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Whistleblowing Policy

Contents

1. Introduction.....	1
2. Background	1
3. Principles	2
4. Procedure	3

1. Introduction

This policy applies to all employees, volunteers and officers of the organisation. Other individuals performing functions in relation to the organisation, such as agency workers and contractors, are encouraged to use it also.

It is important to the business that any fraud, misconduct or wrongdoing by workers officers or representatives of the organisation is reported and properly dealt with. The organisation therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the business or the way in which the business is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

2. Background

The law provides protection for workers who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;

- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for the complainant to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The complainant has no responsibility for investigating the matter - it is the organisation's responsibility to ensure that an investigation takes place.

A complainant who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she/they have made a disclosure.

The organisation encourages all staff to raise their concerns under this procedure in the first instance. If a staff member is not sure whether or not to raise a concern, he/she/they should discuss the issue with his/her/their line manager or the HR department.

3. Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Workers should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and where relevant, the outcome of the investigation reported back to the worker who raised the issue.
- No worker will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because he/she/they have raised a legitimate concern.
- Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the organisation's disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence and will be actioned appropriately in line with the organisational procedures.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, workers should not agree to remain silent. They should report the matter to a director at the first available opportunity.

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that his/her/their own

contract has been, or is likely to be, broken, he/she/they should use the organisation's grievance procedure.

4. Procedure

(1) In the first instance, and unless the worker reasonably believes his/her/their line manager to be involved in the wrongdoing, or if for any other reason the worker does not wish to approach his/her/their line manager, any concerns should be raised with the worker's line manager. If he/she/they believe the line manager to be involved, or for any reason does not wish to approach the line manager, then the worker should proceed straight to stage 3.

(2) The line manager will arrange an investigation into the matter (either by investigating the matter him/herself/themselves or immediately passing the issue to someone in a more senior position). The investigation may involve the worker and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. The worker's statement will be taken into account, and he/she/they will be asked to comment on any additional evidence obtained. The line manager (or the person who carried out the investigation) will then report to the board, which will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency. If disciplinary action is required, the line manager (or the person who carried out the investigation) will report the matter and start the disciplinary procedure as per the disciplinary policy. On conclusion of any investigation, the worker will be told the outcome of the investigation and what the board has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

(3) If the worker is concerned that his/her/their line manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the board, he/she/they should inform the Chief Executive of the organisation, who will arrange for another manager to review the investigation carried out, make any necessary enquiries and make his/her/their own report to the board as in stage 2 above. If for any other reason the worker does not wish to approach his/her line manager he/she/they should also in the first instance contact the Chief Executive. Any approach to the Chief Executive will be treated with the strictest confidence and the worker's identity will not be disclosed without his/her/their prior consent. If this action is inappropriate, they should report an incident to a Member of the Board of Trustees who will draw the issue to the attention of the Chair or Vice Chair.

(4) If on conclusion of stages 1, 2 and 3 the worker reasonably believes that the appropriate action has not been taken, he/she/they should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- HM Revenue & Customs;
- the Financial Conduct Authority (formerly the Financial Services Authority);
- the Competition and Markets Authority;

- the Health and Safety Executive;
- the Environment Agency;
- the Independent Police Complaints Commission; and
- the Serious Fraud Office.