



Safeguarding Policy

CoST - the Infrastructure Transparency Initiative

February 2019



Table of Contents

| | |
|---|------------|
| 1. <i>Communication of Policies and Procedures</i> | <i>p4</i> |
| 2. <i>Harassment and Victimisation</i> | <i>p5</i> |
| 3. <i>Equal Opportunities and Recruitment</i> | <i>p5</i> |
| 4. <i>Procedure: Grievance Procedure</i> | <i>p9</i> |
| 5. <i>Procedure: Disciplinary Procedure</i> | <i>p13</i> |
| 6. <i>Procedure: Whistleblowing</i> | <i>p14</i> |
| 7. <i>The responsibility of downstream partners</i> | <i>p18</i> |

Annex A: Code of Conduct

Introduction

CoST has developed Safeguarding Policy that aims to meet its responsibilities in contributing towards humanitarian responses and development by upholding a commitment to bring better quality and accountability to all aspects of our work based on internationally recognised guidelines, notably the Core Humanitarian Standards.

It is essential that CoST has robust policies and procedures along with the right organisational culture to provide a safe environment for our staff, consultants and beneficiaries including those we train and use our services and resources in everything we do. To achieve this CoST has developed a Safeguarding Policy that provides formal mechanisms for staff, consultants and beneficiaries to make a complaint through our grievance procedure, disciplinary procedure and whistleblowing policy.

| Level | Type | Responsible to respond |
|---|---|---|
| Informal complaints | May include complaints on programme quality, communication, logistics. Often verbally raised as feedback or evaluation after technical visits. | Appropriate Manager / Consultant |
| Formal complaints / Grievance Procedure | Items raised as informal complaints that were not resolved to satisfaction, if the complaint relates to the non-grave issues related to staff conduct | Regional Managers/ Programme Director |
| Whistle blowing | Grave complaints covered by the whistle blowing policy, e.g. cases of fraud, abuse, discrimination. | Executive Director or Board of Trustees |

Communication

CoST recognises that written policies are insufficient and must be supported by promotion of the policy and cultural environment.

Staff & Volunteers

This policy forms part of the CoST Code of Conduct and contract signed by all staff members and volunteers upon joining CoST. It is always available in entirety on the internal CoST servers for staff and volunteers to access. It is part of the handbook.

All CoST International Secretariat staff and consultants will receive annual training on safeguarding policies and procedures. All National Secretariat staff, where possible, will receive annual in-person training on safeguarding policies and procedures. If it is not possible to train National Managers in-person, they will receive online training. This training will include awareness of the staff obligation to report all misconduct and awareness of the policies which protect from retaliation (See Whistleblowing Procedure). The designated safeguarding official will attend all trainings available through external partners.

CoST is committed to an environment where employees feel able to speak about safeguarding issues and, as such, they can be raised at the regular team meetings.

Beneficiaries

Reference and links will be provided to the sections of this policy (such as the grievance procedure or complaints structure) which relate to beneficiaries during a training course. All staff and volunteers will be aware of the safeguarding policy and procedures and will be able and required to explain this to any beneficiary who asks. It will also be available on by email request, and this will be made clear on the CoST website.

Members of the public

All staff and volunteers will be aware of the safeguarding policy and procedures and will be able and required to explain this to any beneficiary who asks. It will also be available on by email request, and this will be made clear on the CoST website.

Trustees

The responsibility for reporting serious incidents rests with the charity's trustees. Trustees will all have a copy of this policy and the staff handbook. They may also refer to the government guidelines on whistleblowing procedure for trustees here.

Harassment & Victimisation

CoST will not tolerate any form of harassment or victimisation and will ensure all allegations are investigated thoroughly and sensitively.

Sexual or racial harassment is defined as unreciprocated and unwelcome comments or actions, which are found objectionable and could threaten an employee's job security or create an intimidating work environment.

Victimisation occurs when a person is treated less favourably than others on the grounds that he or she has, intends to, or is suspected of:

- bringing proceedings against the employer under the various Discrimination Acts
- helping another person to bring proceedings against the employer by giving evidence or information alleging that the employer has contravened the various Discrimination Acts.

(However, the victimisation provisions do not apply if the allegation of discrimination is false and was not made in good faith).

It will not be assumed that complaints are made by people who are over-sensitive about discrimination.

At this stage the grievances procedure will begin.

Equal Opportunities & Recruitment

CoST's policy on equal opportunity is designed to conform with the statutory requirements laid down by the Equal Pay Act 1970, the Disabled Persons (Employment) Acts 1944 and 1958, the Sex Discrimination Act 1975, the Race Relations Act 1976, the Disability Discrimination Act 1995, and the Employment Equality (Religion or Belief) Regulations 2003 as well as the guidance and advice offered by the Commission for Racial Equality and the Equal Opportunities Commission.

Equal Opportunities Statement

CoST is committed to, and is working towards, ensuring equality of service provision for all members.

CoST is committed to, and is working towards, ensuring equality of opportunity for all employees, volunteers and members.

CoST aims to meet in full its legal and social obligations as an employer.

CoST is committed to challenging discrimination both in the provision of services, our involvement with volunteers and as an employer of paid staff. CoST values diversity and views diversity as a positive advantage which enriches the work of CoST and society as a whole.

CoST wishes to ensure the widest access possible to the services of CoST.

CoST will therefore seek to promote equality of opportunity and combat all forms of individual and structural discrimination which people face because of:

- Disability (whatever its cause or nature)
- Ethnic origin, race, colour, or nationality
- Gender
- Marital status
- Age
- Sexual preference
- Spent criminal convictions
- Religious belief or ideology
- Class

CoST has the primary responsibility for successfully meeting these objective by not discriminating in the course of employment against employees or job applicants, not inducing or attempting to induce others to practice unlawful discrimination and bringing to the attention of employees that they may be subject to action under the disciplinary procedure for unlawful discrimination of any kind.

The successful achievement of these objectives necessitates a contribution from everyone and you have an obligation to report any act of discrimination known to you.

Communication

CoST will undertake to bring the principles set out above to the attention of all employees.

Application

The policy applies to all employment practices, including volunteers and consultants.

Monitoring Arrangements

CoST recognises that regular monitoring is essential through reviews of the effectiveness of the Equal Opportunities Policy and procedures. This information will be collated, analysed and interpreted by the CoST staff.

Breach of Policy

All employees must comply with the policy.

Any employee who feels that the policy has been breached should use the Grievance Procedure in the normal manner.

CoST will treat any deliberate act of discrimination, harassment or victimisation against fellow employees as a serious disciplinary offence. The Disciplinary Policy and Procedure will be applied in such instances. CoST will ensure that individual employees or groups of employees,

who believe they have been discriminated against, or harassed, will be taken seriously and complaints handled sensitively.

Protection from Sexual Exploitation and Abuse

Whilst CoST is committed to its Equality Policy, CoST is also committed to its PSEA (Protection from Sexual Exploitation and Abuse) Policy. This is mainstreamed in CoST policy from recruitment to reporting. During recruitment, CoST reserves the right to include questions on PSEA and on previous conduct and behaviour. CoST will include a criminal record check.

Grievance Procedure

The following policy and procedure has been put in place to ensure that everyone who works for, partners with or is a beneficiary of CoST is treated impartially and fairly. The purpose of the procedure is first to allow an employee, beneficiary or member of the public to freely to express a complaint or matter of concern and then, where appropriate, to try and resolve the issues raised by means of a discussion and negotiation and subsequent appropriate follow-up actions.

CoST recognises that sometimes things can happen which appear unfair to you. CoST's policy is to encourage free communication, whether between an employee and their manager or a member of the public involved with CoST and the organisation itself, to ensure that questions and problems arising during the course of employment and engagement can be aired and, where possible, resolved quickly to the satisfaction of all concerned.

This policy applies to all employees, volunteers, beneficiaries or members of the public who have been involved in CoST.

Note: This policy and procedure is distinct and separate from the Disciplinary Procedure (p6).

The procedure is not intended to prevent an issue being resolved informally without a written record, but if an employee should wish to have a grievance formally investigated and recorded, he/she may so request. Therefore, whilst the following explanation of the various levels of the Grievance Procedure should be seen as the route to be followed in most cases, it is not essential that all levels are used on every occasion.

