

## WHISTLEBLOWING POLICY (PUBLIC INTEREST DISCLOSURE)

### Purpose and scope

Harington has acknowledged the need to operate in a climate of openness in which staff can raise legitimate concerns without fear of reprisal, and to promote the highest standards of probity within the charity. This policy gives guidance to staff and volunteers wishing to raise issues of genuine concern.

This Whistleblowing Policy is not for use to raise grievances concerning personal employment circumstances or as challenges to decisions of management, unless they involve fraud, corruption or malpractice. The Harington has a separate Grievance Policy and Procedure that is designed to quickly resolve and redress employee grievances, i.e. relating to a specific individual's employment, in a manner which is fair and professional.

Whistleblowing is officially defined as 'making a disclosure that is in the public interest'. It normally covers allegations of suspected fraud, corruption and malpractice, including financial irregularities, bribery, dishonesty, criminal activities, personal misconduct, creating or ignoring serious risks to health, safety or the environment, or acting contrary to the staff code of ethics.

A whistleblowing concern is about a risk, malpractice or wrongdoing that affects others. It could be something which adversely affects learners, the public, other staff/volunteers or the organisation itself. A grievance on the other hand is a personal complaint about an individual's own employment situation; for example, a staff member may feel aggrieved if they think a management decision has affected them unfairly or that they are not being treated properly. A whistleblowing concern is where an individual raises information as a witness whereas a grievance is where the individual is a complainant.

### Policy

It is the duty of every member of staff and volunteer to speak up about genuine concerns in relation to criminal activity, breach of a legal obligation (including negligence, breach of contract, breach of administrative law), miscarriage of justice, danger to health and safety or the environment, and the cover up of any of these in the workplace. It applies whether or not the information is confidential.

Harington is committed to ensuring that any concerns of this nature will be taken seriously and investigated. A disclosure to Harington will be protected if the member of staff or volunteer has an honest and reasonable suspicion that the malpractice has occurred, is occurring, or is likely to occur. Staff and volunteers who raise concerns reasonably and responsibly will not be penalised in any way.

The aims of this policy therefore are to:

- encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate;
- provide staff with guidance as to how to raise those concerns;
- reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

### Who this policy is for?

This policy is for people employed by or volunteering with Harington. For the purposes of this policy only, this is someone who is:

- Employed on a permanent or fixed term contract of employment;
- On secondment to Harington
- On a temporary contract or employed through an agency to work for Harington Scheme;
- An independent consultant for the Harington
- A volunteer with Harington
- Contractors and suppliers of services to Harington

### Procedure

Any individual who has reasonable suspicions of malpractice should initially take their concerns to their line manager. If they do not feel that this is the appropriate person, they should approach the CEO, or if their concern is related to the CEO they should contact a Trustee. It is recognised that for some individuals, raising a concern under this procedure may be a daunting and difficult experience. An individual may choose to be accompanied or represented by their trade union representative or colleague at any stage of this procedure. All reported incidents will be investigated. All reports will be dealt with in confidence, with only staff who need to know, being informed.

The CEO, trustee or an appropriate manager will establish and record the basis of the concerns that have been raised and establish what further actions are required. The individual raising the concern will be advised of the outcome of the investigation as soon as possible, normally within two weeks of the date of their disclosure. Where a longer period is needed for investigation, the member of staff will be informed in writing.

The CEO will be informed of all reported disclosures and the actions being taken. In the case of disclosures on alleged fraud and corruption, Harington's Treasurer, accountants and auditors will be informed by the CEO.

If an individual is not satisfied with the response received and any subsequent action taken, they should put their concerns in writing to the Chair of Trustees (or another appropriate trustee) who will arrange any further investigation as he/she thinks appropriate. The Chair will send a written response to the individual concerned. The trustees can be contacted via email on [trustees@harington.org.uk](mailto:trustees@harington.org.uk).

### Guiding principles

To ensure that this policy is adhered to, and to assure staff and volunteers that the concern will be taken seriously, Harington will:

- Not allow the person raising the concern to be victimised for doing so;

- Treat victimisation of whistle blowers as a serious matter that may lead to disciplinary action that may include dismissal;
- Not attempt to conceal evidence of poor or unacceptable practice;
- Take disciplinary action if an employee destroys or conceals evidence of poor or unacceptable practice or misconduct;
- Ensure confidentiality clauses in employment contracts do not restrict, forbid or penalise whistle blowing;
- Liaise with the other organisations (see section below) to whom staff report malpractice.

## Confidentiality

We hope that our staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise a concern confidentially, we will endeavour to keep your identity secret in so far as it is possible to do so when following this policy and procedure. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you first. If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of a disclosure without your help, so you may be asked to come forward as a witness. If you agree to this, you will be offered support.

Although a concern may be made anonymously, we encourage staff to put their name to their allegation whenever possible. Concerns that are expressed completely anonymously are much less powerful and proper investigation may be much more difficult or impossible. It is also much more difficult to establish whether any allegations are credible and to protect your position or to give feedback on the outcome of investigations.

We will consider anonymous concerns at our discretion, taking into account factors such as the seriousness of the issue raised, the credibility of the concern and the likelihood of confirming the allegation from other sources.

If you are in any doubt, you can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

Protect Helpline: **020 3117 2520**

(Independent whistleblowing charity) E-mail: [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk)

Website: [www.pcaw.org.uk](http://www.pcaw.org.uk)

## Independent advice and further reading

Further Information for charitable organisations can be found on the Charity Commission's website on:

[http://www.charitycommission.gov.uk/Our\\_regulatory\\_activity/Reporting\\_issues/Trustee\\_employe\\_and\\_volunteer\\_guidance\\_index.aspx](http://www.charitycommission.gov.uk/Our_regulatory_activity/Reporting_issues/Trustee_employe_and_volunteer_guidance_index.aspx)

Employees and volunteers who feel unsure about whether or how to raise a concern or want confidential advice can contact the independent charity Public Concern at Work (<http://www.pcaw.org.uk>) on 020 3117 2520 or email [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk). Their lawyers can give free confidential advice on how to raise a concern about serious malpractice at work.

Free information and advice can also be obtained from the Advice, Conciliation and Arbitration Service (ACAS) – Telephone: 0800 152 2286

You may feel that it is more appropriate to report a matter to another organisation. Other organisations concerned with standards in the voluntary sector include:

The Charity Commission - 0845 300 0218 [whistleblowing@charitycommission.gsi.gov.uk](mailto:whistleblowing@charitycommission.gsi.gov.uk)

Health & Safety Executive – contact on-line; <http://www.hse.gov.uk/contact/index.htm>

Haringey Local Children's Safeguarding Partnership 020 8489 0000.

London Further Education Prevent. If you are concerned about a child, young person, or a family: make a referral to the SPA (Single Point of Access) Team, they will assess their needs in terms of safeguarding and liaise with the Prevent Coordinator regarding any extremism related concerns. Details: 020 8489 4470 during office hours, or 020 8489 0000 out of hours (including weekends).

Department for Education [Complaints procedure - Education and Skills Funding Agency - GOV.UK](http://www.gov.uk) ([www.gov.uk](http://www.gov.uk))