



BOARD APPROVAL:	JUN 19
CURRENT REVIEW:	JUN 19
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CORPORATE POLICY 014

WHISTLE-BLOWING POLICY¹

1. Introduction

- 1.1. Employees and volunteers are often the first to realise that there may be something seriously wrong within an organisation. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2. GBWR is committed to the highest possible standards of openness, probity and accountability. In line with that commitment GBWR expect all who have contact with the organisation and who have serious concerns about any aspect of its work, to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 1.3. Employees, workers and most contractors are protected by law from suffering any detriment or dismissal as a result of raising a genuine concern. This Whistle-Blowing Policy provides guidance as to how to raise concerns and makes it clear that an individual may report any concern without fear of victimisation, subsequent discrimination or disadvantage.
- 1.4. GBWR also encourages all others who have contact with the organisation such as Trustees, members and volunteers to also use the process set out in this policy to raise any serious concerns within GBWR rather than overlooking a problem or airing their concerns outside the charity.

2. Aims of Policy

- 2.1. This Whistle-blowing Policy is designed to enable anyone to raise concerns internally and at a high level and to disclose information which the individual believes shows malpractice or impropriety. In particular the policy aims to:

¹ Please note that the GBWR Whistle-blowing Policy is designed for use where there are concerns about serious malpractice, impropriety or cover-up – please see the definitions below. For other matters, there is an existing Grievance Policy & Procedures in place to enable staff to lodge a grievance relating to employment matters; and there is an existing Complaints Policy & Procedures for volunteers, members, contractors and the public to raise any general complaints with GBWR.



- encourage individuals to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide avenues to raise concerns and receive feedback on any action taken
- ensure that the individual receives a response to any concern and that they are aware of how to pursue them if not satisfied with such a response
- re-assure individuals that they will be protected from possible reprisals or victimisation providing there is reasonable belief that there is a concern and the disclosure of that concern is made in the public interest.

3. Scope of Policy

3.1. This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately, but then might lead to the invocation of other procedures e.g. disciplinary. Such concerns may include:

- criminal activity.
- failure to comply with a legal obligation
- dangers to Health & Safety.
- damage to the environment.
- miscarriages of justice.
- financial malpractice, impropriety, bribery or fraud.
- improper behaviour or unethical behaviour.
- failure to comply with GBWR Policies and Procedures
- attempts to deliberately conceal any of these matters.

A concern may be raised in relation to something which has already happened, is currently happening or is likely to happen.

4. Safeguards

4.1. GBWR is committed to good practice and high standards and aims to be supportive of all who are involved with the organisation. The policy is designed to offer protection to all who disclose concerns, provided any disclosure is made:

- in the public interest;
- in the reasonable belief of the individual making the disclosure that it tends to show conduct that falls within points at paragraphs 2 and 3 above; and
- if you make a disclosure to an appropriate person (please see below).

4.2. The Public Interest Disclosure Act 1998 protects employees and workers from victimisation, discipline or dismissal where they raise genuine concerns of misconduct or malpractice. This policy does not, however, form part of any GBWR employee's contract of employment.

4.3. GBWR will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect all who raise a concern through the internal whistleblowing procedure.



- 4.4. Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that may already affect an employee.

5. Confidentiality

- 5.1. GBWR will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

6. Anonymous Allegations

- 6.1. This policy strongly encourages individuals to put their name to any whistle-blowing disclosures they make so that they can be contacted for further details or to check information during the investigation. While putting a name to the disclosure is strongly encouraged, disclosures made anonymously will be considered, although GBWR's ability to investigate anonymous disclosures may be more limited.

7. Untrue Allegations

- 7.1. In making any whistle-blowing disclosure, an individual needs to exercise due care to ensure the accuracy of the information, but the individual should not undertake his or her own investigation to confirm the accuracy of information or take any steps to gather further evidence to support their disclosure. If an individual makes an allegation in the reasonable belief it is in the public interest, which is not confirmed by subsequent investigation, then no action will be taken against that individual.

- 7.2. If, however, an individual makes any frivolous, malicious or vexatious allegations, or makes an allegation with a view to personal gain or where he or she does not have a reasonable belief that the disclosure is made in the public interest (and even more so if he or she persists in making them), GBWR may take disciplinary or other action against that individual.

8. How to report a concern and relevant timescales

- 8.1. Employees should report any whistle-blowing concerns they have to their line manager. All others should report any such concerns to the Chief Executive of GBWR (who acts as the Monitoring Officer for whistle-blowing concerns). They should not attempt to deal with any whistle-blowing allegation or suspicion themselves; nor mention the concerns to anyone else outside of the reporting line set out in this policy.

- 8.2. The reporting route depends, however, on the seriousness and sensitivity of the issues involved and on who is suspected of the malpractice. (For example, if the allegation is about a line manager, then concerns should be directed to the Chief Executive; if the concern relates to the Chief Executive, then the whistle-blower should report it to the Chair of the GBWR Board of Trustees.)