How the Grievance Procedure Works

The individual wishing to voice a grievance, should raise concerns to the appropriate person. This would usually be to the appropriate manager (in any given country) unless:

- If the complaint of malpractice is against the country manager or is in any way related to the actions of the country manager, the complaint should be passed to the Chair of MSG.
- If the complaint of malpractice is against the MSG or is in any way related to the actions of the MSG, the complaint should be passed to the regional manager for referral.

- If the complaint of malpractice is against the regional manager or is in any way related to the actions of the regional manager, the complaint should be passed to the Director of Programmes in the International Secretariat for referral.
- If the complaint of malpractice is against the Programme Director or is in any way related to the actions of the Programme Director, the complaint should be passed to the Executive Director for referral.
- If the complaint of malpractice is against the actions of the Executive Director, concerns should be raised with the Chair of the Board of Trustees.
- If the complaint of malpractice is against the actions of the Chair, then this should be raised with the Vice Chair.

In the event that there is complaint against a member of the International Secretariat, whose contract is with Engineers Against Poverty, this complaint should flow through the normal channels (as above) and when it reaches the International Secretariat or Board (as appropriate) it would be referred to Engineers Against Poverty in order to take action.

You can present your case in writing, in person or on the telephone. If you present your case in person, you have the right to bring a work colleague or representative with you as an observer. Whichever method you choose, you must make sure that the person with whom you are communicating realises that you are using the Grievance Procedure.

Stage 1

Take the matter up with the appropriate manager or the Executive Director and inform him/her that you are invoking the Grievance Procedure. He/She has four working days in which to consider the facts and give you an answer.

Stage 2

If your grievance is not resolved at Stage 1, you must carry it forward to the Chair of CoST. The Chair then has ten working days in which to consider the facts and give you an answer.

Stage 3

If your grievance is still unresolved, it must be carried forward to the Vice Chair and Treasurer whose decision will be final. Your request should be made via the Director.

How you can speed up the Process?

In order to save time, you should present your case orally, backing it up with any necessary notes and correspondence which you should give to anyone considering the grievance. Those who are considering your case can invite you and the others involved to meet and discuss it in the hope that it can be resolved more quickly.

At this stage, CoST settles and mediates grievances internally in order to increase efficiency, confidentiality and trust during the process. If, however, this advances to a disciplinary action, reports will be made to the appropriate funding partners and the Charity Commission.

Disciplinary Procedure

The employee rules that CoST has set out specify standards of performance and behaviour and the procedures referred to in this section are intended to promote consistency and fairness in the treatment of our employees. The following rules and procedures that are set out are intended to ensure:

- that disciplinary action when taken is taken quickly, fairly and in a uniform and consistent manner;
- that employees will only be subjected to disciplinary action once there has been a full investigation of all of the facts and they have had an opportunity to present their side of the case. Employees who are disciplined will receive a clear explanation of both the decision reached and any penalty imposed and of the right to appeal against the decision and/or penalty.

Note: If you are requested to attend a disciplinary interview, then in all instances you have the right to bring a work colleague or representative with you to act as an observer.

Disciplinary Rules and Categories of Conduct

Elsewhere within this Handbook the organisation has indicated that it is not practical to set out all the instances of conduct or performance which may lead to disciplinary action being taken. It should be understood by all employees however that the disciplinary procedure may be invoked as a result of:

- Any failure to observe the rules set out in this Handbook or in any other part of your Contract of Employment.
- Any other instance of conduct or performance which CoST believes could only properly be dealt with under the disciplinary procedure.
-

It is impossible to produce an exhaustive list of all instances of misconduct or performance giving rise to disciplinary action, and it is also impractical to state which category of misconduct will be applied to any given degree of behaviour or performance. Generally speaking however an employee's conduct or performance which proves to be unacceptable will fall into one of the following four categories:

- Unsatisfactory conduct
- Misconduct
- Serious misconduct
- Gross misconduct

For any area of conduct that has been classified as misconduct, whether serious or gross, the Charity Commission and our relevant and appropriate funding partners will be informed of the incident and the disciplinary actions being taken by CoST.

