



Age UK Merton

Whistleblowing Policy

1. Introduction

- 1.1. The Public Interest Disclosure Act, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. The Company has endorsed the provisions set out below so as to ensure that no members of staff should feel at a disadvantage in raising legitimate concerns.
- 1.2. Under certain circumstances, employees are protected from suffering any detriment or termination of employment if they make disclosures about organisations for whom they work or other agencies if the disclosure is in the public interest.

2. Qualifying disclosures

- 2.1. Certain disclosures are prescribed by law as "qualifying disclosures". A "qualifying disclosure" means a disclosure of information that the employee genuinely and reasonably believes is in the public interest and shows that Age UK Merton has committed a "relevant failure" by:
 - a) committing a criminal offence;
 - b) failing to comply with a legal obligation;
 - c) a miscarriage of justice;
 - d) endangering the health and safety of an individual;
 - e) environmental damage; or
 - f) concealing any information relating to the above.
- 2.2. These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen. The Company will take any concerns that you may raise relating to the above matters very seriously.
- 2.3. We encourage you to use the procedure if you are concerned about any wrong doing at work. However, if the procedure has been invoked for malicious reasons or in pursuit of a personal grudge, then you will be liable to immediate termination of employment or such lesser disciplinary sanction as may be appropriate in the circumstances.

3. Confidentiality

Age UK Merton will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

4. Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of Age UK Merton.

In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

5. Procedure

On receipt of a complaint of malpractice, the member of staff/volunteer who receives and takes note of the complaint, must pass this information with 2 working days, to the appropriate designated investigating officer as follows:

- * In the first instance you should report any concerns you may have to the Chief Executive who will treat the matter with complete confidence.
- * Complaints of malpractice will be investigated by the appropriate Senior Manager unless the complaint is against the Senior Manager or is in any way related to the actions of them. In such cases, the Chief Executive will assign a different Senior Manager to investigate.
- * In the case of a complaint, which is any way connected with but not against the Senior Manager, the Chief Executive will nominate a different Senior Manager to act as the alternative investigating officer.
- * Complaints against the Chief Executive should be passed to the Chair who will nominate an appropriate investigating officer.
- * The complainant has the right to bypass the line management structure and take their complaint direct to the Chair. The Chair has the right to refer the complaint back to management if he/she feels that the management without any conflict of interest can more appropriately investigate the complaint.
- * The Chief Executive / Chairman will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate Company procedures.
- * The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.

If you are not satisfied with the explanation or reason given to you, Age UK Merton recognises your right to raise the matter with the appropriate official organisation or regulatory body. Within the Age UK network, this may involve raising a complaint with the Age England Association, or Age UK nationally. If there is evidence of criminal activity then the investigating officer should inform the police. Age UK Merton will ensure that any internal investigation does not hinder a formal police investigation.

If the complaint relates to a partner organisation or other agency operating within the sphere of Age UK Merton, the Chief Executive will assess the complaint and adhere to the Whistleblowing Procedure for the organisation in question.

6. Timescales

Due to the varied nature of these sorts of complaints, which may involve internal investigators and / or the police, it is not possible to lay down precise timescales for such investigations. The investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

The investigating officer, should as soon as practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation and on the action that is proposed. If the investigation is a prolonged one, the investigating officer should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

All responses to the complainant should be in writing and sent to their home address.

7. TREATMENT BY OTHERS

Bullying, harassment or any other detrimental treatment afforded to a colleague who has made a qualifying disclosure is unacceptable. Anyone found to have acted in such a manner will be subject to disciplinary action.

Date Implemented:	Future Review Dates					
	2018	2019	2020	2021	2022	2023

Date reviewed				✓		
Date approved By Trustees	✓					