



WHISTLEBLOWING POLICY

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Relevant Laws & Regulations	The Irish legislation related to this policy is the <u>Protected Disclosures Act 2014</u> ('the 2014 Act') (as amended by the <u>Protected Disclosures (Amendment) Act 2022</u> ('the 2022 Act').



Whistleblowing Policy

	<p>The UK legislation related to this policy is the Public Interest Disclosures Act 1998.</p> <p>Country management should ensure that any relevant national legislation in the country of operation is adhered to.</p>
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1. Purpose /Policy Statement

At Self Help Africa we conduct our work in an honest open and ethical manner and take actual or alleged wrongdoing very seriously.

The purpose of this policy is to provide an effective procedure for raising concerns about actual or perceived wrongdoing, within Self Help Africa (or its partners). This document sets out the overarching principles of Self Help Africa's formal whistleblowing policy while also outlining the procedures for the reporting or disclosure of genuine and reasonable concerns about actual or perceived wrongdoing, within Self Help Africa.

Under this policy, a person can raise a concern without fear of suffering penalty, threat, less favourable treatment, discrimination or disadvantage by Self Help Africa.

2. Scope

This policy applies to everybody working with Self Help Africa (SHA) (currently or formerly) including all employees as well as trainees, interns, volunteers (including Board members), partners, contractors, agency workers, consultants, apprentices, job applicants and individuals who acquire information during pre-employment contractual negotiations. Collectively, they are referred to in the policy as workers.

For the purposes of this policy 'Self Help Africa' (SHA) is the trading name of Gorta CLG, and Self Help Africa (SHA) is a collective term and refers to Self Help Africa, Self Help Africa Inc., Self Help Africa UK, Self Help Africa NI, United Purpose, Partner Africa and other entities, affiliated organisation, branches, and country/liaison offices that form part of the group.

This policy is intended to cover concerns that may initially be investigated separately and might lead to the instigation of disciplinary proceedings.

3. Compliance with Laws and Regulations

This policy is designed to comply with protected disclosures (whistleblowing) legislation in the jurisdictions where Self Help Africa operates, primarily the Protected Disclosures Act 2014 (as amended by the Protected Disclosures (Amendment) Act 2022) in the Republic of Ireland, but also the UK's Public Interest Disclosures Act 1998.

Outside of Ireland and the UK, the application of relevant in-country legislation and regulation must also be considered. Where no legislation is in place, this policy will apply.

4. What is Whistleblowing?

Whistleblowing is the term used in Self Help Africa when a worker passes on information concerning wrongdoing or suspected wrongdoing on the part of individuals or groups of people related to Self Help Africa's work. It is sometimes referred to as "making a disclosure" or "blowing the whistle". The wrongdoing will typically (although not necessarily) be something they have witnessed at work.

The person who is making the protected disclosure can be referred to as a whistleblower or a reporting person.

A person reporting an issue of concern does not need to be certain that wrongdoing has taken place. It is sufficient that they have **reasonable belief** that a wrongdoing (in a work-related context) was, is, or may be about to be committed.

This means the reporting person must reasonably believe two things.

1. That they are acting in the public interest and/or the interests of Self Help Africa. This means that personal grievances¹ and complaints are not usually handled through the whistleblowing procedures. Should you have a concern in relation to your own employment or personal circumstances in the workplace it should be dealt with by way of our Grievance Procedure or other applicable procedures.
2. That the disclosure is related to past, present or likely future wrongdoing.

5. What does wrongdoing mean?

The term "wrongdoing" covers instances where someone working with or for Self Help Africa appears to be acting improperly, negligently or criminally.

Under the Protected Disclosures Act 2014 (as amended by the Protected Disclosures (Amendment) Act 2022) (Ireland's whistleblowing legislation), relevant wrongdoings *might be* any of the following:

- Criminal offences (e.g, fraud, theft, bribery, breach of an EU law, etc.).
- Failure to comply with a legal obligation (other than your contract of employment)
- Miscarriage of justice
- Endangerment of health and safety

¹ A grievance is a concern an employee or a worker has about their terms and conditions of employment, working procedures or working conditions. For example, if you have a complaint related to bullying, harassment or the around selection criteria for a promotional position. Sometimes a worker believes they are blowing the whistle when, in fact, their complaint is a personal grievance.

