



# People Management Policy & Procedure: Whistle-blowing

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## Policy Statement

Amnesty International is committed to achieving the highest possible standards of openness, honesty and accountability, where individuals can report legitimate concerns in confidence.

This policy & procedure is designed to enable people to use internal mechanisms for reporting serious concerns they may have regarding wrongdoing, illegal acts, omissions, or serious malpractice by people who work for the organisation. As malpractice is not easily defined, the following list is given, which is not intended to be exhaustive:

- Fraud;
- Financial irregularities;
- Corruption;
- Bribery;
- Dishonesty;
- Acting contrary to the Amnesty values.

The organisation encourages people to feel confident in raising serious concerns and provides, through this policy, a mechanism for reporting them and reassurance that if genuine concerns are properly raised they will be protected from possible reprisals or victimisation. Individuals are encouraged to notify Amnesty International when reasonably aware, or certain of an occurrence covered by this policy. This policy and procedure also sets out the recommended course of action which staff should take if a matter is not addressed or if they feel that raising this internally could result in evidence of their concerns being concealed.

## Scope

In this document, the term "Amnesty International" refers to Amnesty International's International Secretariat, registered in the United Kingdom as a company limited by guarantee in the name of 'Amnesty International Ltd'.

This policy & procedure does not form part of employees' terms and conditions of employment and may be subject to minor updates and statutory changes at the discretion of Amnesty International. Where employees are engaged overseas, this policy shall be applied in the first instance as the base standard, subject always to the operation of local law which may provide supplemental rights or remedies.

This policy is intended to provide mechanisms for formal reporting, and protection for workers, who raise legitimate concerns about specified matters that are deemed to be in the public interest. It is not a substitute for matters covered by other Amnesty International policies, such as Amnesty International's Grievance Policy or Amnesty International's Bullying and Harassment Policy. Matters relating to bribery or corruption may also be dealt under the organisational policy on Anti-Bribery and Corruption.

This policy applies to disclosures made on or after 25 June 2013. Any reports made before this date will typically have been dealt with under Amnesty International's previous whistle-blowing policy.

## What is whistle-blowing and who is protected?

'Whistle-blowing' is the colloquial term used to describe a protected disclosure made to someone in authority alleging serious malpractice or wrongdoing on the part of another person. In employment,

whistle-blowing refers to a 'worker' making a disclosure about a colleague's conduct in the course of employment, or about the employer's practice.

Whistle-blowing legislation operates to protect workers from detriment i.e. dismissal or victimisation in the event that they disclose specified matters to their employer or another appropriate body.

Worker in this context includes **not only those who are directly employed by the organisation, but also other individuals such as volunteers, secondees, agency temps, interims, consultants, freelancers.** Anyone who works for Amnesty International under any type of contract will fall within the scope of the protection.

## **Legal background**

As we are a UK based organisation we adopt the UK legislative framework relating to whistle-blowing. (Where employees are engaged overseas, this policy shall be applied in the first instance as the base standard, subject always to the operation of local law which may provide supplemental rights or remedies.) References to 'protected disclosures' in this policy are therefore to disclosures which are protected under UK law as described below.

UK law on Whistle-blowing is contained in Part IVA of the Employment Rights Act 1996 (ERA), as amended by the Public Interest Disclosure Act 1998 (PIDA) and the Enterprise and Regulatory Reform Act 2013. The PIDA introduced statutory protections for workers who disclose information to an employer or other specified third party about alleged malpractice/wrongdoing in specifically defined circumstances, as summarised below.

The ERA covers malpractice under six categories, namely:

- Crime: that a criminal offence has been committed, is being committed or is likely to be committed;
- Illegality: that a person has failed, is failing or is likely to fail to comply with a legal obligation which they are subject to;
- Miscarriage of justice: that a miscarriage of justice has occurred, is occurring or is likely to occur;
- Health and safety: that the health and safety of an individual has been, is being or is likely to be endangered;
- **Environment: that the environment has been, is being or is likely to be damaged;**
- **'Cover ups' about these issues: that information tending to show any matter falling within the matters above has been, is being or is likely to be concealed.**

As long as the disclosure is made through the correct channels, the ERA protects disclosures on the above matters by workers which are made with the reasonable belief that the disclosure is in the public interest.

