



## WHISTLEBLOWING POLICY

Written by: Louise Randall

Agreed date: 06/03/2017

Review date: 06/03/2019

Agreed by:

## **What is whistleblowing?**

Whistleblowing is when a staff member or volunteer reports a concern about the improper actions or omissions of their colleague or the project leader which may cause harm to others or the organisation. The disclosure should be made in good faith, in other words the disclosure should be made out of concern about wrongdoing. The whistle blower should reasonable believe the information and allegation are substantially true, even if the information later turns out to be incorrect.

A whistle blower is usually not directed or personally affected by the concern or allegation and therefore rarely has a direct personal interest in the outcome.

### **Good Practice:**

Be clear about what conduct is acceptable and the standards expected of your workers.

Encourage your workers to share their concerns internally and in confidence – they do not need to have proof or need to investigate the matter themselves.

Be clear that concerned employees will be supported and protected from reprisals.

Deal with wrongdoing seriously, effectively and promptly

Offer confidentiality to any worker who asks for it but be clear that there may be circumstances when their identity might have to be revealed.

Report back to employees about the progress and outcome of any enquiry or action taken.

Be prepared to explain how you have handled the concern.

### **The Legislation**

The Public Interest Disclosure Act July 1999.

The Act encourages workers to raise concerns about malpractice – dangerous or illegal activity – in the workplace.

In order for it to be a ‘qualifying disclosure’ under the Act the whistle-blower should reasonably believe that there is

- A criminal offence
- A failure to comply with legal obligation
- A miscarriage of justice
- A health and safety risk to the individual
- Damage to the environment
- Or concealment of the above

Once a disclosure has been made to the Project Leader/CEO it will be protected under the Act. This should normally be the first route for workers rather than having to disclose the concern externally. However it does mean the matters should be dealt with by Aspire Ryde quickly and thoroughly.

The Act also helps ensure that Aspire Ryde respond without trying to cover up, or to victimise or ask the whistle blower to leave. If the whistle blower fears they may be victimised, or that a cover up is likely wider disclosures can still be made and protected. Wider disclosures may be made to the Aspire Ryde board of trustees, Social Services, Police etc.

### **Whistleblowing policy**

Aspire Ryde is committed to being open, honest and accountable. It encourages a free and open culture between the project leader and volunteers.

This policy aims to help the Project Leader/ CEO, Board of Trustees and volunteers to raise any concerns they may have about their fellow volunteers or the Project Leader/CEO or Board of Trustees in confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way.

### **What types of concerns?**

The policy is intended to deal with serious or sensitive concerns about wrongdoings such as the following:

- A criminal offence
- A failure to comply with a legal obligation
- A miscarriage of justice
- A health and safety risk to an individual
- Damage to the environment
- Or concealment of the above

It is NOT necessary for individuals who raised the concern to prove the wrongdoing that is alleged to have occurred or is likely to occur.

However if an individual knowingly or maliciously makes an untrue allegation, e.g. in order to cause disruption within Aspire Ryde, Aspire Ryde will take appropriate action against them.

### **How to raise a concern at Aspire Ryde**

The designated whistleblowing officer is Project Leader/CEO and shall be known as the Whistle Blowing Officer.

Individuals should in most cases, first report their concerns to the officer who will respond to that matter.

If the matter concerns the Whistle Blowing Officer, the matter should be raised with the Board of Trustees.

Individuals are encouraged to raise their concerns in writing where possible, setting out the background and history of their concerns – giving names, dates and places where possible – and indication the reasons for their concerns. Individuals may take a third party to any meeting or interviews arranged about the concerns they have raised.

### **Protecting the individual raising the concern**

If an individual raises a concern they believe to be true, Aspire Ryde will take appropriate action to protect the individual from any form of harassment, victimisation or bullying. The matter will be treated if the individual requests it and their name will not be revealed without their permission unless Aspire Ryde are required to do so by law. If in other circumstances the concern cannot be resolved without revealing the individual's identity, the WhistleBlowing Officer will discuss with the individual whether and how to proceed.

Concerns raised anonymously tend to be far less effective but the Whistle Blowing Officer will decide whether or not to consider the matter taking the following into account:

- The seriousness of the matter
- Whether the concern is believable
- Whether an investigation can be carried out based on the information provided.

### **How Aspire Ryde will deal with the concern**

How the concern will be dealt with will depend on what it involves. It is likely that further enquiries and/or an investigation will be necessary. The concern may be investigated by the Aspire Ryde Whistle Blowing Officer, the board of trustees or it may be referred to an external agency.

It may be necessary for an individual to give evidence in criminal proceedings.

Aspire Ryde will give the individual feedback on the progress and outcome of any investigation where possible.

If the suspicions are not confirmed by an investigation the matter will be closed. Staff and volunteers will not be treated or regarded any differently for raising the concern and their confidentiality will continue to be protected.