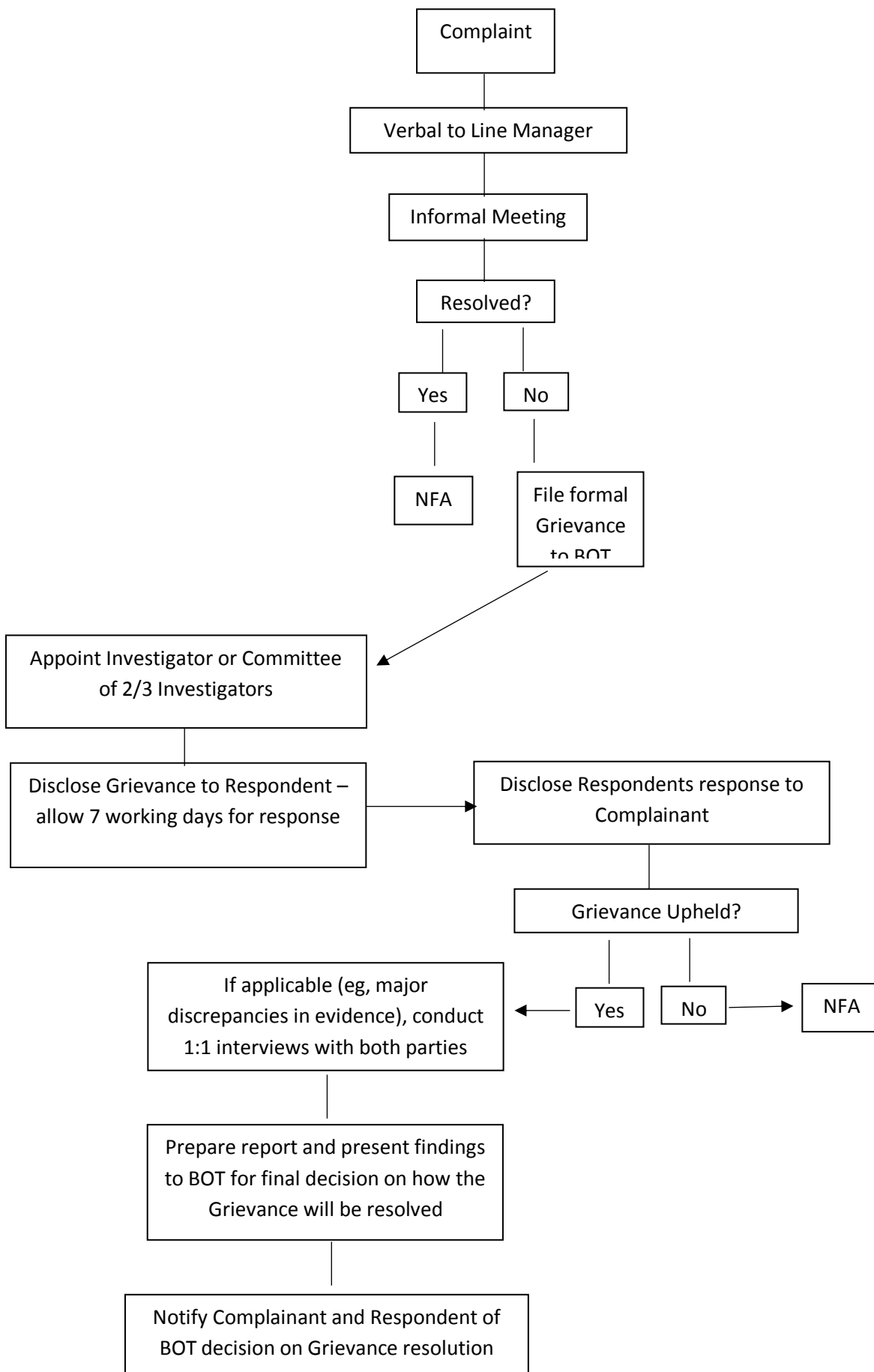


Code of Conduct





Code of Conduct Policy

Samaritans in Spain (SiS)

1. Introduction

SiS is committed to the highest standards of openness, probity and accountability.

It is vitally important to ensure that confidentiality is maintained within our Service because any breach of confidentiality, whether intentional or unintentional, will weaken or in some cases, destroy trust between individuals and/or the Organisation.