A worker who makes such a disclosure has the right not to be dismissed, or subjected to other detriment because they have made a disclosure (see the section on 'detriment' below).

## **Benefits of supporting and facilitating appropriate whistle-blowing**

Every organisation faces the risk that something could go badly wrong and should welcome the opportunity to be aware of risks and address them as early as possible. Whenever such a situation arises, the first people often to be aware of the risk will usually be those who work in or for the

organisation. **It is important to create a culture where individuals feel safe to speak up about a concern before damage is done.**

An organisation where the value of open whistle-blowing is recognised will be better able to:

- Deter wrongdoing
- Pick up potential problems early
- Enable critical information to get to the people who need to know and can address the issue
- Demonstrate to key stakeholders that they are accountable and well managed
- Reduce the risk of anonymous and malicious leaks
- Maintain and enhance their reputation

Without clear arrangements which offer employees safe ways to raise a whistle-blowing concern, it is difficult for the organisation to effectively manage the risks it faces. **Unless workers have confidence in the arrangements, they are likely to stay silent where there is a threat to the organisation, its stakeholders or the wider public interest.**

### Key Principles

- Everyone should be aware of the importance of preventing and eliminating serious wrongdoing at work. Workers should be watchful for serious malpractice or wrongdoing described above and report anything of that nature through the procedure outlined below as soon as that they become aware of it;
- Any matter raised appropriately will be investigated **thoroughly, promptly and confidentially;**
- No worker will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern. However, maliciously making a false allegation would be considered a disciplinary matter;
- Victimisation of a worker for raising a protected disclosure in accordance with this policy will be a disciplinary matter and workers can access the Bullying and Harassment Policy should they feel this is appropriate;
- Failure to follow this procedure before raising externally to a non-regulatory or supervisory body (for example the media) may be a disciplinary matter.

### How to handle 'whistle-blowing'

The following guidance on handling whistle-blowing is drawn from recommendations of the Nolan Committee on Standards in Public Life<sup>1</sup>.

- Give a clear statement that malpractice will be taken seriously in the organisation
- Give example of the types of matters regarded as malpractice
- Respect the confidentiality of workers who raise concerns, if they so request
- **Create the opportunity for workers to raise concerns outside the line management structure**
- **Indicate the proper ways in which concerns can be raised outside the organisation**
- **Allow workers access to independent advice**
- Introduce penalties for people who make false and malicious allegations

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<sup>1</sup> The Committee on Standards in Public Life is an independent public body which advises government on ethical standards across the whole of public life in the UK.

- Leave workers in no doubt about the avenues open to them under the whistle-blowing arrangements
- Provide feedback to the whistle-blower

### Difference between a grievance and a protected disclosure

Managers should recognise that there is a difference between a grievance and a **protected disclosure (whistle-blowing)**. Whistle-blowing is where an individual has a concern about serious malpractice or wrongdoing that has a public interest aspect to it (in the areas listed above), **usually because it threatens others (e.g. customers, or the public)**. A grievance is, by contrast, a dispute about the individual's own employment position and has no additional public interest dimension.

A grievance will concern an employee personally, i.e. the individual may have a complaint about:

- Their pay or working hours
- The amount of work that they are expected to do
- Working conditions
- Being bullied by fellow workers

A protected disclosure on the other hand, will concern the conduct of another person in the workplace **(whether or not that conduct affects the complainant personally)**, in circumstances where the complainant genuinely believes that the conduct in question amounts to a criminal offence, a breach of a legal obligation, or **something likely to endanger health or safety or damage the environment (under the ERA and PIDA, as described above)**.

