is made.

## 8. HOW TO REPORT A CONCERN

- 8.1 Concerns may be raised verbally or, preferably, in writing (including via email), giving any background and history, including relevant names and dates. It should be made clear that the concern is being raised under the whistleblowing policy, and whether the person wishes to keep their identity confidential.
- 8.2 The person raising a concern is entitled to be accompanied by a trusted member of the WAGGGS Global Team or union representative at any meeting with the whistleblowing officer under this policy. This companion will be

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<sup>1</sup> At the time of writing, the intention is to merge the Audit & Risk and Finance Committees in 2019. As and when that takes place, this section of the policy will be updated to include an appropriate independent member of the Audit, Finance and Risk Committee.

expected to respect the confidentiality of any disclosure and any subsequent investigation.

- 8.3 The whistleblowing officer will acknowledge in writing the receipt of the disclosure, and share details of the disclosure – while respecting confidentiality requirements – with the Chair of the Audit and Risk Committee. If the disclosure has been made to the Chair of the Audit and Risk Committee directly, then they should inform the lead whistleblowing officer.
- 8.4 The whistleblowing officer may inform the Chief Executive and the World Board Chair that a whistleblowing disclosure has been made, but is under no obligation to share any details that may harm any investigation until that investigation is complete.

## 9. INVESTIGATING DISCLOSURES

- 9.1 WAGGGS is committed to investigating disclosures fully, fairly, quickly and confidentially where circumstances permit. Following submission of a formal disclosure, the whistleblowing officer will acknowledge receipt within five working days and make appropriate arrangements for an investigation.
- 9.2 The length and scope of the investigation will depend on the subject matter of the disclosure. The whistleblowing officer will carry out an initial assessment of the disclosure to determine whether there are grounds for a more detailed investigation. A report will be produced for the Audit & Risk Committee and, where appropriate, the whistleblower will also receive a copy, as will the World Board Chair and the Chief Executive.
- 9.3 If a longer investigation is considered necessary, an investigator or investigative team including people with detailed knowledge of WAGGGS' policies and procedures or specialist knowledge of the subject matter of the disclosure will be appointed. These investigators may be entirely external to WAGGGS.
- 9.4 So far as the whistleblowing officer considers it appropriate and practicable, the whistleblower will be kept informed of the progress of the investigation.
- 9.5 WAGGGS recognises that there may be matters that cannot be dealt with internally and where external authorities will need to be notified and become involved either during or after any investigation. Where possible, WAGGGS will try to inform the whistleblower if a referral to an external authority is about to or has taken place. However, WAGGGS may need to make such a referral without the whistleblower's knowledge or consent if necessary.
- 9.6 If the whistleblower has reason to believe that their suspicion has not been properly investigated, or that some material facts have not been taken into consideration in the investigation, they should raise their concerns with the Chair of the Audit and Risk Committee. After a second investigation, the Chair will inform the whistleblower of their decision as to what action will be taken. This decision should also be communicated to the World Board Chair and the Chief Executive.
- 9.7 A summary of all whistleblowing disclosures and their status should be presented to the World Board at each of its meetings, maintaining confidentiality where appropriate.

## 10. EXTERNAL DISCLOSURES

- 10.1 The aim of this process is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing at WAGGGS. In most cases, a whistleblower should not find it necessary to alert anyone outside WAGGGS.
- 10.2 The Public Interest Disclosure Act (1998) recognises, however, that in some circumstances it may be appropriate for the whistleblower to report concerns to an external body such as a regulator (see next section). It will very rarely, if ever, be appropriate to alert the media. WAGGGS strongly encourages whistleblowers to seek advice before reporting a concern to anyone external.

## 11. SERIOUS INCIDENTS

- 11.1 If during the course of an investigation it becomes apparent that what the England and Wales Charity Commission (the UK charity regulator to which WAGGGS is subject) regards as a 'serious incident' may have occurred, the whistleblowing officer should report this immediately to the CEO, Chair of the Audit & Risk Committee and the World Board.
- 11.2 In addition to reporting the incident to any specific regulator, the incident must also be reported to the Charity Commission.
- 11.3 The Charity Commission defines a 'serious incident' as an adverse event, whether actual or alleged, which results in or risks significant:
- 11.3.1 loss of your charity's money or assets
  - 11.3.2 damage to your charity's property
  - 11.3.3 harm to your charity's work, beneficiaries or reputation
- 11.4 The most common type of incidents are frauds, thefts, significant financial losses, criminal breaches, terrorism or extremism allegations, and safeguarding issues.
- 11.5 If a serious incident takes place, WAGGGS is expected to report what happened and explain to the Charity Commission how it is dealing with it, even if WAGGGS has also reported it to the police or another regulator, or a donor (if appropriate).
- 11.6 While the World Board (as the board of trustees) is ultimately responsible for ensuring that serious incidents are reported in a timely fashion, in practice this may be delegated to an appropriate member of staff (likely to be either the CEO or whistleblowing officer).
- 11.7 In preparation for reporting a serious incident, the World Board may direct the CEO or whistleblowing officer to seek appropriate legal advice.
- 11.8 Further details on how to report a serious incident (including guidance on which other authorities should be notified) can be found here: <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>

## 12. REVIEW OF THIS POLICY

- 12.1 This policy should ideally be reviewed annually by the Audit & Risk Committee and must reviewed at least once every three years. Any changes to the policy should be recommended by the Audit & Risk Committee to the World Board for approval.