Informal Counselling

Where a breach of conduct or performance is not regarded as being particularly serious and is shown to have been caused by the capabilities, competence or behaviour of an employee, it is open to us to deal with this matter informally in the first instance and to give an opportunity for improvement, if necessary with training, rather than to revert to the formal disciplinary procedure. Any decision to proceed in this way however is a matter for the organisation's discretion and will depend entirely on the circumstances of each case.

Unsatisfactory Conduct

Generally speaking any minor breach of the rules and regulations will fall into the category of unsatisfactory conduct. If it is considered sufficiently serious to warrant disciplinary action then it is likely that if this is the first instance of such a minor misdemeanour the disciplinary consequence will be a verbal warning. In the event that a further breach of rules occurs and another minor misdemeanour takes place it should be noted that a second verbal warning may be issued irrespective of whether the second breach of conduct is similar or even the same as the first breach of conduct. It is important to note within this section that in dealing with unsatisfactory conduct it is the standard of conduct or indeed performance which is being considered and not necessarily a repetition of the same type of events.

Misconduct

In this section of misconduct, disciplinary action may be taken where there is continued repetition of action which has resulted in previous verbal warnings for unsatisfactory conduct and there has been no improvement or there has been continued breach. The option to issue a further verbal warning has been mentioned in the previous section, but the degree of the repetition or other form of misconduct or performance may warrant a written warning being issued following one previous verbal warning. Equally, the other occasion where misconduct has occurred may indeed be the first instance of disciplinary action and again the degree of misconduct may warrant the issue of a first written warning without there having been any previous verbal warnings issued.

Serious Misconduct

Serious misconduct or a serious breach of performance may in themselves require a final written warning to be issued irrespective of whether there have been previous warnings given to the employee concerned or not. A first and final written warning may be issued where it is considered that the conduct or performance of the individual employee is not sufficiently serious to warrant dismissal but nevertheless is considerably more serious than the action which would normally have warranted a written warning for misconduct.

Equally there will be written warnings in respect of his or her conduct or performance and there has still been no marked improvement or there has been repetition of the action for which the previous warnings have been given. Consequently, in a sequential manner where an employee has previously been given a written warning in relation to his conduct or performance and there has been no improvement or repetition then the next disciplinary punishment will usually be a final written warning for serious misconduct.

Please note that following the issue of a final written warning any further repetition or further breach in relation to conduct or performance will usually result in dismissal albeit contractual dismissal (with notice).

Gross Misconduct

Certain aspects of behaviour conduct and performance will be construed as gross misconduct and this term as the name implies involves conduct which is particularly serious in itself or in its consequences (whether actual or potential). In such cases it is considered inappropriate to allow the employee to continue at work and the only proper penalty would be summary dismissal which means immediate dismissal after a disciplinary hearing with the forfeiture of any notice or holiday with pay.

Disciplinary Investigations and Hearings

When a matter arises which CoST considers can be properly dealt with on an informal basis this would be the organisation's preferred approach. This is particularly the case where a matter relating to your abilities arises and which CoST believes can be resolved by discussion, training or counselling. This will be an informal unrecorded warning.

However, if there is insufficient, or no improvement after a suitable period of time has been allowed or training given, the matter may have to be dealt with formally.

In the event of a matter arising where it is considered necessary to invoke the disciplinary procedure, CoST will first seek to establish the true facts of the case and this will be done before memories and recollections fade. Other employees who may be involved in this investigation will be required to co-operate fully with the procedure.

On certain occasions it may be considered prudent or necessary to suspend an employee with pay pending the conclusion of any investigation and subsequent hearing. It must be noted that suspension with pay is not in itself disciplinary action, and is only seen as a temporary measure intended to assist in the proper conduct of the disciplinary process, and is not a prejudgement of that process. The authority to suspend with pay is vested in the Director. If, following initial investigation it is considered that there is a case to answer then a disciplinary hearing will be established as soon as possible. It should be noted at that hearing you may be accompanied by a fellow employee or representative of your own choice. CoST does not consider that legal representation is either appropriate or necessary in what essentially is an internal matter. This restriction would apply to both sides.

