

CWS Whistleblowing Policy and Procedure

Application

Applies to all Christian World Service (CWS) personnel who have information about wrongful acts or potentially wrongful acts relevant to their workplace. This may include contracted consultants, advisors, and anyone with inside knowledge about CWS, regardless of their geographical location.

Purpose

To clarify the CWS position of openness to receive and investigate internal accusations of wrongful acts.

To clarify the duty of all CWS personnel to report wrongful acts about their workplace.

Policy

1. All CWS personnel are obliged to report wrongful acts about their workplace, and are encouraged to report suspicions of wrongful acts.
2. CWS will investigate thoroughly any report of a wrongful act by CWS or its representatives, where that report is made in good faith. Every relevant personnel member is required to cooperate in the investigation.
3. The identity of whistle-blowers who report a wrongful act or a suspected wrongful act will be protected, unless disclosure of the identity is required by law, or is necessary to the investigation, or the whistle-blower consents to the disclosure.
4. CWS commits to protecting whistle-blowers from damages as a result of their reporting, even if the subject of their report turns out to be unfounded. Damages in this context include dismissal, demotion, loss of privileges, discrimination or threats of the above. If the whistle-blower believes that damaging actions have been made as a consequence of their reporting, they have the right to bring such a claim to the union for their arbitration, or request involvement of the board if appropriate.
5. Deliberately false reports will be subject to disciplinary action, and may result in dismissal or prosecution.
6. In the event that a whistle-blower is implicated in the wrongful act, the reporting of the wrongful act will not lead to disciplinary measures. Consequences for involvement in the wrongful act will be assessed independently of the whistle-blowing, although admission of guilt may be considered a mitigating factor when considering disciplinary action.

Procedure

Both employees and non-employees may submit a report of wrongdoing. Reporting of acts of wrongdoing should be raised with the director of CWS. Where this is not appropriate because the director is thought to be involved, the report should be raised with the Board chair.

Reports may be submitted in writing or verbally, ensuring that they include full details and any supporting evidence that may be available. The report should make it clear the whistleblower is enacting the Whistleblowing Policy, and should state whether or not they wish to keep their identity confidential.

During investigation and deliberation the person who is the subject of the report will retain natural justice rights such as

- Being informed of sufficient details of the claim to adequately form a response
- Being given appropriate opportunity to answer allegations before the investigation is concluded
- Having their defence included fairly in any relevant report for investigators

The director and board chair are responsible to lead appropriate investigation, in accordance with relevant legislation and internal policy, unless the director or board chair are implicated in the claim. Investigation duration and depth should correspond to the nature of the claim, but investigations must have started within 10 working days of receiving the report from the whistle-blower. The preliminary outcome of the investigation should be known by 60 days after acknowledgement of the report. In complex or exceptional cases, the investigation may take longer. Corrective or disciplinary actions must be appropriate for the offense, and may include prosecution.

Where the claim is found to be unfounded, the person who is the subject of the claim must be immediately informed of that finding, and the matter closed. CWS should provide or arrange appropriate support to that person. The results of the investigation and the identity of the person must be handled confidentially.

Definitions

The following definitions apply to this document:

- Whistleblowing is the deliberate, voluntary disclosure of individual or organisational wrongdoing by a person who has or had privileged access to data, events or information about an actual, suspected or anticipated wrongdoing within CWS that is within its ability to control.
- Wrongful acts include, but are not limited to
 - Criminal acts
 - Mismanagement of organisational funds
 - Disclosures of confidential information
 - Acts which risk the health and safety of employees and/or public
 - Sexual, verbal or physical abuse of employees and/or public
 - Breaches of legal obligations
 - Abuse of power
 - Other unethical conduct, or

- The concealment of any of the above

Key relevant documents

- Charities Act 2005
- CWS Health and Safety Policy and Procedures
- CWS Anti-fraud Policy
- Other policies in CWS International Programmes Working Group Manual

Document management and control

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Note – the default period is 3 years unless the owner requests a shorter period

Include: Anti-money laundering policy once it is created (link the policies)