- 8.3. Concerns may be raised verbally or in writing. In either case, the following should be provided:



- the background and history of the concern (giving relevant dates);
- the reason for the concerns; and
- a brief outline of the evidence offered to support the concerns.

8.4. Anyone reporting a whistle-blowing concern should do so at the earliest opportunity so that appropriate action can be taken.

8.5. If GBWR is alerted to concerns via a ‘tip off’ (e.g. from a member of the public) then the person receiving the ‘tip off’ should attempt to obtain the following information from the informant:

- name, address and telephone number
- names of individual and/or bodies involved
- a brief outline of the concerns
- how the informant became aware of the concerns
- whether the informant is willing and able to submit evidence

and then follow the reporting procedures above.

9. Actions that GBWR will take & Investigating Procedure

9.1. GBWR is committed to investigating whistle-blowing disclosures fully, fairly, quickly and confidentially, as circumstances permit.

9.2. The Chief Executive (or Senior Independent Director, in any case where the Chief Executive is the subject of the whistle-blowing concerns and the Chair of the GBWR Board has consequently designated a Trustee to conduct the investigation) will act as Investigating Officer and will usually follow these steps²:

- Obtain full details and clarifications of the whistle-blowing concerns
- In order to protect individuals and those accused of misdeeds or possible malpractice, make initial enquiries to decide whether an investigation is appropriate and, if so, what form it should take
- Within 10 days, acknowledge to the whistle-blower that the concern has been received; indicate how it is proposed to deal with the matter; and inform them whether further investigations will take place and if not, the reason for not doing so
- If, in the judgement of the Investigating Officer, a full investigation of the whistle-blowing concern is warranted, then inform and consult with Chair of the Board of Trustees
- Inform the individual, against whom the whistle-blowing allegation is made, as soon as is practically possible. (An employee will be informed of their right to be accompanied by a trade union or other representative at any future interview or hearing held under the provision of these procedures; a contractor, member or volunteer will be informed of their right to be accompanied by a friend other than a family member)
- The Investigating Officer may, where appropriate, call on the assistance of other individuals and/or bodies. For example, in cases of possible fraud, the Investigating Officer may consider the involvement of the auditors and will inform the police; and in other cases of

² These steps assume that the individual who has raised the concern has disclosed their name when making the disclosure. Some of these steps may not be appropriate in the case of anonymous disclosures.



possible criminal activity, the Investigating Officer will inform the police. GBWR will ensure that any internal investigation does not hinder a formal police investigation

- Once the investigation is complete, the Investigating Officer will make a judgement concerning the validity, or otherwise, of the whistle-blowing concerns. This judgement will be detailed in a written report containing the findings of the investigation and reasons for the judgement. The report will be passed to the Chief Executive and/or the Chair of the GBWR Board of Trustees, as appropriate
- The Chief Executive (or the Trustee acting as the Investigating Officer) will consult with the Chair of the Board of Trustees and they will decide what action to take. If the concerns raised by the whistle-blowing have been shown to be justified, then they will invoke the disciplinary or other appropriate GBWR procedures
- If appropriate, a copy of the outcomes will be passed to GBWR's auditors to enable a review of relevant procedures.
- The Investigating Officer should keep the whistle-blower informed of the progress of the investigation and, if appropriate, of the final outcome. All responses to the whistle-blower should be in writing and sent to their home address.
- If the whistle-blower is not satisfied that their concerns have been properly dealt with by the Investigating Officer, then the whistle-blower has the right to raise this, in confidence, with the Chair of the GBWR Board of Trustees. The aim of this whistle-blowing policy is to provide an internal mechanism for reporting, investigating and remedying any GBWR workplace wrongdoing. It is therefore hoped that it will not be necessary for a whistle-blower to alert external organisations. However, in very serious circumstances (or if all internal GBWR procedures have been exhausted but the whistle-blower considers the outcome of the investigations has not satisfactorily address the concerns) then GBWR recognises that it may be appropriate for an individual to report their concerns to an external body such as a regulator. The government has a prescribed list of external bodies which includes Police Service; HM Revenue & Customs; and the Health & Safety Executive. A full list (and an advice line) is available from an independent charity called Protect, who can be contacted by telephone on 020 3117 2520 and by email at whistle@protect-advice.org.uk

10. Timescales

- 10.1. Owing to the varied nature of concerns raised by whistle-blowing, which may involve internal investigators and/or the police, it is not possible to lay down precise timescales for such investigations. The Investigating Officer should ensure that the investigations are undertaken as quickly as possible, without affecting the quality and depth of those investigations.

11. Responsible Officer

- 11.1. The Chief Executive acts as the Whistle-blowing Concerns Monitoring Officer and has overall responsibility for the maintenance and operation of this policy. He or she will maintain a record of concerns raised and the outcome (but in a form which does not endanger confidentiality) and will report as necessary to the Board of Trustees of GBWR.