

Whistle Blowing Policy

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1. Introduction

1.1 It is likely that all staff will, at some stage of their working life, have concerns about what is happening at work. Usually these concerns are easily resolved. However, when concerns relate to unlawful conduct, professional malpractice or dangers to young people, it can be difficult to know what to do.

1.2 You may be worried about raising such issues or may want to keep concerns to yourself, perhaps feeling that others know better or it is none of your business or that it is only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the organisation. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

1.3 The Public Interest Disclosure Act 1998 is intended to encourage employees to raise their concerns, in a responsible way. If there is a practice within Talbot House Trust which staff believe is threatening to public interest, they should be able to report it without fear of detrimental treatment. All of us, at one time or another, may have concerns about what is happening at work. Usually these concerns are easily resolved.

2. Definition

2.1 Whistle Blowing refers to the disclosure by employees of malpractice as well as illegal acts or omissions in the workplace.

2.2 Talbot House Trust already has a range of human resource policies and procedures which deal with standards of behaviour at work. These include the following:

- Disciplinary Policy,
- Grievance Policy,
- Bullying and Harassment,
- Safer Recruitment Policy
- British Values Statement.

2.3 However, there may be times when the matter is extremely sensitive and needs to be handled in a different way and when it is not appropriate to go through the normal reporting channels.

3. Malpractice

3.1 For the purposes of this policy examples of malpractice include:

- ill treatment of a young person by a member of staff
- compromising a young person's safety and protection
- personal relationships affecting professional performance
- suspected fraud or financial irregularity
- inappropriate use of IT or equipment
- disregard for legislation, particularly in relation to safeguarding
- breach of other policies and procedures
- exhibiting or expressing undue care and concern for the law
- attending work whilst under the influence of alcohol or other controlled substances
- inappropriate relationships (emotional or physical) with young people
- inappropriate and/or unprofessional use of social media

Whistle Blowing Policy

3.2 Talbot House Trust has introduced this policy to enable you to raise your concerns regarding the improper professional conduct of a colleague at an early stage and in the right way. We would rather you raised the matter when it is just a concern rather than wait for proof. If something is troubling you, which you think we should know about or investigate, please use the procedure outlined in this policy. This Whistle Blowing policy is primarily for concerns where the interests of others, the young people, or of the organisation itself are at risk.

If in doubt- raise it!

4. Our Assurance to Your Safety

4.1 The Trustees and Governors of Talbot House Trust are committed to this policy. If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of retribution as a result.

4.2 Provided you are acting professionally and in good faith, it does not matter if you are mistaken. Of course we do not extend this assurance to someone who maliciously raises a matter they know is untrue.

5. Your Confidence

5.1 We will not tolerate the harassment or victimisation of anyone raising a genuine concern. However, we recognise that you may nonetheless want to raise a concern in confidence under this policy.

5.2 If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court), we will discuss with you whether and how we can proceed.

5.3 Remember that if you do not tell us who you are, it will be much more difficult for us to look into the matter or protect your position or to give you feedback. Accordingly, while we will consider anonymous reports, this policy is not appropriate for concerns raised anonymously.

6. How We Will Handle the Matter

6.1 Once you have told us of your concern, we will discretely investigate matters to assess initially what action should be taken. This may lead to an internal inquiry or a more formal investigation. We will tell you who will be handling the matter, how you can contact them and whether your further assistance may be needed. If you request, we will write to you summarising your concern, to ensure clarity, and setting out how we propose to handle the matter.

6.2 When you raise the concern you may be asked how you think the matter might best be resolved. If you do have any personal interest in the matter, we do ask that you tell us at the outset. If your concern falls more properly within our Grievance Procedure we will let you know.

6.3 While the purpose of this policy is to enable us to investigate possible improper professional conduct of a colleague and take appropriate steps to deal with it, we will give you as much feedback as we properly can. If requested, we will confirm our response to you in writing. Please note however, that we may not be able to tell you the precise action we will take where this would infringe a duty of confidence owed by us to someone else.

7. How to Raise A Concern Internally - Step One

7.1 If you have a concern about improper professional conduct of a colleague, we hope you will feel able to raise it first with your Line Manager or Department Manager or, should you

Whistle Blowing Policy

consider it more appropriate, with the Chief Executive, Deirdre Pearson. This may be done verbally or in writing.

7.2 Step Two

If you feel unable to raise the matter with Senior Managers mentioned above, for whatever reason, please raise the matter with Mr. Chris Matthews, Chair of Trustees/Governors or any other member of the Governing Body of your choice. Their contact details can be obtained from any member of the admin team.

Please advise us if you want to raise the matter in confidence so that the appropriate arrangements can be made.

7.3 If, as a member of staff at Talbot House Trust, you are concerned about practice/actions of a member of staff in another organisation, (social worker, taxi driver, contractor, local authority officer) or their employed staff, you should speak to your manager for advice as to the appropriate course of action. The Manager is likely to wish to seek further advice from other Senior Managers, their Manager or the Legal Advisor to Talbot House Trust.

7.4 Concerns that result in application of the Whistle Blowing Policy, which cross more than one organisation, will be dealt with separately by each organisation according to their individual policies and procedures. However, where possible, Talbot House Trust would wish to work closely with other organisations in order to maximise efficiency, minimise disruption and ensure a comprehensive response.

7.5 While we hope this policy gives you the reassurance you need to raise such matters internally, we recognise that there may be circumstances where you can properly report matters to outside bodies, such as regulators or the police, Public Concern at Work, or, if applicable, your union. Below we advise you on such an option and on the circumstances in which you may be able to contact an outside body discretely.

7.6 We would rather you raised a matter with the appropriate regulator than not at all.

8. How Matters can be Taken Further

If you remain dissatisfied, and you feel it is right, you may wish to take advice from your trade union, your local Citizens Advice Bureau, or any of the external agencies listed below. This is not exhaustive. A fuller list is available in The Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2003 – see

http://www.legislation.gov.uk/ukxi/2003/1993/pdfs/ukxi_20031993_en.pdf

- ACAS www.acas.org.uk 0300 123 1100
- Care quality Commission (CQC) www.cqc.org.uk 03000 616161
- Citizens Advice Bureau www.citizensadvice.org.uk 03444 111 444
- Environment Agency www.gov.uk/government/organisations/environment-agency 03708 506 506
- Food Standards Agency www.food.gov.uk 020 7276 8826
- GMB www.gmb.org.uk 0300 333 0303
- Health & Safety Executive www.hse.gov.uk
- Information Commissioner <https://ico.org.uk> 0303 123 1113
- NAS/UWT www.nasuwat.org.uk 03330 145550
- National Union of Teachers www.teachers.org.uk 0203 0066 266
- Newcastle Law Centre www.newcastlelawcentre.co.uk 0191 230 4777
- Ofsted www.gov.uk/government/organisations/ofsted 0300 123 1231
- Public Concern at Work www.pcaw.org.uk 020 7404 6609
- Unison www.unison.org.uk 0800 0857 857
- Unite www.unitetheunion.org 020 7611 2500