



# Updated Whistleblowing Policy (September 25, 2024)

## **Whistleblowing Policy**

At Project Access (PA), we aim to conduct ourselves ethically, and with honesty and integrity. We expect the same high standards from all our people: volunteer team members, mentors, and mentees. We do, however, recognise that there may be occasions when we do not get this right. In these instances, you may feel that you need to raise your genuine and serious concerns through this whistleblowing policy.

'Whistleblowing' refers to the internal or external disclosure of malpractice as well as illegal acts, or omissions, at work. It covers, for example, how we raise funds, how we commission work, make payments, and allocate funding.

## **Goals and Scope**

The aims of this policy are to:

- Provide an effective way for you to raise serious concerns,
- Ensure that you receive feedback on any action undertaken by us as a result of you raising serious concerns,
- Ensure that you will be supported and protected from reprisals or victimisation for having raised your concern in good faith,
- Signpost you to further options available to you if you are dissatisfied with our response, or if internal investigation is not appropriate;
- Allow Project Access to take action against any volunteer who makes allegations in bad faith and/or publicly discloses information when it is unreasonable for them to do so.

This policy applies to **anyone who volunteers for PA** (Project Access International and any of its subsidiary organisations) as a mentor or team member, or **anyone who is otherwise affiliated with PA**, including mentees.

## **What Is a Disclosure?**

Under the law, volunteers are not afforded the same whistleblowing protection that is afforded to employees. However, at PA we want to promote and encourage an open and honest environment in which concerns can be freely raised. We will therefore, in so far as is possible, aim to treat all individuals making a disclosure in the spirit of the law governing employees, specifically the Public Interest Disclosure Act 1998.

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996. These laws provide protection for individuals who raise legitimate concerns about specified matters, called qualifying disclosures. A qualifying disclosure is a disclosure made in good faith by an individual who has a reasonable belief that any of the following have occurred:

- A criminal offence (including fraudulent and corrupt behaviour, theft, fraud or malpractice);
- A miscarriage of justice;
- An act creating risk to health and safety;
- An act causing damage to the environment;
- A breach of any other legal obligation; or
- Concealment of any of the above.

It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed. You do, however, need to hold a reasonable belief of such an action having been, being or likely to be carried out.

If you make a protected disclosure, you have the right not to be dismissed, subjected to any other detriment, or victimised. This is true even if you were genuinely mistaken. We will not tolerate any individual being disadvantaged because they made a disclosure in good faith.

## **Malicious Disclosures**

If it is found that you have maliciously raised a matter which you know to be untrue; or you are involved in any way in the malpractice, wrongdoing or illegal acts or omissions (whether to cover them up or distract from those that are), the Whistleblowing Policy will not apply. Your conduct will be addressed through the appropriate PA policy.

### **Non-Whistleblowing Concerns**

This policy is only to be used in the exceptional circumstances as outlined by the list of qualifying disclosures, as above. There are several PA and other policies that will be relevant in other circumstances. This list includes but is not limited to:

- Safeguarding Policy
- Privacy Policy
- Slack Codes of Conduct

### **Raising a Concern Internally**

#### **How Should I Raise It?**

You should raise your whistleblowing concern as soon as possible. This will make it easier to act and to enable any problems to be resolved or reported quickly. You can make your disclosure orally, but written disclosures are preferable as these will make the process more efficient and effective. In your disclosure, you should:

- Provide any relevant context and background, including relevant dates, names, where you identified the concern etc.
- State clearly the reason why the situation has causes for concern.
- Your preferred method of communication regarding the issue.

You **must** say that you are raising your concern using the whistleblowing policy and whether you wish your identity to be kept confidential. While we will make every effort to deal with your case confidentially, this may not always be possible depending on the circumstances of the case. Where this is the case, you will be informed of this and the reasons why it was not possible. Please note that if you have a preference for the method of communication that is used to communicate the next steps, you **must** notify the individual or individuals in charge upon raising the concern.

We will consider anonymous disclosures, but we do not encourage them: anonymity often makes it difficult to properly investigate concerns, protect staff, or give feedback on outcomes.

If you're unsure whether to raise a concern using the Whistleblower Policy or our Safeguarding Policy, please refer to the definitions and guidance in both policies. If you still have any questions, contact [support@projectaccess.org](mailto:support@projectaccess.org).

## **Who Should I Raise it with?**

### **PA team members:**

You should raise a whistleblower matter with the leader of your team:

- If you are a volunteer for PA International, this is the Global Director in charge of your Directorate.
- If you are a volunteer for a PA Country Team, this is the Team Lead for your country team.
- If you are a Global Director or C-suite member of Project Access International and wish to raise a matter, please report it to the Designated Safeguarding Lead.
- If you are a Team Lead of a PA Country Team yourself, please report it to the CEO.

If the matter involves someone who you are directed to above, please contact a senior leader in another part of the organisation.

### **PA mentors & mentees:**

Please report the matter to the Project Access team via [support@projectaccess.org](mailto:support@projectaccess.org).

