

Whistleblower Policy



**Participatory Action for
Community Empowerment**
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Inroduction

Participatory Action *for* Community Empowerment is a voluntary development organization committed for people centered development established on 18th Dec 2000 with the mission of empowering the dalits, women, and poor and marginalized, children and old aged community people.

PACE is a non-profit, non-governmental civil society organization, which believes in participatory approaches and practices participatory methodologies for empowering the community. PACE strives to educate, organise and empower the rural poor to promote people centred development as a liberating force aimed at social justice, economic growth and self-reliance.

At all times PACE seeks to conduct its activities professionally, honestly and with integrity. However, the organization faces the risk of unprofessional conduct, malpractices, criminal behaviour or mismanagement. PACE believes it is its responsibility to take appropriate measures to identify such situations and attempt to remedy them.

The purpose of this policy is to strengthen PACE's core values by empowering all representatives like staff, volunteers, suppliers, children and youths, to report any wrongful acts or malpractices in good faith. This policy is intended to provide reporting mechanisms and the means through which all Representatives, regardless of their office location, are able to report alleged or suspected wrongful acts.

The PACE's Chief Executive Officer (CEO) is to ensure that all staff members are made aware of this policy, who to report concerns to and any amendments to it.

PACE will ensure that those who raise concerns of suspected serious malpractice are protected from dismissal, victimization or any other detrimental treatment by PACE, provided that they follow the procedures set out below.

Whistleblowing is defined as deliberate, voluntary disclosure of individual or organisational wrongdoing by a person who has access to data, events or information about an actual, suspected or anticipated wrongdoing within the organisation.

Whistleblower refers to any Representative who attempt to make or wish to make a report in connection with a wrongful act under this policy and who wish to avail themselves of the protections offered by the policy. A wrongful act includes, mismanagement of funds; actual or suspected fraud; abuse of authority; miscarriages of justice; health and safety risks, damage to the environment; sexual or physical abuse .

Policy Statement

PACE seeks to provide Representatives- staff, volunteers, suppliers, partners, children and young people, with a supportive work environment in which they feel able to raise issues of legitimate concern. PACE will take steps to protect its personnel from detrimental treatment or dismissal if they report actual or suspected wrongful acts in good faith.

Principles

- All Representatives have an obligation to report wrongful acts or suspected wrongful acts, malpractices, in accordance with this policy;
- All Representative have the right to speak freely and honestly to report wrongful acts in a safe environment without fear of retaliation or reprisal; and
- PACE will respond in a timely, respectful and confidential manner to all disclosures of wrongful acts.

SCOPE

- This policy and procedure covers all representatives working with PACE to deliver on its mission including all salaried staff nationally, suppliers, volunteers, children* and young people* with whom PACE is working. It applies whether or not the information could be deemed to be confidential and whether the alleged malpractice is occurring in PACE. The legal scope of the Public Interest Disclosure Act, on which this policy is based, covers all Indian staff and volunteers. PACE appointed all staff, volunteers, children and young people, and all partners working with PACE are protected by this policy and procedure to ensure consistency and transparency for all those working towards the goals of PACE.

* It has been recognized that this policy may not be the most appropriate procedure for children and young people. The children and young people's complaints procedure, currently being developed, will cover many of the concerns and complaints that children and young people may wish to raise. The Whistle blowing policy should be seen as another avenue through which concerns can be raised.

LEGAL OBLIGATIONS AND PACE BEST PRACTICE GUIDELINES

- 1.1** The procedure for people with concerns about serious misconduct or malpractice depends upon the nature of their relationship with PACE that is, whether they are staff, volunteers, suppliers, children or young people or otherwise associated with PACE.

1.2 Staff

In most cases staff should raise any concerns with their line manager. If for some reason, (e.g. the Manager may be implicated) this is not possible; they should speak to a more Senior Manager.

- A. There may be circumstances when a member of staff feels that he/she is unable to do this, for example when he/she feels that his/her line manager/coordinator is involved, or that he/she has previously raised this concern and feels that no action has been taken about his/her concern.
- B. If the member of staff is in such a situation, he/she is encouraged to contact a more senior person, the Director Programmes, the Chief Executive. All staff who raise concerns of serious malpractice will be protected from victimization or any other detrimental treatment if they come forward with serious concerns, provided that they have followed the procedure and provided that concerns are raised in good faith.

The identity of staff who raise concerns will be kept confidential as far as possible.

1.3 Volunteers

- A) Volunteers who want to raise concerns of alleged serious malpractice should in the first instance raise their concerns with the appropriate Asst. Project Officer.
- B) There may be circumstances when volunteers feel that they are unable to do this, for example when they feel that the APO is involved, or that they have previously raised this concern and feel that no action has been taken.
- C) In these circumstances volunteers are also encouraged to approach a more senior manager, (i.e. Programme Coordinator, Programme Director, Chief Executive).

All volunteers who raise concerns of serious malpractice will be protected from victimization or any other detrimental treatment if they

- A) Come forward, provided they followed the procedure and provided that concerns are raised in good faith.
- B) The identity of volunteers who raise concerns will be kept confidential as far as possible.