<b>Examples of the difference between a grievance and a protected disclosure</b>	
<b>Grievance</b>	<b>Protected disclosure</b>
An employee's complaint about the type of work that they are being asked to do, for example if not covered by their contract of employment	A disclosure that an individual has been instructed to carry out actions that he or she genuinely believes to be illegal, e.g. to <b>falsify paperwork</b>
An employee's complaint that they have received insufficient safety training	A disclosure that safety rules within the workplace are routinely being flouted, thus endangering safety
An employee's complaint about the hours that she or he is expected to work	A disclosure that the requirements imposed by the organisation on a group of staff represent a breach of the working time legislation

### The types of conduct that might justify whistle-blowing

There are many types of conduct that might justify a worker blowing the whistle. Examples include:

- Failure to pay staff rates of pay equivalent to at least the minimum wage
- The use of unsafe equipment or unsafe working practices
- **The preferential awarding of contracts/** business to relatives or friends

- The employment of illegal immigrants
- False returns to HM Revenue & Customs
- **Falsification of finance records**

### **What happens if a concern is raised?**

If an individual raises a genuine concern under the Whistle-blowing Policy & Procedure, they will not be at risk of losing their job or suffering any form of victimisation or detriment as a result, provided that the person reasonably believes that any information or allegations made are in the public interest. Amnesty International will not tolerate the harassment or victimisation of anyone raising a genuine concern under the Whistle-blowing Policy & Procedure.

It is recognised, that workers' may wish to raise a concern anonymously. **Whilst Amnesty International does not encourage anonymous disclosures as they are almost impossible to investigate, Amnesty will attempt to do so.**

Amnesty International understands that if workers' do not wish to raise a concern anonymously, they may wish **to do so in confidence** and Amnesty International will maintain that confidence and will not disclose the worker's name without their consent as long as this does not hinder or frustrate any investigation into the concern.

If the situation arises where Amnesty International is unable to resolve the concern without revealing the worker's identity (for instance because the worker's evidence is needed in court) the organisation will discuss with them options on how to proceed. The decision to disclose the worker's name will take into account factors such as the seriousness of the issues raised, the credibility of the concern, and the likelihood of confirming the concern from attributable sources.

The procedure that follows outlines the process that a worker should follow when making a protected disclosure (whistle-blowing) to Amnesty International directly. See the separate section below on other routes of disclosure which are protected.

### **Procedure for making a protected disclosure**

#### Stage 1

1. In the first instance, any concerns should be **raised with the individual's line manager**. If they believe the **line manager to be involved**, or for any reason do not feel able to approach the line manager, or wish to make an anonymous disclosure, then the individual should proceed straight to stage 2.

The line manager will arrange an investigation of the matter (either by investigating the matter themselves or immediately passing the matter to someone at a more senior level within the organisation). The Senior Director of Organization Development and Human Resources should be made aware that the disclosure has been raised. The investigation may involve the individual and others involved giving a written statement. Any investigation will be carried out in accordance with the principles in this policy & procedure document. The individual's statement will be taken into account and they may be asked to comment on any additional evidence obtained.

The line manager (or the person who carried out the investigation) will then report the findings to the Secretary General. On conclusion of any whistle-blowing investigation, the individual will be told the outcome of the investigation (subject to the disclosure not being made anonymously). If no action is to be taken, the reason for this will be explained, including if the matter falls more

properly within other Amnesty International's policies. If any disciplinary action is considered appropriate Amnesty International's Disciplinary policy & procedure will be followed.

#### Stage 2

2. If the individual wishes to make an anonymous disclosure, is concerned that **their line manager is involved in the wrongdoing**, has failed to make a proper investigation or has failed to report the outcome of the investigation they should inform the relevant **Senior Director or the Senior Director ODHR** who will consider the matter in accordance with this policy & procedure document and, as appropriate, arrange for another manager to undertake an investigation or to review the investigation carried out, **and report their findings to the Secretary General.** On conclusion of the whistle-blowing investigation, the individual will be told the outcome of the investigation (where possible, i.e. subject to the disclosure not being made anonymously). If no action is to be taken, the reason for this will be explained, including if the matter falls more properly within other Amnesty International policies.

#### Stage 3

3. If the matter relates directly to the relevant Senior Director or the Senior Director ODHR then the individual should report the matter directly to the Secretary General (or the Chair of the International Executive Committee if the matter relates directly to the SG), who will arrange an investigation to be carried out and inform the individual what the outcome of the investigation will be (where possible, i.e. subject to the disclosure not being made anonymously). The Secretary General's decision will be final. If no action is to be taken, the reason for this will be explained.

