



Tell Us North CIC

Whistleblowing Policy and Procedure

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Document details and review

Organisation	Tell Us North CIC
Responsible person	Chief Executive
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This policy will be reviewed every two years

1. Introduction

This policy is intended to assist staff and volunteers who believe they have discovered malpractice or wrongdoing within Tell Us North, by enabling them to raise their concerns in a responsible and effective manner.

Whistleblowing is the term used when a worker reports suspected malpractice or wrongdoing at work. Officially this is called 'making a disclosure in the public interest'.

Tell Us North believes it is good practice to create an open, transparent and safe working environment where staff and volunteers feel able to speak up. If a member of staff or volunteer discovers information which they believe shows serious malpractice or wrongdoing within Tell Us North, then they should be able to disclose this information internally and without fear of reprisal.

The Public Interest Disclosure Act 1998 gives legal protection to employees against dismissal or being penalised by their employers as a result of publicly disclosing certain serious concerns. Tell Us North is committed to ensuring that no member of staff or volunteer should feel at a disadvantage when raising a legitimate concern.

2. Tell Us North independence

Tell Us North receives funding from statutory bodies and charitable trusts to run projects, provide services, support forums and engagement activities, carry out research and contribute towards the general running costs. It also raises funds through trading and providing services. Tell Us North will maintain its independence and will ensure that any decisions about the employment of staff and the work of the organisation complies with the aims, objectives and values of the organisation. Tell Us North will not be influenced in its decision making by funders' interventions. Strategic direction and overall policy is agreed by the Board of Directors.

3. Scope of this policy

Staff and volunteers can, at one time or another, be concerned about something happening at work. Usually these concerns are easily resolved. However, when they are about more serious matters, it is vital that there are appropriate procedures in place to deal with them.

Tell Us North takes matters involving malpractice seriously and strongly encourages staff and volunteers to raise concerns about such issues, for example if:

- A criminal offence has been, is being, or is likely to be committed
- A person has failed, is failing, or is likely to fail a legal obligation
- A miscarriage of justice has occurred, is occurring, or is likely to occur
- The health and safety of any employee, volunteer or member of the public has been, is being, or is likely to be endangered
- Information indicating the occurrence of any of the above has been, is being, or is likely to be deliberately concealed
- An employee or volunteer is falsifying timesheets, mileage or other forms for claiming expenses
- An employee is falsely claiming to work from home or is away from their place of work without good reason
- An employee or volunteer has borrowed money from petty cash allowances
- An employee has falsified signing-in sheets
- The Code of Conduct has, or is, being breached
- A confidence has, or is, being broken without due cause
- An employee or volunteer has, or is, failing to maintain, or falsifying, work-related records
- An employee or volunteer is entering into abusive or exploitative relationships with service users

- Senior staff are misusing their power over junior colleagues
- A service user is being denied a service inappropriately
- Physical punishment or violence is being used against a service user
- The use of alcohol, drugs or other substances is leading to an incapacity for work
- An employee or volunteer is concealing that they have committed a criminal offence
- Deliberately undermining the reputation of Tell Us North in public
- Unequal treatment of a service user, employee or volunteer on the grounds of personal and social characteristics
- A bribe, inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage

Tell Us North appreciates that staff and volunteers may:

- Be worried about raising such issues or may want to keep the concerns to themselves, perhaps feeling it is none of their business or that it is only a suspicion
- Feel that raising the matter would be disloyal to colleagues, management or Tell Us North
- Decide to say something but find that they have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next

Tell Us North does not underestimate the strain such concerns may have on them. This Whistleblowing Policy and Procedure has been designed to enable staff and volunteers to raise their concerns about malpractice at an early stage and in the right way. Tell Us North would rather that they raised the matter when it is just a concern rather than wait for proof and find that the situation has worsened.

All disclosures made under this Whistleblowing Policy and Procedure must be in the public interest. It is not a means to question financial or business decisions taken nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures. While a whistleblower does not need to provide evidence for the employer to look into the concerns raised, the disclosure must be made in good faith.

The Whistleblowing Policy and Procedure is primarily for raising concerns where the interests of others or of Tell Us North itself are at risk. If the person raising the concern has any personal interest in the matter, they should inform Tell Us North at the outset. It could be that the concern falls more properly within the Grievance Procedure. Tell Us North will inform the person raising the concern if this is the case.

While this Whistleblowing Policy and Procedure is intended to cover concerns which are in the public interest, Tell Us North has a range of policies and procedures, which may be administered in conjunction with the Whistleblowing Policy and Procedure when a concern is raised by staff or volunteers, including:

- Anti-Bribery Policy
- Bullying and Harassment Policy
- Capability Procedure
- Code of Conduct
- Confidentiality Policy
- Conflict of Interest Policy
- Data Protection Policy
- Disciplinary Policy and Procedure
- Equality and Diversity Policy
- Financial Procedures
- Grievance Procedure
- Health and Safety Policy
- Occasional Working at Home Policy

- Safeguarding Adults Policy
- Safeguarding Children Policy and Procedure
- Sickness Absence Policy and Procedure
- Volunteer Problem Solving and Exit Procedure

4. Tell Us North assurances

Protection

A member of staff or volunteer who discloses a genuine concern under this policy will not be at risk of dismissal or suffer any penalty as a result, provided that the disclosure is made in good faith. In other words, it does not matter if the concerns turn out to be misplaced or cannot be confirmed by subsequent investigation. However, if someone maliciously raises a matter that they know to be untrue, it could result in disciplinary action being taken against that individual.

