

## Whistleblowing Policy

### 1 Introduction

- 1.1 This policy applies to all paid staff, agency employees, contractors and any volunteers who work with North Halifax Partnership (NHP).
- 1.2 Everyone at some point in their career may be concerned about issues they see or hear at work. Usually, these concerns are easily resolved. However, sometimes serious concerns arise; examples of this may be uncaring or cruel treatment of service users, unlawful conduct, physical or verbal harassment, financial malpractice and actions that may harm NHP. Whistleblowing occurs when an employee raises a concern about such an activity. This policy enables employees to raise genuine concerns about such malpractice at an early stage and in the right way. We would rather you raised the matter when it is just a concern, rather than wait for proof.
- 1.3 Whistleblowing is relevant to all organisations and all people. This is because every business and every public body faces the risk of things going wrong internally. Where such a risk arises, usually the first people to realise or suspect the wrongdoing will be those who work in or with the organisation.
- 1.4 We have a positive commitment and open approach to whistleblowing. Our policy and procedure are intended to be in line with the Public Interest Disclosure Act 1998 (PIDA). The Act protects workers from detrimental treatment or victimisation from their employer if, in the public interest, they blow the whistle on wrongdoing.
- 1.5 NHP wishes to make it clear that if you are acting in good faith and raise a genuine concern under this policy you will not be at risk of losing your job or your volunteer placement or suffering any form of retribution.
- 1.6 Providing you are acting in good faith; it does not matter if you are mistaken or if there is an innocent explanation for your concerns. Of course, this assurance is not extended to someone who maliciously raises a matter they know is untrue. Disciplinary action may be taken against employees who knowingly make false allegations.
- 1.7 If you ask us to protect your identity, we will not disclose it without your consent. However, we may not be able to resolve the concern without

revealing your identity. If you disclose your identity, it will be easier for us to investigate the matter; protect your position; and give you feedback.

- 1.8 We are not able to guarantee confidentiality where a person has acted illegally. We will, however, always discuss with you how we can proceed in these circumstances.

## 2 **What this policy covers**

- 2.1 This policy covers serious or sensitive concerns about matters such as the following:

- Fraud or financial irregularity.
- Criminal activity.
- Failure to comply with any legal or regulatory duty or obligation.
- Endangering the health and safety of any individual(s).
- Information assurance breaches.
- Unethical or improper conduct.
- Attempts to conceal any of the above.

Statutory whistle-blowing procedures are set out in the Public Interest Disclosure Act (1998).

- 2.2 This procedure does not cover grievances about your own employment situation or complaints about individual employment matters. The NHP's Grievance policy should be used to address those concerns.

- 2.3 If in the course of the investigation any concern raised appears to the investigator to relate more appropriately to an individual and is therefore more appropriately covered by grievance, bullying and harassment, discipline, or relevant volunteer procedures, those procedures will be invoked to deal with these concerns.

## 3 **Whistle Blowing Procedure**

- 3.1 If you have a concern, we hope you will feel able to raise it first with your immediate line manager or volunteer supervisor. This may be done orally or in writing. If you feel unable to raise the issue with your line manager, raise the issue with the Chief Executive.

- 3.2 If you feel unable to raise the matter with the Chief Executive or your volunteer supervisor, or a senior manager there are four further options for obtaining independent and confidential advice, as follows:

- 3.2.1 Option one: (where your concern relates to safeguarding) Contact Local Authority Designated Officer (LADO) 07596 888147.

- 3.2.2 Option two: Independent lead NHP board member
  - 3.2.3 Option three: Contact your trade union. Most unions will have experience of handling confidential and sensitive issues.
  - 3.2.4 Option four: Contact Protect (formerly Public Concern at Work) on **020 3117 2520** or <https://protect-advice.org.uk/> They are an independent charity who will give free advice.
- 3.3 All qualifying disclosures will be treated seriously. The disclosure will be promptly investigated, and, as part of the investigatory process, you will be interviewed and asked to provide a written witness statement setting out the nature and details of your qualifying disclosure and the basis for it. Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances.
- 3.4 During the investigatory (fact-finding) meeting you can be accompanied by a work colleague, or a full-time officer employed by a trade union. We will not ask you to attend a meeting where those under investigation are also present.
- 3.5 Once the investigation has been completed, you will be informed in writing of the outcome, the conclusions and decision as soon as possible. NHP is committed to taking appropriate action with respect to all qualifying disclosures which are upheld.
- 3.6 You will not be penalised for raising a qualifying disclosure even if it is not upheld, unless the complaint was both untrue and made with malice.
- 3.7 Once conclusions have been finalised, any necessary action will be taken. This could include either reporting the matter to an appropriate external government department or regulatory agency and/or taking internal disciplinary action against relevant members of staff. If no action is to be taken, the reasons for this will be explained to you.
- 3.8 We will give you as much feedback as possible on how the matter is being handled, as long as this does not infringe on a duty of confidence owed to someone else or may influence the outcome of the case.
- 3.9 If, on conclusion of the above stages, you reasonably believe that appropriate action has not been taken, you may then report the matter externally to the proper authority in accordance with the provisions of the Act. The Act sets out a number of prescribed external bodies or persons to which qualifying disclosures may be made and you can access these at: <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>. However, NHP always encourages all employees, workers, agency workers, consultants and contractors to raise

their concerns directly in the first instance, rather than externally. This enables issues to be dealt with promptly and speedily.

#### **4 General Principles**

- be aware of the importance of eliminating fraud, misconduct, bribery or other wrongdoing at work. Report anything that you become aware of that is illegal or unlawful
- you will not be victimised, subjected to a detriment or dismissed for raising a protected disclosure under this procedure
- victimisation of an employee, worker, agency worker, consultant or contractor, or subjecting them to any form of detrimental treatment or retaliation (including bullying and harassment), for raising a protected disclosure under this procedure will not be tolerated. It is a disciplinary offence and will be dealt with under the disciplinary procedure.
- be aware that you can also be held personally liable for any act of victimisation or detrimental treatment of an employee or worker on the ground that they made a protected disclosure.
- you should immediately draw the attention of your Line Manager to suspected cases of victimisation or detrimental treatment related to either you or another employee, worker, agency worker, consultant or contractor having made a protected disclosure.
- covering up someone else's wrongdoing is also a disciplinary offence. Never agree to remain silent about a wrongdoing, even if told to do so by a person in authority, such as your Line Manager.
- your right to make a protected disclosure under this procedure overrides any confidentiality provisions in your contract of employment.

#### **Appendix**

If a staff member feels that they have identified a problem in a day care setting and they feel they can not go to the manager or to a senior manager. They have the option to contact;

NSPCC whistleblowing advice line is available. Staff can call 0800 0280285 – 08:00 to 20:00, Monday to Friday and 09:00 to 18:00 at weekends.

The email address is: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London EC2A 3NH.