

1 Whistle-blowing Policy

1.1 INTRODUCTION

Whistleblowing is 'making a disclosure in the public interest' and occurs when a member of staff raises a concern about danger, impropriety or illegality that affects others, for example colleagues or members of the public.

The IFRS Foundation is committed to the highest possible standards of openness, probity and accountability. In line with that commitment the Foundation expects staff, and others that we deal with, who have serious concerns about any aspect of the IFRS Foundation's work to come forward and voice those concerns. It is recognised that most cases will need to proceed on a confidential basis.

Staff might be the first to realise if there is something seriously wrong within the IFRS Foundation. However, they might not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the IFRS Foundation. They might also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may merely be a suspicion of malpractice.

This Whistle-blowing Policy makes it clear that a member of staff can do so without fear of victimisation, subsequent discrimination or disadvantage. It is intended to encourage and enable staff to raise serious concerns within the IFRS Foundation rather than overlooking a problem or 'blowing the whistle' outside.

The policy applies to all IFRS Foundation staff including, for example, secondees, contractors and agency workers working for the IFRS Foundation.

1.1.1 Aims and scope of this policy

This policy aims to:

- (a) encourage staff to feel confident in raising serious concerns and to question and act upon concerns about practice;
- (b) provide avenues for staff to raise those concerns and receive feedback on any action taken;
- (c) ensure that staff receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied; and
- (d) reassure staff that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.

There are existing procedures in place to enable employees to lodge a grievance relating to their own employment. The Whistle-blowing Policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- (a) conduct that is an offence or a breach of law;
- (b) disclosures related to miscarriages of justice;
- (c) health and safety risks, including risks to the public as well as to other staff;
- (d) damage to the environment;
- (e) the unauthorised use of public funds;

- (f) possible fraud and corruption;
- (g) sexual or physical abuse; and
- (h) other unethical conduct, such as covering up wrongdoing.

Thus, any serious concerns that a member of staff has about any aspect of service provision or the conduct of IASB members, officers or staff of the IFRS Foundation or others acting on behalf of the IFRS Foundation can be reported under the Whistle-blowing Policy. This may be about something that:

- (a) makes a member of staff feel uncomfortable in terms of known standards, their experience or the standards that they believe the IFRS Foundation subscribes to;
- (b) is against the IFRS Foundation's policies;
- (c) falls below established standards of practice; or
- (d) amounts to improper conduct.

1.2 SAFEGUARDS

1.2.1 Harassment or victimisation

The IFRS Foundation is committed to good practice and high standards and wants to support its staff.

The IFRS Foundation recognises that the decision to report a concern can be a difficult one to make. If what a member of staff is saying is true, they should have nothing to fear because they will be doing their duty to their employer and those for whom they are providing a service.

The IFRS Foundation will not tolerate any harassment or victimisation (including informal pressures) that occurs as a result of a member of staff seeking to raise such concerns and it will take appropriate action to protect staff when they raise a concern in good faith.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect an employee or that may be under way in relation to them.

1.2.2 Confidentiality

All concerns will be treated in confidence and every effort will be made to retain a member of staff's anonymity if they so wish. At the appropriate time, however, they may need to come forward as a witness.

1.2.3 Anonymous allegations

This policy encourages staff to put their name to their allegation whenever possible.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the IFRS Foundation.

In exercising this discretion the factors to be taken into account would include:

- (a) the seriousness of the issues raised;
- (b) the credibility of the concern; and
- (c) the likelihood of confirming the allegation from attributable sources.

1.2.4 *Untrue allegations*

If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, a member of staff makes an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them.

1.3 **HOW TO RAISE A CONCERN**

As a first step, the member of staff should normally raise concerns with their manager or their supervisor. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if a member of staff believes that management is involved (or that they cannot go to their line manager) they should approach the Executive Director or the Director of Operations. In the event that a member of staff has a concern about these individuals, they should approach the IASB Chair, the Vice-Chair or one of the Trustees.

Concerns may be raised orally or in writing. Staff who wish to make a written report should include:

- (a) the background and history of the concern (giving relevant dates); and
- (b) the reason why they are particularly concerned about the situation.

The earlier a member of staff expresses the concern the easier it is to take action.

Although they are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for their concern.

Staff may obtain advice/guidance on how to pursue matters of concern by contacting the Director of Operations or the HR Manager.

If ultimately a member of staff feels that they have to take the matter externally, possible contacts are listed at the end of this policy.

1.4 **HOW THE IFRS FOUNDATION WILL RESPOND**

The IFRS Foundation will respond to concerns raised by a member of staff who must not forget that testing out concerns is not the same as either accepting or rejecting them.

Where appropriate, the matters raised may:

- (a) be investigated by management or through the disciplinary process;
- (b) be referred to the police;
- (c) be referred to the external auditor; and/or
- (d) form the subject of an independent inquiry.

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle that the IFRS Foundation will have in mind is the public interest. Concerns or allegations that fall within the scope of specific procedures (for example, discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

Usually within ten working days of a concern being raised, the responsible person will write to the member of staff:

- (a) acknowledging that the concern has been received;
- (b) indicating how the IFRS Foundation proposes to deal with the matter;
- (c) giving an estimate of how long it will take to provide a final response;
- (d) telling them whether any initial enquiries have been made;
- (e) supplying them with information about staff support mechanisms; and
- (f) telling them whether further investigations will take place and if not, why not.

The amount of contact between the officers considering the issues and the member of staff will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the IFRS Foundation will seek further information from the member of staff.

The IFRS Foundation will take steps to minimise any difficulties that a member of staff may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings the IFRS Foundation will arrange for them to receive advice about the procedure.

The IFRS Foundation accepts that the member of staff needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, it will inform them of the outcome of any investigation.

1.4.1 The responsible officer

The Director of Operations has overall responsibility for the maintenance and operation of this policy. That officer will maintain a record of any concerns raised and the outcome (but in a form that does not endanger a member of staff's confidentiality) and will report as necessary to the IFRS Foundation.

1.4.2 How the matter can be taken further

This policy is intended to provide staff with an avenue within the IFRS Foundation to raise concerns. The IFRS Foundation hopes that staff will be satisfied with any action taken. If they are not, and if they feel it is right to take the matter outside the IFRS Foundation, the following are possible contact points:

- (a) Public Concern at Work (tel: 020 7404 6609), a registered charity whose services are free and strictly confidential;
- (b) the external auditor;
- (c) ACAS or a Trade Union;
- (d) the local Citizens Advice Bureau;
- (e) relevant professional bodies or regulatory organisations;
- (f) a relevant voluntary organisation; and
- (g) the police.

If a member of staff does take the matter outside the IFRS Foundation, they should ensure that they do not disclose confidential information. They should check with the contact point they have approached.