

# WHISTLE BLOWING POLICY

## Policy Control/Monitoring

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<b>Version:</b>	6.0
<b>Approved by: (Name/Position in Organisation)</b>	<b>Director of Business Development, Quality and Performance</b>
<b>Date:</b>	
<b>Accountability: (Name/Position in Organisation)</b>	HR Manager
<b>Author of policy: (Name/Position in organisation)</b>	HR Manager
<b>Date issued:</b>	November 2022
<b>Revision Cycle:</b>	Biennial
<b>Revised (Date):</b>	November 2024
<b>Target audience:</b>	All Foundation employees
<b>Amendments/additions</b>	Added reference to whistle blowing hotline and option for referrals to the Charities Commission.
<b>Replaces/supersedes:</b>	V0.1 V0.2 V0.3 V0.4 V0.5 V0.6

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<b>Associated Policies: (insert hyperlinks)</b>	
<b>Associated National Guidance</b>	Public Disclosure Act 1998 Employment Rights Act 1996.
<b>Document status</b>	This document is controlled electronically and shall be deemed an uncontrolled documented if printed. The document can only be classed as 'Live' on the date of print.

### Equality Impact Assessment

This document forms part of Percy Hedley’s commitment to create a positive culture of respect for all staff and service users. The intention is to identify, remove or minimise discriminatory practice in relation to the protected characteristics (race, disability, gender, sexual orientation, age, religious or other belief, marriage and civil partnership, gender reassignment and pregnancy and maternity), as well as to promote positive practice and value the diversity of all individuals and communities.

As part of its development this document and its impact on equality has been analysed and no detriment identified.

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## Version Control Tracker

Version Number	Date	Author/ Title	Status	Comment/Reason for Issue/Approving Body
V0.1	July 2011	Unknown	Approved/archived	Business requirement
V0.2	Unknown	Unknown		
V0.3	Unknown	Unknown		
V0.4	Unknown	Unknown		
V0.5	December 2018	Lindsay Murray HR Manager	Approved/archived	
V0.6	January 2021	Lindsay Murray HR Manager	Approved/Live	Updated and reviewed Exec sign-off February 2021
V0.7	November 2022	Lindsay Murray HR Manager	Approved/Live	Updated to refer to: Public Disclosure Act 1998 and Employment Rights Act 1996; and  the right of anyone who has experienced detrimental experiences having whistleblown to seek recompense.

## Roles & Responsibilities

Role	Responsibility
<b>Director of Business</b>	

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<b>Development, Quality and Performance</b>	Final approval of any changes to this policy.
<b>Human Resources Manager</b>	To ensure that this policy is kept up to date in accordance with current regulations, legislation and guidance.
<b>Heads of Service/ Service Managers</b>	To ensure the appropriate the deployment of this policy.

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## 1. Introduction

We are committed to conducting our business with honesty and integrity and we expect all staff to maintain high standards of conduct. It is important to the Foundation that any fraud, misconduct or wrongdoing by staff of the Foundation is reported and properly dealt with. The Foundation therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the organisation or the way in which the organisation 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. Scope

This policy applies to all employees, officers, consultants, contractors, volunteers, students on work placement, casual workers and agency workers of the Percy Hedley Foundation. For the purpose of this policy the term “staff” will be used to reflect all of the above.

This policy does not form part of any employee's contract of employment and we may amend it at any time

## 3. Purpose

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally. However, if on conclusion of stages 1, 2 and 3 you reasonably believe that the appropriate action has not been taken, you 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;
- the Office of Fair Trading;
- the Health and Safety Executive;
- the Environment Agency
- the Fundraising Regulator
- CQC
- Ofsted
- the Charity Commission

## 4. Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

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- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the individual who raised the issue.
- Whistle blowers will not 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 an individual has raised a legitimate concern. Anyone who has experienced detrimental experiences having whistleblown will have the right to seek recompense.
- Victimisation of a whistle blower for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the Foundation's disciplinary procedure may be used, in addition to any appropriate external measures.
- If we conclude that a whistleblower has made false allegations maliciously, the whistleblower may be subject to disciplinary action.
- 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, staff should not agree to remain silent. They should report the matter to a director.

## 5. Procedure

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

1. In the first instance any concerns should be raised with your line manager, unless you reasonably believe your line manager to be involved in the wrongdoing, or if for any other reason you do not wish to approach your line manager. In this case, any concerns should be raised with the manager of your line manager. If there is a belief that their line manager is involved, or if for any reason you do not wish to approach the line manager, then you should inform a director of the Foundation.

2. Within ten working days of a concern being raised, an investigating officer will be appointed to investigate your concern. The person investigating the concern (the investigating officer) will write to you:

- acknowledging that the concern has been received
- indicating how the Foundation proposes to deal with the matter
- supplying you with information on staff support mechanisms
- telling you whether further investigations will take place

3. The investigation may involve you and other individuals involved being asked to give a written statement. Any investigation will be carried out in accordance with

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the principles set out above. Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained. The investigating officer 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 investigating officer will report the matter to the human resources department and start the disciplinary procedure. On conclusion of any investigation, you 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.

4. If you are concerned that your 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, you should inform a director of the Foundation, who will arrange for another manager to review the investigation carried out, make any necessary enquiries and make his/her own report to the board. If for any other reason you do not wish to approach your line manager you should also in the first instance contact the director as above. Any approach to the director will be treated with the strictest confidence and your identity will not be disclosed without prior consent.

5. If for any reason you do not wish to approach an appropriate line manager or director then you can also contact Safecall. This is a confidential whistle blowing hotline that is external to the Foundation. Concerns can be reported to Safecall either over the phone or online.

### **Safecall details**

Telephone: 0800 915 1571

To submit an online report via their website go to <https://www.safecall.co.uk/report>

## **6. Monitoring and Compliance**

Overall responsibility for the operation of this procedure lies with the Head of HR & Organisational Development. The effectiveness of the procedure will be formally reviewed and monitored at least on a bi-annual basis to ensure that it continues to meet the requirements of The Foundation and that it reflects HR good practice and statutory legislation as appropriate.

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