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*Charity Number: 1190806*

# YIHA Disclosure of Malpractice in the Workplace Policy

## **Purpose**

At YIHA, it is vital that all Yoga4Health teachers and everyone who works for us maintains the highest standards of conduct, integrity and ethics, and complies with local legislation. If a teacher, employee, volunteer, partner, consultant or contractor has any genuine concerns about malpractice in the workplace, we wish to encourage them to communicate these without fear of reprisals and in the knowledge that they will be **protected from victimisation and dismissal**.

Malpractice includes (but is not limited to) the issues listed below:

- Financial wrongdoing including theft, bribery, fraud, money laundering and grant funding diversion
- A failure to comply with any legal obligations
- Sexual misconduct, including sexual abuse, harassment or exploitation (see YIHA Safeguarding Policy)
- Abuse or exploitation of children, vulnerable adults or beneficiaries (see YIHA Safeguarding Policy as above)
- Breach of YIHA policy
- Abuse of position
- Danger to the health and safety of individuals or damage to the environment
- Improper conduct or unethical behaviour
- Activity which would bring the organisation into serious disrepute
- The deliberate concealment of information relating to any of the matters listed above

If you have a genuine concern and have a reasonable belief it is in the public interest, even if it is later discovered that you are mistaken, under this policy you will not be at risk of losing your position or from suffering any form of retribution as a result. This assurance will not be extended to an individual who maliciously raises a matter they know to be untrue or who is involved in any way in the malpractice. Those found to be making false allegations maliciously will have disciplinary action taken against them.

Malpractice is not a complaint about the performance and behaviour of a manager or other work colleague towards you. Such complaints will be directed for action to the YIGA Board's policies and procedures.

If you genuinely believe that the actions of someone who teaches or works for YIHA could lead to or has resulted in malpractice, please follow the procedure below.

Please note that for YIHA staff this procedure is not intended to replace YIHA's Grievance Procedures, which continues to be the appropriate way to raise personal issues relating to a specific job or employment.

1. Raise the matter with Teacher Support, Paul Fox. If you feel that you are unable to raise the matter with this person, you are able to raise it with any member of the YIHA Board of Trustees.

At the point of raising a concern it would be useful for you to share information describing:

- Whether anyone is at immediate risk of harm?
- What happened? If possible make note of dates, times, places, people.
- Who is involved?
- How do you know about it?
- When were you first concerned about it?
- Have you told anybody about it?
- Was any action taken?

YIHA will:

- Report incidents of theft, fraud, or corruption immediately to relevant authorities
- Report Safeguarding concerns relating to sexual abuse or exploitation of children, vulnerable adults, beneficiaries or any YIHA representative to YIHA's Safeguarding lead

2. A decision will be made on whether it is appropriate to handle such complaints under this policy. Where not appropriate the complainant will be informed and their permission sought to divert the issue to the appropriate authorities.

3. When matters are reported, and an investigation is conducted, the outcome may involve taking disciplinary action if misconduct has been proved, which may include dismissal.

4. When matters are reported to the Safeguarding lead, YIHA's Safeguarding Investigation Guidelines will be followed. If an investigation is conducted, the outcome may involve taking disciplinary action if misconduct has been proved, which may include dismissal.

You will be notified once the matter has been resolved, but outcomes are subject to confidentiality and may not be communicated.

YIHA will take appropriate action, which for staff may end in dismissal, in accordance with the relevant procedure against any employee, teacher volunteer or consultant who:

- Has been found to be victimising another individual for using this procedure, or deterring them from reporting genuine concerns under it.
- Made a disclosure maliciously that is known to be untrue or without reasonable grounds for believing that the information supplied was accurate.

### **Frequently asked questions**

[What if the line manager is involved in the alleged malpractice in some way?](#)

If the line manager is involved in the alleged malpractice in some way, the matter should be raised with any YIHA Board member. Concerns relating to sexual abuse or exploitation of children, vulnerable adults, beneficiaries or any YIHA representative to the Safeguarding lead.

### [Can the disclosure be made anonymously?](#)

You are strongly encouraged not to make anonymous disclosures as details and further concerns cannot then be checked with you and this may seriously limit the ability of investigators to pursue your concerns. Nonetheless, all disclosures, made anonymously or otherwise, will be reviewed but lack of information may limit the nature, extent and outcome of the investigation.

### [Who will conduct the investigation?](#)

Normally an independent person from within YIHA will be appointed. On rare occasions, or for complex cases such as safeguarding, external investigation support may be sought.

### [What if the matter involves a criminal offence?](#)

The issue may also be reported to the police if a criminal offence, such as fraud or theft, or sexual assault has been committed.

### [What if the matter is a complaint about the performance or behaviour of a manager or colleague against me?](#)

Such complaints will be directed for action to the appropriate HR policy under unless the concerns relate to concerns of sexual misconduct or other forms of malpractice listed in this policy.

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