





**Purpose**

Employees are protected by law against being victimised for raising concerns about what they genuinely believe to be criminal behaviour or other serious wrongdoing at work.

AH would wish to ensure that it conducts its affairs in a responsible way and attaches great importance to identifying and remedying malpractice.

In the rare event that an employee reasonably suspects malpractice at work, this policy aims to ensure that they can feel confident to raise the matter in the knowledge that their concerns will be taken seriously, dealt with confidentially and without fear of detrimental treatment, reprisal or victimisation.

It is in the interests of all parties to resolve any such concerns internally and to avoid involving outside bodies unless and until necessary. All concerns must therefore be raised by using this policy, which gives the employee full protection if the matter is raised in good faith.

There are existing procedures in place to enable you to lodge a grievance where you have an issue relating to your employment or raise an issue relating to bullying or harassment. The whistle-blowing policy is intended to cover major concerns that fall outside the scope of other procedures.

**Definitions**

AH means Aiming Higher

**Policy Statement**

This policy covers disclosure of any information which you reasonably believe shows one or more of the following:

- Unsafe practice with Aiming Higher
- criminal activity
- financial malpractice
- failure to comply with any legal obligation
- a miscarriage of justice
- dangers to the health and safety of any individual or the environment
- improper conduct or unethical behaviour
- activity which would bring the organisation into serious disrepute
- the unauthorised and or improper use of public funds
- attempts to conceal any of the above

Commented [CE1]: Needs discussion - Unsure of context, or where this should have been added

This is not an exhaustive list and other matters of serious concerns raised under this policy may be given consideration. The policy is intended to cover matters of public interest and differs from the



grievance policy which should be used where an employee feels they have suffered a personal detriment.

## **Procedure**

### **How to report your concerns**

You should first consider whether to raise the issue informally with your Line Manager.

If you do not feel that this would be appropriate, you should write to the Charity Manager.

If s/he is implicated in your concerns, you should write to the Chair of Trustees. If the Chair of Trustees her/himself is implicated, you should write to the Treasurer.

The Charity Manager (who is also the Responsible Officer) has overall responsibility for the maintenance and operation of this policy. That officer maintains a record of concerns raised and the outcome (but in a form which does not endanger your confidentiality) and will report as necessary to the Board of Trustees.

In your letter, you should give as much information as possible to back up your concerns, including dates, times, and names of those that you suspect to be involved.

You are not expected to prove beyond reasonable doubt that the allegations are true, but you must be able to show that you have reasonable grounds for concern. You are strongly encouraged not to make anonymous reports as details and further concerns cannot then be checked with you. Nonetheless, all reports made anonymously or otherwise, will be investigated.

### **The investigation**

You should receive a written response, where practicable, within 10 working days, acknowledging receipt of your letter, and confirming that it is being treated confidentially.

The response will indicate how the matter will be dealt with and will give an estimate of timescale for a final response.

The exact nature of any subsequent investigation will depend on the circumstances, and you may be asked to provide further information.

If a meeting is to be held, this can take place off-site if you wish, and you can be accompanied by a friend or work colleague.



All reasonable steps will be taken to maintain confidentiality throughout the investigations, unless you specifically waive your rights to this, or if confidentiality would be incompatible with any resulting disciplinary proceedings or if, in exceptional circumstances, the person investigating the matter feels that there is an overriding reason for disclosure. In this case, you will be informed that confidentiality cannot be maintained. An example of when it may be deemed necessary to break confidentiality would be to protect the health and safety of others.

#### **The outcome**

You will be informed in writing of the outcome of the investigations, subject to any legal constraints that may apply.

If your allegations were made in good faith but are not confirmed by subsequent investigation, this will represent the end of the matter.

AH will take all reasonable steps to protect you if you make a disclosure in good faith under this policy (even if ultimately it proves not to be borne out) from any detrimental treatment including victimisation, disciplinary action, or criticism.

If investigations show that you have made the allegations for malicious reasons or for your own personal gain, disciplinary action may be taken against you.

#### **External reporting**

The main purpose of this policy is to give you the opportunity and protection you need to raise your concerns internally. AH would expect that, in almost all cases, raising concerns internally would be the most appropriate action for you to take. However, if there is a significant reason why you feel you cannot raise your concerns internally and you honestly and reasonably believe the information and any allegations are true, you should consider raising the matter with the appropriate prescribed person in terms of the Public Interest Disclosure Act 1998, (see Appendix). Before raising the matter externally, you must still satisfy the same test for an internal disclosure, but with the additional requirement that you honestly and reasonably believe the information and any allegations are true.

The Government has prescribed a very detailed list of appropriate bodies for such external reports. A full list is available from an independent charity called Public Concern at Work whose contact details are:

Telephone: 020 7404 6609

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231-233 Church Street, Blackpool FY1 3PB Telephone: 01253 206448

Email: [info@aiminghighercharity.org.uk](mailto:info@aiminghighercharity.org.uk) Reg Charity: 1144664



Email: [whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk)

Public Concern at Work will also give confidential advice to you regarding the disclosure of wrongdoing in the workplace.

If you choose to disclose information externally to a person who is not a prescribed person, you should be aware that your disclosure will not be covered under this policy.

#### **Disciplinary action**

Any reports or disclosures raised, maliciously, in bad faith, with a view to personal gain or outside of this policy will not be protected as described above. Such actions may result in disciplinary action, up to and including dismissal, being taken against you.

#### **Confidentiality**

Although you have a duty of confidentiality to AH, this duty does not apply in respect of any disclosure which is justified under this policy, so long as that disclosure is made within certain legal guidelines as reflected in this policy.

#### **Appendix - Whistleblowing - Appropriate Regulators**

The identity of the appropriate regulator will depend on the nature of your concern. However, the regulator must be one of those prescribed by an order made by the Secretary of State for the purpose of the Public Interest Disclosure Act 1998. A current list of prescribed regulators can be found at [www.pcaw.org.uk/files/prescribedengscotwales.doc](http://www.pcaw.org.uk/files/prescribedengscotwales.doc).