#### Stage 4

4. **All Whistle-blowing disclosures will be reviewed in their entirety by an Internal Ombudsman annually. This Ombudsman will be a member of the IEC Directors.**

5. Please see Appendix II for the appeals process.

Due to the varied nature of the types of concerns that could be raised, and the potential for internal/external investigations it is not possible to state exact timescales for dealing with disclosures at each of the stages above. **The person investigating shall, however, send a written acknowledgement that they have logged the concern and will report back on the outcome of the investigation.** (Amnesty International may not be able to inform the worker of the precise action taken as this may infringe a duty of confidence owed by Amnesty International to someone else).

Details of all concerns raised and the subsequent investigation will normally be retained for seven years, in order to ensure that a central record is kept which can be cross referenced with other complaints in order to monitor any patterns of concern and to assist in monitoring the effectiveness of this policy. In criminal cases the officer in charge will advise the appropriate timescale for records to be kept.

**The above is the internal procedure, which individuals are encouraged to use to raise concerns. Should an individual go directly to external parties other than to a non-regulatory or supervisory body (for example the media) before following the internal procedure, this may be regarded as a disciplinary matter.**

#### Handling disclosures

Managers' should bear in mind the following guidelines in the event that an employee, or another worker, comes forward with an allegation of wrongdoing within the organisation.

## Dos and don'ts

**Do** adopt an objective and balanced approach towards any allegations made under a whistle-blowing policy

**Do** face the substance of any disclosure square on

**Do** take prompt action to investigate any allegations made (or make sure another appropriate person instigates an investigation)

**Do** encourage an individual who has come forward to disclose some sort of wrongdoing to explain fully the evidence that they have

**Do** ask the whistle-blower to provide specific examples of the conduct that they have observed or the evidence to support the allegations of malpractice

**Do** distinguish between facts and opinions

**Do** appreciate that it can be very stressful for the person alleging wrongdoing

**Do** let the whistle-blower know that he or she has the organisation's support

**Don't** get angry or defensive if an individual raises allegations of malpractice within the organisation

**Don't** allow personal views about the whistle-blower (or any noted parties) to influence the assessment of the allegations that they are making

**Don't** react negatively to a disclosure, or adopt a judgemental attitude

**Don't** dismiss an employee or workers disclosure as an exaggeration, or as trivial, unless there is clear evidence that the allegations are unfounded

**Don't** attempt to suppress evidence of wrongdoing

**Don't** penalise an individual for making a disclosure that proves unfounded if, despite making a mistake, they reasonably believed that the disclosure showed malpractice and that making the disclosure was in the public interest

## Other routes of disclosure that are protected

Whilst Amnesty International promotes the use of its internal process for raising a protected disclosure as outlined in this policy, the organisation recognises that **there are other protected routes for making a disclosure as outlined in this section**. Alternatively, or in addition, the worker may want to approach the external contacts listed below.

UK law (the ERA and PIDA) lays down clear principles about how a potential whistle-blower must make a disclosure if the disclosure is to be protected. The purpose of these rules is primarily to encourage workers to raise their concerns through appropriate channels **rather than, for example, publicising their allegations in the newspapers**. Other than reporting to the employer, these are routes which may attract protection:

- **To a legal adviser**, if made in the course of obtaining legal advice
- To a 'prescribed person'. A number of bodies have been prescribed for this purpose, including HM Revenue & Customs, the Health and Safety Executive, the Serious Fraud Office, the Financial Services Authority, the Information Commissioner and the Food Standards Agency.

Other routes for disclosure that may be protected include:

- **The Amnesty International recognised trade union**
- The Citizen's Advice Bureau
- **The media**



For the avoidance of doubt, nothing in this policy prevents disclosure as otherwise permitted under the ERA and/or PIDA or in any other way limits the protection available to workers as a matter of law.

### **What is 'detriment' and how**

A claim for detriment (e.g. damage, harm or loss) following whistle-blowing can be based on any form of victimisation, including:

- Disciplinary action
- The denial of a work-related benefit
- Denial of a promotion
- Being demoted or transferred to less interesting work
- Verbal or physical abuse at work by management or colleagues
- Any form of bullying or harassment
- Being allocated all the worst jobs or forced to work excessive hours

Workers are entitled to complain to an Employment Tribunal in the UK if they experience this type of detrimental treatment because they have made a protected disclosure. (To claim detriment, a worker must have sufficient evidence to demonstrate that the way in which they were treated was linked to the fact that they had previously made a protected disclosure.) Workers outside the UK may have recourse to similar bodies in their employment jurisdiction.

Amnesty International hopes that this policy provides the reassurance needed to raise matters internally rather than to report matters to outside bodies.

### **Equality Statement**

Amnesty International is committed to ensuring that **all people management policies, and their application, are free from any form of discrimination** on the grounds of: race; disability; gender; gender identity; religion/belief; age; sexual orientation; or any other personal characteristics.

Amnesty International will monitor use of this Whistle-blowing policy & procedure in order to identify whether it is having an adverse impact on any particular group of individuals, and take action accordingly.

### **Communication and Implementation**

The policy will be communicated through the following media:

- a. Amnesty International Intranet
- b. Amnesty International website
- c.** Briefings to managers
- d. Core skills training for managers
- e.** Induction for all new employees

**Effective Date**

This policy is effective from 1<sup>st</sup> August 2013

**Review**

This policy will be reviewed in the first instance six months from date of effectiveness. Thereafter it will be reviewed in light of changes to legislation and best practice that may impact on the use of this policy and its associated procedure and guidance within Amnesty International, but no less than every two years.

## **APPENDIX I: Roles and responsibilities**

### **Line manager**

If you are a line manager you must:

- Remain objective when/ if involved in Whistle-blowing
- Follow the formal Whistle-blowing Policy & Procedure and process fairly and consistently
- Communicate with and support all individuals affected
- Maintain confidentiality and record all meetings and actions
- Seek advice and assistance from the Human Resources team as appropriate
- Act at all times in a manner that is consistent with Amnesty International's values and behaviours
- Be aware of your responsibilities to the organisation and the individuals – should an individual seek recourse at an employment tribunal, you may be required to attend on behalf of Amnesty International.

### **Human Resources**

The Human Resources team will:

- Provide advice, guidance and coaching to line managers in relation to the application of this policy and procedure
- Support the internal process
- Support the commissioning of external services, for example, access to independent advice
- Monitor the use of the Whistle-blowing Policy & Procedure to ensure that the process is being conducted objectively, fairly and consistently
- Review and propose amendments for aspects of the Whistle-blowing Policy & Procedure.

### **Individual staff**

Individual staff will:

- Follow the process outlined in the policy for addressing Whistle-blowing concerns.

### **Staff representative**

Staff representatives (work colleague or Union representative) will:

- Make all reasonable attempts to attend on the date(s) proposed for formal meetings
- Consider the organisation's proposals and make suggestions, or present alternative proposals on behalf of the affected staff
- Maintain confidentiality.

## APPENDIX II

### APPEALS

Staff will have the right of appeal against the following formal decisions taken during the process:

- Whether the investigation followed the correct process;
- If disciplinary action is to be taken.

The written appeal will be submitted to the manager responsible for making the decision within five working days of the decision being communicated.

Human Resources will appoint an “**appeal officer**”. This individual should be an independent manager, different from the original decision maker (and most likely more senior), who has had no prior involvement in the case.

The appeal officer will make the arrangements for the appeal hearing, ensuring that:

- **The appeal hearing is arranged within 10 working days of the appeal being lodged (where possible)**
- The manager who took the decision will be invited to respond to the appeal
- All parties are informed of the location and time of the meeting, and any reasonable adjustments are made
- **All documentary evidence which will be considered by the decision-maker is received by all parties at least five working days in advance of the appeal hearing.**

In addition to the appeal officer (who will act as chair), the following people should be invited to the appeal hearing, to ensure it is conducted fairly and that all relevant information is available:

- The staff who has appealed a decision
- The manager responsible for the initial decision
- The individual’s representative if they have chosen to invite one
- A member of the Human Resources team who has had no prior involvement in the case to advise on process and consistency of approach.

Those present will assess the information and once a decision has been reached, the appeal officer will inform the staff in writing of their decision and the proposed course of action, normally **within 5 working days of the appeal hearing taking place. The letter will explain:**

- **The rationale behind the decision**
- **That there is no further right of appeal.**

A copy of the letter will be sent to the line manager for information. A copy of the letter will be retained on the staff’s personal file.