Any form of victimisation of a person that has made a whistleblowing disclosure will not be tolerated. Should Tell Us North be aware of any instance of victimisation of a person who has disclosed a concern, the matter will be taken seriously and managed appropriately.

Confidentiality

Because Tell Us North will not tolerate the harassment or victimisation of anyone who has raised a genuine concern, all disclosures made under this policy will be treated in a confidential and sensitive manner. If that person asks Tell Us North to keep their identity confidential, it will not be disclosed without their consent. Exceptionally a situation may arise where it is not possible to investigate or resolve the concern without revealing the person's identity and in such a situation Tell Us North will discuss this with the person concerned before deciding how to proceed.

Anonymous allegations

Staff and volunteers are encouraged to put their name to any disclosure they make. Concerns expressed anonymously are much less credible, and so will only be considered at Tell Us North's discretion. In exercising this discretion, the factors 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

Anyone making an anonymous allegation must also recognise that it will not be possible to feedback the outcome of the investigation to them.

5. Procedure for making a disclosure

If a member of staff or volunteer wishes to disclose a concern under this policy, they should first raise it with the Chief Executive, verbally or in writing. If they feel that the Chief Executive may be involved or they do not wish to approach them, they should put their concern in writing and address it to:

Chair of the Tell Us North Board of Directors
Tell Us North, MEA House, Ellison Place, Newcastle upon Tyne, NE1 8XS

The envelope should be marked 'Private and confidential'.

If the person disclosing the concern wishes to raise the matter confidentially, they must state this so that appropriate arrangements can be made to handle the matter in this way.

Once a concern has been raised, the matter will then be investigated. This may involve an internal inquiry, or an external person or agency may be appointed to carry this out.

The person making the disclosure will be told who is to be responsible for handling the matter, how they can be contacted and whether a meeting will be required in order to gather all the information needed to understand the situation. If requested, Tell Us North will put in writing a summary of the concerns disclosed and details of how they are to be dealt with. Any such written communications will be posted to their home address. However, it may not be possible to tell the person raising the concern the precise action taken if this would lead to the confidence of a third party being breached or if criminal proceedings are expected to follow. It is important to note that if an investigation concludes that the disclosure was untrue it does not necessarily mean that it was raised maliciously.

With regard to the person making the disclosure, Tell Us North will:

- Provide them with support during what can be a difficult or anxious time, such as advice, mentoring or counselling as appropriate
- Document whether they have requested confidentiality
- Manage their expectations in terms of what action and/or feedback they can expect as well as clear timescales for providing updates
- Allow them to be accompanied by a colleague or trade union representative at any meeting about the disclosure, if they so wish

The person investigating the disclosure should:

- Obtain full details and clarifications of the concern
- Inform the member of staff against whom the concern has been raised as soon as is practically possible, and they will be informed of their right to be accompanied by a trade union or other representative at any future interview or hearing held
- Keep the Tell Us North Board of Directors informed of the progress
- Keep the person who made the disclosure informed of the progress

The aim of the investigation will be to make an objective assessment of the concerns made. The investigation will be undertaken as quickly as possible without affecting the quality and depth of the investigation. Tell Us North will ensure that any action deemed necessary to resolve the concerns disclosed is taken and the outcome monitored.

Tell Us North will make a written record of the concerns disclosed, the investigation that took place and the outcome.

If there is a credible risk to evidence or disruption to the investigation, the accused person may be suspended while the investigation takes place. This decision will be made by the person investigating the concern.

If evidence of criminal activity is found, the police should be informed and Tell Us North will ensure that any internal investigation does not hinder a formal police investigation.

If, after the above procedure has been followed, the member of staff or volunteer still has concerns, or if they feel that neither the Chief Executive or the Chair of the Tell Us North Board of Directors is the appropriate person to disclose their concerns to, they should write to any member of the Tell Us North Board of Directors who are listed in the annual report and whose details are stored in the confidential folder on the Tell Us North server.

6. Independent advice

If a person is concerned about potential malpractice at Tell Us North but is unsure about using this whistleblowing procedure, or wants independent advice at any stage, they may contact:

- A union or professional association
- ACAS

- The independent charity Protect, <https://protect-advice.org.uk>, can provide free confidential advice at any stage about how to raise a concern about serious malpractice at work

7. Reporting to an external body

In all cases, staff and volunteers are encouraged to exhaust Tell Us North's internal procedures before contacting an external body, such as the Health and Safety Executive or Environment Agency.

If a person has a concern about malpractice or wrongdoing, Tell Us North hopes that this policy provides the reassurance needed for them to raise the matter internally. However, if that person does not feel sufficiently confident to do this, Tell Us North would rather the matter be raised with an appropriate external agency than not be raised at all.