- Damage to the environment
- Unlawful or improper use of public funds
- Concealing or destroying evidence of wrongdoing

This list is not exhaustive.

Self Help Africa is committed to the highest possible standards of openness, transparency and accountability in all its affairs. It will not always be clear that a particular situation falls within one of these categories of “relevant wrongdoings”, and you are encouraged to report other types of wrongdoings as appropriate.

6. Whistleblowing Policy Principles

6.1 Reporting

It is essential that anyone connected with Self Help Africa who suspects or knows that wrongdoing has taken place, is taking place, or is likely to take place, reports their suspicions of wrongdoing without delay, using one of the reporting mechanisms as summarised in Section 7 below, and in accordance with the procedures set out at **Annex 1: Reporting & Response Procedure**.

Great care must be taken in dealing with suspected wrongdoing to avoid:

- unsubstantiated accusations;
- alerting suspected individuals that an investigation is underway;
- treating employees unfairly.

As previously noted should you have a concern in relation to your own employment or personal circumstances in the workplace it should be dealt with by way of our Grievance Procedure or other applicable procedures.

6.2 Protection

Self Help Africa recognises that the decision to report a suspicion can be a complex one to make, and that there may be a fear of reprisal from those responsible for the suspected or actual wrongdoing. Self Help Africa will not tolerate harassment, victimisation or pressures being placed on an individual to discourage them from reporting and will take all practical steps to protect Self Help Africa workers who raise an issue.

Self Help Africa recognises that such pressure can take many forms and may be applied by fellow employees, management, partner organisations, or those who supply us with goods and services. Examples of such pressure include, but are not restricted to, unfair or adverse treatment such as:

- suspension, lay-off or dismissal or the threat of suspension, lay-off or dismissal;
- demotion or loss of opportunity for promotion;
- transfer of duties, change of location of place of work, withholding of training, reduction in wages or change in working hours;

- imposition of any discipline, reprimand or other penalty (including a financial penalty);
- coercion or intimidation;
- discrimination, disadvantage or unfair treatment;
- injury, damage or loss;
- threats of reprisal;
- verbal, written or physical harassment;

An employee who threatens or in any way victimises a whistleblower or who seeks to deter a person from raising valid concerns under this policy will be subject to Self Help Africa's disciplinary procedures, up to and including dismissal from employment.

Self Help Africa will not penalise or threaten to penalise a person for raising an issue based on a reasonable belief under this policy. Self Help Africa will take all practical steps to prevent any other person from penalising or threatening penalisation, including informal pressure, for raising an issue under this policy.

Country Directors, Senior Leadership Team (SLT), line managers and HR have a particular responsibility to protect staff from unfair, adverse treatment as a result of disclosing a concern. If a Self Help Africa worker believes they have been penalised for making a protected disclosure, they should report this to their line manager or another senior manager as soon as possible.

6.3 Confidentiality and Confidential Reporting

Confidential reporting is where an individual does not want their identity to be disclosed to those accused of the wrongdoing and other colleagues.

Confidentiality is a fundamental principle of our whistleblowing policy. We aim to protect the rights of our workers, including any individual against whom an allegation is made, during and following any investigation.

Self Help Africa will endeavour to take all reasonable steps to protect an individual's identity when they raise an issue but do not want their identity to be disclosed to those accused of wrongdoing and/or other colleagues. It is important to understand that there may be scenarios where the disclosure of the reporting person's identity is reasonably considered necessary for the purposes of the receipt or transmission of, or follow up on, the protected disclosure (e.g. to colleagues within the People and Culture team).

It should further be understood, that there may also be exceptional circumstances, including where required by law, where the identity of the person making the disclosure may have to be revealed. For example, an investigation of any wrongdoing may need to identify the source of the information, and a statement by the individual may be required as part of the evidence.

