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Whistleblowing Policy

Date this policy was introduced	**March 2024**
Next review	**March 2027**

Policy

It is important that any fraud, misconduct or wrongdoing by staff or others working on behalf of Volunteer Action is reported and properly dealt with. We therefore require all individuals to raise any concerns that they may have about the conduct of others in Volunteer Action or the way in which the organisation is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Background

The Public Interest Disclosure Act (https://www.gov.uk/government/publications/guidance-for-auditors-and-independent-examiners-of-charities/the-public-interest-disclosure-act--2) amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters in the public interest. These are called "qualifying disclosures". A qualifying disclosure is one made by an employee who has a reasonable belief that

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed.

It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. You have no responsibility for investigating the matter – we will ensure that an investigation takes place.

If you make a protected disclosure you have the right not to be dismissed, subjected to any other detriment, or victimised, because you have made a disclosure. We encourage you to raise your concerns under this procedure in the first instance.

Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff and others working on our behalf should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.
- No employee or other person working on behalf of Volunteer Action will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.
- Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure our disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter to the manager or the Chair of Trustees.

Procedure
This procedure is for disclosures about matters other than a breach of your own contract of employment, which should be raised via the Grievance Procedure.
Stage 1: In the first instance, any concerns should be raised with the manager, who will arrange an investigation of the matter. The investigation may involve you and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained. The manager will take any necessary action, including reporting the matter to the Chair of Trustees and any appropriate government department or regulatory agency. The manager will also invoke any disciplinary action required. On conclusion of any investigation, you will be told the outcome and what we have done, or propose to do, about it. If no action is to be taken, the reason for this will be explained.
Stage 2: If you are concerned that the manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person, you should escalate the matter to the Chair of Trustees. The Chair will arrange for a review of the investigation to be carried out, make any necessary enquiries and make their own report to the Board of Trustees.
Stage 3: If on conclusion of stages 1 and 2 you reasonably believe that the appropriate action has not been taken, you should report the matter to the relevant body. This includes:

- HM Revenue & Customs
- The Health and Safety Executive
- The Serious Fraud Office
- The Charity Commission
- The Information Commissioner

You can find the full list in The Public Interest Disclosure (Prescribed Persons) February 2016: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/496899/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf

Data protection
When an individual makes a disclosure, we will process any personal data collected in accordance with the data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure