



WHISTLE BLOWING POLICY

POLICY STATEMENT

United Mission to Nepal (UMN) is committed to maintaining the highest standards of quality, honesty, openness and accountability throughout the organisation. UMN recognises the vital role that staff has to play in achieving this goal.

Whoever we may deal with, and wherever we may operate, we are committed to doing so lawfully, ethically and with integrity. It is the responsibility of each and every one of us to ensure that we fulfil this commitment in our day to day working lives. However, from time to time there may be situations where the right course of action is unclear, or there may be situations where you suspect or know that something is improper, unethical or inappropriate. We have both a legal and moral duty to take appropriate measures to identify such situations and attempt to remedy them.

It is sometimes difficult to know whether to speak up about something that concerns us. Often people are reluctant to get involved but this could result in serious consequences for UMN and its employees. The Whistle Blowing Policy is in place so that you can talk to someone confidentially about your concerns.

The policy applies to all UMN staff, Nepali and Expatriate including Interns.

POLICY AIMS

The aim of this policy is to:

- Ensure all employees feel supported in speaking up in confidence and reporting matters they suspect may involve anything improper, unethical or inappropriate;
- Encourage all improper, unethical or inappropriate behaviour to be identified and challenged at all levels of the organisation;
- Provide clear procedures for the reporting of such matters;
- Manage all disclosures in a timely, consistent and professional manner; and
- Provide assurance that all disclosures will be taken seriously, treated as confidential and managed without fear of retaliation.

APPROVAL AND ADOPTION

This policy, which is approved by the Leadership Team of UMN, is a statement that improper, unethical or inappropriate behaviour within the organisation is unacceptable and this statement is endorsed and supported at the highest level. This policy should be read in conjunction with all other UMN policies, but especially the Anti-Corruption Policy. This policy forms part of UMN Staff contract of employment.

WHAT SORTS OF CONCERNS DOES THIS POLICY COVER?

The following gives examples of the sorts of concerns that will fall under this policy:

- Criminal offences.
- Failure to comply with legal obligations.
- Miscarriages of justice.
- Abuse, intimidation or neglect of vulnerable people and should be consistent with UMN's valuing children policy and gender policy.
- Failure to deliver appropriate standards of service.
- Action that may endanger health or safety of staff or the public.
- Actions that may cause serious damage to the environment.
- Actions which may seriously endanger the reputation or activities of the organisation.

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- Fraud or corruption in UMN and its Partner Organisations.
- Significant and unauthorised breaches of UMN policies or procedures (PMF and FMF) and other guidelines or frameworks issued by UMN as directives.
- Damaging personal conflicts at work.
- Bullying, discrimination, harassment or victimisation in the workplace.
- Actions which are intended to conceal the above.

If a staff member has concerns which they need to raise they should first consider using other relevant UMN policies. These include:

- Personnel Management Framework including all its sub-policies.
- Financial Management Framework including all its sub-policies.
- Safeguarding Children and Vulnerable Adults Policy.
- PMF Forum Circulations.
- Policy for Prevention of Bribery, Corruption and Fraud.
- Value for Money Policy.
- Any other specific directive, circulations or guidelines developed by UMN.

Concerns over malpractice or misconduct should usually be raised with your line manager through supervision. If this is not judged appropriate or the response is not deemed satisfactory, then the following procedure should be used.

WHO SHOULD I CONTACT?

We recognise that, due to the potential sensitivity of the situation, you may not always feel comfortable about discussing your concerns internally. As soon as you become aware of any suspected wrongdoing, you should notify the matter to one of the people below:

- Your Line Manager;
- Your Technical Team Leader;
- HR Team Leader
- Programme Director;
- Technical Director;
- Contact person in Safeguarding Children and Vulnerable Adults Policy

In situations where you feel uncomfortable in approaching these people, you should directly contact the Internal Audit Committee Chairperson.

Concerns raised under this policy will relate to our employees but may also relate to the actions of a third party such as a supplier, agent, distributor or partner organisation. You should consult your line manager or any of the above Contact Person before speaking to any third party. It may then be appropriate for you to raise your concerns directly with the third party where you believe that the wrongdoing identified or suspected relates solely or mainly to their conduct or is a matter which is their legal responsibility.

UMN will support staff who raise genuine concerns and will protect them, as far as is reasonably possible, from reprisals or victimisation. If a staff member comes forward with such a matter, UMN guarantees that this will not adversely affect the staff member's employment contract or future eligibility for advancement. This still applies even if a staff's concern turns out to have been unjustified, providing the concern is made in good faith and without malice.

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In the event that any of the Contact People listed above is the subject of your concern then you should contact the Executive Director/Leadership Team Member(s) of UMN.

It will be important to give some background and history of the concern, giving relevant dates where possible and, although you are not expected to prove the allegation, you should provide the reason you are concerned about the situation.

CONFIDENTIALITY

Where you wish to have your concern dealt with confidentially this will be respected as far as possible. However, it may be that some concerns cannot be resolved without revealing your identity. This will be discussed with you at the earliest opportunity.

