

EMMS International

Norton Park, 57 Albion Road, Edinburgh EH7 5QY

EMMSInternational
Health for Today, Hope for Tomorrow

WHISTLEBLOWING POLICY

EMMS International

Norton Park, 57 Albion Road, Edinburgh, EH7 5QY, Scotland

EMMS International is a registered Scottish Charity No. SC 032327
and a Company Limited by Guarantee No. 224402

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1. Introduction

Whistleblowing is when a worker reports suspected wrongdoing at work, thus “making a disclosure in the public interest”.

A worker can report things that are not right or are illegal, or if anyone at work is neglecting their duties, including:

- someone’s health and safety are in danger, e.g. if a child or vulnerable person is being abused
- damage to the environment
- a criminal offence, e.g. fraud or corruption
- the company is breaking the law, e.g. failing to pay taxes, pension contributions or insurance
- covering up wrongdoing, e.g. misuse or misreporting of the charity’s resources.

EMMS International is fully committed to operating to the highest possible standards, in its internal operations, governance and international projects. This policy applies to all trustees, staff, volunteers, international partners and employees of our international partners.

2. How to whistleblow

If a worker feels they can, they should contact one of the senior managers listed below about the issue they want to report.

If a worker feels they cannot tell one of these senior managers, they should contact the Chair of the board.

If a worker feels they cannot tell the Chair of the board, or that the senior staff or Chair have not taken their report seriously or dealt with it appropriately, they should tell the “prescribed person or body” for the charitable sector, which is the Office of the Scottish Charity Regulator (OSCR).

If a worker suspects a crime, they have a duty to tell the police.

A worker may choose to whistleblow via the generic info@emms.org email address. This is managed by the Database Manager who elevates any complaints, including of a whistleblowing nature, direct to the CEO. If the CEO decides that the matter may constitute a Safeguarding matter, she passes it to the Safeguarding Committee. If the Safeguarding Committee decides that the matter does constitute a Safeguarding incident, it records and follows up the incident in accordance with our Child and Vulnerable Adult Protection Policy.

3. Dismissals and whistleblowing

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

4. Types of whistleblowing eligible for protection

These are called “qualifying disclosures”, and include when someone reports:

- that someone’s health and safety are in danger
- damage to the environment
- a criminal offence
- that the company is breaking the law (e.g. not having the right insurance)
- that someone is covering up wrongdoing (e.g. misreporting the charity’s resources).

5. Who is protected

The following people are protected:

- Trustees
- Employees
- Volunteers
- Agency workers
- People who are training with EMMS International but not employed
- Self-employed workers, if supervised or working off-site

A worker is eligible for protection if they honestly think that what they are reporting is true and they think that they are telling the right person.

Partners' staff and service users of our partners' services should be protected by our partners' Whistleblowing Policies. EMMS International requires that each partner receiving funds from EMMS has a Whistleblowing Policy.

6. Who is not protected

Workers are not protected from dismissal if they break the law when they report something.

Workers who are not employees cannot claim unfair dismissal because of whistleblowing, but can claim "detrimental treatment".

7. Tribunals

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

- Reinstated (get their job back) and / or
- Paid compensation.

8. Whistleblowing abroad

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

9. Contacts

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