The nature of the disciplinary matter will be explained to you in as much detail as is possible and you will have every opportunity to present your case in full, to call any witnesses you would feel appropriate and to present any written evidence. If you require further time to prepare your case it is open to us to postpone the hearing until a later date but it should be noted that in the normal course of events only one adjournment will be granted. If your version of events so requires CoST will undertake such further investigations as may be considered appropriate in order to establish the credibility of your explanation and the result of these investigations will be put to you before any final decision is made.

At the conclusion of the hearing if you accept that the matters raised against you are correct, or if a decision is made against you, then before any penalty is imposed CoST will give you an opportunity to put forward any mitigating circumstances you feel may be relevant.

At that time there will be a verbal explanation of the decision and this will then be confirmed in writing to you within three working days of the hearing. A copy will be sent to your representative, if there is one.

You have the right to appeal against the decision. The appeal must be made within five working days of receipt of the written decision and should be addressed to the Director.

Written warnings will be sent to you and recorded on your file and will contain details of all matters raised during the disciplinary hearing, a summary of all interviews, and your explanations and the final conclusions reached. Warnings for matters connected with capability or performance will indicate a period of time for improvement and may contain certain recommendations for further training or counselling. Warnings for conduct may require that there is either immediate improvement and/or that there is no repetition.

Any further disciplinary process which takes place after a previous warning is likely to result in a more serious penalty being imposed, even if the second offence is of a different nature to the previous one, particularly where there is evidence that the first warning has not been heeded. If, following initial investigation it is considered that there is a case to answer then a disciplinary hearing will be established as soon as possible. It should be noted at that hearing you may be accompanied by a fellow employee or representative of your own choice. CoST does not consider that legal representation is either appropriate or necessary in what essentially is an internal matter. This restriction would apply to both sides.

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Disciplinary Action

Written Warnings

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Any further disciplinary process which takes place after a previous warning is likely to result in a more serious penalty being imposed, even if the second offence is of a different nature to the previous one, particularly where there is evidence that the first warning has not been heeded.

Warnings will include confirmation of your right of appeal.

Demotion

In addition to any formal disciplinary action which is deemed appropriate (other than dismissal), CoST reserves the right to consider the demotion of any employee who, by their conduct or capability, gives the organisation reason to believe that they are unsuitable to remain in their present position.

Suspension Without Pay

In circumstances where CoST feels that the organisation has sufficient grounds to warrant dismissal then mitigating circumstances taken into account by the organisation may cause CoST to step back from deciding to dismiss, and an alternative to dismissal could well be suspension without pay. In such circumstances this disciplinary action could be coupled with, for example, a final written warning but full details will be made known to you either at the conclusion of the disciplinary hearing, or as soon as possible thereafter.

Dismissal

Dismissal for misconduct will render the employee liable to termination of employment with contractual notice. In such circumstances the employee will not forfeit any rights to holiday pay.

Summary Dismissal

Summary dismissal is dismissal without notice and without pay in lieu of notice.

Exceptionally, it may be necessary in cases of proven or admitted gross misconduct as mentioned previously that CoST is justified in no longer tolerating the continued presence of an employee at the place of work. The employee will forfeit any rights to current or accrued holiday entitlement.

Duration of warnings

Verbal Warnings - A verbal warning will be disregarded after a 6 month period.

Written Warnings - A written warning will be disregarded after a 12 month period.

Final Written Warnings - A final written warning will be disregarded after a 12 month period

CoST reserves the right to increase the above periods if the offence committed is particularly serious or if it is an offence which might be repeated periodically. You will be asked to sign the written warnings you receive and return them as confirmation that you have received them. If you refuse to sign a written warning, it still remains valid.

Whistleblowing

CoST is committed to the highest standards of openness and accountability. An important aspect of accountability and transparency is a mechanism to enable all staff, management, volunteers, trustees, consultants, beneficiaries and any other individuals associated with the organisation to voice concerns in a responsible and effective manner. Secondly, it is the creation of an open, transparent and safe working environment where employees feel able to speak up. This policy should show CoST's commitment to listen to workers' concerns, although CoST recognises that

Where an individual discovers information which they believe shows serious malpractice or wrongdoing within CoST then this information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be done independently of line management, in the form of 'Whistleblowing'.

