

20. Whistleblowing and Complaints Policy

Previous Versions	July 2023
Last Updated	November 2024 (inclusion of new anonymous feedback form)
Next Update	July 2026 (or on an ad hoc basis if legal or operational changes require a revision of the policy)
Responsible Person	The responsible person is the CEO. This policy is managed by the Operations Manager.
Scope	This policy applies to all Agulhas employees [and associated personnel].

Introduction

Agulhas is committed to the highest degree of professionalism and integrity and to operating in an ethical and lawful matter, and this is reflected through our Whistleblowing Policy. Our Policy is in line with the Public Interest Disclosure Act 2020, which gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. It applies to all Agulhas ‘personnel’, which includes employees, interns, external contractors, sub-contractors and suppliers, who disclose wrongdoing or concerns that are in the public interest.

Our Commitments

Raising a concern can be a difficult decision to make. Through this policy, Agulhas aims to ensure the protection from victimisation and retaliation. Agulhas is committed to:

- Taking seriously and investigating any concerns or complaints, and treating those raising complaints fairly and justly. Agulhas will never attempt to conceal evidence of unacceptable behaviour
- Protecting against the unnecessary disclosure of the identity of those raising concerns or complaints, respecting confidentiality.
- Ensuring no-one implicated in the complaint has a supervisory role in any investigation into it
- Protecting staff and contractors from retaliation regardless of whether the complaint or concern is upheld
- Reporting serious abuses to the authorities (e.g. police or HMRC) where appropriate and not in direct conflict with the safety of those involved
- Ensuring that Agulhas staff and associated personnel are aware of the Whistleblowing policy and procedures through the contractual process and through annual email communications.

Types of Concerns

Concerns that should be reported include, but are not limited to:

- Suspicions of theft, bribery or corruption, including by third parties
- Suspicions of other financial crime, such as money laundering, including by third parties
- Suspicions of forced labour / modern slavery, human trafficking and exploitation or abuse of children or vulnerable adults, including by third parties
- Bullying, harassment, sexual harassment or discrimination of any form

- Health or safety breaches
- Danger to the environment or local community
- Criminal activity or failure to comply with legal obligations
- Breaches of Agulhas policies and procedures
- Unauthorised disclosure of confidential information
- Deliberate concealment of information relating to the above

Reporting a concern

Agulhas encourages any staff member with a concern to raise this internally with their line manager or a Director. Agulhas encourages any non-staff Agulhas personnel to raise concerns with their Agulhas counterpart, contract manager, a Director, the Chief Executive Officer or the Operations manager at operations@agulhas.co.uk. Furthermore, if any staff member, consultant or partner is not sure whether an incident constitutes a violation of policy, the law or Agulhas' ethical integrity, the Directors encourage them to raise the concern in good faith with them directly and without fear of judgement or repercussion.

Agulhas acknowledges that some people may prefer to disclose concerns anonymously. [Our Anonymous Feedback](#) Form provides a free, anonymous and confidential alternative platform for disclosing concerns or feedback. Concerns that are reported through this platform will be handled with the utmost importance and confidentiality. They will be triaged solely by our Operations Manager who will manage the handling of cases based on their risk profile and seriousness. Any concerns involving safeguarding will be immediately prioritised and all forms of misconduct will be handled with priority.

However, as this is anonymous form, the informant will not have sight of the progress of the feedback, and investigation could be hindered as we cannot contact the informant for further information.

Agulhas sub-contractors, contractors, suppliers, and associated person(s) involved in the Foreign, Commonwealth & Development Office funded business should immediately report any suspicions or allegations of aid diversion, money laundering or counter terrorism finance to the Counter Fraud and Whistleblowing Unit (CFWU) at reportingconcerns@fcdo.gov.uk or +44 (0) 1355 843 747.

Whistleblowing investigation procedure

Any concern of wrongdoing should be reported through the channels mentioned above, orally or in writing. If reported orally, the person to whom the concern is disclosed should take detailed notes for any subsequent investigations officer, respecting confidentiality and any request for anonymity.

- Where the complaint is against a member of the senior management team (SMT) or the leadership team (LT) an alternative Director or senior manager will be appointed to manage the process to ensure impartiality and free from conflict of interest
- The senior manager or director will embark on a factfinding exercise to determine if a formal investigation should take place. If it is considered that an investigation should take place, then an independent investigator will be hired to undertake the investigation.
- The complainant may be required to cooperate with a factfinding mission and subsequent investigation. The complainant may be accompanied for support by an official, independent representative who will be bound by confidentiality and will not be able to answer questions on behalf of the complainant.

- Agulhas will aim to keep the complainant informed of progress, timelines and the outcome of the investigation with the appropriate detail to respect confidentiality. Any information given to the complainant should be treated as confidential. The complainant will be offered support where appropriate.
- Where the complaint is substantiated and justified, the subject of the complaint may then have disciplinary proceedings invoked against them. Where there is evidence of criminal activity, Agulhas may inform legal authorities and will cooperate with a criminal investigation. Where an allegation is considered unsubstantiated and the complainant is not satisfied with the result, they have the right to disclose the concerns to either the appropriate body ([which can be found here](#)) or our Independent Trustee. Our current Independent Trustee is, Sue Lawrence, who can be contacted via email at sue.lawrence@directorsandtrustees.co.uk.