Should staff have concerns about other matters, they may use the Amnesty International Grievance Policy to raise these.

## APPENDIX III

### PEOPLE MANAGEMENT POLICY STANDARDS

#### 1. INTRODUCTION

**1.1.** This document has been agreed between Amnesty International Ltd. and Unite in accordance with the letter from the Secretary General dated 4 August 2011, which accompanied the Recognition Agreement. Its purpose is to outline the standards that will underpin people management policies applicable to individuals within Amnesty International Limited. They have due regard for natural justice by **embodying the fundamental principles of fair treatment within the workplace.**

**1.2.** They take into account current statutory requirements and externally recognised best practice guidelines and codes of practice.

**1.3.** More detailed definitions around a number of the matters referred to below will be found within the body of the organization's actual policies, encompassing such matters as flexible working, discipline, grievance and bullying and harassment etc. Throughout this document the use of the term "policy" also applies to the accompanying procedures, if any.

**1.4.** The standards outlined in this document are not exhaustive and other elements may be incorporated in individual policies as appropriate.

#### 2. GUIDING PRINCIPLES

**2.1.** Policies will be written in clear accessible language, which articulate individuals' rights and obligations. **They will be translated into appropriate languages** (for example French) and made accessible to all (e.g. via the Intranet, manager briefings etc);

**2.2.** **There will be a strong presumption in favour of disclosure,** with all information relating to the application of the policy issue in question shared with all parties, unless there is a fair/legitimate reason to do otherwise;

**2.3.** All policies will adhere to the principle of fairness and will be applied in ways that demonstrate consistency, that can both be seen and felt to be fair and appropriate, relating to the circumstances in question;

**2.4.** **Policies will be applied in a way that ensures that each party has a reasonable opportunity to fully prepare and present any case, under conditions that do not place them at a disadvantage.** This will include fair and adequate access to information, time and facilities. Individuals will have an opportunity to comment on allegations, evidence or arguments, and will have the opportunity to present information, evidence and arguments at all stages, including any appeals;

**2.5.** Any decisions made will be based on the body of evidence presented and on, as a minimum, the balance of probabilities. Any action taken will be proportionate to the matter under consideration. The prime objective being to assist and encourage individuals to achieve and maintain good standards of behaviour/conduct where appropriate, and not to be seen as a “punishment”;

**2.6.** Managers involved in informal or formal application of policy must strive to maintain objectivity, approaching each case on its merits, and declaring any vested or conflicting interests in advance. Decision-making bodies and decision-making shall be conducted in a manner so as to be seen to inspire the confidence of all concerned;

**2.7.** Individuals who are named or implicated in a process will not serve as investigators or be involved in decision making. Reasoned challenges to the objectivity, or any perceived conflicts of individuals involved will be allowed;

**2.8.** All those involved in the application of policies in accordance with these guiding principles, including those carrying out investigations and hearings, **providing information or acting as a witness or representative shall be free from fear of personal criticism, victimisation or reprisals;**

**2.9.** Both the wording, and the application of policies shall respect the right of all individuals to be free from discrimination and will **prohibit all direct and indirect discrimination** on the grounds of sex, gender identity, pregnancy or maternity, sexual orientation, religion or beliefs, marital status, civil partnership status, race, ethnic origin, colour, **nationality**, national or ethnic origins, disability or age, or any other grounds/personal characteristics (whether prohibited by legislation or otherwise);

### **3. KEY RIGHTS/OBLIGATIONS/DUTIES**

**3.1 Allegations** – to be clearly set out in writing with accompanying evidence ensuring full transparency, including the potential consequences where possible. To be provided in good time before any formal action is taken;

**3.2 Investigations** – to be carried out by an appointed officer in a fair, thorough and objective manner with the focus on establishing the facts, prior to any formal action being taken;

**3.3 Timescales** – for dealing with matters to be prompt, but reasonable, and in line with best practice guidelines, whilst allowing sufficient time for preparation by all relevant parties. Whilst not overly prescriptive, minimum standards and fair use of timeframes will be provided as part of policy and procedure guidance;

