

APT ACTION ON POVERTY

Charity Registration Number 290836

Company Registration Number 1872538

DISCLOSURE OF MALPRACTICE IN THE WORKPLACE POLICY

1.0 Purpose

At APT Action on Poverty (“Action on Poverty”), it is vital that everyone who works for us maintains the highest standards of conduct, integrity and ethics, and complies with local legislation. If an employee, volunteer, partner, consultant or contractor has any genuine concerns about malpractice in the workplace, we wish to encourage them to communicate these without fear of reprisals and in the knowledge that they will be **protected from victimisation and dismissal**.

This policy does not form part of an employees' terms and conditions of employment and may be subject to change at the discretion of management. It will be reviewed every two years.

Action on Poverty has policies and procedures that support and link with this policy. These include (but are not limited to):

- Safeguarding Policy and Procedures for dealing with Safeguarding Reports
- Code of Conduct
- Anti-fraud Policy
- Disciplinary and Grievance Procedures

The Board of Trustees has appointed one of their number - Jake Bharier - as Nominated Trustee to consider matters raised under this policy.

1.1 What is considered malpractice?

Malpractice includes (but is not limited to) the issues listed below:

- Financial wrongdoing including theft, bribery, fraud, money laundering and aid diversion
- A failure to comply with any legal obligations
- Sexual misconduct, including sexual abuse, harassment or exploitation (see Action on Poverty's Safeguarding Policy)
- Abuse or exploitation of children, vulnerable adults or beneficiaries (see Action on Poverty's Safeguarding Policy as above)
- Breach of any other Action on Poverty policy
- Abuse of position
- Danger to the health of individuals
- Danger to the safety of individuals
- Significant harm to the environment
- Improper conduct or unethical behaviour
- Activity which would bring the organisation into serious disrepute
- The deliberate concealment of information relating to any of the matters listed above

1.2 Scope

This policy applies to personnel covered by this policy as more fully defined below and applies whilst working for, representing or acting on behalf of Action on Poverty in particular at all times whilst travelling overseas and extends to any occurrences or matters arising which may cause or have the potential to cause damage to Action on Poverty's reputation or ability to pursue its aims, objectives or programmes.

Personnel covered by this policy includes but is not necessarily limited to:

- all employees contracted by Action on Poverty whether on full-time, part-time, fixed term or temporary basis ("staff")
- consultants, contractors and programme visitors including journalists, celebrities and politicians ("associated personnel")
- patrons, trustees, volunteers and interns and others providing services to Action on Poverty without remuneration ("voluntary workers")

2.0 Procedure

If a genuine concern or a reasonable belief that a malpractice has occurred and it is in the public interest to disclose it, even if it is later discovered to not be the case, under this policy the individual who disclosed the malpractice will not be at risk of losing their job or suffer any form of retribution. This assurance will not be extended to an individual who maliciously raises a matter they know to be untrue or who is involved in any way in the malpractice. Those found to be making false allegations maliciously will have disciplinary action taken against them.

Malpractice is not a complaint about the performance and behaviour of a manager or other work colleague towards you. Such complaints will be directed for action to Action on Poverty's HR (Human Resources) policies and procedures. If you genuinely believe that the actions of someone who works for Action on Poverty's could lead to or has resulted in malpractice, please follow the procedure below. Please note this procedure is not intended to replace Action on Poverty's Grievance Procedures, which continues to be the appropriate way to raise personal issues relating to the specific job or employment.

1. Raise the matter with the Chief Executive. If you feel that you are unable to raise the matter with the Chief Executive, raise it with the Nominated Trustee.

At the point of raising a concern it would be useful to share information describing:

- Whether anyone is at immediate risk of harm?
- What happened? If possible make note of dates, times, places, people.
- Who is involved?
- How do you know about it?
- When were you first concerned about it?
- Have you told anybody about it?
- Was any action taken?

Reports should be made according to Action on Poverty's Anti-Fraud Policy or Action on Poverty's Safeguarding Policy and Safeguarding Procedures depending on the incident; any other incidents of malpractice in the workplace should be reported to Action on Poverty's Chief Executive.

2. A decision will be made on whether it is appropriate to handle such complaints under this policy. Where not appropriate the complainant will be informed and their permission sought to divert the issue to the appropriate HR procedure.

3. Action on Poverty's Anti-Fraud Policy or Action on Poverty's Safeguarding Policy and Procedures will be followed depending on the incident. If an investigation is conducted, the outcome may involve taking disciplinary action if misconduct has been proved, which may include dismissal.

You will be notified once the matter has been resolved, but outcomes are subject to confidentiality and may not be communicated.

Action on Poverty will take appropriate action, which may end in dismissal, in accordance with the relevant procedure against personnel covered by this policy who:

- has been found to be victimising another individual for using this procedure, or deterring them from reporting genuine concerns under it.
- made a disclosure maliciously that is known to be untrue or without reasonable grounds for believing that the information supplied was accurate.

Annex Frequently asked questions

The following examples are not intended to be exhaustive and are for illustrative purposes only, and are based on Frequently Asked Questions from BOND's Disclosure of Malpractice in the Workplace Policy

What if the Chief Executive is involved in the alleged malpractice in some way?

If the Chief Executive is involved in the alleged malpractice in some way, the matter should be raised with the Nominated Trustee. Concerns regarding financial wrongdoing, sexual abuse or exploitation of children, vulnerable adults, beneficiaries or any Action on Poverty representative should be raised in the same way

Can the disclosure be made anonymously?

You are strongly encouraged not to make anonymous disclosures as details and further concerns cannot then be checked with you and this may seriously limit the ability of investigators to pursue your concerns. Nonetheless, all disclosures, made anonymously or otherwise, will be reviewed but lack of information may limit the nature, extent and outcome of the investigation.

Who will conduct the investigation?

Normally an independent person from within Action on Poverty will be appointed. On rare occasions, or for complex cases such as safeguarding, external investigation support may be sought.

What if the matter involves a criminal offence?

The issue may also be reported to the police if a criminal offence, such as fraud or theft, or sexual assault has been committed.

What if the matter is a complaint about the performance or behaviour of a manager or colleague against me?

Such complaints will be directed for action to the appropriate HR policy unless the concerns relate to concerns of sexual misconduct or other forms of malpractice listed in this policy.

*With thanks to BOND (British Overseas NGOs for Development)
BOND is the UK Network for Organisations working in International Development*

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