1.4 Suppliers

The term suppliers include all Consultants, Building Contractors, Outsourced staff and other individuals, companies and organizations:

- A) Suppliers who are concerned that an act of serious malpractice may be taking place should in the first instance raise their concerns with the commissioning manager who set the terms of reference for their project/contract.
- B) There may be circumstances when suppliers feel that they are unable to do this, for example when they feel that the manager is involved, or that they have previously raised this concern and feel that no action has been taken. In these circumstances suppliers are also encouraged to approach a more Senior Manager, the Director or Chief Executive, if they feel that their concerns have not been acted upon.
- C) Any supplier who raise concerns of serious malpractice will be protected from victimization or any other detrimental treatment if they come forward, provided that they follow the procedure and provided that concerns are raised in good faith.
- D) The identity of suppliers who raise concerns will be kept confidential as far as possible.

1.5 Children and Young People

1. Children and young people who use PACE services, or who are working with PACE in any way, who want to raise concerns of serious malpractice can use either the procedure in this policy or the Children and young person Complaints Procedure.
2. The PACE Child Protection Policy is also an important resource for obtaining information concerning contact people.
3. In the first instance children and young people should raise their concerns with the person in charge or an adult whom they feel will be able to help them raise their concerns.
4. There may be circumstances when this is not possible or appropriate, for example when the person in charge may be involved, or if the young person

has previously raised concerns with this person and feels that no action has been taken.

5. In these circumstances individuals are encouraged to approach a more Senior Manager, the Chief Executive if they feel that their concerns have not been acted upon.
6. Any child, children, young person(s) or user of PACE's services who raises concerns of alleged serious malpractice will be protected from victimization or any other detrimental treatment.

The identity of children, young person(s) or user(s) of PACE's services who raise concerns will be kept confidential as far as possible.

MANAGEMENT RESPONSIBILITY

Where an allegation of serious malpractice has been made the Chief Executive will be informed. He/she will appoint an individual not implicated

1. In the complaint (either an independent manager or an appropriate external professional) to carry out an urgent and confidential investigation.
2. Managers have a responsibility to treat concerns raised seriously and will investigate them thoroughly in accordance with PACE's values and policies.
3. Managers must make themselves aware of other appropriate PACE's policies and procedures, such as the Child Protection Policy, Gender Policy, Sexual Harassment Policy or the Code of conducts and procedures and refer to them when necessary.
4. In all cases management will endeavour to give feedback to those who raise concerns on what action/s have been taken to address them. However, there may be circumstances where, given the confidential nature of the allegations or the material covered, it will not always be possible to give feedback on actions taken.
5. Where feedback is possible this will be given as soon as possible. Some situations may be resolved promptly; others may take longer because they require formal investigation or hearings.

PROTECTION

1. The scope of legal protection under the Public Interest Disclosure Act covers all PACE staff.
2. PACE appointed staff based nationally, volunteers, children, young people working jointly with PACE are protected by this policy to ensure consistency and transparency for all those working towards the goals of PACE.

3. Any concerns raised will be investigated carefully and thoroughly. PACE will ensure that fair treatment will be followed at all times. Any person accused of alleged misconduct will have the right to put their account of events forward at the earliest opportunity.
4. If someone tries to prevent an individual from making a confidential report or victimizes that person for raising their concerns, PACE will treat this as a serious disciplinary offence, which will be investigated in accordance with PACE's disciplinary policy and procedure.

Where allegations by staff are not made in good faith and found to be false or malicious, this will be treated as a serious disciplinary offence

- a) and will be investigated in accordance with PACE's disciplinary policy and procedure.
- b) Likewise, allegations of this type made by volunteers will be treated as a serious matter, and dealt with in accordance with the Volunteer Complaints Procedure.

CONFIDENTIALITY

- a) The identity of the person/s who raise concerns will be kept confidential as far as possible.
- b) However, due to the nature of some investigation processes it may not be possible to retain complete confidentiality. This includes situations where the police are involved, where statutory child protection procedures need to be adhered to, or when disciplinary investigations are held and individuals need to make a statement, which may be seen by third parties.

ANONYMOUS REPORTING

- a) Anonymous reporting can come in two forms. The first is where an individual sends a letter or makes a phone call to management and makes an allegation or statement without leaving their name. The second form is where an individual makes an allegation or statement to management, but wants their identity kept secret from those that they have accused of malpractice/misconduct.
- b) The former is very difficult to act upon as there may be no or little corroborated evidence to substantiate the allegations. However this does not mean that there is no malpractice or misconduct taking place. Management will have to make a choice of either ignoring the anonymous information or informally investigating the information, initiating formal proceedings if corroborating evidence is found.
- c) PACE understands that some people may wish to report their concerns anonymously and accepts that this may occur from time to time. However

PACE feels that it is more appropriate for individuals to come forward with their concerns rather than raising them anonymously. Anonymous reporting can make it difficult to clarify the issues, substantiate claims and investigate concerns properly.

FEEDBACK

Feedback and the progress of any concerns raised will be given as soon as possible. Some situations may be resolved promptly, whilst others may take longer because they require formal investigation or hearings.

NOMINATED PERSON/S

If there are concerns that staff feel cannot be raised through line management and they wish to contact the Director or Chief Executive, then they should use the following contact channels:

Any written correspondence to the Program Director or Chief Executive should be marked: Private and Confidential.

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