Scope of Policy

The Employment Rights Act 1996, amended by the 1999 Public Interest Disclosure Act, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns, so no-one should feel at a disadvantage in raising legitimate concerns. In order to be covered by law, a worker making a disclosure must reasonably believe that they are acting in the public interest (thus personal grievances and complaints are not usually covered by whistleblowing law) and that the disclosure shows past, present or likely future wrongdoing. These could include, but are not limited to, the following:

- Financial malpractice or impropriety or fraud
- Failure to comply with a legal obligation or Statutes
- Miscarriage of justice
- Dangers to Health & Safety or the environment
- Breach of security policies and requirements
- Criminal activity
- Improper conduct or unethical behaviour, in particular sexual misconduct
- Behaviour that contradicts CoST's vision and mission
- Attempts to conceal any of these

Culture

CoST recognises that although this policy sets in place good practice and reflects an internal dedication to accountability and transparency, that this must be demonstrated elsewhere also. For this reason, CoST is committed to the following statements:

- CoST recognises that workers are valuable ears and eyes
- CoST assures its workers that there will be no reprisal as a result of making a disclosure
- CoST assures its workers that action will be taken if a disclosure is made
- CoST is committed to treating all disclosures fairly and equally
- It is within CoST's best interests to deal with whistleblowing disclosures when they are first raised by workers
- Whistleblowing is an important source of information that allows managers to make better-informed decisions and control risk

- Victimization of a whistleblower is not acceptable. Any instances of victimization will be taken seriously and managed appropriately.

Protection

This policy is designed to offer protection to individuals who disclose such concerns provided the disclosure is made in good faith, following the correct procedures. It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to follow the procedure and make malicious or false allegations.

Confidentiality

CoST will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

Evidence

No evidence is required from the whistleblower for CoST to look into the concerns raised.

Anonymous Allegations

If the individual wishing to voice concern would like to remain anonymous, then they should detail this in writing, addressed to the appropriate person marked 'Private and Confidential-to be opened by addressee only'

However, this policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of CoST. It should be noted that anonymous whistleblowers will not ordinarily be able to receive feedback and that any action taken into disclosure could be limited.

Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

Grievances

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by CoST nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures. Personal grievances and complaints are not covered by whistleblowing law and should be treated under the Grievances Procedure.

Training and Support

CoST is responsible for implementing training, mentoring, advice and other support systems so that workers are comfortable, confident and aware in their ability to make a disclosure.

During the whistleblowing period itself, support will be provided to the worker through access to mentoring, advice and counselling (where appropriate).

Prescribed Person

Where a whistleblower feels unable to make a disclosure to CoST management or to the board of trustees, there is a list of prescribed persons to whom a worker may make a disclosure without losing their rights under whistleblowing law.

A complete list of prescribed persons can be found [here](#).

If a worker chooses to go to the media, they can expect in most cases to lose their whistleblowing law rights.

Communication

As outlined in the Communication Section (p3), the communication of the whistleblowing procedure is integral to the procedure itself and is representative of CoST's commitment to these values.

Procedures for Whistleblowing

Who to alert

The individual wishing to voice a grievance, should raise concerns to the appropriate person. This would usually be to the Programme Director unless:

- If the complaint of malpractice is against the country manager or is in any way related to the actions of the country manager, the complaint should be passed to the Chair of MSG.
- If the complaint of malpractice is against the MSG or is in any way related to the actions of the MSG, the complaint should be passed to the regional manager for referral.
- If the complaint of malpractice is against the regional manager or is in any way related to the actions of the regional manager, the complaint should be passed to the Director of Programmes in the International Secretariat for referral.
- If the complaint of malpractice is against the Programme Director or is in any way related to the actions of the Programme Director, the complaint should be passed to the Executive Director for referral.
- If the complaint of malpractice is against the actions of the Executive Director, concerns should be raised with the Chair of the Board of Trustees.
- If the complaint of malpractice is against the actions of the Chair, then this should be raised with the Deputy Chair.

The accusations will then be investigated by the person (the investigator) to whom the information has been disclosed.