In relation to safeguarding issues, as per the Adult and Child Safeguarding Policy, Self Help Africa adopts a survivor centred approach which will guide the process for dealing with the disclosures made.

6.4 Anonymous Reporting

Anonymous reporting is where an individual makes a disclosure without leaving their name.

A whistle-blower may choose to communicate his or her concerns to Self Help Africa anonymously, for example, in an unsigned letter or through [Ethics Point](#).

While issues expressed anonymously will be considered, Self Help Africa workers should be made aware that the ability of Self Help Africa management and/or investigators to clarify the issues, ask follow up questions, substantiate claims, investigate concerns properly or provide feedback will be limited if the whistleblower cannot be contacted.

Under Irish legislation, the 2022 Act makes specific provision that there is no obligation to accept or follow up on anonymous reports. Hence reports expressed anonymously will be considered at the discretion of Self Help Africa. In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised;
- The credibility of the allegations and the supporting facts;
- The likelihood of confirming the allegation from attributable sources;

6.5 Unfounded Allegations

If an allegation is not confirmed by an investigation, as long as the whistleblower raised the concern in line with this policy and had reasonable belief of the wrongdoing, Self Help Africa shall not take any action against the complainant.

If however, an employee is found to have knowingly lodged a false report(s) or made a malicious or vexatious allegation, this will be regarded and treated as a serious disciplinary offence, to be dealt with in accordance with Self Help Africa's disciplinary procedures.

7. Methods of Reporting Relevant Wrongdoing

As soon as you become aware of or have good reason to believe that a wrongdoing has occurred, is occurring, or is likely to occur, you should report that wrongdoing. **Details on the procedures for making a relevant wrongdoing report are outlined in Annex 1: Reporting and Response Procedure.**

In summary, the mechanisms available to Self Help Africa workers are as follows:

7.1 Line Management

You can raise the matter with your line manager. This may be done orally or in writing (which includes email).

For partner organisations, consultants, contractors and job applicants, you should raise the matter with your key point of contact within Self Help Africa.

7.2 Senior Management

If you feel unable to raise the matter with your line manager/your key point of contact within Self Help Africa, you can raise it with a more senior manager. This may be done orally or in writing (which includes email).

7.3 Confidential Reporting confidential.reporting@selfhelpafrica.org

If you do not feel comfortable making a report to your line manager or senior manager you can make a report to the confidential reporting email address which is managed by the Self Help Africa Compliance Manager, or their delegate, at Headquarters.

7.4 Whistleblowing phone: +353 89 207 35 58 (WhatsApp and SMS).

This Self Help Africa Headquarters dedicated whistleblowing phonenumber complements our global mechanism for the reporting and handling of relevant wrongdoing under this policy. This phonenumber is managed by the Compliance Manager or delegate.

7.5 Ethics Point: <http://selfhelpafrica.ethicspoint.com>

If you have concerns that you feel cannot be raised through the above mechanisms within Self Help Africa as per the wrongdoing reporting procedures outlined in Annex 1, or if you are not satisfied with the response you received, Ethics Points is an alternative contact channel that is available to you.

7.6 Prescribed Body:

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace that should ensure that the issue is addressed. However, if you feel that it is appropriate you may wish to raise your concerns to a prescribed/external body (e.g. the Charities Regulator in Ireland) rather than internally.

You should make sure that you have chosen the correct body for your issue. In general, prescribed bodies have regulatory functions in the area which are the subject of the allegations.

Self Help Africa strongly encourages you to seek advice in line with section 8 of Annex 1 before reporting a concern to external bodies.

8. Investigating Wrongdoing

Self Help Africa is committed to investigating and addressing all reported cases of alleged wrongdoing thoroughly and with due process. Guidelines on the investigation process are outlined in the Investigations Guidelines document.

9. Notification of Third Parties

The Chief Executive Officer (CEO), or their delegate, will, where appropriate, report to interested third parties (such as donors and regulatory bodies) on a suspected or confirmed fraud as required by the relevant donor, and indicate what steps have been taken to address any identified weaknesses in Self Help Africa's systems of internal control.

