

## Whistleblowing Policy

### 1. What is whistleblowing?

Whistleblowing is the disclosure of information about the wrongful, unlawful or dishonest activities of your employer or work colleagues to your employer or a third party and which is in the public interest.

### 2. Definition of a whistleblower

“You are a whistleblower if you’re a worker and you report certain types of wrongdoing. This will usually be something you’ve seen at work - though not always. The wrongdoing you disclose must be in the public interest. This means it must affect others, eg the general public. As a whistleblower you’re protected by law - you shouldn’t be treated unfairly or lose your job because you ‘blow the whistle’.

You can raise your concern at any time about an incident that happened in the past, is happening now, or you believe will happen in the near future.”

<https://www.gov.uk/whistleblowing>

### 3. I have concerns about the organisation or its activities, should I disclose them?

We encourage all our staff and members of the public to raise any concerns they have about the organisation’s actions or operations or the activities of work colleagues where you reasonably believe them to be inappropriate, unlawful, dishonest or unethical. This Whistleblowing policy will be published on the organisation’s website to ensure that members of the public are informed of the process.

Whether or not your disclosure to us gains the protection of whistleblowing legislation (Public Interest Disclosure Act 2013) depends on the specific circumstances and nature of the disclosure made. However to ensure no member of staff is discouraged from raising genuine concerns we confirm that no member of staff will be subject to any detrimental treatment or dismissed because they have come to us to share their concerns, either under this policy or the Grievance Procedure.

### 4. When will my disclosures be protected by legislation?

If you have genuine concerns about the organisation’s actions, you have a statutory right to disclose such matters without the fear of victimisation or detriment. In order for a disclosure to gain statutory protection it must be made in line with public interest and must relate to one of the following matters:-

- a. A criminal offence;
- b. Failure to comply with any legal obligation;
- c. A miscarriage of justice;

- d. Danger to health and safety of any individual;
- e. Danger to the environment;
- f. Deliberate concealment of any of the above.

**5. What is in the public interest?**

There is no hard and fast rule. However to be in the public interest your disclosure should be of interest to members of the public outside the organisation. As such a complaint about treatment towards yourself or the application of a policy which only affects the organisation but does not impact on people outside the organisation would arguably not be in the public interest. However you would be free to raise a grievance in these circumstances.

As an example, a disclosure about illegal tipping of toxic or commercial waste by the organisation would be in the public interest as it affects the environment and as such the public at large.

**6. If I make a disclosure, will the details be kept confidential?**

Given the sensitive nature of such disclosures, we will do our utmost to ensure confidentiality is maintained. However sometimes this is not possible.

Whilst we would encourage you to make an open disclosure, anonymous disclosures may be made. However it may be impossible to investigate or take further action if you choose to make an anonymous disclosure.

We would ask that you keep details of your disclosures confidential and not disclose these to anybody outside of the organisation unless you have provided us with an opportunity to address the problem first.

**7. A disclosure has been made in bad faith, will there be any consequences?**

Whilst we encourage genuine concerns to be brought forward, all disclosure should be made in good faith. If a disclosure is made in bad faith but in the public interest you may still be protected under law from being subject to dismissal or any detriment but it may impact on any remedy you may seek through the courts.

If a disclosure is made in bad faith and is also not in the public interest then there is a risk you do not have statutory protection in which case the Company may take appropriate disciplinary action if the disclosure was vindictive or deliberately designed to cause harm to the business or its reputation.

Given the complexities we would encourage all staff to ensure that they only raise genuine concerns in good faith.

**ADOPTION OF THIS POLICY BY THE BOARD OF TRUSTEES**

Vivien Mumford, Age UK Lancashire Chair

Signature:

Date:

Issued: July 2018  
Supersedes: March 2017

Responsibility: Chief Executive  
Review date: July 2021