

Whistleblowing Policy

The Mlambe Project





The Mlambe Project (TMP)

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Last reviewed: July 2020

Next Review: July 2023

This policy applies to all staff, volunteers, trustees, and any other person recruiting on behalf of TMP (UK reg charity no: 1160518)

1. Introduction

The Mlambe Project is committed to the highest standards of honesty, integrity and accountability. In line with that commitment, staff and volunteers are expected to raise any serious and genuine concerns about any aspect of the organisation's work.

This Whistleblowing Policy is intended to both encourage and enable staff to raise serious concerns within the organisation, rather than overlooking a problem. Employees are often the first to realise that there may be something seriously wrong within an organisation. However, they may be dissuaded from expressing their concerns because they feel it would be disloyal to their colleague or the organisation, or they fear harassment, victimisation or dismissal. In these circumstances, it may be tempting to ignore the concern rather than report what may be a suspicion of malpractice.

It is a fundamental principle that a team member should provide loyal service to the organisation and not disclose confidential information about the organisation's business. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the organisation, then this information should be disclosed internally without fear of reprisal.

2. Aims and scope of the Whistleblowing Policy

This Policy aims to:

- Provide avenues for staff, volunteers, trustees and anyone connected to The Mlambe Project to raise concerns and receive feedback on any action taken
- Inform them on how to take the matter further if they are dissatisfied with the response and reassure them against repercussions or victimisation for whistleblowing in good faith.

This Policy is designed to enable all Mlambe Project trustees, employees and volunteers to raise concerns internally and at a high level and to disclose information, which the individual believes in good faith, shows malpractice or impropriety.

This Policy is intended to cover concerns that fall outside the scope of other procedures. These concerns could include:



- Criminal offences
- Failure to comply with a legal obligation, in the UK and Malawi.
- Miscarriages of justice.
- Dangers to Health & Safety or the environment
- Failure in the protection of children or vulnerable adults.
- Conduct which falls below established standards or practices
- Improper conduct or unethical behaviour.
- Financial malpractice, impropriety or fraud, including bribery.
- Attempts to conceal any of the above.

3. Authority for the Whistleblowing policy

The overall authority for this policy sits with the Whistleblowing Officer, Lucy Ifould.

Where any concerns would be related to the Chief Executive, the Chair of Trustees would be responsible for investigation of whistleblowing concerns. Managers have the responsibility to facilitate the operation of this policy and ensure that staff and volunteers feel able to raise concerns without repercussions.

4. Safeguards

4.1 Protection

This Policy is designed to offer protection to the staff, volunteers, trustees of The Mlambe Project who disclose such concerns provided the disclosure:

- is made in good faith;
- shows malpractice or impropriety; or
- is made to an appropriate person.

In making such disclosures, even if it is discovered they are mistaken, they will not risk losing their job or suffer any form of disadvantage as a result. This protection will not be extended to individuals who maliciously raise a matter they know to be untrue or who is involved in the malpractice in any way.

It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use this protection. In extreme cases malicious or vexatious allegations could give rise to legal action on the part of the person(s) complained about.

Individuals should note that they will not be protected from the consequences of making a disclosure if, by doing so, they commit a criminal offence.



4.2 Confidentiality

The Mlambe Project will treat all disclosures in a confidential and sensitive manner. The identity of the individual making the allegation will be kept confidential so long as it does not hinder or frustrate any investigation. There may also be circumstances where The Mlambe Project is required to disclose your identity by law. In the case the concern cannot be resolved without revealing the individual's identity, the Whistleblowing Officer will discuss with the individual whether and how to proceed.

If it is necessary for you to participate in an investigation, the fact you made the original disclosure will, as far as reasonably practicable, be kept confidential. In order to not jeopardise the investigation into the alleged malpractice, The Mlambe Project will be expected to keep the fact that you have raised a concern, the nature of the concern and the identity of those involved confidential.

4.3 Anonymous Allegations

This policy encourages individuals to put their name to any disclosure they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of the organisation.

In exercising this discretion, the issues to be taken into account will include:

- the seriousness of the issues raised;
- the credibility of the concern;
- the likelihood of confirming the allegation from attributable sources.

4.4 False Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigations, no action will be taken against that individual.

In making a disclosure the individual should exercise due care to ensure the accuracy of information. It is not necessary for individuals who raise the concern to prove the wrongdoing that is alleged to have occurred or is likely to occur.

If, however, an individual makes malicious or vexatious allegations, and particularly, if they persist with making them, disciplinary action may be taken against that individual.

5. Raising a concern

If you believe that the actions of anyone (or a group of people) working or volunteering for The Mlambe Project do what could constitute malpractice, you should raise the matter with The Chief Executive. Where this is not appropriate, because the Chief Executive is involved in the alleged malpractice in some way, the matter should be raised with the Whistleblowing Officer.



Individuals are encouraged to raise their concerns in writing where possible, setting out the background and history of their concerns (giving names, dates and places where possible) and indicating the reasons for their concerns. The earlier the concern is expressed, the easier it is to take action. Staff members are not expected to prove the truth of an allegation, but they will need to demonstrate to the person contacted that there are sufficient grounds for concern. Individuals who are members of a Trade Union or professional association may invite a representative or support person to raise a matter on their behalf.

Should the complaint be found to be substantiated, consideration might be given to referring to an appropriate external body (e.g. The Charity Commission).

6. Process

In order to protect both individuals and The Mlambe Project, initial enquiries will be made to decide whether an internal investigation is appropriate and, if so, what form it should take. Some concerns may be resolved by agreed action without the need for further investigation.

Within ten working days of a concern being received, the Chief Executive or Whistleblowing Officer will respond in writing to the person raising the concern:

- Acknowledging that the concern has been received
- Indicating how it proposes to deal with the matter
- Giving an initial estimate of how long it will take to provide a final response
- Advising them whether further investigation will take place, or - if not - why not.

The amount of contact between The Mlambe Project considering the issues and the person raising the concern, will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the individual.

When any meeting is arranged, staff have the right, if they so wish, to have a support person or professional representative present.

The Mlambe Project will take steps to minimise any difficulties staff may experience as a result of raising a concern. For instance, if staff members are required to give evidence in criminal or disciplinary proceedings, The Mlambe Project will advise accordingly.

The Mlambe Project accepts that staff members need to be assured that the matter has been properly addressed. Therefore, subject to legal constraints, staff will receive information about the outcomes of any investigation within one month.

If the suspicions are not confirmed by an investigation, the matter will be closed. Staff will not be treated or regarded any differently for raising the concern, and their confidentiality will continue to be protected.



If you are not satisfied with the response you have received you should escalate the matter with the Chief Executive and/or the Chair of Trustees outlining your reasons.