

## **ZAMBIA THERAPEUTIC ART (SC045462)**

### **WHISTLEBLOWING POLICY**

“Whistle Blowing” is a term used to describe the reporting of a suspected wrongdoing at work, by a worker (paid or unpaid), which is in the public interest. Such matters can relate to:

- Someone’s health or safety
- Damage to the environment
- A criminal offence
- The charity is not adhering to the law
- Covering up a wrongdoing

ZTA is committed to operating to the highest possible standards, both within its internal operations, governance and international projects. This policy applies to all trustees, paid workers unpaid volunteers, international partners and employees of our international partners.

#### **How to 'blow the whistle'**

The way a worker can ‘blow the whistle’ on wrongdoing depends on whether they feel they can tell the charity.

If they feel they can, they should contact a ZTA trustee about the issue they want to report.

If they can’t tell a trustee, they should contact a ‘prescribed person or body’. OSCR is an appropriate body to contact. Their contact details can be found at <https://www.oscr.org>

#### **Dismissals and whistleblowing**

A UK worker cannot be dismissed because of whistleblowing. If they are, in the UK they can claim unfair dismissal – they’ll be protected by law as long as certain criteria are met.

#### **Types of whistleblowing eligible for protection**

These are called ‘qualifying disclosures’. They include when someone reports:

- that someone’s health and safety is in danger
- damage to the environment
- a criminal offence
- that the charity isn’t obeying the law (like not having the right insurance)
- that someone’s covering up wrongdoing

#### **Who’s protected**

The following people are protected:

- trustees
- employees
- volunteers
- agency workers
- people that are training with an employer, but not employed
- self-employed workers, if supervised or working off-site

- partners' staff and service users of our partners' services (as long as the partner organisation has a Whistleblowing Policy in place).

A worker will be eligible for protection if they honestly think what they're reporting is true and they think they're telling the right person.

### **Who's not protected**

Workers aren't protected from dismissal if:

- they break the law when they report something (e.g. they signed the Official Secrets Act)
- they found out about the wrongdoing when someone wanted legal advice ('legal professional privilege') – e.g. if they are a solicitor

Workers who aren't employees can't claim unfair dismissal because of whistleblowing, but they're protected and can claim 'detrimental treatment'.

### **Tribunals**

In the UK, if a worker is dismissed for whistleblowing, they can go to an Employment Tribunal or an industrial tribunal in Northern Ireland. If the tribunal decides the employee has been unfairly dismissed, it will order that they are:

- reinstated (get their job back)
- paid compensation

### **Whistleblowing abroad**

Workers are protected from unfair treatment even they blow the whistle on something that happened abroad. This includes when a different country's law has been or will be broken.

This policy will be reviewed by the Trustees at least every 2 years and updated if required.

<b>Date</b>	<b>By whom:</b>	<b>Comments</b>
14.03.18	SNWB	Circulated and put on shared drive
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