



## **Whistleblowing Policy and Procedure**

### **Purpose**

Impetus has a range of policies and procedures which deal with standards of behaviour; they cover discipline, grievance, harassment and recruitment and selection. You are encouraged to use the provisions of these procedures when appropriate. There may be times, however, when the matter is not about your personal position and needs to be handled in a different way.

The word “whistleblowing” in this Policy refers to the disclosure, internally or externally, of wrongdoing involving Impetus. This policy aims to help you to raise any serious concerns you may have about Impetus with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result. The policy is intended to deal with serious or sensitive concerns about wrongdoings, such as the following:

- a criminal offence has been committed, is being committed, or is likely to be committed
- failure to comply with any legal obligation
- a miscarriage of justice
- a health and safety risk
- damage to the environment
- fraud or corruption
- the mistreatment of service users
- unauthorised use of Impetus’ assets
- breaches and abuses of Impetus’ policies or code of conduct
- undue favour over a contractual matter or to a job applicant
- concealment of any of the above.

### **Scope**

This policy applies to members, staff, service users, volunteers, trustees, and steering group members in dealings with Impetus.

### **Context / Background**

Impetus is committed to being open, honest and accountable. It encourages a free and open culture in its dealings.

The policy is written in the context of the Public Interest Disclosure Act 1998 which protects workers who ‘blow the whistle’ on malpractices within their organisation.

## **Policy**

Impetus encourages you to use the internal mechanisms explained below for reporting any malpractice or illegal acts or omissions.

If you reasonably suspect that wrongdoing has occurred, is occurring or is likely to occur, you may report it even if you do not have definite proof. However, if you knowingly or maliciously make an untrue allegation, Impetus will take appropriate action against you. If you are an employee, the disciplinary procedure will be followed. The making of an untrue allegation may constitute gross misconduct. The officer designated to handle whistleblowing concerns is the Chief Executive Officer.

### **What you should do**

If you are an employee, you should, in most cases, first report your concern to your line manager, who will deal with it if possible. If it is not appropriate for a line manager to deal with the concern, or if you are not an employee, the concern should be referred to the Chief Executive Officer. If the matter concerns the Chief Executive Officer, you can raise it with the Chair of the Board, or any other Trustee.

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

You may wish to seek the assistance of your trade union representative, if you have one, when using the provisions of this policy. The trade union representative may, if you wish, raise the concern on your behalf. You may also invite a trade union representative or colleague to be present during any meetings or interviews about the concerns you have raised.

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

### **Protecting the individual raising the concern**

If you raise a concern which you believe to be true, Impetus will take appropriate action to protect you from any harassment, victimisation or bullying. You will not be at risk of losing your job with Impetus, nor will your whistleblowing influence any unrelated disciplinary action or redundancy procedures. Impetus will not tolerate any harassment or victimisation of a whistleblower (including informal pressures), and will treat this as a serious disciplinary offence. The matter will be treated confidentially if you request it and your name or position will not be revealed without your permission unless Impetus is required to do so by law. If

the concern cannot be resolved without revealing your identity, the Chief Executive Officer or Trustee will discuss with you whether and how to proceed. Concerns raised anonymously tend to be far less effective but the Chief Executive Officer or Trustee will decide whether or not to consider the matter taking into account:

- the seriousness of the matter
- whether the concern is believable
- whether an investigation can be carried out based on the information provided.

### **How Impetus will deal with the concern**

Precisely 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.

You will receive an acknowledgement within ten working days of the concern being raised. This acknowledgement will indicate:

- how Impetus plans to deal with the matter
- an estimate of how long it will take to provide a response
- any initial enquiries that have been made

The concern may either be investigated by the Chief Executive Officer or the Trustees, using the processes set out in the Impetus disciplinary procedure, or it may be referred to the police, other agencies, an external auditor or an independent investigator.

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

Impetus will give you feedback on the progress and outcome of any investigation wherever possible.

If the suspicions are not confirmed by an investigation, the matter will be closed. You will not be treated or regarded any differently for raising the concern, and your confidentiality will continue to be protected.

If you are not satisfied with the outcome of the investigation, Impetus recognises your lawful rights to make disclosures to prescribed persons such as the Health and Safety Executive, the Environment Agency or the Charity Commission, or, where justified, elsewhere.

**Governing documents**

- the Employment Rights Act 1996, as amended;
- the Public Interest Disclosure Act 1998, as amended;
- the Enterprise and Regulatory Reform Act 2013.

**Related documents**

- Disciplinary Procedure
- Grievance Procedure
- Complaints procedure
- Conflict of Interest Policy
- Volunteer Policy
- Equal Opportunities and Diversity Policy
- Anti-Harassment Policy

*Acknowledgment is made to London Voluntary Service Council (LVSC) and UNISON whose model policies were used as the basis for this policy.*

**Date Approved by Board: 29<sup>th</sup> January 2013**

**Last Review Date: August 2013**

**Next Review Date: September 2016**