

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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EMMS International

1. Introduction

EMMS International is fully committed to operating to the highest possible standards, in its internal operations, governance and international projects. This whistleblowing policy applies to all trustees, employees, volunteers, agency workers, people who are training with EMMS International but not employed by EMMS International, and self-employed workers, supervised or working off-site of EMMS International as well as EMMS International's partners (national and international) including employees of our partners. In this policy, all these separate identities are referred to as 'an individual'.

Whistleblowing is when an individual reports suspected wrongdoing at work, thus "making a disclosure in the public interest".

An individual 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; and
- covering up wrongdoing, e.g., misuse or misreporting of the charity's resources.

2. How to whistleblow

If an individual feels they can, they should contact one of the senior managers, listed in section 9 below, about the issue they want to report.

If an individual feels they cannot tell one of these senior managers, they should contact the Chair of the Board, on Chair@emms.org.

If an individual 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 contact the "prescribed person or body" for the charitable sector, which is the Office of the Scottish Charity Regulator ([OSCR](https://www.oscr.gov.uk/)) via the 'Raise a Concern' page on OSCR's website.

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

An individual may choose to whistleblow via the generic info@emms.org email address. This is managed by the Stewardship Manager who elevates any complaints, including of a whistleblowing nature, direct to the Chief Executive Officer (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 Safeguarding Policy.

3. Dismissals and whistleblowing

A UK worker based in the UK cannot be dismissed because of whistleblowing. This is referred to as 'protection from whistleblowing'. If they are, they can claim unfair dismissal, and are protected by law if 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); and
- 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

An individual 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 International has a Whistleblowing Policy, which is reviewed by the Trustee on our Safeguarding Committee to ensure that it meets our needs.

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 that the worker has been unfairly dismissed, it will order that they are:

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

8. Whistleblowing abroad

EMMS International workers are protected from unfair treatment if they blow the whistle on something that EMMS International caused to happen abroad, including when the UK's or that country's law has been or will be broken. EMMS International will not act against any partner's staff who in good faith blow the whistle on something that EMMS International caused to happen in their country, including which broke the UK law or that of their country.

9. Contacts

CEO
Director of Finance
Director of Fundraising
Director of Programmes
Stewardship Manager
Chair

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