

**SORREL YOUTH CAFE
Whistle-blowing policy**

Policy History	
V1	Agreed Committee Meeting 28 Sept 10
Next Review	Sept 2011

1. Introduction

- 1.1 The Sorrel Youth Cafe is committed to being open, honest and accountable. It encourages a free and open culture in its dealings between the Management Committee, Staff and Volunteers.
- 1.2 This policy aims to help Management Committee members, Staff and 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.
- 1.3 This policy 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. What types of concerns?

- 2.1 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 miscarriage of justice
 - a health and safety risk to an individual
 - damage to the environment
 - or concealment of the above.
 - the mistreatment of service users
- 2.2 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 (e.g. in order to cause disruption with the Charity), the Charity will take appropriate disciplinary action against them. It may constitute gross misconduct.
- 2.3 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.
- 2.4 This policy does not deal with any complaints staff may have about their employment. This should be dealt with through the Charity's Grievance Procedure.
- 2.5 The Charity's Bullying and Harassment policy offers protection to Staff and Volunteers against harassment, bullying and discrimination.

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- 2.6 Volunteers should make complaints or raise concerns through the Volunteer Complaints Procedure. Volunteers are not covered by the Public Interest Disclosure Act, but should nonetheless be protected from any ill-treatment as a result of raising a concern in good faith.
- 2.7 Service users should make complaints or raise concerns through the Service Users Complaints Procedure.

3. How to raise a concern in the workplace

- 3.1 The officer designated to handle whistleblowing concerns is the Project Committee Chairman and shall be known as the Whistleblowing Officer.
- 3.2 Individuals should in most cases, first report their concern to the Project Manager, who is expected to respond to that matter. If that is not possible, he or she will refer the concern to the Whistleblowing Officer.
- 3.3 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 the Chair of the Management Committee.
- 3.4 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.
- 3.5 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.
- 3.6 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
- 3.7 Public Concern at Work will be able to advise on how and with whom to raise a concern about malpractice.
- 3.8 Disclosures made to a legal advisor in the course of obtaining legal advice will be protected under the Public Interest Disclosure Act.
- 3.9 If the individual reasonably believes that the matter relates wholly or mainly to the conduct of a person or body other than the Charity 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.

4. Protecting the individual raising the concern

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- 4.1 If an individual raises a concern which they believe to be true, the Charity will take appropriate action, within its capability, 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.
- 4.2 The matter will be treated confidentially if the individual requests it and their name or position will not be revealed without their permission unless the Charity 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.
- 4.3 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.

5. How the Charity will deal with the concern

- 5.1 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 the Charity's Whistleblowing Officer, the Management Committee, through the disciplinary process or it may be referred to the police, other agencies an external auditor or an independent investigator.
- 5.2 It may be necessary for the individual to give evidence in criminal or disciplinary proceedings.
- 5.3 The Charity will give the individual feedback on the progress and outcome of any investigation wherever possible.
- 5.4 If the suspicions are not confirmed by an investigation, the matter will be closed. Staff will not be treated or regarded any differently for raising the concern, and their confidentiality will continue to be protected.