UMN'S RESPONSE TO CONCERNS RAISED INTERNALLY UNDER THIS POLICY

If a staff member comes forward with a concern, any concerns that are raised will be taken seriously and thoroughly looked into.

Once a concern has been raised under the Whistle Blowing procedure, a letter of acknowledgment will be sent within 5 working days to the person raising the concern. This letter will indicate the first steps that will be taken and provide contact details for follow up.

UMN will conduct a preliminary enquiry and come to a judgment on how the matter will be investigated. If full investigation is necessary then, depending on the nature of your concerns, the matter will be:

- Investigated as per the procedures outlined in 'Safeguarding Children and Vulnerable Adults Policy'.
- Investigated internally by a team of 3 people (formed by the Internal Audit Committee as an appropriate fit to the situation. The management of investigation is described in Appendix A of this policy.
- Investigated by an external person commissioned by UMN specifically to carry out an investigation.
- Referred to the appropriate external agency (for example our external auditors or the police) for investigation.

Once we have launched an investigation, we will let the person raising the concern know how the matter is to be handled and by whom. For reasons of confidentiality (we have to respect the confidentiality of other employees as well) we may not be able to inform the staff member, who has raised the concern, of certain aspects of the results of the investigation.

WHAT CAN BE DONE IF THE WAY UMN DEALT WITH THE ISSUE IS UNSATISFACTORY?

If the way in which the issue is investigated or if the person raising the concern is unhappy with the response then this should be raised, in writing, to the Chairperson of the Internal Audit Committee. The letter should explain in detail why the outcome is perceived as unsatisfactory. The Chairperson of the Internal Audit Committee will then review this with the UMN Executive Director. In reviewing the issue, they may deem it appropriate to raise it with the UMN Board.

SHOULD THE PERSON RAISING A CONCERN BE CONTACTING PEOPLE

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OUTSIDE UMN?

This policy and other policies of UMN should mean that you are able to raise concerns internally within the organisation and have these concerns heard and dealt with. There should be no need to express concerns externally if these systems are followed.

WHAT HAPPENS IF THE CONCERNS ARE RAISED MALICIOUSLY?

If a report is made in good faith then, even if it is not confirmed by an investigation, the concern will be valued and appreciated. No-one who comes forward in good faith has anything to fear in this respect. If however the concern is found to be a misuse of this process raised with unfounded allegations, maliciously or frivolously, then this will be treated as a disciplinary matter.

COMMUNICATING THIS POLICY

This policy will be widely available within UMN and will also be available to view on UMN intranet and UMN website www.umn.org.np

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Appendix A – Management of Investigations

An investigating coordinator will be appointed by IAC Chairperson and Executive Director to lead the investigation into the allegations and will have the following responsibilities:

- Arrange individual interviews with relevant witnesses or individuals and inform them of their right to be accompanied at the meeting by a Staff Involvement Facilitator (SIF)/work colleague of their choice.
- Establish the facts/obtain statements/collect documentary evidence.
- Maintain detailed records of the investigation process.
- Make any recommendations for action to be submitted to an appropriate director and the Leadership Team. The leadership team may deem it appropriate to raise the matter with UMN Board.

The investigating coordinator will have the following responsibilities towards the employee or party who raised the concern:

- Hold a formal meeting with the employee making the complaint to discuss the matter.
- Inform them of their right to be accompanied at any interview by a Staff Involvement Facilitator / work colleague.
- Keep the staff member, who raised the concern, update on the progress of any investigation.
- Notify the employee making the disclosure about the outcome of the investigation, including how the matter will be dealt with and whether they will be required to attend an investigatory interview.
- Give details of employee support mechanisms available, which included the PMF appeal procedure.

The investigating coordinator will have the following responsibilities towards the party against whom the concern is raised:

- Inform the individual/individuals about whom the concern is made in writing of the concern, the seriousness of the allegations and provide any supporting evidence.
- Advise in writing of the procedure to be followed. Give the person the opportunity to respond in person and in writing to the claims made, and receive and consider any relevant evidence.
- Inform them of their right to be accompanied at any interview by a Staff Involvement Facilitator / work colleague. Give details of employee support mechanisms available, which included the PMF appeal procedure.
- The investigating co-ordinator may also be required to act as a witness at any subsequent disciplinary hearing if required.
- Where necessary the UMN will provide support, counselling or mediation to any team subject to investigation in order to ensure normal working relationships are resumed as effectively as possible.

The person appointed to hear an appeal will have the following responsibilities:

- Hold appeal meeting with employee who made the concern.
- Ensure all parties are informed of their right to be accompanied at any meetings by a Staff Involvement Facilitator/work colleague.
- Review the investigation report/procedure followed and findings.
- Decide whether to uphold appeal or not.
- Initiate a new investigation if necessary.

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- Report the appeal findings in writing to the Executive Director, if applicable.
- Communicate outcome in writing to the employee making the disclosure and the employee against whom the disclosure is made.