The purpose of this policy is to provide an avenue through which volunteers and their managers can resolve work-related complaints as they arise. Complaints by callers/members of the public are not included.

Open communication and feedback are regarded as essential elements of a satisfying and productive work environment. SiS encourages its volunteers to resolve any issues or concerns that they may have at the earliest opportunity with each other or, failing that, their immediate supervisor.

In general use, a complaint is an expression of displeasure. A grievance is a formal statement of complaint - a grievance is what you file. Complaints must be expressed and discussed with the volunteer's immediate manager (if appropriate) before any grievance is filed. If the complaint cannot be resolved, a grievance may be filed.

Grievances can range from the very minor and easy to resolve, to the extremely serious, which may involve formal disciplinary action.

2. Whistleblowing

This WBP is designed to enable volunteers to raise concerns internally and to disclose information which the individual believes shows malpractice or impropriety. These concerns could include

- Financial malpractice or impropriety or fraud.
- Failure to comply with a legal obligation or Statutes.
- Dangers to Health & Safety or the environment.
- Criminal activity.
- Improper conduct or unethical behaviour.
- Attempts to conceal any of these.

i. Protection

The WBP is designed to offer protection to the volunteers who disclose such concerns provided the disclosure is made:

- in good faith
- in the reasonable belief that the disclosure tends to show malpractice or impropriety and if they make the disclosure to an appropriate person (see below).

ii. Confidentiality

SiS will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

iii. Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of SiS.

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

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

iv. Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

Procedures for Making a WBP Disclosure

As a first step, a volunteer should normally raise concerns with their manager. However, if for some reason this first step is inappropriate then the concern could be raised with any Trustee. If the complaint is that something seriously wrong is occurring at a senior level, the volunteer may prefer to approach the President initially.

Concerns may be expressed orally, but it is good practice for the concern to be recorded in writing at an early stage to ensure that the details are correctly understood. A written allegation should set out the background and history of the concern (giving names, dates and places where possible) and the reasons why the volunteer is particularly concerned.

The action taken by SiS will depend on the nature of the concern. After initial enquiries to assess the seriousness of the matter, it may be investigated internally by an investigating officer appointed by the Board of Trustees or referred to the police where appropriate. And it may be referred to the SiS Standards & Conduct Committee (SCC - committee set up ad hoc by the Board of Trustees).

3. Confidentiality

Volunteers

- a) The term 'Volunteer' is intended to cover all those who are involved in the work of SiS on a continual basis, i.e. Listeners, all Non-Listeners, Shop, Trustees, Trainers and fund raisers.
- b) All Volunteers will sign a Declaration of Confidentiality and are expected to abide by this Confidentiality Policy even after leaving the Organisation. All Volunteers are to confirm that they have read, and agree to the content of this Policy, by signing the sheet in the Policy Document file, which is held in the telephone room in the Drop -In Centre.
- c) Volunteers may discuss calls and face-to-face contacts amongst themselves, but only in so far as to provide support for Service Users or the Volunteers involved. It is important that these conversations take place in a private environment, in order to avoid conversations being over heard by members of the public.
- d) On occasions, Non-Listening Volunteers will over hear such discussions or dialogue with or about Service Users. Confidentiality must be maintained at all times.
- e) Volunteers have the right to remain anonymous and other than a preferred name no Volunteer will divulge personal details to a Service user.
- f) The identity of active Volunteers and their role within the Organisation must be protected at all times and never disclosed outside of the Organisation, without expressed consent of the Volunteer involved.
- g) If a Volunteer finds that he/she recognises a Service User, the Volunteer should make this clear to the person and ask if they would prefer to speak to another Volunteer. Alternatively the Volunteer might decide that he/she would prefer a call or face to face contact, be dealt with by another Volunteer and, in this case, he/she should tell the Service User that this is happening and that it is standard practice.

Disclosure of Service User Information

- a) Only in the most exceptional circumstances will a Volunteer disclose to someone outside of the Organisation information about Service Users. Namely:
 - i) Where a Service User gives information relating to an act of terrorism.
 - ii) Where a Service User gives traceable information relating to a crime.

In both cases, the Service User should be made aware of SiS's policy on Disclosure of information, but that it does not preclude **a willingness to listen**.

