

Whistleblower Policy – one for each Company

Introduction

The [Charity] is committed to the highest standards of openness, probity and accountability, and recognises that employees have an important role in achieving this goal.

Employees are often the first to know when someone inside or connected with an organisation is involved in illegal or improper activities and practices. The Charity takes all malpractice very seriously, whether it is committed by senior management, staff, contractor or supplier. The Board and management do not believe that it is in anyone's interest for those with knowledge of wrongdoing to remain silent. It is therefore important that the Charity has a transparent and accessible mechanism to enable people to voice concerns in a responsible and effective manner.

Whistleblower is a colloquial expression used to describe a person who reports suspicions in respect of some wrong-doing. This Whistleblowing Policy ("Policy") sets out a procedure by which concerns can be reported and how they will be handled.

Concerns Covered Under this Policy

This Policy is designed to enable employees to raise concerns in relation to any knowledge or properly grounded suspicions that they may have about actual, or potential, malpractice or impropriety.

While it is impossible to provide an exhaustive list of all such activities, the following are examples of what the Charity expects employees to report under this policy:

- Criminal offence / activity
- Financial malpractice, impropriety or fraud
- Failure to comply with legal obligations
- Actions which endanger the health and safety of employees or the public
- Actions which cause damage to the environment
- Actions which are intended to conceal any of the above.

How to Make a Disclosure

The Charity requests that all whistleblowing concerns are reported internally using this Policy in the first instance. This will afford the Charity the opportunity to investigate and manage any issues itself, and prevent unnecessary reputational damage where concerns are not valid. The Charity does however recognise a whistleblower's entitlement to make disclosures externally when internal procedures have been exhausted and the whistleblower is still not satisfied with the outcome.

Given the seriousness of the concerns that fall under the scope of this Policy, and the importance the Charity places on such issues, all whistleblowing concerns are to be reported directly to the CEO.

Where, for any reason, the whistleblower considers it inappropriate to refer the matter to the CEO, their concerns can be made to the Chair of the Finance, Audit, Investment and Governance Committee (FAIG). Contact details for the Chair of the FAIG Richard.George@kpmg.ie and mobile ...

Concerns may be raised verbally in the first instance but should be followed up in writing before any action will be taken.

Safeguards, Confidentiality and Policy Abuse

In raising a concern, the whistleblower should exercise due care to ensure the basis for and the accuracy of their information. While a whistleblower is not expected to have absolute proof, he/she should be able to demonstrate and appropriately support the reasons for their concerns.

Whistleblowers who act in good faith and make genuine concerns should be reassured that their concerns will be treated seriously and sensitively. If a whistleblower's concern is made in good faith, but is not confirmed by a subsequent investigation, no action will be taken against that whistleblower. The Charity will do everything in its power to prevent any repercussions for whistleblowers.

Anonymous concerns will not be accepted as they severely limit the ability to fully investigate an issue and to afford natural justice to all concerned (e.g. a person accused of wrong doing is entitled to know who made the complaint). However, a whistleblower's identity will be generally kept confidential until such time as the investigation process requires the source of information to be revealed.

Any persons found to have abused this Policy may be subject to disciplinary procedure, up to and including dismissal, if for example they are found to have:

- raised unfounded, unsupported, malicious and / or vexatious complaints;
- not kept the utmost sensitivity and confidentiality, both during and after the process;
- repeated concerns (outside this Policy) known to have been previously investigated and found to be false, unless new evidence is being submitted;
- inappropriately deterred a person from raising valid malpractice or impropriety concerns;
- bullied, harassed or victimised any person connected with any aspect of the whistleblowing process.

Procedures for Investigating Concerns / Complaints

The CEO / Chair of the FAIG, as the case may be, will keep a record of being made aware of the whistleblower's concern and of the subsequent action taken. They may investigate the matter themselves or request that the matter be investigated by another party, either internally or externally (e.g. auditor or a relevantly experienced investigator). The person investigating the concern will be known as the Investigating Officer.

For each concern raised, the Investigating Officer will:

- Send the whistleblower a written acknowledgement of receipt of their concern as soon as practically possible.
- Ensure the principles of natural justice apply to all those involved in the investigations throughout the process.

- Typically carry out a preliminary enquiry to determine whether a full investigation is necessary and/or if it needs to be referred to an outside body e.g. An Garda Síochána. If, on completion of the preliminary enquiry, the concern is judged to be without prima facie substance or merit, the concern may be dismissed and the whistleblower will be informed of this decision.
- Ensure that all investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations. Keep, as appropriate, all relevant parties informed as to the progress of the investigation and as to when it is likely to be concluded.
- Produce a written report for the CEO/ Chair of the FAIG, detailing the complaint and their findings and the validity of the complaint.

Post Investigation & Appeal

After receiving an Investigating Officer's report, the CEO or Chair of the FAIG, as the case may be, will decide what action is appropriate to take and arrange for it to be taken. Where appropriate the Chair of the Board may authorise partial or full reimbursement of associated legal expenses incurred.

Subject to legal constraints and where deemed appropriate, the whistleblower and others involved in the investigation may be informed of the general outcome and actions taken/ or to be taken, but will not generally be entitled to receive a copy of the Investigating Officer's report. If the investigation concludes that a wrongdoing has occurred, those persons responsible for the wrongdoing may request a copy of the report.

In all instances, a copy of the Investigating Officer's report and actions taken will be sent to the Chair of the FAIG and [destroyed after 2 years].

If the whistleblower is not satisfied with the outcome/ actions taken, the whistleblower can re-submit their concern in writing to the Chair of the Board. This resubmission should include an outline of the whistleblower's concerns regarding the first process, its outcome and/ or the actions taken. The Chair of the Board will review the whistleblower's concerns and the Investigating Officer's report and will decide whether the actions taken were appropriate or if further action is required.

The contact details of the Chair are:

Organisation

Foundation for Investing in Communities
Community Foundation Ireland
Business in the Community

Chair

Steve Costello
Louis Fitzgerald
Kieran McGowan

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