**Whistleblowing Policy**

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| Created by | Alice Conroy |
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**1. Introduction**

1.1 Pathways to Independence UK (PTIUK) is committed to the highest standards of openness, probity, accountability and standards. We aim to foster a culture where all staff and young people are able to voice concerns and errors without fear, and as an organisation we actively encourage all forms of feedback in order to learn and develop our services to meet the needs of all service users.

1.2 An important aspect of accountability and transparency is a system to enable staff and others to voice concerns in a responsible and effective manner. To achieve this, we encourage staff to use internal systems for reporting any malpractice or illegal acts or omissions by employees.

1.3 This policy is based on legislation and good practice guidance such as Raising Concerns at Work: Whistleblowing Guidance for Workers and Employers in Health and Social Care 2014, and the Freedom to Speak Up Review 2015.

1.4 This policy is intended to assist individuals who believe they have discovered malpractice or impropriety and is intended to comply with the Public Interest Disclosure Act by encouraging staff to make disclosures about fraud, misconduct, bribery or other wrongdoing within PTIUK, without fear of reprisal, so that problems can be identified, dealt with and resolved quickly.

1.5 This policy is intended to cover concerns, which are in the public interest and may at least initially be investigated separately but might then lead to the invocation of other procedures e.g. disciplinary. These concerns could include:

* a criminal offence
* a failure to comply with a legal obligation
* a miscarriage of justice
* a health and safety issue
* damage to the environment
* an attempt to cover up any of the above.

1.6 **The Public Interest Disclosure Act** - It gives protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. PTIUK has endorsed the procedures set out below to ensure that no members of staff should feel at a disadvantage in raising legitimate concerns. <https://www.gov.uk/government/publications/the-public-interest-disclosure-act/the-public-interest-disclosure-act>

**2. Definitions**

2.1 **Whistleblowing -** It refers to the disclosure internally or externally by employees of malpractice, as well as illegal acts or omissions at work. Whistleblowing is sometimes referred to as ‘Speaking Out’. The wrongdoing you disclose must be in the public interest. This means it must affect others, for example the general public.

2.2 **Whistle-blower** - You are a **whistle-blower** if you are an employee and you report certain types of wrongdoing. This will usually be something you have seen at work - though not always. Certain types of disclosures qualify for protection. As a **whistle-blower** you are protected by law - you should not be treated unfairly because you ‘blow the whistle’ reporting any of the following **qualifying disclosures:**

* a criminal offence, for example fraud
* a breach of legal obligation
* someone’s health and safety is in danger
* risk of or actual damage to the environment
* a miscarriage of justice
* the Company is breaking the law
* you believe someone is covering up wrongdoing

2.3 **Complaints that do not count as whistleblowing -** Personal grievances (for example bullying, harassment, discrimination) are not covered by whistleblowing law, unless your particular case is in the public interest – see grievance policy.

**3. Procedure**

3.1 If an employee is concerned about malpractice at work, they should raise the concern immediately or at the earliest opportunity with their line manager (where appropriate). Speaking out early could stop the issue from becoming more serious, dangerous or damaging.

3.2 It is a fundamental term of employment that staff will serve their employer and not disclose confidential information about PTIUK. Nevertheless, where an employee discovers information they believe shows serious malpractice or wrongdoing, then this information should be disclosed internally without fear of reprisal.

3.3 PTIUK recognise the importance of there being arrangements in place to enable an employee to voice a concern independently of their line manager as needed. An employee may raise a concern with any senior manager that they feel comfortable talking to. Alternatively, they can provide information either anonymously or with their email contact through the PTIUK online feedback form, with the information being received by the PTIUK HR manager in the first instance. The link to this form is provided below and is on display in all PTIUK offices.

[Link to PTIUK Feedback Form](https://forms.gle/mkPtp6bcNUsKw9g5A)

3.4 The member of staff who receives and takes note of the complaint must pass this information, as soon as is reasonably possible, to the appropriate Designated Investigating Officer for instance:

* Complaints of malpractice will ordinarily be investigated by the Service Manager, unless the complaint is against the Service Manager, or is in any way related to the actions of the Service Manager. In such cases, the complaint should be passed to the Business Manager.
* In the case of a complaint, which relates to but is not against the Service Manager, the Chief Executive Officer will nominate another senior member of staff (without conflict of interest) or external party to act as the alternative investigating officer.
* The person making the complaint has the right to bypass the line management structure and take their complaint direct to a Senior Manager.
* Should none of the above routes be suitable or acceptable then the complainant may seek external support - [GOV.UK - Blowing the whistle: list of prescribed people and bodies](https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2).

3.5 When a formal concern has been raised, PTIUK will ensure that there should be prompt, swift, proportionate, fair and blame-free investigations to establish the facts.

3.6 **Anonymous Allegations** - this policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible and harder to follow up, but PTIUK will do what is possible and proportional considering:

* The seriousness of the issues raised
* The credibility of the concern
* The likelihood of confirming the allegation for instance

3.7 **Designated Investigating Officer responsibilities -** Where concerns are raised, the Officer will:

* Arrange an initial interview, which will, if requested, be confidential, to ascertain details of the complaint. At this stage, the whistleblower will be asked whether they want their identity to be disclosed.
* The whistleblower will be asked to make a written or verbal statement. In either case, the Officer will write a summary of the interview, which will be agreed by both parties.
* Treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or obstruct any investigation and where practical.
* Inform the member of staff against whom the complaint is made as soon as is practically possible following HR processes.
* Lead a full investigation with the assistance where appropriate, of others.
* If there is evidence of criminal activity, then the officer should inform the police. PTIUK will ensure that any internal investigation does not hinder a formal police investigation.
* A judgement concerning the complaint and validity of the complaint will be made. This will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to the Chief Executive Officer.
* The Chief Executive Officer will decide what action to take. If the complaint is shown to be justified, then we will invoke the disciplinary or other appropriate procedures to remedy the situation with a view to preventing reoccurrence.
* The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.
* If appropriate, a copy of the outcomes will be used to enable a review of procedures.

3.8 If an employee believes that a reported allegation or concern is not being dealt with appropriately, they should report the matter to Alice Conroy, Chief Executive Officer. alice@ptiuk.org.uk.

3.9 **Safeguarding –** If the matter relates to safeguarding this will be shared in line with procedure and best practice – see Safeguarding Policies.

3.10 **Untrue Allegations** - If an individual makes an allegation in good faith, which is not confirmed after investigation, no action will be taken against them. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious allegations, and particularly if they persist with making them, disciplinary action may be taken against that individual.

To be reviewed in July 2025 or with new presenting information.