



Whistleblowing Policy & Procedure

Updated September 2023
Due for Review September 2025

A handwritten signature in black ink that reads 'Cinzia Hardy'.

Signed:

Date: 4 October 2023

HIGHLIGHTS' WHISTLEBLOWING POLICY

Contents

| | |
|-----------------------------|---|
| 1) AIMS..... | 3 |
| 2) POLICY STATEMENT | 3 |
| 3) DEFINITION | 3 |
| 4) ADVICE AND GUIDANCE..... | 3 |
| 5) PRINCIPLES..... | 4 |
| 6) THE PROCEDURE | 4 |
| 7) FURTHER DETAILS | 5 |
| 8) REVIEW | 5 |

1) AIMS

Highlights is committed to being open, honest and accountable. It encourages a free and open culture in interactions between the Trustees, members of staff and volunteers.

This policy aims to help the Trustees and employees/volunteers to raise any serious concerns they may have about colleagues or their employer with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result.

It is written in the context of the Public Interest Disclosure Act 1998 which protects employees who 'blow the whistle' on malpractices within their organisation.

2) POLICY STATEMENT

Highlights will take all reported concerns seriously and you can expect to be treated with courtesy and fairness at all times. We will aim to investigate and determine the facts as quickly and as fully as possible.

Any employee/trustee who raises a concern will be informed of the outcome in due course.

3) DEFINITION

Whistleblowing, or public interest disclosure, is when a worker reports a concern about the improper actions or omissions of their colleagues or their employer which may cause harm to others or to the organisation. Obvious examples of such improper actions include theft, fraud, abuse, breaches of health and safety.

The disclosure should be made 'in good faith'. In other words the disclosure must be made out of real concern about wrongdoing. Knowingly and maliciously making false accusations for ulterior motives is not whistleblowing. The whistleblower should reasonably believe the information and allegation are substantially true, even if the information later turns out to have been incorrect.

Whistleblowing is not the same as making a complaint or raising a grievance, where the individual is saying that they have personally been poorly treated. A whistleblower is usually not directly or personally affected by the concern and therefore rarely has a direct personal interest in the outcome of any investigation into their concerns.

The whistleblower raises the concern so that others can address it. Examples of concern may include:

- an employee or volunteer defrauding Highlights or anyone associated with the Highlights;
- anyone making inappropriate use of Highlights' resources (*eg*: for their own personal benefit);
- faulty machinery that puts at risk the safety of employees or anyone associated with the Highlights.

4) ADVICE AND GUIDANCE

At the outset of any investigation in response to a whistleblowing claim, the Director should contact the Trustees for general advice and guidance.

5) PRINCIPLES

The policy is intended to deal with serious or sensitive concerns about wrongdoings such as the following:

- a criminal offence
- a failure to comply with any legal obligation
- a failure in the protection of children or vulnerable adults
- a miscarriage of justice
- a health and safety risk to an individual
- damage to the environment
- or concealment of the above.

It is not necessary for individuals who raise the concern to prove the wrongdoing that is alleged to have occurred or is likely to occur.

However, if an individual knowingly or maliciously makes an untrue allegation (*eg*: in order to cause disruption with the charity), Highlights will take appropriate disciplinary action against them. This may constitute gross misconduct.

Individuals should note that they will not be protected from the consequences of making a disclosure if, by doing so, they commit a criminal offence.

This policy does not deal with any complaints staff may have about their employment. This should be dealt with through Highlights' Grievance Procedure.

Highlights' Equality, Diversity & Inclusion policy offers protection to workers against harassment, bullying and discrimination.

Members of the public should make complaints or raise concerns through Highlights' Complaints Procedure.

6) THE PROCEDURE

The manager designated to handle whistleblowing concerns is the Director and shall be known as the Whistleblowing Officer.

Individuals should in most cases, first report their concern to their line manager, who is expected to respond to the matter. If the relevant manager cannot deal with the matter, he or she will refer the concern to the Whistleblowing Officer.

Depending on the seriousness and sensitivity of the matter, and who is suspected of wrongdoing, the individual can, if necessary, or if the relevant manager has ignored the matter, report directly to the Whistleblowing Officer. If the matter concerns the Whistleblowing Officer, it should be raised with the Trustees.

Individuals are encouraged to raise their concerns in writing where possible, setting out the background and history of their concerns (giving names, dates and places where possible) and indicating the reasons for their concerns.

How the concern will be dealt with, will depend on what it involves. It is likely that further enquiries and/or investigation will be necessary. The concern may be investigated by Highlights' Whistleblowing Officer, the Trustees, through the disciplinary process or it may be referred to the police, other agencies such as Social Services, an external auditor or an independent investigator.

It may be necessary for the individual to give evidence in criminal or disciplinary proceedings.

If the suspicions are not confirmed by an investigation, the matter will be closed.

Highlights will give the individual feedback on the progress and outcome of any investigation wherever possible.

Staff will not be treated or regarded any differently for raising the concern, and their confidentiality will continue to be protected.

7) FURTHER DETAIL

If any individual is unsure whether to use this procedure or they want independent advice at any stage, they should contact:

- their trade union (if applicable), or
- Public Concern at Work's legal helpline on 020 7404 6609, email: helpline@pcaw.co.uk

Public Concern at Work will be able to advise on how and with whom to raise a concern about malpractice.

ACAS

The Arbitration Conciliation & Advisory Service website provides guidance on whistleblowing for both employers and employees

www.acas.org.uk/index.aspx?articleid=1919

Direct.Gov

Information on whistleblowing can be accessed through the Government websites.

www.gov.uk/whistleblowing/overview

Disclosures made to a legal advisor in the course of obtaining legal advice will be protected under the Public Interest Disclosure Act.

If the individual reasonably believes that the matter relates wholly or mainly to the conduct of a person or body other than Highlights or any other matter for which a person or body other than Highlights has legal responsibility, the disclosure should be made to that other person or body.

8) REVIEW

This Policy should be reviewed every two years by the Board of Trustees.