CoST recognises that the responsibility for reporting serious incidents rests with the charity's trustees. In practice, this may be delegated to someone else within the charity, however all trustees hold ultimate responsibility for ensuring their charity makes a report and does so in a timely manner. Consequently, as soon as a disclosure is made, the appropriate trustee will be notified. It is then the responsibility of the trustees to report any incident to the Charity Commission, as it is the Commission's regulatory role to ensure that the CoST manages the incident responsibly, taking steps to limit its immediate impact and where possible, prevent it from happening again. A trustee can refer to the government guidelines on whistleblowing procedure for trustees [here](#).

It can be reported as a serious incident at: RSI@charitycommission.gsi.gov.uk

Timescales

Due to the varied nature of these sorts of complaints, which may involve internal investigators and / or the police, it is not possible to lay down precise timescales for such investigations. The investigator, should as soon as practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation, the timescale of action and on the action that is proposed. CoST is committed to responses in under a fortnight of the disclosure being raised to the appropriate person.

All responses to the complainant should be in writing and sent to their home address.

Feedback

The response that the whistleblower receives will contain feedback on the steps that the organisation will take. Whilst it remains with CoST to determine whether the matter has been resolved, it is also CoST's responsibility to communicate clearly and promptly with the whistleblower regarding the disclosure and any and all actions taken. CoST appreciates that feedback is vital so that whistleblowers understand how their disclosure has been handled and dealt with and improve communication between organisation and whistleblower.

Investigating Procedure

The investigator should follow these steps:

- Full details and clarifications of the complaint should be obtained through a meeting with the whistleblower.
- An investigator or investigation team should be appointed. This must include at least one senior member of staff, not implicated in the allegations. If necessary, this could involve an external commercial agent to investigate the disclosure.
- The investigator should inform the member of staff against whom the complaint is made as soon as is practically possible. The member of staff will be informed of their right to be accompanied by a trade union or other representative at any future interview or hearing held under the provision of these procedures.
- The investigator should consider the involvement of the auditors and the Police at this stage and should consult with the ED and Trustees (if appropriate). The Charity Commission and the relevant and appropriate funding partners should be contacted. The investigator should also consider informing the appropriate funding partners of the incident and allegations raised.
- The allegations should be fully investigated by the investigator with the assistance where appropriate, of other individuals / bodies.
- A judgement concerning the complaint and validity of the complaint will be made by the investigator. This judgement will be detailed in a written report containing the

findings of the investigations and reasons for the judgement. The report will be passed to the ED/Chair/Vice-Chair, whoever is most appropriate.

- The ED/Chair/Vice-Chair, will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate procedures.
- The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.

If the complainant is not satisfied that their concern is being properly dealt with by the investigator, they have the right to raise it in confidence with another designated person as described above.

If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, CoST recognises the lawful rights of employees and ex-employees to make disclosures to prescribed regulators such as the Charity Commission, for example. It should be noted that CoST will inform the Charity Commission and the relevant and appropriate funding partners when the disclosure is made, but if the whistleblower chooses, they can notify them themselves also.

If a whistleblower believes that they have been treated unfairly because they have blown the whistle, they may decide to take their case to an employment tribunal. The process for this would involve attempted resolution through the Advisory, Conciliation and Arbitration Service (ACAS) early conciliation service.

Monitoring

CoST will keep records of the number of whistleblowing disclosures we receive and of their nature.

Records will be maintained of the date and content of feedback provided to whistleblowers.

Responsibilities for Downstream Partners

CoST considers its downstream partners responsible for the same level of care and attention to its safeguarding requirements. This is an integral part of the grant agreements, signed annually, and failure to meet these standards will be considered breach of that agreement.

Downstream partners are the frontline staff in CoST activities and, as such, have a greater burden of responsibility towards the members of the public. However, it is of equal importance that CoST's partners uphold these standards with their staff. CoST has a zero tolerance attitude towards breaches of the safeguarding policy and Code of Conduct.

In particular, CoST's downstream partners have a responsibility to:

- Communicate the safeguarding policy and procedures to all beneficiaries they come into contact with, whether as part of a training course, included in job descriptions, a verbal notice during a meeting or online on their website.
- Report any incidents which occur to CoST International Secretariat so that they are able to take the next steps.



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