



## THE AYLSHAM COMMUNITY TRUST (FAMILIES)

### WHISTLEBLOWING POLICY

Policy Reference:	JT/TACT(Families) whistleblowing policy	Review Frequency:	Annually
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Author:	J Tuttle (Chair of Trustees)		

Ratified by the TACT (Families) Trust Board on:  
13th May 2024

Signed: \_\_\_\_\_

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#### The purpose of this policy statement

TACT (Families) is committed to being open, honest and accountable. It encourages a free and open culture in its communication between the Trustees and those working with the charity, both employees 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.

#### What types of concerns?

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

- criminal offence
- failure to comply with any legal obligation
- failure in the protection of children or vulnerable adults
- miscarriage of justice
- 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 to TACT (Families), the charity will take appropriate disciplinary action or similar. It 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 will be dealt with through relevant staffing policies.

TACT (Families) Bullying and Harassment policy offers protection to workers against harassment, bullying and discrimination.

Volunteers and service users should make complaints or raise concerns through our Compliments, Comments and Complaints Policy.

### **How to raise a concern in the workplace**

The officer designated to handle whistleblowing concerns is Jo Tuttle and is known as the Whistleblowing Officer.

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

Dependent on the seriousness and sensitivity of the matter, and who is suspected of the wrongdoing, the individual can, if necessary report directly to the Whistleblowing Officer. If the matter concerns the Whistleblowing Officer, it should be raised with Duncan Spalding, the Chair of The Aylsham Cluster Trust.

Individuals, including volunteers, 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.

Employees may wish to seek the assistance of their trade union representative before raising the concern. The trade union representative may, where the employee so desires, raise the concern on behalf of the employee. Employees may also invite a trade union representative or colleague to be present during any meetings or interviews about the concerns they have raised.

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
- the independent charity, Public Concern at Work's legal helpline on 020 7404 6609, email: [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk)

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

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 TACT (Families) or any other matter for which a person or body other than the charity has legal responsibility, the disclosure should be made to that other person or body.

If at any time the individual believes that the concern will not be dealt with appropriately under the above procedure they can report their concern to the charities commission [whistleblowing@charitycommission.gov.uk](mailto:whistleblowing@charitycommission.gov.uk)

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

If an individual raises a concern which they believe to be true, TACT (Families) will take appropriate action to protect the individual from any harassment, victimisation or bullying. Employees who raise a genuine concern under this policy will not be at risk of losing their job, nor will it influence any unrelated disciplinary action or redundancy procedures.

The matter will be treated confidentially if the individual requests it and their name or position will not be revealed without their permission unless TACT (Families) has to do so by law. If in other circumstances the concern cannot be resolved without revealing the individual's identity, the Whistleblowing Officer will discuss with the individual whether and how to proceed.

Concerns raised anonymously tend to be far less effective but the Whistleblowing Officer 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 TACT (Families) will deal with the concern**

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 TACT (Families) Whistleblowing Officer, the Trustees, through the disciplinary process or it may be referred to the police, or other agencies.

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

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

## General Guidance

### What is Whistleblowing?

Whistleblowing, or public interest disclosure, is when a worker or volunteer 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 & 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 is 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 the charity or anyone associated with the charity;
- anyone making inappropriate use of the charity's resource (eg: for their own personal benefit);
- faulty machinery that puts at risk the safety of employees, volunteers or anyone associated with the charity.

### Good Practice

For effective risk management, employees and volunteers need to be confident that they can raise matters of concern without suffering any detriment. Not dealing with problems early could have a devastating effect on organisations with costly fines, compensation, higher insurance premiums, damaged reputation, regulatory investigation, lost jobs, and even lost lives. Whistleblowing can be an early warning system and an effective policy can provide a clear framework for action for employees, volunteers and employers alike.

If employees and volunteers' voice concerns within the charity rather than being forced to go to an external body, employers can often tackle a problem before it becomes a crisis, thus helping to avoid potentially damaging media coverage, regulatory sanctions and/or costly compensation payments. A whistleblowing policy can provide a clear framework for constructive problem solving in a reasonable, appropriate and controllable way.

### Contact details

#### Whistleblowing Officer

Name: Jo Tuttle (Chair of Trustees)  
E-mail: [jtuttle@aylshamhigh.norfolk.sch.uk](mailto:jtuttle@aylshamhigh.norfolk.sch.uk)  
Telephone: 01263 733270

## **Chair of The Aylsham Cluster Trust**

Name: Duncan Spalding (Chair of The Aylsham Cluster Trust)

E-mail: [dspalding@aylshamhigh.norfolk.sch.uk](mailto:dspalding@aylshamhigh.norfolk.sch.uk)

Telephone: 01263 733270

## **Charities Commission**

E-mail: [whistleblowing@charitycommission.gov.uk](mailto:whistleblowing@charitycommission.gov.uk)

## **Independent Advice regarding Whistleblowing**

Name: Protect

Telephone: 0800 055 7214

We are committed to reviewing our policy and good practice annually.