



Whistle Blowing Policy

February 2024

1. Introduction

The Hub @ Henley Community Centre CIO is committed to achieving the highest possible standards of service. To achieve these ends, it encourages openness and freedom of speech in accordance with the organisation's values. It also encourages staff to use internal mechanisms for reporting any malpractice or illegal acts which may affect the business of the CIO.

2. Purpose

The purpose of this policy is to:

- Enable employees and volunteers to report such relevant matters to management for investigation and action.
- Demonstrate the organisation's commitment to employees and volunteers who need to express a concern about an aspect of the organisation.
- Provide procedural guidance to employees and volunteers for voicing complaints or concerns.
- Generate an open culture where freedom of speech is encouraged, whilst maintaining confidentiality.

3. Scope of Policy

The Trustees are responsible for:

- a) Ensuring all users are aware of their responsibilities towards the Whistle Blowing Policy.
- b) Creating an environment whereby an employee or volunteer feels confident that any issue raised will be dealt with and that the raising of any issue will not result in the employee or volunteer suffering any detriment or victimisation for having raised concerns.
- c) Undertaking investigations thoroughly into any allegations received.
- d) Liaising with the chairman of the trust at the point of becoming aware of potential whistle blowing.
- e) Creating an environment where employees and volunteers feel comfortable about raising issues in line with the Whistle Blowing Policy.

4. Employees and Volunteers

All employees, volunteers and trustees are responsible for:

- Complying with the procedures as outlined in the Whistle Blowing Policy.

- Feeling confident in raising issues or concerns to managers.
- Not causing victimisation to those who have made use of the Whistle Blowing Policy.

5. Policy Guidance

- The organisation has a range of policies and procedures which deal with standards of behaviour at work. These policies include: Discipline, Grievance, Bullying & Harassment, Recruitment & Selection and Health & Safety.
- Employees, volunteers and trustees are encouraged to use the provisions of these procedures when appropriate. There may be times, however, when the concern is not about a personal employment position, but relates to an allegation of a malpractice affecting the organisation and needs to be handled in a different way. Examples include:
 - a) a criminal offence has been committed, is being committed or is likely to be committed;
 - b) suspected fraudulent or corrupt behaviour;
 - c) disregard for legislation, particularly in relation to health and safety at work and employment law;
 - d) breach of financial regulations;
 - e) showing undue favour over a contractual matter or to a job applicant;
 - f) a breach of a code of conduct.

The above list is not exhaustive.

6. Use of Whistle Blowing 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 organisation's complaints procedure.
- How concerns can be raised:

It should be noted that concerns that are raised anonymously will not normally be investigated.

- a) The employee, volunteer or trustee raising the concern should normally raise the issue with their line manager. However, it is appreciated that this is not always appropriate and therefore, in these cases, concerns can be raised with another manager with whom the employee feels comfortable. If appropriate, the individual can also speak to any of the Trustees.
- b) The person receiving this initial information from the person raising the concern is known as the Reporting Manager.

- c) The Reporting Manager will arrange an initial confidential interview to ascertain the area of concern. This meeting can be held either on or off site, whichever the employee is most comfortable with. At this stage, the person raising the concern will be asked whether they wish their identity to be disclosed in the investigation and will also be reassured about protection from possible reprisals or victimisation. The person raising the concern will also be asked whether or not they wish to make a written or verbal statement. In either case, the Reporting Manager will write a brief summary of the interview, which will be agreed by both parties.
- d) At this stage timescales for feedback will be agreed by both parties with a guideline of a fortnight.
- e) The Reporting Manager will report the information to the Chairman of The Hub @ Henley Community Centre CIO who will be responsible for ensuring that the concern is one that is relevant to the Whistle Blowing policy and then for appointing the most appropriate member of the Trustees to carry out the investigation.

7. How concerns can be investigated

- The investigation will be carried out by the Investigator under the terms of strict confidentiality. In certain cases, however, such as allegations of ill treatment or fraud, the organisation may have to consider applying special leave from work of the individual(s) against whom the complaint is made. Such suspension will be made with full pay. In the case of volunteers they will be asked to cease carrying out their voluntary work pending the outcome of the investigation. Protection of the person raising the concern is paramount in all cases.
- The person raising the concern will be kept informed about the investigation and its outcome in accordance with the timescales agreed with the Reporting Manager.
- If the result of the investigation is that there is a case to be answered by any person, the organisation's Disciplinary Procedure will be used.
- Where there is no case to answer, but the person raising the concern held a genuine concern and was not acting maliciously, management will take appropriate action to protect the person raising the concern from suffering any detriment or victimisation for having raised the issue. Similarly the person against whom the complaint was made will also be protected. If any detriment or victimisation does occur the person(s) causing it will be referred to the organisation's Disciplinary Procedure.
- Only where false allegations are made maliciously or the correct reporting procedures under the Whistle Blowing Policy are not followed will it be considered appropriate to act against the person raising the concern under the terms of the Hub Disciplinary Procedure or the Hub volunteer policy. The principles set out in these documents will be used when this situation arises in any aspect of the trust's responsibilities.

- For monitoring purposes, the Investigator will keep the Chairman for The Hub @ Henley Community Centre CIO informed of the progress of the investigation.
- The Hub @ Henley Community Centre CIO will not tolerate any harassment or victimisation of people who raise concerns under this process (including informal pressures), and will treat this as a serious disciplinary offence, which will be dealt with under the Disciplinary Procedure for employees. Volunteers who are accused of such behaviour will be interviewed by a panel of Trustees who may require the volunteer to end their volunteering, if the allegation is substantiated.
- The Hub @ Henley Community Centre recognises that any person involved may wish to seek advice and be accompanied by their trade union representative, a friend or a work colleague when using the provisions of this policy.

8. The organisation's response to the investigation

Following the investigation, the Investigator will arrange a meeting with the person raising the concern and the Reporting Manager to give feedback on any action taken. This will not include details of any disciplinary action, which will remain confidential to the individuals concerned. The feedback will be provided within the time limits specified and originally agreed by both parties, normally within four weeks.

9. External points of contact

If the complainant is not satisfied with the outcome of the investigation, the organisation recognises their lawful rights to make disclosures to prescribed persons. However, this procedure has been written to ensure that there is always someone with whom the complainant can raise concerns, and disclosures to the prescribed persons below should only be made once the internal process has been exhausted.

- a) **Protect** (Speak up, stop harm) advice line:
Tel: **020 3117 2520**.
<https://protect-advice.org.uk/contact-protect-advice-line/>
- b) In the case of abuse of vulnerable people, the local authority social services registration officer: **Warwickshire Local Authority Social Services Registration Officer**
Email: registration@warwickshire.gov.uk
Phone: **0300 555 0255**
- c) In the case of a criminal offence, the police.

10. The Trust hopes that none of these arrangements will ever prove necessary. If this policy and procedure is correctly applied you should not need to contact these external agencies to express concern.

LEGAL FRAMEWORK

Data Protection Act 2018

Employment Rights Act 1996

Health and Safety at Work Act 1974

Public Interest Disclosure Act 2020

Telecommunications (Lawful Business Practice)(Interception of Communications) Regs. 2000.

Employment Tribunals (Constitution and Rules of Procedure) (Amendment) Regulations 2013

MONITORING AND REVIEW

The Trustees will be responsible for the monitoring and periodic reviews of the Whistle Blowing Policy. They will ensure that the policy accurately reflects current legislation.

Policy Review: February 2027