

### **1.2.1.6 Whistleblower Policy**

The word “whistleblowing” in this policy refers to the disclosure internally or externally by volunteers or employees of malpractice, illegal acts or omissions at work.

#### **A. Policy Statement**

RSAR is committed to achieving the highest possible standards of service and the highest possible ethical standards in public life and in all of its practices, and is committed to maintaining a workplace where volunteers, employees and contractors feel free to raise questions and concerns about RSAR’s activities.

To achieve these ends, it encourages freedom of speech. It also encourages staff to use internal mechanisms for reporting any malpractice or illegal acts or omissions by its volunteers, employees or ex-employees.

#### **B. Other Policies and Procedures**

RSAR has a range of policies and procedures, which deal with standards of behavior at work; they cover Discipline, Grievance, Harassment and others. Volunteers and employees are encouraged to use the provisions of these procedures when appropriate. There may be times, however, when the matter is not about your personal employment position and needs to be handled in a different way. Examples may be:

- malpractice or ill treatment of a member/customer by a senior staff member
- repeated ill treatment of a member/customer, despite a complaint being made
- a criminal offense has been committed, is being committed or is likely to be committed
- suspected fraud
- disregard of legislation, particularly in relation to health and safety at work
- breach of standing financial instructions
- showing undue favor over a contractual matter or to a job applicant
- breach of a code of conduct

(This list is not exhaustive.)

RSAR will not tolerate reprisals, harassment or victimization (including informal pressures) against volunteers and employees for raising such concerns, and will treat this as a serious disciplinary offense, which will be dealt with under the Disciplinary Rules and Procedure.

#### **C. Designated Officers**

The following people have been designated officers for concerns under this procedure.

They will have direct access to RSAR’s CEO.

CEO 775-823-8800

RSAR current president

RSAR current NAR director

The designated officer will be the point of contact for volunteers and employees who wish to raise concerns under the provisions of this policy. Where questions are raised, the officer will arrange an initial interview, which will if requested be confidential, to ascertain the area of concern. At this stage the whistleblower will be asked whether they wish their identity to be disclosed and will be reassured about protection from possible reprisals or victimization. They will also be asked whether or not they wish to make a

written statement. In either case, the designated officer will write a brief summary of the interview, which will be agreed on by both parties.

#### **D. Role of most senior person**

The designated officer will report to RSAR's CEO who will be responsible for the commission of any further investigation. If the concern is about RSAR's CEO, this should be made to the RSAR President who will decide how the investigation will proceed.

#### **E. The Investigation**

The investigation may need to be carried out under the terms of strict confidentiality i.e. by not informing the subject of the complaint until (or if) it becomes necessary to do so. This may be appropriate in cases of suspected fraud. In certain cases, however, such as allegations of ill treatment of members/customers, suspension from the position may have to be considered immediately. Protection of members/customers is paramount in all cases.

The designated officer will offer to keep the whistleblower informed about the investigation and its outcome. If the result of the investigation is that there is a case to be answered by an individual, the Code of Ethics and Arbitration Manual or RSAR Personnel Policy Handbook will be used as appropriate.

Where there is no case to answer, but the volunteer or employee held a genuine concern and was not acting maliciously, the designated officer should ensure that the volunteer or employee suffers no reprisals.

Only where false allegations are made maliciously, will it be considered appropriate to act against the whistleblower under the terms of the Code of Ethics and Arbitration Manual.

#### **F. Following the Investigation**

The RSAR CEO will brief the designated officer as to the outcome of the investigation. The designated officer will then arrange a meeting with the whistleblower to give feedback on any action taken, (This will not include details of any disciplinary action, which will remain confidential to the individual concerned). The feedback will be provided within one month or other reasonable time, if requested.

If the whistleblower is not satisfied with the outcome of the investigation RSAR recognizes the lawful rights of volunteers, employees and ex-employees to make disclosures elsewhere.

#### **G. The Law**

This policy and procedure has been written to take account of the Public Interest Disclosure Act 1998, which protects workers making disclosures about certain matters of concern, where those disclosures are made in accordance with the Act's provisions. The Act is incorporated into the Employment Rights Act 1996, which already protects employees who take action over, or raise concerns about, health and safety at work.

Bylaws & Policy Committee 8/26/08

Board of Directors 8/28/08