

## WHISTLEBLOWING POLICY

### What is whistleblowing?

- a. A whistleblower is someone who discovers something that is wrong and alerts their employer or the relevant authorities to what is going on. The law protects employees who are whistleblowers from detrimental treatment such as dismissal. To be protected by the law a whistleblower must fall within stringent legal rules. Anyone who does not act in good faith or is motivated by personal gain will not be protected.
- b. It is our responsibility as an employer to ensure that our charity complies with all legal requirements. We will also respect the legal protection afforded to a whistleblower.

### Public Interest Disclosure Act 1998

- c. The Act protects “whistleblowers” from suffering detriment in employment and makes dismissal for certain disclosure automatically unfair. There is no qualifying period of employment for this protection.

### Who is protected?

- d. A worker who makes a qualifying disclosure. ‘Worker’ is widely defined and includes employees and other workers as normally understood but also contractors under an employer’s control, persons on training schemes

### What is protected?

- e. A ‘qualifying disclosure’ is one of information that in the reasonable belief of the disclosing worker shows wrongdoing of one or more of the following kinds:
  1. A criminal offence was committed or is being or is likely to be committed
  2. A person has or is or is likely to fail to comply with a legal obligation
  3. A miscarriage of justice has occurred or is or is likely to occur
  4. The health and safety of any individual has been or is being or is likely to be endangered
  5. The environment has been, is being or is likely to be damaged
  6. That information tending to show any matter falling within any one of the above categories has been, is being, or is likely to be deliberately concealed.
- f. If however the person making the disclosure commits a criminal offence by making it or makes it in breach of legal professional privilege (e.g. solicitor’s secretary disclosing client information) it is not a qualifying disclosure.

- g. To be a ‘Protected Disclosure’ the ‘Qualifying Disclosure’ must only be made to one of the following categories of person:
1. The employer or (where the disclosure relates to the conduct of another person or matters for which another person other than the employer has legal responsibility) that other person
  2. A legal adviser while getting legal advice
  3. A person other than those set out above where the worker acts in good faith, reasonably believes the information to be substantially true, does not make the disclosure for personal gain, and it is in all the circumstances reasonable to make the disclosure. AND
    - i. the worker reasonably believes they will be subjected to a detriment if the disclosure is made to their employer or the prescribed person;
    - ii. there is no prescribed person and the worker believes that the wrongdoing will be concealed or destroyed by the employer;
    - iii. the worker has previously disclosed the same information to the employer or the prescribed person;
  4. Any other person where the disclosure is one of an “exceptionally serious failure” made in good faith, not for personal gain, where it was reasonable to make the disclosure.

### **What protection does the worker have?**

- h. They are protected from detriment or dismissal as a result of making a protected disclosure. Dismissal is automatically unfair, and there is no limit on compensation for such a dismissal. Complaint of detriment or dismissal is made to an Employment Tribunal.

### **How does a worker raise a concern?**

In the first instance and wherever possible, we hope you will be able to raise any concerns with your line manager. Where you are a leader on an expedition in the field, this will be your Chief Leader. You may tell your line manager in person or put the matter in writing if you prefer, and they may be able to agree a way of resolving your concern quickly and effectively.

Where the concern involves your line manager you may choose to raise it directly with the CEO. Leaders on an expedition may choose to raise it directly with the Duty Operations Team.

In extreme cases, you may wish to raise your concern with a member of the board of trustees directly. You can do so by writing to a named trustee, marking your letter in strict confidence, care of British Exploring Society’s offices. A list of current trustees can be found on the British Exploring Society website.

## **What will happen next?**

In some cases, your line manager may want to refer the matter to the CEO, and they would discuss this with you. A meeting will be arranged with you and an investigating officer will be appointed as soon as possible to discuss your concern. You may bring a colleague as a companion to any meetings under this policy. Your companion must respect the confidentiality of your disclosure. We will also aim you give you an indication of how we propose to deal with the matter.

In some cases, we may appoint an investigator or team of investigators including anyone working for the Charity with relevant experience of investigations or specialist knowledge of the subject matter. We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us from giving you specific details of the investigation or any disciplinary action taken as a result. Whilst we cannot always guarantee the outcome you are seeking, we will try and deal with your concern fairly and in an appropriate way.

Should we conclude that a whistleblower has made false allegations maliciously, in bad faith or with a view to personal gain the whistleblower may be subject to disciplinary action.

