



Whistle Blowing Policy

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Introduction

All staff at one time or another have concerns about what is happening at work.

Usually these concerns are easily resolved. However, when they are about unlawful conduct, financial malpractice, health and safety risk to the public or to other staff members, damage to the environment, possible fraud or corruption, or any other unethical conduct, it can be difficult to know what to do.

You may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling 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 JUBACANA.

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. You may also fear that you could be harassed or victimised. There is legislation in place to protect paid staff and volunteers who disclose issues in the public interest.

JUBACANA is committed to the highest possible standards of openness and accountability. It expects that staff and volunteers who have serious concerns about anything that is happening in JUBACANA will come forward and raise those concerns.

JUBACANA recognises that individuals need to be supported and have confidence that any concerns will be treated appropriately. The purpose of this policy is to enable you to raise your concerns about such malpractice at an early stage and in the right way.

Safeguards

This policy is designed to offer protection to employees, and volunteers of JUBACANA who disclose concerns provided the disclosure is made

- In good faith
- In the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person (see below). It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the procedure.

JUBACANA will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect staff and volunteers when they raise a concern in good faith.

If you make an allegation frivolously, maliciously or for personal gain, disciplinary may be taken against you.

An investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect staff and volunteers.

Confidentiality

JUBACANA will treat 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.

How to raise a concern internally

Concerns should be reported to the immediate manager or their manager. This will depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if the allegation is about management then concerns should be directed to the Chief Executive. Complaints against the Chief Executive should be passed to the Chair of Trustees.

Concerns may be raised verbally or in writing. Staff who wish to make a written report should mention the following

- Background and history of the concern (giving relevant dates)
- The reason for the concern.

Staff should report the concern at the earliest opportunity so that action can be taken.

Although staff and volunteers are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for concern.

Staff and volunteers may also utilise JUBACANA whistleblowing email address or telephone number to raise concerns if more suitable.

Actions that JUBACANA will take / Investigating procedure

The investigating officer should follow these steps:

- Full details and clarification of the concern should be obtained
- In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.
- Within 10 working days, acknowledge to the complaint has been received; indicate how it is proposed to deal with the matter and inform them whether further investigation will take place and if not, why not.
- Inform the member of the staff or volunteer against whom the complaint is made as soon as practically possible. The member of staff or volunteer 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.
- If there is any evidence of criminal activity then the investigating officer should inform the police. JUBACANA will ensure that any internal investigation does not hinder a formal police investigation.
- The allegations should be fully investigated by the investigating officer.
- A judgement concerning the complaint and validity of the complaint will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement.
- The Chair of the board of Trustees will decide what action to take if any.
- If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, JUBACANA recognises the lawful rights of staff and volunteers to make disclosures to other agencies.

Independent Advice

If you are unsure whether to use this procedure or you want independent advice at any stage, you may contact:

- Your Union; or
- The Citizens Advice Bureau; or Public Concern at Work, who are an independent body, partly founded by charitable donations, on 0207 404 6609, whose advice is free.