1 Introduction

1.1 Foundation Scotland is committed to the highest standards of conduct, honesty and accountability and expects the same standards from all employees, trustees, co-opted committee members, suppliers, and contractors. Accordingly, malpractice and wrongdoing in carrying out our work will not be tolerated, and any such claims will be treated seriously.

1.2 The aim of this Policy is to ensure that grantees, suppliers, suppliers' employees, donors, and contractors are fully aware that they should report concerns or suspicions about malpractice, or wrongdoing in the organisation, and to feel confident that they may raise their concern without fear of recrimination, victimisation, dismissal, or disadvantage.

1.3 Whistleblowers should be assured that any information will be treated seriously in line with best practice and applicable law and, as far as possible, confidentially.

2 Scope

2.1 This policy is applicable to all our employees, trustees, co-opted committee members, those providing or receiving a service to/from the Foundation.

3 Abbreviations and Definitions

Abbreviations

- CEO – Chief Executive Officer
- CFOO – Chief Finance and Operations Officer
- LMS – Foundation Scotland's Learning Management System

Definitions

- Whistleblower – is a person who exposes information or activity in an organisation that is deemed illegal, illicit, unsafe or a waste, fraud, or abuse of funds.

4 Policy

Qualifying Disclosure

4.1 Certain disclosures are prescribed by law as "qualifying disclosures". A "qualifying disclosure" means a disclosure of information that the Whistleblower genuinely and reasonably believes is in the public interest and shows that the company has committed a "relevant failure" by:

- Committing a criminal offence.

- Failing to comply with a legal obligation.
- A miscarriage of justice.
- Endangering an individual due to poor Health and Safety practices.
- Failing to respond effectively to a scenario of sexual harassment that has occurred, is occurring or is likely to occur.
- Damaging the environment.
- Concealing any information relating to the above.

4.2 These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen. We will take any concerns that you may raise relating to the above matters very seriously.

4.3 Any concern raised will be treated in confidence and, if the Whistleblower wishes, we will endeavour to protect their identity, so far as is possible.

4.4 Whistleblowers who are employees are encouraged to raise any such concerns through the Grievance Policy and Procedure.

What to do if you wish to raise a disclosure [i.e. Whistleblow]

4.5 Details of the disclosure should be sent via the publicly available whistleblowing link on our website, which ensures that all disclosures are consistently and transparently managed. The link takes visitors to our portal at: https://foundationscotland.riskmate.co.uk/

4.6 Your disclosure should include:

- Background information
- The name[s] of our employees, and any other people involved.
- The dates the disclosures occurred or is likely to occur
- If you have spoken or written previously to anyone at the Foundation

4.7 Exceptionally, a Whistleblower may wish to make a disclosure to an external authority. This should only be done in circumstances where the Whistleblower has previously raised the matter and not received an adequate response, or if they have good reason to believe that the matter would not be dealt with properly. If an employee decides to raise the matter externally, they must ensure that they:

- Make the disclosure in good faith.
- Reasonably believe that the concern falls within the description of a qualifying disclosure.
- Believe that the information disclosed, and any allegation[s] contained in it, are substantially true.
- Inform the CEO that they intend to raise the matter externally [unless it involves the CEO].

What will happen when your disclosure is received

4.8 You will receive an acknowledgement within two working days from the date of receipt of the disclosure advising you who is dealing with your disclosure and when you may expect a fuller response.

4.9 The person responsible will investigate all aspects of your disclosure, allowing others involved to make their contribution, possibly returning to you for supporting information or evidence.

4.10 They may also seek an independent review by a third party.

4.11 A response with details of any action taken or recommendations for further action will be sent to you within the proposed timescale. If it is not possible to provide a full response within this time, you will be advised, and an interim response given including details of action still to be taken.

4.12 Where an allegation is discredited, no action will be taken against the Whistleblower providing the allegation was made in good faith. Any allegation an employee makes maliciously or for personal gain may result in disciplinary action being taken against them.

4.13 Protection for employees. Employees who raise concerns about sexual harassment through this policy are protected in law from detriment and unfair dismissal. This protection applied whether the reported incident occurred in the past, is ongoing, or is likely to occur.

Additional Information

4.14 We have an online whistleblowing system which ensures that all allegations of malpractice and wrongdoing are logged and automatically notified to two designated trustees within the Foundation who are responsible for ensuring that any disclosure made is responded to and, if applicable, acted upon. The link takes visitors to our online portal at: https://foundationscotland.riskmate.co.uk/ .The CEO also receives automatic notification of disclosures.

5 Roles and Responsibilities

- The Board have delegated primary responsibility for Health and Safety at work within the Foundation to the CEO. All health and safety concerns or questions should therefore be addressed to the CEO in the first instance.
- The CFOO is responsible for ensuring that training on whistleblowing is made available to all employees; that the whistleblowing software functionality is robust; and that reports of disclosures made are available to the Board.
- Employees are responsible for adhering to the Policy and fully co-operating with any whistleblowing investigation process.

6 Training

- LMS - Whistleblowing

7 References

- Whistleblowing for employees - GOV.UK (www.gov.uk)

8 Review

8.1 This policy is reviewed, approved, and endorsed by the Board of trustees. It is updated when required by legislation, to ensure that it reflects statutory responsibilities, government guidance and best practice for FS or every 36 months whichever is the soonest.

9 Document Properties

Title	Whistleblowing Policy		
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