Any decision to refer incidences of fraud to local law enforcement agencies will be taken by the Chief Executive Officer (or their delegate) having considered the local context and the consequences in human rights terms of initiating criminal prosecution against the individual involved

10. Feedback

Workers making disclosures will be provided with periodic and appropriate confidential feedback in relation to the matters disclosed, in line with the Reporting and Response procedures as set out at Annex 1 and will be advised when consideration of the disclosure is complete, except in exceptional cases.

When providing feedback, no information will be communicated that could prejudice the outcome of the investigation or any action that ensues (e.g. disciplinary, or other legal action, including prosecution). It may not be possible to inform the whistleblower of the outcome of confidential processes (such as a disciplinary process involving another employee).

Self Help Africa will endeavour to provide satisfactory feedback where possible but at all times subject to any restrictions that may exist. Self Help Africa will at all times observe the rights of all of the parties involved.

11. Board Reporting

Protected Disclosures, made in line with this policy, will be included in the wrongdoing log that goes to the Audit, Finance and Risk Committee of the Board.

12. Policy Review

This policy will be reviewed every three years by the Author or earlier if required, to determine its effectiveness and appropriateness. The associated procedures will also be reviewed every three years or earlier if required, to ensure that they remain effective.

Annex 1: Reporting and Response Procedure

There are a number of ways of 'whistleblowing' or making a disclosure:

1. internally, to Self Help Africa;
2. to a 'prescribed body' (for example, the Charity Regulator in Ireland); or
3. to other third parties under specified conditions set out in legislation (for example, the Office of the Protected Disclosures Commissioner (the Commissioner))

Self Help Africa strongly encourages workers to make disclosures internally in the first instance.

1. Internal Reporting Mechanisms

A worker, as defined in Self Help Africa's Whistleblowing Policy, should raise a concern through Self Help Africa's internal reporting channel as outlined below. Once a worker raises a concern under this policy, they shall receive an acknowledgement in writing within 7 days of its receipt.

While disclosures may be raised either orally or in writing, Self Help Africa's preference is that a disclosure is confirmed in writing.

1.1 Line Management

As soon as you become aware of or have good reason to believe that a wrongdoing has occurred, is occurring, or is likely to occur, you should raise the matter with your line manager. This may be done orally or in writing (which includes email). You do not need to be certain about the facts in their disclosure. It is sufficient that you have a reasonable belief that the information provided shows one or more relevant wrongdoings and that the information came to your attention in a work-related context.

For partner organisations, consultants, contractors and job applicants, you should raise the matter with your key point of contact within Self Help Africa.

1.2 Senior Management

If you feel unable to raise the matter with your line manager/your key point of contact within Self Help Africa, you should raise it with a more senior manager. This may be done orally or in writing (which includes email).

Concerns can be raised with the following:

- Country Director
- Member of HQ Senior Leadership Team

- Global Safeguarding Lead (for safeguarding related concerns)

1.3 Confidential Reporting confidential.reporting@selfhelpafrica.org

If you do not feel comfortable making a report to your line manager or senior manager you can make a report to the confidential reporting email address which is managed by the Self Help Africa compliance team, at Headquarters.

1.4 Whistleblowing phone: +353 89 207 35 58 (WhatsApp and SMS).

This Self Help Africa Headquarters dedicated whistleblowing phoneline complements our global mechanism for the reporting and handling of relevant wrongdoing under this policy. This phoneline is managed by the compliance team, at Headquarters. Workers can submit a disclosure through text message (SMS) or a WhatsApp message.

1.5 Ethics Point: <http://selfhelpafrica.ethicspoint.com>

If you have concerns that you feel cannot be raised through the above mechanisms within Self Help Africa or if you are not satisfied with the response you received, Ethics Points is an alternative contact channel that is available to you. This is a reporting mechanism, managed by an external third party, through which complaints can be raised. These complaints are passed to the Compliance Manager, or delegate, for action, or if this is not appropriate, to the CEO or Self Help Africa's Chair of the Audit, Finance and Risk Committee.

