

Whistleblowing Policy



Policy Owner	Chief Executive
Policy Lead	Finance Executive
Approved by	Board of Trustees
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Version	2

Version Control	Comments
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Demonstrating Organisational Values:

Which values are demonstrated in this paper?	
To be client centred	X
Deliver services with compassion	X
Value staff and volunteers	X
Be inclusive and embrace equality and diversity	X
Develop trust in our services	X
Everybody working together to achieve the same objectives	X

Key Points

The Whistleblowing Policy sets out the framework for dealing with allegations of illegal and improper conduct.

Age UK Calderdale & Kirklees is committed to the highest standards of transparency, integrity and accountability.

This procedure is intended to provide a means of making serious allegations about standards, conduct, financial irregularity or possible unlawful action in a way that will ensure confidentiality and protect those making such allegations in the reasonable belief that it is in the public interest to do so from being victimised, discriminated against or disadvantaged.

This procedure does not replace other policies and procedures such as the Complaints Policy, the Disciplinary and Grievance Policy and other specifically laid down statutory reporting procedures.

This procedure is intended to ensure that Age UK Calderdale & Kirklees complies with its duty under the Public Interest Disclosure Act 1998.

Scope

This procedure applies to all Age UK Calderdale & Kirklees' employees, including Associates and contractors, and any other member of the public.

This procedure does not replace other of the organisation's policies or procedures. For example, if an employee has a grievance about their working conditions they should use the Age UK Calderdale & Kirklees Disciplinary and Grievance Policy. Similarly if an employee has a concern

about the conduct of a fellow employee in the working environment (e.g. that they are not treating colleagues with respect) they should raise these with their line manager, or if that is not possible, with the CEO, Honorary Treasurer of Trustees or through the Charity Commission's whistle blowing policy whistleblowing@charitycommission.gsi.gov.uk

This procedure applies to, but is not limited to, allegations about any of the following:

- committing a criminal offence
- failing to comply with a legal obligation
- a miscarriage of justice
- endangering the health and safety of an individual
- environmental damage or
- concealing any information relating to the above
- other unethical conduct

Reporting

Contact details for reporting in writing:

Carol Rodmell

Quality Executive

Age UK Calderdale & Kirklees

4-6 Square

Woolshops

HALIFAX

HX1 1RJ

Or email: crodmell@ageukck.org.uk

The organisation recognises that the decision to make an allegation can be a difficult one to make. However, whistleblowers who make serious allegations in the reasonable belief that it is in the public interest to do so have nothing to fear because they are doing their duty either to the organisation and/or to those for whom they are providing a service.

The organisation will take appropriate action to protect a whistleblower who makes a serious allegation in the reasonable belief that it is in the public interest to do so from any reprisals, harassment or victimisation.

Confidentiality

All allegations will be treated in confidence and every effort will be made not to reveal a whistleblower's identity unless the whistleblower otherwise requests or if the matter is subsequently dealt with through other procedures such as the Disciplinary Procedure.

Similarly, if the allegation results in court proceedings then the whistleblower may have to give evidence in open court if the case is to be successful.

The organisation will not, without the whistleblower's consent, disclose the identity of a whistleblower to anyone other than a person involved in the investigation/allegation.

Anonymous Allegations

This procedure encourages whistleblowers to put their name to an allegation wherever possible as anonymous allegations may often be difficult to substantiate/prove. Allegations made

anonymously are much less powerful but anonymous allegations will be considered at the discretion of the CEO.

In exercising discretion to accept an anonymous allegation the factors to be taken into account:

- The seriousness of the issue raised
- The credibility of the allegation; and
- Whether the allegation can realistically be investigated from factors or sources other than the complainant

Untrue Allegations

No disciplinary or other action will be taken against a whistleblower who makes an allegation in the reasonable belief that it is in the public interest to do so even if the allegation is not substantiated by an investigation. However, disciplinary action may be taken against a whistleblower who makes an allegation without reasonable belief that it is in the public interest to do so (e.g. making an allegation frivolously, maliciously or for personal gain where there is no element of public interest).

Procedure for Making an Allegation

It is preferable for allegations to be made to an employee's immediate manager to whom they report. However, this may depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if the whistleblower believes that management is involved it would be inappropriate to raise it directly with them. The whistleblower may then make an allegation direct to any of the following:

- The CEO
- Executives

If any of the above receive an allegation he/she will consider the allegation and may discuss with either the CEO or other Trustees. The line manager (or either/or both) of the above, after consideration, will discuss with the whistleblower and if they wish to proceed the allegation will be investigated.

Allegation

Whether a written or oral report is made it is important that relevant information is provided including:

- The name of the person making the allegation and a contact point.
- The background and history of the allegation (giving relevant dates and names and positions of those who may be in a position to have contributed to the allegation);
- The specific reason for the allegation. Although someone making an allegation will not be expected to prove the truth of any allegations, they will need to provide information to the person they have reported to, to establish that there are reasonable grounds for the allegation.

Someone making an allegation may be accompanied by another person of their choosing during any meetings or interviews in connection with the allegation. However, if the matter is subsequently dealt with through another procedure the right to be accompanied will at that stage be in accordance with the relevant procedure.

Action on receipt of an Allegation

The line manager will record details of the allegation gathering as much information as possible, (within 5 working days of receipt of the allegation) including:

- The record of the allegation:
- The acknowledgement of the allegation;
- Any documents supplied by the whistleblower

The investigator will ask the whistleblower for his/her preferred means of communication and contact details and use these for all communications with the whistleblower in order to preserve confidentiality.

If the allegation relates to fraud, potential fraud or other financial irregularity the Honorary Treasurer will be informed within 5 working days of receipt of the allegation and he/she will determine whether the allegation should be investigated and the method of investigation.

If the allegation discloses evidence of a criminal offence it will immediately be reported to the Board of Trustees and a decision will be made as to whether to inform the Police. If the allegation concerns suspected harm to vulnerable adults the appropriate authorities will be informed immediately.

If the issue is around suspected harm to vulnerable adults the Safeguarding Policy should be referred to.

Timetable

The allegation to be acknowledged in writing within 10 working days with:

- An indication of how the organisation propose to deal with the matter
- An estimate of how long it will take to provide a final response
- An indication of whether any initial enquiries have been made
- Information on whistleblower support mechanisms
- Indication whether further investigations will take place and if not, why not

Where the allegation has been made internally and anonymously, obviously the organisation will be unable to communicate what action has been taken.

Support

The organisation will take steps to minimise any difficulties which may be experienced as a result of making an allegation. For instance, if a whistleblower is required to give evidence in criminal or disciplinary proceedings the organisation will arrange for them to receive advice about the procedure and advise on the support mechanisms that are available.

The organisation accepts that whistleblowers need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform those making allegations of the outcome of any investigation.

Responsibility for the Procedure

The CEO and Honorary Treasurer of Trustees have overall responsibility for the operation of this Procedure and for determining the administrative processes to be followed and the format of the records to be kept.

Monitoring

A Register will record the following details:

- The name and status (e.g. employee) of the whistleblower
- The date on which the allegation was received

- The nature of the allegation
- Details of the person who received the allegation
- Whether the allegation is to be investigated and, if yes, by whom
- The outcome of the investigation
- Any other relevant details

The Register will be confidential and only available for inspection by the Board of Trustees. The CEO will report annually to the Board of Trustees on the operation of the Procedure and on the whistleblowing allegations made during the period covered by the report. The report will be in a form which does not identify whistleblowers.