



## “WHISTLE BLOWING” POLICY

### 1. INTRODUCTION

1.1 **Positive Impact for young people cic**, is committed to maintaining the highest standards of behaviour within the organisation. Consequently, any form of malpractice that is identified will be taken very seriously and this policy enables staff to make disclosures i.e. report any wrong doing internally without fear of reprisals or victimisation in accordance with legislation.

### 2. POLICY

2.1 Staff are protected in making disclosures internally which are made in good faith and relate to an incident that has happened or may happen and relates to:

- unlawful conduct – either criminal activity or failure to comply with legal obligation/s;
- financial malpractice – impropriety or fraud;
- dangers to the public or environment;
- improper conduct or unethical behaviour;
- attempts to conceal any of the above.

2.2 The policy is not intended to be used to question financial or business decisions made by the Board of Trustees nor to reconsider any other matters which may have been addressed under other procedures such as harassment, complaint, or disciplinary. However, investigation under this policy may lead to the implementation of other procedures such as disciplinary.

2.3 **Positive Impact for young people cic**, will treat all disclosures confidentially and sensitively, although it must be highlighted that it may not be possible to maintain the confidentiality of the person making the disclosure due to the content of the complaint. Anonymous allegations may be made but it may be more difficult to investigate the matter.

2.4 Should the individual making the disclosure decide to withdraw the allegation, the manager dealing with the matter will be obliged to consider whether the investigation should continue in view of seriousness of it.

2.5 Should an allegation be made which cannot be confirmed, no action will be taken against the complainant unless member of staff had deliberately made the disclosure for malicious or vexatious purposes, in which case, disciplinary action may be taken, which may result in Dismissal.

2.6 Once this policy has been implemented, all staff are expected not to discuss the matter outside of the organisation and should be aware that disclosure of confidential information in circumstances not covered by relevant legislation outside of the organisation may lead to disciplinary action.

### **3. PROCEDURE FOR MAKING A PROTECTED DISCLOSURE**

#### **3.1 Raising a matter of concern**

3.1.1 When a member of staff becomes concerned, they should initially raise the matter with their line manager in writing providing details such as any background information, names and dates.

3.1.2 Should an individual's concerns relate to their line manager, or the line manager fails to take appropriate action they should contact the Director.

3.1.3 If concerns relate to the Operations Director, or if the Operations Director fails to take appropriate action the matter must be raised with the Director.

3.1.4 For concerns relating to the Director or if the Director fails to take appropriate action, the matter must be raised with the Chair of the Board.

3.1.5. If the Chair is believed to be party to the concern the matter should be raised with a Trustee who following discussion with other trustees may decide that the appropriate course of action is to appoint an external independent investigator.

3.1.6 All concerns will be investigated by an appointed "investigating officer", which in most cases will be the Operation Director who will determine if this policy is the most appropriate mechanism for dealing with the matter or whether it is appropriate to deal with the concern under another procedure e.g. Disciplinary policy and procedure. Should this be the case, written acknowledgement of the concern and the process that will be followed will be provided to the member of staff within ten working days.

#### **3.2 Investigating Matters of Concern**

3.2.1 The investigating officer will be responsible for:

- Obtaining full details of the complaint,

- Informing the individual whom the allegations are made against and of their right to be accompanied by a representative at any future interview,
- Determining if the cases warrant referral to the police or any other external agency and/or with assistance of any other individuals/bodies,
- A written report detailing the findings and the judgement concerning the validity of the complaint to be presented to the Director/Chair, within 10 working days

3.2.2. The Director/Chair will decide on the appropriate action, which may be disciplinary. Both the staff member making the disclosure and the staff member complained of will be informed of the outcome of the investigation.

3.2.3 Every effort will be made to conclude internal investigations within three months but it is possible that some circumstances could delay this process.

#### 4. Appeal

4.1 Should the individual making the complaint not be satisfied with the outcome of the investigation, they may appeal in writing to the Director/Chair against the decision within five working days of receiving notification of the outcome. The Director/Chair will decide who will hear the appeal and this will be completed within one month.

4.2 If the member of staff is still dissatisfied they may raise the matter externally to prescribed persons such as the Health and Safety Executive or Local Government. Any external disclosure should not be taken until this procedure has been concluded. If disclosure is made externally before the concern has been dealt with under this procedure or confidential or sensitive information is disclosed this could result in disciplinary action being taken.

4.3 A staff member who is subject to action arising from a disclosure under this policy may make representation to the Director within five working days of the action being taken because of the disclosure. The Director may direct further investigation or reviews as appropriate.

#### 5. Recording and Monitoring

5.1 A register will be maintained by **Positive Impact for young people cic** and reported on an annual basis to the directors and stakeholders.

5.2 Whistle blowing policy runs in conjunction with safeguarding policy and complaints and compliments policy.

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