

# WHISTLEBLOWING POLICY

**Document Control**

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## **1.0 Definition**

1.1 "Whistleblowing" is a term used to refer to the internal or external disclosure of suspected malpractice as well as illegal acts, or omissions, at work. It covers, for example, how the Youth Zone raises funds, commissions work or makes payments. Any concerns should be raised as soon as possible with the appropriate person (dependent on circumstances); line managers, the Chief Executive, the Chair of the Youth Zone Board or, in instances when the concern may be in connection to the Chair or where full independence from the leadership structure is required, the Whistleblowing Lead Trustee, Dave Benstead.

## **2.0 Application**

2.1 This policy and procedure applies to everyone who works and volunteers at Mahdlo Youth Zone, including employees, trustees, volunteers and partner agencies.

## **3.0 Policy**

3.1 Mahdlo Youth Zone is committed to operating with honesty and integrity however we recognise that, from time to time, employees may have concerns about work which extend beyond personal grievances. The aim of the Whistleblowing Policy is to encourage employees to report suspected wrongdoing as soon as possible, in the knowledge that concerns will be taken seriously and investigated as appropriate, with full confidentiality maintained. This policy aims to provide employees with guidance on how to raise any concerns and in particular, where the employee reasonably believes that one or more of the following matters is either happening, has taken place, or is likely to happen in the future:

- A criminal offence
- The breach of a legal obligation
- A miscarriage of justice
- A danger to the health and safety of any individual
- Damage to the environment
- An act of abuse be it verbal, physical, psychological or sexual
- A safeguarding issue (refer to Safeguarding policy)
- An action to bring the organisation into disrepute
- A deliberate attempt to conceal any of the above

3.2 Anyone must feel able to bring their concerns to the attention of senior management without fear of recrimination and they will be treated with the utmost seriousness and that their concerns will remain confidential, wherever possible. However, employees must act in good faith when reporting concerns; employees who are subsequently found to have made reports of this nature maliciously will be subject to Mahdlo Youth Zone's Disciplinary Procedure.

## **4.0 Confidentiality**

4.1 When employees raise concerns using the Whistleblowing Procedure, they may request that their identity is to be kept confidential. While we make every effort to deal with cases confidentially, depending on the circumstances of the case, this may not always be possible. Where this is the case, employees will be informed of this and the reasons why it is not possible. Mahdlo Youth Zone will consider anonymous disclosures, but we do not encourage them as anonymity often makes it difficult to properly investigate concerns, protect employees or give feedback on outcomes.

## **5.0 Procedure**

5.1 If employees believe that any of the above are happening at Mahdlo Youth Zone the following

procedure should be followed:

- Concerns should be made with the line manager as soon as possible. Should an employee suspect malpractice from their line manager or a senior manager, or should the concerns be of a very serious or sensitive nature, these should be raised with the Chief Executive. Should the concern be believed to involve the Chief Executive, then the Chair of the Board (Chris Wareing at [chris.wareing@bedspace.co.uk](mailto:chris.wareing@bedspace.co.uk)), or if necessary, the Whistleblowing Lead Trustee may be approached. In the case of concerns related to the Chair of the Board, or where complete independence of the leadership structure is required, an employee should approach the Whistleblowing Lead Trustee (Dave Benstead at [dbenstead@hotmail.co.uk](mailto:dbenstead@hotmail.co.uk)).
- Concerns may also arise with regard to contractors, and in first instance an employee should approach their line manager.
- Employees, volunteers or trustees can raise a safeguarding concern with the Designated Safeguarding Lead (Kate Bennet, Operations Manager). Should the concern involve the Designated Safeguarding Lead then the employee should escalate the matter to the Chief Executive.
- Employees, volunteers or trustees may be supported by a colleague if they choose to raise the matter verbally/in person. If the matter is raised verbally, the manager with whom it is raised will write a report of the conversation as soon as is reasonably practicable. If the matter is raised in writing it should include full details including all relevant dates and information.
- Concerns about the alleged malpractice will be initially investigated as quickly as reasonably possible to decide whether, in the public interest, a full investigation is appropriate and if so, what form it should take. The manager may seek HR/legal advice and support.
- Concerns or allegations that fall within the scope of specific procedures (for example Child Protection, Harassment, Disciplinary) will normally be referred for consideration under that procedure.
- Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.
- Where appropriate, the matters raised may be referred to the police, an external body such as an Auditor or form the subject of an independent inquiry.
- Within four weeks of raising the concern, the Manager, Chief Executive or Chair will write to the employee detailing:
  - how Mahdlo Youth Zone proposes to deal with the matter and how long it will take to investigate fully (if applicable)
  - explain what information any initial enquiries have uncovered (within the bounds of confidentiality)
  - indicate whether further investigations will take place and if not, why not.

5.2 Subject to legal constraints, employees, volunteers or trustees may or may not be informed of the final outcome of any investigation. If an employee, volunteer or trustee feels unable to use this procedure, the disclosure should be made to a prescribed person (see below) so that employment rights are protected.

## 6.0 Further Action

6.1 We strongly encourage employees to exhaust the internal process set out above in the first instance. In exceptional or urgent circumstances, or if employees are not satisfied with the outcome of an internal investigation and the action taken, and decide to take the matter outside of Mahdlo Youth Zone, or feel unable to use the organisation's procedure, they have the right to express their concerns to the 'relevant Prescribed Person' designated by the Public Interest Disclosure (Prescribed Persons) Order 1999, which can be found at GOV.UK [List of Prescribed People](#).

6.2 The Public Interest Disclosure Act 1998 (Whistleblowers Act) ensures that employees are protected against detrimental treatment or dismissal as a result of any disclosure of normally confidential information in the interests of the public. To claim unfair dismissal based on 'blowing the whistle'

employees must show:

1. that they made a disclosure
2. that they followed the correct disclosure procedure
3. that they were dismissed or suffered a detriment as a result of making the disclosure.

6.3 However, employees are assured that all matters raised in good faith will be treated seriously and confidentially where possible. No action will be taken against employees even if the allegation is mistaken, as long as it was raised in good faith believing it to be true.

6.4 Employees should also be aware that the Whistleblowing Policy does not replace Mahdlo Youth Zone's Grievance and Disciplinary policies and the most appropriate policy and procedure should be selected, depending on the circumstances.

## **7.0 Further Help and Assistance**

7.1 If, at any stage in the procedure, employees are unsure about what to do and would like independent advice, concerns can be discussed with someone at Protect (Formerly Public Concern at Work). This body is an independent charity staffed by lawyers, offering confidential free legal and practical advice on how people can raise concerns about malpractice at work. They can also provide advice about what legal protection may be available.

7.2 Employees can email Protect at [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk) or phone their advice line: 020 3117 2520.

7.3 Employees can also contact the NSPCC Whistleblowing Advice Line: Telephone 0800 028 0285