

## Whistleblowing Policy

### Introduction

In this policy 'Whistleblowing' means the reporting by employees of suspected misconduct, illegal acts or failure to act by HBBCIC as an organisation.

The aim of this Policy is to encourage employees who have serious concerns about any aspect of HBBCIC`s work to come forward and voice those concerns.

Employees are often the first to realise that there may be something seriously wrong within HBBCIC. 'Whistleblowing' is viewed by HBBCIC as a positive act that can make a valuable contribution to its efficiency and long-term success. It is not disloyal to colleagues or to the organisation to speak up.

If you are considering raising a concern you should read this Policy first. It explains:

- the type of issues that can be raised
- how the person raising a concern will be protected from victimisation and harassment
- how to raise a concern
- what HBBCIC will do

### Aims of the Policy

The Policy is designed to ensure that you can raise your concerns about wrongdoing or malpractice within HBBCIC without fear of victimisation, subsequent discrimination, disadvantage or dismissal.

It is also intended to encourage and enable you to raise serious concerns **within** HBBCIC rather than ignoring a problem or 'blowing the whistle' outside.

This Policy aims to:

- encourage you to feel confident in raising serious concerns at the earliest opportunity and to question and act upon concerns about practice
- provide avenues for you to raise those concerns and receive feedback on any action taken
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied

- reassure you that you will be protected from possible reprisals or victimisation if you have made any disclosure in good faith

The Policy is not intended to replace existing procedures so if your concern relates to your own treatment as an employee, you should raise it under the existing grievance or harassment procedures.

### **What should be reported?**

Any serious concerns that you have about service provision or the conduct of HBBCIC as an organisation that:

- make you feel uncomfortable in terms of known standards;
- are not in keeping with HBBCIC`s policies and procedures;
- fall below established standards of practice; or
- are improper behaviour.

These might relate to:

- conduct which is an offence or a breach of the law (a criminal offence has been committed or failing to comply with any other legal obligation)
- disclosures related to miscarriages of justice
- racial, sexual, disability or other discrimination
- health and safety of the public and/or other employees
- damage to the environment/unauthorised use of public funds or other assets
- possible fraud and corruption
- neglect or abuse of clients
- other unethical conduct

This list is not exhaustive.

### **Your legal rights**

This policy has been written to take account of the Public Interest Disclosure Act (PIDA) 1998 which protects employees making disclosures about certain matters of concern, when those disclosures are made in accordance with the Act's provisions and in the public interest.

PIDA makes it unlawful for HBBCIC to dismiss anyone or allow them to be victimised on the basis that they have made an appropriate lawful disclosure in accordance with the Act.

Rarely, a case might arise where it is the employee that has participated in the action causing concern. In such a case it is in the employee's interest to come into the open as soon as possible. HBBCIC cannot promise not to act against such an employee, but the fact that they came forward may be taken into account.

All concerns will be treated in confidence and every effort will be made not to reveal your identity if that is your wish. If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of your disclosure without your help, so you may be asked to come forward as a witness. If you agree to this, you will be offered advice and support.

## **Anonymous Allegations**

This Policy encourages you to put your name to your allegation whenever possible. If you do not tell us who you are it will be much more difficult for us to protect your position or to give you feedback. This policy is not ideally suited to concerns raised anonymously.

Concerns expressed anonymously are much less powerful but they may be considered at the discretion of HBBCIC. In exercising this discretion the factors to be taken into account would include the:

- seriousness of the issue raised
- credibility of the concern, and
- likelihood of confirming the allegation from other sources

## **Untrue Allegations**

If you make an allegation in good faith and reasonably believing it to be true, but it is not confirmed by the investigation, HBBCIC will recognise your concern and you have nothing to fear. If however, you make an allegation frivolously, maliciously or for personal gain, appropriate action that could include disciplinary action, may be taken.

## **Who should you raise your concern with?**

This will depend on the seriousness and sensitivity of the issues involved and who is suspected of the wrongdoing. You should normally raise concerns with either the:

- Line Manager or an
- HBB Director or the
- HBB Board

You may raise your concern by telephone, in person or in writing. The earlier you express your concern, the easier it is to take action. You will need to provide the following information:

- the nature of your concern and why you believe it to be true
- the background and history of the concern (giving relevant dates)

Although you are not expected to prove beyond doubt the truth of your suspicion, you will need to demonstrate to the person contacted that you have a genuine concern relating to suspected wrongdoing or malpractice within HBBCIC and that there are reasonable grounds for your concern.

## **How will HBB CIC deal with this matter?**

HBBCIC will respond to your concerns as quickly as possible. Do not forget that testing your concerns is not the same as either accepting or rejecting them.

In order to be fair to all employees, including those who may be wrongly or mistakenly accused, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

The investigation may need to be carried out under terms of strict confidentiality, i.e. by not informing the subject of the complaint until (or if) it becomes necessary to do so. In certain cases however, such as allegations of ill treatment of others, suspension from work may have to be considered immediately. Protection of others is paramount in all cases.

Where appropriate, the matters raised may be:

- investigated by the line manager, individual HBB Directors or the HBB Board
- referred to the police
- referred and put through established child protection/abuse procedures
- the subject of an independent inquiry

Within ten working days of a concern being raised, the person investigating your concern will write to you:

- acknowledging that the concern has been received
- indicating how HBBCIC proposes to deal with the matter
- supplying you with information on staff support mechanisms
- telling you whether further investigations will take place and if not, why not

The amount of contact between you and those considering the issues will depend on the nature of the matters raised, the potential difficulties involved and the clarity of your information. It is likely that you will be interviewed to ensure that your disclosure is fully understood.

Any meeting can be arranged away from your workplace, if you wish, and a representative or a friend may accompany you in support.

HBBCIC will do what it can to minimise any difficulties that you may experience as a result of raising a concern. For instance, if you are asked to give evidence in criminal or disciplinary proceedings, the HBBCIC will arrange for you to receive appropriate advice and support.

You need to be assured that your disclosure has been properly addressed. Unless there are any legal reasons why this cannot be done, you will be kept informed of the progress and outcome of any investigation.

This Policy is intended to provide you with an avenue within HBBCIC to raise concerns. HBBCIC hopes you will be satisfied with any action taken by HBBCIC

If you are not, and you feel it is right to take the matter outside the organisation, then it is likely that the next point of contact will be Bedford Borough Council, who provide the funding for the work of HBBCIC to be undertaken.

Your line manager will be able to provide suitable advice to support you further in this next part of the process.

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