If the person you're making a complaint or raising a matter about is a member of the PA team, please report the matter to the CEO Lukas Popp ([lukas.popp@projectaccess.org](mailto:lukas.popp@projectaccess.org)).

You should always try to raise the matter with a member of the PA Senior Leadership Team. Ideally this should be either a member of the Global Leadership Team (GLT), a Country Team Lead, the Designated Safeguarding Lead (DSL), or a Trustee.

Where this is not appropriate because they may be involved in the alleged malpractice, wrongdoing or illegal acts or omissions in some way, raise your concern with another member of the PA Team. If appropriate, the member of the PA Team may arrange for the concern to be investigated externally and independently of PA, and for appropriate follow-up action to be taken.

### **What Happens After I Raise a Concern?**

Your disclosure will be acknowledged within a reasonable timeframe. It will be investigated by the PA Team Member that you raise your concern to. They will arrange to meet with you as soon as possible to enable you to explain your concern, as outlined above. The individual who you raised your concern to, may ask for your consent to share the concern and situation with other PA Team Members or external sources in order to take the appropriate steps to address the issue. Until you have given your explicit consent to have the concern be shared with others, they cannot disclose any details about the particular situation with others. We may not always be able to keep your details confidential, but we will always let you know if it is not possible to do so. If you choose not to consent to the matter being shared with others, please note that if resolving the issue requires partial or full disclosure of your identity, you will have the option to retract your statements or complaint and request that no further actions be taken. If you decide not to proceed, the details of your concern and your decision to raise it will remain confidential, although without your consent to share the matter, a resolution or further investigation may not be possible.

You will be told either at the meeting or as soon as possible afterwards, what action will be taken to address the concern you have raised. Where action is not taken, you will be informed and given an explanation. If you disagree with the decision, you have the option of objecting to the final decision by reaching out to [support@projectaccess.org](mailto:support@projectaccess.org) within 14 days of receiving a final decision. In this email, you must clearly outline your reasons for your objection. The PA team will respond to this inquiry within a reasonable timeframe.

Typically, the matters raised may result in one or more of the following outcomes:

- No action required
- Action being taken under an alternative PA policy or procedure
- An internal investigation under this policy

- A referral to the police or relevant statutory body

**Any PA Team Member receiving a potential whistleblowing concern must notify the PA CEO immediately that a concern has been raised and inform them of progress in resolving the concern, unless the concern involves the CEO themselves. In this instance, the most senior, but still appropriate person must be informed.** The PA Team Member in question must obtain the consent of the individual raising the concern before notifying other individuals.

### **Raising a Concern Externally**

PA urges you to attempt to exhaust the internal processes set out above in the first instance. In exceptional or urgent circumstances, where this is not possible, or where, having made a disclosure, you are unhappy with the outcome, you may decide to make a disclosure to an external source, for example to The Charity Commission. However, in doing so you give up your rights under this policy. If you decide to take this option, PA will be under no obligation to consider the issue. If you raise a concern externally, we ask that you notify us by reaching out to support@projectaccess.org.

### **Making a Disclosure to the Press / on Social Media**

Disclosures to the public or media platforms that might be perceived as derogatory or inflammatory in relation to PA, which includes its Team Members, Mentors, Mentees, and operations, will not be considered reasonable and may constitute misconduct. As such, the matter might be treated as a disciplinary matter and appropriate disciplinary action will be taken. This includes defamatory, false, or malicious allegations, and the disclosure of information to external parties without following internal procedures.

### **Related Policies and Procedures**

This policy statement should be read alongside our organisational policies, procedures, guidance, and other related documents, which include but are not limited to:

Privacy Policy:

- Data Collection
- Data Sharing
- Data Processing

- Aggregated and Anonymised Data
- Data Retention
- Data Security
- Your Rights

### Safeguarding Policy:

- Working Definitions (Abuse, Neglect, Other Risk Indicators, Children in Need and Significant Harm)
- Responsible Team Members
- Responding to Concerns (Child or Parent Disclosure, Within-Organisation Disclosure, Notifying the DSL, Data Protection)
- Appendix C: Referring to DBS

### **Policy Updates and Responsibility**

Please be aware that PA reserves the right to modify or update this Policy at any time. It is the responsibility of all individuals affiliated with PA (including Mentors, Mentees, and Team Members) to stay informed about the most current version of the policy.

Updates to this policy will be reflected on the official PA website.

Individuals affiliated with PA are encouraged to regularly review the policy and any updates to ensure they remain informed about their rights and responsibilities under this policy.

### **Contact Details**

#### **PA Designated Safeguarding Lead (for whistleblower instances related to PA International)**

Name: Katie Na

Email: [support@projectaccess.org](mailto:support@projectaccess.org), [katie.na@projectaccess.org](mailto:katie.na@projectaccess.org)

#### **PA Country Team contacts (for whistleblower instances related to PA country teams)**

Name: *see names of country team contacts in 'Project Access Country Teams Addendums' section of the Project Access Safeguarding Policy.*

Email: support@projectaccess.org

**PA Chief Executive Officer**

Name:

Email:

**NSPCC Helpline**

0808 800 5000