

**PEOPLE POLICIES & PROCEDURES:
OUR SHARED WAY OF WORKING TOGETHER**

Policy & Procedure: Whistleblowing

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1. INTRODUCTION

We (The Company) commit to run our business with honesty and integrity and maintaining high standards. However, we recognise that all organisations run the risk of things going wrong or of unknowingly harbouring illegal or unethical conduct. We always aim for a culture of openness and accountability to prevent such situations occurring and to address them in a responsible and effective manner as and when they do occur.

We encourage employees to report any suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected. This policy provides employees with clear guidance as to how to raise those concerns. Employees should know that they should be able to raise genuine concerns without fear of any reprisal, even if their concern is mistaken. The policy also prevents serious concerns being mishandled and reduces the risk of whistle-blower victimisation and prevents concerns of danger or illegality that affect others (including the public) continuing.

2. SCOPE AND DEFINITIONS

This policy applies to arrangements for all employees of the company. It does not form part of the Contract of Employment and may be amended at any time.

Whistleblowing is the act of the disclosure of information to the employer or the relevant authority by an individual who knows, or suspects, that the Company is responsible for or taken part in some wrongdoing. Anyone making 'qualifying disclosures' are protected against dismissal or detriment by The Public Interest Disclosure Act 1998. A "qualifying disclosure" means a disclosure of information that the employee genuinely and reasonably believes is in the public interest and shows that the Company has committed a "relevant failure" by committing a criminal offence, failing to comply with a legal obligation, a miscarriage of justice, endangering the health and safety of an individual, environmental damage or concealing any information relating to the above. These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen. The Company will take any concerns that you may raise relating to the above matters very seriously. Employees must reasonably believe that the disclosure is "in the public interest".

A **Whistle blower** is a person who raises a genuine concern relating to any whistleblowing activity as listed above. If an employee has a genuine concern relating to suspected wrongdoing or danger affecting any of the activities of the Company (a whistleblowing concern), it should be reported under this policy. A whistle-blower is not usually directly or personally affected by the danger or illegality although they may be. A whistle-blower may only raise concerns under this policy which are within its scope.

If the issue is relevant to personal circumstances, for example, the way an employee has been treated at work, this should be raised under the appropriate policy such as the Grievance Procedure or the Anti-Harassment and Bullying Policy.

3. PROCESSES AND DETAILS

3.1 Considering raising a concern

An employee may be unsure about raising the issue that is troubling them or may want to keep the concern to themselves, perhaps feeling it is none of their business or that it is only a suspicion. They may feel that raising the matter would be disloyal to colleagues, managers or to the Company. They may decide to say something but wonder who to speak to or how to raise the matter. This procedure exists to raise concerns about such matters at an early stage and in the right way. We would rather that the matter is raised as soon as an employee is aware of it rather than wait for proof, by which time the situation may have become more serious. An employee raising a concern will not be expected to have absolute proof but will need to be able to show the reasons for the concern. It does not matter if concerns subsequently turn out to be mistaken, provided they are raised in good faith.

3.2 Raising a concern informally

Where possible concerns should be raised with the employee's line manager informally in the first instance. The manager will take the concern seriously, consider it fully and sympathetically, recognise that raising a concern can be a difficult experience, and will seek advice from specialist managers / professional leads where appropriate. When employees worry that they may breach confidentiality simply by raising a concern, they may wish to discuss the matter initially without 'naming names'. Where concerns can be acted on, action will be taken promptly, and the manager will notify the employee of this and will agree the timescale within which they will act. Where action is not considered appropriate, they will give you a prompt and thorough explanation of the reasons for this. Whilst this informal stage is underway it is not appropriate to raise the matter, separately, with others or to escalate it up the management chain.

3.3 Raising a concern formally

If the matter raised informally is unresolved or is serious enough to warrant reporting it immediately, an employee should notify the HR Director. The matter will then be investigated. The person investigating the issue raised will try to investigate it thoroughly and conclude the matter promptly. This might take some time depending on the nature of the issue. The person raising the concern will be kept informed, as far as is practicable, of the continuing process, but if concerned that the matter is being prolonged unduly, they should discuss this with the person who is investigating. If the employee remains dissatisfied with the action taken or if the senior manager is the subject of your concern, the matter may be referred to the CEO. If the employee feels unable to contact anyone already mentioned, they should contact the external charity called Protect. Details are available at <https://protect-advice.org.uk/>. This Hotline is managed via an independent external charity that will deal with any call on a confidential basis and refer your concerns accordingly or give you further advice. Impartiality is guaranteed and confidentiality is assured because employees can specify what can be disclosed and what you prefer withheld. Obviously, the more information provided whilst still protecting confidentiality, the better the chances of a successful investigation. The Company will not subject anyone who makes a sincere report under this procedure to any detriment as a result. In the unlikely event that an employee considers that they are being subjected to such a detriment, they should contact the Hotline again.

Any disclosures must be made to the Company within this procedure unless an employee reasonably believes one of the following: they will suffer a detriment, or evidence will be destroyed, or they have previously made a similar disclosure to the Company and no action was taken. When considering making a disclosure to an outside source, before doing so, the employee should seek further specialist guidance from a professional or other statutory bodies. Where appropriate you might also discuss it with the line manager and professional body. The Public Interest Disclosure Act does not give employees automatic protection for leaking things to the Press.

3.4 Confidentiality

We will not tolerate the harassment or victimisation of anyone for raising a genuine concern. Therefore, we hope that concerns can be brought to our attention without the need to conceal the identity of the person raising the matter. However, we recognise that an employee may nonetheless want to raise a concern in confidence. If asked to protect identity we will do so unless a situation arises in which we are unable to resolve the concern without disclosing it, for example if this evidence is needed in court or at a disciplinary hearing. In this case we will discuss with the employee how to continue. Employees raising concerns are strongly encouraged to put their name to any disclosure they make, since part of the purpose of our approach is to promote openness and discourage a fear of reprisals. Concerns expressed anonymously are much less powerful and far less capable of being addressed – they will be considered at the Company’s discretion. Any unauthorised disclosure of confidential information concerning other employees will be managed within the disciplinary procedure. If an employee discloses the matter publicly following an anonymous allegation to the Company, they may not be protected by the Act.

3.5 Untrue Allegations

Where an allegation is found to be untrue and not made in good faith, for example for malicious reasons, to pursue a personal grudge or for personal gain, the person making the allegation will be managed within the Disciplinary Procedure. If a person continues to make untrue allegations when these have been declared after investigation to be without foundation, they will be managed within the Disciplinary Procedure.

3.6 Reprisals

If a person who has made a disclosure suffers reprisals or victimisation from other colleagues because of doing so, the other colleague'(s') actions will be managed within the Disciplinary Procedure.

4. ROLES AND RESPONSIBILITIES

We will monitor and review this policy periodically and to review the effectiveness and actions taken in response to concerns raised under this policy. We expect all staff and managers to cooperate within the spirit and framework of this policy and to ensure that they disclose any suspected danger or wrongdoing.