



PROCEDURE DOCUMENT

Policy title: Protected Disclosure (Whistle blowing)
Policy and Procedure

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BARTON HILL SETTLEMENT – Protected Disclosure (Malpractice Safeguarding) Policy and Procedure

Introduction

Barton Hill Settlement is committed to maintaining high standards of honesty, openness and accountability and recognises that all paid staff and volunteers have an important role in achieving that goal. 'Protected disclosures' is the term used when a member of staff or volunteer passes on information concerning wrong doing. In this policy and procedure we call this 'making a disclosure'.

In some environments this is referred to as 'whistle blowing', Barton Hill Settlement has *decided* not to label it in this way as we believe it has negative connotations whereas we feel that disclosures that act to protect against malpractice are a positive thing and to be encouraged.

The Public Interest Disclosure Act 1998 protects employees who make a disclosure.

General

Barton Hill Settlement's aim is to create an open, transparent and safe working environment where staff and volunteers feel able to speak up. Barton Hill Settlement will ensure that all staff and volunteers who make a disclosure will be protected from victimisation or disciplinary action, so long as the following guidance in this procedure is followed.

Barton Hill Settlement takes all malpractice seriously. This procedure sets out how staff and volunteers can make a disclosure and how those they report to should act.

What sorts of concerns are relevant?

Barton Hill Settlement recognises that staff and volunteers are often the first people to witness any type of wrong doing within an organisation. The information that staff or volunteers may uncover could prevent wrong doing, which may damage an organisation's reputation and /or performance, and could even save people from harm or death.

To be covered by law, a worker who makes a disclosure must reasonable believe two things. The first is that they are acting in the public interest. This means in particular that personal grievances and complaints are not usually covered by protected disclosure laws. (Please see Barton Hill Settlements Grievance and complaints procedures for further information).

The second thing that members of staff or volunteer must reasonable believe **is** that the disclosure tends to show past, present or likely future wrong doing falling into one or more of the following categories:

- Criminal offences (this may include, for example, types of financial impropriety such as fraud).
- Failure to comply with an obligation set out in law.
- Miscarriages of justice.
- Abuse or neglect of children.
- Bullying or victimisation of staff, volunteers, service users or children.
- Endangering of someone's health and safety.

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- Damage to the environment.
- Covering up the wrong doing in the above categories.

Who should the disclosure be made to?

All staff and volunteers should inform their line manager, or for volunteers this will be the key person responsible for their supervision or the HR and Admin Officer immediately if they become aware that any of the above specified categories are happening (or have happened or are likely to happen). The Chair of the Settlement Board of Trustees should be informed with concerns regarding the CEO.

In more serious cases or if a satisfactory response is not gained from the above then the staff member or volunteer should raise the concern with the CEO or Duty Manager in their absence.

If staff or volunteers want the matter to be confidential then staff and volunteer should say so at the earliest opportunity. Those investigating will do all they can to keep your identity secret, but there may be circumstances where you will need to be a witness.

What happens once a disclosure is made?

All reported disclosures will be fully investigated within a reasonable time scale, dependent on the urgency of the matter this should be within 3 working days and no more than 3 weeks. Verbal concerns will be recorded in writing. The person to whom the disclosure has been reported to will inform the CEO and they will assess what action needs to be taken. This could be an internal enquiry or more formal enquiry, for example involving OFSTED or the Police. In some cases, the concern may be better addressed under another policy or procedure, such as Safeguarding and Child Protection, Disciplinary, Grievance or Health and Safety.

The person making the disclosure will be advised of the outcome as soon as possible, normally within 2 weeks of the date of disclosure. Where a longer period is needed for the investigation, the person will be informed in writing.