If you submit a disclosure through Ethics Point, while you can remain anonymous this channel allows for continued dialogue with between the Reporting Person and the investigator in the event of an investigation and a requirement for follow-up information. Reporting Persons are encouraged to regularly check back to the Ethics Point site for any updates on the case or requests for further information to help progress the case.

1.6 Postal reports

You can submit a written report to the Compliance Team at Self Help Africa's Headquarters by post marked '*Private and Confidential*' to Compliance Manager, Self Help Africa, 4th Floor, Joyce's Court, 38 Talbot Street, Dublin 1, Ireland.

1.7 Prescribed Body:

An alternative mechanism for reporting relevant wrongdoings is through a prescribed body e.g. the Charities Regulator in Ireland. The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace that should ensure that the issue is addressed. However, if you feel that it is appropriate you may wish to raise your concerns to a prescribed/external body rather than internally.

You should make sure that you have chosen the correct body for your issue. In general, prescribed bodies have regulatory functions in the area which are the subject of the allegations.

Self Help Africa strongly encourages you to seek advice in line with section 3 before reporting a concern to external bodies.

2. Management Responsibilities

Managers or their delegates in receipt of whistleblowing reports or disclosures, have a responsibility to treat concerns raised seriously and will consult with the responsible personnel, depending on the nature of the concern raised, as follows:

- a. For complaints about personal grievances such as bullying, harassment, etc. (which are generally not considered to be whistleblowing and not covered by this policy), they will follow procedures set out in the SHA Grievance Policy or HR Manual for the office where they and/or the worker are based.
- b. For incidents of fraud, theft or corruption, Self Help Africa's Anti-Fraud and Anti-Corruption Policy should be referred to and the Compliance Department notified – compliance@selfhelpafrica.org
- c. For issues relating to sexual harassment, sexual exploitation and sexual abuse, Self Help Africa's Code of Conduct and associated policies will be referred to, and the Global Safeguarding Lead notified safeguarding@selfhelpafrica.org
- d. For any other wrongdoing incidents, managers or delegates in receipt of a report will seek guidance from his/her line manager to identify the best reporting line or will use the alternative reporting mechanisms outlined in the section above.

3. Designated Person

Following receipt of a disclosure, Self Help Africa will determine the next steps, including the appointment of an impartial person or persons competent to follow up on the concerns raised (a **'Designated Person'**).

The Designated Person is the point of contact with the person who has made the complaint and may (but will not necessarily) be the person to whom the initial disclosure was made. The Designated Person will have received training for the purposes of handling whistleblowing reports or disclosures. The Designated Person may be someone external to Self Help Africa.

The Designated Person will be responsible for maintaining communication with the worker who raised the concern and, where necessary, request further information from, and provide feedback to that worker in cases where a disclosure leads to an investigation - (in line with Section 1.6 below).

4. Information and/or evidence to include in a whistleblowing report or disclosure

It is important to provide as much information as possible to facilitate an investigation of the issue. Any disclosure should be factual (to the best of your knowledge) and should address the following key points to the extent that such information is known, in relation to the alleged wrongdoing (that has occurred, is occurring, or is likely to occur):

- i. what has occurred (or is thought to have occurred)
- ii. when it occurred
- iii. where it occurred
- iv. who was involved
- v. if there are any other witnesses
- vi. how you became aware of it

It is not necessary to have/provide hard evidence of wrongdoing before reporting a concern.

5. How Self Help Africa will Respond

Self Help Africa is committed to treating all disclosures consistently and fairly. The person who has received the disclosure covered by this policy will acknowledge its receipt in writing within seven days of the disclosure being received.

An initial assessment of the disclosure will be undertaken to assess whether there is an obvious case that the relevant wrongdoing occurred. If, having carried out an initial assessment, it is agreed with the Complaints Handling Committee that there is no clear-cut evidence that a relevant wrongdoing may have occurred, the worker will be notified, in writing (in a language that they can read), as soon as practicable of that conclusion and the fact no further steps will be taken under this policy.

As noted above, in cases where a disclosure leads to an investigation, a Designated Person will be assigned to the case. This must be agreed with the Compliance Manager or delegate.

