

***‘WHISTLE-BLOWING POLICY’: REPORTING CONCERNS ABOUT
PROFESSIONAL PRACTICE***
in the International Charitable Foundation
“International HIV/AIDS Alliance in Ukraine”

Purpose

The purpose of this policy is to maintain a high professional standard and level of integrity in all aspects of the work of the Alliance Ukraine by facilitating the ability of the employees to bring concerns about malpractice to light in a supportive atmosphere.

Principles

In instances such as those dealt with in this policy, it is acceptable for staff members to deal with issues outside of the normal line management framework.

Policy

The Alliance Ukraine is committed to providing a high standard of services, and aims to ensure that all professional and support services operate to the highest standards of professional and ethical conduct.

The Alliance Ukraine will treat any breach of standards seriously. All employees have a right as well as a duty and a moral obligation to challenge and report to the Alliance Ukraine:

- instances of fraud, malpractice, negligence or unprofessional behaviour
- matters of concern to them about practice issues, whether in relation to professional practice, handling of money or finances, employment conditions or health and safety conditions which are detrimental to them, or which place employees or others at risk or expose them to abuse or discrimination.

No organisational objective, personal objective or feelings for colleagues can ever be so important that such matters of concern are not reported.

These guidelines offer a framework within which employees of the Alliance Ukraine can bring concerns of malpractice to light in an atmosphere which is both **supportive and confidential**, and which offers reassurance against any threat of victimisation to the person who reports his/her concerns.

Responsibility

Every staff member has an obligation to report instances of suspected malpractice. However, a specific obligation rests on the person to whom such a report is made to take the matter upwards to director level. The senior management team must be aware of all such allegations and must be satisfied that they have been adequately dealt with and reported to the Senior Adviser Unit on Stakeholder Relations, Risk Management & Compliance.

In the case of Board Members, instances of malpractice should be reported to either chair of the Board or Supervisory Committee. If the Board Chair is suspected, the malpractice should be reported to the Supervisory Committee Chair.

Procedure for an employee with a concern

Knowing when to report

There will always be disagreements about the best way of doing something, and challenges will always be made to practices and decisions in working life. This does not mean that all such matters should be reported. In addition to the summary of areas of concern outlined at the beginning of this document, the Alliance Ukraine has a number of specific documents to which employees can turn for guidance. The Alliance Ukraine staff manual and other documents (e.g. finance policies and procedures) give specific examples of matters which are of serious concern and which should be reported. These documents are not exhaustive and, if a concerned employee cannot find the guidance s/he needs, or remains unsure, it may be helpful for him/her to go through the following questions:

- Does this feel right to me?
- Does it appear reasonable?
- Would I feel comfortable justifying this to public scrutiny?

If the concerned employee cannot answer 'Yes' to these questions, s/he should report the concerns.

Providing a matter of concern is raised in good faith by an employee, no action will be taken against him/her even if the concern is unfounded. Complaints which are malicious, knowingly untrue or made for personal gain are viewed as being serious breaches of professional conduct. Employees making such complaints, if bad faith is proven, are liable to disciplinary action, which may include dismissal.

If you have a concern

When an employee becomes aware, directly or indirectly, of a practice or incident which causes concern, there are two options available:

- report through the normal line management
- where this has already been done and no action has been taken, or where the employee feels unable to talk to the line manager, s/he may contact someone outside of line management, for example, the director or Senior Advisory Unit.

Thus, if a person is concerned about financial matters in an office, s/he may contact the relevant director. If the concern is about an SMT director, the member of staff may contact the Executive Director. If the concern is about the Executive Director, Senior Adviser on Stakeholder Relations, Risk Management & Compliance should be contacted.

Where a Board Member has a concern, s/he should report it to the Chair of Governing Board or Supervisory Committee.

Procedure to be followed by the Alliance Ukraine

- The matter of concern raised will be investigated by the Alliance Ukraine.
- The investigation may be more appropriately carried out by a person other than the one the concerned Board Member/employee has spoken to.
- The Alliance Ukraine will respect the confidentiality of the person raising the concern insofar as it is possible to do so. It may not be possible to preserve confidentiality in all instances.
- The Alliance Ukraine will brief the concerned employee about the outcome of the investigation and on any action proposed.
- The person(s) accused of the malpractice may be informed of the accusation and, if necessary (if there appears to be some validity to the allegation) will be given the opportunity to respond. If a decision is taken to move into disciplinary action, the normal provisions of the disciplinary procedure, including the right to a hearing and the right to appeal, will apply.
- If disciplinary action results from the investigation, the employee raising the concern may be asked to participate in the process. The Alliance Ukraine will support concerned employees and take action to protect them from reprisals and victimisation. Victimising employees because they have raised a concern, or deterring them from doing so, is a serious disciplinary offence. If proven, it will be considered an act of gross misconduct and may result in summary dismissal.
- The Alliance Ukraine may consider providing an independent external support person to the employee if the concern is of a complex nature, or if the investigation is likely to be protracted or of a very sensitive nature.
- Where the employee raising the concern is himself/herself involved in the practices, the fact that s/he has brought the matter to light will be taken into account in determining any subsequent disciplinary action.

Support for staff raising concerns about practice

Where employees raise a concern and are then victimised (or feel victimised) for their stance, they can seek support through their line management and/ or approach AU Advisory Unit on Stakeholder Relations, Risk Management & Compliance (contact: Risk Management and Compliance Officer or Senior Adviser on Stakeholder Relations, Risk Management & Compliance) If they so wish, the Alliance Ukraine may be able to re-deploy them. This will only be at an individual's request, and only if there is a suitable vacancy and the individual is suited to the vacancy.