The Volunteer will not make the decision to inform the appropriate authorities without first discussing with the Manager

Records

- a) Generally, Volunteers will not ask for identifying details during calls, face to face contact or any other form of contact. The only records kept and sent to the Treasurer are for statistical purposes only.
- b) Statistical information may be shown or disclosed outside of SiS only with permission of a Trustee and never discussed with the public or family and friends.
- c) Any information that may identify a Service User i.e. emails and letters will be kept in a secure place.

Staffing

- a) All personal information relating to past, existing or potential Volunteers of SiS will be treated as confidential. It will be disclosed only to members of the Recruitment Team in order that they may fulfil their operational roles. These records will be kept in a securely locked place.

Training

- a) Training provided by SiS will reinforce this Confidentiality Policy and will guard against unintentional 'casual disclosure' to any person outside the Organisation. The disclosure of information about a Service User, whether to a family member, friend, or any other person or body who is not an active member of SiS, is unacceptable and will not be tolerated.
- b) Service User contact interventions may be used to facilitate training sessions but identity must always be concealed.

Publicity

- a) No information will be given to the press without the full agreement of the person(s) involved, and with the agreement of a Trustee or the Marketing & Fundraising Manager.
- b) Examples of Service User contacts may be used in talks and fundraising, but under no circumstances are names or other identifiable features to be divulged. Any such activities must have the prior agreement of a Trustee or the Marketing & Fundraising Manager.

Visitors to the SiS Branch

- a) It is important that all Volunteers are mindful of the need to maintain confidentiality in the Branch as they go about their SiS duties, especially when visitors are in the vicinity. For example, this could include members of the public who may be in the Charity Shop or workmen/contractors who may be in the Branch.

Undertaking Duties Outside of the Branch

- a) Maintaining confidentiality is equally important when Volunteers go about their SiS duties outside of the Branch i.e. when prison visiting, facilitating clinics, undertaking walkabouts, attending charity events, or manning one of our stalls. **Any breach of Confidentiality will be regarded as an extremely serious, disciplinary matter, which will lead to suspension, possible dismissal and could result in legal action being taken against you.**

4. Complaints and Grievances

In general use, a complaint is an expression of displeasure. A grievance is a formal statement of complaint - a grievance is what you file. Complaints must be expressed and discussed with the volunteer's immediate manager (if appropriate) before any grievance is filed. If the complaint cannot be resolved, a grievance may be filed.

Grievances can range from the very minor and easy to resolve, to the extremely serious, which may involve formal disciplinary action.

Procedures for filing a grievance

- a) The manager should arrange to meet the volunteer to talk about the issue and try to resolve the issue informally at this first meeting.
- b) It is important to have another manager or Trustee available as an alternative contact person in case the complainant has a problem with the manager and doesn't feel comfortable approaching him or her.
- c) If a solution isn't found after the first meeting between the complainant and manager and neither party is satisfied with the outcome, the next step would be to arrange a formal meeting as quickly as possible with a member of the Board.
- d) At this stage it is important that the grievance is explained in writing and to obtain a chronology of events (who, what, why, when, how etc.) and to establish the facts of the case.

Investigating a grievance

All parties are to maintain complete confidentiality at all times.

Before making a final decision BoT can appoint an investigator to investigate the case. The investigator can be a single person or a committee of 2 – 3 persons chaired by a trustee – or the Standards and Conduct Committee can investigate the case (always when a trustee is part of the case).

To ensure that the investigation is procedurally fair the investigator should ensure that:

- a) the respondent is aware of all the allegations made against her/him/them in sufficient detail;
- b) the respondent is allowed a reasonable opportunity, including adequate time, to respond to each of the allegations;
- c) the investigation is carried out in a reasonable time frame;

- d) all participants are given the opportunity to have a support person in the interviews pertaining to the investigation;
- e) all participants are required to maintain confidentiality and sign a confidentiality agreement;
- f) the investigator has no personal interest or bias in the matter being investigated;
- g) all participants are given the opportunity to respond to any contradictory evidence;
- h) the investigator makes reasonable and diligent enquiries to ensure that there is sufficient evidence before making findings on the balance of probabilities.

The BoT reserves absolute discretion as to making a final decision as to how the grievance or dispute will be resolved.

Withdrawing the Grievance

The party who lodged the grievance, can at any time withdraw the grievance. In this situation there is the possibility the other party may wish, and has every right to continue the process, if they believe they have not had the opportunity to respond appropriately.