**3.4 Accompaniment/representation** – Accompaniment/representation in formal meetings is recognized as a right. Supervisory, team and program meetings are a normal part of staff/management relations in the International Secretariat (IS) and may include discussion of issues that affect staff terms and conditions, health and safety, workload or job description(s); such meetings are normally attended unaccompanied by a colleague. However, if a staff member believes that an issue may affect staff terms and conditions, health and safety, workload or job description(s) **and that she/he may need support or advice from a colleague during discussions to resolve the issue, the staff member may postpone or adjourn discussion of that issue until another meeting can be arranged to discuss that particular issue. At that further meeting the staff member can arrange to be accompanied/ represented by a colleague who may be a union representative.**

**3.5 Process defined** – will comprise, where appropriate, a logical progression of distinct phases and individuals should understand what stage of the process they are at. **Discussions should not progress from informal to formal without clarity and the right to be accompanied/represented made clear;**

**3.6 Case** – in any matter to be clearly stated/answered by the individual to ensure understanding by the individual concerned as well as the hearing officer;

**3.7 Right of reply** – the individual has the right to respond to any allegations made;

**3.8 Mediation** – where considered relevant and helpful to the matter in hand, and agreed by all parties, Amnesty International Limited will facilitate **the involvement of a mutually agreed trained/experienced mediator to help resolve matters informally;**

**3.9 Outcomes** – of any informal or formal meetings will be delivered within reasonable timescales, with any decisions clearly and adequately reasoned;

**3.10 Appeals** – against any formal decision will be allowed at each stage and taken by another manager or panel not previously involved with the case. Appeals against decisions arising from informal handling of a matter may be addressed through the grievance process;

**3.11 Confidentiality** – to be maintained at all times in relation to matters being considered, provided that it does not obstruct the principle of natural justice;

**3.12 Record keeping** – a written record will be kept relating to the nature of the issue, summary of evidence, actions taken, grounds for the actions, if any appeal was lodged, outcomes and subsequent developments. These will be shared with the individual who will be afforded the chance to add substantive comments to the record, as required;

**3.13 Formal warnings** – to be limited in duration and will be removed from the individual's file when the applicable time has passed.

## **Appendix IV**

### **Glossary of terms used**

**Whistle-blowing** – a colloquial term used to describe a protected disclosure made because an individual has a concern about serious malpractice or wrongdoing that has a public interest aspect to it, usually because it threatens others.

**Victimisation** – to be punished or discriminated against selectively or unfairly.

**Investigation** – the act or process of investigating or a searching inquiry for ascertaining facts.

**Detriment** – loss, damage, disadvantage or injury.

**Worker** – includes staff, volunteers, secondees, agency temps, interims, consultants and freelancers.



## Appendix V

### External links – signposting to key web resources or external organisations

#### 1. Public Concern at Work (UK)

[www.pcaw.co.uk](http://www.pcaw.co.uk)

If you are thinking of ringing PCAW for advice and you want to know the sort of information they are likely to ask, see [Helpline Questions](#).

Their website provides helpful information about the UK's Whistle-blowing law, the [Public Interest Disclosure Act](#), in their Law section. They are happy to give their opinion on any unclear or difficult point under the Act to individuals or their advisers.

Telephone advice (**020 7404 6609**) is available 9 am to 6 pm, Monday to Friday or please email on [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk)

#### 2. Employee Assistance Programme (International)

Line managers should also consider any additional support the employee may need and should ensure the employee is aware of our free confidential helpline and personal counselling service with CIC.

<http://www.well-online.co.uk/> (username 'amlogin'; password 'wellbeing')

The employee can access this service via a 24-hour free phone helpline, which is answered by experienced external counsellors. They provide confidential advice and support for callers on a wide range of issues. Phone: 0800 919 709.

#### 3. ACAS

ACAS stands for the Advisory, Conciliation and Arbitration Service. They provide information about staff relations and independent advice. On their website you can find guidance about dealing with work-related concerns. [www.acas.org.uk](http://www.acas.org.uk)

#### 4. Citizens' Advice Bureau

The Citizens Advice service helps people resolve their legal, money and other problems by providing free, independent and confidential advice, and by influencing policymakers.

<http://www.citizensadvice.org.uk/index.htm>