

## 16. Whistleblowing Procedure

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We have a Whistleblowing procedure. This is available to everyone irrespective of length of service or position held.

Our procedure provides you with access to a safe and effective means of reporting matters of genuine concern. This could be something inappropriate about the way you believe we run our organisation. It could be something inappropriate you believe another employee is doing. It could be perceived misconduct or some other wrongdoing. It is not intended for personal matters relating to your own contractual terms and conditions of employment. You must deal with such matters through our grievance procedure.

We acknowledge that it is never easy to report a concern. This is particularly the case when you observe serious misconduct or discover unlawful acts. However, we urge you to refer such matters at the earliest opportunity. This allows us to respond speedily and effectively, before problems worsen. As far as we are able, we will deal with anything you report promptly and confidentially. To ensure this, it's important you follow our procedure.

### Guiding Principles

- We must all be watchful for unlawful or unethical conduct at work. Preventing and eliminating workplace wrongdoing is important. We all have a duty to report such inappropriate behaviour or activity.
- We will consider matters you raise under this procedure confidentially. We will investigate them promptly and thoroughly.
- We will not victimise or penalise you for raising a reasonable belief under this procedure. This applies equally if you come forward with genuine concerns which later turn out not to be justified.
- You cannot be instructed to cover up wrongdoing or told not to report genuine concerns. This applies even if the person telling you to do so is someone in authority such as a manager. To tell you to behave in this way is itself a serious disciplinary offence.
- If anyone attempts to intimidate, bully, harass or victimise you for reporting something through this procedure you must tell us. To behave in this way is itself a serious disciplinary offence.
- We treat misconduct or wrongdoing uncovered following an investigation under this procedure as a disciplinary matter. We may also have to report it externally; for instance to a statutory body.

### Our Procedure

- Initially, you should report concerns to your line manager. If you are unsure whether to raise the matter, you can talk confidentially with that person. If you have concerns your manager may be involved, please contact a more senior manager/director.
- Your line manager will either investigate your allegation personally or refer it to someone more senior. You will be advised if it is to be referred elsewhere. On conclusion of the investigation, we will advise you of the outcome. We will explain what action we are taking. If we do not intend to take any action, we will explain why.

- If you do not receive an acknowledgement of your concerns within seven days, please contact a more senior manager/director. You can also do this should you believe investigation has been insufficient. Very occasionally you may believe your concerns have not been considered at a high enough level. Again, please contact a more senior manager/director in such circumstances. It's very important to us that you have complete confidence in this procedure.

### **Public Interest Disclosures**

The law provides special protection for workers who make what are known as “public interest disclosures”. This is colloquially referred to as “whistle-blowing”. Officially they are qualifying disclosures made in accordance with current public interest disclosure legislation. They only apply when you report something which is in the public interest. You must reasonably believe it to be so because it concerns:-

- 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 another legal obligation we may have.
- Our concealment of any of the above.

We do not expect you to provide definitive proof of such wrongdoing. However, you must have a reasonable belief that it is, has been or is likely to take place. Providing you follow the above procedure, we will investigate urgently. We do not expect you to undertake this aspect yourself. Our guiding principles are always at the forefront of any investigation we mount.

It's possible our investigation may not satisfy every concern you have. Where the matter is a protected disclosure you may be able to refer it to a statutory agency. This only applies where you refer something you reasonably believe is in the public interest, as defined above. Statutory agencies include HM Revenues and Customs, Office of Fair Trading, Health and Safety Executive and Environment Agency.

### **Making Malicious Allegations**

If we identify that you deliberately made or supported malicious allegations, we may consider this to be gross misconduct. We will investigate this using our disciplinary procedure. Following investigation, should we conclude your actions amounted to gross misconduct; this can result in your dismissal.

### **Approaching External Organisations**

Under no circumstances should you approach a commercial organisation, the media etc. instead of utilising this procedure. Neither should you publish or promote your concerns on social networking sites, blogs etc. If you do so, you jeopardise our opportunity to investigate your concerns properly. Such action also negates our promise to deal with matters confidentially. If you fail to use this procedure it also impedes our ability to provide you with the protections it envisages. We may consider deliberate breaches to be acts of serious misconduct. We will investigate your actions utilising our disciplinary procedure. Following investigation, should we conclude your actions amounted to gross misconduct; this can result in your dismissal.