Depending on the seriousness of an allegation, urgent action may be required before an investigation is launched (for example, removing a health and safety hazard or suspending a person from duty or reducing his/her access to programmes to prevent a serious incident).

Disclosures may, depending on the seriousness of an allegation(s), be referred immediately to the appropriate authorities, and reported to donors as appropriate or where required.

Matters raised in a disclosure may, where appropriate:

- i. be investigated by Self Help Africa;
- ii. be referred to an external auditor;
- iii. be referred to an external enforcement agency or regulator;
- iv. form the subject of an independent (third party) inquiry;
- v. be dealt with in accordance with Self Help Africa's grievance procedures.

Where a disclosure leads to an investigation, this investigation will be conducted in line with Self Help Africa's Investigation Guidelines and conducted fairly and objectively and with due regard to the rights of the participants in the investigation.

6. Feedback and outcome of the investigation

Some situations may be resolved promptly, whilst others may take longer because they require formal investigation. As noted above, if having carried out an initial assessment, it is decided that there is no plausible evidence that a relevant wrongdoing occurred, the procedure can be closed and the Reporting Person notified, in writing (in a language that they can read), as soon as practicable, of the decision.

However, if, having carried out an initial assessment, it is decided that there is sufficient evidence that a relevant wrongdoing may have occurred, appropriate action must be taken to address the relevant wrongdoing, having regard to the nature and seriousness of the matter concerned.

Feedback on the progress of any concerns raised will be given as soon as possible, but not more than three months from the date the acknowledgement of receipt of the protected disclosure by the Designated Person.

The Designated Person will provide further feedback to the Reporting Person who has raised the concern, where they request it in writing, at intervals of three months until such time as the procedure relating to the disclosure concerned is closed.

The Designated Person will inform the Reporting Person who has raised the concern when the procedure relating to the disclosure is closed. It may not be possible to give detailed feedback, particularly in relation to sensitive cases. The Reporting Person will be advised of any delays or difficulties in providing feedback.

The provision of any feedback is shared on a confidential basis and workers should be aware that, for data protection and privacy related reasons, it is unlikely that they will be made aware if any disciplinary action is to be taken against another worker on foot of an investigation triggered by their disclosure.

If the individual is not satisfied with the response that they have received, they can raise the matter with the CEO, a Board Member or a Prescribed Body as outlined below.

Once the investigation is complete, appropriate action will be taken to resolve the issue. This may involve taking disciplinary action if a clear case of wrongdoing can be proved, and reporting to the police if a criminal offence such as fraud or theft has been committed.

Cases of serious wrongdoing may result in dismissal.

7. Prescribed Bodies

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace that should ensure that the issue is addressed. However, if you feel that it is appropriate to raise your concerns to a prescribed/external body rather than internally, you should make sure that you have chosen the correct body for your issue.

For the Republic of Ireland, a list of prescribed persons can be found at:
www.gov.ie/prescribed-persons.

More information on other reporting channels can be found through the Office of the Protected Disclosures Commissioner: www.opdc.ie/en/.

For the UK, a list of prescribed people and bodies is available on the UK Government website:
[Whistleblowing: list of prescribed people and bodies - GOV.UK](#)

In general, these bodies have regulatory functions in the area which are the subject of the allegations. Self Help Africa strongly encourages you to seek advice in line with section 8 below before reporting a concern to external bodies.

Workers should be aware that more stringent standards apply where concerns are raised with a prescribed person and/or the Commissioner, such as that the worker must reasonably believe the information being disclosed and that any allegations in it are substantially true and that the relevant wrongdoing is within the remit of the prescribed person.

8. External Sources of Information and Advice

Transparency International Ireland operates a confidential free-phone service for anyone considering reporting a concern or making a protected disclosure. Details on how to contact them can be found on their website www.transparency.ie/helpline.

Charity Protect, a UK based organisation, also provides free confidential advice to workers who have concerns about malpractice/wrongdoing in the workplace. Details on how to contact their Advice Line can be found on their website <https://protect-advice.org.uk>