Whistleblowers are sometimes worried about possible repercussions. We encourage openness and will support whistleblowers who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases, you should not find it necessary to alert anyone externally. The law recognises that in some exceptional circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external.

## **2. USE OF SOCIAL NETWORKING SITES AND BLOGGING POLICY**

- a. Blogging is defined as writing a personal online journal that is frequently updated and intended for public consumption. Social networking is defined as sharing your personal interests and emotions in an online forum with likeminded individuals.
- b. This policy deals with the use of all forms of social media, including Facebook, LinkedIn, Twitter, Wikipedia, Instagram, TikTok, WeChat, WhatsApp, MeWe, Tumblr, Reddit, SnapChat, Vimeo, Houseparty...and all other social networking sites, internet postings and blogs. It applies to use of social media for business purposes and well as personal use that may affect our work in any way.
- c. You must avoid making any social media communications that could damage our interests or reputation, even indirectly.
- d. You must not use social media to defame or disparage us, our staff or any third party; to harass, bully or unlawfully discriminate against staff or third parties; to make false or misleading statements; or to impersonate colleagues or third parties.
- e. You must not express opinions on our behalf via social media, unless expressly authorised to do so by your manager. You may be required to undergo training to obtain such authorisation.



- f. You must not post comments about sensitive business-related topics, such as our performance, or do anything to jeopardise confidential information and intellectual property.
- g. Employees need to be aware of the impression that they may give to clients or the public in general using such sites.
- h. Blogging by employees and the use of social networking sites, whether using Charity property and systems or personal computer systems, is subject to the terms and restrictions set out below:
- i. Employees should not under any circumstances use Charity systems to participate in any internet chat room, post messages on any internet message board or set up or log text or information on a blog for non-business related reasons, even in their own time.
- j. Employees should not under any circumstances use Charity systems to participate in any social networking sites for non-business related reasons, even in their own time. If you find yourself accidentally connected to a social networking site you must disconnect immediately regardless of whether the site had previously been deemed acceptable. If you consider that you need to access such a site during working hours for a business related purpose please contact your manager.
- k. You are reminded that your duty of confidentiality to the Charity applies to blogging and social networking. Team members are prohibited from revealing confidential or proprietary information, trade secrets or any other material deemed by us as confidential.
- l. Employees shall not engage, even in their own time, in any blogging or social networking that may harm or tarnish the image, reputation and/or goodwill of the Charity and/or any of its employees or customers or which is detrimental to the Charity's interests.
- m. Employees may not, even in their own time, attribute personal statements, opinions or beliefs to the Charity when engaged in blogging or social networking. If an employee expresses their beliefs and/or opinions in blogs or social networking sites, the employee may not, expressly or implicitly, represent themselves as an employee or representative of the Charity.
- n. Apart from following all laws pertaining to the handling and disclosure of copyrighted materials, Charity trademarks, logos and any other Charity intellectual property may not be used in connection with any blogging or social networking activity.
- o. The Charity reserves the right to routinely monitor all users for the purpose of ensuring that Charity rules are being complied with, investigating wrongful acts, or complying with any legal obligation.
- p. Any employee found to be in breach of any of these rules will be subject to disciplinary action, which could include any sanction up to and including dismissal.

### **Designated Social Media Account**

- q. Use separate, designated accounts for the purposes of work. We recommend you use the words **British Exploring Society** in your account name.



- r. Any communications from this account should only relate to British Exploring Society activities. Where possible, communications with this account should be on public pages. If a British Exploring Society contact sends you a private or direct message, you should advise them to contact you on a public or group page.
- s. Whilst it is unlikely, you should be prepared for other staff to request the password for this account to review the nature of communications with young people in the event a question around appropriate usage is raised.
- t. Use of Social Media should be limited to accounts and communications where messages are recorded.
- u. All contact with young people using Facebook should be kept appropriate and not use abbreviations/language that could be misunderstood by a parent or guardian (e.g. LOL and smilies).
- v. It is recommended that staff do not use this account after 10 pm to maintain a safe boundary between work and personal life.
- w. Your work social media accounts should not be friends with or connected to your personal accounts to limit the chances that British Exploring Society stakeholders will come across content not designed for the professional environment.
- x. Where you hold private Social Media accounts it is your responsibility to ensure that your privacy settings enable you to control what content is seen by British Exploring Society stakeholders.