Whistleblowing Policy

# Policy Control

## Approval

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| **Author / Policy Lead** | Sinead O’Neill (Interim HR Manager) | | |
| **Live Version No.** | 2 | | |
| **Policy Sponsor** | Helen Timbrell – Director of People and Organisation Development | **Sponsor Approved Date:** | 26/04/2021 |
| **Organisational Governance Approval Level Required** | (Tier 1 – Trustees / Committees  Tier 2 – OLT) | **Approval Date:** | 17/05/2021 |
| **Effective Start Date:** | 17/05/2021 | **Next Review Date:** | 17/05/2023 |

## Review History: record of reviews (irrespective of changes made)

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| Reviewer Name | Reviewer Role | Review Date |
| S O’Neill | Interim HR Manager: to implement the recommendations of the audit review (Feb 2021) of the current Whistleblowing Policy and Procedure. | 01/04/2021 |
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## Version History: record of policy versions and changes made

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| Version No. | Description of change | Date of Issue |
| 2 | Updated the procedure part of the document. |  |
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*For generic questions or concerns relating to this or any other policies at Versus Arthritis email* [*policies@versusarthritis.org*](mailto:policies@versusarthritis.org)*.*

**1.Policy Statement**

Versus Arthritis is committed to developing a safe and open culture. All organisations face the risk of things going wrong or of unknowingly harbouring malpractice.  We take malpractice very seriously and are committed to delivering our charitable services with honesty and integrity. We expect all employees to maintain high standards and encourage open communication from all those who work for us and want everyone to feel secure about raising concerns.

All employees have protection under whistleblowing laws if they raise concerns in line with the law and this procedure. This policy is designed to give employees that opportunity and protection. Employees do not have to prove anything about the allegation they are making, but they must reasonably believe that the disclosure is made for the benefit of others (i.e in the public interest) and that the information they have tends to demonstrate some malpractice.

**2.Scope**

The policy applies to anyone who works for, or on behalf of, Versus Arthritis, including all our employees, trustees, consultants, agency workers, casual workers and volunteers, but it is only employees that have protection under whistleblowing laws.

**3.Malpractice covered by this policy**

Whistleblowing means any disclosure of information which, in the reasonable belief of the individual making the disclosure, tends to show one or more of the following:

* criminal offences (this may include, for example, types of financial impropriety such as fraud)
* failure to comply with an obligation set out in law e.g. the organisation does not have the right insurance
* miscarriages of justice
* endangering of someone’s health or safety set out in law
* damage to the environment
* covering up wrongdoing in the above categories
* safeguarding may also be raised and treated as ‘whistleblowing’ under this policy.

**4.Definitions**

*Designated persons:* the disclosure is made to a ‘designated person’ and they are called the ‘Whistleblowing Officer’.  At Versus Arthritis this is Director of People and Organisation Development and the designated Whistleblowing Trustees.

*Whistleblower*: the person who discloses a qualifying disclosure.

*Support Officer****:*** a support officer may be appointed to support the ‘whistleblower’ through the process.

**5.When to use this policy**

There is a difference between whistleblowing and raising a safeguarding concern or grievance:

**Whistleblowing** is where an individual has a concern about a danger or illegality that has a public interest aspect to it (for example because the concern being raised potentially threatens service users, third parties or the public generally);

A**safeguarding** concern is a concern relating to a child, young person, vulnerable adult who may be at risk of harm and must be acted upon using the relevant procedure within the safeguarding framework.

A **grievance** is an issue, concern, complaint or problem that generally relates to an individual’s own employment position or personal circumstances.

This policy does not set out the procedure that applies to grievances. If you have a complaint about your own personal circumstances, then you should use the Grievance Policy and Procedure or the Bullying & Harassment Policy and Procedure.

**6. Key Principles**

* Everyone should be aware of the importance of preventing and eliminating wrongdoing at work and be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
* 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.
* No employee will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the employee will not be prejudiced because they have raised a legitimate concern.
* Victimisation of an employee for raising a qualified disclosure will be a disciplinary offence.
* If misconduct is discovered as a result of any investigation under this procedure the organisation's disciplinary procedure will be used, in addition to any appropriate external measures.
* Maliciously making a false allegation is a disciplinary offence.
* 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, employees should not agree to remain silent. They should report the matter to a Whistleblowing Officer.

**7. Ability to address concerns**

It is recognised and expected that most concerns will be raised openly with managers as part of day-to-day practice and this policy does not seek to undermine this.

As any qualified disclosure needs to be in the ‘public interest’ the policy cannot be used to raise purely private matters (e.g., in relation to a member’s individual contract) or in relation to a grievance which seeks to redress a wrong done to oneself. There are however a number of other appropriate policies and procedures available through which employees may raise and attempt to resolve such specific concerns, e.g., relating to a grievance, disciplinary or harassment matters.